

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

_____	)	
HERITAGE FOUNDATION.,	)	
214 Massachusetts Ave. N.E.	)	
Washington, D.C. 20002	)	
	)	
MIKE HOWELL	)	
214 Massachusetts Ave. N.E.	)	
Washington, D.C. 20002	)	
<i>Plaintiffs,</i>	)	
	)	
v.	)	Case No. 22-cv-3102
	)	
DEPARTMENT OF JUSTICE	)	
950 Pennsylvania Ave. N.W.	)	
Washington, D.C. 20408	)	
	)	
<i>Defendant.</i>	)	
_____	)	

**COMPLAINT AND PRAYER FOR DECLARATORY AND INJUNCTIVE RELIEF**

Plaintiffs THE HERITAGE FOUNDATION and MIKE HOWELL (collectively “Heritage”) for their complaint against Defendant DEPARTMENT OF JUSTICE (“DOJ” or “Department”) allege on knowledge as to Plaintiffs, and on information and belief as to all other matters, as follows:

1. As to the Supreme Court, May 2, 2022, is a “day which shall live in infamy.” A complete copy of Justice Samuel A. Alito’s draft opinion in *Dobbs v. Whole Women’s Health* was leaked to the press. Never before had a full opinion been leaked. The Supreme Court’s reputation as the only institution in Washington, D.C., that does not leak was shattered; hyper partisan resetting of norms had reached even the Court. And the leak occurred in the highest profile case possible—the first time since 1992 the Court had seriously considered a direct request to overrule its hugely controversial opinion in *Roe v. Wade*.

2. That was bad enough. But there was more.

3. Protests erupted. Many of the protests took the familiar form outside of the Supreme Court building. This case concerns another rarely seen category of protests—protests at the private homes of Justices. These protests were largely focused on efforts to pressure the Court into refusing to overrule *Roe*. Even Justice Amy Coney Barrett’s children’s schools and her church were targeted. An individual was arrested plotting to assassinate Justice Brett M. Kavanaugh and potentially other Justices in part to ensure *Roe* was sustained. After *Dobbs* came down on June 23, 2022 the protests continued unabated at Justices’ private homes. Post *Dobbs*, the various protests had as their focus pressuring Justices on abortion jurisprudence. No one doubts that there will soon be cases before the Court regarding *Dobbs*’ implementation. Indeed, motions practice on the issue has already begun. With continued protests came a new twist, as Justice Kavanaugh was driven from a Washington D.C. restaurant by protestors, and groups urged similar conduct. Over the summer, the protests expanded geographic locales to include Justices’ summer homes and destinations.

4. These protests at Justices’ private residences appear to be illegal. 18 U.S.C.

§ 1507 (“Section 1507”) provides in pertinent part:

Whoever, with the intent of interfering with, obstructing, or impeding the administration of justice, or with the intent of influencing any judge, juror, witness, or court officer, in the discharge of his duty, pickets or parades in or near a building housing a court of the United States, or in or near a building or residence occupied or used by such judge, juror, witness, or court officer, or with such intent uses any sound-truck or similar device or resorts to any other demonstration in or near any such building or residence, shall be fined under this title or imprisoned not more than one year, or both.

Section 1507 was written by Justices, an identical statute was sustained against facial First Amendment attack, and Section 1507 has recently been enforced against protestors at the Supreme Court.

5. But the Department refused to enforce the statute as to the protests at Justices' private homes. The Department's refusal to invoke Section 1507 played out in real-time on national media which devoted considerable coverage to this specific issue. Numerous Members of Congress, media outlets, the Governors of Virginia and Maryland, and pundits implored the Department to enforce Section 1507 as to the protests at Justices' private residences. But the Department did not. The subsidiary pleas of numerous Members of Congress and the press for an explanation of why the Department would not enforce Section 1507 as part of its efforts to protect the Justices against an unprecedented public pressure campaign went unanswered.

6. So to did Plaintiffs' FOIA requests. Plaintiffs' first request, filed on June 17, 2022, was not even acknowledged. Plaintiff's second FOIA request, filed on July 28, 2022, remains substantively unanswered. The Department has repeatedly exceeded or ignored applicable statutory deadlines for responding to Plaintiffs' Requests themselves as well as Plaintiffs' request for expedited processing of the July 28, 2022 request.

7. Attorney General Merrick Garland recently stated that:

Faithful adherence to the rule of law is the bedrock principle of the Justice Department and of our democracy.

Upholding the rule of law means applying the law evenly, without fear or favor. Under my watch, that is precisely what the Justice Department is doing.

All Americans are entitled to the evenhanded application of the law, to due process of the law, and to the presumption of innocence.

Attorney General Merrick Garland, Remarks (Aug. 11, 2022),

<https://www.justice.gov/opa/speech/attorney-general-merrick-garland-delivers-remarks> (last visited Oct. 11, 2022). FOIA is a law. Yet the Department has repeatedly failed to meet its obligations thereunder.

8. Section 1507 is also a law. Why then the refusal to enforce Section 1507? Why the Department's refusal to answer public questions about its position on how Section 1507

interacts with protests? Why no substantive response to the numerous Members of Congress who have reasonably asked the Department to state its position on how Section 1507 applies to the protests and thus make law publicly—as opposed to behind closed doors. (Presumably, the Department’s response to Members would inform whether Members take some form of legislative action on this issue). This lawsuit seeks answers to these important questions.

9. At bottom the Department has repeatedly *not* followed the law. Plaintiffs are therefore left with no option but to bring this case and seek the aid of the court to hold the Department to its promise to “[f]aithful adherence to the rule of law,” and to “apply[] the law evenly, without fear or favor.” *Id.*

### **PARTIES**

10. Plaintiff, The Heritage Foundation is a Washington, D.C.-based nonpartisan think tank with a national and international reputation whose mission is to “formulate and promote public policies based on the principles of free enterprise, limited government, individual freedom, traditional American values, and a strong national defense.” Heritage Foundation, *About Heritage*, <https://www.heritage.org/about-heritage/mission> (last visited Oct. 11, 2022). Heritage is a not-for-profit section 501(c)(3) organization which engages in substantial dissemination of information to the public. Heritage operates a national news outlet, *The Daily Signal*.

11. Plaintiff Mike Howell heads the Heritage Foundation’s Oversight Project and is an author for *The Daily Signal*. The Oversight Project is an initiative aimed at obtaining information via Freedom of Information Act requests and other means in order to best inform the public and Congress for the purposes of Congressional oversight. The requests and analysis of information is informed by Heritage’s deep policy expertise. For example, former Acting

Customs and Border Protection Commissioner Mark Morgan and former Acting Immigration and Customs Enforcement Director Tom Homan are Visiting Fellows with The Heritage Foundation and draw on their experience and expertise to analyze information. They also use their broad public engagement to inform the general public.

12. Heritage operates a national news outlet, *The Daily Signal*. *The Daily Signal* has covered—and is actively covering—both the Supreme Court protests and their interaction with Section 1507. See Joshua Arnold, *Leftist Group Offers to Pay Anyone Who Abets Supreme Court Harassment* (July 13, 2022); Hans von Spakovsky, *Refusing to Prosecute Those Protesting at Supreme Court Justices’ Homes is Inexcusable*, Daily Signal (May 31, 2022); Zach Smith, *“Stay Away from Homes and Families” of Justices, Sen. Dick Durbin Tells Supreme Court Protestors. He’s Right*, Daily Signal (May 12, 2022); Douglas Blair, *What I Saw When Protestors Marched to Supreme Court Justices’ Homes*, Daily Signal (May 07, 2022); Laurel Duggan, *Biden White House Refuses to Condemn “Disgusting” Effort to Intimidate Supreme Court Justices*, Daily Signal (May 6, 2022).

13. Defendant the Department of Justice is a federal agency of the United States within the meaning of 5 U.S.C. § 552(f)(1) whose mission is to “uphold the rule of law, to keep our country safe, and to protect civil rights.”

<https://www.justice.gov/about#:~:text=Mission,and%20to%20protect%20civil%20rights>. (last visited Oct. 11, 2022).

### **JURISDICTION AND VENUE**

14. This Court has jurisdiction pursuant to 5 U.S.C. § 552(a)(4)(B) because this action is brought in the District of Columbia and 28 U.S.C. § 1331 because the resolution of disputes under FOIA presents a federal question.

15. Venue is proper in this Court under 28 U.S.C. § 1391(b) because Defendant DHS's principal place of business is in the District of Columbia.

## **FACTUAL BACKGROUND**

### **The Protests**

16. Immediately after the leak of the *Dobbs* opinion, protests began outside of Justices' private homes. Some of the protestors appeared to be acting as individuals; others were clearly part of organized activity. These protests in some form or another all appeared on their face to be designed to influence *Dobbs*, and after *Dobbs* came down, to influence the Court's ongoing abortion jurisprudence. The protests were later expanded from Justices' private homes, with groups advocating the harassment of Justices at restaurants and one advocacy group releasing information regarding Justice Amy Coney Barrett's children's schools and her church.

17. A brief chronology from the Record of the nature of the protests follows.

- The Five (FOX television broadcast May 6, 2022) ("A group of radicals posting home addresses of the six conservative leaning justices and encouraging protest following the leak of the draft opinion that could overturn *Roe v. Wade*."), App. A 679.<sup>1</sup>

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<sup>1</sup> Plaintiffs' July FOIA Request attached 7 Appendices to insure compliance with FOIA's requirement that a request for expedited processing is evaluated based on the record placed before the Department.

Appendix A is a collection of pertinent transcripts of network news television broadcasts, national newspaper articles, and press releases related to protests concerning the Supreme Court and Section 1507.

Appendix B is a collection of pertinent Senate Floor statements related to protests concerning the Supreme Court and Section 1507.

Appendix C is a collection of pertinent House Floor statements related to protests concerning the Supreme Court and Section 1507.

Appendix D is a collection of letters from Members of Congress related to protests concerning the Supreme Court and Section 1507.

Appendix E is a May 11, 2022 letter from 25 State Attorneys General to Attorney General Merrick Garland concerning protests, the Supreme Court, and Section 1507.

Appendix F is a July 1, 2022 Letter from the Marshal of the Supreme Court to Maryland Governor Larry Hogan requesting that he cause the Maryland law against picketing at homes to be enforced against protestors at Justices' residences.

- Editorial Board, Wash. Post (May 10, 2022) (“An issue that illuminates this imperative in sharp relief is residential picketing—protests against the actions or decisions of public officials at their homes, such as the recent noisy abortion rights demonstrations at the Montgomery County dwellings of Supreme Court Chief Justice John G. Roberts Jr. and Justice Brett M. Kavanaugh. The disruptors wanted to voice opposition to a possible overruling of *Roe v. Wade*, as foreshadowed by a leaked majority draft opinion last week. What they mainly succeeded in doing was to illustrate that their goal—with which we broadly agree—does not justify their tactics.”), App. 628.
- Special Report (FOX television broadcast May 10, 2022) (“Night after night, pro-choice activists protests outside the homes of Supreme Court justices. And day after day, the White House supports them.”), App. A 609.
- Morgan Phillips & Katelyn Caralle, “*Just Because People are Passionate Does Not Mean They are Violent*”: *Psaki Defends Non-violent Protests*, DailyMail Online (May 10, 2022) (“‘Ruth Sent Us’ doxxed the Washington, D.C.-area addresses of the six conservative Supreme Court Justices and organized ‘walk-bys’ of their residences this week to protest the impending opinion that will overturn *Roe v. Wade*. The group announced a so-called ‘walk-by Wednesday’ for May 11, 2022, saying marches will take place ‘at the homes of the six extremist justices, three in Virginia and three in Maryland.’ On Monday, protesters rallied outside the home of Justice Samuel Alito in Virginia, after dozens of people also gathered over the weekend outside the homes of Justice Brett Kavanaugh and Chief Justice John Roberts in the Washington and Maryland suburbs. Roberts has said that he doesn’t support a full overturn of *Roe v. Wade*, but claimed he would be in favor of allowing a Mississippi law that makes abortion illegal at the 15-week point of a pregnancy.”), App. A 586–87.
- Tucker Carlson (FOX television broadcast May 10, 2022) (“So it’s hard to believe this happened. We actually checked it just to make certain it happened, but it did happen. Today at the White House, Jen Psaki, the outgoing White House Press Secretary encouraged the mob, thugs affiliated with the Democratic Party to threaten and intimidate Supreme Court Justices at their homes where their families live. There’s a quote, ‘We certainly continue to encourage protests outside of Judges’ homes,’ Psaki said. There is no mistaking what she meant. She said it right out loud. So no one has said this ever before from the White House podium. It’s a Federal crime as far as we know.”), App. A 558.
- Hannity (FOX television broadcast May 10, 2022) (“Now, Justice Alito and his family and Justice Kavanaugh and Justice Roberts, and in some cases forcing them to flee their

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Appendix G is a copy of H. Res. 1111, 117 Cong. 2d Sess. and a co-sponsor list as of July 22, 2022.

Request at 7. Citations to the Appendices filed in support of Plaintiffs’ application for expedited processing of their July Request are in the form “App. \_ \_\_\_\_.”

own homes”), App. A 536; *id.* (“Now a pro-abortion group is now planning to hold more protests at Justices private homes.”).

- Callie Patteson, *The DOJ Abstains Mum on Abort Protests*, N.Y. Post (May 11, 2022) (“Monday night saw the latest rally outside Alito’s home, where about 100 people gathered, held signs and chanted, ‘Our bodies, our voice!’ as well as, ‘Alito is a coward.’”), App. A 566.
- Hannity (FOX television broadcast June 9, 2022) (“Now, naturally, a few weeks ago, Schumer didn’t seem to mind at all the Kavanaugh’s address and other Supreme Court justices’ addresses were published online and that so-called protester showed up outside of his house. He does have young children in a family.”), App. 253.
- Fox News at Night (FOX television broadcast June 9, 2022) (“Breaking tonight, protests outside the home of Supreme Court Justice Brett Kavanaugh, as several officers guard the residence. This is just hours after a man armed with a pistol, knife, and other weapons was arrested and charged with attempted murder of the Justice.”), App. A 236.
- Fox News Sunday (FOX television broadcast June 12, 2022) (“These groups published the conservative justices’ addresses online. They’ve been protesting nightly.”), App. A 341.
- Fox News at Night (FOX television broadcast June 14, 2022) (discussing “protests tonight outside the homes of Supreme Court Justices”), App. A 217.
- Kaelan Deese, *McConnell Demands Answers from DOJ on Supreme Court Security After Kavanaugh Plot*, Wash. Exam’r (June 15, 2022) (“Top Republican lawmakers sent a letter to the Justice Department on Wednesday demanding answers over a lack of criminal prosecution surrounding ‘illegal picketing’ outside the homes of Supreme Court justices, one week after a man was arrested and charged after plotting to kill Justice Brett Kavanaugh.”), App. A 211.
- Alex Swoyer, *Protests at Justices’ Homes Trigger GOP Call with DOJ Action*, Wash. Times (June 16, 2022) (“Their letter comes as a progressive group has urged protesters to appear outside the school where Justice Amy Coney Barrett sends her children.”), App. A 209.
- Hannity (FOX television broadcast, June 20, 2022) (“Now, pro-abortion protesters swarmed outside of Justice Amy Coney Barrett’s home this weekend, dressed in clothing, appearing to be soaked with blood. Take a look at this. Look, you know, holding baby doll toys, holding signs, reading things like abortion on demand with no apology. Remember, it was Jen Psaki who actually encouraged that type of demonstration, which in fact do violate federal law, 18 USC 1507. Can’t intimidate. You can’t harass a judge especially on the verge of making a decision. It also comes as at least now pregnancy centers have been targeted by vandalism and property damage since the draft leak of the Supreme Court’s opinion. And remember that group Ruth Sent Us also called for



demonstrations at Justice Coney Barrett’s church, and even name the school that her children attend, even said how many times she goes to church on any given week.”), App. A 150.

- Hannity (FOX television broadcast June 21, 2022) (“We now know the doxxing of every justice has taken place. In the case of Amy Coney Barrett, these people are giving out the exact school where her children go. They’re telling people what church she goes to and when she goes to church.”), App. 128.
- Your Word (FOX television broadcast July 11, 2022) (“By the way, you probably heard recently how Supreme Court Justice Kavanaugh had to sneak out of a Morton’s Steakhouse in Washington, D.C., because of protesters outside. Now we’re told that protesters were so enthused by that, that they’re offering bounty on those who go to these restaurants, any of these restaurants, and you spot a justice, let them know. They will pay you. They might even pick up the tab for your meal.”), App. A 090.
- The Five (FOX television broadcast July 11, 2022) (discussing protestors disrupting Justice Kavanaugh dining at Morton’s and group offering “\$200 cash for real time info that could help protesters find and target the justices.”), App. A 062.
- Hannity (FOX television broadcast July 14, 2022) (discussing group offering payments for information on Supreme Court Justices’ whereabouts), App. A 031–032.
- Hannity (FOX television Broadcast July 16, 2022) (noting protestors disrupted Justice Kavanaugh’s dinner at Morton’s), App. A 011.
- Fox Business (FOX television broadcast Jul. 20, 2022) (“They tweeted this, ‘we disrupted Brett Kavanaugh’s steak dinner and we will disrupt a Congressional Baseball Game. The monsters tearing our country apart deserve no peace.’ Right shutdown DC. This is the same group who previously offered cash payments for tips on the locations of Supreme Court Justices.”), App. A 003.

### **Section 1507**

18. Section 1507 had its origins “from the picketing of federal courthouses by partisans of the defendants during trials involving leaders of the Communist Party.” *Cox. v. Louisiana*, 379 U.S. 559, 561 (1965). That picketing provided what the Supreme Court has described as an “adverse” reaction from “both the bar and the general public.” *Id.* As summarized by the Court, the foremost legal groups of the time all recommended the passage of what became Section 1507:

At a special meeting held in March 1949, the Judicial Conference of the United States passed the following resolution: “Resolved, That we condemn the practice of picketing the courts, and believe that effective means should be taken to prevent it.” Report of the Judicial Conference of the United States, 203 (1949). A Special Committee on Proposed Legislation to Prohibit Picketing of the Courts was appointed to make recommendations to the Conference on this subject. *Ibid.* In its Report to the Judicial Conference, dated September 23, 1949, at p. 3, the Special Committee stated: “The sentiment of bar associations and individual lawyers has been and is practically unanimous in favor of legislation to prohibit picketing of courts.” Upon the recommendation of this Special Committee, the Judicial Conference urged the prompt enactment of the then-pending bill. Report of the Judicial Conference of the United States, 17–18 (1949). Similar recommendations were made by the American Bar Association, numerous state and local bar associations, and individual lawyers and judges. See Joint Hearings before the Subcommittees of the Committees on the Judiciary on S. 1681 and H.R. 3766, 81st Cong., 1st Sess.; H.R.Rep.No. 1281, 81st Cong., 1st Sess.; S.Rep. No. 732, 81st Cong., 1st Sess.; Bills Condemning Picketing of Courts Before Congress, 33 J.Am.Jud.Soc. 53 (1949).

*Cox*, 379 U.S. at 561–62. According to Justice Tom C. Clark, the text that became Section 1507 “was written” by Supreme Court Justices. *Id.* at 595 (Clark, J., concurring in part and dissenting in part).

19. Section 1507 would survive a First Amendment challenge both facially and as applied to a protest at the private home of a Supreme Court Justice which a properly instructed trier of fact found was intended to “influenc[e]” that Justice in the “discharge of his duty.”

20. In *Cox*, the Supreme Court dealt with a First Amendment challenge to a Louisiana law *in hac verba* with Section 1057. *Id.* at 560–61. A unanimous Court rejected a facial attack:

We hold that this statute on its face is a valid law dealing with conduct subject to regulation so as to vindicate important interests of society and that the fact that free speech is intermingled with such conduct does not bring with it constitutional protection.

*Id.* at 564; *id.* at 581 (Black, concurring in part and dissenting in part); *id.* at 585 (Clark, J., concurring in part and dissenting in part); *id.* at 591 (White J., concurring in part and dissenting in part).<sup>2</sup>

21. The Court recognized that not only was preventing judges and jurors from actually being influenced an important governmental interest, but so to was preventing an *appearance* of being influenced. *Id.* at 575. Also relevant is Justice Black’s observation (joined by Justices White and Harlan) that because “[t]he very purpose of a court system is to adjudicate controversies, both criminal and civil, in the calmness and solemnity of the courtroom according to legal procedures[,] . . . [t]he streets are not now and never have been the proper place to administer justice.” *Id.* at 583; *id.* at 592 (White, J., concurring in part and dissenting in part) (concurring with opinion of Black, J., on this point). *See also United States v. Grace*, 461 U.S. 171, 182–83 (1983) (protecting the courts from both actual influence and the appearance of influence is an important government interest in part because by Constitutional design courts are not to be lobbied whereas the other two branches affirmatively are); *Hodge v. Talkin*, 799 F.3d 1145, 1163–64 (D.C. Cir. 2015) (similar).

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<sup>2</sup> The Court reversed the conviction in *Cox* on other grounds. The conviction was attacked on vagueness grounds, arguing that the term “near” was undefined and hence unconstitutionally vague. *Cox*, 379 U.S. at 568. The Court did not directly reach this question, but noted “this lack of specificity may not render the statute unconstitutionally vague, at least as applied to a demonstration within the sight and hearing of those in the courthouse.” *Id.* It then held that the term “near” (and hence the Louisiana statute) “foresees a degree of on-the-spot administrative interpretation by officials charged with responsibility for administering and enforcing it.” *Id.* The Court then reversed on the specific facts of the case: The protest occurred across the street from the courthouse, an area where *Cox* had been given permission to protest by the Chief of Police. *Id.* at 569–70. Any argument to extend *Cox* on vagueness grounds to protests at Justices’ private homes fails on its own terms. The protests are on streets and sidewalks yards away from Justices’ private residences and therefore clearly within “sight and hearing.” *Id.* at 568. And presumably any enforcement of Section 1507 would be preceded by a public warning clearly defining prohibited conduct.

22. Section 1507 is not a statute in desuetude. Numerous individuals have been convicted under Section 1507 for protests at courthouses designed to influence judges and juries. *See, e.g., United States v. Carter*, 717 F.3d 1216, 1217–18 (8th Cir. 1983) (sustaining conviction under Section 1507 for protest outside courthouse concerning pending trial); *United States v. Gorgan*, No. 15-cr-00056 (RDM) (D.D.C.) (defendant convicted of oral protest during Supreme Court oral argument); *United States v. Bronstein, et al.*, No. 1:15-cr-00048 (CRC) (D.D.C.) (5 defendants convicted of the same); Mem. of Law in Support of Def. Mot. to Dismiss, at 3, *Adkins v. McGlothlin*, 1:11-cv-00087 (MFU-RSB) (W.D. Va. May 14, 2012) (ECF 31) (recounting Adkins’ conviction under Section 1507 for picketing at a federal courthouse to protest an adverse verdict in a civil suit, including use of signs accusing the presiding federal judge of “condoning perjury and selecting a biased jury”); *see also United States v. Williams*, No. 99-cr-25, 2000 WL 173214, at \*11 (D.VI May 20, 2000) (court opining that police officers protesting criminal prosecution of police officer outside courthouse violated Section 1507); *United States v. Jones*, 244 F.Supp. 181, 181, 183 (S.D.N.Y. 1965) (defendants who blocked entrance to courthouse as a protest could have “properly” been convicted under Section 1507).

### **The Protests and Section 1507**

23. The national broadcast media and national press coverage has consistently covered the interplay between protests at Supreme Court Justices’ private residences and Section 1507. *See generally* App. A. The majority of that press coverage has focused (and focuses) on allegations by Members of Congress, national news organizations, and subject matter experts that Attorney General Garland acted improperly by failing to enforce Section 1507 against protesters at Justices’ residences (for what many allege are improper political purposes). *See, e.g.,* App. A at 002–003, 013, 031–033, 049–050, 062–064, 076–077, 090–092, 100–101, 129–

130, 150–151, 155–156, 158–159, 169, 183, 190–195, 207, 209, 211–212, 214–215, 233–234, 236–238, 262–263, 275–277, 284–288, 305–306, 327–329, 364–366, 373–379, 385–386, 391–392, 395–399, 401–405, 435–438, 440–441, 443–444, 446–447, 449–450, 452–454, 456–457, 459–461, 488–93, 495–98, 500, 502–507, 566–567, 573–576, 578–580. The widespread press coverage of these accusations cannot help but to undermine public confidence in DOJ’s impartial administration of the law. Moreover, some of these widely reported accusations have gone further to explicitly state that Attorney General Garland not enforcing Section 1507 against protests at Justices’ private homes *should* cause (or *has* caused) the public to lose confidence in DOJ’s impartial administration of the law. *See* App. A at 003, 049–050, 100–101, 191–192, 275–277, 327–329.

24. In addition to this press coverage, since the beginning of the protests, Members of Congress have taken to the Senate and House Floor to state their view that protestors at Justices’ private homes seeking to influence the Court’s decisions should be prosecuted under Section 1507. *See* App. B; App. C. Many of these Members went further and stated their view that Attorney General Garland was—and is—derelict in his duty to enforce Section 1507. *See* App. B at 003 (Minority Leader Mitch McConnell); *id.* at 034–035 (same); *id.* at 069–70 (same); App. C at 001 (Rep. John Rose); *id.* at 005 (Minority Whip Steve Scalise); *id.* at 027–028 (Rep. Mike Johnson); *id.* at 033 (Rep. Darrell Issa).

25. Members of Congress have also sent numerous letters to the Department requesting that the Department provide information related to its decision making concerning the application of Section 1507 to protests at Justices’ homes and urging enforcement of Section 1507. *See* App. D. Many of those letters alleged or suggested impropriety on Attorney General Garland’s part. *See* App. D at 001–002 (Sen. Ted. Cruz); *id.* at 006–008 (12 Sens.); *id.* at 009–

010 (Sen. Josh Hawley); *id.* at 011–012 (Sen. Ron Johnson); *id.* at 016–022 (48 Reps.); *id.* at 023–025 (Sen. Chuck Grassley); *id.* at 027 (Sen. Tom Cotton suggesting impeachment could be warranted). On belief, substantive responses have not been provided. At the time of the Record, 70 House Members were co-sponsors of H. Res. 1111 which expressly calls upon “the Department of Justice to enforce section 1507 of title 18, United States Code, with respect to protests outside of the homes of sitting Supreme Court Justices.” *See* App. G.

26. State Attorneys General have also condemned both the protests and Attorney General Garland’s failure to enforce Section 1507. On May 11, 2022, 25 Attorneys General urged Attorney General Garland to enforce Section 1507 against protestors at Justices’ homes and have suggested that a failure to promptly so enforce Section 1507 would be improperly political. *See* App. E. No such prompt enforcement has occurred.

27. Maryland Governor Laurence Hogan and Virginia Governor Glen Younkin transmitted a letter to Attorney General Garland urging him to enforce Section 1507 against protestors at Justices’ residences. @GovLarryHogan, Twitter (May 11, 2022, 5:00 PM) [https://twitter.com/GovLarryHogan/status/1524494786031280128?ref\\_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1524494786031280128%7Ctwgr%5E%7Ctwcon%5Es1\\_&ref\\_url=https%3A%2F%2Fwww.wmar2news.com%2Fnews%2Flocal-news%2Fmaryland-virginia-governors-call-on-department-of-justice-to-provide-resources-to-keep-supreme-court-justices-and-their-families-safe](https://twitter.com/GovLarryHogan/status/1524494786031280128?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1524494786031280128%7Ctwgr%5E%7Ctwcon%5Es1_&ref_url=https%3A%2F%2Fwww.wmar2news.com%2Fnews%2Flocal-news%2Fmaryland-virginia-governors-call-on-department-of-justice-to-provide-resources-to-keep-supreme-court-justices-and-their-families-safe). According to Governor Hogan’s press secretary the Justice Department responded “declining to enforce the law.” @riccimike, Twitter (July 2, 2022, 3:20 PM) [https://twitter.com/riccimike/status/1543313595563495424?ref\\_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1543313595563495424%7Ctwgr%5E%7Ctwcon%5Es1\\_&ref\\_](https://twitter.com/riccimike/status/1543313595563495424?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1543313595563495424%7Ctwgr%5E%7Ctwcon%5Es1_&ref_)

*url=https%3A%2F%2Fwww.foxnews.com%2Fus%2Fmaryland-virginia-respond-supreme-court-letter*. Again, on information, the Department of Justice has not provided a substantive response.

28. The Marshal of the Supreme Court recently wrote Governor Hogan and Governor Youngkin after the conclusion of the October 2021 Term recounting the intensity of the protests at Supreme Court Justices' homes and requesting that local laws be enforced against these protestors. *See, e.g.*, App. F (letter to Gov. Hogan).

## **PLAINTIFF'S FOIA REQUESTS**

### **Plaintiff's First FOIA Request**

29. On June 17, 2022, Plaintiffs transmitted a FOIA Request to the Department of Justice via email to MRUFOIA.Requests@usdoj.gov ("June Request" or "Plaintiffs' June FOIA Request") (Ex. 1); *see also* Ex. 2 (sent email).

30. The June Request sought "All communications and attachments to and from the individuals below using any of the following terms: protest, protests, protester, protesters, picketing, parading, 18 U.S.C. 1507, demonstration or demonstrations" (June Request at 1) from a designated set of Department officials (*id.* at 1–2). Temporally, it sought records from May 2, 2021 to June 17, 2022. *Id.* at 2.

31. The June Request also sought a fee waiver based on Heritage's status as a 501(c)(3) nonprofit, Plaintiffs' non-commercial purpose, Plaintiffs' status as representatives of the news media, and the fact that the records related to an important issue. *Id.* at 3–4.

32. Plaintiffs are unaware of any substantive Department response to the June Request.

33. 20 working days from June 17, 2022 was July 19, 2022.

**Plaintiffs' Second FOIA Request**

34. Plaintiffs' second FOIA request was transmitted on July 28, 2022. That request sought: "All records related [to] 18 U.S.C. § 1507 and protests, picketing, parades, demonstrations, occupations, sit-ins, or any other form of protest at the residences of the Chief Justice of the United States or the Associate Justices of the Supreme Court of the United States." FOIA Request 2020-1595, at 1 (July 28, 2022) ("July Request" or "Plaintiffs' July FOIA Request") (Ex. 3). The July Request sought records from January 20, 2021 to present.

35. The July Request sought expedited processing pursuant to 28 C.F.R. § 16.5(e)(1)(iv). July Request at 4. The July Request supported its claim for expedited processing with a detailed 8 page presentation of law and fact and seven factual appendices. *Id.* at 4–11.

36. The July Request also sought a fee waiver based on Heritage's status as a 501(c)(3) nonprofit, Plaintiffs' non-commercial purpose, Plaintiffs' status as representatives of the news media, and the fact that "[t]he requested information is in the public interest as this is an issue of national controversy which has been covered extensively by national broadcast media and national print media" (*id.* at 3) as well as the fact that "numerous Members of Congress have been unable to obtain information from the DOJ concerning the subject matter of this request" (*id.*).

37. The Department was required to respond to Plaintiffs' application for expedited processing of the July Request within 10 calendar day. 5 U.S.C. § 552(a)(6)(E)(ii)(I).

38. 10 calendar days from July 28, 2022 was August 7, 2022.

39. The Department did not respond to Plaintiffs' application for expedited processing of the July Request on August 7, 2022.



40. On August 20, 2022, Plaintiffs transmitted a letter via email to DOJ.OIP.FOIA@usdoj.gov following-up on the July Request's application for expedited processing. Letter from Mike Howell to FOIA Officer (Aug. 20, 2022) (Ex. 4).<sup>3</sup> That letter explained that the Department's response was overdue by more than double the applicable 10 day response time. *Id.* at 1. It then continued:

The Request concerns matters of high and ongoing public importance that go directly to the integrity of the Department and have several[ly] undermined public confidence in the Department's impartial administration of Justice. This showing more than met and continues to meet the applicable standard for expedition as is detailed in the 8 pages of detailed argument for expedition in the Request and the factual record comprised of 7 appendices covering 921 pages.

Since the *Dobbs* leak and through this day the Justices of the Supreme Court have been subject to unprecedented campaigns of harassment at their personal residences which are facially designed to influence the Court's abortion jurisprudence. This conduct is illegal under 18 U.S.C. § 1507 ("Section 1507"). But the Department has refused to enforce this provision despite public please from numerous federal and state officials and media outlets. Many of these officials and media figures have stated that the Department's failure to act represents an improper political decision. Some ha[ve] gone so far as to explicitly state that the Department's failure to enforce Section 1507 should undermine public confidence in the Department and cause the electorate to vote against the Democratic party in the mid-term elections. All of this has been widely covered and condemned in the press. The Request seeks records concerning these matters. Expedition is warranted.

*Id.* at 1. The Letter concluded by advising: "If I do not receive a decision on my expedition request by the close of business August 23, 2022, I will be compelled to file an action and seek a preliminary injunction to order expedition. By this letter I hope to prevent such motions practice." *Id.* at 2.

41. On August 23, 2022, the Office of Information Policy responded. The cover email reads in pertinent part:

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<sup>3</sup> The Letter was addressed to the Director of Public Affairs because under Department Regulations the Director of Public Affairs makes all determinations on requests for expedited processing—Department wide—under 28 C.F.R. § 16.5(e)(1)(iv). *See id.* §16.5(e)(2).

This communication is in response to the letter attached to the email below concerning FOIA-2022-01595. Please be advised, about a week ago this Office signed and sent out a letter acknowledging the FOIA request and providing the expedition determination for FOIA-2022-01595. I am not sure why you did not receive the letter as it was sent to the email address provided in your organization's FOIA submission. To be of assistance, I am attaching a copy of the signed letter and a copy of the email transmission. I hope this is helpful.

Email from Office of Information Policy to Roman Jankowski (Aug. 23, 2022) (Ex. 5).

42. The attached letter was dated August 16, 2022 and stated “[t]he Director has determined that your request for expedited processing should be granted” and the Department was invoking “unusual circumstances” pursuant to 5 U.S.C. § 552(a)(6)(B)(i)–(iii). Letter Re: FOIA-2020-1595, at 1 (Aug. 16, 2022) (Ex. 6). On its face, the Director’s determination does not apply to components likely to have records, but for whom the Office of Information Policy does not handle FOIA requests. The letter also declined to pass on Plaintiffs’ fee waiver until “we determine whether fees will be implicated for this request.” *Id.*

43. Plaintiffs had not previously received the August 16, 2022 email and letter.

44. Plaintiffs received nothing further from DOJ concerning the July Request.

45. 30 working days from July 28, 2022 is September 9, 2022.

**FIRST CLAIM FOR RELIEF**

**(June Request)**

**Violation FOIA, 5 U.S.C. §552**

**Failure to Conduct Adequate Searches for Responsive Records.**

46. Plaintiffs re-allege paragraphs 1–45 as if fully set out herein.

47. FOIA requires all doubts to be resolved in favor of disclosure. “Transparency in government operations is a priority of th[e Biden] . . . Administration.” Attorney General, *Memorandum for Heads of Executive Departments and Agencies: Freedom of Information Act Guidelines*, at 4 (Mar. 15, 2022).

48. Plaintiffs properly requested records within the possession, custody, and control of Defendant.

49. Defendant is subject to FOIA and therefore must make reasonable efforts to search for requested records.

50. Defendant has failed to promptly review agency records for the purpose of locating and collecting those records that are responsive to Plaintiffs' June FOIA Request.

51. Defendant's failure to conduct searches for responsive records violates FOIA and the DOJ regulations.

52. Plaintiffs have a statutory right to the information they seek.

53. Defendant is in violation of FOIA.

54. Plaintiffs are being irreparably harmed by reason of Defendant's violation of FOIA. Plaintiffs are being denied information to which they are statutorily entitled and that is important to carrying out Plaintiffs' functions as a non-partisan research and educational institution and publisher of news. Plaintiffs will continue to be irreparably harmed unless Defendant is compelled to comply with the law.

55. Plaintiffs have no adequate remedy at law.

56. Plaintiffs have constructively exhausted their administrative remedies.

**SECOND CLAIM FOR RELIEF**  
**(June Request)**

**Violation of FOIA, 5 U.S.C. § 552**  
**Wrongful Withholding of Non-Exempt Responsive Records**

57. Plaintiffs re-allege paragraphs 1–56 as if fully set out herein.

58. FOIA requires all doubts to be resolved in favor of disclosure. “Transparency in government operations is a priority of th[e Biden] . . . Administration.” Attorney General,

*Memorandum for Heads of Executive Departments and Agencies: Freedom of Information Act Guidelines*, at 4 (Mar. 15, 2022).

59. Plaintiffs properly requested records within the possession, custody, or control of Defendant.

60. Defendant is subject to FOIA, and therefore must release to a FOIA requester any non-exempt records and provide a lawful reason for withholding any records.

61. Defendant is wrongfully withholding non-exempt records requested by Plaintiff by failing to produce any records responsive to Plaintiffs' June FOIA Request.

62. Defendant is wrongfully withholding non-exempt-agency records requested by Plaintiffs by failing to segregate exempt information in otherwise non-exempt records responsive to Plaintiffs' June FOIA Request.

63. Defendant's failure to provide all non-exempt responsive records violates FOIA and DOJ regulations.

64. Plaintiffs have a statutory right to the information they seek.

65. Defendant is in violation of FOIA.

66. Plaintiffs are being irreparably harmed by reason of Defendant's violation of FOIA. Plaintiffs are being denied information to which they are statutorily entitled and that is important to carrying out Plaintiffs' functions as a non-partisan research and educational institution and publisher of news. Plaintiffs will continue to be irreparably harmed unless Defendant is compelled to comply with the law.

67. Plaintiffs have no adequate remedy at law.

68. Plaintiffs have constructively exhausted their administrative remedies.

**THIRD CLAIM FOR RELIEF**  
**(June Request)**  
**Violation of FOIA, 5 U.S.C. § 552**  
**Wrongful Denial of Fee Waiver**

69. Plaintiffs re-allege paragraphs 1–68 as if fully set out herein.

70. FOIA requires all doubts to be resolved in favor of disclosure. “Transparency in government operations is a priority of th[e Biden] . . . Administration.” *Attorney General, Memorandum for Heads of Executive Departments and Agencies: Freedom of Information Act Guidelines*, at 4 (Mar. 15, 2022).

71. Plaintiffs properly requested records within the possession, custody, or control of Defendant.

72. Defendant has constructively denied Plaintiffs’ application for a fee waiver pursuant to 5 U.S.C. § 552(a)(4)(A)(ii) & (iii) and 28 C.F.R. §16.10(k).

73. The Request does not have a commercial purpose because Heritage is a 501(c)(3) nonprofit, Howell acts in his capacity as a Heritage employee, and release of the information sought does not further Plaintiffs’ commercial interest.

74. Plaintiffs are members of the news media as they “gather[] information of potential interest to a segment of the public, use[] . . . [their] editorial skills to turn the raw materials into a distinct work, and distribute[] that work to an audience” via Heritage’s major news outlet, *The Daily Signal*. 5 U.S.C. § 552(a)(4)(a)(ii).

75. Disclosure of the information sought by the June Request also “is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government.” 5 U.S.C. § 552(a)(4)(A)(iii).

76. Defendant has “failed to comply with a[]time limit under paragraph (6)” as to the Request. 5 U.S.C. § 552(a)(4)(A)(viii)(I).

77. Plaintiffs have a statutory right to a fee waiver.

78. Defendant is in violation of FOIA by denying a fee waiver.

79. Plaintiffs are being irreparably harmed by reason of Defendant's violation of FOIA. Plaintiffs are being denied a fee waiver to which they are statutorily entitled and that is important to carrying out Plaintiffs' functions as a non-partisan research and educational institution and publisher of news. Plaintiffs will continue to be irreparably harmed unless Defendant is compelled to comply with the law.

80. Plaintiffs have no adequate remedy at law.

81. Plaintiffs have constructively exhausted their administrative remedies.

**FOURTH CLAIM FOR RELIEF**  
**(June Request)**  
**Violation of FOIA, 5 U.S.C. § 552**  
**Statutory Bar Against Charging Fees**

82. Plaintiffs re-allege paragraphs 1–81 as if fully set out herein.

83. FOIA requires all doubts to be resolved in favor of disclosure. “Transparency in government operations is a priority of th[e Biden] . . . Administration.” Attorney General, *Memorandum for Heads of Executive Departments and Agencies: Freedom of Information Act Guidelines*, at 4 (Mar. 15, 2022).

84. Plaintiffs properly requested records within the possession, custody, or control of Defendant.

85. The June Request does not have a commercial purpose because Heritage is a 501(c)(3) nonprofit, Howell acts in his capacity as a Heritage employee, and release of the information sought does not further Plaintiffs' commercial interest.

86. Plaintiffs are members of the news media as they “gather[] information of potential interest to a segment of the public, use[] . . . [their] editorial skills to turn the raw

materials into a distinct work, and distribute[] that work to an audience” via Heritage’s major news outlet, *The Daily Signal*. 5 U.S.C. § 552(a)(4)(a)(ii).

87. Disclosure of the information sought by the June Request also “is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government.” 5 U.S.C. § 552(a)(4)(A)(iii).

88. Defendant has “failed to comply with a[]time limit under paragraph (6)” as to the June Request. 5 U.S.C. § 552(a)(4)(A)(viii)(I).

89. Defendant has not determined “more than 5,000 pages are necessary to respond to this request,” or discussed with Plaintiffs how Plaintiffs “could effectively limit the scope of the request.” 5 U.S.C. § 552(a)(4)(A)(viii)(II)(cc).

90. Defendant is currently statutorily barred from charging fees related to Plaintiffs’ June FOIA Request. Therefore, Plaintiffs have a statutory right to have its request processed without being charged any fees.

91. Plaintiffs are being irreparably harmed by reason of Defendant’s violation of FOIA. Plaintiffs will continue to be irreparably harmed unless Defendant is compelled to comply with the law.

92. Plaintiffs have no adequate remedy at law.

93. Plaintiffs have constructively exhausted their administrative remedies.

**FIFTH CLAIM FOR RELIEF**

**(July Request)**

**Violation FOIA, 5 U.S.C. §552**

**Failure to Conduct Adequate Searches for Responsive Records.**

94. Plaintiffs re-allege paragraphs 1–93 as if fully set out herein.

95. FOIA requires all doubts to be resolved in favor of disclosure. “Transparency in government operations is a priority of th[e Biden] . . . Administration.” Attorney General,

*Memorandum for Heads of Executive Departments and Agencies: Freedom of Information Act Guidelines*, at 4 (Mar. 15, 2022).

96. Plaintiffs properly requested records within the possession, custody, and control of Defendant.

97. Defendant is subject to FOIA and therefore must make reasonable efforts to search for requested records.

98. Defendant has failed to promptly review agency records for the purpose of locating and collecting those records that are responsive to Plaintiffs' July FOIA Request.

99. Defendant's failure to conduct searches for responsive records violates FOIA and the DOJ regulations.

100. Plaintiffs have a statutory right to the information they seek.

101. Defendant is in violation of FOIA.

102. Plaintiffs are being irreparably harmed by reason of Defendant's violation of FOIA. Plaintiffs are being denied information to which they are statutorily entitled and that is important to carrying out Plaintiffs' functions as a non-partisan research and educational institution and publisher of news. Plaintiffs will continue to be irreparably harmed unless Defendant is compelled to comply with the law.

103. Plaintiffs have no adequate remedy at law.

104. Plaintiffs have constructively exhausted their administrative remedies.

**SIXTH CLAIM FOR RELIEF**

**(July Request)**

**Violation of FOIA, 5 U.S.C. § 552**

**Wrongful Withholding of Non-Exempt Responsive Records**

105. Plaintiffs re-allege paragraphs 1–104 as if fully set out herein.



106. FOIA requires all doubts to be resolved in favor of disclosure. “Transparency in government operations is a priority of th[e Biden] . . . Administration.” Attorney General, *Memorandum for Heads of Executive Departments and Agencies: Freedom of Information Act Guidelines*, at 4 (Mar. 15, 2022).

107. Plaintiffs properly requested records within the possession, custody, or control of Defendant.

108. Defendant is subject to FOIA, and therefore must release to a FOIA requester any non-exempt records and provide a lawful reason for withholding any records.

109. Defendant is wrongfully withholding non-exempt records requested by Plaintiffs by failing to produce any records responsive to Plaintiffs’ July FOIA Request.

110. Defendant is wrongfully withholding non-exempt-agency records requested by Plaintiffs by failing to segregate exempt information in otherwise non-exempt records responsive to Plaintiffs’ July FOIA Request.

111. Defendant’s failure to provide all non-exempt responsive records violates FOIA and DOJ regulations.

112. Plaintiffs have a statutory right to the information they seek.

113. Defendant is in violation of FOIA.

114. Plaintiffs are being irreparably harmed by reason of Defendant’s violation of FOIA. Plaintiffs are being denied information to which they are statutorily entitled and that is important to carrying out Plaintiffs’ functions as a non-partisan research and educational institution and publisher of news. Plaintiffs will continue to be irreparably harmed unless Defendant is compelled to comply with the law.

115. Plaintiffs have no adequate remedy at law.

116. Plaintiffs have constructively exhausted their administrative remedies.

**SEVENTH CLAIM FOR RELIEF**

**(July Request)**

**Violation of FOIA, 5 U.S.C. § 552**

**Wrongful Denial of Fee Waiver**

117. Plaintiffs re-allege paragraphs 1–116 as if fully set out herein.

118. FOIA requires all doubts to be resolved in favor of disclosure. “Transparency in government operations is a priority of th[e Biden] . . . Administration.” *Attorney General, Memorandum for Heads of Executive Departments and Agencies: Freedom of Information Act Guidelines*, at 4 (Mar. 15, 2022).

119. Plaintiffs properly requested records within the possession, custody, or control of Defendant.

120. Defendant has constructively denied Plaintiffs’ application for a fee waiver pursuant to 5 U.S.C. § 552(a)(4)(A)(ii) & (iii) and 28 C.F.R. §16.10(k).

121. The July Request does not have a commercial purpose because Heritage is a 501(c)(3) nonprofit, Howell acts in his capacity as a Heritage employee, and release of the information sought does not further Plaintiffs’ commercial interest.

122. Plaintiffs are members of the news media as they “gather[] information of potential interest to a segment of the public, use[] . . . [their] editorial skills to turn the raw materials into a distinct work, and distribute[] that work to an audience” via Heritage’s major news outlet, *The Daily Signal*. 5 U.S.C. § 552(a)(4)(a)(ii).

123. Disclosure of the information sought by the July Request also “is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government.” 5 U.S.C. § 552(a)(4)(A)(iii).

124. Defendant has “failed to comply with a[]time limit under paragraph (6)” as to the Request. 5 U.S.C. § 552(a)(4)(A)(viii)(I).

125. Plaintiffs have a statutory right to a fee waiver.

126. Defendant is in violation of FOIA by denying a fee waiver.

127. Plaintiffs are being irreparably harmed by reason of Defendant’s violation of FOIA. Plaintiffs are being denied a fee waiver to which they are statutorily entitled and that is important to carrying out Plaintiffs’ functions as a non-partisan research and educational institution and publisher of news. Plaintiffs will continue to be irreparably harmed unless Defendant is compelled to comply with the law.

128. Plaintiffs have no adequate remedy at law.

129. Plaintiffs have constructively exhausted their administrative remedies.

**EIGHTH CLAIM FOR RELIEF**  
**(JULY REQUEST)**  
**Violation of FOIA, 5 U.S.C. § 552**  
**Statutory Bar Against Charging Fees**

130. Plaintiffs re-allege paragraphs 1–129 as if fully set out herein.

131. FOIA requires all doubts to be resolved in favor of disclosure. “Transparency in government operations is a priority of th[e Biden] . . . Administration.” Attorney General, *Memorandum for Heads of Executive Departments and Agencies: Freedom of Information Act Guidelines*, at 4 (Mar. 15, 2022).

132. Plaintiffs properly requested records within the possession, custody, or control of Defendant.

133. The July Request does not have a commercial purpose because Heritage is a 501(c)(3) nonprofit, Howell acts in his capacity as a Heritage employee, and release of the information sought does not further Plaintiffs’ commercial interest.

134. Plaintiffs are members of the news media as they “gather[] information of potential interest to a segment of the public, use[] . . . [their] editorial skills to turn the raw materials into a distinct work, and distribute[] that work to an audience” via Heritage’s major news outlet, *The Daily Signal*. 5 U.S.C. § 552(a)(4)(a)(ii).

135. Disclosure of the information sought by the July Request also “is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government.” 5 U.S.C. § 552(a)(4)(A)(iii).

136. Defendant has “failed to comply with a[]time limit under paragraph (6)” as to the July Request. 5 U.S.C. § 552(a)(4)(A)(viii)(I).

137. Defendant has not determined “more than 5,000 pages are necessary to respond to this request,” or discussed with Plaintiffs how Plaintiffs “could effectively limit the scope of the request.” 5 U.S.C. § 552(a)(4)(A)(viii)(II)(cc).

138. Defendant is currently statutorily barred from charging fees related to Plaintiffs’ July FOIA Request. Therefore, Defendant has a statutory right to have its request processed without being charged any fees.

139. Plaintiffs are being irreparably harmed by reason of Defendant’s violation of FOIA. Plaintiffs will continue to be irreparably harmed unless Defendant is compelled to comply with the law.

140. Plaintiffs have no adequate remedy at law.

141. Plaintiffs have constructively exhausted their administrative remedies.

**NINTH CLAIM FOR RELIEF**  
**(July Request)**  
**Violation of FOIA, 5 U.S.C. § 552**  
**Wrongful Denial of Expedited Processing**

142. Plaintiffs re-allege paragraphs 1–141 as if fully set out herein.

143. FOIA requires all doubts to be resolved in favor of disclosure. “Transparency in government operations is a priority of th[e Biden] . . . Administration.” Attorney General, Memorandum for Heads of Executive Departments and Agencies: Freedom of Information Act Guidelines, at 4 (Mar. 15, 2022).

144. Plaintiffs properly requested records within the possession, custody, or control of Defendant.

145. Plaintiffs properly asked that DOJ expedite the processing of Plaintiffs’ July FOIA Request, based upon Plaintiffs’ showing of that the Request concerns “[a] matter of widespread and exceptional media interest in which there exist possible questions that affect public confidence in the Government’s integrity.” 28 C.F.R. § 16.5(e)(1)(iv).

146. Defendant refused in part to expedite Plaintiffs’ July FOIA Request, contrary to the factual and legal showing Plaintiffs made demonstrating their entitlement to expedition.

147. Defendant is in violation of FOIA.

148. Plaintiffs are being irreparably harmed by reason of Defendant’s violation of FOIA. Plaintiffs are being denied information to which they are statutorily entitled to on an expedited basis and that is important to carrying out Plaintiffs’ functions as a non-partisan research and educational institution and publisher of news. Plaintiffs will continue to be irreparably harmed unless Defendant is compelled to comply with the law.

149. Plaintiffs have no adequate remedy at law.

150. Plaintiffs has exhausted all required administrative remedies with respect to Defendant’s failure to make a determination on Plaintiffs’ request for expedition.

**WHEREFORE** as a result of the foregoing, Plaintiffs pray that this Court:

- A. Enter a preliminary and permanent injunction compelling Defendant to process Plaintiffs' July FOIA Request on an expedited basis.
- B. Order Defendant to conduct a search or searches reasonably calculated to uncover all records responsive to Plaintiffs' June and July FOIA Requests;
- C. Order Defendants to produce, within twenty days of the Court's order, or by such other date as the Court deems appropriate, any and all non-exempt records responsive to Plaintiffs' June and July FOIA Requests and indexes justifying the withholding of any responsive records withheld in whole or in part under claim of exemption;
- D. Enjoin Defendants from continuing to withhold any and all non-exempt records responsive to Plaintiffs' June and July FOIA Requests;
- E. Retain jurisdiction over this matter as appropriate;
- F. Award Plaintiffs their costs and reasonable attorneys' fees in this action as provided by 5 U.S.C. § 522(a)(4)(E); and
- G. Grant such other and further relief as this Court may deem just and proper.

Dated: October 12, 2022

Respectfully submitted,

/s/ Samuel Everett Dewey  
SAMUEL EVERETT DEWEY  
(No. 99979)  
Chambers of Samuel Everett Dewey, LLC  
Telephone: (703) 261-4194  
Email: samueledewey@sedchambers.com

ROMAN JANKOWSKI  
(No. 975348)  
The Heritage Foundation  
Telephone: (202) 489-2969

Email: [Roman.Jankowski@heritage.org](mailto:Roman.Jankowski@heritage.org)

*Counsel for Plaintiffs*





<input type="radio"/> <b>G. Habeas Corpus/ 2255</b>  <input type="checkbox"/> 530 Habeas Corpus – General <input type="checkbox"/> 510 Motion/Vacate Sentence <input type="checkbox"/> 463 Habeas Corpus – Alien Detainee	<input type="radio"/> <b>H. Employment Discrimination</b>  <input type="checkbox"/> 442 Civil Rights – Employment (criteria: race, gender/sex, national origin, discrimination, disability, age, religion, retaliation)  *(If pro se, select this deck)*	<input checked="" type="radio"/> <b>I. FOIA/Privacy Act</b>  <input checked="" type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 890 Other Statutory Actions (if Privacy Act)  *(If pro se, select this deck)*	<input type="radio"/> <b>J. Student Loan</b>  <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (excluding veterans)
<input type="radio"/> <b>K. Labor/ERISA (non-employment)</b>  <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 740 Labor Railway Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="radio"/> <b>L. Other Civil Rights (non-employment)</b>  <input type="checkbox"/> 441 Voting (if not Voting Rights Act) <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 445 Americans w/Disabilities – Employment <input type="checkbox"/> 446 Americans w/Disabilities – Other <input type="checkbox"/> 448 Education	<input type="radio"/> <b>M. Contract</b>  <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 153 Recovery of Overpayment of Veteran’s Benefits <input type="checkbox"/> 160 Stockholder’s Suits <input type="checkbox"/> 190 Other Contracts <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<input type="radio"/> <b>N. Three-Judge Court</b>  <input type="checkbox"/> 441 Civil Rights – Voting (if Voting Rights Act)

**V. ORIGIN**  
 1 Original Proceeding  
  2 Removed from State Court  
  3 Remanded from Appellate Court  
  4 Reinstated or Reopened  
  5 Transferred from another district (specify)  
  6 Multi-district Litigation  
  7 Appeal to District Judge from Mag. Judge  
  8 Multi-district Litigation – Direct File

**VI. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE.)**

<b>VII. REQUESTED IN COMPLAINT</b>	<input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23	DEMAND \$ _____	JURY DEMAND: YES <input type="checkbox"/> NO <input type="checkbox"/>
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<b>VIII. RELATED CASE(S) IF ANY</b>	(See instruction)	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	If yes, please complete related case form
-------------------------------------	-------------------	---	---

DATE: <u>October 12, 2022</u>	SIGNATURE OF ATTORNEY OF RECORD <u>/s/ Samuel Everett Dewey</u>
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**INSTRUCTIONS FOR COMPLETING CIVIL COVER SHEET JS-44**  
 Authority for Civil Cover Sheet

The JS-44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and services of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. Listed below are tips for completing the civil coversheet. These tips coincide with the Roman Numerals on the cover sheet.

- I.** COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF/DEFENDANT (b) County of residence: Use 11001 to indicate plaintiff if resident of Washington, DC, 88888 if plaintiff is resident of United States but not Washington, DC, and 99999 if plaintiff is outside the United States.
- III.** CITIZENSHIP OF PRINCIPAL PARTIES: This section is completed only if diversity of citizenship was selected as the Basis of Jurisdiction under Section II.
- IV.** CASE ASSIGNMENT AND NATURE OF SUIT: The assignment of a judge to your case will depend on the category you select that best represents the primary cause of action found in your complaint. You may select only one category. You must also select one corresponding nature of suit found under the category of the case.
- VI.** CAUSE OF ACTION: Cite the U.S. Civil Statute under which you are filing and write a brief statement of the primary cause.
- VIII.** RELATED CASE(S), IF ANY: If you indicated that there is a related case, you must complete a related case form, which may be obtained from the Clerk’s Office.

Because of the need for accurate and complete information, you should ensure the accuracy of the information provided prior to signing the form.

# **EXHIBIT 1**



214 Massachusetts Avenue, NE  
Washington, DC 20002

(202) 546-4400  
heritage.org

**SENT VIA: MRUFOIA.Requests@usdoj.gov**

June 17, 2022

FOIA/PA Mail Referral Unit  
Department of Justice  
Room 115  
LOC Building  
Washington, DC 20530-0001

Dear FOIA Officer,

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, and the implementing FOIA regulations of the Department of Justice (DOJ), 28 CFR Part 16, I respectfully request the following records (or records containing the following information):

All communications and attachments to and from the individuals below using any of the following terms: protest, protests, protester, protesters, picketing, parading, 18 U.S.C. 1507, demonstration or demonstrations.

Merrick B. Garland	Attorney General	Office of the Attorney General
Margaret Vivian Goodlander	Counsel to the Attorney General	Office of the Attorney General
Kate Elizabeth Heinzelman	Chief Counsel to the Attorney General	Office of the Attorney General
Matthew Bennett Klapper	Chief of Staff and Senior Counselor to the Attorney General	Office of the Attorney General
Christopher H. Schroeder	Assistant Attorney General	Office of Legal Counsel
Valerie H. Yancey	Executive Officer	Office of Legal Counsel
Dyone Mitchell	Confidential Assistant	Office of Legal Counsel
C. Scott McAbee	Counsel to the Assistant Attorney General	Office of Legal Counsel
Dawn Elizabeth Johnsen	Principal Deputy Assistant Attorney General	Office of Legal Counsel
Daniel L. Koffsky	Deputy Assistant Attorney General	Office of Legal Counsel
Martin S. Lederman	Deputy Assistant Attorney General	Office of Legal Counsel



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Bradley N. Garcia	Deputy Assistant Attorney General	Office of Legal Counsel
Trisha Beth Anderson	Deputy Assistant Attorney General	Office of Legal Counsel
Neil J. Kinkopf	Senior Counsel	Office of Legal Counsel
Carlos F. Uriarte	Senior Counsel	Office of Legal Counsel
Paul P. Colborn	Special Counsel	Office of Legal Counsel
Rosemary A. Hart	Special Counsel	Office of Legal Counsel
Joshua Edward Gardner	Special Counsel	Office of Legal Counsel
Kenneth A. Polite, Jr..	Assistant Attorney General	Criminal Division
Kristen Clarke	Assistant Attorney General	Civil Rights
Pamela Karlan	Principal Deputy	Civil Rights

Please limit the search for this request from May 2, 2021, to June 17, 2022.

The term “record” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, inter-office and intra-office communications, electronic mail (emails), MMS or SMS text messages, instant messages, messaging systems (such as iMessage, Microsoft Teams, WhatsApp, Telegram, Signal, Google Chat, Twitter direct messages, Lync, Slack, and Facebook Messenger), contracts, cables, telexes, notations of any type of conversation, telephone call, voicemail, meeting or other communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electronic records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. A record bearing any notation not a part of the original text is to be considered a separate record. A draft or non-identical copy is a separate record within the meaning of this term.

The term “communication” means each manner or means of disclosure or exchange of information (in the form of facts, ideas, inquiries, or otherwise), regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in an in-person meeting, by telephone, facsimile, e-mail (desktop or mobile device), MMS or SMS text message, instant messages, messaging systems (such as iMessage, Microsoft Teams, WhatsApp, Telegram, Signal, Google Chat, Twitter direct messages, Lync, Slack, and Facebook Messenger), regular mail, telexes, releases, or otherwise.



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This request for records includes any attachments to those records or other materials enclosed with those records when they were previously transmitted. To the extent that an email is responsive to our request, our request includes all prior messages sent or received in that email chain, as well as any attachments to the email.

In the interest of expediency and to minimize the research and/or duplication burden on your staff, please send records electronically if possible. If this is not possible, please notify me before sending to the mailing address listed below. If access to this request will take longer than seven (20) business days, please let me know when I might receive records or be able to inspect the requested records. Please produce responsive documents as soon as they become available. In all cases, please communicate with me at the below email address.

Please comply fully with 5 U.S.C. § 552 (b). Accordingly, without limitation to the foregoing, if any portion of this request is denied for any reason, please provide written notice of the records or portions of records that are being withheld and cite each specific exemption of the Freedom of Information Act on which the agency relies. Moreover, to the extent that responsive records may be withheld in part produce all reasonably segregable portions of those records. Additionally, please provide all responsive documents even if they are redacted in full.

#### Fee Waiver Request

This request is primarily and fundamentally for non-commercial purposes. As a 501(c)(3) nonprofit, Heritage Foundation does not have a commercial purpose and the release of the information requested is not in Heritage Foundation's commercial interest. Heritage Foundation's mission is to formulate and promote public policies based on the principles of free enterprise, limited government, individual freedom, traditional American values, and a strong national defense. Heritage Foundation uses the information requested and analyzes it in order to educate the public through social media,<sup>1</sup> broadcast media<sup>2</sup> (traditional and nontraditional) and press releases.<sup>3</sup> The requested information is in the public interest because it has been documented that a Biden Administration aide has provided newsworthy off-the-record remarks to a reporter<sup>4</sup> and President Biden, himself, has held off-the-record meetings with reporters.<sup>5</sup> The Biden Administration is even known to label newsworthy records "close hold" when they provide information to reporters.<sup>6</sup>

Because this is a request by a member of the news media for information of public interest, made in

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<sup>1</sup> Heritage Foundation. [@ Heritage] (Accessed: 2022, February 18). 626.8K Followers Twitter.

<https://twitter.com/Heritage>

<sup>2</sup> Fox News. (Accessed: 2022, February 18). Heritage Foundation launches Conservative Oversight Project aimed at 'exposing' Biden admin, leftist policies. <https://www.foxnews.com/politics/heritage-conservative-oversight-project-biden-admin-leftist-policies>

<sup>3</sup> Heritage Foundation. (Accessed: 2022, February 18). Press. <https://www.heritage.org/press>.

<sup>4</sup> Vanity Fair. (Accessed: 2022, June 2). "I Will Destroy You": Biden Aide Threatened A Politico Reporter Pursuing A Story On His Relationship. <https://www.vanityfair.com/news/2021/02/i-will-destroy-you-biden-aide-threatened-a-politico-reporter-pursuing-a-story-on-his-relationship>

<sup>5</sup> ABC 7. (Accessed: June 2, 2022) As White House tries to reach voters, Biden stays away from interviews. <https://katv.com/news/nation-world/as-white-house-tries-to-reach-voters-president-joe-biden-stays-away-from-interviews-midterms-democratic-party-congress-republicans-gop-election-politics>

<sup>6</sup> Politico. (Accessed: 2022, June 2). Biden moving to withdraw Trump-approved Medicaid work rules. <https://www.politico.com/news/2021/02/11/biden-withdraws-trump-medicaid-rules-468759>



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my capacity as an author for the Daily Signal<sup>7</sup> (a major news outlet<sup>8</sup>), I actively gather information of potential interest to our Daily Signal audience, and I use my editorial skills to turn raw materials into a distinct work, and I distribute that work to our Daily Signal audience through podcasts<sup>9</sup> or articles. I request that you waive all applicable fees associated with this request.

Because this is a request by a member of the news media for information of public interest, made in my capacity as an author for the Daily Signal<sup>5</sup> (a major news outlet<sup>6</sup>), I actively gather information of potential interest to our Daily Signal audience, and I use my editorial skills to turn raw materials into a distinct work, and I distribute that work to our Daily Signal audience through podcasts<sup>7</sup> or articles. I request that you waive all applicable fees associated with this request.

If you deny this request for a fee waiver, please advise me in advance of the estimated charges if they are to exceed \$50. Please send me a detailed and itemized explanation of those charges.

Thank you in advance for considering my request. If you have any questions, or feel you need clarification of this request please contact me at [oversightproject@heritage.org](mailto:oversightproject@heritage.org).

Sincerely,

Mike Howell  
Senior Advisor and Author at The Daily Signal  
The Heritage Foundation  
214 Massachusetts Ave, NE  
Washington, D.C. 20002

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<sup>7</sup>Daily Signal. (Accessed: 2022, February 18). Mike Howell. <https://www.dailysignal.com/author/mike-howell/>

<sup>8</sup>Daily Signal. [@DailySignal] (Accessed: 2022, February 18). 73.7K Followers Twitter. <https://twitter.com/DailySignal>

<sup>9</sup>Apple. (Accessed: 2022, March 4). The Daily Signal Podcast. <https://podcasts.apple.com/us/podcast/the-daily-signal-podcast/id1313611947>

# **EXHIBIT 2**

**From:** [Jankowski, Roman](#)  
**To:** [MRUFOIA.Requests@usdoj.gov](mailto:MRUFOIA.Requests@usdoj.gov)  
**Subject:** New FOIA Request  
**Date:** Friday, June 17, 2022 9:03:00 AM  
**Attachments:** [DOJ FOIA Request Protesting 6-17-2022.pdf](#)

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Good afternoon,

Attached is a new FOIA request from the Heritage Foundation.



# **EXHIBIT 3**



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**SENT VIA:**

July 28, 2022

Director of Public Affairs  
Office of Public Affairs  
Department of Justice  
950 Pennsylvania Ave., N.W.  
Washington, D.C. 20530-0001

Dear FOIA Officer,

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, and the implementing FOIA regulations of the Department of Justice (“DOJ”), 28 CFR Part 16, I respectfully request the following:

All records related 18 U.S.C. § 1507 and protests, picketing, parades, demonstrations, occupations, sit-ins, or any other form of protest at the residences of the Chief Justice of the United States or the Associate Justices of the Supreme Court of the United States.

Please limit the search for this request from January 20, 2021 at 12:01 PM EST to present. Please include the following Department components in any search: Office of the Attorney General, Office of the Deputy Attorney General, Office of the Associate Attorney General, Office of the Solicitor General, Office of Legal Counsel, Office of Legal Policy, Criminal Division, Civil Division, Civil Rights Division, U.S. Attorney’s Office for the District of Columbia, U.S. Attorney’s Office for the District of Maryland, U.S. Attorney’s Office for the Eastern District of Virginia, Federal Bureau of Investigation, and U.S. Marshals Service.

The terms “pertaining to,” “referring,” “relating,” or “concerning” with respect to any given subject means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is in any manner whatsoever pertinent to that subject.

The term “record” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports,



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books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, inter-office and intra-office communications, electronic mail (emails), MMS or SMS text messages, instant messages, messaging systems (such as iMessage, Microsoft Teams, WhatsApp, Telegram, Signal, Google Chat, Twitter direct messages, Lync, Slack, and Facebook Messenger), contracts, cables, telexes, notations of any type of conversation, telephone call, voicemail, meeting or other communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electronic records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise.

The terms “and” and “or” should be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information which might otherwise be construed to be outside its scope. The terms “all,” “any,” and “each” should each be construed as encompassing any and all. The singular includes the plural number, and vice versa. The present tense includes the past and vice versa. The masculine includes the feminine and neuter genders.

This request for records includes any attachments to those records or other materials enclosed with those records when they were previously transmitted. To the extent that an email is responsive to our request, our request includes all prior messages sent or received in that email chain, as well as any attachments to the email.

In the interest of expediency and to minimize the research and/or duplication burden on your staff, please send records electronically if possible. If this is not possible, please notify me before sending to the mailing address listed below. If access to this request will take longer than twenty business days, please let me know when I might receive records or be able to inspect the requested records. Please produce



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responsive documents as soon as they become available. In all cases, please communicate with me at the below email address.

Please comply fully with 5 U.S.C. § 552(b). Accordingly, without limitation to the foregoing, if any portion of this request is denied for any reason, please provide written notice of the records or portions of records that are being withheld and cite each specific exemption of the Freedom of Information Act on which the agency relies. Moreover, to the extent that responsive records may be withheld in part produce all reasonably segregable portions of those records. Additionally, please provide all responsive documents even if they are redacted in full.

### **Fee Waiver Request**

This request is primarily and fundamentally for non-commercial purposes. As a 501(c)(3) nonprofit, Heritage Foundation does not have a commercial purpose and the release of the information requested is not in Heritage Foundation's commercial interest. Heritage Foundation's mission is to formulate and promote public policies based on the principles of free enterprise, limited government, individual freedom, traditional American values, and a strong national defense. Heritage Foundation uses the information requested and analyzes it in order to educate the public through social media,<sup>1</sup> broadcast media<sup>2</sup> (traditional and nontraditional) and press releases.<sup>3</sup> The requested information is in the public interest as this is an issue of national controversy which has been covered extensively by national broadcast media and national print media. Moreover, numerous Members of Congress have been unable to obtain information from the DOJ concerning the subject matter of this request. *See also infra* 9–11.

Because this is a request by a member of the news media for information of public interest, made in my capacity as an author for the Daily Signal<sup>4</sup> (a major news outlet<sup>5</sup>), I actively gather information of potential interest to our Daily Signal audience, and I use my editorial skills to turn raw materials into a distinct work, and

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<sup>3</sup> Heritage Foundation. (Accessed: 2022, February 18). Press. <https://www.heritage.org/press> .

<sup>4</sup>Daily Signal. (Accessed: 2022, February 18). Mike Howell. <https://www.dailysignal.com/author/mike-howell/>

<sup>5</sup>Daily Signal. [DailySignal] (Accessed: 2022, February 18). 73.7K Followers Twitter. <https://twitter.com/DailySignal>



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I distribute that work to our Daily Signal audience through podcasts<sup>6</sup> or articles. I request that you waive all applicable fees associated with this request.

If you deny this request for a fee waiver, please advise me in advance of the estimated charges if they are to exceed \$50. Please send me a detailed and itemized explanation of those charges.

**Request for Expedited Processing:**

Pursuant to 28 C.F.R. 16.5(e)(1)(iv), I request expedited processing for this request. I certify the following statement of facts in support of expedited processing to be true and correct pursuant to 28 C.F.R. § 16.5(e)(3).

**Background:**

1. 18 U.S.C. § 1507 (“Section 1507”) provides in pertinent part:

Whoever, with the intent of interfering with, obstructing, or impeding the administration of justice, or with the intent of influencing any judge, juror, witness, or court officer, in the discharge of his duty, pickets or parades in or near a building housing a court of the United States, or in or near a building or residence occupied or used by such judge, juror, witness, or court officer, or with such intent uses any sound-truck or similar device or resorts to any other demonstration in or near any such building or residence, shall be fined under this title or imprisoned not more than one year, or both.

Section 1507. Section 1507 had its origins “from the picketing of federal courthouses by partisans of the defendants during trials involving leaders of the Communist Party.” *Cox. v. Louisiana*, 379 U.S. 559, 561 (1965). The picketing provided what the Supreme Court has described as an “adverse” reaction from “both the bar and the general public.” *Id.* As summarized by the Court, the foremost legal groups of the time all recommended the passage of what became Section 1507:

At a special meeting held in March 1949, the Judicial Conference of the United States passed the following resolution: “Resolved, That we condemn the practice of picketing the courts, and believe that effective means should be taken to prevent it.” *Report of the Judicial Conference of the United States*, 203

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<sup>6</sup>Apple. (Accessed: 2022, March 4). The Daily Signal Podcast. <https://podcasts.apple.com/us/podcast/the-daily-signal-podcast/id1313611947>



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(1949). A Special Committee on Proposed Legislation to Prohibit Picketing of the Courts was appointed to make recommendations to the Conference on this subject. *Ibid.* In its Report to the Judicial Conference, dated September 23, 1949, at p. 3, the Special Committee stated: “The sentiment of bar associations and individual lawyers has been and is practically unanimous in favor of legislation to prohibit picketing of courts.” Upon the recommendation of this Special Committee, the Judicial Conference urged the prompt enactment of the then-pending bill. *Report of the Judicial Conference of the United States*, 17–18 (1949). Similar recommendations were made by the American Bar Association, numerous state and local bar associations, and individual lawyers and judges. *See Joint Hearings before the Subcommittees of the Committees on the Judiciary on S. 1681 and H.R. 3766*, 81st Cong., 1st Sess.; H.R.Rep.No. 1281, 81st Cong., 1st Sess.; S.Rep. No. 732, 81st Cong., 1st Sess.; *Bills Condemning Picketing of Courts Before Congress*, 33 J.Am.Jud.Soc. 53 (1949).

*Cox*, 379 U.S. at 561–62. According to Justice Clark, the text Section 1507 “was written” by Supreme Court Justices. *Id.* at 595 (Clark, J., concurring in part and dissenting in part).

2. Section 1507 would survive a First Amendment challenge both facially and as applied to a protest at the home of a Supreme Court Justice which a properly instructed trier of fact found was intended to “influenc[e]” that Justice in the “discharge of his duty.”

In *Cox*, the Supreme Court dealt with a First Amendment challenge to a Louisiana law *in hac verba* with Section 1057. *Id.* at 560–61. A unanimous Court rejected a facial attack:

We hold that this statute on its face is a valid law dealing with conduct subject to regulation so as to vindicate important interests of society and that the fact that free speech is intermingled with such conduct does not bring with it constitutional protection.

*Id.* at 564; *id.* at 581 (Black, concurring in part and dissenting in part); *id.* at 585 (Clark, J., concurring in part and dissenting in part); *id.* at 591 (White J., concurring in part and dissenting in part).<sup>7</sup>

<sup>7</sup> The Court reversed the conviction in *Cox* on other grounds. The conviction was attacked on vagueness grounds, arguing that the term “near” was undefined and hence unconstitutionally vague. *Cox*, 379 U.S. at 568. The Court did not directly reach this question, but noted “this lack of specificity may not render the statute unconstitutionally vague, at least as applied to a demonstration within the



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Relevant here, the Court recognized that not only was preventing judges and jurors from actually being influenced an important governmental interest, but so too was preventing an *appearance* of influence. *Id.* at 575. Also relevant is Justice Black’s observation (joined by Justices White and Harlan) that because “[t]he very purpose of a court system is to adjudicate controversies, both criminal and civil, in the calmness and solemnity of the courtroom according to legal procedures[,] . . . [t]he streets are not now and never have been the proper place to administer justice.” *Id.* at 583; *id.* at 592 (White, J., concurring in part and dissenting in part) (concurring with opinion of Black, J., on this point). *See also United States v. Grace*, 461 U.S. 171, 182–83 (1983) (protecting the courts from both actual influence and the appearance of influence is an important government interest in part because by Constitutional design courts are *not* to be lobbied whereas the other two branches affirmatively *are*); *Hodge v. Talkin*, 799 F.3d 1145, 1163–64 (D.C. Cir. 2015) (similar).

3. Section 1507 is not a statute in desuetude. Numerous individuals have been convicted under Section 1507 for protests at courthouses designed to influence judges and juries. *See, e.g., United States v. Carter*, 717 F.3d 1216, 1217–18 (8th Cir. 1983) (protest outside courthouse concerning pending trial); *United States v. Gorgan*, No. 15-cr-00056 (RDM) (D.D.C.) (defendant convicted of oral protest during Supreme Court oral argument); *United States v. Bronstein, et al.*, No. 1:15-cr-00048 (CRC) (D.D.C.) (5 defendants convicted of the same); Mem. of Law in Support of Def. Mot. to Dismiss, at 3, *Adkins v. McGlothlin*, 1:11-cv-00087 (MFU-RSB) (W.D. Va. May 14, 2012) (ECF 31) (recounting Adkins’ conviction under Section 1507 for picketing at a federal courthouse to protest an adverse verdict in a civil suit, including use of signs accusing the presiding federal judge of “condoning perjury and selecting a biased jury”); *see also United States v. Williams*, No. 99-cr-25, 2000 WL 173214, at \*11 (D.VI May 20, 2000) (court opining that police officers protesting criminal prosecution of police officer outside courthouse violated Section 1507); *United States v. Jones*, 244 F.Supp. 181, 181, 183 (S.D.N.Y. 1965) (defendants who blocked entrance to courthouse as protest could have “properly” been convicted under Section 1507).

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sight and hearing of those in the courthouse.” *Id.* It then held that the term “near” (and hence the Louisiana statute) “foresees a degree of on-the-spot administrative interpretation by officials charged with responsibility for administering and enforcing it.” *Id.* The Court then reversed on the specific facts of the case: The protest occurred across the street from the courthouse, an area where Cox had been given permission to protest by the Chief of Police. *Id.* at 569–70. Any argument to extend *Cox* on vagueness grounds to protests at Justices’ homes fails on its own terms. The protests are on streets and sidewalks yards away from the Justices’ residences and therefore clearly within “sight and hearing.” *Id.* at 568. And presumably any enforcement of Section 1507 would be preceded by a public warning clearly defining prohibited conduct.



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4. The following factual Appendices are attached and expressly incorporated herein and made part of this request (as are the factual sources cited therein).

- Appendix A is a collection of pertinent transcripts of network news television broadcasts, national newspaper articles, and press releases related to protests concerning the Supreme Court and Section 1507.
- Appendix B is a collection of pertinent Senate Floor statements related to protests concerning the Supreme Court and Section 1507.
- Appendix C is a collection of pertinent House Floor statements related to protests concerning the Supreme Court and Section 1507.
- Appendix D is a collection of letters from Members of Congress related to protests concerning the Supreme Court and Section 1507.
- Appendix E is a May 11, 2022 letter from 25 State Attorneys General to Attorney General Merrick Garland concerning protests, the Supreme Court, and Section 1507.
- Appendix F is a July 1, 2022 Letter from the Marshal of the Supreme Court to Maryland Governor Larry Hogan requesting that he cause the Maryland law against picketing at homes to be enforced against protestors at Justices' residences.
- Appendix G is a copy of H. Res. 1111, 117 Cong. 2d Sess. and a co-sponsor list as of July 22, 2022.

**Expedited Processing is Warranted under 28 C.F.R. § 16.5(e)(1)(iv).**

1. This provision provides that expedited processing shall be granted regarding: “A matter of widespread and exceptional media interest in which there exists possible questions about the government’s integrity which affect public confidence.”

Courts have held that the DOJ Regulation requires the requester to show: (1) that the request involves a “matter of widespread and exceptional media interest” (28 C.F.R. § 16.5(e)(1)(iv)); and (2) that the matter is one “in which there exists possible





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questions about the integrity of the government that affect public confidence” (*id.*). See *Edmonds v. FBI*, No. 02-cv-1294 (ESH), 2002 WL 32539613, \*3 (D.D.C. Dec. 3, 2002). It is not necessary to show “prejudice or a matter of current exigency to the American public.” *Id.*

First, the DOJ Regulation requires showing that the matter about which questions of integrity have been raised is the subject of widespread national media attention. See *Am. Oversight v. DOJ*, 292 F.Supp.3d 501, 507–508 (D.D.C. 2018) (denying motion for expedited processing because general media interest in Solicitor General’s nomination is insufficient to show media interest in possible ethics questions concerning the nomination). There need not be a showing that the disclosure would shed considerable light on agency operations; only that there is “exceptional” and “widespread” media interest. See *CREW v. DOJ*, 870 F.Supp.2d 70, 81 (D.D.C. 2012), *rev’d on other grounds*, 746 F.3d 1082 (D.C. Cir. 2014). While the media interest need be “widespread” and “exceptional” it need not be overwhelming. See *ACLU*, 321 F.Supp.2d at 31–32 (rejecting DOJ’s position that requester’s citation to what the court described as “only a handful of articles” was insufficient to show “widespread and exceptional media interest” because those articles “were published in a variety of publications and repeatedly reference the ongoing national discussion about the Patriot Act and Section 215” (second quotation added)); *Edmonds*, 2002 WL 32539613, at \*3 (numerous national newspaper and network television broadcasts concerning whistleblower’s allegations of security lapses in FBI translator program met test).<sup>8</sup>

Second, the DOJ Regulation requires showing that “there exists *possible* questions about the government’s integrity that affect public confidence.” *CREW v. DOJ*, 436 F.Supp.3d 354, 361 (D.D.C. 2020) (*quoting* 28 C.F.R. § 16.5(e)(1)(4)) (emphasis by Court).<sup>9</sup> It does not “require the requester to prove wrongdoing by the government in order to obtain documents on an expedited basis.” *Id.* at 362. “The primary way to determine whether such possible questions exist is by examining the state of public coverage of the matter at issue, and whether that coverage surfaces possible ethics issues so potentially significant as to reduce public confidence in governmental institutions.” *Am. Oversight v. DOJ*, 292 F.Supp.3d 501, 508 (D.D.C. 2018). This is not an extraordinarily high bar. See, e.g., *CREW*, 436 F.Supp.3d at 361

<sup>8</sup> Cf. 28 C.F.R. § 16.5(e)(3) (“The existence of numerous articles published on a given subject can be helpful in establishing the requirement that there be an ‘urgency to inform’ the public on the topic.”).

<sup>9</sup> To be sure, this standard does not require expedition of any questions concerning government integrity. See, e.g., *White v. DOJ*, 16 F.4th 539, 544 (7th Cir. 2021) (test not met in case where records sought to cast doubt on requestors’ criminal conviction where requestor claimed he was subject to an elaborate government sting operation).



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(complaint sufficient to survive a motion to dismiss where it alleged Attorney General’s action regarding disclosure of Mueller Report “supported an inference that at best, the Attorney General undertook to frame the public discussion on his own terms, and at worst that he distorted the truth”); *ACLU v. DOJ*, 321 F.Supp.2d 24, 32 (D.D.C. 2004) (allegations in press that Section 215 of the Patriot Act may be unconstitutional and reports that Members of Congress have alleged abuses of Section 215 “implicate[] government integrity” and hence are sufficient to meet test); *Edmonds*, 2002 WL 32539613, at \*3–4 (test met where plaintiff alleged security lapses in FBI translators program, national news covered the issue, and two Senators expressed concern regarding “the significant security issues raised by plaintiff’s allegations and the integrity of the FBI”).<sup>10</sup>

2. The facts amply support expedition here. Since the May 2, 2022, leak of a draft of Justice Alito’s opinion in *Dobbs v. Whole Women’s Health* there have been constant protests seeking to influence the Court. These protests have not only occurred outside the Supreme Court Building, but at the homes of the Justices. These protests have continued unabated after the Court’s decision in *Dobbs*. They have also been a matter of extreme interest to national and local media. The intensity of this coverage ebbs and flows (as it does with any on-going national story), but the matter is the subject of continuing coverage.

The national broadcast media and national press coverage has consistently covered the interplay between these protests and Section 1507. *See generally* App. A. The majority of that press coverage has focused (and focuses) on allegations by Members of Congress, national news organizations, and subject matter experts that Attorney General Garland acted improperly by failing to enforce Section 1507 against protesters at the Justices’ residences (for what many allege are improper political

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<sup>10</sup> DOJ has granted expedition under the DOJ Regulation in a number of circumstances. *See, e.g.*, *CREW v. DOJ*, 870 F.Supp.2d at 81 n. 14 (expedition granted to request seeking records on FBI’s closed investigation of Congressman DeLay for misconduct which did not result in charges, but received considerable media attention (subsequent history omitted)); *CREW v. DOJ*, 820 F.Supp.2d 39, 42, 46 (D.D.C. 2011) (expedition granted to request seeking information concerning possible deletion of Office of Legal Counsel emails where the possible deletion was flagged as a hindrance in an internal investigation, covered in the media, and was the subject of Congressional concerns); *Elec. Frontier Found. v. DOJ*, 565 F.Supp.2d 188, 189–91 (D.D.C. 2008) (expedition granted to request seeking information regarding storage of information obtained by National Security Letters in FBI’s Data Warehouse); *CREW v. DOJ*, No. 05-cv-2078 (EGS), 2006 WL 1518964, \*1 (D.D.C. June 1, 2006) (expedition granted to request concerning government’s decision to seek a reduced penalty in tobacco litigation where government’s decision was subject to intensive news coverage and prompted concern from “several Congressman” which caused a request for an Inspector General investigation of “improper political interference” with the decision).



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purposes). *See* App A at 002–003, 013, 031–033, 049–050, 062–064, 076–077, 090–092, 100–101, 129–130, 150–151, 155–156, 158–159, 169, 183, 190–195, 207, 209, 211–212, 214–215, 233–234, 236–238, 262–263, 275–277, 284–288, 305–306, 327–329, 364–366, 373–379, 385–386, 391–392, 395–399, 401–405, 435–438, 440–441, 443–444, 446–447, 449–450, 452–454, 456–357, 459–461, 488–93, 495–98, 500, 502–507, 566–567, 573–576, 578–580. The widespread press coverage of these accusations cannot help but to undermine public confidence in DOJ’s impartial administration of the law. Moreover, some of these widely reported accusations have gone further to “state the obvious” that Attorney General Garland not enforcing Section 1507 against protests at Justices’ homes *should* cause (or *has* caused) the public to lose confidence in DOJ’s impartial administration of the law. *See* App. A at 003, 049–050, 100–101, 191–192, 275–277, 327–329. That alone is sufficient for expedition.

But regrettably, there is more. Members of Congress have taken to the Senate and House Floor to state their view that protestors at Justices’ homes seeking to influence the Court’s decisions should be prosecuted under Section 1507. *See* App. B; App. C. Relevant here, many of these Members went further and stated their view that Attorney General Garland was (and is) derelict in his duty to enforce Section 1507. *See* App. B at 003 (Minority Leader Mitch McConnell); *id.* at 034–035 (same); *id.* at 069–70 (same); App. C at 001 (Rep. John Rose); *id.* at 005 (Minority Whip Steve Scalise); *id.* at 027–028 (Rep. Mike Johnson); *id.* at 033 (Rep. Darrell Issa). Members have also sent numerous letters to the Department of Justice requesting that the Department provide information related to its decision making concerning the application of Section 1507 to protests at Justices’ homes and urging enforcement of Section 1507. *See* App. D. Again, relevant here, many of those letters alleged or suggested impropriety on Attorney General Garland’s part. *See* App. D at 001–002 (Sen. Ted. Cruz); *id.* at 006–008 (12 Sens.); *id.* at 009–010 (Sen. Josh Hawley); *id.* at 011–012 (Sen. Ron Johnson); *id.* at 016–022 (48 Reps.); *id.* at 023–025 (Sen. Grassley); *id.* at 027 (Sen. Tom Cotton suggesting impeachment could be warranted). To my knowledge, substantive responses have not been forthcoming. 70 House Members are co-sponsors of H. Res. 1111 which expressly calls upon “the Department of Justice to enforce section 1507 of title 18, United States Code, with respect to protests outside of the homes of sitting Supreme Court Justices.” *See* App. G.

To the States. On May 11, 2022, 25 Attorneys General have urged Attorney General Garland to enforce Section 1507 against protestors at Justices’ homes and have suggested that a failure to promptly so enforce Section 1507 would be improperly political. *See* App. E. No such prompt enforcement has occurred. Maryland Governor Laurence Hogan and Virginia Governor Glen Youngkin transmitted a letter to Attorney General Garland urging him to enforce Section 1507 against protestors at



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Justices' residences. @GovLarryHogan, Twitter (May 11, 2022, 5:00 PM) [https://twitter.com/GovLarryHogan/status/1524494786031280128?ref\\_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1524494786031280128%7Ctwgr%5E%7Ctwcon%5Es1](https://twitter.com/GovLarryHogan/status/1524494786031280128?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1524494786031280128%7Ctwgr%5E%7Ctwcon%5Es1) &ref\_url=https%3A%2F%2Fwww.wmar2news.com%2Fnews%2Flocal-news%2Fmaryland-virginia-governors-call-on-department-of-justice-to-provide-resources-to-keep-supreme-court-justices-and-their-families-safe. According to Governor Hogan's press secretary the Justice Department responded "declining to enforce the law." @riccimike, Twitter (July 2, 2022, 3:20 PM) [https://twitter.com/riccimike/status/1543313595563495424?ref\\_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1543313595563495424%7Ctwgr%5E%7Ctwcon%5Es1](https://twitter.com/riccimike/status/1543313595563495424?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1543313595563495424%7Ctwgr%5E%7Ctwcon%5Es1) &ref\_url=https%3A%2F%2Fwww.foxnews.com%2Fus%2Fmaryland-virginia-respond-supreme-court-letter. Again, to my knowledge, the Department of Justice has not provided a substantive response. And the Marshal of the Supreme Court recently wrote Governor Hogan and Governor Youngkin after the conclusion of the October 2021 Term recounting the intensity of the protests at Supreme Court Justices' homes and requesting that local laws be enforced against these protestors. See, e.g., App. F (letter to Gov. Hogan).

Dozens of National and State elected officials have raised questions regarding the Attorney General's "integrity" concerning DOJ's failure to prosecute protestors at Justices' residences under Section 1507. These actions were public. They have contributed to a profound lack of confidence in the ability of the Department of Justice to impartially enforce the law.

Without a doubt there is sustained national media cover of, and interest in, accusations by Members of Congress, State Attorneys General, national news organizations, other public figures, and subject matter experts that the Attorney General has engaged in misconduct in failing to enforce Section 1507 against protestors at Justices' residences. This undoubtedly undermines the public's confidence in DOJ's ability to impartially enforce the law. Expedition is warranted.

Thank you in advance for considering my request. If you have any questions, or feel you need clarification of this request please contact me at [oversightproject@heritage.org](mailto:oversightproject@heritage.org).

Sincerely,

Mike Howell  
Senior Advisor and Author at The Daily Signal



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# Appendix A

## NewsRoom

7/20/22 CQ-RollCall Pol. Transcriptions (Pg. Unavail. Online)  
2022 WLNR 22696180

CQ-RollCall Political Transcriptions  
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July 20, 2022

### FBN INTERVIEW WITH REP. JIM JORDAN (R-OH)

FBN INTERVIEW WITH REP. JIM JORDAN (R-OH)

JULY 20, 2022

SPEAKERS: REP. JIM JORDAN (R-OH)

JAMES FREEMAN, ASSISTANT EDITORIAL EDITOR, WALL STREET JOURNAL

KEITH FITZ-GERALD, PRINCIPAL, THE FITZ-GERALD GROUP

MARIA BARTIROMO, FBN ANCHOR

[\*] BARTIROMO: Welcome back. House Democrats are moving forward on a possible assault weapons ban, the Judiciary Committee meeting today to mock up that bill. Joining us right now is the Ohio Congressman Jim Jordan, he is the ranking member of the Judiciary Committee and a member of oversight is well, he's the author of the book, 'Do what you said you would do fighting for freedom in the swamp'.

Congressman, it's great to see you. Thanks very much for being here with you. What happens with the assault bill markup today and this week, what can you tell us?

REP. JIM JORDAN (R-OH): Well, hopefully we can stop it. I mean, the second amendment is clear, the right to keep and bear arms shall not be infringed. It doesn't always point, it doesn't say the right to keep muskets it says arms, it doesn't say shall not be infringed unless it's assault weapons.

So the second amendment is as clear as it could be, but the Democrats are just bent on attacking people's liberty. I mean, I said the other day, you think about it, you got less money in your wallet, less gas in your car and less freedom because of the Democrats policy.

So, we're going to fight this as hard as we can. I don't know if they got the votes on the floor yet to, in the full House to pass this. Let's hope they don't. Because, you know, the Second Amendment is pretty darn important. That's why the founders put it right next to the first.

BARTIROMO: Well, congressman I don't understand what's going on here. We're having conversations all morning long about this agenda. And why you've got the progressives knocking down the institutions that founded this great country.

I mean, look, David Sokol wrote the book, 'America in Perspective: Defending the American Dream for the next generation'. He's talking about these efforts to pack the **Supreme Court**, you know, change this, the Second Amendment, the First Amendment censorship, all of these fundamental principles of America, what do you think is behind these motivations?

JORDAN: They don't like America, plain and simple. I mean, the left doesn't like the things that make America the greatest country ever. They like the constitution, they like the rule of law, they like this double standard.

They like the "experts" making decisions, not the elected officials, the way our country works is you put your name on a ballot, you run for office, if you're in fact elected, those individuals make the decisions because they're directly accountable to We The People, the left doesn't like that.

That's why they give so much stock to empower to Fauci and the experts who never have to stand in front of the people and actually run for office.

So, they don't like the country. And frankly, Maria, they don't like those of us who do like the country.

BARTIROMO: Yes.

JORDAN: That's why they have this disdain for people who love America. That's why they want to create the disinformation governance board so they can go after people like you who are telling the truth. People like me who are fighting for the constitution.

So that's the problem. The good news is the country gets it.

BARTIROMO: Yes.

JORDAN: People of this country get it and I think they're going to show up in a big way in less than four months.

BARTIROMO: But the progressives are still putting on the show. Let's talk about what happened this week. 17 House Democrats were arrested yesterday, outside of the **Supreme Court** during a pro abortion protest. They were protesting in front of the highest court, even though that's not illegal, blocking the street between the court and the Capitol is illegal. So they were arrested.

But then they put on a real show, members of the squad turned the protest into a spectacle with Congresswoman Alexandria Ocasio-Cortez pretending that she's handcuffed, walking around with her hands behind her back as if they're a handcuffs, there were no handcuffs in sight.

JORDAN: Yes, I mean, again, this is the left, this is the way they operate today. I guess I'm more concerned about the broader effort to intimidate a separate and equal branch of government, the United States **Supreme Court**.

I mean, we've seen a pattern here started with Schumer on those same steps. When he said a few years ago, Gorsuch and Kavanaugh, you have unleashed the world and you will pay the price. It continues what you said earlier, with Democrats introducing legislation to add four associate justices to the court to pack the court.

BARTIROMO: Yes.



JORDAN: And then of course, we have the actions we saw there yesterday, but maybe just as troubling is when Nancy Pelosi for four weeks held up the legislation that passed unanimously in the Senate to provide protection to **Supreme Court** justices' family.

Held it up and during that time, when she was holding up that bill Brett Kavanaugh, one of our **Supreme Court** justices, there was an assassination attempt on a sitting Justice of the United States **Supreme Court**. So, this effort to intimidate the court is very dangerous, and it has to stop. I hope it does.

BARTIROMO: But there was no comment whatsoever from the DOJ after there was this assassination attempt on Kavanaugh. Now the activist group shut down DC is targeting Congress.

They tweeted this, 'we disrupted Brett Kavanaugh's steak dinner and we will disrupt a Congressional Baseball Game. The monsters tearing our country apart deserve no peace'. Right shutdown DC. This is the same group who previously offered cash payments for tips on the locations of **Supreme Court** justices.

JORDAN: Yes, again, just demonstrating how radical the left is. I'm concerned like you are, where's the Justice Department because there's a statute on the books that's directly on point 18 USC Section **1507** says, if in fact they are protesting at a justice home to try to intimidate and influence the court, which is what they were doing in the time between the draft opinion and the official opinion.

They were doing that, that's directly on point for that statute, and the Justice Department does nothing. That is a concern. So you now have and think about this, the key agency, one of the key agencies in the executive branch actively participating in an effort to intimidate a separate and equal branch of the government.

BARTIROMO: Right.

JORDAN: That's not supposed to happen. So I think all Americans are concerned by the lack of action from the Justice Department on that particular stance.

BARTIROMO: Well, the leadership, the Democrat leadership, so if you were there on January 6th year insurrectionist. But no problem if you want to see a **Supreme Court** justice dead after the abortion ruling. Keith Fitz-Gerald, jump in.

KEITH FITZ-GERALD, PRINCIPAL, THE FITZ-GERALD GROUP: Congressman, the presumption that the American people are just too stupid to understand, or they're somehow they're going to steamroll the rest of us into believing this.

JORDAN: No, the American people get it. I think they figured it out. I mean, I've said before, there's a reason why almost nine out of ten of our fellow citizens think the country is on the wrong track.

They think that because it is, and they know, it's driven by the policies of the Biden Administration and the hard left, which controls the Democrat party. So I think the country has figured it out. And as I said earlier, I think in a 110 days, the midterm elections.

BARTIROMO: Yes.

JORDAN: I think they're going to make a big change.

BARTIROMO: 110 days. James Freeman from the Wall Street Journal, jump in.

JAMES FREEMAN, ASSISTANT EDITORIAL PAGE EDITOR, WALL STREET JOURNAL: Yes. I'm just wondering, congressman, if you think that we're out in the woods as far as for this session of Congress, avoiding a Biden tax hike, he's been trying - he's been trying, can we breathe a sigh of relief and say he's failed for this year? Or is there still a danger here?

JORDAN: Well, I mean, look, if the election goes away, I think it's going to then we're going to be ok, in the next Congress. So, we got to get through these next few months. I think Joe Manchin, god bless him, I think he's not going to go there. And they're going to so that takes away the reconciliation vehicle.

So let's hope that's the case. I think it is, you know, this economy is in a bad enough situation. And we already have the worst tax in history being put on American families. That's inflation, driven by the fact that they spend money like crazy, they pay people not to work, and they've driven up the cost of energy.

So we got the worst tax. Let's hope they don't do any more. And I think Joe Manchin understands that.

BARTIROMO: Well, I mean, you've got higher interest rates, you've got inflation at 40 year highs, who's running the country, who's telling him that now is a good time to raise taxes?

JORDAN: I mean, again, even if Joe Biden wanted to do the right thing on energy, wanted to do the right thing on the border, wanted to do the right thing on crime and on inflation, even if he wanted to the left, those people who were there at the **Supreme Court** yesterday getting arrested and walking away and fake handcuffs, the left won't allow him to do what he would even if he wanted to.

I don't think he wants to. I think he's just doing whatever the left says. But even if he wanted to, he won't because they control the party. And that's the problem. And that's what has to be stopped.

BARTIROMO: Congressman, it's good to see you this morning. Thanks so much.

JORDAN: You bet. Thank you.

END

---- Index References ----

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**NewsRoom**

## NewsRoom

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July 16, 2022

### Despite 'Pariah' Campaign Promise, Biden Takes Trip To Saudi Arabia; Rough Week For President Biden

SEAN HANNITY, FOX NEWS HOST: And welcome to HANNITY on this busy breaking news Friday night.

Joe Biden wrapping up yet another disastrous week of his imploding presidency, filled with more bizarre blunders more, failed policy and, yes, more really horrific economic data. We're going to break it all down tonight.

Now, earlier today, Joey was seen fist-bumping with the Saudi crown prince. You know, the same prince that he called the murderer of Jamal Khashoggi, the same nation that he called the pariah nation. Biden claimed in his remarks tonight that he did bring up the issue of Khashoggi. I'm sure he was really firm.

He also confirmed that yes he did beg for more oil but details were few and far between. Take a look.

(BEGIN VIDEO CLIP)

JOE BIDEN, PRESIDENT OF THE UNITED STATES: We had a good discussion on ensuring global energy security and adequate oil supplies to support global economic growth. And that will begin shortly. And I'm doing all I can to increase the supply for the United States of America which I expect to happen. The Saudis share that urgency and based on our discussions today, I expect we'll see further steps in the coming weeks.

REPORTER: You're coming under a lot of fire for your fist bump with the crown prince.

(LAUGHTER)

REPORTER: I just want to give you a chance to respond to that but also how can you be sure that another incident another murder like Jamal Khashoggi won't happen again.

BIDEN: God love you. What a silly question. How could I possibly be sure of any of that? I just made it clear if anything occurs like that again, they'll get that response and much more.

(END VIDEO CLIP)

HANNITY: Oh, silly question. You know what the sad thing is, we don't need Saudi Arabian oil. We've got plenty here, gas, oil, coal. We don't need it.

But yet again today, Biden showing nothing but weakness on the world stage and suffered yes another batch of blunders. I'm sure this shocks you. Take a look.

(BEGIN VIDEO CLIP)

BIDEN: Was making a speech and I had a terrible headache -- excuse me a terrible headache and -- sorry. Thank you.

(APPLAUSE)

(END VIDEO CLIP)

HANNITY: Didn't the media mob attack Marco Rubio for taking a sip of water. Well, there's one saving grace, he didn't shake air again like he did the day before.

It only got worse from there because Biden also made a bizarre comparison while speaking in Jerusalem by linking the plight of Irish Catholics under British rule to the Israeli-Palestinian conflict. What? Take a look.

(BEGIN VIDEO CLIP)

BIDEN: There's an old expression, hope springs eternal. I -- my background in the background of my family is Irish-American and we have a long history of not fundamentally -- unlike the Palestinian people -- with Great Britain and their attitude toward Irish Catholics over the years for 400 years.

(END VIDEO CLIP)

HANNITY: And get this, Biden's trip is going so poorly that it's even drawing the ire of the congenital, compromised, corrupt liar that is Adam Schiff. He tweeted about Biden's Saudi Arabia visits, said, quote: If we ever needed a visual reminder of the continuing grip oil rich autocrats have on U.S. foreign policy in the Middle East -- oh, we got it today. One fist pump is worth a thousand words if ever there was a sign, a more obvious sign that Democrats were ready to move on from Biden.

This is it. It couldn't be more clear. Maybe the congenital liar should join us and support American energy independence, you know, the Trump policies.

Now it caps off yet another rough week for Team Biden as the president's blunders abroad. That was just the latest in a long string of struggles revealing once again Biden is weak. He is frail. He is decrepit. He is not up to the job.

This country should be seriously considering the 25th Amendment. Take a look.

(BEGIN VIDEO CLIP)

BIDEN: Every time I hear "Hail of the Chief", I wonder, where the hell is he? It took me a long while, you think I'm joking, I'm not. Turning around on, where's the president?

REPORTER: Mr. President, what's your message to Democrats who don't want you to run again?

BIDEN: They want me to run.

REPORTER: Two thirds say they don't.

BIDEN: Read the poll, read the poll, Jack. You guys are all the same.

What am I doing now?

And continue which we must do every, every day, continue to bear witness to keep alive the truth and honor of the Holocaust -- horror of the Holocaust.

(APPLAUSE)

ANNOUNCER: Thank you, President Herzog, and President Biden.

(END VIDEO CLIP)

HANNITY: Yeah, look at the polls, Jack. Oh, nobody's there.

Just another reason why more and more Democrats, they are looking for someone other than Biden, with over 60 percent not wanting Biden to run in 2024.

This week, Biden inflation hit yet the highest number ever, another 40-plus year high, at 9.1 percent. And even worse, a new record -- near new record, wholesale inflation, that spike to a whopping 11.3 percent. When it gets to retail on that level, you'll pay for all of it.

And like I've been saying, everything you buy at every store you go to is costing you more. It's why food bank lines are now longer than ever with Americans now overwhelmed by surging prices at the grocery store.

Look at these findings from "The Associated Press", hardly part of the vast right-wing conspiracy. For example, Phoenix, they have a food bank, their main distribution center. They gave out food packages to over 4,200 families during the third week in June. That is a 78 percent increase from the same week last year. Alameda, California, that county there is also seeing a big increase, as is Houston, Los Angeles and so many others.

And Biden's and his far left enablers, they've been lying and lying and lying about inflation one time after another. Take a look.

(BEGIN VIDEO CLIP, POLITICAL AD)

JANET YELLEN, TREASURY SECRETARY: I really doubt that we're going to see an inflationary cycle.

JEN PSAKI, FORMER WHITE HOUSE PRESS SECRETARY: Most economic analysts believe that it will have a temporary transitory impact.

UNIDENTIFIED MALE: A faster than expected increase in some of those prices is actually a good sign.

BIDEN: The overwhelming consensus is going to pop up a little bit and then go back down.

It's highly unlikely that it's going to be long-term inflation that's going to get out of hand. I don't know anybody who's worried about inflation.

PSAKI: Over the last couple of months, we actually saw it trended downward.

BIDEN: Make no mistake, inflation is largely the fault of Putin.

I'm going to do everything I can to minimize Putin's price hike here at home.

SEN. CHUCK SCHUMER (D-NY): If you want to get rid of inflation, the only way to do it is to undo a lot of the Trump tax cuts.

(END VIDEO CLIP)

HANNITY: Now, the surging costs, they all stem from Joe Biden's failed economic and energy policies, of course, artificially reducing the supply of the lifeblood of the world's economy, that's energy, while attacking U.S. oil and gas and the industry altogether, and letting the far left climate religious cult agenda run the country, only under far left logic is it okay to beg foreign governments for more oil while not wanting to drill domestically right here at home.

It's not just a Joe Biden problem either, with the exception of maybe Joe Manchin, this is the new green deal socialist Democratic Party and any other Democrat, if they were in power, they would be making the same dumb idiotic decisions. How is it okay to get oil from Russia, Iran, OPEC, Saudi Arabia and Venezuela but we don't produce it domestically? Tell me the logic behind that.

Now, the people around him are no better and frankly they're the worst kind of enablers. Vice President Harris, she is totally unprepared to be president. As we've now learned yet again today, another staffer is leaving, as she makes one word salad after another. She's almost as bad as Biden, but for a little bit different reasons.

Take a look.

(BEGIN VIDEO CLIP)

KAMALA HARRIS, VICE PRESIDENT OF THE UNITED STATES: Together, we are expanding access to transportation. It seems like maybe it's a small issue, it's a big issue. You need to get to go and need to be able to get where you need to go to do the work and get home.

(END VIDEO CLIP)

HANNITY: Even the First Lady Jill Biden, well, she's not doing her husband any favors because as Democrats continue to lose more and more support among Hispanic voters, well, Jill Biden decided it was a good idea to compare Hispanic Americans to tacos. Take a look.

(BEGIN VIDEO CLIP)

JILL BIDEN, FIRST LADY: Raul helped build this organization with the understanding that the diversity of this community as distinct as the bodegas of the Bronx as beautiful as the blossoms of Miami and as unique as the breakfast tacos here in San Antonio.

(END VIDEO CLIP)

HANNITY: All right. Joining us now, he's been with the president in on this foreign trip is our own Peter Doocy.

Peter, a lot came out of this. We were told -- we didn't get a straight answer if he was going to ask about Khashoggi. I doubt that that was a big part of the conversation, that's my own personal belief. The Saudis are going to give us more oil but then they talked about developing new green deal alternatives.

I don't believe the Saudis are interested in that deal at all in any way whatsoever. It's just a talking point to sell to his Democratic socialist friends here. That's my take.

PETER DOOCY, FOX NEWS CORRESPONDENT: And so, two things about that, Sean. If things unfolded exactly the way that the president says, that means that they sat down at this meeting, the US. side -- on one side of the table, the Saudis on the other side, and the president leads with, I know that you killed or ordered the hit on this U.S.-based journalist for "The Washington Post", and then they go back and forth about it and then they get to the next order of business which is 5G or this green carbon or whatever it is that the president said that they were talking about as the main points.

The second thing is, they announced these remarks pretty late relative to when we got the schedule. We got it scheduled this morning. They only gave us about 30 minutes heads up. We thought he might be talking about Joe Manchin basically knifing his domestic agenda back at home.

And so, it's interesting because with the backdrop of liberals being really upset that more hasn't happened yet to advance progressive agenda items back at home, the president doesn't get to high gas prices in the states tonight until his fifth thing. He talked about 5G, he talked about a civil war in Yemen, he talked about a carbon capture technology and then he gets down to the gas prices and he says we're going to have an announcement, but prices aren't going to go down back at home as a result for a couple more weeks.

So there's not going to be, we already know there's not going to be an announcement before the president leaves Saudi Arabia about him being able to finagle a deal with all these gulf-based oil drillers that are here while he's in the neighborhood.

But with all that said, the more that we're all talking about this and everything that's gone on this trip, in Israel, in Palestine, in Saudi Arabia, the less that we are talking about inflation back at home. And so, if you're the White House, maybe that's a good thing.

HANNITY: Well, okay, the -- so they get a brief reprieve but Americans every time they fill up their gas tank are reminded of what is happening economically here. What I'm having a hard time understanding is anyone in the press corps asking we have enough energy and that means oil gas and coal for hundreds of years worth of domestic production. We don't need Saudi Arabian oil.

Does anyone ever ask why is it okay to import oil and do deals with hostile regimes like Iran, Venezuela, previously Russia and maybe Venezuela, and not produce the energy that we have, the vast resources we have at home? Anyone ever asked that question?

DOOCY: So far, in this trip, it has not come up. And it has been -- there have been very limited opportunities where yesterday he only took questions from uh two reporters on the U.S. side, two reporters on the Israeli side. Today, it was just with the very small group of reporters that were traveling with him to those meetings at a different location than we're at here in Jeddah and it has not come up.

I've tried in the past with both Jen Psaki and Karine Jean-Pierre, we -- I'm not expecting there to be an announcement if these talks go nowhere, that suddenly Keystone's turned back on and they're uh putting some drills in the ground in Texas and in the Gulf of Mexico.

HANNITY: Maybe if you talk to them off the record, you can remind them, they don't have to suck up to Texas or Oklahoma or North Dakota or Ohio or Pennsylvania. We've got the resources here at home. Maybe somebody could remind them.

I know you got to catch a plane. Peter Doocy, we appreciate you take the time.



DOOCY: You could make in case, you could --

HANNITY: Yeah, go ahead.

DOOCY: And you could make a case those are the people that he needs to be the nicest too because I think he named a couple swing states in there -- Sean.

HANNITY: Yeah, I'm -- I don't think I'd be doing deals with the Iranians, Russians, Venezuelans, the Saudis and OPEC. I'm -- just my own personal taste.

All right. Peter Doocy, thank you for being with us.

Now, also tonight, across the Washington swamp, far left Democrats, they continue to fuel more rage against **Supreme Court** justices and continue to attack the integrity of the court.

And by the way, the double standards, they could not be any more obvious than they are, because Congresswoman Ocasio-Cortez is now firing back this week after a social media personality heckled her outside the Capitol. Here's what happened.

(BEGIN VIDEO CLIP)

ALEX STEIN, SOCIAL MEDIA PERSONALITY: AOC, my favorite big booty Latina, I love you, AOC, you're my favorite. She wants to kill babies but she's still beautiful. You look very beautiful in that dress. You look very sexy.

Look at that booty on AOC, that's my favorite big booty Latina. I love it.

My favorite AOC, nice to meet you, AOC. Look how sexy she looks in that dress. I love it, AOC. Hot like a tamale.

(END VIDEO CLIP)

HANNITY: All right. Let me be clear, that guy's being a jackass. Heckling members of Congress at the Capitol, not appropriate. It's unacceptable, so were his remarks.

The congresswoman said in response though to the incident, quote: I was actually walking over to deck him because if no one will protect us then I'll do it myself, but I need to catch a vote more than a case today.

Now, here's the thing, it appears that the same congresswoman, Ocasio-Cortez, sings a very different tune if the target of the harassment is a perceived political enemy because it was only last week that the congresswoman was downplaying and joking about Justice Kavanaugh being forced to have to flee Morton's restaurant in Washington, D.C. after pro-abortion protesters were swarming outside the restaurant.

But the left's targeting of justices doesn't stop there because one instructor at Harvard Law School believe it or not doesn't even think that conservative justices should ever have peace again.

A Harvard professor tweeting out, quote: The six justices who overturn Roe should never know peace again. It's our civic duty to accost them every time they are in public. They are pariahs.

Is she not putting their lives at risk?

And ask yourself again, why is there always one standard for the far left Democrats and one for everybody else?

Anyway, here with reaction, former Massachusetts Senator Scott Brown, along with Truth Social CEO, Devin Nunes and FOX News contributor Tammy Bruce.

Tammy, I'll go to you first. You know, I -- look, I don't want people harassing AOC or any Democrat in any public forum any place anywhere. It's not going to end well. I would never dox any justice or any elected official. That is intimidation and harassment.

It's also against the law what they're doing, in the case of justices. Nobody seems to care. Where's Merrick Garland who declared that domestic terrorism is the number one enemy in this country, right-wing domestic terrorism?

TAMMY BRUCE, FOX NEWS CONTRIBUTOR: Well, see, that is what encourages this. This is why these people don't stop. I would also note that this is not on a blank slate here. We already have someone in jail because of an attempted assassination of Justice Kavanaugh.

So they know where it goes. This is not rhetoric or some debate about hypotheticals. We know where it goes and this rhetoric gets even hotter.

And so when you see a reaction by AOC who thinks it's perfectly fine and people deserve who she disagrees with to be intimidated and I think that's what that was meant to be at a restaurant, that this is a sign and it's a reflection of the fact that they believe they're above everyone else. She does not -- get have to deal or uh suffer from this kind of indignity but everyone else does.

This is part of how they put themselves above the American people a reflection of the contempt with which they hold us, and why this is also a part of -- you know, knocking down the institutions, it creating a distrust in the institutions, re-establishing with the American people this notion that the establishment is the enemy and -- but with conservatives, only conservatives.

And what does that tell you, and they're getting more blunt about it, Sean, because they want there to be action. It is certainly not good for the country, and I think what that guy said yes, he's being a jerk, but my goodness, what a display and her reaction was it -- was she was stopped but this is what we have.

It's not even hypocrisy. It is the narrative. It's the agenda. Everyone else deserves to suffer. We are better than everyone else, and we don't deserve to have to deal with this.

HANNITY: You know, Devin, look at Chuck Schumer on the steps of the U.S. **Supreme Court**, and what -- you know, you have released the whirlwind. You won't know what hit you Kavanaugh and Gorsuch. Why do I think if I did that, I'd be arrested and I think they'd throw me in jail and throw away the key?

DEVIN NUNES (R), FORMER CHAIRMAN OF THE HOUSE INTELLIGENCE COMMITTEE: Well, Sean, the answer is you would be. When I was in Congress, it was -- I had Stephen Colbert, that lunatic, you know, he busted into my office harassing my staff, we had numerous paid operatives by the DNC and other left-wing groups that would harass me and my staff.

And look, this was a constant battle, but I think Tammy hit the nail on the head and that is when it happens to them, it's suddenly the end of the world and the Capitol Police aren't doing their job when it hap -- only when it happens to them. But if it's somebody they disagree with, then it's okay.

And I think what we've seen over the last five or six years is this slow degradation of the institutions to where we have a city member of Congress who is sending out on social media and encouraging people to attack these justices and harass justices at

restaurants. And don't forget, that shouldn't be lost on people, there were bounties being paid supposedly in Washington, D.C. to report when they find these justices. That's a very scary, scary thing.

HANNITY: Yeah, by the way, congratulations. I know that your platform is grown by leaps and bounds.

Senator Brown, you know, to me this is pretty simple stuff. You don't get to harass **Supreme Court** justices; 18 USC **1507** is very clear you cannot intimidate at their place of work, at their residence. That would be judges, that would be court officers, that would be jurists, that would be anybody. You can't harass them at home and you can't harass them in a court building.

But yet, Merrick Garland does nothing, why?

SCOTT BROWN (R), FORMER U.S. SENATOR FROM MASSACHUSETTS: Well, that's the question why. God forbid something that drastic happens, somebody gets hurt or killed, and then it's on him and it's on this administration, it's on every Democrat including Chuck Schumer that called for this type of action or activities, the lack of respect between individuals right now is out of control, Sean.

We've spoken about it many times. We need to calm down the rhetoric. People need to get to their jobs and do their jobs well. And right now, we see with the high inflation, the border and all the other things that are going poorly.

You note, you know, what Peter said in the previous segment about the oil prices, the Biden administration has done little if anything right but the one thing they've done right is actually they've demonized and crushed our energy producers and it actually created more jobs overseas than they have here.

So there's so much wrong right now, Sean, and thank goodness we have the midterms coming up because people need to get together. We need to throw these bums out. We need to have adults in the in office, not children like AOC.

HANNITY: Well said.

All right. Thank you both, Tammy, Devin and Scott Brown.

Coming up, Biden's border crisis, it's gone from bad to worse. Senator Ted Cruz, he's at the border. He's been witnessing firsthand all of this ongoing humanitarian crisis. It is getting worse by the day, he's next.

(COMMERCIAL BREAK)

(NEWSBREAK)

HANNITY: Now, tonight, the harmful effects of Biden's open borders agenda are on full display once again as the crisis continues to worsen. Now, yesterday, the DEA announced law enforcement, they seized nearly one million fentanyl-laced pills which officials believe are linked to a cartel drug trafficking operation.

Now, meanwhile, Texas Senator Ted Cruz, he was at the border overnight last night where he highlighted the, quote, human misery all caused by Joe Biden's open borders.

Senator Cruz joins us now with reaction at what he saw.

Senator, I've been down there 15 times. I've been on horseback, all-terrain vehicle, boats, helicopters, walking with border patrol, been there when gang members were arrested, been to the drug warehouses, massive floor to ceiling filled with drugs. What do you see?

SEN. TED CRUZ (R-TX): Well, I've been here the last two days. I brought a group of seven senators down to the Rio Grande Valley, and I got to tell you. It's the worst I've ever seen. It continues to get worse and worse and worse. It is utter chaos.

We went out last night on midnight patrol with the border patrol. Within minutes, we began encountering illegal aliens. Just within minutes, we encountered a group of three teenagers, two boys and a girl, from Honduras and Mexico. They turned themselves in to the agents we were with.

A few minutes after that, we saw a group of about a dozen mostly women and children. It included two seven-year-old girls, each of whom was an unaccompanied minor. In other words, they weren't sisters, they had no parent, they had no adult with them, two seven-year-old girls who were absolutely beautiful and precious with long pigtailed.

You and I are both father, Sean, imagine handing a seven-year-old child over to vicious human traffickers. This is happening over and over and over again, and these kids are being horribly treated. That same spot we were we saw a patch of grass just by the edge of the river where just days earlier, two little girls aged five and six had been violently raped by the drug cartels.

This human tragedy is getting worse and worse and worse, and Joe Biden and Kamala Harris and the Democrats, they don't give a damn about it. They're not willing to do anything to fix it.

HANNITY: They don't give a damn about it because if they did, they would have stopped it. Now, you were the first on this program -- we couldn't get our cameras when they had all these kids in the cages and if it wasn't for people like you giving us the video that you took when you demanded to go inside and see it, we wouldn't have been able to show the public what happened.

Now, because they know that that it's it is a process release policy, it is drawing all of these people here and then the drugs on top of it because all the resources are now focused on the people, so all these drugs are getting into the country and it's killing our kids. And you see a humanitarian disaster, you're describing two seven-year-old girls, it breaks your heart.

CRUZ: That's exactly right. You know, on the banks of the Rio Grande just in the grass, you found wristbands which I found on the ground here, a couple of white ones. Here's a pink one, here's a green one, and they're all color-coded. This is a yellow one.

All of these are color coded for how many thousands of dollars the people wearing them owe the cartels. This yellow one is tiny. This was obviously worn by a child, it's not broken the child's hand was small enough to slip it off without it. This is a little child, a little girl, a little boy who is now in America and finds herself or himself owing drug cartels thousands of dollars.

And what happens next is that these kids the Biden administration ships them to every city in America, even if you don't live on the southern border, you're in a border town because there are kids in your town, there are 14, 15, 16 year old boys who owe the drug cartels thousands of dollars. They're working for the drug cartels, committing crimes in your town.

And as bad as that is, the girls have it worse, because the girls find them over and over again trapped in sex slavery. This is immoral. It is horrific and, Sean, there's a reason that Joe Biden hasn't been to the border once as president. There's a reason Kamala Harris has not been to the Rio Grande Valley once as vice president even though she's supposedly border czar, because you can't look at this horror and defend it.

Joe Biden found the time to go to Saudi Arabia but not to the southern border to the worst illegal immigration in 62 years.

And I got to say, Sean, the body bags are piling up. We saw just a few weeks ago, over 50 illegal immigrants in a tractor-trailer outside of San Antonio die of heat exposure, including kids as young as 13. Last year, we had a hundred thousand people die of drug overdoses with this fentanyl exposure explosion and the Joe Biden body bags keep getting worse and worse and worse.

And, Sean, the only good thing of all of this horror is its opening people's eyes. I think November is going to be a red tidal wave. I think South Texas is going to turn red. And if and when Republicans retake Congress, I believe one of the very first priorities is that we should impeach Department of Homeland Security Secretary Alejandro Mayorkas. I think the House will do that and the Senate needs to conduct a trial. We need to put on a trial and put on the evidence of the people that are suffering and dying as a result of Joe Biden's dereliction of duty.

HANNITY: Senator, I mean it is a heart-wrenching report. And you know, we've now gotten to the point where Joe Biden's policies are aiding and abetting law breaking. We'd be -- we would be charged with human trafficking if we did what they're doing. And now, your governor, Governor Abbott, you know, too much to his credit who's tried to do everything within the legal system is now forced to push people back over the border.

Technically, he's -- that's not his job by law, but he has no choice at this point. And in less than -- until we finish that job, it's going to continue to get worse and that humanitarian disaster that you articulated will get worse as well.

Senator, thank you for sharing that. I hope people hear you loud and clear.

All right. Straight ahead, shocking video of a home invasion in Florida. The victim turned the table on the intruders. You defend yourself and it actually works. We got the tape, straight ahead.

And climate lunatics continuing their tire slashing operation to save the planet. You can't make this up, coming up.

(COMMERCIAL BREAK)

HANNITY: The case in Florida is proving yet again why the right to self- defense is so important. Now, just watch what happened to a group of would- be burglars when they picked the wrong house to target. Take a look.

(VIDEO CLIP PLAYS)

HANNITY: Now, Florida's a place that actually believes in the concept of the second amendment in self-defense, but look at a state like deep blue New York and California and their laws, they don't grant their residents the same right as crime is now raging in all these liberal cities run by liberal Democrats for decades.

Now, earlier this week, Olympic medalist Kim Glass sustained brutal injuries after being attacked by a deranged homeless man in L.A.

And here's what she said earlier today on FOX. Take a look.

(BEGIN VIDEO CLIP)

KIM GLASS, OLYMPIC MEDALIST: Every time someone's being let out on the street again and again, they're doing a disservice and they're pretty much saying that these victims' traumas were in vain. And now, like I'm here to -- I'm hoping that this doesn't happen to anyone else again.

(END VIDEO CLIP)

HANNITY: I mean, this -- this is so out of control, meanwhile coming soon to a liberal city near you -- well, the British environmental activist group called the Tire Extinguishers, they have now launched a nationwide campaign to deflate the tires of SUVs which they say are a big cause of climate change.

Now, they have already hit cars in New York, Chicago, San Francisco. Even Biden's hometown of Scranton.

And here now with reaction, Outkick founder Clay Travis and the chairwoman of the House Republican Conference, Congresswoman Elise Stefanik.

Congresswoman, look at what happened in New York, your state, alone. You have this bodega worker, he's saying on tape, please, I don't want -- I don't want any trouble. I don't want any trouble. A guy comes behind the counter, you know, attacks him, pushes him to the ground, he's forced to defend himself and then he gets charged with second-degree murder.

Can you explain that to me how -- how is that justice?

REP. ELISE STEFANIK (R-NY): Well, it's not justice, Sean, and this is an example of the far left woke D.A.'s that not only do we have in New York state, particularly the Manhattan D.A. Alvin Bragg who needs to be fired on day one when we elect a Republican governor. But we're seeing these progressive radical D.A.s across the country.

Again, we're seeing Democrats and far leftist prioritizing the criminal rather than standing up for the rights of the victim. In the case of the bodega owner, of course, there is a right to self-defense. We need safety and security. This is amidst a crime wave in New York state and across the country, resulting from the defund the police rhetoric and policies that Democrats have been pushing from coast to coast.

I am proud to stand with the bodega owners. They are speaking out. They are pushing back on, again, the woke policies of the Manhattan D.A. Alvin Bragg.

HANNITY: You know, Clay, as you look at Merrick Garland and all the talk about parents at school board meetings being investigated as domestic terrorists, and I'm thinking, okay, what about all the people that are violent on the streets? What about the people threatening the **Supreme Court** justices, breaking the law and protesting in front of their homes harassing and intimidating them? What about these groups that are out there slashing the tires of people that own an SUV?

CLAY TRAVIS, OUTKICK FOUNDER: Sean, I was one of those parents. I've got two young kids in elementary school and I went and spoke at my school board. Side note, pay attention to who you're voting for on your school board. There's a lot of people out there who are parents including me that prior to COVID really didn't pay that much attention to what was going on at school board level elections.

But you're right, Merrick Garland has been a disgrace and he's been a disgrace because as I'm sure the congresswoman can attest, we know what would solve these issues. Put more police on the streets and put violent criminals behind bars. This is the 1990s all over again.

And we are still behaving as if we are in a low crime environment. And it is a luxury of low crime environments to be concerned that you are punishing violent criminals too much. We don't have a low crime environment anymore, Sean. Murders went up 30 percent in 2020, the largest increase we've ever seen on a one-year basis. They went up another amount in 2021, I know they're going up again in 2022, all over this country.

And why you're seeing that gentleman there who had the gun in Florida so many people are feeling as if they have to take their own self-defense into their own hands, Black, White, Asian, Hispanic. That's what people are doing all over this country. They're buying weapons because they don't trust the government which has run police off and isn't responding quickly to crime calls to be able to defend them in the event that violence comes to their front porch.

HANNITY: Congresswoman, does the recent **Supreme Court** ruling on the Second Amendment, is that going to allow people even in New York City to have a pistol carry permit or is New York going to just ignore the U.S. **Supreme Court**?

STEFANIK: Well, we've seen Kathy Hochul trying to double down on her unconstitutional anti-Second Amendment legislation. We're going to have to challenge that in the courts as well.

Look, the **Supreme Court** ruling when it comes to the concealed carry permit process in New York, that was a win for the Constitution, a win for every New Yorker. I was proud to sign on to the amicus brief in support of that case, in support of the New York State Pistol and Rifle Association.

Look, Clay is exactly right. We are seeing a crime wave in this country. Even in my district in rural upstate New York, we had a bank robbery in downtown Glens Falls, hometown USA, my congressional office is just a few blocks away. That is unthinkable for that community. We need to stand strong when it comes to defending our Second Amendment rights, standing up for the Constitution.

And Clay also was right. If you look at the statistics this past year, first time gun owners -- they are women, they are minorities because people want the right to defend themselves and we are seeing that the demographic group is more diverse than ever before. So we will challenge these unconstitutional double downing of gun control laws that Kathy Hochul and Democrats in Albany are pushing.

And again, I believe, Sean, that's one of the reasons why we're going to elect Lee Zeldin the Republican governor in New York state, a once in a generation opportunity to address this just abysmal record of Democrats in Albany.

HANNITY: We only have 30 seconds. We'll give you the last word, Clay.

TRAVIS: Look, this is a reality White, Black, Asian, Hispanic, Congresswoman just talked about it. I'm blown away, Sean. You probably have heard about this a lot too -- the number of women who are saying I'm fed up, they're buying guns and carrying them around in their purses, I've never seen anything like it. We have got to solve this issue, put the police back on the streets, hire more of them, let them do their job and put violent criminals behind bars and keep them there so people don't have to feel like they have to defend themselves without the police presence.

HANNITY: And refund the police, don't dismantle them and get rid of these insane no bail laws. For example, the bodega worker wouldn't have been attacked if we kept that guy in jail they had a pretty long rap sheet.

Thank you both.

TRAVIS: Exactly right.

HANNITY: When we come back, all right, shark attacks are real and on the rise. What's the reason for this phenomenon, and is it something you need to concern yourself with? We'll explain, next.

(COMMERCIAL BREAK)

HANNITY: All right. As summer now hitting America, swimmers hit the beach. But this year, things are getting more dangerous than usual. There's been five separate shark attacks -- shark attacks that have been reported in the waters off New York's Long Island in only the past two weeks alone.

More recently, on Wednesday, an Arizona man was wading off Smith Point Beach when he was bitten from behind. Thankfully, the injuries were not life-threatening.

But over the past few years, the number of shark attacks has been rising.

And marine ecologist Mike Heithaus is with us right now to explain this.

I'm looking at these numbers -- okay, so far this year, and this is only half the year, we've had one more attack than we had in all of 2020. And then last year, we had 47 attacks.

Now, explain to me why is this -- you know, it seems like it's doubling and I'm -- look, I used to swim in this very same water, at Jones Beach. I'm not too happy to hear that I could have gotten bitten by a shark.

MIKE HEITHAUS, MARINE ECOLOGIST: Well, I think the good news is you'd still be pretty safe to go swimming in the water. And, you know, even the lifeguard that got bitten is back in the water already and, you know, it may be concerning to see those numbers going up.

But we do see attacks go up and then usually come back down and the biggest impact is usually the number of people that are in the water. But at the same time, it is warming up and most sharks like that warmer water so they'll be moving further north. We've also had historically low shark populations for decades, and we're just starting to have those populations come back in some areas, which does mean that we have to find ways for people and sharks to co-exist.

So, yeah, that's why if you're going to the beach --

HANNITY: Hang on a second --

HEITHAUS: -- pay attention to local advice.

HANNITY: How do we co-exist? We say, be a nice, little shark, we have a conversation with the shark, maybe feed the shark, you know, bring food -- I mean, what makes a shark want to bite a human anyway? I mean, that may sound like a dumb question but I'm curious.

HEITHAUS: Well, usually, it's going to be a mistake and in a lot of these cases, it sounds like they may be actually even smaller sharks that might have seen a hand or a foot and thought it was food and so, you know, staying out of turbid waters or listening to lifeguards if sharks have been sighted are really important. Or if you're in some of the areas where white sharks are some of the really big dangerous species might be paying, attention to that local advice is important.

And so, you know, we have more technology all the time to have a better sense of sharks are around. But, you know, if people are concerned about it things, like avoid turbid water, don't swim alone, maybe avoid sunrise and sunset and don't swim where people are fishing or you see lots of bait fish in the water. That might mean sharks or predators are there.

So, really though, rip currents and driving to the beach are usually going to be more dangerous than getting in the water because of sharks.

HANNITY: I mean, is -- are there particular sharks we should be looking out for? For example, we always hear about the great white. Are there a lot of great white sightings? Has their population dwindled? Are people out catching those big sharks, or are they viewed as an endangered species and you can't catch them and if you do catch them, you have to throw them back?

HEITHAUS: Well, great whites, their populations were way down because they were overfished and the seal populations that they relied on were down as well. Those sharks have been protected and that protection and seal populations increasing mean that great white numbers are on the rise in California and off the northeast coast of the U.S.



And so, that's why in areas where there are lots of seals or sea lions, you might want to avoid that because white sharks might show up.

HANNITY: Yeah.

HEITHAUS: Now if you go down to where I'm from in Florida, bull sharks and tiger sharks are the ones that you need to be more concerned about.

HANNITY: You can have sharks in your ocean, at your beach. I'd prefer no sharks in any ocean that I'm near. That's just my own personal preference. But I do understand your point.

HEITHAUS: Well, I'll give you one thing though, Sean, is that if you like fishing you might want to have those sharks there because they help to stabilize ecosystems, so things that we like and rely on in the oceans probably rely on having sharks there too. But, you know, we do want to be safe as well.

HANNITY: I do have under my belt. I did catch one shark one time and I did throw the shark back, in case anyone's interested.

HEITHAUS: Well, thank you.

HANNITY: Thank you. I mean, if it was something I could have eaten, I mean I probably would have.

But, anyway, we appreciate you being with us. Thank you.

More HANNITY coming up right after this.

(COMMERCIAL BREAK)

HANNITY: Unfortunately, that's all the time we have left this evening. As always, thank you for being with us. Thank you for making the show possible. Please set your DVR so you never miss an episode of HANNITY. News anytime, foxnews.com, hannity.com.

In the meantime, this Friday night, let not your heart be troubled. Laura Ingraham, "THE INGRAHAM ANGLE" is next. And we hope you have a great weekend.

END

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### More Warning Signs For The Biden Economy

SEAN HANNITY, FOX NEWS HOST: All right. Tucker, have a great speech tomorrow in Iowa.

And thank you. Welcome to HANNITY.

Tonight, warning signs for the Biden economy. They are flashing brighter than ever.

Let's pause for a second, all of this is going to impact you, your families, your loved ones, your friends, your neighbors. It's that bad.

Sadly, we are on the verge of not just a recession, not just a downturn but a full-fledged economic meltdown. All of it caused by the policies of Joe Biden and the new green deal climate cult agenda, socialist Democrats. We're going to break it down and you and your family need to act accordingly to protect yourselves.

Now, Biden is failing so much, so fast, is so weak, so frail, so decrepit - - major Democrats, they appear closer than ever now to jumping ship. Look at your screen, Biden earlier today in Israel as Tucker just showed you, literally appearing to not even know where to sit down. Where do I sit down? What do I do?

Let me say hello, let me shake the hand of the air. Hello, air. I mean, it's not the first time we see this.

And once again appearing totally disoriented. You know, thank goodness, yes, the Israeli prime minister was ever with him, helping him, dazed and confused.

Now, these latest struggles come as Biden's agenda is imploding here at home because yes it was yet another day with another bad horrific batch of bad economic news for the Biden economy. This is on top of yesterday's -- you know, for Biden, this was his 41-plus-year record high inflation, 9.1 percent.

Today, we learned that wholesale inflation which is the measure of inflation before it gets to you at the retail level, consumers, is surging even more a whopping 11.3 percent. That is nearly the highest number ever. Yet another painful reminder of the failures of this far left, disastrous, destructive Biden economy.

Frankly, there are signs of even more pain in the days and months ahead and frankly years ahead. So let's make this perfectly clear so you and your families understand.

Now, pretty much everything you're buying is costing you a fortune more because of the reckless radical policies that Joe Biden, the climate alarmist cult indoctrinated brainwashed into cling to like manna from heaven. Remember, inflation was 1.4 percent.

To be precise when Donald Trump left the White House, Joe Biden lied back in December, he said, oh, inflation is only transitory. It's only temporary. I think the worst is past us.

Look at these -- look at the graphs. They speak for themselves, put together by "The New York Post". Look at this. And it lays out just how major and massive Biden's inflation failures really are.

Now, you go to the grocery store, that's costing you more. You go to pump up your car with gas, that's costing you more than double what you were paying under Trump. You want to take your family out to dinner, good luck, that's costing you more.

You want to buy a new car? That's going to cost you a fortune more, probably above MSRP because they don't have the parts available. You want to use car? That's up dramatically. You want to renovate your house? That's costing you more.

But when the housing market crashes and it will crash, you might be able to finally find that contract you've been waiting for. If you want to buy a house, yep, interest rates are way up. It's going to cost you perhaps thousands more every month.

And you have interest rates spiking. The fed is now moving closer to a historic 100 basis point increase later this month, on top of the 0.75 basis point increase we had last month. We haven't seen this since Jimmy Carter.

But according to Biden, the Democrats, we're all supposed to just suck it up go along with their anti-energy, green new deal economy-killing agenda as the hard-working men and women in this country and their families suffer more and more and more. We're all supposed to believe their endless lies and we're supposed to pretend that this was all caused by Putin and the pandemic. The pandemic was happening under President Trump. We didn't have these problems.

We were paying -- we got cheap oil because it was domestic oil. We were energy independent and a net exporter of energy. Joe gave all of that up.

So Joe blames big oil or blames rich people. Now blames this week, the Republicans, blames Donald Trump, blames FOX News.

Listen to one White House so-called economic advisor with next to no experience, completely stumble after actually being asked a tough question, believe it or not by fake news CNN. Take a look.

(BEGIN VIDEO CLIP)

JOHN BERMAN, CNN HOST: The rate of inflation in the U.S. is higher than it is in Canada, France, Italy, Japan, India, Mexico, China. Why?

HEATHER BOUSHEY, MEMBER, WHITE HOUSE COUNCIL OF ECONOMIC ADVISERS: Well, here's a couple of things, I mean, first off, let's be clear. The bulk of the increases in prices last month were due to energy and food, and most of that was indeed due to energy. And so, this is really the result of -- you know, the United States and countries everywhere coming out of historic pandemic where we have seen these ongoing challenges with supply chains these fragile supply chains that businesses have created around the world that have made it difficult to get products to shelves in the time of this recovery from a pandemic.

You add on top of that this unprovoked war that Putin has been waging in the Ukraine and that is why we've seen prices rise.

(END VIDEO CLIP)

HANNITY: She's right about the energy part, except she's not telling you the main part. The main part being, of course, that Joe Biden -- well, he eliminated energy independence. Somehow he thinks it's better to import oil from countries that hate us like Russia, Iran, Saudi Arabia, OPEC, Venezuela.

Now, many in the mob in the media, they're -- you know, they're still in a never-ending fight with truth and reality, still on a never-ending crusade to defend Biden at all costs.

Listen to the ladies at that hard-hitting ABC News show "The View" letting us know there's nothing Joe can do. Yes, there is -- drill and frack. But take a look.

(BEGIN VIDEO CLIP)

WHOOPI GOLDBERG, CO-HOST, THE VIEW: Inflation rates just hit a 40-year high and there are calls coming from both sides of the aisle and the media for the Biden administration to figure out ways to fix it. So here's my question what do you want him to do that he's not doing? I mean, I don't -- I don't know. You know, this -- I don't know very many folks who could juggle this many balls in the air at the same time.

(END VIDEO CLIP)

HANNITY: Especially not this guy who probably doesn't know today's Thursday.

How about this? Whoopi, he can return to the economic and energy policies of Donald Trump. Donald Trump achieved energy independence for the first time in 75 years. We're a net exporter of energy and his clinging to new climate alarmist religious cultism caused us all now to pay double what we were paying.

Everything that's delivered to every store you go to cost more because diesel costs more. Joe Biden artificially reduced the world's supply of energy. Supply and demand crisscross that dictates -- dictates the price and guess what? Demand remained constant, the price went dramatically higher.

Joe Biden repeatedly attacking the oil and gas industry they want to the leases back. They want to finish the Keystone XL pipeline, they want exploration in ANWR, all of which Joe is prohibiting.

Joe rolled back at American energy independence and we're all paying the price. So that's what he could do.

If Joe Biden -- you know, he said during, the campaign he would eliminate fossil fuels, look me in the eye, trust me, I'll eliminate it. I'll get rid of it. It's Joe Biden that signed into law the so-called COVID relief bill that was not actually for COVID.

Perhaps, the most reckless irresponsible piece of legislation in modern U.S. history that fired up an already overheated economy. Does the administration have no understanding of inflation at all whatsoever?

We learned yesterday from Steve Moore, they have next to zero experience in the -- in the business sector. And beyond all the Biden lies and misdirections and blame and, you know, all the B.S., the signs of an economic disaster are steering all of us right in the face. Inflation, 41- year high, energy prices, record highs, and just this week, the IMF cut their 2022 growth forecast and warned that avoiding a recession will be, quote, increasingly challenging. Meaning not going to happen.

That soft landing they talk about, that's not going to happen either.

Now add to that, the cooler consumer spending, weak bank earnings, slumping stocks, rate hike fears, you have a brutal Biden economic cocktail and it's only just begun.

Wait until you see what happens -- new home construction is going to stop, sale of existing homes will stop, home values will plummet, nobody's going to want to sell their of their home with a 3 percent 30-year mortgage and move to another home. And guess what? That's going to impact the economy. Wait for the housing market crash. That's going to follow all of this.

The man in the White House clearly is not up for the job. We should really have an honest conversation. If he's not up for the job. we really need to consider the 25th amendment. Piers Morgan is right..

And just in case you weren't quite convinced, let's remind you once again.

(BEGIN VIDEO CLIP)

JOE BIDEN, PRESIDENT OF THE UNITED STATES: The political coverage -- that look -- some of the political players and some of the -- let me ask a rhetorical question. No, anyway.

(END VIDEO CLIP)

HANNITY: So, finally, even "The New York Times" recognizes, wow, Sean Hannity's been right the whole time. We were way ahead of the curve. We were telling you during the campaign.

Let me get a little ahead of the curve again. That man is not mentally fit to be president and the people around him covering all of this up, they are the worst type of enablers because they're putting the country at greater risk, even the world at a greater risk.

Here with reaction, author of "Here's the Deal", Kellyanne Conway, number one "New York Times" bestseller, and FOX News contributor, Joe Concha.

Kellyanne, look, I pointed it out during the campaign. I got criticized. I don't think there's anybody that has any ounce of intellectual honesty can argue with the fact that he's just not up for the job. It's that simple. Will Democrats take the bold step and tell them that?

KELLYANNE CONWAY, FORMER SENIOR COUNSELOR TO PRESIDENT TRUMP: Well, they fear that then the next person in line for the job isn't up for the job either. Her name's Kamala Harris and she doesn't do much better at the talking thing that she does --

(CROSSTALK)

HANNITY: Let me -- let me vote on that. I agree. She's not up for the job either.

CONWAY: Strongly so. She's not.

And so, there is that fear. By the way, you know, Sean, Joe, it's so fascinating, isn't it, that when the Democrats now are coming out of the woodwork and saying somehow a guy who wasn't too old months 18 ago is too old now and infirm. They stop short of saying get rid of him now, just don't run again in 2024 because they don't say, let's just get Kamala to step in there. She neither, like him, she also does not inspire confidence or demonstrate competence.

Look this is binary. Under Donald Trump, record low poverty. Under Joe Biden, record low approval ratings. Under Donald Trump, we had the highest unemployment in 50 years. Under Joe Biden, highest inflation in 40 years.

Why is this important? Well, it's important because those weren't just about those individual personalities or even presidents. It was about policies.

And I think we're all being seduced into talking too much about Joe Biden. As fun as it is, I think we should be talking about the Democrat, Sean. The difference between 15 seats for the Republicans this fall and 50 in the House could be the ability to make all of the Democrats not just Joe Biden own and need all these terrible policies.

You have these moderate Democrats now like Elissa Slotkin from Michigan today pretending that she was -- she was worried about inflation. She was warning the Biden White House, oh, no, what can we do?

It reminds me of the Democratic moderates who were upset after the 2020 election saying don't you ever again out of those three words defund the police. I almost lost my seat.

Now, they're saying about inflation. These are Democratic policy problems, not just Biden problems. I want them all gone.

HANNITY: You know, I look at this Joe Concha. And now, we're seeing the media two and a half years later acknowledge the obvious that we had. Now, there's two points about this.

One, any Democrat that might replace Biden is probably going to adopt the same policies and similarly be beholden to the climate alarmist cult that is the Democratic socialist Party. So things won't change in that respect.

But what about the people -- I mean, to be honest they all know how bad his condition is. And it's probably worse than we even can see. You know, is it -- do we not get to the point where it's borderline elder abuse with this guy, forcing him out there and he comes stumbling, stammering, you know, tripping and falling and the wind blew him over? At some point, does anybody care about him enough to say, Joe, I think it's time you need to hand the reins off to Kamala or somebody else?

JOE CONCHA, FOX NEWS CONTRIBUTOR: One would hope so, Sean. But I think again when we focus on age, the premise seems to be that -- well, when Joe Biden had his fastball, he had the proper instincts and had the proper perspective and policies to move the country forward.

And you ask Robert Gates, for example, who was his defense secretary under Obama-Biden and said -- and this is what Gates said in his book in 2014, that he was wrong about every foreign policy decision throughout his 50- year career, whether it be in the Senate or as vice president.

Remember, this is the guy who told Barack Obama he should not go into Pakistan and get Osama bin Laden. This is the guy who voted against the First Gulf War that even Al Gore had had supported at that point.

So, you know, his instincts on foreign policy have been horrible and then when his instinct now or at least the instincts of his handlers is, let's spend trillions more so we could lower inflation, you know, that's not the way it works.

But then to the age thing -- I mean, when he gets up in front of the press on an international stage and again does that whole, they gave me a list of reporters to call on thing, he's done this multiple times as president. It's several flavors of stupid and it's like the porch light is on and no one's home. You would think someone sane and sober in the White House will pull them aside and say, please stop sharing that information because it may look like you're avoiding hard questions and calling on those who only ask those of the cotton candy variety.

Barack Obama was able to win re-election --

(CROSSTALK)

CONCHA: Yeah, I know, and Obama, he won reelection, but not because his policies and performance, you know, were all that great, right, but because he could put together a good speech and give coherent answers. Unlike his former vice president is now doing as president.

But one more one more point, Kellyanne's exactly right. You connect every Democrat that is running in the Congress and the Senate for a seat or running for reelection to Joe Biden on inflation, on education, on gas prices, and on crime.

And if you do that and you focus on those four issues like a laser, I don't see how too many of them will lose because Democrats don't have a bumper sticker and they know it, Sean.

HANNITY: Quick exit question and a prediction from both of you.

Kellyanne, will Joe Biden finish his first term?

CONWAY: Yes, he's not going to finish any sentences but he will finish his first term.

HANNITY: That's too funny, I can't not laugh.

Joe Concha?

CONCHA: It's like trying to take the keys from your grandfather who's 84 and shouldn't be driving anymore. He's not letting go of those keys. Joe Biden's not letting go of his presidency --

HANNITY: If it was my father or mother, I'd take the keys and I'd find a way and I'd hire a driver, or get him an Uber account, whatever I needed to do.

Kellyanne Conway, thank you. Joe Concha, thank you. I appreciate it.

Now, while Biden suffers more blunders abroad, ask yourself, why is Biden so hostile to American oil and gas and domestic production? Why has he been so soft on American adversaries like China because he's given them our strategic petroleum reserves and he's given a pipeline to Vladimir Putin?

Now, why do we need to ask this question, is the Biden family compromised in places where Hunter and his associates made millions and millions of dollars like China, Ukraine, Russia and others? We have Mr. Zero experience doing business all across the globe despite no qualifications, being a crack addict, having a proclivity for women of let's say, the night.

And he and Joe, guess what, Joe Biden said over and over again, I never talked to Hunter one time about my business dealing. Well, there he's pictured, guess what, with Kazakhstan oligarchs. Hunter got money from them. And here, he and Joe pictured with Hunter's Mexican business partners who Hunter excoriated after he gave him all the access in the world and wasn't making money from him.

And Joe and Hunter were also pictured together -- oh, those are executives from Burisma. And according to Hunter's former business partner, Tony Bobulinski, Joe was very well aware of what Hunter was up to, but yet, Joey continued to lie and continues to claim he never talked to Hunter about any of these foreign business dealings. You may recall.

(BEGIN VIDEO CLIP)



STEVE DOOCY, FOX NEWS CORRESPONDENT: Mr. Vice President, how many times have you ever spoken to your son about his overseas business dealings?

BIDEN: I've never spoken my son about his overseas dealings.

I have never discussed with my son or my brother or anyone else anything having to do with their businesses, period. And what I will do is the same thing we did in our administration. There will be an absolute wall between personal and private and the government.

REPORTER: Do you stand by your statement that you did not discuss any of your son's overseas business?

BIDEN: Yes, I stand by that statement.

(END VIDEO CLIP)

HANNITY: Now, recent weeks, oh, well a whole other trove of videos revealing yet another troubling chapter in the life of Hunter Biden. Look at your screen.

Yeah, this video obtained by "The Sun" showing Hunter filming himself and something called a float while apparently doing drugs. That's not all. More video reported by "The Daily Mail" showing Hunter also on a train with alleged prostitutes apparently transporting them across state lines with some of the payments reportedly coming just hours after dad wired him the money.

But Hunter didn't stop there. Yet another video showing Hunter appearing to weigh an illicit uh substance, looks like crack cocaine according to reports, while he was with an alleged prostitute.

Now, why is all of this so important and why is it so important to highlight this behavior? Ask yourself, why would rich foreign businessmen want to do business with a guy that had no experience at all whatsoever that was a crack addict? Why would foreign businessmen want to be associated with someone who had these severe drug problems, personal problems, chaotic life, and has no experience, no qualifications whatsoever?

Is there any other reason other than his last name was Biden? Imagine if his last name was Trump. Any other reason that his dad was the vice president? The answer is obvious.

Also, remember when Joe Biden was in the Senate, he was one of the biggest crusaders for harsh punishments. Guess what? For crack cocaine users.

Joe, does that apply to Hunter? Here's a quick trip down memory lane.

(BEGIN VIDEO CLIP)

BIDEN: If you have a piece of crack cocaine, no bigger than this quarter that I'm holding in my hand one quarter of one dollar, we passed a law through the leadership of Senator Thurman and myself and others, a law that says you're caught with that, you go to jail for five years. You get no probation. You get nothing other than five years in jail. Judge doesn't have a choice.

(END VIDEO CLIP)

HANNITY: Almost looks like Hunter had what would be years worth of stuff to go to jail.

And here's where it gets even more interesting. Remember last year, we learned that Hunter purchased a gun from a licensed firearm dealer back in 2018, wrote on his 4473 form, no, he was not a user of any illegal substances. Looks like Hunter lied and that's illegal. It's also a felony.

Add to that the incident where Haley Biden reportedly found Hunter's gun in his truck, removed it, tossed it behind a grocery store, just a stone's throw away from a high school, forcing the Secret Service to intervene.

Again, based on the facts as we know him, that also appears to be illegal. Does Joe have anything to say about any of this when he talks about gun control? What about the media mob? Why are they ignoring this?

Imagine if it was someone else besides having the last name Biden? Wouldn't there be severe consequences? What did Joe know, when did he know it?

Here with reaction, FOX News contributor Charlie Hurt and Republican Congressman Jim Jordan.

Jim Jordan, if I did it, where would I be?

REP. JIM JORDAN (R-OH): No, you'd be in big trouble, Sean, and here's the key takeaway in my mind. It's worse than we thought.

We knew about the millions he took from the wife of the mayor of Moscow. We knew about the millions he got from the Ukrainian oligarch. We knew about the millions he got from the company with ties to the Chinese communist party.

We knew about the laptop .We knew it was real two years ago, but now we know that there are a 150 suspicious activity reports that the United States Treasury has and Joe Biden's Treasury Department will not share those with Congress, which has been the tradition throughout time frankly. They will not do that.

What are those -- what are those suspicious activity reports talk? They're banking transactions that raise concerns. The person that they're -- he's having to deal with or the amount of money or the number of transactions that take 150 of them has been reported by the press.

So that's what we want to see. And Ranking Member Comer on the oversight committee has asked to see that information.

HANNITY: And they're too busy likely Charlie Hurt, let's see, poring over my tax returns and auditing me yet again. And I pay my taxes.

CHARLIE HURT, FOX NEWS CONTRIBUTOR: Oh, yeah. Yeah, without a doubt.

You know, all of these investigations we've seen out of the House so far have been entirely politically motivated, which is -- which is on two levels is terrible. One is that it's a -- it's a terrible waste of time but it also undermines the very important work that these committees should be doing and which I think Jim Jordan will be doing come -- you know, by this time next year, which is to investigate real, real crimes going on within this administration.

You know, normally, when you get a trove of this disgusting stuff out of the Hunter Biden laptop, your concern is about like blackmail targets and things like this. But this is so much farther beyond any of that. We are so -- you know, there are more smoking guns in this thing than I would think that we -- you know, anybody would even have time to investigate all of them.

But if you just look at the big places where Hunter Biden has himself compromised and his father compromised, Ukraine, China and Mexico, and then you look around at the world stage at all of the hot spots under the Biden administration, where the Biden administration has given away American interests. It's in Ukraine, Mexico and China.

Do you think it's just a coincidence? I don't.

HANNITY: Okay, answer that question, Jim Jordan. The Nord Stream pipeline waiver, canceling the Keystone pipeline, strategic oil reserves, go into China, when the price of a gallon of gas has never been higher? We got about 35 seconds.

JORDAN: Yeah, no, I don't know if there's a direct link or not, but this is why we have to investigate it. But what frost me the most, Sean, is we knew this two years ago and the mainstream press said we're going to hide this story. They followed the template. They followed the template.

Create the lie, big press reports a lie, big tech amplifies the lie, then when we try to tell the truth, they call us names and try to cancel us. That's what happened two years ago. We may not have been in this situation if the truth came out then.

HANNITY: Merrick Garland, Director Wray, where are you guys?

Anyway, thank you both.

When we come back, the White House refusing to say if Biden will address the murder of journalist Jamal Khashoggi during his trip to Saudi Arabia as he's sucking up to the crown prince that he called the murderer, is he going to address human rights violations, how they treat women, gays, lesbians? I doubt it. We'll explain coming up.

(COMMERCIAL BREAK)

HANNITY: All right. So as Joe Biden's disastrous trip through the Middle East is continuing and as he prepares to meet with the Saudi crown prince in the coming days to beg for oil and get them to sign off on his idiotic Iranian deal, the White House has been silent. They won't say whether or not Joe will address the murder of journalist Jamal Khashoggi and the multitude of other human rights atrocities that occur in Saudi Arabia.

Remember, Joe blamed all of this, the murder on the Saudi crown prince before promising during the 2020 campaign to make the country a, quote, pariah nation.

And here's your chance, Joe, you're going to follow through or is this just another one of those endless broken promises. Khashoggi's widow broke her silence in an emotional interview with our very own Bill Hemmer earlier today. Take a look.

(BEGIN VIDEO CLIP)

BILL HEMMER, FOX NEWS HOST: If you could be there, what would you tell MBS?

JAMAL KHASHOGGI'S WIDOW: I will tell him, you will regret if you know the truth about Jamal and anyone involved in his crime, they will regret.

(END VIDEO CLIP)

HANNITY: Now, instead of committing to discussing the murder with the Saudi crown prince, Joe had this to say.

(BEGIN VIDEO CLIP)

BIDEN: I will bring up -- I always bring up human rights. I always bring up human rights. But my position on Khashoggi has been so clear. If anyone doesn't understand it, in Saudi Arabia and anywhere else, then they haven't been around for a while.

(END VIDEO CLIP)

HANNITY: So, Joe, you're going to hold them accountable for the murder of Khashoggi or not. Are you there to beg for oil or not?

What about their treatment of gays and lesbians? So what about their treatment of women?

Some people are put to death, punished in a number of gruesome ways. In some cases, just for being gay.

And what about their oppressive laws against women? Weren't even allowed to drive until 2018, or obtain their own passport until 2019.

And it's not just Saudi Arabia Biden is doing business with. He's doubling down on this idiocy of reviving the Iranian nuclear deal. Now, Iran's the world number one state sponsor of terror. They boast of similar oppressive laws against women, gay people, including the death penalty if you're gay.

Ask yourself, where are all the radical human right activists, all the woke people in America that are Democrats, how come they're not upset that Joe is doing business with these countries?

Here with reaction, human rights attorney executive director of the Lawfare Project, Brooke Goldstein, and FOX News contributor Tammy Bruce.

Tammy, in a way I guess, you know, I'm -- I'm the one standing up for human rights. I always have. I would want nothing to do with any of these countries. I don't want their money. I don't want their oil. I don't even - - but they're hostile regimes that have atrocious human rights records.

TAMMY BRUCE, FOX NEWS CONTRIBUTOR: They do. And you laid it out perfectly. Many have noted that the changes -- the small changes when it comes to women's rights in the kingdom were really made for a PR effect, that it is still very difficult in the kingdom. In Saudi Arabia, the homosexuality is dictated by the criminal code which is dictated by Sharia law. And we've recent executions of homosexuals there as well.

I mean, it is horrendous and it's a protected environment in that they want to show something outside to foreign countries while it is still repressive and horribly so internally.

But this is more of a story with what you'd outlined regarding Joe Biden. With Biden, everything is transactional. I believe that he meant that about Khashoggi, but now look at what he's willing to do in order to keep America weak. He is willing to go to a place that is known to be a horrific abuser of human rights because his priority is to keep his own country as weak as possible.

That speaks to the nature of Joe Biden in a way that I think should shock the conscience of everyone watching this program no matter who you are. We believe in human rights because we're America. We're not perfect. But when we talk about it, when we learn about it, when we care about it is because we mean it.

With Joe Biden and the Democrats and perhaps the establishment in general, this is transactional. He now wants something from Saudi Arabia, Venezuela, even Russia, China, because it suits his purpose of keeping America in trouble and that is where we're at right now. It's a horrible place and he's now going to stand next to this horrible dynamic in Saudi Arabia because it suits him.

HANNITY: Brooke, where are all the woke leftists in this country? We're all the liberal activists, human rights activists in this country? Because their silence is deafening and Joe is only doing it to appease the climate alarmist religious cult that believes it's okay to import oil but not produce it domestically.

BROOKE GOLDSTEIN, FOUNDER & EXECUTIVE DIRECTOR OF THE LAWFARE PROJECT: You know, you're absolutely right. We are faced now with the situation where the president of the United States has to embarrass himself because of his own policies. He had to do a 180 degree turn where he used to be calling Saudi Arabia a pariah state, saying, quote, they have to pay the price for being bad and now he's going over there begging for oil, because it is his administration that refuses to make America energy independent, and it's this dual-faced, two-faced hypocritical nature diplomacy that really, you know, pervades what's happening in the Middle East.

On the one hand, you have our ally Israel. He's over there signing Jerusalem declarations declaring that we're going to do everything we can to prevent Iran from having a nuclear weapon and then at the same time turning around pushing for the Iran deal, reinstating \$200 million worth of funding for the Palestinian authority and for Hamas, a terrorist group in Gaza, allowing the pay for slave program to continue where American taxpayer dollars are going to pay terrorists who murder often Americans as well who are in Israel.

So the hypocrisy is why we are losing face on a daily basis in the Middle East. And I think it's really important to add one thing, there is such an outrage over what happened with Khashoggi and it's absolutely terrible. But where is the outrage when American citizens are killed by Palestinian terrorists and the Biden administration does absolutely nothing, continues to allow American taxpayer dollars to fund this terror administration.

HANNITY: Brooke, thank you. Tammy, as always, thank you.

Straight ahead, why is the left continuing to encourage incivility against our own **Supreme Court** justices? Do any have the courage to stand up and condemn these threats? Wait until you see what happens when Senator Elizabeth Warren was asked about it. That tape is next.

(COMMERCIAL BREAK)

HANNITY: Now, earlier today, our very own Hillary Vaughn caught up with Senator Elizabeth Warren to ask if she would condemn a far-left group putting out bounties on the heads of sitting **Supreme Court** justices. Take a look at Elizabeth Warren's response or lack of.

(BEGIN VIDEO CLIP)

HILLARY VAUGHN, FOX NEWS REPORTER: Senator, an activist group is offering to pay people if they send in the locations of justices. Do you think that this has gone too far at this point?

(END VIDEO CLIP)

HANNITY: Hello. Oh waiting for the answer -- where's the answer?

In fact, we did check and we couldn't find a single Democrat that condemned these threats.

Meanwhile, Biden's own transportation secretary, Mayor Pete, told FOX News earlier this week, justices -- they should actually expect these protests to happen. So it looks like we're back to the summer of 2020 when the left either refused to acknowledge

the 574 violent riots or they lied and said they were mostly peaceful or openly encourage them and help bail out the rioters like Kamala Harris.

By the way, where's Liz Cheney and her friends on the January 6 committee? Are they going to condemn this threat against an important branch of our government? Are they going to investigate? How about to investigate those riots, too?

Here with reaction, the host of "The Larry Elder Show" for the Epoch Times, Larry Elder, FOX News legal analyst Gregg Jarrett.

All right. Both of you are lawyers. Gregg, I'll start with you. It's 18 U.S. Code **1507**. It is against the law to harass, intimidate not only judges but jurists and court officers. The language and it speaks specifically to people's residences and their place of work. The law is very clear. No ambiguity.

GREGG JARRETT, FOX NEWS LEGAL ANALYST: No, it's clear Merrick Garland would not enforce the law. When you abandon the rule of law, you invite tyranny.

Look, putting a bounty on the whereabouts of **Supreme Court** justices for the purpose of harassment intimidation and vile threats, I mean, that's truly despicable, Sean, and Elizabeth Warren has been leading the charge for many unhinged tirades against the justices, ginning up anger and hatred with incendiary words. No rational person in high office, a U.S. senator for God's sakes would be acutely aware that words matter, especially after the attempted assassination of Justice Kavanaugh.

But Warren continues to jack up the animus, in so doing as she and others are actually imperiling the safety of those justices. She is so quick to accuse others like Donald Trump of incitement -- well, she's guilty of it herself and her refusal today to answer a legitimate question to condemn the bounties and instead take refuge in a vehicle shows she's nothing but a coward.

HANNITY: You know, Larry, I would never -- we've both been doing shows for decades. The idea of sending activists to people's homes is so reckless and irresponsible because you don't know what people are capable of doing and you might have a crowd of mostly peaceful people but then you might have a few bad apples in that crowd too. I in good conscience couldn't do it.

But every Democrat seems to be okay with this, even the bounty part.

LARRY ELDER, RADIO TALK SHOW HOST: Yeah, it wasn't a trick question. All she had to do was say, I condemn it and she couldn't bring herself to do that. Understand there was a new poll that showed a majority of Democrats want the **Supreme Court** packed so they can start getting the decisions that they want or they want the judges to be -- wait for it -- Democratically elected. Never mind the Constitution.

They now hate the **Supreme Court** almost as much as they hate Donald Trump. And remember, the chair of the January 6 insurrection committee, Bennie Thompson, referred to Clarence Thomas as an Uncle Tom. And people like Elizabeth Warren did not say a word.

Chuck Schumer stands outside the **Supreme Court** and threatens Kavanaugh and threatens Gorsuch. Not a word is said.

Maxine Waters tells people to surround members of Donald Trump's cabinet and let them know they're not wanted anywhere anymore.

And as you pointed out, Sean, we've had four months of mostly peaceful protests in the streets, over two dozen people murdered, two thousand cops injured, two billion dollars in damages and they didn't say a word. That's how this party rolls.

So what is Warren supposed to say? Now, all of a sudden, she's supposed to express outrage after being silent over outrage after outrage after outrage? These people want to stay in power, whatever it takes, it doesn't matter.

One final thought: Harry Reid goes on the floor of the Senate during the 2012 race when it appeared that maybe just maybe Mitt Romney might beat Barack Obama, and lies -- knowingly lies and says Mitt Romney has not paid taxes in 10 years. Years later, he admitted that he lied and when he was asked about it, he said, well, they didn't win, did they?

Whatever it takes, the end justifies the means.

HANNITY: Oh, sad state of affairs.

Something happens. They'll have blood on their hands. And you know what? We already dodged one assassination plot. So you would think they'd be less reckless, more responsible. But you know, I guess I ask too much.

All right. Larry, thank you. Gregg, thank you.

When we come back, you won't believe what radical soft on crime, the L.A. D.A. George Gascon did this time, even as crime is surging in his city. We'll check in with Lawrence Jones and Leo 2.0 Terrell, straight ahead.

(COMMERCIAL BREAK)

HANNITY: All right. Failing L.A. D.A. George Gascon has just announced, he's disbanding a part of that office that notifies crime victims when the people that hurt them are up for parole. Meanwhile, concern about crime is already so high in L.A. that Starbucks is now closing several stores there. And 7-Eleven locations in the area were recently forced to close because of security concerns after a string of fatal robberies.

But sadly, the -- well, crime wave that is now happening in city after city, you know, has gotten so out of hand -- well, in Atlanta, it's so bad that the neighborhood in Atlanta known as Buckhead, they want to secede and form their own city. By the way, I broadcast there four years. I don't blame them.

Anyway, our friend L.J., Lawrence Jones, will have a full report on it this weekend on his show "Lawrence Jones Cross Country", and that's Saturday night at 10:00 p.m. He joins me along with Leo 2.0 Terrell.

Leo, you're in Los Angeles. First, let's go to Gascon. So here are the people that are victims of crime. They're not going to be notified when they're up for parole, so they can sneak them out the door and not get any heat for it.

LEO TERRELL, FOX NEWS CONTRIBUTOR: Exactly and let me tell you right now, Gascon's facing a recall petition. We're waiting for the results. But this guy doubles down. Not only has he disbanded this unit, preventing parents from being our victims are being notified, he does not allow lawyers to attend from his office.

This guy has allowed the criminal to be in charge of the county. He's not a prosecutor, Sean. He's a defense attorney. And with all the crime that has gone on in this city, the Starbucks closing, the 7-Eleven -- 7-Eleven never closed, but there was a string of shootings.

This is a terrorized city and county because we have a George Soros progressive D.A.

HANNITY: You know, from '92 to '96, L.J., I know you weren't born yet, but I lived four years too.

LAWRENCE JONES, FOX NEWS HOST: I was born in '92.

HANNITY: You were born and it figures, right?

Anyway, I was broadcasting in Buckhead, at a local radio station there and great city and it's not the same and never has been the same for a long time. I don't blame them from leaving Atlanta because they're not getting the protection they want, need and deserve.

JONES: Yeah. I mean, this was the breaking point, Sean.

As you know, we've been covering this for a while. You know, a lot of the liberals and when you listen to the media, they say the reason why we're seeing this surge in crime is because of the pandemic. That's just simply not true. Of course, it's added to the problem.

But we covered it for four years straight when I was your correspondent. Liberal cities in crisis and the number one issue that we're facing these communities was the crime and many people said, oh, it's just going to be the major cities. We warn people that if you don't get a hand of -- a hand on it, that it was going to spread to the suburbs.

So you're seeing it everywhere and these people are hopeless. They're begging their city leaders to do something about it.

When you look at even Los Angeles, Gascon is a former police chief. This is a guy that has never prosecuted the case in his life. But again, Sean, a lot of these people are bought and paid for by George Soros. They are married to their ideology don't matter the amount of people that they hurt.

This is going to hurt more victims. People won't come forward. It's already hard to get people to come forward to begin with, but the moment you start releasing these folks and allowing them to not -- to not even notify their victims, we're going to have huge problems on our hands, Sean.

HANNITY: You know, we see this demographic shift. We've talked a lot about it, Leo, where you have more minorities moving away from the Democratic Party towards the Republican Party. This issue of law and order and safety and security, the issue of choice in schools -- if Republicans make that promise, I believe that there will be a new American majority and that the Republican Party will be the party of safety, security and the party of the working men and women of this country. They can do all of that.

This is an opportunity for them to fix the problems Democrats have ignored.

TERRELL: You're absolutely right, and that last line, the working class, Middle America, I want to be very clear, the Democrats have become the party of the elite. They have abandoned the middle class. And what they have done which is very embarrassing, all the things, you mentioned school choice, safe streets, they assume that minorities don't want that. They want that like every American regardless of color.

But the Democrats are locked up into a progressive agenda to destroy the values of America -- civilized, liberty and freedom. And that's what they understand, abandon those ideas.

JONES: Sean --

HANNITY: It's a great point. Go ahead.

JONES: It's very easy for the Republican Party to win. They got to talk about wealth over poverty. You know, I'm traveling around to these diners and I'm going to my local barber shop. Sean, when the barber shop and the diners are both talking about how bad America is and blaming Joe Biden for the disgrace of America right now, the demise of America, you know the Democrats having problems. All the Republicans got to do is focus on the right message.



HANNITY: All right. We're going to be watching your show Sunday night at 10:00. Don't miss it right here Saturday night on FOX.

More HANNITY after the break.

(COMMERCIAL BREAK)

HANNITY: Before we go, earlier today, we learned that former President Donald Trump's ex-wife Ivana passed away the age of 73. She was an amazing mom, raised three amazing kids. Obviously, Don Jr., Eric, and Ivanka.

Our thoughts and prayers go out to her, her family, her friends and children, and, of course, the kids. That's all the time we have left this evening.

Let not your heart be troubled. Laura is here and ready and raring to go.

END

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### All In The Family: Biden, First Lady Both Under Fire For Bizarre Blunders; White House Press Secretary Claims Overwhelming Dem Support For Presid...

All In The Family: Biden, First Lady Both Under Fire For Bizarre Blunders; White House Press Secretary Claims Overwhelming Dem Support For President Biden

SEAN HANNITY, FOX NEWS HOST: How do I pick up from twerking? I'm not sure exactly where to start by that, Tucker.

TUCKER CARLSON, FOX NEWS HOST: It's a tough one.

HANNITY: That's a tough one.

CARLSON: Shake it, baby.

HANNITY: And tonight, we're continuing to track several major developing stories including down in the Washington, D.C. sewer, the swamp where Senator Josh Hawley had this exchange with the far left Berkeley professor. Aren't -- don't you wish you could send your kids to a school like this, about what the definition of a woman is?

Here is a small sample.

(BEGIN VIDEO CLIP)

HAWLEY: Your view is that the core of this right then is about what?

UNIDENTIFIED FEMALE: So I want to recognize that your line of questioning is transphobic and it opens up trans people to violence.

(END VIDEO CLIP)

HANNITY: Wait until you hear what they have to say about men giving birth to children. We'll show you the full remarks ahead. Senator Josh Hawley will join us straight ahead. Don't miss it.

But first tonight, we begin with the bizarre baffling and bewildering blunders -- well, they are apparently run in the family of Joe Biden because First Lady Jill Biden under more fire tonight after comparing Hispanic Americans to tacos while yesterday speaking at a Latinx event this time in San Antonio. Take a look.

(BEGIN VIDEO CLIP)

JILL BIDEN, U.S. FIRST LADY: Raul helped build this organization with the understanding that the diversity of this community as distinct as the bodegas of the Bronx as beautiful as the blossoms of Miami and as unique as the breakfast tacos here in San Antonio.

(END VIDEO CLIP)

HANNITY: All right. Now, those remarks prompted massive backlash from hard-working Latinos from all across the country, including from the national association of Hispanic journalists. They said in a statement, quote: We are not tacos.

And the criticism was so bad, the first lady's office, they were forced to shell out an apology with one staffer tweeting, quote: The first lady apologizes that her conveyed words -- that she conveyed anything but pure admiration and love for the Latino community.

But that's -- done very little to quell the controversy because even the ladies on that hard-hitting news show "The View", they couldn't help but finally admit that Jill Biden totally messed up in a pretty major way. Take a look.

(BEGIN VIDEO CLIP)

WHOOPI GOLDBERG, THE VIEW: You think somebody might have read the speech beforehand and said maybe you don't want to say it like this.

UNIDENTIFIED FEMALE: Yeah.

GOLDBERG: But this is -- you know, I won't even say what I what it is because it's -- you know, we all step and poo from time to time.

UNIDENTIFIED FEMALE: Pro tip: when speaking to Hispanics, really, really avoid any comparisons to tacos, enchiladas, chimichangas --

UNIDENTIFIED FEMALE: Yeah, and that was the racial stereotype, she used racial stereotypes. I don't know who wrote that for but -- and it was such an unforced error.

(END VIDEO CLIP)

HANNITY: All right. Of course, it couldn't come at a worse time for the imploding Biden White House and the extreme Democratic Party. The latest "New York Times"/Siena poll finding that Joe's popularity with Hispanic- Americans is tanking like never before, pretty much with every other demographic as well, a whopping 54 percent of Hispanic voters disapproving of Joe Biden's job performance. Other polls have it even higher.

And it's why Republican and Hispanic candidates, they're surging and they're winning all across the country. We told you about the race in south Texas where Congresswoman Flores won a Texas special election district that had been dominated by Democrats for the last 150 years.

And if all that wasn't bad enough for Democrats, here's Joe yet again appearing a joke about not knowing who the president is. Take a look.

(BEGIN VIDEO CLIP)

JOE BIDEN, PRESIDENT OF THE UNITED STATES: Folks, you know, you don't have to stand every time I hear "Hail of the Chief", I wonder, where the hell is he? It took me a long while, you think I'm joking, I'm not. Turn around on, where's -- where's the president?

(END VIDEO CLIP)

HANNITY: Yep, a lot of Americans are asking the same question. Where is a strong president?

Anyway, Joe's presidency collapsing, your own party, his party doesn't want him to run and you think it's maybe a good time to joke.

Listen to this Biden word salad when asked about 2024. Take a look at this.

(BEGIN VIDEO CLIP)

REPORTER: Mr. President, what's your message to Democrats who don't want you to run again?

BIDEN: They want me to run.

REPORTER: Two thirds said they don't.

BIDEN: Read the polls, read the polls, Jack. You guys are all the same. That poll showed that 92 percent of Democrats if I ran would vote for me.

(END VIDEO CLIP)

HANNITY: All right. The Biden presidency is failing so much so fast that even the media mob they're being forced to reckon with the reality that they helped create.

Look at this new opinion piece from "The New York Times" entitled Joe Biden is too old to be president again. "New York Magazine" taking things even a step further, pondering how Biden can be pushed aside even if he tries to run for re-election in 2024. The article bluntly asks the question: are Democrats stuck with Biden-Harris '24 anyway? Strange to say but they might be.

So the Biden White House is getting so desperate, so delusional that failing Press Secretary Karine Jean-Pierre is now resorting to kind of like circle back Jen Psaki playbook and flat out making things up. Now, here's Jean-Pierre falsely claiming Biden's approval ratings among Democrats is a whopping 92 percent, which is a complete lie because over two-thirds don't want him to run. In some cases, higher. Take a look.

(BEGIN VIDEO CLIP)

REPORTER: What was the president's response to a new poll from "The New York Times" today showing that 64 percent of Democrats say that they would prefer a different candidate in 2024?

KARINE JEAN-PIERRE, WHITE HOUSE PRESS SECRETARY: And I would also say from that very same poll, there were 92 percent of Democrats who support this president as well. Look, you know, not to be not get into -- you know, politics from here or get into any political analysis, you know, this is not something -- you know, there's going to be many polls. They're going to go up, but they're going to go down. This is not the thing that we are solely focused on.

(END VIDEO CLIP)

HANNITY: So as "The New York Times" poll found, Biden's approval among his own party has now crashed to 70 percent. Even his radical far left base becoming more and more dissatisfied with the disarray coming out of the White House.

This comes as Biden will soon now he's departing for Saudi Arabia where we know what's going to happen. He will kiss the ring of the crown prince that he said murdered journalist Jamal Khashoggi and the nation that he called the pariah nation during the campaign. So, now, all of a sudden, we need a good relationship with the pariah nation, with the murdering crown prince.

Joe, you don't have to beg Texas, Oklahoma, North Dakota for more oil. Are you going to beg the pariah Saudis and the crown prince murderer to produce more oil because you won't produce it domestically?

And tomorrow, we get the consumer price index inflation data. It's expected to be another 40-year plus high record as Americans now we're all suffering under the cost of Biden's climate religious cult agenda.

Here for reaction, co-host of "The Five", Geraldo Rivera, along with FOX News contributor Joe Concha.

You know, Geraldo, you kind of have really worked hard. You've tried to thread the needle to defend Joe Biden. Tell me what -- tell me where he's successful. What do you look at as a success?

GERALDO RIVERA, CO-HOST OF "THE FIVE": Let me first say, Sean, one of the reasons we are friends, you and I is that you have never confused me with the taco.

(LAUGHTERR)

RIVERA: I think that -- I feel -- I feel terrible that Jill Biden -- Dr. Biden really did such a terrible -- she also massacred bodega.

(CROSSTALK)

RIVERA: It's not a bodega, not a bodega (ph).

I think Democrats -- Democrats are frightened, they're frustrated, they're angry, they're bitter. They - - they don't understand why Joe Biden is doing so poorly. They blame it now on his age and he is -- you know, more frail than he has been.

But I also think that when you shake it all down and despite the alarming stories and the fact that so many Democrats are turning on Biden including "The New York Times" and "New York Magazine", bastions of the liberal establishment it seems to me, I think that in a in a head-to-head between Biden and Trump, I think that the Democrats would say anybody but Trump and we'll take Biden however if we have to carry him in on a you know on a stretcher.

I don't know why they have unforced errors though, Sean. I don't know why they can't seem more competent. You know the price of oil is going down finally. Inflation is pretty -- you know, didn't go skyrocketing beyond the 8.5 that it was I.

I don't think that they understand really that they are in charge and they can make it work and they have to have confidence and rally around their guy, rather than now -- you know, you know, looking at them and seizing their every malaprop just as if they were Republicans, Sean.

HANNITY: You know, the thing is Joe Concha, Joe Biden is actually implementing everything that his party wants him to implement. So it's sort of like firing the coach because you can't fire the whole team. I don't see that he's deviated at all in any --

on any major issue from the Bernie- Biden manifesto from the -- from the -- you know, AOC squad agenda. I think he's doing everything they want. It's the agenda that's failing.

And yet, they're blaming him. hey want to get rid of him because why he's embarrassing them on a daily basis?

JOE CONCHA, FOX NEWS CONTRIBUTOR: Well, precisely, Sean. I keep hearing about now suddenly Joe Biden's too old to be president when months ago when he was running for president then it was perfectly fine. And it's almost an excuse that, well, if not for his age, then maybe things would be going better.

No, it's always been about the policy. It's always been about the perspective and the things they want to implement, like saying, if we spend trillions of more dollars on top of the trillions we spend, that will lower inflation and the deficit. It's actually an argument that this president and this administration makes which is complete and utter nonsense.

And, look, Joe Biden having these numbers quite frankly is one of the least surprising things we've seen in modern politics. I mean this is a man who was profoundly below average in terms of a student and, oh, by the way, was a serial plagiarist, all the way back to law school, going through to the first time he ran for president and then beyond that when he was a senator. He tells tall tale after tall tale as if he's -- you know, Brian Williams meets Jussie Smollett of politics.

And he failed upwards through the Senate to the vice presidency and all the way to the presidency. And now, he's polling lower easily than any first- term president from Truman to Trump. And when two-thirds of your own party is begging you not to seek a second act and running for re-election, that shows you he really had no base in the first place.

And when you break down the numbers by age by the way in this "New York Times" poll, 94 percent of voters under 30 do not want to see him run for reelection. So just like in sports, one would think that a team of the horrible losing records would start firing some people, make some changes, show that you care.

But instead, we still see chief of staff Ron Klain. We still see Pete Buttigieg running transportation when you can't get a flight out and supply chains messed up. We still see the director of homeland security in Alejandro Mayorkas and we see what the borders become. And the same energy secretary in Jennifer Granholm which I still don't quite understand what qualifications she had in the first place for that job.

So, if this president was truly in charge, at least one or two of those folks will be gone given their performance, right? At least he's not in charge at all, Sean.

HANNITY: Let me go, Geraldo, back to "The New York Times", and this by the way is not the first piece they've done on his age and how he really should not be the candidate in 2024. He often shuffles when he walks, prompting concerned he's going to trip on a wire.

His speeches are flat and listless. He stumbles so often during them. His staffers are holding their breath to see if he can make it to the end without a gaffe.

He regularly makes huge policy change announcements that are instantly walked back by the White House like vowing a U.S. military response if China invades Taiwan or saying Vladimir Putin cannot remain in power and will use whatever methods they use. He has trouble summoning names. He appears momentarily confused, you know, he makes one mistake after another.

But doesn't it negate the fact, Geraldo, we've known that since the beginning you know we've chronicled that as a matter of fact you've actually been somewhat critical at times about me saying that he's old decrepit, weak, frail and a cognitive mess. You get angry when I say it. But now, everybody's saying it. I should say, I should get a Pulitzer prize for being first.

RIVERA: The only good thing about getting old is it's better than the alternative. And then watching the president as he does the old man shuffle, you know, and how frail he looks now, I look at myself now in the movies from July 4th, my birthday, jumping off boats and stuff, and I said, you know something, I'm just not the person I was. It is inevitable this aging process but --

HANNITY: But wait a minute, in fairness to you, you had a severe injury. So there's a little bit of a difference.

RIVERA: Well, sure, true. But and Andy is eight months older than I am.

But look at the -- look, let's talk about staff for a second and you talk about clean and Joe was talking about Ron Klain and the others. There's no way the Democrats can win without the Hispanic vote. Hispanics are the largest minority group in this country. And what Joe Biden was attempting to do is to say that Hispanics are within themselves, we are a diverse group. There's the Puerto Ricans of the northeast, there's the Cubans of Florida, the Tex-Mex from Texas all the way to California. There are differences.

My dad used to say, (SPEAKING SPANISH), the only real difference between we Hispanics is the color of our beings. The idea being that this with this -- the Latinos, we have sensibilities and family values and, you know, we have religious institutions --

(CROSSTALK)

HANNITY: Geraldo, I listen to you, you are articulate, aware, cognitive aware. You are the same guy that you were 50 years ago when you started in this business, the same -- you're as sharp as you've ever been. He's not.

What's that?

RIVERA: You know, people -- people age at different levels. I don't know but how sharp he is.

HANNITY: Granted, and he's not cognitively strong enough to be president.

Let me give the last word to Joe Concha.

CONCHA: Well, in the end, I think guys, when you look at 2024, the Democrats are between a rock and a very bad place.

Kamala Harris is not remotely a good alternative unless you're thinking of opening up you know a word salad bar.

Gavin Newsom, here's his bumper sticker: Let me do to America what I did to California. Uh-huh.

Bernie Sanders, sure, let's have a Democratic socialist president who could potentially in his 90s in the Oval Office.

The other names unintentionally hilarious, Beto O'Rourke, my Senator Cory Booker, Spartacus, Elizabeth Warren. If the plan is let's run somebody who lost to Joe Biden in 2020, that dog don't hunt, Sean, Geraldo.

HANNITY: No, that doesn't.

All right. We're going to see very shortly. Joe Concha, Geraldo, thank you both.

Now, as Democrats continue to make one mistake after another ahead of the midterm elections, it's time for Republicans now to focus on their agenda all across the country, put their promises in writing sign a contract with you the American people and move forward on the America First, Make America Great Again agenda, and they need to do it the second they get into office.



That would also include launching very key investigations into Biden's border failures, aiding and abetting law breaking, the origins of COVID. You know, now China's getting preferential treatment from Joe Biden the Biden family foreign dealings and syndicate the chaotic withdrawal from Afghanistan, abandoning Americans, 332 days ago. Very few people are keeping note, we are. The targeting of parents challenging far-left school boards, the one-sided January 6 committee that did nothing looking into the riots of 2020.

Take a look at your screen. Tonight, we can exclusively report that House Republicans, they are now targeting even more key congressional districts across the country. There's 74 specific targeted districts to be exact, including many currently held by incumbent Democrats.

Here with reaction, House Minority Leader Kevin McCarthy.

Usually when things are this bad for the party in power in the White House, it doesn't end up well in their midterms. The question is, usually by now, Democrats start to peel away from the White House, distance themselves from the White House. We've seen a little bit of it, but not a lot of it, Kevin.

REP. KEVIN MCCARTHY (R-CA): Well, you're seeing more of it. You've watched the president, is he traveling to districts? He recently went to Ohio and their top Senate candidate, a congressman wouldn't be seen with him. A lot of them are running campaigns saying they're standing up to the Biden administration of what they've done to our gas prices our inflation.

But the biggest telling item right here is not just what the first lady said, it's how they are treating people. I mean all of America is wondering if they can even afford a taco anymore. The shell's up 12 percent, lettuce is 11, Chicken's 17, cheese 8 percent, under -- not only do they have the language wrong, they have the policies wrong.

But that election just a couple weeks ago with Mayra Flores, you've got to really look into this. This is a seat that Biden won by 13 and Obama won by 22. It's 84 percent Hispanic district, the second most Hispanic district in the entire nation.

What this truly means, their management is so bad that at any time, any Democrat that's sitting in a seat that Biden won by 15 points or less can be competitive, as long as the country joins with us and goes to [takeethehouse.com](http://takeethehouse.com), that we have the resources to put the message out.

And you were right, Sean, we're coming out with a Commitment to America that will make America energy independent, lower the price of gasoline. We'll have a parent's bill of rights that you have a say in your kids education. We will secure the border and stop this movement of fentanyl, that's the number one killer of Americans between the ages of 18 and 45.

I don't know if you just saw that story of a young woman who picked up a dollar bill sitting on the floor of McDonald's and fell down because fentanyl was on that dollar bill. This is how deadly this is.

And we're going to hold this administration accountable. We have put out more than 500 from documents to letters for -- to make sure they secure them, to preserve them because we're not going to wait in this process. We're trying to get the answers now for Afghanistan, the attorney general, what happened -- where the origins of COVID was at.

And if they do not comply with us now, when we're in the majority, we will hand them the subpoena to make sure we get the documents.

HANNITY: Is it on the agenda looking into Merrick Garland who's been very selective in terms --

MCCARTHY: Yes.

HANNITY: Explain, what's the agenda?

MCCARTHY: Well, the agenda we'll go through is the Commitment to America as we call it, and we lay out a role of holding accountability. This is where we put our letters out to the attorney general, why did he go after these parents who were going to the school board meetings? Why did they have a letter that came before that even those association backtracked from but he utilized that to go after, to hold them as terrorists?

Think about the border as well. Just in May, we caught 15 people on the terrorist watch list. What are we doing down there with this administration? And nobody is holding them accountable.

Do you realize since Pelosi has been speaker that they have not held one hearing on the origins of COVID? Not one, of knowing where this started. And who's going to hold China accountable? Well, now, Biden is giving them American oil, sending it to there, that was supposed to be in the strategic petroleum reserve to protect us when we needed it.

This is the items that we'll not only hold them accountable, but will bring jobs back to America.

HANNITY: All right. Kevin McCarthy, thank you for being with us.

When we come back, Senator Josh Hawley had a very tense exchange with a Berkeley law professor on the Hill today over the definition of what a woman is and whether or not men can deliver babies. That actually happened. We'll show you the highlight, straight ahead, and he'll join us.

(COMMERCIAL BREAK)

HANNITY: All right. Today, during a Senate Judiciary Committee hearing, Senator Josh Hawley engaged in a very tense back and forth with a Berkeley law professor over her commentary over whether or not men can get pregnant. Who would have thought it? Take a look.

(BEGIN VIDEO CLIP)

SEN. JOSH HAWLEY (R-MO): Professor Bridges, you said several times, you've used a phrase, I want to make sure I understand what you mean by it. You've referred to people with a capacity for pregnancy. Would that be women?

KIARA BRIDGES, UC BERKELEY PROFESSOR: Many women, CIS women have the capacity for pregnancy. Many CIS women do not have the capacity for pregnancy. There are also trans men who are capable of pregnancy as well as non-binary people who are capable of pregnancy.

HAWLEY: So this isn't really a women's rights issue, it's --

BRIDGES: We can recognize that this impacts women while also recognizing that it impacts other groups. Those things are not mutually exclusive, Senator Hawley.

HAWLEY: So, your view is, is that the core of this -- this right then is about what?

BRIDGES: So, I want to recognize that your line of questioning is transphobic and it opens up trans people to violence by not recognizing that?

PROFESSOR: Wow, you're saying that I'm opening up people to violence by asking whether or not women are the folks who can have pregnancies?

BRIDGES: So, I'm -- one, I want to note that one out of five transgender persons have attempted suicide. So I think it's important --

HAWLEY: Because of my line of questioning? So we can't talk about it?

BRIDGES: Because denying that trans people exist and pretending not to know that they exist --

HAWLEY: I'm denying that trans people exist by asking you if you're talking about women --

BRIDGES: Are you?

HAWLEY: -- having pregnancies?

BRIDGES: Do you believe that men can get pregnant?

HAWLEY: No, I don't think men get pregnant.

BRIDGES: So you're denying that trans people like this thing --

HALWEY: And that leads to violence? Is this how you run your classroom? Are students allowed to question you --

BRIDGES: Absolutely.

HAWLEY: -- or are they also treated like this where they're told that --

BRIDGES: No, no, they're allowed to --

HAWLEY: -- they're opening up people to violence by questioning?

BRIDGES: We have a good time in my class. You should join, you might learn a lot.

HAWLEY: Wow, I would learn a lot. I've learned a lot from this exchange.

BRIDGES: I know, absolutely.

HAWLEY: Extraordinary.

(END VIDEO CLIP)

HANNITY: All right. Here's Senator Hawley with reaction to that fiery exchange.

Senator, I guess you're transphobic and you're -- you know, according to this professor opening up trans people to violence by not recognizing them. At no time during that exchange that I see you didn't acknowledge that there are people that are transgender.

HAWLEY: You know, here -- here is the modern Democrat Party today, Sean. It is that you have to say that men can get pregnant and if you don't say it, then you are a bigot and you are responsible for violence. I mean, that is the party line.

Let's not forget who invited this witness. She was there as a Democrat witness. You didn't see a single Democrat disagree with that. In fact, they're all over social media applauding her and saying, oh, that's exactly right. It's not exactly right. It's exactly crazy, which is why voters are running screaming away from the Democrat Party.

This is craziness and I tell you, Sean, they are so out of touch with America. It's just -- you can't even -- you can't even make this stuff up.

HANNITY: All right. So when she says to you and ask you a question, I guess offering you a test, do you believe that men can get pregnant, and your answer was no, I don't think men can get pregnant. That led her to state that that means that you deny the existence of trans people.

Okay, so she's saying that somebody was biologically born a woman is that now considers themselves a man, you acknowledge some people do that, and some people go through whatever surgery they have, but there's no -- there's no biologically born male that I know of and I like to follow the science, that I'm aware of that would be capable of as a biological man of burying a child. Is that not a fact?

HAWLEY: I think it's a fact, Sean, and you know what but for today's Democrats elite and Democrat leaders, it's not only not a fact, it is religion to them that you affirm that men can get pregnant and if you don't say it, then you are responsible for violence. I mean, this is their line.

By the way, Sean, these are the same people, the same Democrat leaders who want to force young women to compete against biological men in girls sports. I mean that now we know why. If for all the parents out there, like why in the world do all of these Democrats want to eliminate girls sports? Now, you know why. They don't believe there is any such thing as a woman, not really, and they think that if a biological man wants to claim to be a woman, hey, that's fine, and we all have to accept it, or else we're bigoted and violent. It's just crazy.

HANNITY: All right. So this gets into two big issues. Number one, age- appropriateness in terms of what we teach our kids, this is an issue now that has come up pretty much all across the country and that is, okay, we have to teach first graders, second graders, third graders about gender identity.

I don't think that's particularly age appropriate, and the idea that you can be born biologically a man and then identify as a woman and be transgendered and then compete in female sports -- as Caitlyn Jenner said on this program, I don't really care what your testosterone levels are now, what were they when you hit puberty? That would be the time that would matter the most.

HAWLEY: Yeah, that's exactly right, and I just don't think that you're going to find many parents in this country -- I mean, I say this as a parent of three kids, three little kids. I don't have any parents who say, yeah, I want my -- my young girl, I want her to have to play against biological males. I want them to be in her locker room. I want them to be in her safe spaces.

I thought the left is all about safe spaces, but not for women, not anymore, not for young women.

It's a crazy agenda, Sean. Like nobody supports this agenda. I mean, what 2 percent of the population maybe? It's craziness.

And to hear Democrats say this stuff and insist that we all affirm it -- it's not just that it's their opinion. I mean, sure you can have whatever opinion you want, but to insist that we have to agree that women should play men's sports, we have to agree that men can get pregnant, or else we are predators, I mean, that's just insane. It is truly insane.

HANNITY: Well, this is -- now you're getting into a really important part of all this. Either you agree with everything the professor is saying or you're transphobic, one? Two, you're putting people's lives at risk. Your -- that would cause threats to their lives. Or, three, that would cause them to have a risk of suicide.

That is patently unfair if you are asking an honest question about, how do you define a man? How do you define a woman? And is it your contention that biologically born men can have children?

That would be a fair question. And if you don't give the right answer, then you get labeled the transphobic. You get the transphobic tattoo you know literally etched into your forehead.

HAWLEY: Well, and what they use that as an excuse for, Sean, the left that is, is to censor speech. And you can see that's where this witness was going today, is that, oh, my goodness, your questions can lead to violence. Therefore, you shouldn't be asking them.

I mean, that was the import of what she said to me, is that, oh, you shouldn't be asking these questions. And we see the left saying that everywhere. If you question biological men in women's sports, you're a bigot and you need to be shut down. We see it at school board meetings, parents raise these questions. They're called domestic terrorists.

This is the left's tactic. You agree with them or else they will shut you down, censor your speech and tell you, you have no rights.

HANNITY: I have a simple solution --

HAWLEY: And again, this is why voters are saying it's crazy.

HANNITY: All right. Instead of indoctrinating kids, a captive audience in a classroom, why don't we let these other creatures that are called parents, moms and dads, why don't they instill the values in their kids and then we focus on something we've forgotten about a long time ago, even -- even though we spend more per capita on kids for education than any other country in the industrialized world, with the worst results? Why don't we teach them reading, writing, math, science and computers, and let's say let the parents instill the values?

Or if some parents are uncomfortable about these topics, you can offer opt- in after school programs, offer parents a curriculum, and if they want to buy into it they can buy into it all they want. But don't take away the educational opportunities and the time that needs to be focused on, on the main subjects. How's that? That's a fair compromise. No?

HAWLEY: I would say that sounds pretty good. I mean what a concept to actually teach kids lessons and information knowledge they can use.

Think about this though, Sean, this Democrat witness today, she's a professor I think at Berkeley. So her students are paying I don't know, \$60,000, \$70,000 a year to be taught this craziness. Go figure.

HANNITY: Well, you pay a lot for -- you get quality education everywhere.

Senator, great exchange. Fascinating times. Thank you for being with us.

When we come back, Manhattan's radical district attorney may be forced to back down. We've got an exclusive interview you don't want to miss, straight ahead, as it relates to that bodega worker, as we continue.

(COMMERCIAL BREAK)

HANNITY: Crime in American cities now spiraling out of control. Many companies are now being forced to close, close down their stores hit by repeated robberies, vandalism. We've been showing you this regularly, including 7-Eleven stores in southern California and Starbucks stores on the west coast, Philadelphia, D.C.

In New York City, well, service workers who try to fight back against crime apparently, they'll get charged with murder. At least that's what happened to this bodega worker Jose Alba. Today, a group representing the bodega industry, they actually met with the D.A. to advocate for Alba and hopefully get those charges dropped.

That group is the United Bodegas of America. This spokesperson, Fernando Mateo, joins me right now.

Fernando, thank you for being with us. I feel awful for Mr. Alba, because you look at this video and you see what happened -- I don't want any trouble. He's doing his job, he's behind the counter, then this guy who just got out of jail comes around the counter. We have video of his girlfriend with a knife in her hand.

And I'm like, why did they charge him? He's the guy saying, please, I don't want any I don't want any problems here? What options did he have? I don't see any other option but to defend himself.

FERNANDO MATEO, UNITED BODEGAS OF AMERICA SPOKESPERSON: Sean, you hit the nail on the head. That's what everyone is saying. And I believe that's what D.A. Bragg sees himself, a man that's trying to defend himself, save his own life and use whatever tools he had available to push this assailant away.

He didn't try to murder this guy. He's not a murderer. He's a hard-working man.

He tried to -- he was afraid. He was afraid he was going to lose his life, and he defended himself, and that's what everyone should do. They should stand their ground and they should defend themselves from these criminals that are out there looking to kill people and take people's livelihoods away.

HANNITY: Tell us what happened when you met with the D.A. today.

MATEO: We went with a list of questions. First thing we asked him is, would he consider dropping the charges against Jose Alba? And he says, we're investigating, and as soon as we finish our investigations, I will make a determination. So, I said, are you saying that there's a possibility he will drop the charges? And he said, yes, there's a possibility during the investigation that I would drop these charges.

HANNITY: What other option is there? What other option did this worker have in those circumstances when somebody comes behind the counter, pushes you to the ground, getting in your grill, threatening your life, what other -- what other option existed for him?

MATEO: There was one other option, lose your life, get killed. That's the only option he had. He fought and he defended himself and that's what everyone is seeing.

So what we're seeing is the same thing the D.A. Bragg is seeing as well. So he's going to have to make a determination soon and he we believe that ultimately, he will drop the charges.

Listen, this city is really in bad shape. Bill de Blasio left us in shambles and these new elected officials that have taken over need to really buckle their belt and understand that we need to protect victims and we need to get rid of the criminals and we need to give this city an opportunity to be what it was during Giuliani and Bloomberg. You know, we had the best 20 years in our life in my lifetime here in New York City.

We can't go back. We asked the D.A. --

HANNITY: Unfortunately, they've already gone back.

Fernando, keep us in the loop. Give us any updates. We're hoping that in fact the D.A. in fact comes to the obvious conclusion which was this is self-defense. There's never been a more clear-cut case. The video shows it. Thank you for being with us.

Now, amid nationwide crime surging that is putting people's lives in danger -- well, Biden's Justice Department is squarely focused on Donald Trump and January 6. What about the 574 riots in the summer of 2020, injured thousands of cops, killed dozens of Americans, billions of property damage? All those charges, they were mostly dropped. What about the protesters who recently and pretty openly have been threatening sitting **Supreme Court** justices, is there going to be any accountability for them? Any prosecution for them?

Now, if the Attorney General Garland doesn't get his act together soon, well, he could be facing an impeachment probe when Republicans take over the House.

Congressman Jim Jordan is the ranking member of the House Judiciary Committee. He could oversee those proceedings and he joins us right now.

So there's been -- okay, I condemn January 6th. You condemn January 6.

REP. JIM JORDAN (R-OH): Yeah.

HANNITY: I also condemn the riots in the summer of 2020. Most of the prosecutions there ended, they never happened. We've got videotaped evidence.

So tell me and now we have in violation of 18 USC **1507**, we got the intimidation and harassment regularly of **Supreme Court** justices. Where's Merrick Garland?

JORDAN: Yeah. Well, Sean, we know the Department of Justice has weaponized the government against its political opposition. I mean, look, Josh Hawley -- Senator Hawley pointed this out, parents who show up at school board meetings are treated as domestic terrorists. We've had over a dozen FBI agents come to us as whistleblowers to tell us about the problems in the Department of Justice.

But now it's reached a new level. We now have the Department of Justice supporting the effort by the left to intimidate the United States **Supreme Court**. And I think this is real important. We have the key agency in the executive branch a part of an effort to intimidate a separate and equal branch of the government, our highest court in the land by them failing to enforce the statute you just referenced. That is frightening but that is exactly the situation and that comes after we had an assassination attempt on one of the associate justices of our highest court.

So, yeah, this is -- this is serious stuff and for them not to press charges against the people who were actively trying to intimidate the court while a decision was pending before that court, which is what that statute's about is scary and it's why -- it's why we're so concerned and trying to get as much information as we can.

HANNITY: The law is clear. You can't intimidate or harass at the residence or at the court any judge or any jurist or anybody involved in the judicial process, 18 U.S. Code **1507**. You're not allowed to do it.

You know, like, for example, it's illegal to enter the country without proper authorization, but yet Biden is hating and abetting in the law breaking. If I did it, I'd be arrested for human trafficking. Where is Merrick Garland? Is all they care about -- is he only cares about January 6th, is that it?

Well, it seems that way, but this effort by the left -- I mean, understand this too, the legislative branch, Nancy Pelosi waited four weeks to pass legislation to give protection to **Supreme Court** justices families after the assassination attempt she waited several days after there was things posted online about Judge Barrett where her kids went to school, where her family worshipped on Sunday morning the church they attended.

So this is part of the effort by the left to intimidate the court. They've introduced Jerry Nadler, chairman of the committee has introduced legislation to pack the court. We know what they did to Judge Kavanaugh when he was -- when his nomination was put up and he do his confirmation process. So, this is all part of that effort.

And that's the most frightening thing when this --

(CORSTALK)

HANNITY: So, under this politicized --

JORDAN: -- is part of that effort.

HANNITY: Under this politicized Department of Justice, we don't have equal justice under the law, do we? We don't have equal application of our laws, do we? Because if we did, we'd also be going after all the people that rioted in the summer of 2020. If we did, we'd be going after those people intimidating, harassing **Supreme Court** justices, wouldn't we?

JORDAN: Yeah, it's all part of this double standard that we see so much from the, quote, elites who run the government and I think it's rooted in this disdain they have for working people across the heartland of our country. They just think they're so much better than all those folks, all the folks I get the privilege of representing. And it is wrong and it's why the American people are going to make a big change I believe in the midterm elections.

HANNITY: Let me tell you, this election is a tipping point for the country.

Congressman Jim Jordan, always great to have you. Thank you.

When we come back, LeBron James appears to lash out at Biden's response to Brittney Greiner's detention in Russia, saying if he was Brittney, he doesn't know if he'd even want to come back to America. Problem is, he's missing the bigger point. We've got the tape, that's next.

(COMMERCIAL BREAK)

HANNITY: And tonight, LeBron James, he's speaking out about Brittney Griner, the WNBA star who's been held in a Russian prison now for months while Joe Biden tries to figure out how to get her home. Take a look.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: Brittney Griner, she is in Russia, she's been there.

LEBRON JAMES, NBA PLAYER: Over 110 days. Now, how can she feel like America has her back? I would be feeling like, do I even want to go back to America?

(END VIDEO CLIP)



HANNITY: Why even go back to America? Why don't you take on Joe Biden? What has Joe Biden done for Brittney Griner, a fellow American left trapped in a hostile nation, stuck in a Russian prison facing 10 more years behind bars for a minor offense, and he's making a -- what, Joe's making a few phone calls, writing a few letters?

Here with reaction to all of this, former Florida D.A. -- Attorney General Pam Bondi, and FOX News contributor Leo 2.0 Terrell.

Pam, I'll start with you. You know I look at this and I say, okay, a fellow American doesn't belong 10 years in a Russian prison over, you know, a minor incident frankly, and I don't see Joe Biden lifting a finger. Why is LeBron making this about why would she want to come back to America? Why would she want to come back to Joe Biden's America might be a more fair comment.

PAM BONDI (R), FORMER FLORIDA ATTORNEY GENERAL: Well, yeah, and that's what's wrong with all these woke athletes like LeBron James who are out there -- it's grandstanding and they really -- they don't know what's going on. And I guarantee you, they're making it more difficult for any attempt to get her out of that country. Yeah, you know, what he should have said, wow, look what Donald Trump did for ASAP Rocky. He sent Robert O'Brien over there, one of the best negotiators in the world. Days later, ASAP Rocky was out.

ASAP Rocky didn't even like President Trump. But you know what it was for Donald Trump? America First, get Americans out, get Americans home. In his administration, he got over 50 Americans out of 22 countries, Sean, 22 countries. Yemen, Iran, so many countries in this world that he helped save American lives. That's what LeBron James should be saying.

HANNITY: You know, now you have to look at the connection with Hunter Biden and these countries, Russia and China, because we have soft on Russia policies. The approval of the Nord Stream 2 pipeline, Leo. Oh, Ukraine can't have fighter jets in their battle against Russian's invasion, which I thought was a little insane. That's not fighting to win a war.

On China, we're now sending strategic petroleum reserves to China when we don't have enough oil in this country. It seems to me that all of this these soft on Russia China policies got to be rooted in some way on the fact that the Biden family is compromised by these countries.

BONDI: Yeah.

LEO TERRELL, FOX NEWS CONTRIBUTOR: Compromised, conflict of interest, crash and burn presidency, I saw your entire show today. You know, we have a failed presidency and what is amazing to me is LeBron James, who's made a billion dollars in this country in which he's recommending Brittney turn her back on, what's the problem?

Name the reason why Brittney's not back. It's Joe Biden. And LeBron James basketball skills, Sean, doesn't translate into diplomatic skills. Spell out what he wants Biden to do. If he thinks he is so powerful and influential, do something himself. But he's basically throwing America under the bus, notwithstanding the fact that this country earned him a billion dollars, made him a billionaire.

(CROSSTALK)

HANNITY: I'll tell you what I'll do --

TERRELL: He's criticizing from a barbershop chair.

HANNITY: How about we get -- I'll offer to pay the half the cost for LeBron James, I'll go with them together. We'll talk to Putin and get -- see if we can get this fellow American home. Why don't we do that?

BONDI: That's right.

HANNITY: Pam, I mean --

TERRELL: It sounds great, but don't throw America under the bus.

HANNITY: Well, that's a good point. I think it should be Biden thrown under the bus for being so weak. Pam?

BONDI: That's right, Sean. Let's get this American home.

And, you know, with comments that LeBron's made, you've seen -- it's been widely reported now -- that the U.S. were probably going to have to trade a major terrorist to get her home. So LeBron James isn't making anything easier for anyone.

Remember what President Trump did with Baghdadi, when he took hostages, when he took Americans, when he killed Americans our country hunted him down and killed him. And, yes, I think it would be great if you help get Brittney home.

HANNITY: Get her home. That's that should be the goal.

Joe Biden, wake up. Do something, instead of kissing the ass of the crown prince.

All right. Thank you both.

When we come back, more HANNITY straight ahead.

(COMMERCIAL BREAK)

HANNITY: All right. Unfortunately, that is all the time we have left this evening. As always, thank you for being with us. Please set your DVR so you never miss an episode of HANNITY. And don't forget foxnews.com, hannity.com, news anytime.

In the meantime, let not your heart be troubled, Laura Ingraham, "THE INGRAHAM ANGLE" is up next.

Last night, you did an opening monologue that I think was perhaps one of the best you've ever done. I loved it. It was brilliant.

END

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July 13, 2022

### Protests and "First Amendment Exceptionalism": A Response to Professor Richard Epstein

jonathanturley

Jul 13, 2022

Recently, Professor Richard Epstein wrote a column in favor of prosecuting protesters targeting **Supreme Court** justices and criticizing what he calls "First Amendment exceptionalism." He specifically cites my writings as an example of those with extreme views of free speech. While I disagree with Professor Epstein on this issue, it is an interesting and insightful publication that I recommend to our readers as they develop their own views on this admittedly difficult issue.

Professor Epstein is the Peter and Kirsten Bedford Senior Fellow at the Hoover Institution, is the Laurence A. Tisch Professor of Law, New York University Law School, and a senior lecturer at the University of Chicago.

He begins his analysis on a point of agreement between us that "the most regrettable, if foreseeable, political consequences of *Dobbs v. Jackson Women's Health Organization* has been the rise of vehement and prolonged picketing outside the homes of the six conservative **Supreme Court** justices."

He then argues, however, that:

"The key controversy is whether this picketing is protected by the First Amendment or whether it is just the latest version of high-tech intimidation that should be banned by forcibly removing the pickets before violence occurs. Regrettably, too many First Amendment experts, like George Washington Law School Professor Jonathan Turley, have adopted what I termed a generation ago First Amendment exceptionalism. This dangerous attitude turns 'Congress shall make no law . . . abridging the freedom of speech' into a general mandate offering protection to all sorts of aggressive conduct, when the clause's proper office is to prevent aggressive legislation from outlawing all forms of dissent displeasing or offensive to the powers that be."

I have long been called a free speech absolutist, a distinction that only recently became a vice. However, critics today of free speech protections are more often found on the left in academic. Epstein is a well-known academic with libertarian views, including some that we share, on constitutional interpretation. The scope and meaning of First Amendment remains, however, a matter of considerable disagreement between us.

The current debate (and Epstein's analysis) focuses on 18 U.S.C. § **1507** which makes it a crime to engage in "picketing or parading" in broad terms as any action done "with the intent of interfering with, obstructing, or impeding the administration of justice, or with the intent of influencing any judge . . . in the discharge of his duty, pickets or parades . . . in or near a building

or residence occupied or used by such judge . . . or with such intent uses any sound-truck or similar device or resorts to any other demonstration in or near any such building or residence[.]"

As I have previously argued, the broad reading of the statute would not only sharply curtail protected First Amendment activities, but lead to some clearly incongruent results. After all, protests are common at the court building itself, which is covered under the same federal provision. If it is unlawful to seek to influence a pending decision through picketing "near a U.S. court," such protests could be viewed as crimes under this interpretation.

Professor Epstein maintains that

"[a]bout this statute, Professor Turley takes the indefensible provision that once *Dobbs* has come down, the statute is no longer applicable because there is "no chance that the protesters are interfering, impeding, or influencing the decision." But these protesters well know that the **Supreme Court** will surely be asked to pass on myriad abortion statutes, and they want to make clear right now that recalcitrant justices will continue to pay a high personal price for upsetting future progressive legislation or approving of conservative laws. This is arguably an attempt of intimidation to influence the justices' future decisions under 18 U.S.C. § 1507."

It is true that, after the decision came down, I noted that it would make it more difficult to argue that the protests were meant to influence a pending matter. Indeed, the call of the **Supreme Court** marshal for states to crackdown on protection seemed to follow that change in status . Courts routinely apply a rule of constitutional avoidance (and the rule of lenity) to adopt a narrow interpretation of such constitutional conflicts. See *NLRB v. Catholic Bishop of Chicago* , 440 U.S. 490, 500 (1979); *Skilling v. United States* , 561 U.S. 358, 405-11 (2010); *McCulloch v. Sociedad Nacional de Marineros de Honduras* , 372 U.S. 10, 17 (1963).

What I find "indefensible" is the limitless interpretation given to the statute. Under Epstein's view, justices are always rendering decisions so you can never protest them "in or near a building or residence occupied or used by such judge . . . or with such intent uses any sound-truck or similar device or resorts to any other demonstration in or near any such building or residence[.]"

Justices have long been the subject of protests, including at their home. That includes figures like Chief Justice John Jay and Chief Justice John Marshall. Indeed, Jay once said that he could travel the "country at night by the light of [my] burning effigies."

Epstein cites *Frisby v. Schultz* (1988) as "the most direct precedent . . . to enforce a categorical ban against picketing against persons in private residences." However, that case was narrower than the Epstein theory.

Indeed, it is a typical O'Connor decision that leaves nuanced or vague line for states in banning some protests. Citing its holding in *Carey v. Brown* (1980), the Court expressly stated that "[o]ur prior holdings make clear that a public street does not lose its status as a traditional public forum simply because it runs through a residential neighborhood." It later added that it was not saying that all protests can be barred in residential areas.

"We instead construe the ordinance more narrowly. This narrow reading is supported by the representations of counsel for the town at oral argument, which indicate that the town takes, and will enforce, a limited view of the "picketing" proscribed by the ordinance. Thus, generally speaking, "picketing would be having the picket proceed on a definite course or route in front of a home." Tr. of Oral Arg. 8. The picket need not be carrying a sign, *id.*, at 14, but in order to fall within the scope of the ordinance the picketing must be directed at a single residence, *id.*, at 9. General marching through residential neighborhoods, or even walking a route in front of an entire block of houses, is not prohibited by this ordinance. *Id.*, at 15. Accordingly, we construe the ban to be a limited one; only focused picketing taking place solely in front of a particular residence is prohibited."

The court rationale in the case was somewhat fractured among the justices and O'Connor's decision was typical of her nuanced approach to such standards. In his concurrence, Justice White emphasized that he would consider it unconstitutional if the

ordinance were interpreted to bar more than mere single-residence picketing or broader application. Justices Brennan, Stevens, and Marshall dissented.

Nevertheless, the Court's use of a "captive audience" rationale was maddening for some of us in the free speech community. The implications of the more sweeping interpretation was evident in *Phelps-Roper v. Strickland*, 539 F.3d 356, 363 (6th Cir. 2008) where the court upheld bars on protests near medical buildings: "The Supreme Court has held that the State is warranted in protecting individuals from unwanted communication that implicates certain privacy interests when the listener is somehow 'captive' to the message." It extends the ruling to cover patients and others as "captive."

Such rulings run counter to the underlying values in cases like *Hague v. CIO* (1939), where Jersey City sought to categorically prohibit the Committee for Industrial Organization from picketing on public property. As Professor Epstein recognized, Justice Owen Roberts reaffirmed that "Wherever the title of streets and parks may rest, they have immemorially been held in trust for the use of the public and, time out of mind, have been used for purposes of assembly, communicating thoughts between citizens, and discussing public questions." Epstein notes that such cases could be confined to a special rule supporting labor disputes but recognizes the implications for a more robust protection of free speech.

It is hard to see how the narrower approach advocated by Professor Epstein would be implemented. Most of these protesters have walked past the houses on sidewalks. Would police start to arrest anyone with a sign or anyone voicing pro-abortion views in the neighborhood? How about people just walking by in groups but without signs? It is difficult to see a discernible and workable line of regulation. What is a neighbor next door invited protesters on their property or put up signs denouncing a justice?

Many areas today are subject multi-use zoning which a mix of residential and business locations. This includes high rise buildings in major cities. Would all of these areas also be barred to protesters?

The alternative is to do precisely what the dissent in *Frisby* advocated in the narrow tailoring of such laws and addressing disruptive elements of such protests:

"Without question there are many aspects of residential picketing that, if unregulated, might easily become intrusive or unduly coercive. Indeed, some of these aspects are illustrated by this very case... Thus, for example, the government could constitutionally regulate the number of residential picketers, the hours during which a residential picket may take place, or the noise level of such a picket. In short, substantial regulation is permitted to neutralize the intrusive or unduly coercive aspects of picketing around the home. But to say that picketing may be substantially regulated is not to say that it may be prohibited in its entirety. Once size, time, volume, and the like have been controlled to ensure that the picket is no longer intrusive or coercive, only the speech itself remains, conveyed perhaps by a lone, silent individual, walking back and forth with a sign. Such speech, which no longer implicates the heightened governmental interest in residential privacy, is nevertheless banned by the *Brookfield* law. Therefore, the ordinance is not narrowly tailored."

That may seem like "First Amendment exceptionalism" but the alternative is to put free speech on the slippery slope of ill-defined speech regulation.

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### Majority Of Democrats And The Media Express Say That They Are Not In Favor Of President Biden Running For Office Again In 2024 Elections, Citing ...

Majority Of Democrats And The Media Express Say That They Are Not In Favor Of President Biden Running For Office Again In 2024 Elections, Citing His Health Concerns, Age, And Agility; Democrats And Liberals Are Now Openly Saying That Harassing **Supreme Court** Justices Is Just Fine, Including President Biden Who Says They Can keep Protesting; A New Video Obtained By The New York Post Could Help Bodega Owner Jose Alba From His Murder Case, As It Appears In The Footage That He Is Trying To Diffuse The Altercation Inside The Store; Self-Defense On Trial: Video Shows Attacker's Girlfriend Pull Knife On Worker; Musk vs. Twitter: Elon Laughs Off Lawsuit Threat Over Broken Deal; Celebrating 11 Years Of THE FIVE

NEIL CAVUTO, FOX NEWS ANCHOR: I wanted to pass along a Utah judge just blocking the state's sweeping new anti-abortion ban, so what would have been some of the more strict abortion bans in the United States this judge is saying hold off for a while, got to assess some things, so many things. Here comes THE FIVE.

JEANINE PIRRO, FOX NEWS HOST: Hello, everyone. I'm Judge Jeanine Pirro along with Harold Ford, Jr., Jesse Watters, Dana Perino, and Tom Shillue. It's 5 o'clock in New York City, and this is THE FIVE.

It's a full-on mutiny against President Biden as the Democrats and the media ramp up the pressure to stop Biden from running in 2024. Democratic voters were polled by the president's performance. A "New York Times" poll show 64 percent do not want Biden as their nominee, and 94 percent of Democrats under the age of 30 said they prefer a different candidate.

The Times publishing a stunning report about how staffers, quote, "quietly watch out for Biden" during his trips to the beach, and are very worried about his age. Quote, "he often shuffles when he walks." And aides he will trip on a wire. He stumbles over words during public events, and they hold their breath to see if he makes it to the end without a gaffe.

And it's just the liberal media taking notice. Former Obama advisor David Axelrod pointing out that the president just doesn't have what it takes to get his message across the voters.

(BEGIN VIDEO CLIP)

DAVID AXELROD, SENIOR POLITICAL COMMENTATOR, CNN: When Democrats chose Joe Biden, when Joe Biden was elected, he was elected for the very things that he is being criticized for. He was elected because he was considered a calm, conciliatory figure. When he tries people say why isn't he, you know, more angry out there. When he tries to do that, you know, he comes across like Clint Eastwood in "Gran Torino" chasing kids off the lawn. It's not a good look, that's not who he is.



(END VIDEO CLIP)

PIRRO: And how reassuring? Kamala Harris giving a curiously worded response to who will be on the ticket in 2024.

(BEGIN VIDEO CLIP)

KAMALA HARRIS, VICE PRESIDENT OF THE UNITED STATES OF AMERICA: Listen to President Biden he intends to run, and if he does, I intend to run with him. So, there you go.

(END VIDEO CLIP)

PIRRO: Jesse, I'm going to start with you. We knew in December, if not before that that this trouble was -- that this president was in huge trouble. Now, having known that, we knew it, they definitely knew it, they are polling every minute, I'm sure. How dumb are they that they couldn't figure out some way to get back and try to get some of these numbers or groups to support them?

JESSE WATTERS, FOX NEWS HOST: Well, judge, if I were advising the Biden White House, they would have turned this around by now. Because it's pretty simple you just tried to do everything you can to lower gas prices, and that will solve everything but they haven't done that.

The fact that this drops in the Sunday edition of the Times, biggest circulation, they follow with the one-two combo, the Monday story on the polling. That was designed for maximum impact. Because everybody in the liberal media they wake up in their miserable apartments. They open the New York Times and they see - this is what I'm going to do on the show today.

So, this is the New York Times telling the rest of the press the Biden protection racket is over. Stop circling the wagons. We can tell the truth now. And it didn't take the Afghanistan situation, or gas prices or immigration, or inflation, it took Joe Biden after they brought down the case from the **Supreme Court** about Roe. He shrugged his shoulders and flew to Delaware.

Now they wanted him to show up to Kavanaugh's house with a bullhorn. They wanted him to chain himself to a Planned Parenthood. When they say he didn't meet the moment, that's what they mean. He didn't release a primal scream. And that's what the basics expected.

So, when they opened up the paper on Sunday, they must have been confused. The readers it sounded like a Jesse Watters Primetime monologue. The guy can't talk, he can't walk. And not only that, supporting quotes from the White House staff were just as bad.

PIRRO: Yes.

WATTERS: They were like, well, sometimes when he gets into Air Force One, he doesn't fall asleep right away. Or, you know, actually, the president sometimes helps writes his own speeches, and sometimes in meetings he actually asks questions in meetings.

So, but what it did it for me is when they said that they had to break up those overseas trips because he needed to rest. He should've gone to Europe and then just joined (Inaudible) to the Mideastern one-shot. But they had to have him fly back here and rest for three weeks. Now if he can't do that, how he is supposed to run for president when you are zigzagging all over the country to go from fund-raiser to speech to White House event?

PIRRO: Well --

DANA PERINO, FOX NEWS CO-HOST: Jesse, --

WATTERS: He is not going to be able to physically do it and that was the most revealing thing for me.

PIRRO: But the thing is, he hid in his basement last time, and I'll think of a reason for him to hide in a basement this time. I can see that, Dana, you're chomping at the bet.

PERINO: I got so many else.

PIRRO: I know.

PERINO: So, the other quote that we haven't mentioned yet, was one that was on the record from Kate Bedingfield. She is the outgoing communications director.

PIRRO: Right.

PERINO: And one of the things she did on her way out is to take a shot at Democratic activists who were asking for President Biden to do things that are useless, which is taking a bullhorn and go into Kavanaugh's house so that they can say, well, he really fights and he's really angry.

They're not trying to persuade anybody. There is no creativity in the policy process. There's no figuring out, OK, what are the 10 states that we want to make sure that we focus on? This time you don't have to worry about because abortion is going to be fine. These 10 states -- these 10 states, whoa, we got to figure out something there.

There is just no policy process creativity, and she said that basically to the woke activists like, you're not even in the Democratic mainstream. So now they have lost independents, progressives, Hispanics, and the youth.

And I just want to mention one thing on the youth. They're not necessarily the most reliable voting group but they mattered in this past election. When Biden put together a pretty impressive coalition of the willing even if was hold your nose and vote for him so that they could try to beat Trump. Now you have the youth, for amongst, amongst the 18 to 29-year-olds, only 5 percent of them want the party to renominate Joe Biden.

And then you have somebody like Mayor Pete who says on air that they want pilots who are over 65 to retire because they want a new generation. They want -- off with baby boomers when we have a pilot crisis, when we have a problem that every airport is basically doing with all of delays, and you need every pilot that you can get their plane the age cart on these guys.

My last point is, Biden was only two - one-year old when Harry Truman took office. And in his lifetime, we've completely lost the idea that the buck stops at the White House.

PIRRO: Yes.

PERINO: And now, they're not even blaming Vladimir Putin anymore. They're full on just trying to blame Republicans.

PIRRO: You know, I'll tell you, Harold, I see you made a lot of notes. This is -- this is everybody is getting very excited here. But you know, they say they are citing Biden's age as the most important reason why they don't want him to run again. I'm not so sure if it's his age or if it's literally his intellectual inability to identify problems, speak to problems.

I mean, the guy, I mean, I know people at that age who are a lot more vigorous than he is.

Henry Kissinger came out a new book. You read it and I know you like that book you said before, his book is pretty good on leadership as well. You are right, Judge. Frame these problems and give us metrics. I hope the White House processes this poll with a sense of purpose and humility, and takes the right things from it.

If things were going better, you won't have these numbers. So, if I were them the four, five things quickly I tried to get my arms around and identify metrics. Jesse is right. Energy is the key here. If you get certainty to the energy companies that we can go and try to get certainty that MBS, which I happen to agree with.

I understand the president's trip here. Then you've to give certainty to our oil energy companies here, and that, those optics alone will give some confidence to everyday Americans who are struggling with these high prices. I'm glad that prices have come down a little bit my gasoline the last two weeks about 20 cents. I hope it wil go, continue to go in that direction.

Two, encourage Congress to pass the CHIPS Act. This is the one thing that Republican and Democratic governors alike around the country, particularly in Ohio need in order to ensure that the investments that Intel in the state of Ohio and the federal government are going to make to ensure that we are able to build semiconductor chips in America so we can -- we can -- we can better counter China and other things is an important thing.

Three, every week we ought to be updating the supply chain. You need to put that Marty Walsh shot who I just love hearing talk, the labor secretary. Let them every week, he and the secretary of commerce tell us what we are doing, how we are doing it, and what more we need to be doing as a country.

Four, the border it's a national security issue. Energy and the border I believe were the two things. If the president and his team could frame and give us metrics. We report numbers every week on this show but how high the cross rate is across the border and how many people. And we've seen numbers around fentanyl.

I have a fentanyl task force. Every week, I give the country and update on what we are doing to lower these numbers. All you see are numbers that are going up that are bad for the country and numbers going down that are bad for the country, and there's no confidence that the country --

(CROSSTALK)

PIRRO: So, Harold, everything --

FORD: -- may have it. And finally, I give every Republican running for office, every Democrat, everyone Democrat, every Republican running for office, are you for rape and incest exception to abortion, because I am.

PIRRO: Yes.

FORD: And if you ask those questions and the -- you got to do your part first, we might have a fighting chance in November. That's what I'd do.

PIRRO: Look, everything that you just said -- any of us could have said that. I mean, it was brilliant.

(CROSSTALK)

TOM SHILLUE, FOX NEWS CO-HOST: But and Dana get all of them.

PIRRO: You know, here is the bottom line on that. Are they so uncaring that they couldn't think to do any of those things? And I'll ask you, Tom. Why didn't they address any of those issues? It's not that tough.

SHILLUE: Because they don't want to, and they can't deal with the idea -- they -- nobody thinks Biden is running again, including the vice president, who I think I know her tell now when she is bluffing and that vigorous nodding of the head, he intends to run and I intend to run with.

I want to play poker with her. I'm racing you --

(CROSSTALK)

And now she's like --

SHILLUE: -- because I have four aces.

PIRRO: Yes.

SHILLUE: But I don't think that, if I were Republicans -- let me give them advice. I'm not a strategist, but I would say don't run on the -- you know, he's out of touch, he has dementia, he doesn't know where he is. He knows enough to ruin the country. He's hurting the country. So, talk about what he's doing to hurt the country, not that he doesn't know. I don't want to give him an out and say he doesn't what he's doing. It's somebody else. It's like, no, it's him.

PIRRO: Yes, it is. All right. Coming up, Dems openly mocking the safety of **Supreme Court** justices, as the radical left offers bounties on their locations.

(COMMERCIAL BREAK)

WATTERS: Rage filled libs continue to target our **Supreme Court** justices. And now Democrats are outright encouraging harassment. Just as Brett Kavanaugh chased out of a D.C. steakhouse, Morton's, one of my favs, when angry pro-abortion protesters descended on the restaurant. Far-left squad member AOC mocking Kavanaugh saying this. It's all very unfair to him. The least they could do is let him eat cake. I see what she did there.

And now there's a bounty on their heads with lefty group shut down D.C. offering \$200 cash for real time info that could help protesters find and target the justices.

President Biden encouraging these loons while making a little pit stop during his little bike ride.

(BEGIN VIDEO CLIP)

UNKNOWN: Do you have a message, Mr. President, for women who were protesting outside the White House yesterday?

JOE BIDEN, PRESIDENT OF THE UNITED STATES OF AMERICA: Yes. Keep protesting because keep making the point. It's critically important we can do a lot of things to accommodate the right service for women in the meantime.

(END VIDEO CLIP)

WATTERS: A lot of breath. And the ladies of The View just don't see what the big deal is.

(BEGIN VIDEO CLIP)

ANA NAVARRO, CO-HOST, ABC: As far as Brett Kavanaugh let me take out my little violin.

SUNNY HOSTIN, CO-HOST, ABC: It's just terrible hypocrisy, I think by the justice and by those that were saying was just so unfair that these folks were protesting when not only were they peacefully protesting, they were protesting outside of the restaurant and he never saw them and he never hurt them. I mean, that is just so ridiculous to make, you know, this big deal out of it.

(END VIDEO CLIP)

WATTERS: Do you think it would be a big deal if someone protested The View's dinner?

PERINO: Yes. But in particular if Mayor Pete it also -- Secretary Buttigieg, made a comment about like, it's fine, he basically said as long as any pub -- any public figure should be free from violence, intimidation, and harassment but should never be free from criticism where people exercising their first amendment right.

But let me -- let's be very clear. None of us, and you, do not have a first amendment right to protest judges. You explicitly and specifically do not have that right. So, yes. I mean, you could do it to The View if you want. There's not a specific and --

(CROSSTALK)

WATTERS: I don't want to interrupt our dinner.

PERINO: -- rule against that. No.

WATTERS: That sounds dangerous.

PERINO: But also, the whatever happened to they're afraid of a return to norms, or they wanted to return to norms. But the more they do this, the more they just encourage people on the right to respond in kind, which is people aren't typically don't but I'm not encouraging that.

Obviously, January 6 is a completely different thing so don't at me. But the fact that they are OK with this going after individuals is one thing. The other thing is AOC. Do you guys remember when she was all for all the COVID rules in New York City and Washington, D.C. and then she went to Florida?

WATTERS: Yes.

PERINO: And she didn't have a mask on and she was with her boyfriend and she said why are you also obsessed with me. She doesn't like it when it happens to her either.

WATTERS: That is true. FORD: Yes.

WATTERS: And AOC is planning a wedding with that boyfriend there now.

PERINO: Really?

WATTERS: Yes.

PERINO: Congratulations.

WATTERS: In the midst of wedding planning. Why would you protest outside a steak house? Everyone has knives inside. Right. It sounds really dumb to me.

PIRRO: Are you asking me that?

WATTERS: I am. And then tell what you think is going wrong legally here.

PIRRO: All right. You know, we have to step back and try to make sense out of this. The left -- the left engages and you can call it harassment, you can call it terrorism, you can call it whatever you want. It all started with Maxine waters. Get in their face, let him know that they're not wanted, confront them you don't want them around. OK. That's where it started. And I agree with Dana.

You know, as for January 6 every one of them is being prosecuted, they're being held in solitary confinement so don't even go there. These people burn police precincts, they burned businesses, they go on and on and nothing happens.

Now I agree with Dana, too, on that quote from Buttigieg. This guy doesn't know what the law is. It's OK, it's OK to people should be free from violation, harassment, and intimidation. What do you think that's call when people are marching outside your house with bells and whistles and everything else?

First of all, it's a violation of federal statutes title 18, section **1507** and every state and county has a law that prevents people from doing this. It's called harassment. There's harassment in the first degree, second degree. When you do something that is alarming or threatening or annoying to another person that is a violation of the law.

So, let's stop making like these people, this is peaceful. Nonsense. It's a crime. It's a violation and they can all be prosecuted. Now, let me tell you another thing about this. When these people get together, you start seeing the mob mentality. You get a few people within a group and if they go beyond the norms the other people in the group kind of just go along.

I don't know if you remember Benghazi, OK, but that was a peaceful protest and just kind of got out of control. OK. These are peaceful protests just a question of when someone's getting hurt. That's all.

PERINO: Yes.

WATTERS: And I think it was just last month where someone went all the way across the country and had a gun and was about to assassinate this justice.

FORD: You know how I feel about violence in politics. I have no place for that. I differ slightly with my friends on the panel. I think if you're in public life you can be -- people can express their criticism and protests. They just can't -- you can't cross -- to cross the line and that person should be arrested.

And I'm disappointed more so. I don't know all the facts but I believe that chief marshal, the **Supreme Court** asked the Maryland police official why aren't you providing more protection for the justices. And he made a comment or two that's just simply bewildering and in fact made it made me think he was unfit for his job. You have to protect public officials.

But Democrats, if we want to win this issue, and I'm pro=choice. Ask every Republican running for Congress, do you support a rape and incest exceptions. And if they don't, let the voters understand it because that's where this fight is. I think it's great to protests and do it peacefully.

If you cross the line - I agree with the judge - they should be prosecuted. In fact, I think it ought to be a hate crime, but that's another conversation we can debate that.

(CROSSTALK)

PERINO: But Democrats want abortion on demand.

FORD: No, no.

PERINO: I don't think they care so much about that's.

FORD: That what -- that's what -- that's your characterization. I'm telling my party --

PIRRO: Yes.

FORD: -- this is what we should be doing. If we want to win this issue or had any chance of winning it, protesting with violence, everything you all have said are great. You are going to jail doing the things you're talking -- you're doing now. If you want to win the issue this is done at the ballot box. It's the only place we're going win this issue.

SHILLUE: That's it?

PERINO: Yes.

SHILLUE: That's it and that's when Harold just made a good point. And these Democratic leaders, the president included, Pete Buttigieg and all these, and AOC missed an opportunity to say we have a government, we have a judiciary and now it's time for legislators. If you want to protest to anyone, go bother a legislator, that's what democracy is about.

(CROSSTALK)

FORD: That's people running for office.

SHILLUE: And none of them said that. They also they can take it they're tough. But you're --

(CROSSTALK)

PIRRO: It's over --

SHILLUE: It's over.

PIRRO: Yes.

SHILLUE: When someone is convicted of a crime, we say you have to respect the process.

PIRRO: Yes.

SHILLUE: And this is what happens. So, when a judge rule so you say, OK, now we move on. You got a problem, talk to the legislature.

WATTERS: Just don't follow them into a ladies room like they did with Kyrsten Sinema.

PIRRO: But what's what they do.

WATTERS: Leave them out of the ladies room.

PIRRO: They just harass.

WATTERS: That should be a private plane.

FORD: You do remember Charlottesville?

WATTERS: Also, Morton's.

FORD: Charlottesville right, when they --

WATTERS: All right. Enough.

PIRRO: Yes.

WATTERS: You made some good points. OK. Let's keep it at that.

PIRRO: Yes. You just lost. Ahead, brand new video of the store clerk charged with murder. That should make liberal prosecutors going after him very nervous.

(COMMERCIAL BREAK)

FORD: Brand new evidence could get the murder charge against a bodega clerk dropped. Jose Alba is facing up to 25 years behind bars for stabbing a violent ex- con to death while defending himself. New video appears to show the girlfriend of the attacker stabbing Mr. Alba with the knife. So far, the unidentified girlfriend is not been charge.

In new evidence obtained by the New York Post right before the altercation shows that Mr. Alba was actually trying to defuse.

(BEGIN VIDEO CLIP)

UNKNOWN: Papa, I don't want no problem, papa.

UNKNOWN: What's wrong with you.

UNKNOWN: I know --

(END VIDEO CLIP)

FORD: Dana, we all had strong opinions about watching this last week. This is any of this new information alter change intensified your position?

PERINO: There is that, yes. First of all, and it's interesting because as I've just done a little personal survey people -- one friend today said, well, that's obviously self-defense. I think it's obvious. It was obvious to everybody except for Alvin Bragg, the prosecutor who books him on a second-degree murder charge. It takes the Rikers.

Did you know that his -- and his stab wounds got infected while he's Rikers?

FORD: Yes.



PERINO: Because no one took care of him? I would sue the pants off of the city for that and the state. Kathy Hochul is the governor of New York. She has that -- she's the one with the power to remove Bragg. She is silent, like nobody is doing anything and maybe he will try to tank this in the grand jury, which I guess is the next process.

FORD: That's the thing you're talking about.

PERINO: Yes. His infection on his wounds. The other thing that former NYPD inspector Paul Mauro. He was on our show today in Newsrooms and he has an op-ed on foxnews.com. I highly encourage you to read it because he's talking about how that sometimes when cases like this become a tipping point where everyone has just had enough. Don't know if this is it. Maybe so it should be.

And let me make one last point just to bring her up again. Alexandria Ocasio-Cortez has on her Instagram all sorts of pictures at bodegas, interviews at bodegas, the whole thing like bodega culture and she loves them. And all of a sudden, now she's silent. Why can't she ever talk about something that actually affects the city where her leadership could actually be helpful? You know, the cat's got your tongue is not a good excuse. You're a leader. Get out there and help on this.

FORD JR.: I saw you in very early. It was very good. What do you think about this, Judge? I mean, you had strong opinions? We were unanimous in our opinions. What do you think about this?

PIRRO: Well, I mean, this is -- this is the law that I use as the D.A. in my office. I mean, this is a classic self-defense justification under New York law. The prosecution has to disprove self-defense beyond a reasonable doubt. They cannot do that at trial. This guy invaded his space. He grabbed them, he pulled him. The guy begged him to not bother him. He said he didn't want any trouble. And yet this guy who's -- he's a career criminal. He's a gangbanger. He's been in state's prison. He's threatening him because his girlfriend's government card didn't work, and they wanted that \$3.00 bag of potato chips.

And by the way, do you know the weapon that was used? He used a box cutter that he had in the store. It's not like he had like, hey, I have a knife just in case somebody comes in, I'll kill him. No, this guy deserves to be out. I don't think that the prosecution even needs to go into the grand jury. This is a case it should be dismissed. But when you have progressive DA is like this, it's not going to happen.

And the woman who stabbed them with a knife, that is assault in the second degree. That is a Class D felony. She should be in Rikers.

PERINO: Has she not been arrested?

PIRRO: No.

SHILLUE: No, she hasn't. Nothing on her yet. But I don't even like looking at this new information because it's so obvious. I want to go back to originally -- he originally had the right to self-defense, even when the guy was killing him with his fists. I mean, that guy was pounding him. You don't need the knife.

So, I don't even want to look at that evidence. I mean, I wish I were the judge in this case, and I will say, you're off. And it -- but it has nothing to do with a knife. And yes, she shouldn't be charged. I don't like any of this stuff. And I think anybody who is in a self-defense situation should demand a jury trial because I don't think there's a jury in the land that will convict someone like this. Kyle Rittenhouse did it and he got justice. That's what you need. You need a jury of your peers.

PIRRO: Well, I don't know. Manhattan is a tough place.

FORD JR.: Primetime?

WATTERS: Well, she shouldn't have been buying potato chips with food stamp cards. It's for real food. It's not for junk food.

PERINO: Jesse.

FORD JR.: Primetime, come on.

WATTERS: And if there's no money left on the EBT card -- it's true. And if there's no money left, you go outside and talk to your boyfriend who's wearing a \$350 designer T-shirt --

PIRRO: Exactly.

WATTERS: He's probably got three singles sitting in his jeans pocket. Instead, she goes stab happy. The guy is bleeding. The next thing you know, she says I'm going to turn my boyfriend loose. The boyfriend comes in and he's putting his hands on him. At that point, the judge is right. You have a reasonable belief that you're going to be in serious bodily harm and you have the right to self-defense.

Now, Bragg, I assume saw both pieces of video. Now, to see both pieces of video and still charge, that's malicious prosecution. The governor should fire him. He should be disbarred. And it's like almost like this. It's like if you see a woman on a surveillance video, slip a guy a date rape drug, hop on top of them and start seducing him and then the DA charges the guy with rape, this is what you're looking at.

He Rittenhouse thing, this poor bodega owner as Joe Biden would say. And good thing we just got the **Supreme Court** situation because these guys should all have pistols. Thank God he had a box cutter at the time. If he had just like leveled up to his head with the pistol, the guy probably wouldn't just backed out of the bodega, and that would have been a much better ending.

FORD JR.: The guy think that this is -- this is clearly self-defense. I agree with everything that was said around the table and I hope that Mr. Bragg sees that too. Ahead, Elon Musk, taunting Twitter as the legal battle over buying the company intensifies.

(COMMERCIAL BREAK)

SHILLUE: Elon Musk and Twitter gearing up for a legal battle after Musk terminated his deal to buy the company. Twitter reportedly planning to sue Musk to make sure the deal goes through. The billionaire responding with some meme warfare tweeting, "They said I couldn't buy Twitter, then they wouldn't disclose bot info. Now, they want to force me to buy Twitter in court. Now, they have to disclose bot info in court."

Musk also taunting with this Chuck Norris meme, declaring it "chuckmate." That's awesome. I like musk. Jesse, I don't know why Twitter doesn't tell people how many bots there are. How can they get away with doing that? Imagine if Fox News declared their ratings and then you know, half of them were robots. We wouldn't get away with that.

WATTERS: Oh, careful. You're treading on some very scary ground. No comment. I just want to take a moment to recognize how much the lawyers are going to get paid.

PERINO: Yes.

WATTERS: This is what you dream about in law school. You have the richest man in the world suing or getting sued by a billion-dollar company and he's erratic and this could go on for years. The billing, just alone, I just want to -- I would frame it and put it in my office when I retire.

I heard an interview with Elon and he said, while he was answering the question, he was also thinking about propulsion technology for his jet. At the same time, a new algorithm for AI while at the same time thinking about a new cobalt add-on to his electric car battery. Now when I'm answering someone's question, I'm trying not to stutter. He's figuring out like massive mathematical equation. So, do I have any idea what he's thinking with this thing? I have no idea. What I hope is he's trying to get the price down and ends up buying it for less money. And so, he stops banning my people and rigging elections.

SHILLUE: Yes, isn't that what it is, Harold? In April, when he made the proposal or when he offered to buy it, it was \$54.00 a share. Now, it's like \$36.00 or something like that. Isn't that what it is? He bought it here, but he wants to buy it here?

FORD JR.: It sounds like it. Look, without the benefit of discovery, we won't -- we won't know a whole lot. When -- once we get to discover, we'll have a great sense, and the judge will have a strong opinion on this. I think -- the question, I think, becomes is what is the contract? We've heard people talk about it. We've heard the East Side say what was in the contract, and some believed he was in -- one was in material breach, one believes they were not. And then two is it binding?

And Delaware courts are going to have -- their credibility is going to be on the line here too because this is a case that so many young people are going to watch. The longevity of certainty and reliability around what happens in those courts is going to be on trial in many ways. And I'm for one am going to be watching. I do know Twitter stock keeps dropping. The future viability of the company is at stake if that is the case. And from Musk's standpoint, if he is -- if it is proven and discovery shows that these bots -- they provide everything because they're saying they did, he's going to have a pretty hefty bill to pay.

SHILLUE: Well, how about this analogy, Dana? When you buy a house, you make an offer, and then you start in with the contracts and then you bring in the inspector. And when the inspector finds termites, then you say I'm giving you less money or the deal is off. I mean, there's termites in Twitter, right?

PERINO: You can't force the buyer to buy a termite-infested house.

SHILLUE: Right. So, what are the -- how can --

PERINO: I don't know. That's a great question for the judge. I'll make just two quick points. For conservatives, Elon Musk is not coming to save you necessarily, right? So, be -- pay attention to the other ways to deal with this. And to the employees of Twitter, if Elon Musk can destroy your company, just by starting rumors that he's going to buy your company, the company is probably not all that great to begin with.

SHILLUE: Big time. Judge, rule, give me the rule. Take him into your chambers. Who has the upper hand here?

PIRRO: I don't know who has the upper hand. But we've heard for a long time that Twitter has failed to respond to repeated requests for information about the number of bots. They say five percent, Elon Musk thinks it's more than that. In addition to that, apparently, Twitter is taking action that they shouldn't be taking by firing people that they needed Elon Musk consent to actually fire.

In addition, he realized -- that's Elon Musk, relied to his detriment on their promise that there were only five percent of the bots -- of the company was bots. So, I'm not -- I'm not saying that Twitter -- I'm not thinking they're in a really strong position. So, then the question is people are saying, well, you know, Elon Musk can go to jail. Well, someone said that on one of the business channels today. They're saying contempt of court if he doesn't follow the judge's call.

But then the question is a bigger issue and that is, can they -- can they be forced to actually make Elon Musk buy the company if he doesn't want to? So, what's going to happen here is there's going to be a negotiation. Elon Musk, I think, in the end is going to end up buying it unless he's lost interest in it. And he's going to buy it for a lot less than what he offered.

SHILLUE: Agreed. OK, up next, get ready to party with us. THE FIVE turns 11.

(COMMERCIAL BREAK)

PERINO: Well, put your party hats on because THE FIVE is 11 today. So, to kick off our celebration, we asked you our loyal viewers to tell us what you love most about this show.

(BEGIN VIDEOTAPE)

FRENCHI FIRECRACKER, VIEWER, THE FIVE: Happy 11 anniversary, my FIVE, from Frenchi Firecracker. The greatest show on Fox News, I love you all. Equally --

EDIE AND LENARD, VIEWER, THE FIVE: Dana and Harold, Jesse and Greg, the one and only Judge Jeanine, everybody watch THE FIVE.

PERINO: Wow.

MIKE, VIEWER, THE FIVE: What I love about THE FIVE? I'm probably not the only one who might say this, but it's so clear. I love Greg.

MARK, VIEWER, THE FIVE: I love Greg. I love Judge Jeanine. I love Jesse. Philadelphia, baby. Jessica Tarlov. Happy 11th birthday, baby! You guys rock!

UNIDENTIFIED FEMALE: I love Geraldo's mustache. I really just want to squeeze it.

AMY, VIEWER, THE FIVE: The one Democrat I super like is Harold Ford Jr.

DOROTHY: Dana is always the voice of reason. This is true no matter the season. Jesse is entertaining. You don't know what he'll say. I'm very glad there's a seven-second delay.

DENISE AND JOHN, VIEWER, THE FIVE: Judge Jeanine is just like a peppermint patty. She says, the breath of fresh air going through her hair.

MIKE, VIEWER, THE FIVE: Whenever I watched THE FIVE, I always learn something that I didn't already know.

JUDY, VIEWER, THE FIVE: I love the playfulness even more between all of you.

ROSIE, VIEWER, THE FIVE: I laugh, I smile, I get motivated. And y'all give me so much energy.

UNIDENTIFIED FEMALE: Thanks for doing what you guys do. We appreciate you.

AARON, VIEWER, THE FIVE: And continue doing what you're doing. It's a great service to our country and to the world.

(END VIDEOTAPE)

PERINO: You guys, that was amazing. It's like an actual focus group.

PIRRO: It's so sweet. Thank you.

PERINO: Just send that the advertisers because -- wow, what a great thing to hear all those different perspectives. It's been -- I can't believe -- I've been on the show for 11 years.

PIRRO: Yes.

PERINO: I can't imagine. Those first shows must have been terrible actually looking back. I wish Greg were here but he's got a little thing today, so --

SHILLUE: Yes, I was going to say, it's gone rather quick for me.

PERINO: Have you watched THE FIVE from the beginning?

SHILLUE: Yes, I'm a fan. That's why it's always great to, you know, come and hang out.

PERINO: Harold, you're the newest member here, I think.

FORD JR.: I told you, guys, this is Greg -- I mean for my kids, watching Greg do the "ONE MORE THING" and go, animals are great, that's how my kids and I got hooked on the show. So, thank you guys for having me.

PERINO: Jesse, I'm going to just point out real quick before we get your reaction. We have food here from Arthur and Sons. This is an amazing new restaurant. It's located in Chelsea. They also own Serendipity 3 which I think we've probably all been to before and had that amazing food there.

PIRRO: Oh, yes.

PERINO: They have fame -- we have spicy rigatoni a la vodka and meatballs with ricotta. And we have something else over here. We have bread, garlic bread, and we have a big cake.

FORD JR.: Some cannolis.

PIRRO: Cannolis.

FORD JR.: You got the cannolis on the other side.

PERINO: Get the cannoli, Jessie.

WATTERS: I don't want to say anything. I just want to eat the rigatoni.

PERINO: OK, go for it.

PERINO: Judge, you go --

PIRRO: Me too. Is it spicy?

WATTERS: I'm going to eat this right now. Arthur and Sons, thank you so much.

PIRRO: Yes.

WATTERS: We love you.

PERINO: Judge, what do you think about THE FIVE?

PIRRO: What do I think? I love it. I'll tell you. You know what? You get a chance to walk, you know, pipe off all the difference out because of today. I love it. I love you all. That's a great part of it.

PERINO: Yes. And our viewers have made it awesome. One of the things that I've always been amazed by is how they remember things that happened 11 years ago. And they can tell you exactly what it was and who said it and why it made them laugh or cry. Now, there's no tears, right?

SHILLUE: Why didn't Greg want to be here on the 11th anniversary?

PIRRO: Yes.

SHILLUE: Was he hiding something?

PERINO: Well, he's got -- he's actually coming something for me later so we had to take the show off, I believe, because you know, that's all -- that's a very --

WATTERS: Say it.

PERINO: As soon as I'm say it, I'm like no, that's not what I meant, everybody. I promise.

FORD JR.: Thank you.

SHILLUE: Well, I'll put some food --

PERINO: All right, we're going to eat some food here.

PIRRO: I'm eating.

PERINO: We'll be right back after this commercial break. "ONE MORE THING" is next.

PIRRO: Oh, how good is that?

(COMMERCIAL BREAK)

PIRRO: It's time now for "ONE MORE THING." Jeanine goes first. That's me. OK, let me tell you, I've been eating those meatballs and that pasta is out of this world I never ate so much. That's one of the negatives. I love the show. All we do is eat. OK, "ONE MORE THING." Now, there is a new Hunter Biden part two special. Who is Hunter Biden Part 2 is available today. It drops today, folks, exclusively on Fox Nation. And here's a sneak peek.

(BEGIN VIDEO CLIP)

PIRRO: For years, Hunter Biden operated as an international man of mystery, chasing questionable deals with shadowy billionaires in Monte Carlo, Lake Como, Hong Kong, and Shanghai.

(END VIDEO CLIP)

PIRRO: This special explores Hunter Biden's shadowy dealings and twisted personal life. We dive into everything from his struggles with drug addiction to his high-level of wheeling and dealing and all his sex addict stuff, too. They didn't put that in there, but I'm telling you, it's in there and it's sick.

Let me tell you, the whole family, I don't know what happened to them. But anyway, you're going to have to see it to believe it. So, sign up, log on, and stream it now only on Fox Nation. If we have more time, we'll come back to myself and I'll tell you how sick this is. All right now, who's next? Dana.

PERINO: Dana, and that's me. All right, I learned about this over the weekend from John Ondrasik, who is of course Five For Fighting. Take a look at this here. He teamed up with a nonprofit humanitarian group Save Our Allies, which you might remember, of course, who helped our own Benjamin Hall to get out of Ukraine. He joined the Ukrainian orchestra for this very moving performance of his song Can One Man Save The World.

It was an amazing story about how they got there. If you notice, the people in the orchestra are just in their regular clothes, but they all figured this out and did it in front of a bombed-out area. Listen to John here. He was on "FOX AND FRIENDS."

(BEGIN VIDEO CLIP)

JOHN ONDRASIK, FIVE FOR FIGHTING: The orchestra took flight and they were playing with vigor and they were crying. And after we finished, there was this silence that lasted two seconds but felt like two years. And we understood why we were there. It's common humanity. They're fighting for their survival.

(END VIDEO CLIP)

PERINO: The song it's called Can One Man Save The World. All of the proceeds will go to the nonprofit, Save Our Allies to assist them in continuing their humanitarian work in Ukraine. That's [saveourallies.org](http://saveourallies.org). They're also accepting donations. It's just an incredible story and a great song and I highly encourage everybody to check it out.

FORD JR.: Hear, hear.

PIRRO: Dana, it was beautiful. I saw it this morning. It's absolutely beautiful. Jesse?

WATTERS: Before I go, tell us again how sick Hunter Biden is.

PIRRO: How sick? All right, he's sick. He's just too sick. They're all sick.

WATTERS: All right, there's a lot of talk about sharks this summer. People are so afraid to get in the ocean because they might get bit by a shark. You don't have to worry about sharks. You have to worry about sea lions. Look what happened in La Jolla, California. A mob of sea lions smashed and grabbed everyone's beach bag in the beach.

PIRRO: Yes. Well, those people shouldn't have been there.

WATTERS: They shouldn't have been there. They have a Soros-funded DA at La Jolla. He's letting these guys run wild. And it's --

PIRRO: They're chasing the people into the water.

WATTERS: -- just open season on beachgoers out there. It's really -- it's almost as sick as Hunter Biden. Tonight, "JESSE WATERS PRIMETIME," did Joe Biden promote a bogus abortion story? We did an investigation and not looking good. So, tune in tonight at 7:00.

PIRRO: Yes, great, great. All right, Harold.

FORD JR.: I'm Harold. This is a shocking moment. A plane was forced to make an emergency landing on a highway. Vincent Fraser was flying over North Carolina on July 3 with his father-in-law when the engine of this small plane failed three times. A GoPro secured to the cockpit captured the plane maneuvering to narrowly avoid powerlines before touching down the highway's center lane. Each car passes on either side.

Miraculously, there were no injuries from the incident. Mr. Fraser was able to take off from the same highway three days later, after a mechanic inspected his plane. The Lord is in the business. Thank you, Lord.

PIRRO: Not the same highway.

FORD JR.: That's what it says.

PERINO: No, he was on "NEWSROOM." Anyway -- he flew from the airport.

PIRRO: Can you imagine the guy on the right?

FORD JR.: He flew from the airport? They have it down here. It says, he flew from the same highway.

WATTERS: Are you factchecking his "ONE MORE THING?"

PERINO: I did.

PIRRO: But the guy on the right is saying there's a plane passing me on the left. Go ahead, Tom.

SHILLUE: OK, Kitty Lane, she's 86 years old. She doesn't get around the way that she used to but she still knows her Iris steps. Look at that.

PERINO: That's good. You got to keep moving.

SHILLUE: Yes. She's from County Clare, Ireland.

PIRRO: I love County Clare.

SHILLUE: Yes. And she can teach you steps. I'll send you the videos. We can all learn how to do it.

PERINO: OK, we can do it on our 12th anniversary. It will be great.

PIRRO: You got to love the Irish. All right, that's it for us. "SPECIAL REPORT" is up next. Hey, Bill, are you there?

END

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July 11, 2022

Section: U.S. Senate Documents

### Sen. CRUZ CALLS ON AG GARLAND TO ATTEND DOBBS HEARING, DISCUSS SCOTUS INTIMIDATION

Sen. Ted Cruz (R-TX) News Release

WASHINGTON, D.C. - U.S. Senator Ted Cruz (R-Texas), Ranking Member of the Senate Judiciary Committee's Subcommittee on The Constitution, sent a letter this week to Senator Dick Durbin (D-Ill.), Chairman of the Senate Judiciary Committee, calling on him to bring Attorney General Merrick Garland before the committee for its July 12th hearing regarding the **Supreme Court's** decision in Dobbs v. Jackson Women's Health Organization. Attorney General Garland and the Department of Justice (DOJ) have to date failed to enforce federal law banning intimidation of **Supreme Court** Justices.

In the letter, Sen. Cruz wrote:

"I am requesting [Attorney General Garland's] attendance so he may detail the steps the Department of Justice is taking to protect our **Supreme Court** Justices in the wake of an unprecedented harassment and intimidation campaign.

"18 U.S.C. [Sec.] **1507** criminalizes any attempt to influence a judge in the exercise of his or her duties by picketing them at their home. Congress passed this law to allow judges at every level of the judiciary the freedom to exercise their judicial power free from outside influence or intimidation. Article III of the Constitution guarantees judicial independence by granting judges life tenure and salary protection so they are not influenced by anything but the law and facts in the case before them. Unfortunately, despite clear evidence that federal law was violated by mobs of protestors at the Justices' homes, the head of the Department of Justice, and chief law enforcement officer of the United States, flatly refused to enforce federal law."

Read the full text of his letter to Chairman Durbin here [https://www.cruz.senate.gov/imo/media/doc/letter\\_to\\_durbin\\_in\\_re\\_ag\\_garland\\_attending\\_dobbs\\_hearing.pdf](https://www.cruz.senate.gov/imo/media/doc/letter_to_durbin_in_re_ag_garland_attending_dobbs_hearing.pdf) and below.

Dear Chairman Durbin,

I write to you today to request the attendance of Attorney General Merrick Garland at next week's hearing regarding the legal consequences of Dobbs v. Jackson Women's Health Organization. I am requesting his attendance so he may detail the steps the Department of Justice is taking to protect our **Supreme Court** Justices in the wake of an unprecedented harassment and intimidation campaign.

18 U.S.C. [Sec.] **1507** criminalizes any attempt to influence a judge in the exercise of his or her duties by picketing them at their home. Congress passed this law to allow judges at every level of the judiciary the freedom to exercise their judicial power free from outside influence or intimidation. Article III of the Constitution guarantees judicial independence by granting judges life tenure and salary protection so they are not influenced by anything but the law and facts in the case before them. Unfortunately, despite clear evidence that federal law was violated by mobs of protestors at the Justices' homes, the head of the Department of Justice, and chief law enforcement officer of the United States, flatly refused to enforce federal law.

A few days ago, the **Supreme Court** Marshal asked Maryland and Virginia officials to enforce laws that prohibit picketing outside the homes of the Justices who live in the two states. Further, the governors of Virginia and Maryland called upon Attorney General Garland to "enforce the law as it is written." Attorney General Garland, however, has ignored such calls, doing so with near-tragic results.

On June 8, 2022, a would-be assassin, armed with a pistol and a knife, was arrested outside the home of Justice Brett Kavanaugh. He later admitted he intended to kill the Justice. Intimidation attempts have also occurred at the homes of Justice Alito, Justice Thomas, Justice Barrett and Chief Justice Roberts. In response to these threats, Attorney General Garland merely stated, "The Justice Department will not tolerate violence or threats of violence against judges or any other public servants at work, home, or any other location." Attorney General Garland's refusal to act, however, calls into question the sincerity of this statement.

Attorney General Garland was quick to condemn parents who attended school board meetings to protest radical policies pushed by some board members. Yet he has shown little urgency to protect **Supreme Court** Justices despite calls from the **Supreme Court** Marshal and multiple governors to do so. Attorney General Garland should be asked, under oath, why he refused to act in this instance, as well as detail his plans to uphold judicial independence and the rule of law in the face of future such intimidation campaigns.

Read this original document at: <https://www.cruz.senate.gov/newsroom/press-releases/sen-cruz-calls-on-ag-garland-to-attend-dobbs-hearing-discuss-scotus-intimidation>

--- **Index References** ---

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## NewsRoom

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July 11, 2022

### Banks Offering Higher Return on Investments; Auto Repair Costs Climbing; Supreme Protests; Gas Prices Declining as Biden Prepares to Head to Saud...

Banks Offering Higher Return on Investments; Auto Repair Costs Climbing; Supreme Protests; Gas Prices Declining as Biden Prepares to Head to Saudi Arabia; President Biden to Meet With Mexican President; Elon Musk's Twitter Deal Crumbling

NEIL CAVUTO, FOX NEWS ANCHOR: Well, isn't this rich? Tesla, we hardly knew you, its stock tumbling, Twitter stock tumbling, and all because the so- called social media deal of the century is crumbling.

Elon Musk wants out, and now Twitter is lawyering up. Let's just say it is a tweetstorm. And we have got you covered with Kelly O'Grady on how bad this gets, Charlie Gasparino on whether any other buyer shows up, and legal eagle Leeza Garber on why the world's richest man could find himself paying the biggest legal settlement in history.

Welcome, everybody. I'm Neil Cavuto, a busy day for the world's richest man and right now a beleaguered social media company that was once the toast of the town, now more like the burnt toast of the town.

Let's get the latest from Kelly in L.A. -- Kelly.

KELLY O'GRADY, FOX BUSINESS CORRESPONDENT: Hey, good to see you, Neil.

We're about to see a battle of the tech titans. You have got Twitter lawyering up, while Elon Musk arguing he can terminate the agreement due to the number of fake accounts. Now, even with the confidence he showed in a tweet earlier today saying, hey, this is kind of an interesting roller coaster here, transaction lawyers say it will be difficult to prove that Twitter is lying about its user data.

But Musk will also argue the point that the platform withheld that data. While some say he waived the right to peek under the hood to close the deal quickly, he claims that doesn't mean he waived his right to ever see it. Now, most lawyers arguing the company refused requests for over two months and that -- quote -- "Sometimes, Twitter has ignored Mr. Musk's requests. Sometimes, it's rejected them. And, sometimes, it's claimed to comply while giving Mr. Musk incomplete or unusable information."

Now, Twitter won't be going down without a fight, however. They have hired a team of merger heavyweights, but many analysts think this is a chess move by Elon and employed to get a discount, with the stock closing nearly 40 percent below his offer. Some analysts predicting Twitter is going to break, not wanting to reveal that bot info in court.

(BEGIN VIDEO CLIP)

KEITH FITZ-GERALD, FITZ-GERALD GROUP: I think that's probably correct. He's an absolute genius tactician because now Twitter is going to have to disclose in court whether or not they have got all the bots that he alleges.

(END VIDEO CLIP)

O'GRADY: Now, if this does reach court, at stake is a billion-dollar breakup fee.

But the Tesla CEO could face bigger fines if he loses. Neil, you also have to consider the pressure on Tesla stock. Shareholders could think he's distracted in a public legal battle. They have already expressed concern over the deal in general.

Now, there are a number of ways this plays out. But Twitter is in a tough spot. Beyond those external pressure, sources inside telling me many are considering jumping ship, so certainly a roller coaster ahead of us, Neil.

CAVUTO: And you're covering every twist on that ride.

Kelly, thank you very much.

Kelly O'Grady in Los Angeles.

Let's go to Charlie Gasparino. He's been following this very, very closely.

Charlie, this could go a variety of ways, now that we have upped the legal ante. What do you think is next?

CHARLIE GASPARINO, FOX NEWS SENIOR CORRESPONDENT: It's a court battle.

And the stakes here are huge. And let's just play this out a bit. If Twitter is right, Elon Musk owes them money, and a lot of it, right? If Twitter says it gave him the necessary information, he has no basis, no sound basis that it's more than 5 percent of its users are bots, that he's lying to get out of the deal, essentially, well, Elon Musk could face a court order, essentially, to make him go through with the deal.

I mean, that is a possibility. And, obviously, if you ignore a court order, as I reported first about a month-and-a-half ago, citing John Coffee at Columbia University, if you ignore a court order, you can go to jail.

And that's what he's facing. Now, what they're facing, obviously, Neil, is, if he's right about this, that the bot information is more than what they're disclosing, well, that they're in serious legal trouble, because they basically went out there and said they only have 5 percent bots or less or whatever they said that he's -- and then he shows evidence that that's not true, they put out false statements.

So there's a lot of bad stuff here. It's going to be an interesting legal battle. They got good firms on both sides. That's why most people think there's going to be something in the middle. And what that middle is, I don't know. It could be a deal.

Listen, that stock -- this is where Twitter's in between a rock and a hard place.

CAVUTO: Right.

GASPARINO: That stock is heading to have a 20 next to its name.

CAVUTO: But I wonder, Charlie, whether the real stock that Elon Musk was looking at was his own in Tesla.

GASPARINO: Oh, yes, absolutely. Yes.

CAVUTO: And that, of course, had its own little meltdown, if you think about what's happened since he first announced this back in early April.

So if you just tie his wealth to that, at almost \$200 billion and now \$115 billion, I'm not getting into SpaceX or any of that, that was the currency for the steel he was going to use. Do you think that, according to the people you talk to, gave him some pause?

GASPARINO: Yes, I mean, he wanted to clearly lower the price or get out. There was no doubt.

And it's fascinating. You could just, like, track exactly when he started saying, maybe not so fast.

CAVUTO: Right.

GASPARINO: Just literally when Tesla's stock started to collapse. And that's the currency he was going to use for this.

But here's the thing. Nobody -- these court fights are messy on both ends. Twitter probably has a better legal hand here. And a court -- and a judge could say, you got to pay for it because what you're saying is nonsense.

But this thing is going to play out over a year or so. The stock is going to get crushed. I mean, we're in a bear market. And tech stocks are already in trouble. And, by the way, Twitter is not a great business. I mean, everybody knows it. That's what made his \$54.20 bid so seemingly absurd at the time that he did it.

It was like, I mean, who would bid \$54.20 for something -- forget, that doesn't make any money. It loses money, and it has very little cash flow. There are no other buyers for this thing, I mean, none. None have come out there. I mean, they're not going to buy it now for \$54.20.

CAVUTO: And, meanwhile, they got a brain drain to deal with, right? A lot of people are leaving, whether you buy the argument there that they lean to the left and they siphon away conservative opinion.

GASPARINO: Yes.

CAVUTO: Conservative, liberal alike, they're all leaving. I'm just wondering, if it comes to someone else getting this or even Elon Musk succeeding in the end in getting this, he could be buying a barn that's already emptied of everyone inside it.

GASPARINO: I don't think -- that is not the existential threat that Twitter has. They could find engineers and tech nerds to do what they need to do with their platform.

I think the bigger problem that they face is this. The bigger problem that they face is they're not making money. It's a very un-innovative platform. It's -- when you have those sorts of issues, that you're not making money, you got this huge legal overhang, it's just -- it's not a great business.

And one of the things that was interesting about Musk is, he was going to change stuff. He was going to get radical and get creative with its business model. He was going to verify users. He was going to do stuff that maybe we could get it out of its funk, and he was doing it -- and he was going to do it as a private company, which is a lot easier to do than watching your stock fall every day and trying to do some innovative stuff.

CAVUTO: Yes. Good point.

GASPARINO: So this is a real problematic thing.

But, in a way, it just gets to, like, the sort of blind spots in Elon Musk as a businessman, I know we keep saying he's a visionary, but he does some really dumb stuff. He doesn't read balance sheets. He doesn't look at the finances. It's all gut. And his gut here told him literally, right before - - right at the top of the market almost to buy this thing for \$44 billion, when anybody that looked at this company's financials would say, are you out of your mind?

CAVUTO: Yes.

And many have said that of you. And then you're not even a...

GASPARINO: And they're true.

(CROSSTALK)

CAVUTO: You're not a multibillionaire. You're just a low-ranking billionaire.

GASPARINO: Yeah, right.

CAVUTO: Charlie, great job, as always, my friend.

GASPARINO: You bet.

CAVUTO: Charlie Gasparino following all of that.

Want to go to cybersecurity attorney Leeza Garber on where this goes from here.

Leeza, this is going to be taking up residence in the Delaware Chancery Court. And it has sometimes forced those who tried to back out of mergers to conduct the merger, to complete the merger. Do you see the court forcing that issue on Elon Musk?

LEEZA GARBER, ATTORNEY: Hi, Neil, great to see you.

CAVUTO: Same here.

GARBER: And while this is going to be a legal battle royal, in the end, it's that old saying, only the lawyers are really going to win with the billable hours.

While the Delaware Chancery Court could enforce specific performance and requests that Elon pay up the \$44 billion and continue with his purchase, it most likely won't happen. It would be extremely, extremely rare. And it's never happened in this bracket, this intense amount of money on the table.

There's a few different options with this choose your adventure, but most ways, everybody comes out a loser.

CAVUTO: So let's say you are Twitter right now, and you're looking for more than just a billion-dollar breakup fee to live and fight another day on your own.

I know you're a great lawyer. I mean, that would seem to me to be a dicey future proposition right there.



GARBER: Twitter will not walk away with simply with merely a billion dollars at this point, because the only way that would happen is if Musk says, my funding fell through, which wouldn't look good for anybody, and most likely isn't the case.

CAVUTO: But he wouldn't say that, right? He would swear, by his research, it shows the company undercounted these bots and fake customers and users.

GARBER: Yes.

CAVUTO: And so he would go, I will go to my dying day knowing that that was the case. So it could be, our data is better than your data.

GARBER: But the only way...

CAVUTO: So how do you prove that?

GARBER: The only way that argument works is if Musk is able to show that Twitter materially and intentionally breached the contract in providing wrong information.

Obviously, Musk is saying there are 20 percent -- at least 20 percent fake accounts. Twitter is saying there's 5 percent maybe, but the problem is really, how do you prove that? And, in the end, Elon was supposed to do his due diligence before entering this. You don't enter a merger...

(CROSSTALK)

CAVUTO: And he didn't. You're right.

(CROSSTALK)

GARBER: ... especially one for \$44 billion...

CAVUTO: Right.

So, Twitter has the wherewithal to prove that, Leeza. So where do you see this going?

GARBER: I think they're probably going to settle or renegotiate the price.

That's the easiest way to do this with the least amount of damage on both sides. Twitter stock price is falling. Tesla's stock price is falling. Everybody's reputation is at stake. So really what's going to happen in the court is they're going to settle or renegotiate.

CAVUTO: We will follow it closely.

Thank you very much, Leeza Garber.

Some news coming into us right now concerning what's going on at the border ahead of the Mexican president's visit to the president at the White House tomorrow.

We have more from Bill Melugin -- Bill.

BILL MELUGIN, FOX NEWS CORRESPONDENT: ... to not only detain illegal immigrants, but drop them off at ports of entry.

Well, this is one of the first cases of that happening. This bus right now is full of illegal immigrants who were just picked up by Texas State Troopers and the Texas National Guard.

That video when we come back after the break.

(COMMERCIAL BREAK)

CAVUTO: All right. Well, Mexico's president is finally coming to the United States. Remember when he skipped out on that North America conference that was going on in California. It was noted.

And now this upcoming meeting is noted, while the trouble at the border gets more complicated by the second.

Bill Melugin in Eagle Pass, Texas, with more -- Bill.

MELUGIN: Yes, Neil, good afternoon to you.

Late last week, you will remember Texas Governor Greg Abbott authorized the Texas National Guard and Texas troopers to not just detain illegal immigrants, but also return them to the border to the ports of entry.

We have just witnessed the beginning of one of the first instances of this happening. These two buses right here are Texas DPS buses. They are full of illegal immigrants right now. Take a look at this video we just shot about 15 minutes ago as these buses were loaded up. This was a group of predominantly single adults, as well as family. And it's about 75 migrants in total here who had just crossed over illegally into this private orchard here in Eagle Pass.

Texas troopers were here. They took custody of all of them immediately, separated them between single adults, as well as family units, and then put them on these buses. What's going to happen now is, they're going to be transported over to the port of entry here in Eagle Pass.

This is a big change. Previously, when DPS would encounter illegal immigrants, they would just call Border Patrol and Border Patrol would take custody. Texas Governor Greg Abbott is fed up with what's happening down here, so he is cutting out the middleman. He is allowing his Texas resources to take these illegal immigrants and physically return them to the border to the ports of entry here on the U.S. side of the border.

And that is what is happening right now as we speak. Why is he doing this? Take a look at this video we shot over the weekend here in Eagle Pass. Massive numbers of migrants continue spilling over the border here in Texas day in and day out. You're looking at video of a single massive group of approximately 300 that crossed over on Saturday in broad daylight, these scorching temperatures, 108 degrees when we shot this video.

It's 109 degrees as I'm speaking to you right now, but these were single adults, families coming from all over the world. It happens at nighttime as well. Take a look at this video we shot last night as we embedded with Texas DPS troopers on private ranches in Kinney County looking for illegal immigrants who were sneaking through the brush, through these private ranches.

Texas DPS troopers tracking footprints, backpacks left under trees. Within a matter of moments, we find this group of six illegal immigrants who are hiding in the brush, trying to evade law enforcement, keep inside. What you're looking at here, it's 15 miles inland from the U.S.-Mexico border. These guys had already slipped past Border Patrol. And if it wasn't for these Texas Troopers, they would have gotten further into the United States.

Last night, we had a chance to talk with one of the local ranch owners out there who had a human smuggler drive through a fence in her property last night in a stolen car. We asked her, what does she think about the administration's claims that the border is closed? Here's what she said.

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: Oh, that's a joke. I mean, they ought to come down here and fear for their lives.

I mean, and they're not staying here. I mean, they're coming through my ranch because they're headed somewhere else. They're not standing in Kinney County. But the border is not closed. They're pouring across every day, and they're destroying our property.

(END VIDEO CLIP)

MELUGIN: And part of what you just heard right there is the reason why Governor Greg Abbott says he feels he has to take this action through an executive order.

Those two buses have just left. They're going to drop those migrants off at the port of entry. There are still some migrants left over right here, mostly small children and some parents here. Some of the migrants brought this little dog with them as well, as you can see, but they are not going to go with DPS.

DPS is calling Border Patrol to come take custody of them, because there are all little children in the group. So, as you can see, a fast-moving situation here, but what you have just witnessed is one of the first instances of Governor Greg Abbott's new executive order being carried out, as state of Texas resources are now rounding up illegal immigrants personally and dropping them off at the border at the port of entry on the U.S. side.

What happens after that? We're going to find out. We got a camera crew over there. We will keep you guys posted. We will send it back to you.

CAVUTO: In the meantime, to your point, Bill, you have already got the president of Mexico saying that this shifting them back to Mexico is immoral, as if letting them stay in the United States is not.

He's going to be meeting with the president on this, who seems to share his concern about Texas here. Where's this going?

MELUGIN: Well, I think a lot of people would like to be a fly on the wall of that meeting tomorrow.

It's going to be probably a little bit awkward, because, remember, AMLO just stood up President Biden, essentially, at the Summit of the Americas in Los Angeles recently.

CAVUTO: That's right.

MELUGIN: He didn't go. Now they're going to be meeting tomorrow. They have got a lot on their plate to talk about when it comes to illegal immigration, border security, the amount of drugs pouring across the border.

Neil, all that video you just saw of those migrants spilling across the border, Mexico allows massive numbers of migrants to just travel through their country and arrive at their northern border with the United States. And that is one of Governor Greg Abbott's biggest frustrations, as he feels AMLO, the Mexicans aren't doing enough to try to stop some of that migration to their northern border.

They feel Texas really needs some help from the Mexican side, and they feel they're not getting that help right now.

CAVUTO: Yes, we have shown and, thanks to you, video after video of how those migrants just move unobstructed through Mexico on their way to our country.

Bill, thank you very much for that, Bill Melugin.

Some good news to share with you, though, at least when it comes to gas prices. They declined for the 27th straight day, as oil prices slipped, not for the reasons you would think. But we thought you would take that for the moment and drive it home.

We'll have more after this.

(COMMERCIAL BREAK)

CAVUTO: You think buying a car is tough day these days, or at least gassing up your car is tough these days, even though that's gotten a little better. Just try fixing your car.

Impossible these days -- after this.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

JAKE SULLIVAN, U.S. NATIONAL SECURITY ADVISER: He intends to use every tool in his toolbox to try to create adequate global energy supplies and to bring the price of gas down for American working families at the pump.

And that will be measured over time. Can we get that price down and can we keep it down? And I don't think it's going to be measured on Friday or Saturday of this week. I think it will be measured over the weeks and months to come.

(END VIDEO CLIP)

CAVUTO: All right, that does seem to be the clearest signal yet from the White House they're going to ask for a little bit of help from Saudi Arabia to open up the spigot more than they already have and help bring down these energy prices.

It's the ultimate irony to my next guest, the American Petroleum Institute CEO, Mike Sommers, who says we have plenty of that stuff here and we don't need to be going hat in hand to them over there.

Mike, it's good to have you back.

But, apparently, that will be part of the strategy to try to get the Saudis to help a little more. What do you make of it?

MIKE SOMMERS, PRESIDENT AND CEO, AMERICAN PETROLEUM INSTITUTE: Well, look, Saudi Arabia is a key energy partner for the world.

And we need absolutely for this country to be working with Saudi to get more production going. What's unfortunate, Neil, is that this country really should be focused on producing here in the United States, not begging foreign regimes for more oil from their countries.

In fact, the American Petroleum Institute, along with a bunch of other organizations, recently wrote a letter to the president begging him to come visit oil and gas infrastructure here in the United States before he goes to Riyadh. We should be asking Midland, Texas, to be producing more, not Riyadh, Saudi Arabia.

CAVUTO: Nevertheless, we are looking at alternatives from pretty much any country but our own. It doesn't look like the administration is easing up on the rhetoric that your industry has not taken advantage of leases, permits it already has. You have heard this argument before. But the administration keeps pounding it.

How do you answer that, that you're sitting on all this money you're making, and an Exxon, that it will come off probably an \$18 billion profit this quarter and saying share the loot?

SOMMERS: Well, I think, as you know, Neil, this industry is investing now to produce more oil and gas here in the United States.

But what -- the real problem that we have right now is really a schizophrenic energy policy from the United States, particularly from the president, who, on one hand, is saying that we need to produce more here. On the other hand, they're saying that this industry shouldn't even be around five years from now.

These are long-term investments that API member companies make every single day. And we're not going to be making these investments unless we have policies that support continued advancement of this industry in the United States.

And the right signal to send to American oil and gas producers now is for the president of the United States to visit Midland, Texas, or the Marcellus Shale in Pennsylvania or North Dakota and emphasize the importance of the investment here in the United States for stable supplies for decades and decades to come.

CAVUTO: In the meantime, what's interesting here, as you know, I think this is 27 straight days where gas prices are declining.

And I am wondering why that is. Now, some cynically could look at it, well, is it because of the economy slowing and so is demand as a result, and it has nothing to do with any of the other stuff you mentioned?

SOMMERS: Well, what you're also seeing is increased supply from the United States. We expect about 800,000 more barrels of oil to come on every single day over the course of this -- just this year alone.

And that's with this administration continuing to work against the industry from a policy perspective. So the industry is responding. We're putting more supplies on the market every single day. And we're going to continue to do that.

(CROSSTALK)

CAVUTO: I'm sorry.

This decline then of 30 cents a gallon, roughly, in that time, you expect that to continue, or will summer demand start heating up and reverse that?

SOMMERS: Well, we need to continue to produce more here in the United States. We also need to get more refining capacity.

Our refineries are actually operating right now at historically high levels to meet the demand of American consumers. We are concerned about economic prospects and increased inflation, and what that could mean and pushing us into a recession, which could mean lower demand for these products.

But American producers are ready to perform. They're ready to produce more for American consumers. But we need the right signals from policymakers now to make these investments for the future.

CAVUTO: All right, Mike, thank you very much, Mike Sommers, the American Petroleum Institute CEO.

Want to get to read all this from Axios reporter extraordinaire Hans Nichols, because, Hans, I was thinking, knowing that we were going to have you on. If you think about the meeting the president will have with the Saudis...

HANS NICHOLS, AXIOS: Yes.

CAVUTO: ... and, of course, his meeting tomorrow with the president of Mexico, those are two tense relationships right there. So this is going to be a stressful week for him, don't you think?

NICHOLS: Yes, but they're important asks that the president is going to make likely in both of those meetings.

We clearly know that he needs more help on the Southern border. And managing that relationship is going to be difficult. He has a close friend of his as ambassador down there, Ken Salazar, a close friend of President Biden's. They served together in the Senate. And then he was, of course, interior secretary, so knows a little bit about the oil markets as well.

So that relationship, in a way, is the one that may be easier to manage.

CAVUTO: I think you're right.

NICHOLS: With the Saudis, it's exceedingly difficult, right, because we all know what the president said during the campaign.

CAVUTO: Bingo.

NICHOLS: He said he would make the regime...

(CROSSTALK)

CAVUTO: And, to that, Hans, if you -- don't want you to interrupt you -- rather than you repeating what he said, which is brilliant, by the way, I want viewers to hear what he said. This is from President Biden, then- candidate Biden.

(BEGIN VIDEO CLIP)

JOE BIDEN, PRESIDENT OF THE UNITED STATES: We are going to, in fact, make them pay the price and make them in fact the pariah that they are. There's very little social redeeming value of the -- in the present government in Saudi Arabia.

We use Saudi Arabia as a rationale why we can't get tougher on them for their violations of international law, the way they treat women, the way they treat their people, that, in fact, we should be speaking out about what constitutes a violation of human rights.

Saudi Arabia, same thing, by the way. They have very little social redeeming value.

I know they are supposedly our ally and all the rest. I'm not saying -- look, there are certain things that we cannot tolerate.

(END VIDEO CLIP)

CAVUTO: You know, Hans, I was thinking, if I said of you, Hans, you have very, very little social redeeming value, I wouldn't forget it, and nor would you, when we would meet again, because, invariably, you meet again, and then they remember those words.

The president, we're told, is going to stress the historic U.S.-Saudi relationship, but it is frayed, is it not?

NICHOLS: Oh, it's absolutely frayed.

And there's not a -- the question is, how do you repair it? They have been working on repairing that relationship. There have been several discreet missions. Brett McGurk has been in the region. You have had other NSC officials, like Jake Sullivan, there talking to the Saudis.

The line from the White House -- and this comes directly from the pen of the president in that Washington Post op-ed -- is that they want to reorient, not rupture, the relationship with the House of Saud, with the kingdom of Saudi Arabia.

The clips you're playing, yes, they're fair. Yes, candidate Biden did say them during the campaign. But a lot of times, rhetoric gets pretty heated during a campaign. It happens with China. It happens with both parties. What you're seeing now is a shift to the realpolitik of what this administration needs.

And this administration needs more and faster oil. And that's one of the reasons why Saudi Arabia is so crucial, is because they're one of few countries...

CAVUTO: But what if the Saudis don't deliver, Hans? What if they don't deliver on that, and they want to see the president sort of crawl a little bit?

NICHOLS: Yes, so far, they are, right?

CAVUTO: Yes.

NICHOLS: You look at the monthly numbers that come out of Vienna, the sort of -- that monitors what OPEC is doing. So far, they are having incremental increases on a month-to-month basis.

Now, whether or not they can get all the way to the capacity that Biden and the rest of the Western world wants, that's an open question, but they are so far doing these slight and -- Mike would be in a better position to sort of adjudicate how crucial they are to the global oil supply.

CAVUTO: Yes.

NICHOLS: But they are moving in that direction. So I think we're seeing that...

(CROSSTALK)

CAVUTO: But I often think, Hans, that it's in their best interest not to be greedy of SOBs, right? OPEC has done that in the past, with oil embargoes that drove Western nations into deep recession, but, ultimately, the entire globe. And that walloped OPEC, to the point where some thought OPEC might not survive that.

NICHOLS: Yes.

CAVUTO: It did, but it must remember, and all the way to Mohammed bin Salman in the Saudi royal family, to say, whatever our controversies, we don't want to go too far with this, right?

NICHOLS: Yes. I think that's absolutely right.

But the Saudis don't have a crystal ball either.

CAVUTO: True.

NICHOLS: They have got a lot of oil, and they have got a lot of oil in the ground, but fine-tuning the price of oil and how much they should leave in the ground, how much they should take to market now to get a historically high price, it's not as high as it was maybe four or five weeks ago, those are difficult economic projections to make.

And they're balancing a lot of long-term competing trends in Saudi Arabia as well, right? They want to make a transition to something that is a little more diversified economy. That's part of the reason why they're in these conversations with other Gulf states, potentially even Israel, on how to have a more dynamic economy in the Middle East.

And, remember, that's the whole -- what they're doing in Jeddah there in Saudi Arabia is going to be largely oil, but the public perception of it, at least what they're talking about, is the need to diversify the economy and to have just more dynamism in Middle Eastern economies.

So, we will see to what extent that is actually officially coming out. But that's what the agenda is. But, Neil, you have been to plenty of these meetings where the official agenda is one thing, and then the real ask and the real conversation is something entirely different.

CAVUTO: Yes, and the proverbial fly on the wall there.

All right, Hans, thank you. Great reporting, as always, my friend.

Hans Nichols following all of that over at Axios.

By the way, you probably heard recently how **Supreme Court** Justice Kavanaugh had to sneak out of a Morton's Steakhouse in Washington, D.C., because of protesters outside.

Now we're told that protesters were so enthused by that, that they're offering bounty on those who go to these restaurants, any of these restaurants, and you spot a justice, let them know. They will pay you. They might even pick up the tab for your meal.

Food for thought. This is nuts.

(COMMERCIAL BREAK)

CAVUTO: All right, remember that episode where we had the **Supreme Court** Justice Brett Kavanaugh forced to escape outside the back of a Morton's restaurant because protesters were gathering outside?

Well, now a lot of these protesters are trying to up the ante a little bit by offering bounties to tipsters for the location odd justices. And that gets to be a sticky wicket, to put it mildly, because now Morton's is dealing with a lot of folks just filing fake online reservations, so hitting their business hard.

The legal fallout from all of this with Jim Trusty, the former Justice Department prosecutor.



Jim, this has gone into a whole 'nother area than just protesting outside a justice's house. This is now involving a legitimate business and the people who pay for that business.

Legally, are they on fair ground?

JAMES TRUSTY, FORMER FEDERAL PROSECUTOR: Well, they're on shaky ground.

I mean, the tricky part here is the people that are putting these bounties out can at least pretend or cling to the illusion that all they're talking about are peaceful First Amendment-compliant protests, and that they're not trying to disrupt the business, intimidate justices or obstruct the administration of justice.

They can at least cling to that. I'm not sure it's particularly persuasive. But that's where it gets back to the attorney general. The very best thing he could do right now, if he cared about protecting **Supreme Court** justices from the mob, would be to put these folks on notice, hey, you do that at your own peril.

If you put out information that says Justice Kavanaugh is at Morton's or Jim Trusty is at Chick-fil-A, whatever it might be, we're going to hold you accountable when things go wrong. If the mob does something that's criminal, you're part of that crime.

That would deter an awful lot of this. But with this attorney general, we're just not seeing that kind of action.

CAVUTO: Yes, I wonder too, because of the people we have heard from, including the husband of the transportation secretary of the United States, who endorsed this view, that's a peaceful protest. Is it?

TRUSTY: Well, you're there's a possibility of arguing or what's called a Hobbs Act violation, that you're actually doing something designed to affect businesses, to obstruct the businesses, to hinder their ability to have customers.

So there's a lot of stuff that's in play here. But, frankly, most of it probably falls into state or county ordinances, state law or county ordinances. And there, again, that's classic stuff, harassment, disturbing the peace, disorderly conduct. There are chargeable offenses on the table, along with this 18-USC-**1507** we have talked about, for going after and trying to intimidate justices out in the community.

So we need some actual courage. We need some actual principled action by either federal or state authorities. We haven't seen much of that yet.

CAVUTO: You know, it could have a chilling effect on business, besides just the fake online reservations, Jim, as you know.

You could think of any business, whether they love Justice Kavanaugh or any of these other justices or not, and saying, would you mind just not coming for dinner, Justice? We just can't deal with what will happen as a result.

So, again, I'm back to, where does this go?

TRUSTY: Yes, good question.

I mean, look, my hope is that somebody finally says it's time to send a message from DOJ. We haven't seen this from Garland at all. But the reality is that 18-USC-**1507** statute is still smack on for the protests at homes. I'd have to look at it. It might actually be usable in the context of these restaurants as well.

Again, the gravamen of the offense is the desire to obstruct justice, to intimidate a justice in the administration of justice. That's not an unusual type of criminal intent. We have that in a series of obstruction statutes. We have had **1507** used as recently as five or six years ago for people that went inside the **Supreme Court** during argument and made protests.

So, right now, what we have had is a political decision not to prosecute people going after these justices, even after an attempted assassination. And, in that political decision, they're now kind of grasping for legal justifications that I don't think are there.

CAVUTO: I just worry where it leads, to your earlier point, right? I mean, if you endanger -- if someone says, oh, I suspect this justice is going to go out a back room or back alley or whatever, all bets are off then.

TRUSTY: There's a lot of room for people, even if their intentions are to stay within the parameters of the First Amendment, to cause chaos, to cause panic, to cause kind of the fog of war moment, where a number of people in a restaurant suddenly see a mob of dozens or hundreds of people.

CAVUTO: Yes.

TRUSTY: And not all those people are going to be acting perfectly politely, I'm sure. So there's a lot of room for bad moments of people trying to escape that scene, people trying to get to that scene to participate.

And there's a lot of innocent folks sitting here having their steak or wherever they are with family that don't deserve any of this, much less the **Supreme Court** justices deserving it.

CAVUTO: Yes, it's wild. At our core, let's be responsible citizens.

Jim Trusty, thank you very, very much.

In the meantime here, we told you about how expensive it is to drive and how expensive it is to get a car, but, man, oh, man, have you seen how expensive it is to get your car fixed, if you can get your car fixed?

Madison Alworth following all of that in Ledgewood, New Jersey -- Madison.

MADISON ALWORTH, FOX NEWS CORRESPONDENT: Neil, yes, we know that it's so expensive to buy used and new cars.

But, like you said, those repairs, they're going to cost you a lot more as well. Coming up, I will tell you what big-ticket items you should be expecting when you come to your auto body shop or auto repair shop and why those prices are increasing.

(COMMERCIAL BREAK)

CAVUTO: Well, you know by now that, if you're shopping for a new car, it's going to take months before you get it, and that's generous. So a lot of people are just dealing with the cars they already have. They're getting older by the week in the month.

But they're having a difficult time getting it fixed, because the prices are outrageous, and the parts oftentimes just aren't there.

Madison Alworth in Ledgewood, New Jersey, has more.

Madison, what's going on here?

ALWORTH: Neil, I mean, you said it.

So, not only are parts increasing. We have seen a 6 percent increase year over year for repairs. Part of the issue is getting your hands on these materials. A perfect sample, catalytic converter. This thing right here last year would have cost a little over \$250. Now, for the shop, it's costing \$450 because it's filled of precious metals.

So it's just hard to even get the materials themselves.

Peyton here is the owner of the shop.

You have been in this industry for over 50 years. This is a catalytic converter, but there's other items that have really jumped in cost. What are those biggest-ticket items that you have seen price jumps with?

PEYTON KNIGHT, OWNER, KNIGHT'S AUTOMOTIVE REPAIR: Well, the biggest ones are tires. Tires are getting -- even daily, weekly. A tire can change from week to week.

The big-ticket items, catalytic converters, engines, transmissions, those are the biggest ones we're seeing.

ALWORTH: So I kind of mentioned, that has precious metals. But what about tires are making them more expensive, the good -- the items that go into these pieces?

KNIGHT: Obviously, tires are petroleum, so based on what's going on, and then the metal.

Where are we getting the supply of metal? How are we building these engines? Where are the manufacturers getting the metal to build these engines?

ALWORTH: So we're seeing cars on the road for longer.

In your shop, are you seeing people come in with older cars, holding on for longer? And how much more are they putting into the cars than they would have pre-pandemic

KNIGHT: Absolutely.

Pre-pandemic, like I said before, \$3,000, \$4,000, that's kind of the fine line. Now it's \$6,000, \$7,000, \$8,000. I had a customer put an engine in a car for \$10,000, \$9,500, which would have been, pre-pandemic, maybe \$4,500.

ALWORTH: So people are working hard to hold on to it longer?

Peyton, thank you so much.

Neil, we see it not just here in New Jersey, but across the West, the average age of a car on the road, 12 years. That's the oldest that we have had cars on the road. Part of it is trying to cost-save. The other part is, like you said, you can't even get your hands on a new or used car if you want to, so people really investing, but, obviously, auto body, auto repair shops, they're not immune to inflation -- Neil.

CAVUTO: The spillover effect is stunning, and as you see it revealed day in and day out.

Thank you very much for that, Madison, very, very much.

There is a flip side, though, to this inflationary environment, at least if you're a saver, at least if you're trying to make more money, and not risk your money, if that's how you view it, in the stock market. Banks, they're seeing rising savings rates and C.D. rates, and they're trying to tease you to join them. Are you in?

After this.

(COMMERCIAL BREAK)

CAVUTO: All right, well, the days of stingy savings rate at your local bank, well, they might be easing, or at least, should I say, improving, not so stingy anymore

A lot of C.D. and savings rates at a number of banks have been moving up. Some of them have these so-called staggered rate schedules, so that if you are worried about committing your money for a long time, when you know the Federal Reserve's going to be raising interest rates, you start out at a 1 or 1.5 percent rate, then it goes up to 2, 2.5 percent, 3, 3.5 You know the drill.

This is unusual, though, because a lot of the big money center banks, the big investment banks, they have been keeping those savings rates very, very paltry. So this could be the beginning of something.

Greg McBride joins us, the chief financial analyst over at Bankrate.com. Greg knows his numbers inside and out, rely on him a lot.

So, Greg, help us with this. Now, a lot of people who save their money -- there's a concept -- they want that relief at a time when those in debt don't like what they're seeing now. Where do you see this going?

GREG MCBRIDE, SENIOR FINANCIAL ANALYST, BANKRATE.COM: The rising interest rate party for savers is really just getting going, yes.

We have seen yields triple from what we had, ultra low levels, at the beginning of the year. But with the Federal Reserve picking up the pace of these rate hikes, Neil, that's going to translate into even further improvement on savings accounts and certificates of deposit.

But, as you noted, not all banks are doing this. So you have to shop around and be looking in the right place.

CAVUTO: Why do the big banks not do it, Greg? Why do they still have rates well under 1 percent, even with the uptick in both market rates and short- term rates, the latter that the Fed does control?

MCBRIDE: When you have market share, you have pricing power.

And so the big banks are already sitting on a mountain of deposits. They're very slow to raise payouts and raise that cost, particularly whenever they have got an imbalance between the deposits they're sitting on and where loan demand currently is.

CAVUTO: So do you think we ever get back to the days -- I can remember this as a kid looking at a prime rate in the 20s, and, all of a sudden you would have C.D. and other rates 15, 16, 18, 20 percent.

Do you think we ever get back there?

MCBRIDE: Let's hope not.

(LAUGHTER)

CAVUTO: Right. Right.

MCBRIDE: Because the scenario where that happens is, inflation is running at 15, 16, 17 percent.

CAVUTO: You're exactly right.

MCBRIDE: So, I think the best thing for savers is the Federal Reserve raises interest rates and we see inflation come down. That's really the win-win for savers, better yields and lower inflation.

CAVUTO: Greg, on these banks, the mid, smaller banks that are offering these so-called staggered or step-up C.D. rates, would you recommend them to people?

I think most of this is driven oftentimes by a lot of people who want to protect what they have, even though the gains are nominal, because it beats what they consider to be a casino and crashing environment in stocks. I mean, for those who want to lock in a three-, four-year, five-year C.D. that has such features, is that wise?

MCBRIDE: I would prefer to stay shorter for now. Invest in a six-month, maybe even a 12-month C.D., give yourself the ability to survey the landscape again six or 12 months from now.

We have looked at these step-up C.D.s in the past, and what we typically see is that to have that flexibility of benefiting from higher rates later, you pay a penalty on the front end in the form of a less competitive gate - - rate right out of the gate.

CAVUTO: In the meantime, the backdrop for this is Social Security, the cost of living adjustment, or COLA, could be significant next year. Some say 10, 11 percent. The ink isn't dry on what that might be.

But it would hearken back to what it was back in 1980. So there's a flip side for those who need some relief on Social Security too, right?

MCBRIDE: Yes, and that's kind of like what we were saying with the savings rates going up. What you need on the other side of that coin is inflation to come down.

So if the COLA goes up by double digits, that really only starts to benefit retirees if we start to see inflation ease, because that's -- that -- and it translates into additional buying power. But if we're just chasing inflation higher, it's still not a winning combination.

CAVUTO: Yes, that's well put. A lot of people are focusing on the 5 or 6 percent wage gains year over year, and not then looking at the 8 or 9 percent, 10 percent, some say, inflation advance that wipes out all of those gains and then some, right?

MCBRIDE: That's exactly it.

And so there's kind of this sweet spot, where the Fed raises interest rates to a point, we start to see inflation come down, and at the point where the Fed's about the stop raising rates and we're seeing inflation come down, that's probably your opportune time to lock in those multiyear C.D.s., the three-year, four-year, five-year returns.

CAVUTO: Got it.

Greg McBride, thank you very much, the chief financial analyst over at Bankrate.com.

Very, very quickly, I want to pass along a Utah judge just blocking the state's sweeping new anti-abortion ban. So what would have been some of the more strict abortion bans in the United States, this judge is saying, hold off for a while. Got to assess some things, so many things.

Here comes "THE FIVE."

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

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**NewsRoom**

## NewsRoom

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Interview With Washington Senatorial Candidate Tiffany Smiley; Interview  
With Sen. Mike Lee (R-UT); Interview With Peter Schweizer; Interview Wit...

Interview With Washington Senatorial Candidate Tiffany Smiley; Interview With Sen. Mike Lee (R-UT); Interview With Peter Schweizer; Interview With Rep. Lee Zeldin (R-NY)

JASON CHAFFETZ, FOX NEWS ANCHOR: Good morning. Welcome to "Sunday Morning Futures." I'm Jason Chaffetz, in for Maria Bartiromo.

Coming up this July 4 weekend: Life, liberty and the liberal world order? At least according to President Biden's economic adviser, Brian Deese, who appeared on CNN Thursday to address soaring gas prices.

(BEGIN VIDEO CLIP)

VICTOR BLACKWELL, CNN HOST: What do you say to those families who say, listen, we can't afford to pay \$4.85 a gallon for months, if not years; this is just not sustainable?

BRIAN DEESE, DIRECTOR, NATIONAL ECONOMIC COUNCIL: Well, what you heard from the president today was a clear articulation of the stakes. This is about the future of the liberal world order, and we have to stand firm.

(END VIDEO CLIP)

CHAFFETZ: Remember last year, when the White House highlighted a 16-cent discount for your Fourth of July? Not this year

Gas is up. Interest rates are up. Food is up. In fact, it's pretty hard to find anything that isn't more expensive than it was one year ago, this as the **Supreme Court** capped off historic sessions, with some of the most consequential rulings we have ever seen.

Coming up, Senator Mike Lee from Utah, who clerked for Justice Samuel Alito on the High Court's EPA decision and why it's as impactful as anything they have ever ruled on.

Plus: America's crime crisis, with a violent weekend that started this holiday, three police officers and a canine shot dead in Kentucky, two people fatally shot and three officers wounded in Texas. In Chicago. 22 people were shot, including four fatally, in the span of just 20 hours. And crime is up 38 percent in New York City.



Lee Zeldin, who's running for governor in New York, the epicenter of the crime wave, on the movement to defund the police and put prisoners back on the streets.

Then, Joe Biden in his own voice talking about his family's overseas business deals.

(BEGIN VIDEO CLIP)

PETER DOOCY, FOX NEWS WHITE HOUSE CORRESPONDENT: Mr. Vice President, how many times have you ever spoken to your son about his overseas business dealings?

JOE BIDEN, PRESIDENT OF THE UNITED STATES: I have never spoken to my son about his overseas business dealings.

I have never discussed with my son or my brother or anyone else anything having to do with their businesses, period.

(END VIDEO CLIP)

CHAFFETZ: Coming up, Peter Schweizer on the newly revealed 2018 voice-mail message from Joe to his son Hunter that not only seems to show Joe did talk shop with his son Hunter, but links them to Chinese intelligence. Does that jeopardize our national security?

Then: the changing face of the Republican Party, with a new report that more than one million Americans switched to the Republican Party just last year. U.S. Senate candidate Tiffany Smiley from Washington state on her tossup race against Senator Patty Murray and the kitchen table issues voters are dealing with as she gains ground in a state Joe Biden won by 20 points less than two years ago.

All that right here, right now on "Sunday Morning Futures."

But, first, the **Supreme Court** delivered a major blow to Joe Biden's clean energy agenda on Thursday, reining in the EPA authority to create government policy without congressional approval.

Here to react is Senator Mike Lee, who won Utah's GOP primary race on Tuesday and will compete for his third Senate term in November.

Congratulations on a very convincing victory this week.

Senator, you clerked for Justice Samuel Alito, and your father was solicitor general for President Ronald Reagan. You're also on the Senate Judiciary and Energy Committee. So, I want to talk and get your thoughts about the **Supreme Court** EPA decision. It really is impactful.

This is as important a conclusion as any the court has made. What does this decision mean and the Green New Deal agenda that the Democrats have put into place?

SEN. MIKE LEE (R-UT): Well, the **Supreme Court** concluded that Section 111(d) of the Clean Air Act can't reasonably be interpreted to give the Clean Power Plan of the Biden administration a full berth.

And so, look, liberals are freaking out about it. Chuck Schumer is complaining about it. They're talking as though the sky is falling. Really, all the court did was to say that, on certain questions, questions that are very significant, such that we call them major questions, you have to have a clear statement by Congress.

Courts -- the courts not going to just read into what Congress has said an intent to allow the EPA to fundamentally remake the American economy.

CHAFFETZ: Yes, I find it interesting that here you have Senator Schumer and the likes of Alexandria Ocasio-Cortez complaining about this decision, saying that the whole world's going to fall apart, when all it did was give more power to Congress.

LEE: Right.

CHAFFETZ: Here's Senator Schumer: "First on gun safety, then on abortion, and now on the environment, this MAGA, regressive, extremist **Supreme Court** is intent on setting America back decades, if not centuries."

He continued to go on and say: "The decades-long fight to protect citizens from corporate abuses is being wiped out in a single case by extremist MAGA judges."

And Alexandria Ocasio-Cortez, who's obviously not going to be outdone on this, she tweeted: "Catastrophic. A filibuster carve-out is not enough. We need to reform or do away with the whole thing for the sake of the planet."

It doesn't get any more dramatic than that, Senator.

LEE: Jason, this begs the question, why do they hate democracy? Why do they hate allowing people to elect their own representatives to make laws? And that's really what we're dealing with here.

All they're saying is, Congress has the power, if it wants to do things like this, to authorize them. Congress hasn't done that. Congress must do that if it wants the government to act in this way.

What is so offensive to them about the idea of having laws enacted by lawmakers who are elected by the people? It's as though they hate the democratic process itself.

CHAFFETZ: Yes, it's so curious that Congress usually applauds the court when Congress gets more authority, but, in this case, they don't.

Senator, you wrote one of the more timely books. I can't believe the timing of this. It's a book called "Saving Nine." It's been wildly successful, but you authored this book. And the idea that -- of "Saving Nine" is, you have the people like AOC and Senator Markey from Massachusetts, Elizabeth Warren, others that are out there saying, look, the only way to do this is to change the court, to pack the court.

Transportation Secretary Buttigieg has advocated this. You hear a drumbeat from the left. Why is this so dangerous? And is it really still in motion?

LEE: You know, I decided to write "Saving Nine" over a year ago, because I could see this coming. I knew what would happen.

And I tell the story in "Saving Nine" of what happened the last time court- packing was attempted by President Biden's role model and hero, President Franklin D. Roosevelt. I tell the story about how much damage it inflicted on the American system of government and on the Constitution itself, even though the plan itself failed.

It is really wrong for them to try to tinker with the independence of the federal judiciary. As I explain in "Saving Nine," the Constitution doesn't work unless you have an independent federal judiciary. And the **Supreme Court** is pinnacle to that.

That's why they want to get rid of it. That's why they want to expand it. They want to expand it so they can make it a political organ. And, as I explain in "Saving Nine," that would be disastrous.

CHAFFETZ: Well, not only do they need to save the nine, but they also need to protect the nine.

I mean, the footage that we're seeing outside these **Supreme Court** justices' homes, with their families, their loved ones, their spouse, and the justices themselves, this is against the federal law, is it not? Why is the law not being enforced?

LEE: 18-USC Section **1507** couldn't be any clearer on this point.

When you show up at the residence of a **Supreme Court** justice in order to demonstrate, picket, parade, or otherwise do the things that these people are doing, you have committed a federal crime. It is beyond my ability to understand why it is that Merrick Garland and his Department of Justice haven't investigated and prosecuted these crimes.

And I hereby call on them to do so. If they're unwilling to do this, they're really imperiling our entire system of government. They need to be held accountable.

CHAFFETZ: You know, the U.S. Marshal for the **Supreme Court** has sent a letter to the states of Virginia and Maryland asking them to pay attention to this and enforce the law.

But this is really -- it's a federal statute. And there you have federal officers watching this go on. And it is a crime.

LEE: That's right. It is a crime.

And it's telling here that you have got this request being made by a federal official to state officials. Now, I know that Maryland may have such a law. I know that Virginia does have a law analogous to 18-USC Section **1507**.

But it's strange that a federal official would have to ask a state official to go and enforce a state law where he could easily make the same request of federal officials. He just knows that that law is not going to be enforced. That's tragic.

CHAFFETZ: All right, let's transition to one of the rulings that happened, one of the places where the Democrats scored a victory, which was the remain-in-Mexico policy.

I know you were very involved in the communication and the negotiation and the ultimate policy that President Trump put into place, a policy that was working, by the way. Now it's gotten reversed.

What's going to happen? How do you see this playing out?

LEE: It's too bad.

Look, this was a policy that helped us make our Southern border secure for the first time in a long time. It was also, moreover, for reasons explained by my former boss Justice Alito in his dissenting opinion, more or less required by existing law.

The Immigration and Nationality Act had already required a number of steps tantamount to what they did in remain-in-Mexico. So I see this as an unfortunate misstep by the court, a missed opportunity to help strengthen our border. And I fear that it could further empower the drug cartels making billions of dollars off of smuggling people into the United States.

CHAFFETZ: Well, I got to tell you, for Joe Biden to be in office as long as he has, have never -- having never been to the Southern border, and Kamala Harris, who is supposedly the border czar, to come out and lash out against this is just shameful.

And you know what? Why aren't we listening to the Border Patrol agents? That -- the Border Patrol agents are the ones putting their lives on the line every day, and yet they won't even take a meeting with them.

Senator Mike Lee, I wish we had more time. Thank you for joining us on "Sunday Morning Futures." Appreciate it.

LEE: Thank you, Jason.

CHAFFETZ: All right, coming up -- coming up: the crime wave sweeping the country. We lost three officers and a canine in a shoot-out in Kentucky on Thursday, while crime in New York City is up 38 percent.

Congressman Lee Zeldin, who's running for governor of New York, on the bad policies that are resulting in very bad outcomes -- after this.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

REP. JIM JORDAN (R-OH): We went from a secure border to chaos. We went from energy independence to the president begging Iran, OPEC and Venezuela to increase production.

We went from safe streets to record levels of crime in every major urban area.

MARIA BARTIROMO, FOX NEWS ANCHOR: Yes.

JORDAN: And we went from stable prices to a 41-year high inflation rate. And I haven't even gotten into foreign policy or the attacks on our First Amendment, and, of course, last week, the attacks on our Second Amendment rights.

BARTIROMO: Yes.

JORDAN: So, there's a reason Maria, more than seven out of 10 of our fellow citizens think the country is on the wrong track.

BARTIROMO: Yes.

JORDAN: It's -- they think that because it's true. They understand this great country is in a terrible situation because of Joe Biden and their policies.

(END VIDEO CLIP)

CHAFFETZ: That was Ohio Congressman Jim Jordan on the program last month on why he expects a red wave this November, with 85 percent of Americans now saying that the country is on the wrong track and Biden's approval rating at an all-time low of 39 percent.

Joining me right now is New York Congressman Lee Zeldin. He's a member of the Foreign Affairs and Financial Services committees. He's also running for governor of New York.

Congressman, it's great to see you. Congratulations on winning a very decisive victory in your primary race Tuesday. Thanks for joining us.

I had the honor and privilege of serving with you in the Congress, I have seen you up close and personal. And congratulations on that victory.

But when you first got into it, you were going to go up against Andrew Cuomo. And you're a Republican. But things have changed, and they're certainly going your direction. Why is it that you got into this race? And what is it about Governor Hochul that you think is so imperative that New Yorkers make a change?

REP. LEE ZELDIN (R-NY): Well, similarly to that clip you were just playing of Jim Jordan talking about what's happening nationally, we see it in New York, where we have one-party Democrat rule taking our state in the wrong direction.

And I really feel like we have to save our state. We lead the entire country in population loss. People are heading to states elsewhere because they feel like their money will go further, they will feel safer, that life can be lived freer.

So I'm all -- I'm all in. And I feel like New Yorkers of all walks of life, of different political parties, different counties and regions of the state, they all feel like crime and public safety and the economy especially, those two issues above all else, are really taking this state in the wrong direction.

And a lot of average New Yorkers, kind of like how we see a lot of average Americans viewing the Biden administration, they feel like change has to come this November in this what feels like battle for the heart and soul of our country and our states.

CHAFFETZ: By a margin of more than 300 percent, or three times, I should say, New Yorkers are saying inflation is their biggest concern.

Recent polling says that inflation is the biggest issue. What can you do as governor to help tackle inflation and give some -- and alleviate some of the pain that New Yorkers are going through, just like they are through the rest of the country?

ZELDIN: It's actually pretty simple.

We have to bring spending under control in this state. We have seen tens of billions of dollars added to the annual spending over the course of the last few years. We have to cut taxes across the board. And we have to reverse the state's ban on the safe extraction of natural gas.

We sit on the Marcellus and Utica shales in places like the Southern Tier of New York, that part of the state that borders Pennsylvania. They want to be able to tap into this resource. We could be exporting not to just other states. We could be exporting energy to other countries. We could create jobs and generate revenue and revitalize communities.

We can help pay for what is a plan for the largest tax cut in the history of the state. All of this can help relieve this economic pressure.

CHAFFETZ: Yes, it's interesting, because if you look at the -- what the state of New York did, they tried to suspend their gas tax. But as we look at the graphic here, the gas tax, once it was suspended, the price of gas there in New York, it didn't go down.

So here we have a month under the belt to look at this, and it's essentially the same. But, compared to a year ago, it's obviously up quite significantly.

ZELDIN: Yes.

No, partial gas tax suspension was just one component of what was being discussed. When we're talking about reversing the state's ban on the safe extraction of natural gas, that taps more into the long-term solution. I believe that we need to approve

new pipeline applications. There are a bunch of applications sitting in the state capitol in Albany being delayed, denied that instead should be getting approved.

Now, with one-party Democrat rule -- and AOC has gotten a bunch of her friends elected to the state legislature -- they have outsized power. They self-described as socialists. They want to be able to get a new bill passed that would ban all gas hookups on new construction statewide.

So, the contrast in this fork in the road couldn't possibly be any clearer. The opportunity is there. I mean, as you were playing that one clip earlier from Jim Jordan, as you look at energy policy and the economic pressures and the opportunity and the foreign policy, the average American, when they see Russia cutting -- the Russian oil imports being cut off, they don't want to see the U.S. government running off to Iran and Venezuela.

They say, hey, let's ramp up domestic energy production. Let's become energy-independent again.

CHAFFETZ: Yes.

ZELDIN: And that's definitely a mood in New York too.

CHAFFETZ: All right, Congressman Zeldin, stay with us, because, after the break, I want to talk to you about your plan to lure New Yorkers who fled during the pandemic back to the Empire State.

Plus, you served on active duty in Iraq, and I want to hear about your message to Americans this July 4 weekend, as every branch of the military struggles to meet its recruiting goals.

More with Congressman Lee Zeldin right ahead.

(COMMERCIAL BREAK)

CHAFFETZ: We're back with Congressman Lee Zeldin, who's running for governor in New York.

Lee Zeldin, thank you so much for joining us.

Crime is a huge issue. Look at this graphic here. The crime across the country is a problem, but leading the way is New York City. It's unbelievable how much crime is up. I mean, look at, in New York City, transit crime up 54 percent, for instance.

As governor, what can you do to fight crime?

ZELDIN: The first thing I'm going to do right after I'm sworn into office is use my constitutional authority to fire a DA who refuses to enforce law. His name is Alvin Bragg. That will be the first thing I do on day one.

We need to repeal cashless bail in this state. I put a couple of dozen or so proposals on my Web site, [ZeldinforNewYork.com/secureourstreets](http://ZeldinforNewYork.com/secureourstreets). We have people getting released early onto the streets who should remain behind bars. We're seeing correctional officers being assaulted with the implementation of the HALT Act that should be repealed.

We should pass a law enforcement bill of rights. There's a lot to do. We know how to secure our streets. We have to make sure that we end one-party rule to get this done.

CHAFFETZ: Crime is one issue. People aren't going to move to New York and be in New York with the crime as bad as it is.

But it's estimated some 300,000 people have fled New York City since the pandemic. What's your plan to make the Empire State more attractive and actually have people actually stay in the state of New York?

ZELDIN: I feel like it's important to make life in New York more affordable, to make the streets and the subways and homes and businesses all safer.

We should improve the quality of education inside of our schools. A lot of kids stuck in poor-performing public schools, they should have access to a better-quality education. And respect freedom. Right now, you have Kathy Hochul calling on New Yorkers to be her apostles. She's restricting individual liberty.

She believes that public service is about being served by the public. I believe that public service is about serving the public. So I feel like New York can head in a better direction in order to keep these New Yorkers here, but not with the direction we're heading right now.

CHAFFETZ: Well, you have given a -- I bet most people don't know this about you, but you have given them some service in your life. You serve as a lieutenant colonel in the Army Reserves. You served in Iraq.

We're going into Fourth of July. And it's time to reflect and thank America and salute the flag. What's your message to Americans and New Yorkers about this Fourth of July weekend?

ZELDIN: We live in the greatest country in the history of the world. And, sometimes, we take our freedoms for granted. It seems like many people in government do.

We have this Constitution that should be preserved, protected and defended. While we are gathering on this Fourth of July weekend, there are men and women who all across this country and across this world are willing to lay down their lives in defense of us, our flag, our freedom, our community, and our country.

So thank God for the generations of men and women who have stood up to serve, willing to sacrifice it all to protect what is the most exceptional country that this globe will ever see. It's something for all of us to be very proud of. Freedom is something for us to treasure and protect. Many are willing to die for it.

CHAFFETZ: Yes, it's -- we're going to talk about this a little bit later with Tiffany Smiley, but it's kind of disgusting the way some people are treating the Fourth of July and the flag.

There are an untold number of people who are overseas serving our country right now. I mean, God bless them and God bless the United States.

Congressman, thank you for your service in the military. And we do appreciate you joining us here. Good luck, and good luck in your race.

ZELDIN: Thanks, Jason.

CHAFFETZ: All right, coming up: compromised by China.

Peter Schweizer is here with breaking news on what a leaked 2018 voice-mail from Joe Biden to his son Hunter reveals about his family's ties to Chinese intelligence.

Why this is a matter of national security -- after this.

(COMMERCIAL BREAK)

(BEGIN AUDIO CLIP)

BIDEN: Hey pal, it's Dad. It's 8:15 on Wednesday night.

If you get a chance, give me a call, nothing urgent. I just wanted to talk to you. I thought the article released online, that's going to be printed tomorrow in The Times was good. I think you're clear.

(END AUDIO CLIP)

CHAFFETZ: You just heard a newly revealed 2018 voice-mail message from Joe Biden to his son Hunter that appears to contradict the president's claim that he never discussed his son's international business dealings with him.

The New York Times report he was referring to was published in December 2018 and spotlighted Hunter's dealings with the Chinese oil company CEFC, which we now know, thanks to Senators Ron Johnson and Chuck Grassley, wired Hunter \$5 million.

Peter Schweizer has been exposing Joe Biden's China ties for years. He is the co-host of "The Drill Down" podcast. And he's also the author of the bestselling book "Red-Handed: How American Elites Get Rich Helping China Win."

Peter, good morning. Thanks for joining us on "Sunday Morning Futures."

No one knows more about the Biden family business than you do. I have had the pleasure of working with you at the Government Accountability Institute, where I'm a distinguished fellow. Thanks for joining us on "Sunday Morning Futures," as I said.

I got to tell you, when I listened to voice-mail -- and I have listened to it a few times -- it's pretty clear that they had a discussion prior to that voice-mail. What's your thought?

PETER SCHWEIZER, AUTHOR, "RED-HANDED: HOW AMERICAN ELITES GET RICH HELPING CHINA WIN": Yes, you're exactly right.

And this is just further evidence of what we have known, based what's on the laptop, what is based on other reporting, and that is that Joe Biden and Hunter Biden were talking regularly about his foreign deals.

And when Joe Biden has said repeatedly, both as president and as a candidate, that he never discussed his foreign dealings with his family, that he's lying. There's no other word for it.

And here's the thing, Jason. I mean, we need to put this into relief contrast when it comes to the Bidens dealing with China. What we have seen in the last 18 months during the Biden administration is retreat by 1,000 small steps when it comes to American policy towards China.

You basically now have the administration saying that it's going to be OK for Americans to own shares in companies that are blacklisted, Chinese military-linked companies. That's a policy reversal. You had them get rid of the China Initiative at the Department of Justice to crack down on Chinese acquisition of American technology.

You have them getting rid of tariffs on solar panels. China, of course, produces 80 percent in the world. You have them talking about getting rid of tariffs in general on China. You can look at their treatment of the company Huawei and TikTok, the reversals in those areas.



I can go on and on. The bottom line and the most stunning thing, Jason, is, all of those retreats by the Biden administration on China, they receive zero concessions in return. These were all giveaways to Beijing.

And so we have to have an honest conversation in this country. Does the flow of Chinese money to the Biden family, tens of millions of dollars, influence American foreign policy? We see news articles all the time, Jason, about big tech and big oil and Wall Street influencing the legislative process. Why shouldn't we have that conversation about Chinese money flowing to the Bidens?

CHAFFETZ: So, going back to the CEFC and the discussion which prompted the president to leave this voice-mail message for Hunter -- and why he saved this on his on his laptop, I don't know.

(LAUGHTER)

CHAFFETZ: But the CEFC, that wasn't just a discussion with local businessmen in China. They have got some real interesting ties, don't they?

SCHWEIZER: Yes, that's exactly right. And that's what really makes this more troubling than just normal, typical overseas business dealings.

CEFC is -- was run by a gentleman named Chairman Ye. He had links to Chinese intelligence. His company was located in an area of Beijing that was owned by the Chinese military. The precursor to CEFC was started by military authors with the Chinese military general staff.

And you look at the other deals that they did. There's a series of deals, basically four deals, that the Bidens received money from in China. Each and every one of those four businessman, Chairman Ye being one of them, have links to the highest levels of Chinese intelligence.

And in none of these cases, Jason, did the Bidens perform any legitimate business service. They don't bring any capital to these deals. They don't bring any expertise. They don't bring anything. So that's really why you have to look at these deals and understand what's going on here and juxtapose it with the policies that we are now getting from the Biden White House.

CHAFFETZ: You know, if you look at the world map, and you look at where Hunter Biden and the Hunter Biden family were trying to do business, I mean, it's everywhere from China, to Mexico, to the UAE, to Ukraine, to Russia, to Qatar, to -- I mean, look at that map.

(LAUGHTER)

CHAFFETZ: I mean, this is where Hunter Biden is out there either doing business or trying to do business while his dad was vice president of the United States.

SCHWEIZER: Yes, you're right, Jason. It's a veritable United Nations of corruption. It spans the globe.

Here's the thing, Jason. When you look at that map, notice who is not highlighted on that country, Great Britain, Germany, Japan, countries that have economic and business cultures that lack corruption or minimize corruption. Each and every place that Hunter Biden was looking to do business has a corporate climate that is highly corrupt, that is also very curious, and has very major initiatives that they want accomplished in Washington, D.C., with our government leaders, namely, Joe Biden.

And that's the bottom line. Look at the timing of the deals in Ukraine and China, for example, Jason. In both of those cases, the deals happened shortly after Joe Biden, as vice president to Barack Obama, was literally appointed the point person on U.S. policy to those countries.

Barack Obama comes out with a statement and says, Joe Biden is our point person China policy, and, within a matter of a couple of months, Hunter Biden is collecting major deals from Chinese businessmen.

Same thing in Ukraine. In 2014, Vladimir Putin invades Ukraine. Barack Obama appoints Joe Biden his point person on policy towards Ukraine. Within four weeks, Hunter Biden signs up with Burisma, the corrupt energy company, and starts banking a million dollars a year in fees. I mean, it's so blatant, it's so there.

And the lack of curiosity by the mainstream media, the lack of interest in this is astonishing.

CHAFFETZ: And not only was he just doing business, but he's accompanying, Hunter Biden is accompanying his dad on Air Force Two.

And at one point -- this one really bothers me -- going into Mexico, I believe his name is Jeff Cooper, who was an associate of Hunter Biden, is also on Air Fore Two to go try to close the deal in Mexico.

I have to -- I have to go. I have to move on. But it is absolutely stunning.

One other very quick comment that I need to ask you about is, there is a lot of talk about the cognitive decline of Joe Biden. I don't want to put it up as just ageism. I think it is cognitive decline. And then we also have policies that aren't going in place.

It's stunning to me that this administration, not even a year-and-a-half into its term, is already talking about bringing on somebody else to be the nominee.

SCHWEIZER: Yes. And I think the sharks are circling. I think you have got Gavin Newsom in California. You have got Hillary Clinton talking about running.

Look, all you have to do in my mind is look back at Joe Biden 10 years ago, when he was vice president or when he was a senator. I mean, you may agree or disagree with his policies, but he was very dynamic. He was generally very articulate, did very well in debates. That's not the case anymore.

And I think you have to have an honest conversation. I think also Democrats are looking at the fact that his poll numbers are so low that this represents a catastrophe for the larger party. So I will be stunned if we don't see Gavin Newsom and/or Hillary Clinton and others challenge him, the same way that Jimmy Carter was challenged in 1980 by Ted Kennedy.

CHAFFETZ: Yes, and I also do think it's time for a special counsel to come into place with Hunter Biden. I think there are some -- in my world, my view, some puppeteers out there, Jill Biden, Ron Klain, Susan Rice, Brian Deese.

These are people behind the scenes pulling the trigger. But you know what? The dealings overseas that we talked about with Hunter Biden, they demand a special counsel. That's just my opinion.

Peter Schweizer, thank you so much for joining us today on "Sunday Morning Futures." And I really do appreciate it.

All right, coming up: the Republican candidate...

SCHWEIZER: Always great to see you.

CHAFFETZ: Thank you.

The Republican candidate whose Senate race in deep blue Washington state is now being called a tossup that could decide the majority in November.

Tiffany Smiley on the bread-and-butter issues that everyday Americans care most about heading into November -- when we come back.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

MONICA DE LA CRUZ (R), TEXAS CONGRESSIONAL CANDIDATE: The American families are worried about how they're going to put food on the table, gas.

They're worried about the economy, their children. You layer all these things on top of each other, and I would say that all of South Texas and Americans across this nation are just going to say no more in November.

And we are going to see a massive walkaway movement from the Democrat Party to the Republican Party because of this.

(END VIDEO CLIP)

CHAFFETZ: That was Texas congressional candidate Monica De La Cruz on the program last Sunday discussing the political shift taking place across America, as a new report by the Associated Press shows that more than one million Americans switched to the Republican Party last year.

My next guest embodies this changing face of the GOP and is narrowing the gap in her Senate race in Washington state, which is now actually being called a tossup.

Tiffany Smiley is a former triage nurse, a mother of three and whose husband, Scotty, became the first blind active-duty officer in U.S. military history after he lost his eyesight from a suicide bombing in Iraq.

Tiffany joins me this morning in the state of Washington.

Thanks for joining us on "Sunday Morning Futures."

All right, Tiffany, what -- where did you get the audacity to think that you could take on a 30-year incumbent Democrat out of the state of Washington? What made you wake up and say: "Hey, Scotty, I got a good idea. I'm going to run for the United States Senate, and I'm going to win this race"?

(LAUGHTER)

TIFFANY SMILEY (R), WASHINGTON SENATORIAL CANDIDATE: Well, really, our battle started 17 years ago.

Our family faced bad policy. When I was 23 years old, I walked into Scotty's hospital room at Walter Reed Army Medical Center. And he was in a coma. There was tubes coming out of every orifice of his body. And one thing was certain is, he would never, ever see again. That suicide bomber took his eyes.

But he did not -- that suicide bomber did not take our family's fight. And it did not take away service over self. We believe in this country. We believe our service meant something, Scotty's service meant something. And we will never, ever stop fighting and standing up for what's right.

As a nurse, I took a holistic approach to Scotty's well-being, his healing, his health, everything he needed to get back on track. And, look, we -- all we wanted was a hand up, not a handout. So I remember going to Capitol Hill at a young age, and I would take meetings with anyone who would take a meeting with me, because, once Scotty was well, I was going to fight for everyone else.

So our family -- I want Washington families to open their door and experience life, liberty and the pursuit of happiness. I want them to know that there's a hand up for them in this state and in this country. So that's why our family is in this fight.

We're in this fight because it's the right thing to do. It's service over self. And we will never stop serving this amazing country.

CHAFFETZ: So you have demonstrated your service to the country, to your husband, to your family.

But, in the state of Washington, the people of Washington, it's pretty diverse, right? You got Seattle. You got Spokane. They're very different.

SMILEY: It is.

CHAFFETZ: So, how in the world -- what is your message that is going to differentiate from Patty Murray, who's been there for 30 years?

SMILEY: Yes, I was 11 years old here in Washington state when Patty Murray was first elected.

And I should be able to say that we're better off here, but we're not. Joe Biden was here in April. And he said: Hi, I'm Joe Biden, and I work for Patty Murray. She is the boss.

And, look, voters hear that and then they go to the grocery store with empty shelves. They're driving around at some with the highest gas prices in the country, inflation through the roof. We have a fentanyl crisis here. We have a formula shortage. Parents are trying to figure out how to feed their babies right here in Washington state.

That's how I know we will win, because these are Democrat or Republican issues. These are American issues. And Washington voters, they want hope. Right now, there is no end in sight. There's no solution. Patty Murray is good at throwing money and not rolling up her sleeves and delivering results.

Washington families are suffering every single day in this state. I know we can win, because I'm out talking with voters every single day. The energy, the momentum behind us is real. I'm a first-time candidate. I'm a political outsider. Our family's doing this in service to our country. And our message is resonating across the state.

I have over 35,000 unique donors who have joined our campaign. We have knocked over 200,000 doors here in Washington state. I have over 2,000 volunteers who are already signed up and joining the movement. And I encourage anyone, if you want to join us in this fight, this isn't just about Washington state.

This is about our country. And if you want to hold Joe Biden and Patty Murray accountable for their failed policies, join us at SmileyforWashington.com. We are creating a movement that will send a shockwave from Washington state all the way to Washington, D.C.

I know we can win because this is the campaign for the people.

CHAFFETZ: Well, we know the Democrats are scared, because they have spent some \$5 million raining down on your head. They're obviously very scared of something.

SMILEY: Yes.

CHAFFETZ: And to have a credible pollster say that your race is a tossup is significant.

Stay with us.

SMILEY: Yes.

CHAFFETZ: I want to keep chatting with you, because I want to talk about your husband, Scotty.

SMILEY: OK.

CHAFFETZ: He's a Bronze Star and Purple Heart recipient.

SMILEY: Yes.

CHAFFETZ: He's also the Army's first blind active-duty officer.

And, after this, I want to discuss what July 4 means to you and your family, with some Democrats threatening to boycott the holiday over the **Supreme Court's** decision on Roe v. Wade.

More with Tiffany Smiley right after this.

(COMMERCIAL BREAK)

CHAFFETZ: We're back with Tiffany Smiley. She's a candidate for the United States Senate from the great state of Washington.

It's Fourth of July weekend. You and your family have sacrificed a lot from this country. But share with others the story of Scotty and what he went through and what this country means to him, to you and to your boys.

SMILEY: Yes, thank you, Jason.

For me and Scotty, we want to know, in 10, 20 years, that our three amazing boys, who were all born in different cities across the United States, that they have a country worth losing their eyesight for. And that's why we're in this fight.

Scotty lost his eyesight negotiating with a suicide car bomb in Iraq in service to our country. But our family will never stop. We will never stop standing up for what's right. Scotty is also very much so a part of this campaign and our efforts here in Washington state to get Washington back on track.

So it's team Smiley. And we would love anyone to join us at team Smiley to stand up for what's right and get our country onto -- on the right track.

CHAFFETZ: They're having trouble recruiting people. The recruiting levels for our United States military are down.

SMILEY: Yes.

CHAFFETZ: What do you say to those young men and women who want to join the service or are thinking about joining the service?

SMILEY: Yes, we need people in our country to serve.

We are great because of those who so selflessly serve and sacrifice for our country. Freedom is not free. So, it starts in the home. We need families who are willing to sacrifice. We need families who talk about how great this country is, the freedoms, the opportunity, where you can get a hand up, not a handout.

And I love JFK's quote: "Ask not what your country can do for you. Ask what you can do for your country."

And so we need more families sharing that across this country. And let's remember that we are the greatest country in the world. And I look forward to ensuring that, our men and women, that we have a robust military, that we're actively recruiting, and that most kids, when they grow up, they want to serve this country.

CHAFFETZ: I have only got about 20 seconds.

But when you and your husband see the flag of the United States of America, what runs through your mind?

SMILEY: Freedom and sacrifice.

And we will never stop standing up for the national anthem. We will never stop teaching our boys why this country is great. It is a country worth serving and sacrificing for. We are honored and blessed to be in this great country. And I hope everyone across America celebrates this weekend. And remember that freedom is not free.

CHAFFETZ: Well, you have done an amazing thing. You and your family have sacrificed a lot for this country.

Good luck in your race. Tiffany Smiley, thanks for joining us.

Well, that does it for "Sunday Morning Futures." I wish we had more time.

But thanks to Maria Bartiromo for allowing me to sit in this seat. It's an honor and a privilege. A lot of people want to do it. Not many people get to, so thanks to Maria.

Join us again today at 3:00 Eastern right here on FOX News.

Have a wonderful Fourth of July holiday.

END

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June 28, 2022

### Sen. Grassley Seeks FBI Briefing on Pro-Abortion Extremism

WASHINGTON, June 28 -- Sen. Charles E. Grassley, R-Iowa, issued the following news release and letter:

Judiciary Committee Ranking Member Chuck Grassley (R-Iowa) is seeking briefing on FBI's response to outbursts of riots and violence by pro-abortion extremists following the U.S. **Supreme Court's** ruling in Dobbs v. Jackson Women's Health Organization. In a letter to FBI Director Chris Wray, Grassley warned that unchecked violence could spiral into widespread unrest akin to the summer of 2020, in which the FBI opened over 800 domestic terrorism cases.

"There have been at least 40 violent attacks on crisis pregnancy centers, religious institutions, and other pro-life entities since the Dobbs leak and before the Court even issued its final opinion. This violence continues to cause injury, damage to property, and interruption of constitutionally protected worship services all across the nation. In fact, it substantially accelerated last weekend, after the opinion was issued," Grassley wrote.

"Our law enforcement officers are obliged to duly enforce the laws of our country - not just those that are politically suitable to the current administration. I will remain steadfast in ensuring that the law is being enforced equally across the ideological spectrum. Current threats from abortion extremists are impending, serious, and dangerous," Grassley continued.

Grassley's letter cites threats and violence linked to pro-abortion groups Jane's Revenge and Ruth Sent Us, and describes protests where demonstrators in black attire commonly worn by Antifa threw smoke bombs and fought with police. Churches and crisis pregnancy centers in have also been targeted by extremist violence, including arson.

Immediately following the Dobbs decision, Grassley and Homeland Security and Governmental Affairs Committee Ranking Member Rob Portman (R-Ohio) urged DOJ to defend the **Supreme Court**, its justices and their families in the face of threats and violence.

\* \* \*

June 27, 2022

VIA ELECTRONIC TRANSMISSION

To: Christopher A. Wray, Director, Federal Bureau of Investigation, 935 Pennsylvania Avenue, NW, Washington, D.C. 20535-0001

Director Wray:



I write to express concern with a recent wave of violence perpetrated by pro-abortion extremist individuals and groups across the country. These attacks have become prevalent since the leak of the **Supreme Court's** draft decision in *Dobbs v. Jackson Women's Health Organization*, later issued on June 24, 2022, that returns the regulation of abortion to the states. As we discussed previously, I want to ensure that these violent attacks are recognized by the FBI and are being properly investigated for what they are - cases of abortion-related violent extremism.

In the wake of the leaked opinion on May 2, 2022, the Department of Homeland Security released a bulletin which predicted that "the volume of violent threats targeting **Supreme Court** Justices, members of Congress, other public officials, clergy, healthcare officials and providers... may increase leading up to and following the issuing of the Court's official ruling."<sup>1</sup> Unfortunately, this prediction has proved strikingly true. There have been at least 40 violent attacks on crisis pregnancy centers, religious institutions, and other pro-life entities since the *Dobbs* leak and before the Court even issued its final opinion.<sup>2</sup> This violence continues to cause injury, damage to property, and interruption of constitutionally protected worship services all across the nation. In fact, it substantially accelerated last weekend, after the opinion was issued.

Perhaps most concerning are organized violent groups like Jane's Revenge and Ruth Sent Us. Jane's Revenge has distributed flyers around the Washington, D.C. area calling for riots after the Court overturns *Roe v. Wade*. The flyers explicitly call for a "night of rage" and encourage supporters of Jane's Revenge to "hit the streets" and "riot."<sup>3</sup> It also makes threats to "oppressors" - stating that "if abortions aren't safe, you're not either."<sup>4</sup> Their words have matched their actions. They've taken credit for fire bombings of crisis pregnancy centers in Madison, WI; Amherst, NY; Buffalo, NY; and Gresham, OR.<sup>5</sup> These attacks have also been perpetrated in my home state of Iowa,<sup>6</sup> which I addressed with you in a recent phone call. In conjunction with their destruction, the group has frequently spray painted phrases like "revenge" and other threatening statements on the remaining structures.<sup>7</sup> In addition to the violence against crisis pregnancy centers and religious institutions, Ruth Sent Us has organized illegal<sup>8</sup> protests outside the homes of **Supreme Court** Justices Barrett, Alito, Kavanaugh, and Roberts.<sup>9</sup> Moreover, the group has made calls to religious organizations to "stuff your rosaries and your weaponized prayer" because "we'll be burning the Eucharist to show our disgust..."<sup>10</sup>

Instances of abortion-extremist violence have been directed towards our democratic institutions as well. A suspect was recently arrested outside Justice Brett Kavanaugh's home in Maryland.<sup>11</sup> The suspect traveled from California with burglary tools, a knife, a firearm with two magazines of ammunition, a pair of boots designed to remain quiet when walking on hard surfaces, zip ties, and duct tape.<sup>12</sup> Thankfully, the assailant called the police on his own after spotting two federal marshals patrolling the home. He admitted he intended to kill Justice Kavanaugh, and was charged with attempted murder.

In this past weekend since the Court's final ruling, violence has increased. There was an arson at a Colorado pregnancy center.<sup>13</sup> Another arson occurred at a Catholic Church in Reston, Virginia.<sup>14</sup> Both were also vandalized with pro-abortion graffiti. Some were arrested for violence and disorderly conduct at protests, including ten in Eugene, Oregon. A crowd of 75 in the familiar "black bloc" of Antifa--black clothes, hoods, masks, and umbrellas--threw smoke bombs and fought with officers.<sup>15</sup> A concerning early feature of these protests has been the observable presence of black-bloc clad groups. These are a familiar sight from the 2020 riots including those surrounding the Portland courthouse, where rioters relied on similar clothing to evade detection and arrest. Also concerning is the use of violence against law enforcement officers. A small violent group within a pro-abortion protest in Los Angeles began throwing makeshift weapons at police, with one subject even being arrested for the attempted murder of a police officer.<sup>16</sup>

I understand that the FBI specifically tracks a form of extremism known as pro-abortion violent extremism. I understand from a recent FBI bulletin shared with my office that the FBI is investigating many of the instances I have described above as instances of domestic violent extremism. As such, you are evaluating numerous available federal charges, including hate crimes against religious pro-life institutions. I encourage the FBI's efforts to bring accountability to those who would terrorize places of worship, judges in courts of law, pregnancy centers that assist mothers in need, and our very streets. Our law enforcement officers are obliged to duly enforce the laws of our country - not just those that are politically suitable to the current administration. I will

remain steadfast in ensuring that the law is being enforced equally across the ideological spectrum. Current threats from abortion extremists are impending, serious, and dangerous.

Unfortunately, it is likely that this wave of violence will continue. I am concerned we may even see a recurrence of the violence of the summer of 2020, in which the FBI opened over 800 domestic terrorism cases. The FBI was not prepared for the torrent of leftwing violence that was unleashed the summer before last. Responding to the current threat of pro-abortion violent extremism will require the FBI to continue its efforts to identify and investigate cases of abortion-related violence across our country at a high rate. I request a briefing from the FBI on your preparedness to counter another potential summer of riots and your efforts thus far to combat this wave of abortion-related violence. Please reach out to my staff as soon as possible to arrange this briefing.

Sincerely,

Charles E. Grassley

Ranking Member

Committee on the Judiciary

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Footnotes:

1/ Luke Barr, Domestic violent extremists infiltrating abortion debate: DHS official, ABC News (May 17, 2022), <https://abcnews.go.com/Politics/domestic-violent-extremists-infiltrating-abortion-debate-dhs-official/story?id=84785471>.

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3/ The Editorial Board, A 'Night of Rage' on Abortion, Wall St. J. (June 20, 2022), [https://www.wsj.com/articles/a-night-of-rage-on-abortion-janes-revenge-fbi-merrick-garland-roe-v-wade-dobbs-v-jackson-11655664242?mod=hp\\_opin\\_pos\\_3#cxrecs\\_s](https://www.wsj.com/articles/a-night-of-rage-on-abortion-janes-revenge-fbi-merrick-garland-roe-v-wade-dobbs-v-jackson-11655664242?mod=hp_opin_pos_3#cxrecs_s).

4/ Id.

5/ Judith Levine, Beyond Revenge, What Does Jane's Revenge Want?, The Intercept (June 16, 2022), <https://theintercept.com/2022/06/16/janes-revenge-abortion-rights/>.

6/ Todd Magel, Group claims responsibility for vandalism at Des Moines pregnancy counseling center, KCCI Des Moines (June 14, 2022), <https://www.kcci.com/article/des-moines-iowa-agape-pregnancy-counseling-center-vandalized/40278284#>.

7/ Id.

8/ See 18 U.S.C. Sec. **1507**.

9/ Ruth Sent Us (@RuthSentUs), Twitter, (May 12, 2022, 9:14 AM), <https://twitter.com/RuthSentUs/status/1524739745670172676?cxt=HHwWiMC4uYyu-6gqAAAA>.

10/ Ruth Sent Us (@RuthSentUs), Twitter, (May 7, 2022, 10:13 AM), <https://twitter.com/RuthSentUs/status/1522942814895546370>.

11/ Kaelan Deese and Jerry Dunleavy, 911 records show a man accused in plot to kill Kavanaugh called police on himself, Washington Examiner (June 10, 2022), <https://www.washingtonexaminer.com/news/crime/911-man-accused-plot-to-kill-kavanaugh-called-police-himself>.

12/ Id.

13/ Brad, Dress, Colorado pregnancy center fire investigated as arson, Hill (June 26, 2022), <https://thehill.com/policy/healthcare/3537343-colorado-pregnancy-center-fire-investigated-as-arson/>.

14/ Roe v. Wade-related arson, graffiti investigation underway at Reston church, Inside Nova (June 26, 2022), [https://www.insidenova.com/headlines/roe-v-wade-related-arson-graffiti-investigation-underway-at-reston-church/article\\_d8f38d72-f590-11ec-8f61-f3da0d569785.html](https://www.insidenova.com/headlines/roe-v-wade-related-arson-graffiti-investigation-underway-at-reston-church/article_d8f38d72-f590-11ec-8f61-f3da0d569785.html).

15/ AP, Eugene police arrest 10 in protest after Roe v. Wade overturned, Oregon Live (June 25, 2022), <https://www.oregonlive.com/pacific-northwest-news/2022/06/eugene-police-arrest-10-in-protest-after-roe-v-wade-overturned.html>.

16/ Lawrence Richard, **Supreme Court** abortion protests: LAPD arrests suspect for attempted murder of police officer, Fox News (June 26, 2022), <https://www.foxnews.com/us/supreme-court-abortion-protests-lapd-attempted-murder-police>.

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Original text here: <https://www.grassley.senate.gov/news/news-releases/grassley-seeks-fbi-briefing-on-pro-abortion-extremism> MSTRUCK-7875798 MSTRUCK

---- **Index References** ----

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## NewsRoom

## NewsRoom

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June 22, 2022

### The Democrats' Green Energy Scam; Biden In Denial As President Suggest Inflation Is A Chance To Make 'Fundamental Turn' To Renewables; Far-Left A...

The Democrats' Green Energy Scam; Biden In Denial As President Suggest Inflation Is A Chance To Make 'Fundamental Turn' To Renewables; Far-Left Abortion Group Threatens More Violence

SEAN HANNITY, FOX NEWS HOST: Sounds like a sci-fi movie. And I just hope they can't do political talk shows or we're dead. That wouldn't be --

TUCKER CARLSON, FOX NEWS HOST, "TUCKER CARLSON TONIGHT": I bet they can. That's terrifying.

HANNITY: All right, Tucker. Thank you.

And welcome to HANNITY.

Tonight, a HANNITY investigation into America's two-tier justice system and corrupt D.C. politicians who excuse riots that don't advance their political agenda now this includes the clear danger this country is now facing if Roe v. Wade is overturned. We have left wing groups now signaling direct threats to riot. We'll tell you about that.

But first, tonight, we begin with a major scam now ongoing inside the climate alarmist religious cult known as the new green deal Democratic Party, the socialist party. And as we speak, the Biden administration, they are knowingly and openly lying to you, the American people, including their own die-hard supporters about one of the Democratic Party's favorite causes, the transition to green renewable energy.

Remember they steadfastly refuse to drill and to frack and they want to import oil from Iran and Venezuela and Saudi Arabia and OPEC.

Watch.

(BEGIN VIDEO CLIP)

JOE BIDEN, PRESIDENT OF THE UNITED STATES: We have a chance here to make a fundamental turn toward renewable energy, electric vehicles -- and not just electric vehicles but across the board.

REP. ALEXANDRIA OCASIO-CORTEZ (D-NY): Ultimately, we really do need to be investing in renewables.

PETE BUTTIGIEG, TRANSPORTATION SECRETARY: Until we achieve a form of energy independence that is based on clean energy created here at home, American citizens will still be vulnerable to wild price hikes like we're seeing right now during Putin's war.

JENNIFER GRANHOLM, ENERGY SECRETARY: As Minister Ryan has said, this clean energy transition could be the peace project of our time.

JANET YELLEN, TREASURY SECRETARY: The way in which we can ensure reasonable energy expenses for households is to move to renewables to address climate change.

(END VIDEO CLIP)

HANNITY: Now, tonight, we'll do a deep dive we'll expose the truth about these lies because as it turns out, this push towards what they call renewables and green energy and electric cars is a massive fraud. We'll explain in detail. But in order to really understand this, it is important to first know where do we get our energy from? Ever ask yourself the question?

I know you come home, you flip on the lights -- electricity, that's great. Look at your screen. Seventy-nine percent of America's grid is now powered by, guess what, fossil fuels. What do I say about fossil fuels? The lifeblood of the world's economy. That includes petroleum, natural gas and you bet, coal.

Another 8 percent is derived from nuclear power plants. Liberals hate that, too. Now, currently only 12 percent of our energy by definition would be from renewables.

So if the administration truly wanted to transition away from fossil fuels, they would need to shut down 80 to 90 percent of our power grid and replace it with, what, windmills, solar power? Unfortunately, that type of so-called green energy is not very efficient. Let's take, for example, one wind turbine. It produces less than three megawatts of energy whereas one natural gas turbine produces 45.

And get this, a typical natural gas plant has three turbines, which means you could need what, 49 windmills to replace just one moderately sized natural gas plant.

Now, keep in mind, there are more than 3,400 fossil fuel power plants in operation within the U.S. Any transition to wind and to solar would take decades and decades and decades and it would not lower the cost at all in the interim and probably thereafter.

Now, each windmill costs more than \$3.8 million dollars to build, not to mention the thousands upon thousands of acres of land that would be needed to be purchased. And as Energy Secretary Jennifer Granholm declared, it will require a lot of new resources that you, we, the American people, will have to pay for. Take a look.

(BEGIN VIDEO CLIP)

GRANHOLM: With the president's goal of 100 percent clean electricity by 2035 and net zero by 2050, we are going to be able to do that kind of transition with all different kinds of technologies in all pockets of the country.

We're going to need workers to, yes, install wind turbines and solar panels. We're going to need workers to build those wind turbines and solar panels. We need steel workers. We need miners for the materials to build them. We're going to need truckers and dock workers and deck hands to transport them. We're going to need electricians. We're going to need laborers. We're going to need utility workers.

(END VIDEO CLIP)

HANNITY: In other words, a big transition to renewables is not going to happen under Biden and any incremental transition will do nothing but drive up the cost of energy all across the board.

The only actual way to bring down prices is to produce more gas and oil, the lifeblood of the world's economy. I'll say it again.

In order to appease the climate alarmist cult in his party and pull the wool over your eyes, the administration is now trying to outsource all energy needs overseas. That's why they're trying to do a deal with Iran. That's why they're sending emissaries over to Venezuela. That's why he will bow before the crown prince, the guy that he says is responsible for killing Jamal Khashoggi, the pariah nation of Saudi Arabia, in order to make another big show about shutting down oil and gas infrastructure like for example pipelines and refineries and exploration permits inside the U.S.

Now, that's why Biden is going to Saudi Arabia. In spite of what they say, I promise you, he will be begging that crown prince right there and kissing up to him and kissing his ass and begging for more oil production. Now, we saw the same thing in Russia, I'm sorry, Europe with Russia, far left Germany.

Well, guess what? They have their own climate alarmist religious cult. They were desperate to appease them. They shut down their fossil fuel facilities. They outsourced all of their energy needs and did billion- dollar deals with Vladimir Putin. How's that working out?

Ultimately, it was all about optics, didn't actually improve the environment. I mean, Mother Earth doesn't matter if you get a barrel of oil from here or over here. Not really. It always was a huge scam.

And now with Putin's war raging, Germany -- well, the spigot's been shut off. Now, they have to restart their -- well, mothball, coal-powered plants. Whoopsy daisy. Now, this brings us to electric cars.

Now, pay close attention here. When the Biden administration isn't fantasizing about renewables and energy independence with renewables, they're begging Americans. They're lecturing us to buy electric cars. They tell us over and over again, buy an electric car.

Take a look.

(BEGIN VIDEO CLIP)

BUTTIGIEG: Last month, we announced a billion investment to build out a nationwide electric vehicle charging network so the people from rural to suburban to urban communities can all benefit from the gas savings of driving an EV.

BIDEN: Under my plan, which is before the Congress now we can take advantage of the next generation of electric vehicles, that a typical driver will save about \$80 a month from not having to pay gas at the pump.

SEN. DEBBIE STABENOW (D-MI): It's on the issue of gas prices after waiting for a long time to have enough trips in this country to finally get my electric vehicle, I got it and drove it from Michigan to here this last weekend, and went by every single gas station, didn't matter how high it was.

GRANHOLM: If you filled up your EV by charging and you filled up your gas tank with gasoline and you have the same size tank, you would save \$60 per fill up by going electric rather than using gasoline.

(END VIDEO CLIP)

HANNITY: Maybe they haven't noticed but Biden inflation has added an additional \$6,000 to every American household unnecessarily. And as you can see, Democrats want you to believe you buy an electric vehicle, it will bring down the cost for you the American people and will save the environment at the same time. Both claims are totally false.

Let's tackle the cost, the obvious. The average price for a new electric vehicle is \$64,000, compared to \$44,000 for a full-size car. So from the purchase, you're already, well, 20 grand in the hole. Add in another \$1,200 for an installation of an electric charging port and 55 bucks a month in additional energy costs, and you will most certainly not be saving any money over the entire life of the vehicle.

I'm not against them, but I'm just giving you the reality. Now, of course, any electric car is only as clean as its energy source. They don't -- never talk about this part.

Remember, 80 percent of our power comes from oil, gas and coal. But that's not the only thing to consider. Keep in mind the production of these electric vehicles not exactly environmentally friendly. You know the battery alone is typically comprised of nickel, cobalt, aluminum, manganese and all of these need to be mined from Mother Earth with heavy equipment that uses gas or diesel.

Many rechargeable batteries are derived from, oops, China where they use slave labor or child labor. And don't get me wrong, there are some pretty cool electric vehicles on the market including Tesla. By the way, I'd look at a Tesla. A friend of mine swears by his. He loves it.

But buying one doesn't make you Captain Planet as John Kerry who flies around in his private jets would have you believe.

And by the way, under Trump, the United States -- you may have never been told this by the climate alarmist cult. Under Donald Trump, the United States led the world in greenhouse gas reduction. Not because of electric cars or windmills, instead clean burning, affordable natural gas developed through the free market help the United States curb pollution.

By the way, we're the Middle East of natural gas. We have at least 200- plus-years worth of a supply of natural gas. And that's all we know about at this moment.

Now talking about a phantom transition to renewables is not going to save our economy or the planet. We are now barreling towards a recession, coupled with out of control inflation, the national gas tax holiday Biden is now proposing will not significantly bring down prices, I'll take it, 18.4 cents a gallon. But I'll take it.

But even Obama said that this is a gimmick, kind of like tapping into the Strategic Petroleum Reserve. It's a band-aid. It's a temporary fix. After the election, they'll put it back in place.

Take a look.

(BEGIN VIDEO CLIP)

BARACK OBAMA, FORMER PRESIDENT: Oil companies like Shell and BP just reported record profits for the quarter and we're arguing over a gimmick to save you half a tank of gas, over the course of the entire summer so that everyone in Washington can pat themselves on the back and say that they did something.

(END VIDEO CLIP)

HANNITY: I can't believe it. Obama for once is actually right.



Meanwhile, Obama's former economic adviser Larry Summers is now not only predicting a recession, also warning that the U.S. would need five years or six percent unemployment or one year of 10 percent unemployment to ease inflation, Biden inflation.

Our economy is going into a very dark place. You see it with your 401k. You see it when you go to the gas pump and you see it in every store that you shop in.

And by the way, the White House press secretary wasn't exactly reassuring. Take a look.

(BEGIN VIDEO CLIP)

KARINE JEAN-PIERRE, WHITE HOUSE PRESS SECRETARY: The action that the president has taken with the American Rescue Plan, with what we have seen with the historical gains, that is going to help us deal with the recession right now, we don't see a recession right now. That is not -- we're not in a recession right now. Right now, we're in a transition where we will be going to -- going to go into a place of stable and steady growth.

You know, the president has been very clear in making sure that he does everything that he can to elevate -- to alleviate the -- you know, the pain that American families are feeling when it comes to gas prices.

(END VIDEO CLIP)

HANNITY: America is not heading towards a recession. That's kind of like inflation is transitory.

We, the American people are not stupid. Now, the Americans now know that how supply and demand works. They know that lecturing oil and gas companies and restricting the domestic production of energy raising taxes is not going to bring down costs or save us from a recession.

And by the way now in a new poll, Biden's approval rating is at 32 percent, that's right, the lowest point in a presidency since 1948.

Here with reaction, Outkick founder Clay Travis, along with the co-host of "The Five", Geraldo Rivera.

Geraldo, I mean electric cars are fine. I once had an Escalade hybrid. It wasn't too bad.

By the way, I love the "let's go Brandon" t-shirt, clay.

Yeah, it was fine. But when you -- when you break down how you charge it, when you break down how you build it, when you break down the cost of it, it's a fantasy that they're peddling here. In the meantime, we're going to beg Iran, Saudi Arabia and Venezuela. Does that make sense to you?

GERALDO RIVERA, CO-HOST OF "THE FIVE": It doesn't, but if President Biden could put together a coherent narrative as you just did, laying it all out, I think it would be in a much better place.

What he is trying to say -- and here I am translating for the president of the United States --

(CROSSTALK)

HANNITY: Geraldo, stop, pause.

What he's trying to say because you know, I know and Clay Travis knows and this audience knows that he's weak and he's frail and he's a cognitive wreck.

But go ahead. You translate for him.

RIVERA: But he is the president of the United States, and you know --

HANNITY: And a cognitive wreck.

RIVERA: -- a gas tax holiday is a ridiculous idea. It is a very transitory, you know, feel-good fix for a day or two.

What we need to do and what he should do rather than promoting the future - - we'll get to the future. Rather than promoting a Tesla in every garage, what he should be saying is let's produce more domestic oil ourselves, let's get the supply up. That will reduce the price.

(CROSSTALK)

HANNITY: Why don't we ask Midland, Texas? Why don't we go to Oklahoma? For natural gas, why don't we go --

RIVERA: Yes.

HANNITY: -- to Pennsylvania, New York and Ohio? Why don't we start here and finish the Keystone XL pipeline and get 900,000 barrels of Canadian oil a day? Why don't we do that?

RIVERA: Well, listen to my idea. The oil companies reaping record profits. That's true. That is undeniably true.

But how do you get them to invest enough so they can produce more now so we're not dependent on Venezuela and Saudi Arabia and Iran and so forth? You do it by telling the oil companies, you keep your record profits. We're not going to impose a windfall profits tax as the left is now agitating to do.

(CROSSTALK)

HANNITY: And how did that work out for Jimmy Carter?

RIVERA: You keep the money, but you must produce.

HANNITY: How did that work out for Jimmy Carter, Clay Travis? You're a historian.

CLAY TRAVIS, OUTKICK FOUNDER: Sean, the oil and gas companies don't want to invest because they know the rug is going to get pulled out from underneath their feet by the Biden administration as soon as the midterms are here. They want lower gas prices for five months. They'll say anything that they think scores them political points and then as soon as the midterms are here, they're not going to offer them any support at all because don't miss what's going on here, guys.

Ultimately, this is what the Democrats want because the gas prices need to go up in order for all of the solar and the wind power and the electric to get remotely competitive with gas prices. There was a great story in "The Wall Street Journal".

A writer there tried to travel. Did you guys see it? From New Orleans to Chicago and back on an electric vehicle and it was a disaster. She couldn't find anywhere to charge. The charging stations didn't work and the article ended with her saying I've never been happier to pay four dollars and fifty cents a gallon than have to deal with a long range trip right now on an electric vehicle.

And I wish everybody had sixty four thousand dollars as you mentioned, Geraldo, to go out and be able to buy them. But this is the Democrat push. If you're troubled by the price of high gas, then go buy an EV.

Geraldo and Sean, recently, I went to go fill up my car, somebody had spent \$4.50, this was several weeks ago, for one gallon of gas, probably to be able to get to and from work to try to make it so that they could continue to produce for their family. That you might as well tell them that they should go buy a dragon as go buy an electric vehicle.

HANNITY: All right. Clay, Geraldo --

RIVERA: But, Clay, that's my point. There is an emergency. There is an emergency now. Let Biden understand the emergency --

(CROSSTALK)

HANNITY: Geraldo, he created the -- I got to run. We have --

TRAVIS: He did create it.

HANNITY: Geraldo, he was handed energy independence. He gave up leases on public lands, he killed off Keystone XL, he stopped ANWR, he artificially reduced the supply.

Tell him to go back to Trump's policies and we'll get back to \$2 a gallon gas.

(CROSSTALK)

RIVERA: I think you've got to recognize the exigent circumstance and he's got to be flexible. He's got to be nimble. He's got to be creative.

(CROSSTALK)

HANNITY: Go back to the policies he inherited.

TRAVIS: He's none of those things. Geraldo, he can barely read a teleprompter. He can't ride a bike. He's not flexible and nimble and sophisticated. These are not adjectives that fit the current president of the United States.

HANNITY: Geraldo was a little sensitive because, you know, he did one say 70 is the new 50. I have read that somewhere. I don't know. You don't know.

RIVERA: That's right.

TRAVIS: I hope he's right one day, by the way.

HANNITY: All right. Thank you both.

All right. Tonight, it's clear, Biden does not have a grasp on the economy at all or anything else. Clay is right in that matter.

Anyway, which is probably why the White House, the Biden family are constantly trying to prevent Joey from answering any questions. Take a look yourself.

(BEGIN VIDEO CLIP)

BIDEN: I think that's likely -- very likely to happen. I know. That's my press secretary daughter.

The things that you may recall that I initiated it was the international flat tax. We got 140-some nations to sign on there.

I'm coming.

This is because of my son Beau's oldest daughter and she's trying to tell me, dad, grandpa, pop get going. You promised me to walk.

REPORTER: What did you guys do for Father's Day?

UNIDENTIFIED FEMALE: We had dinner.

UNIDENTIFIED FEMALE: We all hung out together.

UNIDENTIFIED FEMALE: It was really fun and we did puzzles.

(END VIDEO CLIP)

HANNITY: They get mad at me and everything whenever I answer a question. I'm not allowed.

It's either his wife, his grandkids, I guess I don't know who it is. Anyway, it doesn't look good.

To say the least, especially since Joe is -- his second in command, Kamala Harris, President -- vice president, Mr. Giggler (ph), during the inappropriate moments and having constant word salads is not exactly ready for the task either. Take a look.

(BEGIN VIDEO CLIPS)

REPORTER: Do you plans to visit the border?

KAMALA HARRIS, VICE PRESIDENT OF THE UNITED STATES: Not today.

(LAUGHTER)

I'm talking about the significance of the passage of time, right? The significance of the passage of time. So when you think about it, there is great significance to the passage of time.

More parents are seeing the value of educators when they had to bring their kids and say we're not paying them nearly enough.

It is time for us to do what we have been doing and that time is every day. Every day it is time for us to agree.

SEN. CHUCK SCHUMER (D-NY): I ask for the ayes and nays.

(LAUGHTER)

HARRIS: Is there a sufficient second?

(END VIDEO CLIPS)

HANNITY: All right. The vice president is so unpopular. One DNC fundraiser centered around meeting Kamala then we had to slash ticket prices. And then when you think it couldn't get any worse than the Democratic Party, look at this headline from foxnews.com. Michigan's Gretchen Whitmer refers to women as menstruating people.

Joining us now, podcast host Monica Crowley, along with Leo 2.0 Terrell.

Monica, I'll start with you. I don't think our giggling vice president that talks about the passage of time and the passage of time over and over again is quite up to the task of being president. Do you?

MONICA CROWLEY, HOST OF "THE MONICA CROWLEY PODCAST": No, I don't see and we've got a real problem here because the president of the United States clearly most of the time doesn't know what planet he's on, and is number two is in a perpetual state of nervous breakdown.

So neither the president nor the vice president is capable of doing the most important jobs not only in the country, Sean, but in the world.

So what we're actually experiencing here is a rolling constitutional crisis. Nobody in the propaganda press wants to point out the reality of what we're facing here, but the American people see it very clearly. And that's why Joe Biden, his job approval numbers now, Sean, are in the low 30s. Kamala Harris is in the mid to upper 30s. Not much better.

And that's why you've got Democrats now talking roundly about who is actually going to be the standard bearer going into 2024 because neither one of these people is going to be the Democratic nominee.

You know, Leo, Joy Reid complaining that Kamala Harris is treated unfairly by the white male media. Well, first, Joe gets a lot more criticism than she does.

Can you explain our giggling vice president that has a hard time herself communicating to the American people because I'm having a hard time analyzing it?

LEO TERRELL, FOX NEWS CONTRIBUTOR: Well, no, I can't because, first of all, let me tell you right now, she's incompetent. She's unlikable. She's not qualified to be vice president.

She was selected for vice president for all the wrong reasons, nothing to do with qualification. And as far as the Joy Reid comment, the queen of playing the race card, let me be very clear, she -- Kamala Harris has an approval rating in the low 30s. That means 70 percent of this country do not approve of her, of all different colors and even members of her own party.

And for a -- for a VP to lose 11 to 12 staff members, 12 staff members in a year, that tells you she cannot manage her own office.

Final point, she cut her price for a photograph from fifteen thousand to five thousand. She would have to pay me to take a picture with her. I'm not interested in that.

HANNITY: All right. Leo 2.0 Terrell, thank you. Monica, always good to see you. Thank you for joining us.

When we come back, our own Bill Hemmer live at the big board with the latest on tonight's primaries.

And Virginia Governor Glenn Youngkin details his fight against the liberal machine when we continue.

(COMMERCIAL BREAK)

HANNITY: And breaking tonight, primary results are rolling in across many states tonight, including high stakes GOP, the Senate primary in Alabama.

For the very latest, we go to our very own Bill Hemmer. He's at the big Hemmer big board. It used to be the HANNITY big board. He stole it.

BILL HEMMER, FOX NEWS CORRESPONDENT: So it still begins with an "H" though, Sean. I'll give you a quick spin through, okay?

Virginia, Alabama, Georgia, tell you what's happening in Alabama right now. Big Senate run -- a Senate runoff race there between Katie Britt and Mo Brooks.

And it hasn't been called yet, Sean, but Katie Britt looks to like she's going on to an easy victory in Alabama tonight. She's won just about every county you see behind me in the background, endorsed by Donald Trump.

Remember, Mo Brooks was endorsed by Trump, he took it back and then he went with Katie Britt. Britt looks like she's going to come out a winner tonight.

A couple very intriguing House races, Sean. One in Georgia specifically and two in Virginia and explain why. This is a runoff in Georgia congressional district. Vernon Jones was a Democrat two years ago, all right? He was blown away tonight by Mike Collins who runs a trucking business.

Jones was endorsed by Donald Trump, Collins was endorsed by the Governor Brian Kemp. And Collins picked up this victory tonight quite handily in the state of Georgia.

Up here in Virginia now, in these congressional races for the House district, Republicans have targets for November, and a couple of them are plain to see in the state of Virginia and I'll show you why.

This is a congressional district two. This is down Virginia Beach, heavy military. This is your winners tonight.

This is Jen Kiggans. You're going to hear a lot about her, Sean. She's a Navy helicopter pilot, nurse practitioner and a mother of four and an easy winner tonight at congressional two. She'll advance to take on Elaine Luria. I'll tell you that as I explain that just a second here.

This is also in Virginia congressional district number seven. No winner called yet. Very interesting, intriguing race.

Because of redistricting, they move this district to the north, closer to Washington, D.C. So it sits right around here, where it used to sit around this edge down here on the west side of Virginia.

This is Yesli Vega, okay? She's leading Derrick Anderson. Anderson is a Green Beret. Vega, very interesting background, law enforcement background, county supervisor in Prince William County, were those big counties across from Washington, D.C. She helped lead the Latino Coalition in Virginia that supported Glenn Youngkin who won last November.

When this district moved, Sean, it went from a plus one Democrat to about a plus seven Democrat. But yet, Glenn Youngkin won that district by five points. So again, Republicans think they can do some damage here come November.

And I'm just going to finish off here with this comparison here, Sean. This is okay, Elaine Luria. She's in district two, in around southeastern Virginia. She's on the January 6 Committee. So, she was on the panel today. Joe Biden won her district by about five points, but she won by about six points.

And when Republicans talk about a climate that is favorable toward them in November, these are the districts they look at. They think anywhere between six to eight points is a possibility for a target pickup in November. Luria is in one of those again to a face-off against the Jen Kiggans. And I just want to advance this one -- Jen Kiggans in November.

This is Abigail Spanberger. Both of her races, Sean, where she has been victorious in Virginia just by razor thin margins, okay? She's up for re-election now in a district that again is more favorable toward Democrats.

Biden won her district by point. She won by less than a point. And again, this is one of these targets that Republicans see come November and we'll see how that works.

But if it holds out now, at the moment, Yesli Vega will take on Spanberger to fight it out in congressional district number seven. There's a lot of history in that district over the past 15 years, Sean.

So we'll see how it goes but that's the way it lays at the moment, tonight, 9:30.

Back to you.

HANNITY: It has to be the Hemmer big board because I can't do what you just did, as well as you just did it. So, Bill, thank you.

HEMMER: Hope you followed that. Have a good night.

HANNITY: All right. Now, down to the Commonwealth of Virginia, Republican Governor Glenn Youngkin, he continues to be stonewalled by the state's far left machine as he stands up to the failing Biden agenda.

Here to explain more, Virginia Governor Glenn Youngkin is with us.

First, I want to applaud you. We have laws on the books, 18 USC **1507** that prohibits people from intimidating and harassing judges and a lot of **Supreme Court** justices now live in the commonwealth, northern Virginia, and you have been urging the Democrats in the commonwealth to support you to protect them and they're not going along. Why not?

GOV. GLENN YOUNGKIN (R), VIRGINIA: Well, Sean, first, thanks for having me. And Virginians elected me last November to go to work. And we went to work right on day one. We've had -- we've had an incredibly strong legislative session, getting parents re-established to make decisions about masks on their children and with explicit materials in schools to get them out of their kids' curriculum.

And we just signed a budget today that lowered taxes by \$4 billion and funds \$400 million into law enforcement. And, oh, by the way, we'll have the largest education budget in the history of Virginia and we're promoting school choice with tax credits and with lab schools.

So we've had a great first five months, but I am really frustrated that the amendment that I sent down to mimic, to copy the federal statute that U.S. Attorney General Garland will not enforce to keep our justices safe, people should not be allowed to picket and protest in front of our U.S. **Supreme Court** justices and try to influence them.

And that's exactly what that law says. It's punishable with up to a year in prison. I want that law in Virginia. I couldn't get it most recently. But I'm going to keep trying and we're going to get that law to keep our justices safe.

HANNITY: Hey, Governor, we saw -- we were able to stop an assassination plot against Justice Kavanaugh. We now know the doxxing of every justice has taken place. In the case of Amy Coney Barrett, these people are giving out the exact school where her children go. They're telling people what church she goes to and when she goes to church.

That to me is beyond intimidation and harassment. It is a direct threat to their safety and, of course, a threat to the judiciary at large. You can't get Democrats to support that?

YOUNGKIN: We can't get Democrats to support that and I'll tell you, Sean, we're doing everything we can with our state police and with local law enforcement and Governor Hogan and I watched what happened with that with that assassination attempt on Justice Kavanaugh and have gone to work again to implore U.S. Attorney General Garland to enforce the law.

But we've got ample resources parked right outside of our justices' homes to make sure that they're safe. I speak to them frequently. I'm 100 percent focused on keeping them safe. And this is paramount in our administration.

And without the help from Democrats in the -- in the Senate and the House in Virginia, we can still do so much to keep our justices safe. But I'm going to send that bill back down and Virginia will at one point incorporating its code these exact same laws.

HANNITY: So, Joe Biden will address the country tomorrow, 2:00 Eastern Time. So he's scheduled to talk about gas prices. I'm sure he'll talk about once again tapping the Strategic Petroleum Reserves and maybe eliminate the national gas tax.

I believe for him it would be a gimmick because I think the minute the election is over, they'll institute the tax again regardless of the price of gasoline. But you're doing it in a way to really help the people of Virginia, you don't have an election coming up, but people now paying \$5, \$6 a gallon for gasoline, add that to a 41-year high of inflation.

Everything we buy and every store we go to is costing us a fortune, and the average family cannot afford this economy of Joe Biden. Will it work?

YOUNGKIN: Sean, they can't. Everywhere I go, all I hear is "governor, help us". Inflation is the silent thief stealing our hard-earned money.

That's why I'm so proud of this budget we signed today, a \$4 billion tax cut for Virginians, four times larger than any tax cut ever voted for in Virginia. And we're going to see this immediately impact Virginians with \$1,100 of tax cuts for the typical Virginia family in year one. That doesn't come close to overcoming this Biden economy, which is just driving inflation beyond Virginians and Americans' capabilities to pay for it.

But as a -- but as a governor that was sent here to get things done, when we can lower taxes and we can fund law enforcement and we can in fact deliver new jobs with companies like Boeing and Raytheon and Lego moving to Virginia to put Virginians who want to work hard in these great jobs, we've had a great first five months and I am proud of what we've done. But we've got a lot more to do.

HANNITY: And I got to give you credit, too. You did restore school choice in the Commonwealth of Virginia. Well done, Governor Glenn Youngkin. Thank you for being with us.

All right. Straight ahead tonight, the far-left pro-abortion groups called Jane's Revenge, they are now threatening a night of rage if Roe v. Wade is overturned. Well, what's Biden going to do? Anything to stop it?

Well, we'll check in with Senator Ron Johnson in Wisconsin, next, straight ahead.



(COMMERCIAL BREAK)

HANNITY: All right. So the **Supreme Court** did not release its highly anticipated abortion decision today. But there was still a heavy presence of demonstrations outside of the court.

Now, ask yourself, is the Biden White House committed to making sure that there aren't going to be riots when that decision finally comes down? We know that they didn't take advantage of Donald Trump's 20,000 troops that he authorized on January 4th in anticipation of big crowds on January 6th. But nobody wants to talk about that.

And because far left groups like Jane's Revenge are now calling for violence. Take a look at your screen. You see those flyers? They're now in D.C. today.

They read, quote, the night the **Supreme Court** of the U.S. overturns Roe v. Wade, hit the streets. You said you'd riot.

And adding: To our oppressors, if abortions aren't safe, you're not either. Remember, this is the same group that has taken responsibility for attacks on pregnancy centers and said it was open season on pro-life Americans.

Here with reaction, Wisconsin Senator Ron Johnson. His reelection race is imperative.

All right. So we know it's illegal to intimidate and harass a judge. Isn't it against the law also to make a terroristic threat? And isn't that a terroristic threat?

SEN. RON JOHNSON (R-WI): Well, Sean, it is outrageous that you don't have the Biden administration condemning this intimidation, that you don't have Democrats speaking out against it.

And if you remember, Chuck Schumer on the steps of the Supreme Court threatening Justices Gorsuch and Kavanaugh saying, you unleash the whirlwind, you will pay the price, you won't even know what hit you.

Sean, turn the tables. Can you imagine if a Republican congressional leader had uttered those words, issued that threat against a liberal justice? First of all, that Republican congressman person would not be in Congress. They would have had to resign in shame, and they certainly would have been elected majority leader of the Senate like Democrat dissenters elected Chuck Schumer.

So, again, it's outrageous that Democrats don't condemn this, threatened violence, the real violence. You know, we had one of our family action groups firebombed in Madison. Finally, the FBI saying they can start investigating this, but this is way too little, way too late.

HANNITY: So, the January 6 Committee has sworn testimony under oath that in fact people in the room were there when Donald Trump authorized up to 20,000 troops as required by law. The jurisdiction then moves to Nancy Pelosi and Muriel Bowser. They steadfastly in spite of intelligence reports refused to call in the guard.

Now, that we have this threat, is the country going to be prepared for what might happen what they say they will do?

JOHNSON: Well, again, what we'll see is Democrats just won't condemn the protests which will probably turn to riots and violence. That they didn't do it during the summer of 2020 when you had over 2,000 law enforcement officers injured, \$2 billion worth of damage. They didn't condemn that. They just concentrate on January 6th.

And, of course, what shows that committee to be a total sham is nobody's asking the question they should be asking, why wasn't the Capitol prepared? Why wasn't it better protected and who's responsible for the lack of preparation and security?

HANNITY: We now know there were warnings sent directly to Schumer's office on January 5th. We know the Capitol police had intel two weeks before. We know the Capitol police chief requested it himself six times, none of that has come out in the hearings.

Senator, your race is critical for Republicans if they are to take control. How's your race going? Real quick.

JOHNSON: Well, they've already spent \$34 million against me. My website is RonJohnsonforSenate.com. Sean, you and your audience have been great, but I need more support. I really do. RonJohnsonforSenate.com if we want to save the Senate seat and it's crucial to do so.

HANNITY: And, by the way, the people in Wisconsin, that money is not all coming from Wisconsin. You've been targeted. I think you're number one on the Democrats' list.

Senator, thanks for being with us.

When we come back, a HANNITY exclusive investigation into how liberal politicians and prosecutors deal with rioters. They deal with Republicans one way and Democratic activists a very different way, straight ahead.

(COMMERCIAL BREAK)

HANNITY: All right. Tonight, the Democrats in their one-sided shams show trial, January 6 investigation, continues to drag on and on and on. By the way, interesting poll, only nine percent of people are paying attention. But it is serving one distraction right after another not just from Biden's failures but from the lawlessness, the crime plaguing Democratic-run cities all across this country.

And, by the way, Democrats -- they don't lift a finger and they never talk about it. As we've been showing you on this show night after night, in city after city run by liberal Democrats for decades, costs are going up, crime is going up, quality of life is going down.

And it's all natural consequence of the Democrats, what, defund, dismantle, end all cash bail agenda. Now, that fuelled lies and attacks against police and coddle violent criminals from the summer of 2020 until now. Here's a quick refresher. Take a look.

(VIDEO CLIPS PLAYED)

HANNITY: Where's the committee looking into all this? Remember, it was Biden and Harris who amplified all of these lies on the left. Joe Biden said police have become the enemy. Kamala Harris, remember, she promoted a fund to bail out violent rioters, a fund later freed a man charged with murder.

And when she was asked by Stephen Colbert about the ongoing demonstrations, she said they're not going to stop and they shouldn't stop and we're not going to stop.

And the two-tiered justice system we have, it couldn't be more obvious and on full display more than now because Democrats, they have obsessed over one riot, January 6th, and obsessed over trespassing at the Capitol that day. There's still no investigation at all, 574 riots in the summer of 2020, thousands of cops injured, dozens of dead Americans, billions in property damage.

The Biden DOJ, they're not even hiding their disdain for the rule of law. Look at this case of a Minnesota rioter, Montez Lee, pled guilty earlier in the year to a single count of arson. He set a pawnshop on fire during the 2020 riots in Minneapolis. He was facing 16-1/2 to 20 years in jail. But far left prosecutors in a sentencing memo asked for leniency because prosecutors believed

that he appeared, quote, to believe he was in Dr. King's eloquent words engaging in the language of the unheard. He got only 10 years in jail despite a charred body -- dead body found in the rubble of that pawnshop.

So far left prosecutors, they're making it clear, if you're rioting, committing violence in the name of a left wing cause, you're going to be treated very differently. You'll get leniency. There'll be no investigation.

And it wasn't only in Minneapolis. Then Manhattan D.A. Cy Vance in June of 2020 said he's not going to prosecute, quote, low-level arrests stemming from the George Floyd demonstrations. Recently recalled D.A. in San Francisco, Chesa Boudin, did the same thing. And while crime worsened all across the city.

So the question is, do we have equal justice under the law in this country, an application of our laws? Because too often, it looks like there's one set of rules for the left and another for the rest of us. We've been consistent on this show. We condemn all rioting. We condemn January 6th in real time.

Where's the investigation? Why can't Democrats, their allies in the media mob be intellectually honest and consistent? Fake news CNN, NBC, they said it was mostly peaceful, as cities are literally burning to the ground behind them.

Remember the CHAZ, CHOP, Mayor Jenny Durkin, Summer of Love zone? Well, that's where Horace Lorenzo Anderson Jr. was killed. Nancy Pelosi said, well, people will do what they're going to do.

The summer riots cause well over a billion in damages, crickets from Democrats. They would rather launch yet another round of January 6 political theater to bludgeon Trump and his allies yet again, than to be honest of their role in fueling attacks against law enforcement and turning a blind eye to violent crime from coast to coast. It's pretty unbelievable, and it's pretty sad.

More HANNITY straight ahead.

(COMMERCIAL BREAK)

HANNITY: All right. Unfortunately, that is all the time we have left this evening. As always, we thank you for joining us and making this show possible. We hope you'll set your DVR so you never miss an episode.

I have good news. In the meantime, let not your heart be troubled at all pitter-patter because Laura Ingraham, "THE INGRAHAM ANGLE" starts right here, right now with a great show tonight -- Laura.

END

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June 21, 2022

### FBN INTERVIEW WITH REP. CLAUDIA TENNEY (R-NY)

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JUNE 21, 2022

SPEAKERS: REP. CLAUDIA TENNEY (R-NY)

MARIA BARTIROMO, FBN ANCHOR

[\*] MARIA BARTIROMO, FOX BUSINESS NETWORK ANCHOR: Joining me right now is New York Congresswoman Claudia Tenney. She is a member of the Foreign Affairs and Small Business Committees.

Congresswoman, it's great to see you this morning. Thanks very much for being here. You know, we've been talking about how --

REP. CLAUDIA TENNEY (R-NY): Thank you (ph).

BARTIROMO: -- they say that they are using 'Remain in Mexico' and implementing it because a federal judge is forcing that. And yet the border agents have told us in the past they're really not.

I've said that many times, and now we see out of one and a half million encounters only a few thousand have actually gone back. Are they blowing off the law?

TENNEY: Absolutely. How can you ignore a federal court order? How can this not be an impeachable offense for a -- the executive branch and the president to ignore a federal court's order to continue to enforce the 'Remain in Mexico' policy and see the havoc that's being wreaked at the border, whether it's fentanyl, human trafficking, using children as shields. We know, you've seen it. You've seen the warehouses full of children and people and migrants not being sent back.

And the numbers are astounding, and it's become just untenable and impossible for our Border Patrol to manage this. And again, I've called for Biden to be impeached just on this issue, just on the border, as many others have as well. It's time to start acting. We need to enforce the border and protect the American citizens on every level.

BARTIROMO: Well, you're seeing people from the lists of terrorists come in the border. You're seeing Chinese citizens pay up to \$50,000 to get in. You're seeing massive amounts of drugs coming in. And I mean, it certainly feels like a dereliction of duty not to even acknowledge any of this.

TENNEY: I don't understand why they're just -- they think that this isn't important. The American people, while we're suffering with inflation, and the high cost of gas, we're also dealing with a crime wave. And we're seeing people from all over the world now coming across the border.

This is -- I think, they've registered over 160 countries. This is not a Northern Triangle type of situation where people are coming just to come to this country because they're -- you know, which is natural migration flows where there's more prosperity.

But that's why the 'Remain in Mexico' policy was so successful. People knew that they weren't being incentivized to come across the border. But now we just have so many gotaways and so many people coming into the interior of this country.

Not to mention the Biden administrations own so-called travel agency where we're actually at the taxpayers' expense, flying these illegal immigrants all over the country, including to New York, where it's been documented. They're landing in smaller airports in Upstate New York near where I live, and they're rejoining --

BARTIROMO: Yes.

TENNEY: And we're paying for it. New York taxpayers as well.

BARTIROMO: Well, there's a lot of lawlessness in every corner. I mean, a new report shows pro-life centers and churches have been targeted with violence at least 40 times since the lead **Supreme Court** draft opinion showing the court could roll back Roe v. Wade. Protesters are marching outside of justices' homes. Congresswoman, isn't this illegal?

The **Supreme Court** is set to release --

(CROSSTALK)

TENNEY: Absolutely. Well, we've had --

BARTIROMO: -- another round of opinions today. It could include the abortion case.

You say you experienced threats first-hand as a young girl when your father was a New York state **Supreme Court** justice. Right?

TENNEY: Right. Actually, you know, people used to call a lot of domestic relations issues -- if you talk to anyone in the judicial or legal world, that domestic relations tend to be where they are.

I've had litigants call me when I was home, I just answered the phone, and said you'll never see your father again.

And you know, people are at their highest peak of emotion and it's -- they're difficult cases. But this abortion case is almost being egged on because Merrick Garland, our Attorney General, refuses to really do an investigation.

When you cite the number of pregnancy -- crisis pregnancy centers, including one in Amherst, New York, which is just outside Buffalo, near my district where these people that were doing the good work of trying to help women in crisis to keep their children and to help them take care of them post-pregnancy.

They're having to find and be relocated to safer zones because they can't be in these crisis pregnancy centers that were firebombed by activists and also leaving different kinds of threatening messages. You know, graffiti done to the building, threatening them and saying that if you're not safe if abortions aren't safe.

And this is the kind of activism that if -- you know, they're in front of, again, Justice Amy Coney Barrett's house. Justice Kavanaugh got an assassination attempt. And there is a law, 18 USC **1507** which prohibits the specific parading or picketing or protesting in front of a justice's home.

You can protest in front of the **Supreme Court**. You can go anywhere, just like Chuck Schumer did, you know, threatening language, insurrectionary language some might say, in front of the **Supreme Court** --

BARTIMOMO: Yes.

TENNEY: -- threatening Kavanaugh, threatening Gorsuch. So this is where we need to protect justices. And it's shocking actually, that a number of Democrats didn't even vote for this bill, when we waited for it to come through and the Senate unanimously passed it.

BARTIROMO: Yes, I don't know how you explain that one, really. Why you wouldn't want to vote for that. Congresswoman, thanks very much for being here this morning. We'll keep watching all of that.

Congressman Claudia Tenney this morning in New York.

TENNEY: Thank you.

BARTIROMO: Thank you so much.

END

--- **Index References** ---

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## NewsRoom



## NewsRoom

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### Biden Presidency In Free Fall; Inflation, Gas Prices, the Border, and Bicycles Just Some of the Many Items Plaguing Biden's Presidency

SEAN HANNITY, FOX NEWS HOST: Thank you, Tucker. They're raised and ready to roll but I'm worried about monkeypox. No doubt about it.

All right. And welcome to "Hannity".

Tonight, the Biden administration is in a free fall and I mean literally. As it turns out, even long weekends at the beach are a struggle for poor Joey. On Saturday, as you probably know by now, the president fell yet again. This time, he was unable to maintain his balance after leisurely taking a bike ride in Delaware with the first lady. Thankfully, with some help, some nice people around him, he was able to get back on his feet. And now, he's okay.

This comes amid growing concerns from the Democrats in the left and even "The New York Times" about the president's mental and physical fitness, even fake news CNN.

Now even some Democrats are questioning Biden's abilities and casting doubt on a second term which he says he's going to run for. Of course, the White House is well aware of these concerns and this weekend. In order to reassure you, the American people, they had the president perform a variety of, frankly, embarrassing political, physical acts. In other words, they put on a show. Ultimately, did more harm than good.

For example, on Friday, Joe did his very best sprinting all the way out to Marine One. Good job, Joe.

Then on Saturday, he suited up like a competitive cyclist fell off his bicycle when he came to a stop.

And on Sunday, he pretended to jump rope in front of the cameras. And it's kind of sad, deeply concerning. There he is jumping rope. Good job, Joe, 79-year-old president has been pretty much unable to stay upright.

Now, remember, you know, this particular incident -- remember the White House, they blame the first major fall or three falls -- it was a very windy day. I don't know what's worse, the fact that he fell three times or they're lying to us and said it was a windy day, that's probably why he fell. If he's that weak that the wind is blowing him over, it's not exactly a hurricane over there.

Anyway, but as of this hour, we have not heard if they're claiming the winds blew Joe over on his bicycle, like they suggested for the reason that he tripped three times going up the stairs of Air Force One. Take a look.

(BEGIN AUDIO CLIP)

REPORTER: We saw the president take a fall on the stairs. Is he doing okay?

KARINE JEAN-PIERRE, WHITE HOUSE PRESS SECRETARY: So, as you know, it's pretty windy outside. It's very windy. I almost fell coming up the steps myself. He is doing 100 percent fine.

(END AUDIO CLIP)

HANNITY: It's windy outside. I go out with the president, I could barely keep up, the new White House press secretary says..

Okay, this time they're changing their tune up a little bit. The White House is blaming the bike. Naturally, the media mob is totally unconcerned and more than happy to look the other way and they're barely reporting on Biden's fall at all.

But remember, two years ago, when then President Donald Trump carefully walk down a wet ramp that didn't have any guardrails at all, in slick dress shoes. You know, kind of dangerous. If you ever tried it, not good.

Anyway, he went down slowly. The media mob went ballistic. They all but accused him of having a neurological disorder of some kind. Take a look.

(BEGIN VIDEO CLIPS)

UNIDENTIFIED MALE: The president himself is having momentary stumbles, momentary lapses, and you know, it looks restraining for a word or whatever it might be.

FREDRICKA WHITFIELD, CNN ANCHOR: You know, the president, you know, spending time in his weekend getaway there in Delaware. He likes to get out, sometimes interact with people. But perhaps this was not the interaction that he was planning or hoping for today. He took a little bit of a tumble while biking. But how is he doing really?

ALISYN CAMEROTA, CNN ANCHOR: So maybe he just has a hard time going down a gently sloping ramp but do you see something possibly neurological that could be throwing off his balance?

UNIDENTIFIED FEMALE: President Biden fell off his bike in front of a crowd and the press there in Rehoboth Beach, Delaware. The president said that the tow cages on his bike got caught and that caused him to fall sideways. President Biden says he's A-okay and there are no visible scrapes or bruises from this fell.

UNIDENTIFIED MALE: Biden is jabbing back, pointing to Mr. Trump's slow descent down a ramp at a West Point commencement earlier this year.

JOE BIDEN, THEN PRESIDENTIAL CANDIDATE: Look at how he steps and look how I stepped. Watch how I run up gramps and he stumbles down ramps, okay? Come on.

(END VIDEO CLIPS)

HANNITY: All right. So the media mob, Joe Biden and his entire administration are all in denial but not just about Joe's mental and physical stamina, they're also in denial about the crisis on the southern border. They are in denial about violent crime in American cities. They are in denial about inflation at a 41-year high, denial about, of course, the highest gas prices we've ever experienced five, six bucks a gallon, and in denial about the looming recession as a result of his economic and energy policies.

Take a look.

(BEGIN VIDEO CLIP)

REPORTER: Economists are saying recession is even more likely than ever.

BIDEN: Not the majority of them aren't saying that. Come on. Don't make things up, okay? Now you're sounding like a Republican politician, I'm joking. That was a joke.

But all kidding aside -- no, I don't think it is.

(END VIDEO CLIP)

HANNITY: And according to "Bloomberg's" economic models and the economist and former Obama economic adviser Larry Summers -- well, this country is all but certain to fall into a recession by 2024, but again, Joe and the entire administration, they are in denial. We see the same thing with gas prices. Take a look.

(BEGIN VIDEO CLIP)

BIDEN: The idea we're going to be able to you know click a switch bring down the cost of gasoline is not likely in the near term.

KATE BOLDUAN, CNN ANCHOR: The president has said and made very clear that there's not much left that he can do.

GINA RAIMONDO, COMMERCE SECRETARY: Unfortunately, that is the brutal reality. The reality is that there isn't very much more to be done.

JANET YELLEN, TREASURY SECRETARY: With respect to energy, the administration has done everything that they can to bring down energy costs.

(END VIDEO CLIP)

HANNITY: This is where I get really angry. We've done everything we can. There's not much else we can do. They artificially reduce the world's supply. You don't need to go to Harvard Business School or MIT or an Ivy League school to figure out supply and demand they crisscross and they dictate the price and that guy in your screen artificially reduced the world supply of oil and gas and the price has gone up dramatically.

And now, he's about to kiss the ass of the crown prince of that nation called Saudi Arabia, the pariah nation as he call it -- he calls it -- the guy that he accused of killing journalist Jamal Khashoggi, he's about to suck up to him like they're sucking to Venezuela, like they're sucking up to Iran. Because of this climate alarmist religious cult -- well, none of this is going to happen.

All this was preventable and it's all fixable. You could simply restart the Keystone XL pipeline, we'll get thousand barrels of Canadian oil a day. Start there. They could lift the drilling ban in ANWR, we have pretty much unlimited supplies there. And other federal lands license permits to the oil companies, they can lift restrictions on fracking and refineries.

But instead of taking those productive steps to ramp up domestic production of oil and gas, they act like -- well, they throw up their hands we've done everything we can.

Small town mayor-turned-transportation secretary in over his head, Pete Buttigieg, Treasury Secretary Janet Yellen out to lunch are talking about some vague switch to renewables. Once we are energy uh independent with renewables, we'll be able to uh

get lower prices on energy. What renewables? Exactly explaining what technology are they talking about, where are they, when will they come online, and what is the plan here?

And can anyone in the administration answer any of these questions? And if these phantom renewables are so great, why is Biden headed to Saudi Arabia, the pariah nation as he calls it, to kiss the ass of the crown prince who accused -- he accused of murder? What, to beg him to pump more oil?

Why not just go to Midland, Texas? Why not go to North Dakota? Why not for natural gas go to Ohio and Pennsylvania and create high paying career jobs and not have to put the lifeblood of our economy in the hands of people many of whom do not like us? I don't like that guy. I don't trust that guy, and nor should we.

Saudi Arabia, OPEC nations, Venezuela, Iran -- they all pretty much hate us.

Now, sadly, we're now being led by complete total fools and morons, and our transportation secretary, former mayor of South Bend, Indiana, doesn't know what he's doing. The energy secretary is a self-proclaimed environmentalist who hates the oil and gas industry.

A year ago, the treasury secretary told the world inflation was transitory and now this country is barreling into another painful summer, spiking prices, record high inflation, record high gas prices and get ready for the rolling brownouts that are on the way.

Along with a president who is unable and unwilling to work hard or answer questions or sit down for interviews or do pretty much anything of value. Take a look.

(BEGIN VIDEO CLIP)

REPORTER: Mr. President, will you talk to Chinese President Xi soon?

BIDEN: I will not talk to you on my vacation. Yes, now I'm going to be talking to him.

(END VIDEO CLIP)

HANNITY: I'll not talk to you. I'm on vacation, falling off my bicycle.

To be honest, our country would probably be a lot better off if Joe stayed on vacation. Anyway, let someone else more capable run the country, although Kamala, the giggling vice president, doesn't inspire confidence. Nancy Pelosi has her own cognitive struggling going on. So the more things change, the more they stay the same. Take a look.

(BEGIN VIDEO CLIP)

JIMMY CARTER, FORMER PRESIDENT: It's clear that the true problems of our nation are much deeper, deeper than gasoline lines or energy shortages, deeper even than inflation or recession. But after listening to the American people, I have been reminded again that all the legislation in the world can't fix what's wrong with America.

(END VIDEO CLIP)

HANNITY: Here with reaction, author of the soon to be released book. You can get a first print copy edition. It's called "Suppression, Deception, Snobbery, Bias", it's on amazon.com right now as we speak, soon to be in bookstores, FOX News contributor Ari Fleischer, along with former Arkansas Governor Mike Huckabee.

You know, Governor, I'm looking at all this and I'm thinking, all these problems were preventable. I don't care if it's the border, high gas prices, inflation. And right down the line, starting with Joe Biden, and Jennifer Granholm and Pete Buttigieg, and Janet Yellen -- they all tell us the same thing because every -- there's nothing left to do.

There's one big thing to do. Go back to the policies that were working that they inherited.

MIKE HUCKABEE, FOX NEWS CONTRIBUTOR: You know, there's -- there's an old rule in politics and when you're in public service and in office. Sometimes you're doing something great but it doesn't look like you're doing anything. And then there are other times when you really aren't doing anything but it looks like you're doing something great.

Joe Biden has managed to do nothing and to make it look like he's doing nothing, and I'm glad he didn't get hurt falling off the bike but that really was a metaphor for his entire administration and tenure. You know, he just can't keep the bicycle on the road and he crashes it and, you know, it's a good thing he's not hurt. But the American people are hurting and that's what we've seen day after day.

And his policies -- they're failing and the worst thing is, it's obvious that they're failing.

HANNITY: You know, Ari, one simple thing they could do -- I don't even know most Americans know this, but for every gallon of gasoline we purchase, the federal government gets 18.3 cents a gallon. Why don't they get rid of the gas tax to give Americans, especially poor Americans, middle class Americans, people on fixed incomes why don't they give them some instant relief instead of the temporary band-aid tapping into the strategic petroleum reserves that he -- they do that for a month to act like they're doing something.

ARI FLEISCHER, FOX NEWS CONTRIBUTOR: Well, it's kind of amazing, Sean. I mean, the Democrats who've never met a tax they didn't hike, who like hiking gas taxes, like hiking all taxes they are actually talking about a gas federal gas tax holiday. The problem with it is prices are rising so much if you knocked 18 cents of federal tax off of gas, people wouldn't notice it. It wouldn't make a difference.

When gasoline is five dollars a gallon, \$5.50 a gallon and climbing, this 18 cents is not going to make any difference in people's pockets.

If you want to reduce the price of energy, you nailed it, Sean, produce more energy in America, produce energy in New York state on the border of Pennsylvania. New York won't even allow fracking in the state.

We have so much resources in this country we could develop but it's the politicians and it's really the Democrats standing in the way of doing it. So they're the reason prices are high. They need them to be high. They want them to be high, middle class be damned.

HANNITY: But every single -- you know, if you look at most big banks, Governor, most financial institutions, I mean, look, you got to give these guys credit. They're smart people. They have great educations, great pedigree. They've been to the finest institutions in the country. They know what they're talking about. And they're all saying recession.

Why is Janet Yellen and Joe Biden -- basically the two loudest voices, saying, oh not necessarily, we may not have one. The same people that said it was transitory?

HUCKABEE: Yeah. Janet Yellen, really, is doing a great impersonation of Ethel Merman singing everything's coming up roses. But it's not coming up roses, it's coming up thorns. And the American people are feeling the stick of it. Do you think Janet Yellen has filled up a tank in a car any time recently? Do you think Joe Biden has gone to the pump, looked at how much it

cost, pulled his credit card out of his wallet and had to pay for the gas in his SUV that he squired around in or the Beast, the limo that he squired around in? No.

So is it affecting them? Not one bit, not at all. But it is affecting single moms. It's affecting working class people. It's affecting every truck driver. It's affecting every shipper. It's affecting everything that we buy from the shelf because it's costing more to get it there. Costing more to produce it and consumers are gut punched by inflation higher prices and runaway energy costs that never had to happen.

What Ari said was so very true. We could have avoided this all together by simply looking at the fact that we have several hundred years of energy that we could be using and it's right under our own feet. How dare we go to Venezuela and Saudi Arabia and beg them for anything?

HANNITY: Ari, I'll ask you, why don't they do the -- why don't they go right to the obvious? We have enough energy resources. We don't need to be begging these two-bit you know dictators and leaders of countries that that don't like the U.S. Why are we begging them?

MELBER: Because Joe Biden wants to have it both ways. He wants to be able to say that he's fighting to lower gas prices for working Americans but he doesn't want to produce gas at home because somehow that would offend the left, the green new deal people. It's okay to ask for more help from Venezuela, let them drill in Venezuela, let them drill in Saudi Arabia.

As if that economically and ecologically has any different impact on global warming than it would be to get a barrel out of the United States. But because he doesn't want to offend the left in the United States which has been the pattern of his entire presidency, don't be a moderate, don't govern down the middle, don't upset the left. That's how Biden governs, he won't produce energy in America.

It's such an obvious solution. It's such a healthy solution. It's the right thing for our country.

And the Democrats need prices to be high on oil. They need prices to be high on gas. This is their secret sauce. It's the only way to get the green new deal to be economically competitive. That's why they want high gas prices even if they can't admit it.

HANNITY: All right. Ari Fleischer, looking forward to your book coming out soon.

Governor Huckabee, great to see you.

All right. Here with more, FOX News contributor Lara Trump, "Outnumbered" co-host Kayleigh McEnany.

Good to see you both.

Lara, I'll start with you. You know, the interesting thing is there was a debate and I played it too many times I won't play it again where your father-in-law said, wait a minute, you're going to get rid of oil? Whoa, that's really big what he just said. Did everyone hear him say that?

He predicted on another occasion you're going to be paying five, six, seven, eight dollars a gallon for gasoline. Joe doubled down and said, I'll eliminate fossil fuels. He said it not once. We have on record saying it four times.

So he's actually following through on what he said he would do and I don't think most people recognize that part.

LARA TRUMP, FOX NEWS CONTRIBUTOR: Well, they ought to and it's unfortunate that this is something that actually Joe Biden has followed through on and it's hurting Americans across the board. But you're right, think back to those rallies,

the times that you heard my father-in-law, President Donald Trump, talk about what would happen if Joe Biden ever became president of the United States.

And when he said that, when he said that about the gas prices, Sean, talking about six, seven, eight, nine dollar gasoline per gallon, people said that will never happen. It is happening right now across our country and this is only 18 months into the Biden presidency.

What else did President Donald Trump predict? He predicted a recession on the rise if Joe Biden became president of the United States.

I think most people in this country look at what's happening with our economy. They look at the high gas prices. They look at the inflation. They look at the fact that people don't have the discretionary money they used to have to go on vacations, to go to a movie, to go to a restaurant, that hurts the economy across the board and it's a bit of a waterfall effect. What does that lead to? Likely a recession. Every expert has agreed on that.

And, you know, you also played some of those clips just a moment ago of the hysteria from the media over my father-in-law walking down a ramp. But don't forget it wasn't just that. It was the time and time again getting the White House doctor out in front of the media to ask about two scoops of ice cream. And look, I struggle to find anything I agree with Joe Biden on, it's true, he is though the representation of America around the world and to have a guy that can't even ride a bicycle quite frankly, it is sad to see that. Our allies see that. Our enemies see that. It is just another way America looks weaker and is weaker under President Joe Biden.

HANNITY: You know, Kayleigh, I thought about you because Karine Jean- Pierre, the new White House press secretary, she was the one when Biden tripped not once not twice but three times going up Air Force One. On Air Force One, she was asked about it and she said it was very windy outside. So I don't know what's worse, the fact that he fell over three times or that they're claiming the wind knocked him over?

Okay. Then she said last week, you know, oh, this president -- he's got so much energy I could barely keep up with her -- with him. And I'm like, she must be in really bad shape because it looks like anybody can keep up with him.

KAYLEIGH MCENANY, OUTNUMBERED CO-HOST: Yeah, it is absolutely pathetic, Sean. I -- every time I came to the podium, not every time, but many of the times, I would be asked about this secret visit that President Trump had to Walter Reed and, oh, did he have a stroke? All of these things that were just totally out of line, totally false. It was a standard routine visit, but the press would speculate and ask over and over again about it.

The ramp saga, "The New York Times", their headline was that they were questioning his health and then the byline, the subject line right underneath it said and he struggled to lift a glass of water.

Sean, this is the man who I had a hard time following around to five rallies in a day, five rallies. He would go until after midnight East Coast Time.

HANNITY: Is anybody watching think that he's capable -- Joe Biden's capable of five rallies in a day? I don't think so.

MCENANY: Absolutely not.

HANNITY: I've done four cities in a day on a book tour.

L. TRUMP: Maybe from his basement, one.

HANNITY: What's that, Lara?

L. TRUMP: Yeah. So maybe one from his basement and rally is a very loose term if you have eight people in hula-hoop. So, you know, not really.

HANNITY: That's true. You know, maybe seven or eight people.

But imagine if you said on Air Force One, if Donald Trump tripped even one time going up the steps to Air Force One, it's very windy outside, what would the reaction would -- what might it be? Or if Donald Trump had no energy like Joe and you said with a straight face, I can't even keep up with him.

I'm like, if you can't keep up with him, you don't belong in that job.

MCENANY: Yeah, that's exactly right. We don't have to guess this, Sean, because President Trump said, you know, it was a slight hydro plane that he had on the ramp which is absolutely the case. I've walked on some of those ramps at rallies. They're very slippery and, of course, the sinister press said, oh, well, it wasn't raining outside. Yeah, it didn't have a rail.

Oh, well, it wasn't raining, that must be a lie. No, it's just a basic fact that the ramps are slippery but they will make every excuse in the world for Joe Biden.

HANNITY: He was wearing a dress shoes.

(CROSSTALK)

MCENANY: It's the wind that (INAUDIBLE) the old Joe.

HANNITY: If he had sneakers on, you might have a case to make.

MCENANY: Right.

HANNITY: Lara, you get the last word.

L. TRUMP: Well, here's what I'll say: I actually ride a bike quite often. I do triathlons and I'm actually clipped into my bike. So I understand that if you're clipped into a bike, sometimes it can get a little hairy whenever you stop. He wasn't clipped in. He had tennis shoes on.

So, look, again, I just think this is a really sad representation for America because imagine Xi Jinping, imagine Vladimir Putin, imagine Kim Jong-un watching the video of Joe Biden falling on his bike. Wow, what a bad moment for America.

HANNITY: You do triathlons. I just -- I just do trained to do -- fighting to win a fight in 30 seconds or less and win by a big margin. So I don't know. You're in way better shape than all of us.

MCENANY: And I cheer you both on.

HANNITY: All right. Thank you both.

All right. Straight ahead tonight, sadly, violent crime continues to plague mostly Democratic-run cities. One man in Illinois jumped out of his car, tried to attack a police officer with a hatchet. We're going to tell you what happened, show you what happened.



Leo 2.0 Terrell and our friend Tre Pennie, Sergeant Tre Pennie, next.

(COMMERCIAL BREAK)

HANNITY: All right. Tonight, more shocking violent crime caught on tape earlier this month. A police officer in Naperville, Illinois, was ambushed by a man with an axe. The officer made a very split decision to shoot and kill the man likely saving his own life.

Take a look.

(VIDEO CLIP PLAYS)

HANNITY: Just the latest example of dangerous and difficult decisions police officers must make on a daily basis.

Unfortunately, anti-police rhetoric, defund, dismantle no bail is fueling more and more violent crime all across the country. For example, five major cities all run by Democrats are now on pace to pass last year's homicide numbers.

In D.C., there have been over 90 homicides so far this year. By the way, ask yourself, do you know the names of any of them? Including a teenager who was killed over the weekend at an event called Mochella.

But sadly, the senseless violence is now all too common. In New York, one person killed, eight injured. In a Harlem shooting on Father's Day weekend, in the city of Chicago -- well, they set the record again. Forty-seven shot over this past weekend, that included an 11-year-old girl shot in the leg.

And get this, look at your screen, police are now searching for a suspect after new footage shows Louisville mayor -- the Louisville mayor being sucker punched during an event on Saturday. Where are the big city Democrats who claim to care so much about gun violence?

You know, when is Joe Biden going to visit Chicago? Because he paid no attention to it eight years as vice president. When will he demand accountability in this Democratic-run city, in this deep blue Democratic state because this has been going on since he first became vice president? Why is this happening weekend after weekend after weekend, no solutions, no attention? We have scrolled the names of our American treasure lost to the lawlessness in major cities.

Why is it Democrats continue to politicize the issue rather than work to fix the problem? Why do we only hear about the names of people when Democrats can politicize the issue and blame Republicans or blame Trump?

And I'll ask again. Where is the investigation into the 574 riots during the summer of 2020? We had dozens of dead Americans, thousands of injured cops, billions of property damage.

Remember, it was Joe Biden that said police, they become the enemy, and the crime we're now seeing in major cities is the natural consequence of all of these bad policies that we keep pointing out.

Here with reaction, FOX News contributor Leo 2.0 Terrell, along with the president of the National Fallen Officer Foundation, Tre Pennie is with us.

Trie, welcome. Good to see you.

By the way, I would be negligent. So Leo has complained for a long time, we've never had the chance to break bread together this weekend he was in New York. We broke bread together. And I got a gift.

Look at this, for the first time in my life, a shirt designed just for me - - hang on a second, where you can you see it. I almost have to stand up. You see it's monogrammed.

Look at that monogram.

LEO TERRELL, FOX NEWS CONTRIBUTOR: Monogrammed, that's beautiful.

HANNITY: And it's even have cuff links which I've never worn in my life, all because of you, Leo. Thank you very much.

TERRELL: You look beautiful.

HANNITY: Your friends that that run this incredible shop, tell him I said thank you, too. I never wore -- number one in my life I had a custom made shirt. So thank you.

Leo, why is this happening?

TERRELL: I'll tell you why, because the Democrats do not prioritize crime in these cities. That's their base and, Sean, you scroll those names every day.

And let's not forget the two officers who were murdered in L.A. County. The bottom line is simply this: the Democrats are soft on crime. They want to claim that there's systemic racism and systemic discrimination.

But in those five Democratic cities, you have people of color being killed by people of color and by different other groups. And yet the Democrats won't do anything about it. Why? Because that's Black Lives Matter. That's Antifa.

And what you have -- you have soft on crime prosecutors like a George Gascon, like an Alvin Bragg. You have a mayor in New York City, Sean, who likes to party.

The bottom line is simply this: the people who the Democrats allegedly care about, people of color in these Democratic cities, they don't care about, and they will not address the issue because if they address the issue, Sean, they would have to acknowledge that they do not care and are not going to stop this.

HANNITY: You know, Tre, you're also the head of the Dallas Fallen Officers Association, and we talk -- we never hear the names of all the cops that are killed in action doing their job putting their lives on the line. You meet these families on a regular basis, and we don't talk about it.

Why is it that all these -- all these kids get shot, all these people are shot every weekend in Chicago, all these officers die and we never hear their names. Why is that?

SGT. TRE PENNIE, PRESIDENT OF NATIONAL FALLEN OFFICER FOUNDATION: Sean, it goes against their narrative. Look over the last two weeks I've been going to these different inner city communities meeting with community leaders about the crime issue. We're talking about the crime issue, we're talking about the murder rate and how these kids are being killed in the community and there's no way to stop it.

And you think about it over the last two years, the Democrat socialists have convinced us to defund the police. They went from taking away resources from police, and police officers leaving the profession, to now, we're talking about we need more

police officers to do this job. The reality is it's not police and I think it is important for us to explain to the public that there's a difference between law enforcement and the administration of justice.

What happens once they get into the criminal justice system is on the DA. It's on the judges it's on these liberal politicians that continually release these violent offenders back into our society. And yes, our young victims in our communities are being left behind and being forgotten because they look at crime in the inner cities as if it's just another thing, it's another day another walk in the park. But you know what, these are real lives, these are real people that are being impacted.

And I'm here to fight for them. I'm going to do everything I can from a law enforcement side to continue to engage the people that can make a difference, as well as working with the community so they can continue to embrace police. That's what we need to be at right now, Sean.

HANNITY: You know, in real time I'm a radio show, I condemn the January riot, Leo. I've played it on this show. We have a committee that we have -- where's the committee's looking into the 574 riots. Where are the committees looking into the violence on a typical weekend in a city like Chicago or New York or where you live in Los Angeles?

Why is it they ignore those -- why do they only pick certain ones that they seem to want to talk about and ignore all the multitude of others?

TERRELL: I can't address this as clearer than what I can say right now to everyone watching this program -- these are people of color who are being tormented by people of color. These are Democratic mayors, Democratic police chief, and they're doing nothing because if they attack these individual cities, Baltimore, Los Angeles, Washington, Chicago, then they have to acknowledge the failure of their policies.

You cannot have discrimination in these areas when they're run by people of color. Five hundred and forty-eight riots since the Summer of Love in 2020. And, Sean, it's getting worse because until Democrats who believe in law and order -- I know there's people out there who do -- until they wake up and kick these guys out of office, this will continue like it has been continuing in these cities for over 50 years.

HANNITY: All right. Tre, thank you, and please always send our best to the families of these fallen officers. We appreciate you being with us.

Leo, I love my custom-made shirt. I can't thank you enough. I don't think that would look better. It looks good, right?

TERRELL: You look great. You look beautiful.

HANNITY: Monogrammed, I'm never going to wash it. I'll never be able to wear it again.

TERRELL: I mean, you look beautiful.

HANNITY: Exactly.

TERRELL: Doesn't it, Tre? He looks great.

HANNITY: All right. We'll have Tre join us next time. Thank you both.

All right. Coming up, far left activists targeting yet another **Supreme Court** justice this weekend, protesting outside the home of Justice Amy Coney Barrett. She has young children, Tammy Bruce, Charlie Hurt weigh in as we continue.

(COMMERCIAL BREAK)

HANNITY: All right. Now, tonight, more left wing intimidation tactics ahead of the **Supreme Court's** expected abortion ruling. I guess it can come any day now. Now, pro-abortion protesters swarmed outside of Justice Amy Coney Barrett's home this weekend, dressed in clothing, appearing to be soaked with blood.

Take a look at this. Look, you know, holding baby doll toys, holding signs, reading things like abortion on demand with no apology. Remember, it was Jen Psaki who actually encouraged that type of demonstration, which in fact do violate federal law, 18 USC **1507**.

Can't intimidate. You can't harass a judge especially on the verge of making a decision. It also comes as at least now pregnancy centers have been targeted by vandalism and property damage since the draft leak of the **Supreme Court's** opinion.

Ad remember that group Ruth Sent Us also called for demonstrations at Justice Coney Barrett's church, and even name the school that her children attend, even said how many times she goes to church on any given week.

Here with reaction, FOX News contributors Tammy Bruce and Charlie Hurt are with us.

Okay, so it's against the law we know that, Tammy. That's number one. Number two, we now know kids are involved. Now, they're giving out the schools of the justice's children.

This is after, of course, we had uncovered an assassination plot against Justice Kavanaugh. They're now openly threatening these justices -- oh, this justice goes to this church every day of the week. Is that pretty much can I can one interpret that reasonably to say, yeah, if you want to you know intimidate or harass or maybe worse a justice, this is where they will be on any given day at any given time?

TAMMY BRUCE, FOX NEWS CONTRIBUTOR: It's outrageous. And look, it's the 21st century. Many of the viewers watching this, some of whom may be on the left, should know my background. I say this is someone who was on the left who cares about this issue when it comes to women being able to live the lives that they want to live.

But what you're seeing right now has nothing to do with abortion rights. It is not 1970 or 1980 or even 1990. It is the 21st century.

The things that they're chanting about and complaining about are lies. Many of these individuals who have been doing this are minors, talking about women aren't incubators and we're not going to be enslaved. This is not a TV show. These individuals have been manipulated and brainwashed for the most part by adults who know that none of this is true.

What this is about is about dividing Americans again, about certainly especially frightening young women who don't know any better, who might not know that the **Supreme Court** doesn't make law, that if this Dobbs decision comes down, and Roe versus Wade is overturned, it does not make abortion illegal.

What this does do is it creates a huge distraction for people that the left and the Democrats are losing because of the economy, because of gas, because of danger, because of Democrats talking about putting women into the draft because of new wars around the world that will involve women and the men that they love and the women that they love.

This is a distraction. It will ruin their lives. It is encouraging and tipping over people who are inclined to do violence or believing this kind of rhetoric to do things that are horrible.

So this is again a pretext. They want victimhood. They want it to be 1985 or 1990, whereas in fact even then these issues are about giving women more power at the local level, instead of with a bunch of judges in Washington, you'd think that they would want that. But in the meantime it's about division and violence and victimhood.

And none of the people setting up these young women to do this are going to bail them out of jail they're not going to take their places. They're setting them up and they're throwing them under the bus.

HANNITY: Where's FBI Director Wray? Where is Merrick Garland enforcing the laws of the land? Because this is clear intimidation, harassment of these justices, Charlie.

CHARLIE HURT, FOX NEWS CONTRIBUTOR: Yeah. Well, of course, that's the real uh constitutional problem here is that it is clearly a violation of law. Tammy's right, they should roll up in a paddy wagon, throw every single one of them in the back of there and put them in jail for a couple of days or longer and charge them with serious -- the serious crimes of trying to intimidate uh members of the court whether they're justices or whatever.

But the -- you know, to be really cynical about it to be really political about it, I have to say that these images that we see and this behavior that we see and quite frankly even sort of the encouragement that these lost kids have been getting from the highest levels of our government, Democrats in the in that in the legislature and in the executive branch working for President Biden, it's so appalling and it's so disgusting and the tactics are so reprehensible that from just from a very cynical political standpoint, I think in a lot of ways that they're chasing people away from whatever argument they're trying to make.

And, of course, Tammy is exactly right. All of the arguments they're making are complete lies. They're lying about everything. But for -- you know, in the short term, in real time, what they're managing to do, they're not winning over anybody, and I suspect they're not intimidating Amy Coney Barrett.

HANNITY: I think they're going to run on this, Charlie. And I'll give Tammy the last word.

They think they're going to run on abortion, on guns, January 6th, and then the typical Democratic playbook. Meanwhile, every American every day when they fill up their car are paying record high gas prices and everyone has sticker shock in every store they go to because everything they buy is up dramatically.

So I don't think this is going to play out the way the Democrats think it'll play out. I think most American women will realize if Roe is overturned, abortion still legal in America.

BRUCE: Well, they do, because, you know, we're adults. We understand what's going on. The left treats us as though we're infants that we don't understand what's happening in our lives.

But ultimately, this is also about what the future is going to be and what our families are going to look like and we are insulted by this after all these decades of working to be taken seriously and the Democrats still aren't doing it.

HANNITY: And they're just lying about the whole thing.

BRUCE: Everything, everything.

HANNITY: Coat hangers, back alley abortions, none of it is true, and people will see, assuming that gets overturned.

All right. Thank you both.

Coming up, an embarrassing moment, a number of Stephen Colbert staffers arrested by capitol police for illegally entering a house office building. Where's the January 6 committee?

Jason Chaffetz, Joe Concha, they're next.

(COMMERCIAL BREAK)

HANNITY: All right. Thursday night staffers for Stephen Colbert's the late show were arrested by Capitol police, charged with unlawful entry. Now, sources are telling FOX News that they took videos and pictures around the offices of Kevin McCarthy and Lauren Boebert after being denied credentials for the January 6th show trial.

Get this: the Colbert staffers were apparently first invited into the Capitol, you got it, by the congenial liar Adam Schiff and other House Democrats, so they can conduct interviews. They overstayed their welcome. They were forced out then they went back in and into a restricted area.

Seven were each charged with unlawful entry but, where's the outrage from the Democrats? Aren't they concerned about trespassing and securing the Capitol, or is that only when they can use it to attack Donald Trump?

Here with reaction, FOX News contributors Joe Concha, and Jason Chaffetz.

I haven't heard a thing from the Jan 6 committee, Jason. Why is that?

JASON CHAFFETZ, FOX NEWS CONTRIBUTOR: Oh, boy, shocking there, Sean. Look, all you ask for is equal application of the law. Somebody breaks the law, then they should be charged.

So, on the one hand, I'm glad that the Capitol police have the political guts to actually arrest these people. There is I think a question as to how is it that they got back into the Capitol. Once you've been kicked out, isn't there a security breach by allowing them back in for a second time? But I'm glad that they have been caught that they've been charged.

But I want to see these people prosecuted to the same degree and the same outrage that the left pretends on January 6 people.

HANNITY: You know, considering we now know that Donald Trump authorized up to 20,000 troops to be available days before January and justthenews.com, John Solomon, reported the Capitol police had advanced knowledge two weeks in advance that something might be up, you would think that they would they would care and learn something from these events, Joe Concha.

You would think that they'd bring in Nancy Pelosi and Chuck Schumer in the sergeant of arms and the Capitol police chief and say, well, you had 20,000 troops, Muriel Bowser, why did you put in writing you don't want them?

JOE CONCHA, FOX NEWS CONTRIBUTOR: Yeah, and we'll never get the answers to those questions because this so-called bipartisan commission is anything but bipartisan, right? You know, Liz Cheney and Adam Kinzinger don't exactly count. There's been no cross-examination, so -- of any of the witnesses. So, that's where we are.

But could you imagine, Sean, if seven FOX News staffers were arrested at the Capitol and put in jail overnight for unlawful entry into that building, what the media coverage would look like? And, of course, so far, the broadcast news networks, we've seen an almost complete blackout of the Colbert seven. If this was FOX, the fainting couch store would run out of fainting couches in this industry.

HANNITY: Wait a minute, let's take it a step further. Let's call it the Hannity seven. I sent seven people to work on my staff, they did it, what happens?

CONCHA: Well, then, you would need to add another hour and day to 24/7 cable news coverage, right?

But to Jason's point earlier, in terms of the sentence -- the sentencing here, it's going to be very interesting to see what happens because Chad Pergram reported earlier on this network, a court found Couy Griffin of the group Cowboys for Trump guilty of a misdemeanor of entering the Capitol grounds. Even though he never entered the Capitol itself, he was sentenced to two weeks in prison, you know?

But in the end, it's not surprising that Colbert staffers who were supposed to be in the comedy business, by the way, attempted to do this. That show, along with Jimmy Kimmel, Seth Meyers, they're merely extensions of your average MSNBC show at this point, and the kind of escapism that we used to get at the end of a long day is gone. Sorry, go ahead.

HANNITY: So, one once again, Jason, you get the last word, 30 seconds. We don't have equal justice and equal application of our laws, do we?

CHAFFETZ: No, no, we don't. Nancy Pelosi treats it totally different and the Department of Justice is unwilling. Yet again, add this to the long, long list of things that they're willing to prosecute.

Lady Justice is supposed to have a blindfold but she doesn't. She's not going to do anything in this case because it's people that are favorable to the left.

HANNITY: Unbelievable. I think if it was the Concha brigade, they might have -- I don't know -- they'd get a pass. I'm -- it's possible.

All right. Appreciate it. And, Jason, thank you. And of course, Joe Concha, thank you.

Stay tuned. More "Hannity" right after this.

(COMMERCIAL BREAK)

HANNITY: All right. Unfortunately, that is all the time we have left this evening. As always, thank you for being with us. You make the show possible. We can't thank you enough.

Please set your DVR. Never miss an episode. You are never going to get this news from the media mob.

When you need news, foxnews.com, hannity.com, any minute, any hour of any given day.

In the meantime, let not your heart be troubled. Laura Ingraham is standing by. She's got a great show. "The Ingraham Angle" takes over right now -- Laura.

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**NewsRoom**



## NewsRoom

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June 21, 2022

### HOUSE GOP PLANS TO PUNISH GARLAND FOR ALLEGED PARTISANSHIP AT DOJ

WASHINGTON

The following information was released by the U.S. House of Representatives Committee on Judiciary, Republicans:

Republicans are preparing to take on Attorney General Merrick Garland if they win the House majority this year, including mulling impeachment, and several Department of Justice whistleblowers have come forward to help them.

Rep. Jim Jordan of Ohio, the top Republican on the Judiciary Committee, said more than a half-dozen whistleblowers have come forward.

"We just need to investigate and get all the facts right now," Mr. Jordan told The Washington Times, stressing that Republicans have not yet decided on what should be the appropriate action against Mr. Garland. "We're focused on getting the truth for the American people."

Republican lawmakers say they are fed up with Mr. Garland for offenses including not enforcing laws against demonstrations at the homes of **Supreme Court** justices and allegedly using anti-terrorism resources to target parents who speak out at school board meetings.

Other GOP members of the House Judiciary Committee said they are kicking around ideas for holding Mr. Garland accountable including impeachment, contempt charges and slapping restrictions on the department's funding.

"We've got to look into in Garland. We are having conversations," said a lawmaker who didn't want to be identified when discussing plans in the formative stages.

He said that Republicans also are well aware of the limits of hearings to produce tangible results, such as the hearings into the Obama administration's disinformation surrounding the 2012 deadly attack on the U.S. diplomatic outpost in Benghazi.

"A lot of times in the past, with Benghazi and other things, we had big hearings, and then kind of now what?" the lawmaker said. "Right now, what we're doing is having conversations about what we are going to specifically do to hold him to account."

"We can have hearings. We can talk about contempt, and we can talk about impeachment, but the best thing we can do is stop funding," the lawmaker said.

The Times reached out to the Justice Department for comment and did not hear back.

Rep. Darrell Issa, a California Republican on the Judiciary Committee, said he would want to see Mr. Garland charged with contempt.

"He should be held to account for his criminal refusal to protect the justices by prosecuting those who are breaking the law," Mr. Issa said.

Mr. Issa was chairman of the Oversight Committee in 2012 when the Republican majority, along with several Democrats, cited Attorney General Eric H. Holder Jr. with contempt of Congress over the botched DOJ gun-walking operation known as "Fast and Furious."

The Justice Department predictably declined to prosecute Mr. Holder, underscoring the limitations of a House majority to impact an attorney general of the other party.

Another GOP member of the Judiciary Committee, Rep. Thomas Massie of Kentucky cautioned that his party might not get the chance to investigate Mr. Garland because America's top cop might resign if Republicans win the majority in November.

Congress has never impeached an attorney general. However, Democrats called for the impeachment and removal of President Trump's attorney general, William Barr, in May 2019. Democrats were outraged about reports that special counsel Robert Mueller expressed frustration with how Mr. Barr handled the report from the special counsel's Trump-Russia collusion probe.

Mr. Garland has suffered withering criticism from Republicans on several fronts. He recently came under fire for delays in investigating more than 50 attacks on pro-life pregnancy centers and churches in recent weeks.

Sen. Tom Cotton, Arkansas Republican, said the left-wing group claiming responsibility for some of the attacks, Jane's Revenge, should be labeled a "domestic terrorist organization."

"If you are unwilling to protect Americans from these attacks, you should resign although, in my opinion, you should resign in any case," Mr. Cotton wrote in a letter last week to Mr. Garland.

The same day, the FBI announced an investigation into the attacks.

Mr. Garland has yet to respond to demands for the arrests of protesters in front of the homes of **Supreme Court** justices. The protests targeting conservative justices have been ongoing since a leaked draft opinion showing the high court is poised to overturn the Roe v. Wade decision that legalized abortion nationwide.

GOP lawmakers have questioned why Mr. Garland refuses to enforce federal code 18 U.S.C. **1507** which makes it a felony to picket or parade near a residence of a judge or jury with the intent to influence their decision in a pending case.

The potential for violence came to the fore earlier this month.

Nicholas John Roske, 26, who traveled from California, was arrested on June 8 near Justice Brett M. Kavanaugh's Maryland home with a handgun, knife and pepper spray, among other weapons, and told police he planned to kill Justice Kavanaugh, according to prosecutors.

The following day, demonstrators were protesting in front of Justice Kavanaugh's home again without incident.

Last week, a federal grand jury indicted Mr. Roske for attempting to murder a **Supreme Court** justice.

**--- Index References ---**

Company: Federal Bureau of Investigation; Department of Justice; CALIFORNIA INTERNATIONAL BANK; THE UNITED STATES DEPARTMENT OF JUSTICE; THE WASHINGTON TIMES LLC

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June 21, 2022

Section: Editorials

### Merrick Garland's shameful inaction Failure to prosecute pro-choice extremists is indefensible

Editorial Board, THE WASHINGTON TIMES

When left-wing extremists vow to achieve their goals "by any means necessary," believe them.

They've made that shockingly, appallingly clear in the seven weeks since May 2, when Politico reported on a leaked **Supreme Court** draft opinion of the pending ruling in *Dobbs v. Jackson Women's Health Organization*, an abortion-related case that could overrule *Roe v. Wade*.

Since then, pro-choice extremists - groups with names like *Jane's Revenge* and *Ruth Sent Us* - have been protesting menacingly outside the homes of Justices Samuel A. Alito Jr. (who authored the draft opinion), Brett M. Kavanaugh and Amy Coney Barrett, and of Chief Justice John G. Roberts'. That's in flagrant violation of Title 18, Section **1507**, a federal law that criminalizes parading or picketing in front of the homes of judges with the intention of influencing the outcome of pending litigation.

Regardless of one's position on abortion rights, that's not just illegal and unethical, it's indefensible.

What, in some respects, is even more deeply disturbing than the illegal protests themselves is Attorney General Merrick Garland's deafening silence and craven cowardice in his seeming unwillingness to condemn the unlawful activity, much less order the arrest and prosecution of the lawbreakers.

Mr. Garland's inaction is all the more reprehensible because, as a former federal appeals court judge himself, one who was nominated in 2016 for a seat on that very same Supreme Court, he obviously knows it's wrong. (Perhaps he views the refusal to do his job in this case as some sort of perverse payback for being kept off the court by a Republican-controlled Senate. But if that's the case, Sen. Mitch McConnell, Kentucky Republican, did the American people a public service by preventing the ascension to the highest court in the land of such a petty, vindictive man.)

Last Wednesday, Mr. McConnell and 11 of his fellow Republican senators co-signed a letter to Mr. Garland, demanding to know why his Justice Department was MIA on the matter and had yet to arrest or prosecute any of the illegal protesters.

"We continue to be baffled over the lack of prosecutions under Title 18, Section **1507** of the U.S. Code," they wrote. "We understand it is the policy of the Justice Department not to discuss any pending or potential investigations, but this is an urgent matter of national importance."

Just as an aside: Did the other 38 Republican senators - those who didn't sign the letter - not consider it "an urgent matter," or were they just not asked to do so? And did their 48 Democratic and two nominally independent Senate colleagues not consider it an issue of sufficient "national importance" to be signatories to the letter?

If Democratic senators weren't invited to sign it, that was poor judgment, because concern for the personal safety of the justices and their families - and concern for judicial independence - should be completely nonpartisan. On the other hand, if they were asked to sign, but refused, shame on them, because, as Plato once observed, "Your silence gives consent."

On Thursday, just one day after the Senate GOP letter to Mr. Garland, a coalition of 25 pro-life, religious and conservative public-policy groups sent the attorney general a letter of their own, demanding action in the face of dozens of instances of pro-choice terrorism and intimidation. These include documented cases of graffiti, firebombing and other forms of violence and vandalism against pro-life groups, pregnancy resource centers and churches.

"One extremist group is advocating for violence in response to the final **Supreme Court** decision on Dobbs, while another group has published home addresses, and encouraged people to show up at **Supreme Court** justices' homes, churches, and their children's schools in an attempt to coerce the justices and influence their final decision," the letter reminds Mr. Garland. "[On June 8], there was an attempted assassination of a sitting **Supreme Court** justice at his home."

That, apparently, is what left-wing extremists mean when they say "by any means necessary."

Mr. Garland should likewise use any means necessary to shut them down, starting with prosecuting those breaking federal law in protesting outside justices' homes - and by investigating who illegally leaked the Dobbs case draft opinion and prosecuting him or her as well.

--- **Index References** ---

Company: POLITICO LLC

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June 19, 2022

Interview with Brian Deese, Director of the National  
Economic Council; Interview with Sen. Mike Lee (R-UT)

SHANNON BREAM, FOX NEWS ANCHOR: I'm Shannon Bream.

The Federal Reserve's moves to cool the red-hot economy rattled markets as Americans feel the financial strain.

(BEGIN VIDEOTAPE)

JEROME POWELL, FEDERAL RESERVE CHAIRMAN: The current picture is plain to see, inflation is much too high.

BREAM: Increased rates meaning borrowers will pay more for loans for homes and cars, while national gas prices hover around \$5 a gallon.

JOSEPH BIDEN, PRESIDENT OF THE UNITED STATES: Inflation, it's sapping the strength of a lot of families.

BREAM: We'll ask the president's chief economic advisor Brian Deese whether the solution could spark a new set of problems.

SEN. CHRIS MURPHY (D-CT): We all made a commitment to each other that we were all supportive of the framework.

SEN. JOHN CORNYN (D-TX): There are a couple of issues that need to be settled.

BREAM: Stalled negotiations over gun reform as talks spilled into the weekend with a deadline to hold votes next looming.

We will ask Republican Senator Mike Lee whether the bill is in jeopardy.

Plus, more questions about President Joe Biden's prospects for another term. We'll ask our Sunday panel what it means if the mainstream media and Democrats abandon him.

"FOX News Sunday" is on the road to the midterms. We'll take you to small- town Virginia diner where patrons are trying to bridge political divides.

All, right now, on "FOX News Sunday".

(END VIDEOTAPE)

BREAM (on camera): Hello again and happy Father's Day from FOX News in Washington.

There are growing concerns this week over the economy as the Federal Reserve made its biggest hike since 1994, aiming to curb soaring inflation. The stock market seeing its worse week since the beginning of the pandemic, with the Dow falling below 30,000 for the first time since January 2021.

The president says recession isn't inevitable, and he is pledging to go with war with big oil to lower prices at the pump, telling energy executives to produce more while critics say he's pointing fingers at a situation he helped to week.

In a moment, we ask the U.S. National Economic Council director, Brian Deese, about the administration's challenges.

But, first, let's turn to Lucas Tomlinson, live at the White House for more on the increasing pressure to do something to curb rising prices -- Lucas.

LUCAS TOMLINSON, FOX NEWS CORRESPONDENT: Shannon, President Biden taking aim at the oil industry as gas prices remain at record-setting levels nationwide.

(BEGIN VIDEOTAPE)

BIDEN: They can drill, but they're not doing it.

TOMLINSON (voice-over): President Biden threatening oil companies with, quote, emergency powers if they don't boost supply to lower gas prices. Exxon firing back saying and a statement the White House can promote investment through clear and consistent policy. American refiners say they're already operating it near max capacity, roughly 95 percent.

According to "The Oil and Gas Journal", U.S. oil production in May now within 3 percent of January's 2020 record high before the pandemic.

JARED BERNSTEIN, WHITE HOUSE ECONOMIC ADVISER: The fact that they're pumping more than they ever have before, they have so many leases available to them suggest that they have the ability to pump more.

SEN. MITCH MCCONELL (R-KY): The American people are bracing for a very pricey summer and they know exactly who to blame.

TOMLINSON: Half the country blames Biden for the spike in gas prices. About three and ten Americans blame Putin. To bring down inflations of Federal Reserve conducted the largest rate hike is nearly 30 years.

POWELL: We at the Fed understand the hardship that high inflation is causing.

TOMLINSON: Higher interest rates means Americans will pay more to borrow money.

SEN. JOHN THUNE (R-SD): The inflationary pressures that we're seeing in the country today have everything to do with the president and his policies. The American people are paying the price for that.

(END VIDEOTAPE)

TOMLINSON (on camera): The White House and top Democratic lawmakers are in talks to pass more legislation to fight inflation, in addition to those gun-control measures -- Shannon.

BREAM: Lucas Tomlinson reporting for the White House -- Lucas, thank you.

And joining us here in Washington, Brian Deese, director of the National Economic Council.

Brian, welcome back to "FOX News Sunday". Good to have you.

BRIAN DEESE, DIRECTOR, NATIONAL ECONOMIC COUNCIL: Happy to be here.

BREAM: OK. So, let's look at some of the polling and see how Americans are feeling about the economy this morning.

FOX News asked, do you feel optimistic or pessimistic? Thirty-two percent optimistic, 65 percent pessimistic. And that has been, you know, tracking the numbers unfortunately moving in the wrong direction. The condition of the economy, 80 percent of people say it's only fair or poor.

And then we ask people a personal question, how was this impacting you and buying things like gas prices? Ninety percent say it's a problem for them, 88 percent say grocery prices, utility cost, 81 percent.

The president this week asked Americans to have confidence in the economy. They clearly don't though.

DEESE: Well, look, we get it. When you drive up to the pump and you see the prices that we have today, it creates some uncertainty and it creates real economic hardship.

But at the same time, it is important as Americans that we recognize the unique strengths that we have in this economy. The strongest labor markets since World War II, unemployment at 3.6 percent. Household balance sheets that have repaired over the course of last year so we now have the lowest mortgage delinquencies in 15 years, the lowest credit card delinquencies in 30 years.

Those are sources of strength that are unique to the American, that we have stronger and better position to tackle inflation that almost any other country around the world. But that's what we need to do now.

And the president has made very clear, that fighting inflation, bring down prices is his top economic priority. He's using the tools that he has and he's calling on Congress to pass legislation that would help to accelerate this process, to bring down without giving up all the economic gains that we've made.

BREAM: So, "Bloomberg" reporting on these advanced negotiations that you have going on with folks in Capitol Hill, Democrats. This name that always comes up as a fly in the ointment for you guys, which is Senator Joe Manchin.

He's actually getting praised from people across the political spectrum for blocking Build Back Better, as even the Fed has said that contributed to inflation, potentially to the tune of three percentage points.

How is this going to factor in for you now with Manchin and these new negotiations? What can you get done?

DEESE: Well, I'm going to leave the negotiations where they are and not talk about them here. But what I'll say substantively is what are we talking about right now? We're talking about some concrete measures to lower costs the typical families are facing.

Take Medicare prescription drugs. We can lower those costs by allowing Medicare to negotiate for better prices. That actually reduces federal spending and reduces cost faced by consumers.



Lowering energy bills, utility bills with commonsense tax credits, and reducing the deficit -- reducing the deficit with long-overdue tax reform.

Congress across the spectrum agreed that if we take those steps, it will be complementary to what the Fed is trying to do. Not only help to lower prices but also sends a signal to the market and the world that the United States is focused on this issue and is committed to bringing prices down, again, without giving up all of the extraordinary economic gains that we've made.

BREAM: So, what's the timeline for getting those things to a vote? We have an August recess coming. We have midterms coming that could potentially change the makeup of what you all control in Capitol Hill and can get done.

DEESE: Well, those conversations are happening and I'm going to leave them to the leadership.

What I would say is we're hopeful and we really want to see something move here in the short term because, again, this is not just about enacting legislation, it's about giving some relief to families right now and sending a signal that not just the president and the Federal Reserve but Congress recognized that fighting inflation needs to be our top priority.

BREAM: OK. So, let's talk about the possibility of recession. It continues to seem to be a growing real possibility. Steve Rattner, who is part of the Obama-Biden administration said the Fed is going to hike interest rates. Obviously, that has happened but he said to get from where we are back to that goal of 2 percent inflation, the Fed has never done it without recession.

Now, he's not the only one talking about this. A growing number of U.S. CEOs also think that is the problem.

"The Wall Street Journal" reporting this. It says more than 60 percent of CEOs expect a recession in their geographic region in the next 12 to 18 months, and they go on to say a business research team finds that an additional 15 percent think that the region of the world where their company operates is already in a recession. So 75 percent of top business executives think we're there or we're about to be there.

DEESE: Well, look, a lot of things about the economy right now are unique. We've also never been a situation where we had 3.6 percent unemployment, and the record level of job openings. Eleven million job openings right now, which means there's a lot of incumbent strength in the labor market that puts us in a good position.

But I talked with CEOs this week from sectors across the American economy, and what I hear from them is that we are moving through a transition. We are -- Americans are spending less money on goods. At home, they're spending more money on services.

For some companies, that's a real challenge. For others, that's an opportunity.

The housing market is recalibrating after record home price increases, which have meant, by the way, if you're a typical homeowner, you have probably \$50,000, \$60,000 in additional equity in your home. But we need to bring those house price increases down and that's going to filter through the economy.

But as we move through this transition, not only is a recession not inevitable, but what we as policymakers can do is take steps to build on our unique strengths in the American economy and try to get to that stable and steady growth that we all want to get to as quickly as possible.

So when you hear us talking about these policy measures, it's because of what we can do right now is send a signal that we all get it, that inflation has to be our top economic priority, but there are things that we can do. There are tools that we can deploy. There are steps that we can take right now.

BREAM: So, let's talk about the issue of taking responsibility. Here's what the president said back in 2020, during the campaign. He said: It's hard to believe that this has to be said, but unlike this president, referencing President Trump, I'll do my job and take responsibility, I won't blame others.

In fact, it was a hallmark of his campaign.

Here's a bit of his campaign ad to that point.

(BEGIN VIDEO CLIP, POLITICAL AD, 2020)

AD ANNOUNCER: The buck stops here. Harry Truman said it. It means no excuses. It means taking responsibility, the ultimate responsibility for the biggest decisions in the world.

(END VIDEO CLIP)

BREAM: "New York Post" opinion piece put it this way this week. They said: Biden alternates between claiming credit for everything good that happens in America and swearing to be an innocent bystander to an economy going off the rail.

So, does the buck stop with the president or not?

DEESE: Of course, it does. And I think you've seen this president consistently stand up and give it straight to the American people, explain to them the challenges and the opportunities and importance of his plan going forward.

You know, when Putin began amassing troops on the Ukrainian border, the president stood up and said clearly, this war will not be without cost, but we must defend democracy, we must hold the Western border, and Democrats and Republicans stood with him as well.

Now, he is saying we have global economic challenges. We have energy prices that are set locally. That's not an excuse, that's a reason why we need to focus on the steps that we can take here at home to produce more supply of energy in the short-term and also provide some relief to American families in the short term as well.

BREAM: So, let's talk about that because the president has taken aim at President Putin. He has -- and, by the way, inflation was four-fold from when he took office to when the invasion of Ukraine. But now, he's going after the oil companies at a time when you all need to be working together -- it appears to be a bit antagonistic at this point.

Here is what he said to fossil fuel companies, to oil companies on a campaign trail back in 2019. This was his message.

(BEGIN VIDEO CLIP, SEPT. 6, 2019)

JOE BIDEN, THEN-PRESIDENTIAL CANDIDATE: I guarantee you, I guarantee you, we're going to end fossil fuel and I am not going to cooperate with them, okay?

(END VIDEO CLIP)

BREAM: OK. You are a numbers guy. Would any sane executive invest tens of billions of dollars into infrastructure that the president has said he's going to destroy?

DEESE: Well, let's talk about some numbers first. Today, America is the largest producer of oil and gas in the world. This month, we're producing 12 million barrels of oil. That's higher than the average under the prior president.

BREAM: Well, actually, 2019 was the peak.

DEESE: 2019 was the peak, and then it came down precipitously during COVID and has now come back. But we are a net exporter of oil. We actually produce more oil than we consume.

BREAM: OK, let me stop --

DEESE: And we send the rest -- we send the rest abroad (ph).

BREAM: Let me stop you there and give you a chance to answer this, because Yahoo Finance has a real in-depth piece about this. And their headline is "The myth of energy independence". They say: With regard to oil, the main components in gasoline, the U.S. consumes more than it produces flatly say that the U.S. is not oil independent.

In terms of raw crude -- and I know there are lots of different definitions we could use here -- the U.S. has long been a net importer. They say it still is.

DEESE: Well, there's a lot of different definitions and types of crude. The reality is we are net exporter of oil. But more important than that for the immediate term is what we can do to increase supply.

As you said, supply came down precipitously during COVID. We want to see that come back and come back on line. In the near term, the companies have a very powerful market incentive. Prices are high, and their profits and profit margins are high, and what we are encouraging is that they take those and put those profits to work to increase production.

But over the medium-term -- this is very important -- the president's policy has always been a transition. A transition to clean energy and that means building on the strengths of our energy system and also following the science.

And the science shows that even with very ambitious climate targets that this president is committed to, oil will continue to be a part of our economic equation this decade and the next. They have the medium-term incentive to invest as well. And, in fact, many of those companies have committed to that same transition. Many of those companies have similar net zero targets.

So, what we are encouraging and the president and secretary of energy will be meeting with companies over the course of this week is let's get pragmatic, pragmatic steps in the near-term.

You know, the Dallas Fed did an interesting study. They asked all of these energy executives what is keeping you from doing this. Ninety-four percent of them said something other than government regulations. But what we're saying is if there are places where the federal government can take practical and responsible steps in the immediate term, we're open. We're open to hearing them.

BREAM: OK. We know the industry has given you a list of those. They say that there are refineries in the U.S. right now producing at or near full capacity. They also say a third of their capacity has been taken down because of conversion to renewable fuel production, as you talk about that transition. So, they say that's stopping them.

A letter from the head of the American Petroleum Institute says this: Your administration has restricted oil and natural gas development, canceled energy infrastructure projects, imposed regulatory uncertainty and proposed new tax increases on American and gas producers competing globally.

So why should they take the risk, as we talk about, continuing to pour tens of billions of dollars into it. They say they lost tens of billions of dollars during the pandemic as many people did, many industries did. And that they had to borrow against that tens of billions to ramp up back up and make sure they could produce now, but that you guys are handicapping them?

DEESE: Well, again, what energy executives say is 94 percent of them say there are other barriers other than federal regulation. But you have a president that says if there are practical and specific things that we can do in the immediate term, you raise refineries, about a million barrels of day of capacity came off, companies took that's off-line during COVID. Some of that has been shifted to produce biofuels, but other facilities are standing idle.

And what we are saying is at the moment where these companies are generating record levels of profit because the prices have gone up because of the war over the last couple of months, put that investment to use, and if there are practical things that we can do, we're willing to listen and willing to be open.

And over the medium-term, this transition that we need to move through is a transition that the market recognizes. These companies recognize that's not a transition that happens overnight, but it is a transition that we all need to commit to.

BREAM: Quickly, are you all worried about the optics of a visit to Saudi and looking like we're going sort of hat in hand needing their help? Their human rights abuses are documented. The killing of journalist Jamal Khashoggi -- there are real worries and there are Democrats speaking out saying they don't think the president should be making this trip.

DEESE: What's behind this is a very simple proposition, which is when it is in U.S. interest for the president to engage with a foreign leader, he will do so. If he believes he can advance U.S. national security interests and U.S. economic interest for American families.

BREAM: Even though he said at one point, Saudi Arabia should be treated as a, quote, pariah?

DEESE: This trip where he's going to go to the Middle East, he's going to go to Israel, and meet with a number of leaders it about exactly that. It's about advancing U.S. interest. We have significant interest, national security interest in the region as well as economic interests as well.

He will vigorously represent American interests while also vigorously representing American values. That's what you can expect from the president on this trip.

BREAM: OK. Brian, thank you very much for making the time. Good to have you on "FOX News Sunday".

DEESE: Thank you.

BREAM: We appreciate it.

Up next, bipartisan talks on gun reform stalled with negotiators still working on two major holdups. We'll bring in Senator Mike Lee on his concerns about the framework and whether he thinks we'll see a bill before the July 4th recess.

(COMMERCIAL BREAK)

BREAM: The first time in years it appeared that a bipartisan agreement on gun reform was possible. Ten Republicans agreed to a framework and even Senate Minority Leader Mitch McConnell expressed support.

But for some senators departed Capitol Hill this week frustrated with the negotiations and we still haven't seen the text of the bill.

Joining us now from Utah, Senator Mike Lee, also the author of the book "Saving Nine".

Senator, welcome back to "FOX News Sunday".

SEN. MIKE LEE (R-UT): Thank you.

BREAM: All right. Let's start, I want to put on the screen some of the framework for that gun legislation, proposal. We don't have text yet.

But it talks about funding mental health services, enhanced reviews for buyers, background checks on 18 to 21, things for school resources. There are also issues about red flag laws. I know that's one of the things that you and some other Republicans have been concerned about.

But this is what the framework said when they announced it. It said it will help ensure deadly weapons are kept out of the hands of individuals whom a court has determined to be a significant danger to themselves or others, consistent with state and federal due process and constitutional protections.

So, I hear them mention there of a court proceeding first and a recognition of due process. Can you support that?

LEE: Yeah. Look, most of those things sound unobjectionable. The issue that we have here is we don't have a bill. That's why I was surprised when last week, about a week ago, when you have this gang of 20 emerged saying we have a deal. We started expecting to see a bill.

Now, I personally refuse to indicate whether I -- or how I will vote on a bill until after I've seen the text because there are a lot of things that can go wrong in legislation. I keep asking to see text and it became apparent they didn't have a bill. In fact, they don't have a deal at all. What they had was agreement on a series of very broad promises.

Now, I know there's some bill text that's probably been written, but on the most contentious controversial, potentially impactful provisions, there is no language. Without that language, you can't ascertain whether it's okay.

But, Shannon, the important thing here is you have to be careful whenever something like this happens that we not legislate under the heat of the moment -- heat of the moment, under great emotion without looking at that text and figuring out what we're doing. We need to be careful that we not punish law-abiding Americans for the wrongs carried out by the criminally minded and the insane.

BREAM: So, FOX News polling shows that there is a lot of strength behind some of these proposals at this point. Some of these proposals -- background checks for guns which by and large, most of them are background checks before you do a purchase, 88 percent though. Moving the legal age for an assault rifle purchase is at 82 percent. Flagging for people who are a danger to themselves or others, those red flag laws, 81 percent. And banning assault weapons, 63 percent.

There is a lot of momentum at least among the public sphere for doing this. Are you out of step with your constituents?

LEE: OK. So, first of all, what's important is that we look out for the rights of constituents. Constituents are asked poll questions. They're not asked questions about specific language within legislative text. It's the job of the lawmaker to look out for the interest and the rights of law-abiding citizens they represent.

And so, with each of those provisions, I understand how they can get high popularity ratings when they don't define them.

For example, you've talked about banning assault weapons. There is no universal definition of what an assault rifle is. Very often, the true distinction really depends on whether the stock, pieces of the gun are made of wood or a plastic or of composite.

So the text does matter here, because it's that text that will determine whether we're intruding unduly on the rights of the Americans -- the American law-abiding citizen and doing so in a way that would actually deter violent criminal behavior.

BREAM: You know, I want to ask you. You reference this a little bit earlier, some of the internal inner workings of these conversations about this.

"Axios" is reporting it this way, saying essentially Senator John Cornyn who is the lead Republican on these negotiations, they said that one senator called it, quote, shut up and vote is what Republicans have been told to do.

"Axios" also reported that you numerous times asked for more details, that you were rebuffed.

And then they go on to quote a Cornyn aide, who says this: He's been talking to and answering questions one-on-one from multiple of these members. He or our staff has been particularly close contact with Crapo and Lee.

So, what is the deal? Are you getting answers to your questions? Yes or no? Do you think this entire internal dialogue with the GOP may kill the whole thing?

LEE: No, not getting answers to my questions, not at all. Now, Senator Cornyn and others have been sincere in reaching out to us and having conversations, but I still have yet to see bill text. I still have yet to have any of my questions dealing with the details of what the provision would do answered.

You know, it's one thing, Shannon, if they can identify with reasonable particularity what the provisions will do. They haven't even been able to do that. And that's what concerns me, is that this gang of 20 emerged saying we've got to deal. There was no bill, there still is no deal.

And yet we continue to be asked by colleagues, by constituents, by reporters, are you supporting the bill, just as a number of senators are rushing to sign onto the bill, to say they support the bill when it doesn't exist.

This is a dangerous way to legislate. Behind closed doors, you need the transparency of a polit (ph) conversation with bill text in front of you.

BREAM: Uh-huh, especially on an issue this big.

OK. I want to move to another top headline issue. The January 6 hearings continue to go on.

What we heard this week is that the president had a number of his advisors tell him there was not enough evidence of fraud to change the election results to be in his favor for 2020. The president speaking out on that -- the former president this weekend. Here's what he said.

(BEGIN VIDEO CLIP)

DONALD TRUMP, FORMER PRESIDENT: What you're seeing is a complete and total lie. It's a complete and total fraud.

(END VIDEO CLIP)

BREAM: All right. That's his take on it. Your own text messages have come up with respect to Mark Meadows. They've been highlighted.

Here is what "The Salt Lake Tribune" said about that. Their headline, quote: New court filings raise questions about Senator Mike Lee's involvement in attempts to overturn the 2020 election.

Your response?

LEE: Well, first of all, look, I knew how bad Joe Biden would be as president. I knew what a disaster he would be in the Oval Office. And there was some uncertainty in the wake of the election.

As we approached the end of December, there were rumors that continue to circulate suggesting that some states we're going to be reallocating, redrawing and reallocating their electoral votes. Because Congress has a role in that and I is a senator would be required to certify those, I wanted to find out.

So I communicated with Mark Meadows to try to find out whether the rumors were true. I couldn't get answers so I reached out to state lawmakers in various states. Not trying to influence anyone. Simply trying to find out whether the rumors were true.

The rumors weren't true. No state had any intention of withdrawing its slate of electoral votes. And that made it an easy decision on my part to vote to certify the results of the election.

BREAM: Has the committee asked to talk to you in a form of a deposition or otherwise, and would you sit down with them?

LEE: No. No, they haven't.

BREAM: Would you sit them with them if they did?

LEE: Oh, sure. Look, I'd always be willing to talk if they want to talk.

BREAM: OK. Let's talk about one of our mutually loved issues out there which is the **Supreme Court**. You clerked there. I just covered it and enjoyed doing that.

We're awaiting this decision. Your former boss, Justice Alito, the leaked opinion draft if it holds true, will overturn Roe v. Wade.

Listen, there'd been protest that continued at the justices' homes. A guy has been arrested for plans to assassinate Justice Kavanaugh. Pro- abortion groups have declared literally, quote, open season on crisis pregnancy centers. There have been a number of attacks.

Now, the FBI says it is investigating those attacks and those threats. The president this week signed a bill that will give more protection to justices' families.

Are you satisfied these threats -- that these attacks are being handled properly?

LEE: No. No, I'm not because, Shannon, what we've seen is a deliberate attempt to isolate, demonize, and intimidate those justices considering signing Justice Alito's opinion, which everyone should read, by the way. It's fantastic.

But as I predict it might be the case in my book "Saving Nine" that just came out a couple of weeks ago, this would happen, they're trying to demonize them and intimidate them. The Justice Department has turned a blind eye to blatant violations of 18 USC Section **1507**, the provision that prohibits people from showing up at the home of a **Supreme Court** justice to protest.

And by not condemning those, by not prosecuting them, the Biden administration is propelling this and legitimizing the attacks.

BREAM: OK. We spent the top of the show talking about the economy with Brian Deese of the White House, of the Biden administration. So I want to quickly ask you this. In a "Washington Post" article a couple weeks back, they said that even if Republicans get what they want, they don't have a plan for fighting inflation either, says Republican politicians are instead fighting with Mickey Mouse, punishing immigrant children, complaining about fancy ice creams and Peloton. Or otherwise waging culture wars.

So if Republicans do regain the House and/or Senate, is there a GOP plan to get the economy kicking again?

LEE: Yeah. Look, my plan is simple. We need to focus on regulatory reform as the first order of business. That would help bring down inflation.

We need to pass the REINS Act, which would make it so elected lawmakers rather than unelectable and accounted bureaucrats are passing our laws. Most of our laws measured by volume, weight, word length, economic impact, you name it, are currently made by unelected and accountable bureaucrats. The REINS Act would fix that and bring down inflation.

BREAM: All right. Senator Mike Lee, we will watch for the **Supreme Court** opinions again on Tuesday and Thursday this coming week. Thank you for your time.

LEE: Thank you, Shannon.

BREAM: Up next, we're going to bring on our Sunday group on confidence in the Fed and prospects for a Trump-Biden rematch in 2024.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

JEROME POWELL, FEDERAL RESERVE CHAIRMAN: The question, a really critical question from the perspective of doing our job, is making sure that the public does have confidence that we have the tools and will use them and they do work to bring inflation back down over time.

(END VIDEO CLIP)

BREAM: Fed chief Jay Powell on what the Federal Reserve is doing to bring down inflation at a time when public sentiment is low and the notoriously non-partisan organization's reputation is on the line.

It is time now for our Sunday group: Catherine Lucey from the Wall Street Journal; FOX News contributor Ben Domenech; former Democratic Congressman Harold Ford Jr.; and host of "Media Buzz" Howie Kurtz.

Welcome back, everybody. Good to see you today.

Let's start there. Catherine, I want to start with you. The headline from Newsweek is the U.S. is already in recession if the Atlanta Fed is right because they've got their numbers out. It says America is also certain to be in a recession when official figures are released according to early data. An update from the Federal Reserve Bank of Atlanta shows the economy on course for zero percent growth in the second quarter of 2022. And that comes on the heels of negative GDP in the first quarter.

What does this administration do? How worried are they about this?



CATHERINE LUCEY, WALL STREET JOURNAL: Well, yes, as you said also earlier in the show, a lot of CEOs also think that the country is headed for a recession. You know, the president did an interview this week with the Associated Press where he said that he does not see a recession as inevitable. They are citing, you know, strong jobs numbers, arguing that the country is in a better position than other nations around the world. And so they are -- and they're also saying that they respect the Fed's independence as they try and, you know, work on interest rates.

But certainly, you know, this is a real challenge for the president. He has a limited number of tools now to deal with what are most Americans' biggest concerns, you know, gas prices and inflation. They are trying to work to bring those things down. But they know that people are increasingly anxious and nervous and, you know, driving past gas stations with \$5 gas every day.

BREAM: Yes, and, Harold, that was more of a long-form interview that the president did with the A.P. He hasn't been doing a lot of these. But he did say all kinds of interesting things where he admitted the American people, he said, are really down. He said that more than once. But he's asking them to have confidence in the economy although in their real life it just doesn't resonate with them. Should he be doing more of these interviews or not?

HAROLD FORD JR., FOX NEWS CONTRIBUTOR: He should. First, happy Father's Day to the men around the table and fathers everywhere, and particularly the guys in Ukraine.

I think when they put him out to react to things, I think it demeans the office and demeans him. You can't come out one day and say you're going to see the Saudi Arabian leadership with the hope that they are going to produce more gas products and then criticize U.S. energy companies, that should stop. You should give them the certainty that they need. I'd listen to Brian, I think he's right in large part about the numbers are better than we think, but you can't tell a person who believes he or she is not doing well that you are doing much better. There is a long list of politicians who lost big races doing that.

So if I were the president, I would talk about the energy things he wants to do which is to, look, give them the certainty around leases and regulations that they want. Repurpose some of the COVID money to help build out advanced manufacturing centers so we -- in cities across the country, from Chattanooga to Chicago to Cleveland that will allow us to be less reliant on global supply chains. And then repurpose some of that money to pay down the debt, I too think, Joe Manchin, he was a big part of why things are not worse. But I just wish the president would lead more. Putting him in a reactionary mode doesn't do him well and certainly doesn't -- doesn't show well for the office.

BREAM: All right. So, Harold, we're going to put you in the column of Joe Manchin did the right thing on Build Back Better.

Well, and you know, Ben, Brian Deese talked about the fact that they are in negotiations with congressional leadership, with top Democrats, about getting something across the line they think will help on this front. But, as Bloomberg reported, Joe Manchin is again at the very center of those conversations. So how do they get this done before an August recess or before a potential change -- midterm change?

BEN DOMENECH, FOX NEWS CONTRIBUTOR: I -- first off, I don't think that they're going to get it done, but even if they do, I think the problems that we're facing right now are more holistic than anything that Washington can solve in the near term. You know, Derek Thompson, over at The Atlantic, calls it "the end of the everything boom," that essentially with money being so cheap for so long that you could afford to invest in these companies that were essentially working at a net loss, you know, selling people goods at far under the amount that it actually takes to make those goods or serving them in ways, you know, at much lower cost than they could possibly justify.

And now you don't have that luxury anymore. And the Fed is basically saying this needs to stop. They're sending the message that this can't keep going the way it has been going. That's going to affect so many different aspects of our economy. It's going to affect every a different kind of household, whether you're someone who is experiencing this in terms of the high cost of things that you are seeing go up all around you, not just energy or whether you're going to experience that because, you know, the Uber

that you are taking is costing twice as much as it used to cost. What you're doing right now is being exposed to a reality about the way that our economy has been performing. And I think that unfortunately neither the White House nor Congress is going to have a solution in the immediate term and that we really are headed for a couple of really hard years in a lot of respects.

BREAM: OK. That's getting most of the headlines but, Howie, the January 6th Committee getting the rest of the headlines it seems like this week, or the bulk of them. It has been criticized for being put together as a TV production, but, you know, they get a former ABC executive over there, I mean, that was kind of the whole idea. You've watched every second of this thing, so what do you make of how it's playing?

HOWARD KURTZ, HOST, "MEDIA BUZZ": Well, the hearings themselves have been uneven, often dull television at various points, but they have driven home this point, the witnesses who testified that Donald Trump was told by them that he had lost the election, that Trump knew that he had lost the election, that the election fraud allegations that he continues to push were false and that endangered Mike Pence's life, they're all Republicans. They're Trump appointees, Trump advisers, at one point even his daughter. And so they are not fake news journalists. And so I think there has been a little bit of a shift now, journalists claiming vindication really by saying, see, we told you all along this was a Big Lie. And here are people who are sympathetic to Trump who are part of his inner circle saying the very same thing. And I think that will outlast the fact that it didn't get -- didn't get huge ratings.

Now did Liz Cheney and the Democrats on this committee change many minds? No. Everybody is dug in. But I do think we're seeing a shift in the coverage.

BREAM: Well, and one of the things that has been part of the conversation is this now relationship between the DoJ and the committee about, are you going to turn over material? Because the DoJ says you're not cooperating with us, we could use this for prosecutions that we're doing. A little bit of daylight it seemed like between the chair and the vice chair on the committee, Catherine, I mean, what are the potential legal and political, you know, ramifications of this?

LUCEY: Yes, we're going to have to see how that plays out, right? They certainly are -- DoJ is pushing to see if there is more that they can get. The committee obviously is focused, I think, on trying to tell this story. They have more hearings to come. They really are trying to lay out in very stark terms what they say the president was doing on that day, you know, what the impact was, and what this means for the American people. So we'll have to see how that comes together, I think, in the coming days and weeks.

BREAM: OK. We're all sort of inside the Beltway in various times in most of our lives, but I've got to tell you when I'm outside of it, I don't hear a lot of people who know about these hearings, what was happening.

DOMENECH: Well, I think what's happening is that these are not working in the form of trying to change the conversation or change the minds of anybody in the country right now in part because their mind is set on the economic challenges that we're facing. You're concerned about kitchen table issues. And I think that frankly if they had turned these -- this committee around within six months after the January 6th incidents, then I think you would have had more response to it. But it took so long that it's now basically a production that is just designed to play for cable channels as opposed to change people's minds.

FORD: I get the politics. And I understand things may not be changed. But here is what I can't get my arms and my head wrapped around. The president knew for four hours that somebody could've died in that place. I worked in that Capitol, which we see in the background there. If someone had been killed that day, we'd be having a very different conversation. We have something that I'll call attempted murder.

BREAM: But wait, but we did have someone killed that day, Ashli Babbitt.

FORD: Forgive me, we did, I mean, not to make light of anyone's life, but if a member of Congress or the vice president had been killed, we would be having a different conversation.

BREAM: Entirely, entirely.

FORD: I just think -- I just think that the deterrence -- and I'm not -- I don't know what the answer should be, I'm not convinced that the Justice Department should act. But I do know how do you deter something like this from happening again, and that's what I think we've got to think about as a nation whether it's we're not thinking about as much as -- you know, because I think Ben is right, we're thinking about our economics and our own home economics in many ways. But I just can't get my head around how would you let someone go over who said they wanted to kill your vice president, and you didn't call him and you didn't -- you didn't say, look, they're on their way, please leave. I disagree with how (ph) we've (ph) been (ph) sometimes but I would never, if I knew that someone was coming to their home...

(CROSSTALK)

BREAM: We've got to -- we've got to leave it there, but, I mean, clearly there is more to come on that and more hearings to come, which we will continue to cover. Our panel taking a break. Up next, "FOX News Sunday" takes you to a cafe where a group of regulars has a decades-long tradition of talking politics, get this, without problems. We are going to go there on the "Road to the Midterms."

(COMMERCIAL BREAK)

BREAM: "FOX News Sunday" is on the "Road to the Midterms" as Virginia voters prepare to head to the polls on Tuesday. Virginia is home to many of the Washington area's most pugnacious fighters, but it's also home to a lot of folks tired of the partisan bickering both online and in person.

Alex Hoff takes us to a small county just beyond the Beltway where at one small diner civility gets the most likes.

(BEGIN VIDEOTAPE)

ALEXANDRIA HOFF, FOX CORRESPONDENT (voice-over): It's 9:00 a.m. on Monday morning in Berryville, Virginia, where commuters have long since merged into morning traffic, where the boys on the soccer team are state champs, and where coleslaw is folded by hand as it has been in Jane's Lunch for 80 years. Here, customers seat themselves as this group does every weekday.

Like Clarke County as a whole, the majority of these longtime friends are conservative.

UNIDENTIFIED: We get along pretty good, together, you know. I might argue with him, but it's nothing important.

HOFF: This tradition of diners gathering for a daily chat here started in the '60s and just kept going.

UNIDENTIFIED: There were different business people that they would take a break about 10:00 in the morning and come down and have coffee.

HOFF: These days as gas and grocery prices rise, the conversation can get political, even heavy at times.

UNIDENTIFIED: When little kids can get a gun, little kids can get a gun and go out and shoot people.

UNIDENTIFIED: That's not supposed to be like that.

UNIDENTIFIED: The Second Amendment has a lot of different things not just having guns. It's part of -- it's part of protecting this country and has been from the very beginning.

HOFF: So when hot button issues come up like perhaps immigration or abortion, they have a fine-tuned pivot.

UNIDENTIFIED: So what did the grandkids do this weekend?

(LAUGHTER)

HOFF: Located about 60 miles outside of Washington, D.C., Berryville is a small town with just about 4,500 people. It has nearly doubled in size since 2000 as Beltway buyers moved further and further out and became Blue Ridge buyers, pushing prices higher.

UNIDENTIFIED: Seventy percent of our buyers, I would say, are coming from Fairfax and Loudoun County. Cheaper taxes, prices, of course, are better.

HOFF: Our diners felt the slow political changes that arrived along with new neighbors.

UNIDENTIFIED: The people here don't want those kind of issues coming across the mountain.

UNIDENTIFIED: I like Berryville as Berryville is.

HOFF (on camera): Berryville sits at the base of the Blue Ridge Mountains in Clarke County, but right over that mountain is Loudoun County, which is largely considered a suburb of Washington, D.C.

HOFF (voice-over): While Clarke County is in a deep red, nearby Loudoun County is purple. Loudoun is part of the 10th Congressional District.

HUNG CAO (R), CONGRESSIONAL CANDIDATE: Hung Cao, I'm running for Congress.

UNIDENTIFIED: Awesome.

HOFF: Republican Hung Cao is running against Democrat (ph) incumbent Jennifer Wexton.

CAO: My blood is red, white, and blue.

HOFF: He is a veteran and Vietnamese immigrant, and says the 10th District's growing immigrant population will give him a boost.

(on camera): As we saw with the Governor Youngkin campaign, he made this appeal that seemed to draw on moderates. Do you think you'd be able to do the same thing?

CAO: I think we -- we all want the same thing, right? We want government to leave us alone, right? Let Americans be Americans.

We want government to stay out of our businesses, stay out of our homes, stay out of our schools, and stay the heck away from our kids. And I think that's -- all Americans can agree with that.

HOFF (voice-over): Back in Berryville, C.B. Chapel (ph) shows off a photo of his wife Biba (ph). He is a Republican; Biba (ph), a Democrat.

(on camera): Did she get in your head about some things where you're like, I agree with you?

UNIDENTIFIED: No, neither one of us really changed.

(LAUGHTER)

UNIDENTIFIED: I mean, we were what we were. Thinking back on it, I was blessed.

HOFF (voice-over): Biba passed away last year, the daily breakfast providing both comfort and companionship in the loss.

UNIDENTIFIED: We have friends. We're just friends.

HOFF: Our diners wish there were more groups like this, talking politics with civility and staying close in the face of division.

UNIDENTIFIED: Really genuine concern for each other.

HOFF: Knowing they will be back tomorrow at Jane's Lunch.

UNIDENTIFIED: It just is good, it's a good place to live.

(END VIDEOTAPE)

BREAM: Alex Hoff reporting from Virginia.

We're back now with the panel. And, Harold, I've got to -- I want to go hang out with these people. Like you see this and say, OK, we can have conversations. I think that most of America is like that. They can have conversations with their neighbors and have disagreements, but how do voters get that message to Washington, more of this, less of what's happening up here?

FORD: First of all, it reassures you about the country in a lot of ways. It's good to see (INAUDIBLE) I want to go. I think, two...

BREAM: We'll all go together. The panel can go.

FORD: They -- we need to elect more people like the people that were in that diner, not that those exact people, necessarily, people who come to Washington and approach politics with an understanding like Mark Shields -- the late Mark Shields did, which was to listen, to debate, be serious, be civil, and understand that we're not going to agree on everything, but if we can find compromise, let's find compromise. I think people also want from their politicians leadership. And leadership is -- the best of it shares credit and takes accountability when things are wrong, doesn't blame everybody, doesn't blame others, doesn't blame their own party, other members outside the party, try to get something done. That's what I heard most from those people. And if you go, I want to go with you.

BREAM: OK. We -- road trip, we're going to lock it in. The extremes out there get the most attention, clearly, Ben. And we see people who have troubles, are disturbed, they focus on that stuff. We saw a racist mass shooting up in Buffalo. We have a guy threatening to kill Justice Kavanaugh. By the way, we have polling on whether or not people think it's appropriate or inappropriate to be at the justices' houses, which is still happening almost every night. They rotate, the justices have different nights where people show up. Overall, 55 percent said inappropriate, 37 percent said appropriate. But even if you want to take

the party out of it, 62 percent of independents, an even higher number, say they don't think that what's happening at the justices' homes is a cool (ph) thing.

DOMENECH: Well, I think, unfortunately, while it -- as Harold says, you might want to see people who can come to Washington, achieve some kind of compromise and work together, I think that after November you're actually going to see a wave election that is going to send a lot of people to Washington who are here basically as avatars of the most extreme, the most high-level, you know, hair on fire, kind of approach to our politics, in part because people are desperately trying to achieve change. They are trying to achieve a different direction in Washington. And they've been throwing all sorts of different approaches to it. It's why Donald Trump ended up being elected president.

And I think that they are desperate for that change at a time when such change might not be possible anymore, when, you know, advancing any kind of significant legislation is just too much of a lift for Congress and its inability to do its job in a way that is -- that is actually, you know, a process of leadership that achieves reform and new policies in ways that respond to the demands of the people is turning out to be a real challenge for America's government over all regardless of your ideology.

BREAM: So also in our polling, we are tracking how that generic congressional ballot is starting to line up. And it's tightening. Republicans still have an advantage, 47 to 43 percent, but that has tightened up quite a bit.

Catherine, what does that say to you about the midterms?

LUCEY: It has tightened a little bit. I think it's worth seeing if that number continues. And one thing to note is that it's still a lower number than it was for Democrats -- or a generic Democrat in 2018, which was a good year for Democrats in the midterms. But I think if you step back and look at the whole poll, I went through the poll, it has still got a lot of warning signs for Democrats that are really serious that we've been talking about. You know, voters are very unhappy with how Biden is handling inflation, about gas prices. The president's approval rating is very -- remains low. And so -- and people are citing gas prices as one of their top concerns. You know, so those things all line up for Democrats in a really troubling way. I mean, and they are issues that it's very hard for them to show a lot of movement on and the country is really frustrated as Biden -- as you mentioned, Biden said this week in an interview. You know, the country is really, really down. And, you know, you're going to have see does -- if -- that number will have to tighten a lot more, I think, to -- to account for that.

BREAM: OK. So we have heard a lot of whispering amongst all the frustration, Howie, about all of these growing numbers of articles. Some people on the record publicly saying, others privately saying they don't think that President Biden should run again and whether he should. The Atlantic, a writer over there, not exactly a conservative publication, said, let me put this bluntly, Joe Biden should not run for re-election in 2024, he is too old. What do you make of all these whisper campaigns and coverage on that front?

KURTZ: They are getting a lot louder. By the way, there is a lot of anger out there too amplified by the media and social media, and of course, our political system. There was a New York Times story a few days ago that was just an absolute game-changer because here you have The Times saying, quoting Democrats on the record as saying they have doubts about Joe Biden's age, his mental acuity, many saying he should not run for a second term. This is his own party. And it kind of got the story through customs. It made it safe for everybody else to talk about it.

(LAUGHTER)

(CROSSTALK)

BREAM: And they did, yes.

KURTZ: People like David Axelrod saying he...

BREAM: Open the floodgates.

KURTZ: ... you know, he's not as agile as -- in front of a camera as he used to be and he'll be closer to 90 than 80 at the end of a second term. So the White House takes this very seriously, attacked the story as salacious. Actually it was reporting, and the thing is, you know, you have heard a lot of these things from conservative media, now you have everybody talking about it. It's not good for Joe Biden. And they take -- officials take this so seriously that they obviously cooperated with a Washington Post piece yesterday saying, oh no, no, Joe Biden is running. He's going to announce next year. We're all set. This is a guy who has wanted to be president since 1987 when he dropped out of his first campaign, which I covered. He doesn't want to give up this job. But he doesn't have the full support of his party right now.

BREAM: OK, but, Harold, where does the party go? Because there are concerns and whispers about the vice president as well and whether the field would completely open up if -- if the president decided not to run again.

FORD: It's hard to see President Biden not seeking re-election. I would say if gas prices were down, food prices were down, people felt confident, people wouldn't be as bothered by some of these things and say, wow, knows exact what he's doing, a stumble up the stairs, a little stumble over words, it doesn't matter.

BREAM: Or his bike.

FORD: They've got to get the policies right. I would be focused there as opposed to trying to respond to mental and physical acuity. Get the policy acuity right. You do that, people will begin to think and talk differently.

BREAM: You've got five seconds, Ben.

DOMENECH: I'll just say that when Bernie Sanders did that debate with Lindsey Graham that Bret Baier hosted, he looked a lot livelier than Joe Biden.

BREAM: Oh boy, OK.

FORD: Does that mean you're going to support Bernie Sanders, Ben?

(LAUGHTER)

DOMENECH: I'm not saying that.

(LAUGHTER)

(CROSSTALK)

BREAM: OK, panel, thank you very much. We will see you next Sunday.

Up next, a final word on the week ahead.

(COMMERCIAL BREAK)

BREAM: That's it for today. I'm Shannon Bream. Happy Father's Day to all you dads out there. I'll see you tomorrow and every weeknight for "FOX News at Night," 12 a.m. Eastern on FOX News Channel. Have a great week. We'll see you next "FOX News Sunday."

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Region: (Americas (1AM92); Arab States (1AR46); CIS Countries (1CI64); Eastern Europe (1EA48); Europe (1EU83); Gulf States (1GU47); Middle East (1MI23); North America (1NO39); Saudi Arabia (1SA38); USA (1US73); Ukraine (1UK09))

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## NewsRoom

## NewsRoom

6/18/22 Plain Dealer (Clev.) A14  
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Cleveland Plain Dealer

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June 18, 2022

Section: A

### Should protesters at justices' homes be subject to arrest?

Protests outside the homes of U.S. **Supreme Court** justices have been the norm for a while, but leak of a draft opinion overturning Roe v. Wade has kicked them into overdrive, with protesters banging drums or yelling through megaphones now a fixture on many leafy, tree-lined streets, to the annoyance of neighbors and of some members of Congress.

Some Republicans are demanding that protesters be arrested under a 1950 law that criminalizes protests outside judges' homes and offices - or the homes of any juror, witness or court officer - if the protests have "the intent of interfering with, obstructing, or impeding the administration of justice, or ... of influencing any judge, juror, witness, or court officer, in the discharge of his duty."

The federal law, 18 U.S. Code Section **1507**, says the pickets "shall be fined under this title or imprisoned not more than one year, or both."

The calls to crack down on protesters have taken on more urgency after the June 8 arrest of an armed man, outside Justice Brett Kavanaugh's home, who was charged with attempted murder after he called 911 on himself following a call to his sister - when he spotted armed U.S. marshals at Kavanaugh's home.

The justices all have personal security, but the U.S. House this week voted to approve a Senate bill extending security to family members as well.

Meanwhile, the Justice Department has shown no appetite for enforcing the 1950 federal anti-protest law with its clear First Amendment implications and which would, if interpreted literally, apply to protests outside the **Supreme Court** itself.

Or what about peaceful Jan. 6 protesters who arguably also sought to impede the administration of justice by trying to stop the counting of electoral votes?

So, should peaceful protesters be arrested, tried, fined and/or imprisoned if they protest at justices' homes? What about at the **Supreme Court**? Would the arrest of peaceful protesters amount to a First Amendment violation? If so, should the 1950 law be revoked? Our Editorial Board Roundtable seeks to untangle this thicket:

Thomas Suddes, editorial writer: Peaceful protests, so long as they do not disturb the peace of a neighborhood, should be permitted outside the residences of public officials. Protest is part of the fabric of American political life.

Ted Diadiun, columnist: One's home should be a haven ... not a fortress under siege. The instinct to try to intimidate judges, or anyone whose actions we don't like, at their homes constitutes First Amendment freedoms run amok. If anything, the 1950 law should be enforced, and expanded to include all of us.

Eric Foster, columnist: On the one hand, it's pretty clear that these protests are illegal. On the other hand, how can one be mad about protesters going to the justices' homes and not be mad about states passing laws which (in effect) go into women's wombs? Are homes more inviolable than bodies?

Lisa Garvin, editorial board member: This is a gnarly issue, to be sure, but it feels like the top of a slippery First Amendment slope. Supreme Court justices and their families need more protection during these turbulent times, but maybe the court should consider that its increasingly partisan opinions are the match that lit the fuse.

Victor Ruiz, editorial board member: Our democracy cannot exist if the people who make up our government are under constant physical threat. Therefore, our government officials must be protected. I just hope that those who are most angry at the people protesting at the homes of the justices were this angry on Jan. 6, 2021.

Mary Cay Doherty, editorial board member: Ruth Sent Us doxxes the justices, even identifying the school Amy Coney Barrett's children attend. Jane's Revenge vows violence against pro-life clinics. A would-be assassin is nabbed outside Justice Brett Kavanaugh's home. These protesters use intimidation, harassment and threats to undermine the judicial system. U.S. Attorney General Merrick Garland should uphold the law prohibiting protests at justices' homes.

Elizabeth Sullivan, opinion director: The 1950 law is misguided; peaceful protests should not be criminalized. But protests at people's homes, often with kids inside, feel wrong. No wonder good people leave public life. That said, I can't help wondering whether those so outraged now were also angry when folks with semiautomatic weapons were patrolling outside then-Ohio Health Director Amy Acton's suburban Columbus home in 2020.

---- **Index References** ----

Company: U.S. House of Representatives

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## NewsRoom

## NewsRoom

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June 18, 2022

### Sen. Blackburn, Colleagues Challenge DOJ's Refusal to Charge Violent Protestors Threatening **Supreme Court** Justices

WASHINGTON, June 18 -- Sen. Marsha Blackburn, R-Tennessee, issued the following news release and letter on June 16, 2022:

U.S. Senator Marsha Blackburn (R-Tenn.) joined Republican Leader Mitch McConnell (R-Ky.), Judiciary Committee Ranking Member Chuck Grassley (R-Iowa), and other committee Republicans in demanding an explanation for the Justice Department's ongoing refusal to enforce a law restricting efforts to influence pending judicial decisions. Title 18, Section **1507** of the U.S. code criminalizes parading or picketing in front of the homes of judges with the intent to influence pending litigation.

"These unprosecuted, illegal protests allowed a deranged young man to figure out where Justice Kavanaugh lived with enough precision that he showed up in front of his house at 1 a.m. with a Glock, a crowbar, zip ties, and silent boots," the senators wrote in a letter today to Attorney General Merrick Garland.

"We want to know why you aren't prosecuting these Section **1507** violations. We are aware that President Biden has endorsed home protests for Justices, but as you told us repeatedly, your decisions whom to prosecute would not be decided by the White House. Is White House policy keeping you from bringing charges? If not, tell us," they continued.

Along with Blackburn, McConnell, and Grassley, the letter was signed by Senators Lindsey Graham (R-S.C.), John Cornyn (R-Texas), Mike Lee (R-Utah), Tom Cotton (R-Ark.), Ben Sasse (R-Neb.), Josh Hawley (R-Mo.), Ted Cruz (R-Texas), John Kennedy (R-La.), and Thom Tillis (R-N.C.).

Full text of the letter is available [HERE](https://www.blackburn.senate.gov/services/files/FE339586-0F7E-435A-8753-9CA37F75EE46) (https://www.blackburn.senate.gov/services/files/FE339586-0F7E-435A-8753-9CA37F75EE46).

\* \* \*

Original text here: <https://www.blackburn.senate.gov/2022/6/blackburn-colleagues-challenge-doj-s-refusal-to-charge-violent-protestors-threatening-supreme-court-justices> MSTRUCK-7867836 MSTRUCK

---- **Index References** ----

News Subject: (Government (1GO80); Government Institutions (1GO90); Government Litigation (1GO18); Judicial Cases & Rulings (1JU36); Legal (1LE33); Legislative Bodies (1LE67); National Judiciaries (1NA65); U.S. Senate (1US71); U.S. Supreme Court (1US13))

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**NewsRoom**

## NewsRoom

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June 17, 2022

### President Biden Says That He is Not Responsible for Everything Bad That's Happening Under His Administration Specially When it Comes to Inflation...

President Biden Says That He is Not Responsible for Everything Bad That's Happening Under His Administration Specially When it Comes to Inflation Because Surging Prices is Not His Fault; The FBI Has Taken an Action After a Pro-Abortion Group Jane's Revenge Declare a War on Pro-Life Clinics; Musk Versus The Woke: Elon Holds First Time Meeting With Twitter Employees; Climate Road Block: Protesters Pulled Off Street By Furious Motorists

NEIL CAVUTO, FOX NEWS ANCHOR: Thank you very much. I hope it's a wonderful Father's Day.

UNKNOWN: Happy Father's Day.

(CROSSTALK)

CAVUTO: Yes, I'll come, I guess. Maybe if you're lucky.

UNKNOWN: Happy Father's Day.

CAVUTO: Someone will do a cut out magazine letter card for you. But we'll be exploring, it's a lot more tomorrow morning on the weekend show, it's phenomenal because it's got the nation by storm, and I am angry.

JEANINE PIRRO, FOX NEWS HOST: Hello, everyone. I'm Judge Jeanine Pirro, along with Jessica Tarlov, Joey Jones, Dagen McDowell, and Greg Gutfeld, with his hand in front of the teleprompter. It's 5 o'clock in New York City, and I bet you don't know where this is, this is The Five.

OK. President Biden getting testy with the media and lying his butt off about inflation. The commander-in-chief claims he deserves no blame whatsoever for the economy while denying his reckless spending led to record prices. Quote, "the idea that the cost inflation is bizarre. If it's my fault, why is it the other major industrial, why is it the case that in every major industrial country in the world that inflation is higher. You ask yourself that. I'm not being the wise guy," that's the end of the quote. Peter Doocy pressing the White House on that whopper of a claim.

(BEGIN VIDEO CLIP)

PETER DOOCY, FOX NEWS CORRESPONDENT: He says that inflation is worse everywhere, but here, that's not true. The U.S. has worse inflation than Germany, France, Japan, Canada, India, Italy, Saudi Arabia. So why it's the same?

KARINE JEAN-PIERRE, WHITE HOUSE PRESS SECRETARY: Well, I think that what we are saying is that when you talk about inflation, it is a global thing, and it is not just about the United States, this is something that everyone is feeling because of coming out of a once-in-a-lifetime pandemic, because of the war that Russia has started in Ukraine.

(END VIDEO CLIP)

PIRRO: And after blabbing away to the A.P., it seems like those close to the president didn't want him to do anymore talking.

(BEGIN VIDEO CLIP)

JOE BIDEN, PRESIDENT OF THE UNITED STATES: We're going to --

UNKNOWN: Mr. President, Mr. President, --

(CROSSTALK)

JILL BIDEN, FIRST LADY OF THE UNITED STATES: We got to go.

UNKNOWN: Do you still consider MBS a pariah?

UNKNOWN: Mr. President --

JILL BIDEN: We got to go.

(END VIDEO CLIP)

PIRRO: The White House is also now considering trying to buy voters off by sending Americans gas rebate cards to offset the surge in prices. There are so many places I can start, but I'm not starting with you, Greg, because you put your hand up on the teleprompter.

GREG GUTFELD, FOX NEWS HOST: Yey.

PIRRO: So, Joey, I'm going to start with you. So, the president says specifically, if it's my fault, why isn't it the case in every major industrial country in the world that inflation is higher. Now, they can make every excuse they want, but he lied. He lied, or he's incompetent, which is it?

JOHNNY JOEY JONES, FOX NEWS HOST: That most surprising thing is that she didn't make a good excuse.

PIRRO: Yes.

JONES: There's so many ways to spin it. That she could have failed in some little small group of countries that have something in common and say, but we are better than they are and that's what --

(CROSSTALK)

JESSICA TARLOV, FOX NEWS HOST: I have that list. I have that list.

JONES: And so, you know, Jessica, there is another job out there for you.



TARLOV: Are you trying to get rid of me?

JONES: No, I'm just saying a lot of people could do better from that podium, I think. I think Jen Psaki did a tremendous job now that they have something to compare to. But listen, I saw a video on Instagram, of all places, they have Congressman Jason Smith. Nice guy I don't know much about him. But he's grilling Janey Yellen and he gets her to admit that their strategy for reducing inflation in part is to reduce deficit. Because that's one of the things they think they've gotten right.

And when you look at how they reduce deficit is laughable. But if reducing deficit reduces inflation, then it doesn't take a very smart person to say that increasing government spending maybe increases inflation. And I really wish he would have driven that point home because I think that's the point that if you get Janet Yellen to admit then Joe Biden does have to accept responsibility for the majority of this problem.

PIRRO: You know, any leader worth his or her salt would admit, would empathize and would offer a solution. This president is incapable as much as people thought he empathized about COVID, he is incapable of accepting the fact that he is responsible for what has happened into this economy and he's doing nothing as he continues to trash fossil fuels.

TARLOV: Well, he isn't wrong. Karine Jean-Pierre isn't wrong as well, that this is a global problem, but he is the president of one country.

PIRRO: No, but, no.

TARLOV: Right?

PIRRO: No. You can't just leave it that. He said every other major country has it worse.

(CROSSTALK)

TARLOV: Obviously, he misspoke on that. I have the numbers.

PIRRO: He lied.

TARLOV: There are some little worse --

PIRRO: No, no, he lied.

TARLOV: -- and there are some that are better.

JONES: They never to put a lie in a misspeak (Inaudible) you're elected into office.

PIRRO: There are 20 countries doing better than we are on inflation.

TARLOV: Twenty countries in the whole world is what we're talking about here?

PIRRO: No, on --

TARLOV: Because last week you give -- no, but how many countries are we saying here. Because last week you throw a list and you included the Philippines on it. Philippines is not related at all to what's going on here in the U.S. Countries that are related. Germany, the U.K., the Netherlands, Spain --

PIRRO: France. Yes.

TARLOV: -- Brazil.

PIRRO: Yes.

TARLOV: Higher in Spain, 9.8 percent. Netherlands, 9.7 percent. We're at 8.5 percent.

PIRRO: So, what? So, what? You can't. That's a lie. He admits it.

TARLOV: If you think the lie to me has malicious intent. The president should not have said that. He should say we are facing a global challenge. We are running basically in the back of the pack here.

(CROSSTALK)

JONES: If you are talking the American (Inaudible), the economic situation that they're in and say you have no responsibility for it, that's about as malicious --

(CROSSTALK)

TARLOV: I don't think you should say you have no responsibility for it.

JONES: And that seems to be what he's trying to do.

TARLOV: It's just strange to me I guess that you could --

(CROSSTALK)

JONES: Because no responsibility means that he doesn't have to act.

TARLOV: -- watch Joe Biden say this and be screaming about you're a liar or you're incompetent. Obviously, he just -- he doesn't want to acknowledge that things that he did, ended up pushing us in this direction. And people from his former teams, certainly from the Biden administration have written op-eds about it and said that we spent too much.

Janet Yellen has admitted that she wanted the American Rescue Act to be at half the size.

JONES: Yes.

TARLOV: That it ended up being. That is a fine argument to make to adults in this country who understand generally speaking that we are part of a globalized economy. That we needed a bail out to some degree, but perhaps it went too far. And I think that changing course on that and showing that COVID empathy from the campaign trail would benefit him. But his back is up against the wall. And he doesn't want to do it. So, I --

PIRRO: OK. All right. So, he is so tone deaf and so clueless that he's now hosting a meeting, Greg, on climate change when people can't afford gas to drive to work.

GUTFELD: Well, I think that's, you know, that's the bigger story. You know, I'm kind of with Jessica on this. The -- accusing politicians of lying is like accusing birds of chirping. It's just in their DNA. I have to point out that we are part of a globalized economy. But we have to remember that as America goes, so goes the world, I think.

PIRRO: Yes.

GUTFELD: Biden likes to pretend that it's the reverse. But no, it's like, when we do well, they do well, when we do poorly, they do poorly. So, it's like the inflation, our inflation is kind of responsible for a lot of other high inflations. And I'm saying that as a Ph.D. economic --

DAGEN MCDOWELL, FOX NEWS HOST: You have to say it.

GUTFELD: Econometrist. I'm an econometrist. All right, So the blame game. This is where the blame game I think matters, to your question. The way how -- the White House has the hierarchy of needs backwards. All we want right now when we talk about this food on the table, fuel in your car, law and order on the streets. In your hierarchy of needs, that's what people want. Not solar panels, not cricket recipes, not drag shows for kids.

Those are all the fun things you can have when everything else is great. OK? You know what I mean?

JONES: Yes.

GUTFELD: In the hierarchy of needs, you have to have the food, the fuel, and the law and order. Then let's talk about sending drag -- drag performers to grade schools. But don't do that right now when people are suffering.

Worse, we have replaced self-reliance with self-actualization. So a lot of these young people in the White House, they don't know how to solve actual problems. However, if you need an Instagram photo during a special month or a special day, and you say you know what to say, that they can do, they can ace that. But if you talk about gas prices or if you talk about baby formula, if you talk about war, if you talk about all these bigger issues, they do not know what to do.

And the real example here is, you know, they just appointed Kamala Harris to run another, like anti- online harassment board and it's like that does nothing to help anybody. That is like, again, this kind of virtue signaling external behavior that is just purely symbolic and no practical value whatsoever, Judge.

I like your jacket, it's very colorful. I can tell you're not impressed with me, but that's OK, it's Friday.

PIRRO: OK, Dagen, listen, you're really, you're the numbers person, you're the economist here. I don't buy it. You know what? To me, someone who is the president of the greatest country on earth has an obligation to be truthful to the people who voted for him. The 80 million who voted for him. All right?

So, when he comes out and says don't blame me, you know, blame Putin. I don't see anybody running around saying, you know, that damn Putin he is responsible for this. And he says, inflation is worse everywhere, but here. And then he talks about the fact that, you know, he says that the American -- that he inherited a bad economy. Did he inherit a bad economy?

MCDOWELL: He inherited an economy that was recovering from COVID, and he under, he brags about job creation. We are still short. I think it's roughly about 800,000 jobs from, we're not even back to the employment we had before the COVID lockdowns.

But if what Joe -- if Joe Biden's strategy is going to be the Jackie Jaw (Ph) and flap his gums and talk and bitch and moan and get mad, then he should come out and say I will veto anything that will increase government spending for the foreseeable future until we get inflation under control.

And that means the pay -- the student -- the moratorium on student loan payments, that's money that's going to rich kids who are doctors and lawyers. That runs until at least August. You watch them. They'll probably wind up extending it so he could at least do that. But they're taking it one step further.

This is the level of idiocy that we are talking about from this White House. They are talking about gas rebates.

PIRRO: Yes.

MCDOWELL: This is what anybody in that White House knows this from econ 101 that they took in undergraduate school, the dumbest thing that you can do when you're trying to fight inflation, do not give money out to buy a commodity that is in limited supply that you already have excess demand. They are literally handing money to people to juice demand when supplies are tight.

JONES: Yes.

MCDOWELL: That is beyond moronocy (ph). And they will continue to do this. We're probably already in a recession, it's going to take a deep recession to fix this inflation. And Joe Biden will own it all day long every day because he reappointed J. Powell as the head of the Federal Reserve when he could have fired him and they didn't.

PIRRO: OK. Up --

JONES: I'm not going to lie I don't understand the economy any better, but you just expanded my vocabulary by about 12 words.

MCDOWELL: What? Here's another one. In, I'm calling it the in-Biden session because stagflation is not going to be enough. It's inflation with Biden in the middle and a recession on the end.

PIRRO: OK. Up next, Democrats support harassing **Supreme Court** justices and threats of left-wing violence ramps up. Why did you do that?

(COMMERCIAL BREAK)

GUTFELD: That.

MCDOWELL: What is that?

Pro-life groups under attack by left-wing agitators. But Biden and the Democrats could not care less. Radical pro-abortion group Jane's Revenge encouraging the violence after declaring open season on pro-life clinics. The FBI is finally taking action and investigating these crimes. We'll see if they actually do anything.

This comes as we learned that a majority of Democrats are OK with intimidating **Supreme Court** justices at their homes. Fifty-eight percent say it's appropriate to protest outside of their houses. And new calls for Attorney General Merrick Garland to resign for the DOJ's inaction of the threats. Republicans demanding that the A.G. act.

(BEGIN VIDEO CLIP)

SEN. MARSHA BLACKBURN (R-TN): What you are seeing is violence that should be investigated. If it were other groups that are supporting the left, and they were experiencing this kind of violence and harassment, they would have immediately been investigated. And action would have taken without delay. But since it is pro-life affiliated groups and religious organizations, this DOJ has not done that.

(END VIDEO CLIP)

MCDOWELL: It's illegal to protest in front of a justices' home, Greg.

GUTFELD: You know, there's a reason for that. Why can't we go to the -- anybody who is, you know, for this protesting outside their homes. Put your money where your mouth is and put your address so we can go to your house? The problem is, is that we won't go to your house because we have lives. Right?

Like, conservatives and Republicans they don't -- they're not going to go to a liberal judge's house and bother them because they're not losers. This is, the people that are going to people's houses are losers. And it is illegal and the fact that Garland hasn't done anything, he's a loser. They're all losers. That's my word for Friday.

Also, isn't it amazing how the media believe that Trump was a threat to institutions, and yet what's under attack right now? The **Supreme Court** which is an institution. You can throw the Electoral College, you can throw border patrol, law enforcement, the relationship between parent and child. All of these traditional elements of society are under attack under a Democrat White House.

Now you can break the law and show up at a Supreme Court justice's house to intimidate them. You can manipulate court decisions with acts -- with choreographed leaks. That undermines an institution, not Trump.

MCDOWELL: And Judge, the Justice Department is using a similar statute under which protesting in front of a justice's or even a judge's home is illegal. It's picketing and parading. And the Justice Department is using a similar statutes same crime to prosecute people for just being on the grounds of the capitol during the riot but not going after people who are, essentially threatening Supreme Court justices.

PIRRO: And that's exactly the problem. We have a Justice Department and that does not believe in the equal application of the law. They decide when they're going to enforce the law and against whom they will enforce that law. They have proved it over and over again.

And the unfortunate part of this is that, something like 55 percent of Americans think it's absolutely inappropriate to protest in front of the justices' homes. It's not just inappropriate, it's outright illegal. It's title 18 section **1507**.

So, what we've got here is a mob. It is a mob that is being sanctioned by the White House by the White House press office because every time they were asked a question, Jen Psaki would say and Karine as well, although she's not as clear as Jen was, you know we believe in peaceful protests. That was like the summer of 2020.

These are peaceful protests while they have fires and burning buildings behind them. The left is the party of anarchy, chaos and the disruption of institutions who are engaged in theater where they're trying to convince the American people that January 6 was about the destruction of an institution.

And I came out and said they should be prosecuted. But what they're doing right now is a people from January 6 for trespassing they're in solitary confinement.

GUTFELD: Yes.

PIRRO: For 6 months. And but these people, the attempted assassination of a Supreme Court justice it's a, don't worry about it. We won't even cover it on the news. Americans need to understand that we're at a tipping point here. The left does not believe in justice, it does not believe in law and order. And they hated it from the moment Donald Trump mentioned it in 2016.

MCDOWELL: Jess, this Jane's Revenge this group that what the line if abortions aren't safe then you aren't either. The Justice Department could pros -- potentially prosecute that group in under like RICO statutes. If they are -- if it's a -- if they can prove that it's an enterprise that affects interstate commerce and they used interstate commerce, there's a really low bar to charging crimes against that. If they cared, they could even use that to bring charges to keep them away from justices' homes, or and stop him from bomb -- fire bomb and these -- it's already illegal to be in front of a justice's home.

PIRRO: Pregnancy centers.

MCDOWELL: The pregnancy centers --

(CROSSTALK)

TARLOV: But there is --

MCDOWELL: -- and firebomb --

TARLOV: There is an open FBI investigation into what's going on at these pregnancy centers, and also this year is that attacks against faith-based groups and churches. So that is happening. It'll continue to pressure Merrick Garland. I don't think that Merrick Garland is someone who thinks that this is appropriate at all.

We know that it is a violation of the law to be protesting outside of their houses like that. They deserve the protection that frankly was in the bill that everyone thought was bipartisan. And now the GOP is opposing seemingly because clerks are being protected as well. They're holding it up and I don't know if that's just because they think that the leaker would then get protection just like the security that the Supreme Court justices would.

(CROSSTALK)

GUTFELD: The Dems would --

TARLOV: But that's something -- no, actually.

GUTFELD: Twenty-six Dems --

TARLOV: So, this is, the bill right now which everyone every Republican is saying we need is being held up by the Republicans not by the -- I have something to say about this loser dumb and the lawlessness.

(CROSSTALK)

GUTFELD: Somebody is giving you bad info because yesterday we just said the opposite. Precisely opposite.

PIRRO: Well, you don't need the bill. You've got a law on the books right now. If Merrick Garland doesn't buy it why aren't all of those people under arrest?

TARLOV: OK.

PIRRO: Stop with the nonsense.

TARLOV: Enough -- enough with the nonsense about how it's leftists that are the --

(CROSSTALK)

PIRRO: It is leftist.

TARLOV: Let me tell you why I would argue against that. So first of all, there's a New Jersey federal judge Esther Salas, a liberal, whose son was shot --

PIRRO: Exactly.

TARLOV: I'm sorry. Who's killed and her husband was shot by a men's rights activists. That was not someone from the loony left. That was an anti- feminist as the judges not inferred, those you can't see out on air.

PIRRO: Yes. Well, what about Scalise?

TARLOV: Also (Inaudible).

PIRRO: What about Scalise?

TARLOV: And Bernie Sanders said I completely -- I'm against what happened, I'm sorry that he was --

(CROSSTALK)

JONES: What's your point on the judge?

TARLOV: My point is that it's not just --

(CROSSTALK)

JONES: OK. Well --

TARLOV: That this is --

JONES: OK, I'll give you that.

TARLOV: But I need to say this part. Since Roe V. Wade was made into law the pro-lifers have in the name of being pro-life committed 11 murders, 26 attempted murders, four kidnappings, 42 bombings, 667 bomb threats and 189 arsons. Do not tell me that those people are a bunch of --

(CROSSTALK)

JONES: Here's something --

TARLOV: -- leftist out of those (Inaudible).

JONES: Here's something --

TARLOV: Those are right wingers.

JONES: Here's something radical. George W. Bush's administration arrested Eric Rudolph, put him behind bars for the rest of his life where he spends 23 hours a day in solitary confinement and if they could have, they probably would've killed him because that's what he deserves. Because of the crimes he committed, murdering people and threatening people.

By the way, that was 30 years ago and Roe versus Wade is still the law of the land, make it change but for 30 years his actions of terrorism didn't change that. So, for the Jane's Revenge out there understand that the only thing that will come of this is you will go to prison or you will die.

And that's what you deserve if you hurt people and try to bring terrorism in our political system. And I don't know why citing however many attempts of right-wing people who should also be in jail --

PIRRO: Yes.

JONES: -- or given the death penalty if they kill people.

PIRRO: We agree.

JONES: I don't see how that -- I don't see how that does anything with Merrick Garland --

(CROSSTALK)

TARLOV: And everyone's opening salvo it was this is only a problem with the left --

JONES: -- not stopping people from protesting --

TARLOV: The evidence speaks --

(CROSSTALK)

JONES: -- outside Kavanaugh's house.

PIRRO: But the evidence outside the Supreme Court justice's homes. Why aren't they under arrest?

TARLOV: Violence.

PIRRO: Why aren't they under arrest? They don't have to be violent.

MCDOWELL: Right. Yes, for a -- more than a dozen attacks you've got to go back 50 years to make it about conservative and not --

JONES: My best (Ph).

TARLOV: I'm sorry.

MCDOWELL: -- and not about -- and not about the left with the Jane's Revenge.



(CROSSTALK)

TARLOV: Well, that's judge's family was murdered in the last two years.

MCDOWELL: Again, 50 years we got to go back and count that because there more than a dozen cases that we have recently.

(CROSSTALK)

TARLOV: The justification of 11 murders for I have to go back in history is really something.

MCDOWELL: You really --

GUTFELD: All right.

MCDOWELL: Fifty years, 50 years just went on the right.

(CROSSTALK)

TARLOV: Pro-lifers are --

MCDOWELL: Stay right there. Elon Musk takes on the woke workers at Twitter. Find out what he said to them, next.

(COMMERCIAL BREAK)

JONES: Elon musk addressing the woke employees over at Twitter for the first time since the company agreed to his \$44 billion takeover. The world's richest man talking about everything from free speech to aliens. The leaked video of the meeting was obtained by Project Veritas, but Fox can independently verify it. Let's check it out.

(BEGIN VIDEO CLIP)

ELON MUSK, CEO, TESLA: I think it's essential to have free speech. And for -- to be able to communicate -- yes, communicate freely. If there are multiple opinions, but -- and just make sure that we're not sort of driving narrative.

How many times has had the media gotten it right? I would say almost never. Not never, but almost never.

(END VIDEO CLIP)

JONES: We reached out to Twitter for comment about the meeting, but we haven't heard back. Judge, one of the things he kept going -- I'm sorry. Are you ready?

PIRRO: Yes.

JONES: Are you good for me? All right.

PIRRO: Yes.

JONES: One of the things he kept saying is he said he believed in freeing up speech all the way to the point that is legally. He's saying there's a difference between potentially harmful and legal. So, he says if it's legal, it should be allowed on Twitter.

PIRRO: Yes, that's no surprise. It's called the First Amendment. This is in the United States of America. He believes in it. I mean, obviously, if it's defamatory, go sue someone. I mean, that's what -- that's what Johnny Depp did, and they want and that's the end of it.

But you know what? What stuns me about this guy is he's got everybody coming after him, right? And we only know what we can see and what we hear about. You have everybody coming after him every which way. I think he's a fascinating character. I think that -- I don't know that it's so much about him or his ego. I think he just has like this moral core and he's going to stick with it.

And what I think is most fascinating about him is that he wants -- he briefly diverted the conversation into discussion. And Greg, I want to know what you think about this, about aliens and human consciousness?

GUTFELD: Shall I pick up on that?

JONES: Absolutely.

GUTFELD: Well, Elon Musk is a -- like me, a believer in the simulation, the fact that we are all part of --

JONES: Yes, the matrix.

GUTFELD: The matrix I hate using the matrix, though, as an analogy but that's the best way to do it, I guess. But he is -- it's interesting that the world's richest person is red-pilled. I mean, it is pretty -- and it's like, there's no turning back for him.

JONES: They asked him what his political views were, and he said moderate, which is how someone says conservative when they're talking to liberal.

GUTFELD: Exactly. I mean, he's definitely changed. And it's weird -- you know, he's doing these things, because employees have certain concerns about certain things that they shouldn't be concerned about. You know, if you're -- if you're coming to work, you're looking for a sense of belonging and good vibes and love, I would suggest you start a family.

This -- I had a conversation with somebody. I don't know who it was.

TARLOV: It's not that easy.

GUTFELD: I know it's not that easy.

(CROSSTALK)

GUTFELD: I mean -- I mean, like a family of friends, it doesn't have to be -- I hate children.

PIRRO: You hate children.

GUTFELD: But what I'm saying is, if you -- I've talked to people about -- this only happens in liberal organizations, even in charities, they will hire young liberals, right, who see their work as a platform again, for their self-esteem and self-actualization not in really for helping or actually doing any work at all. So, they end up spending eight hours a day of their time thinking about themselves and thinking about their feelings. That's -- what you're seeing is a traditional boss in Elon Musk who's saying I don't have time for this.

If you write an open letter on SpaceX saying that you wish I'd be nicer on Twitter, your fired because you know what, you probably did that on work time. And you -- and you did an open letter which is also just bogus and weak. You don't take -- you don't air your company's laundry in public, which is what happened to the Washington Post.

JONES: Well, Dagen, in the other big hot topic for employees, they were worried about getting laid off and about not being able to work from home. He just simply said, look, we're spending more money than we're making. It has to be financially successful. It is a business. And he said there's a difference between making cars so we have to be at work and doing Twitter and he said exceptional employees might be able to work from home. What do you think about that?

MCDOWELL: I think that if you're working from home, you're shirking, because I'm old, and I think you get -- get to work. Why are you in the office? I'm the one who will show up at your house in the middle of the day wanting to know have you even put pants on to go to work.

JONES: I do not most of the time.

MCDOWELL: If you work at Twitter and you want to --

GUTFELD: Do you have an excuse?

MCDOWELL: Elon Musk has promised to pour resources into Twitter and make it a more open platform. And if that chaps your backside, and you want to leave Twitter, it's better for Twitter, Elon Musk, and the entire United States of America. And the fact that these Twitter employees are so hard, you're talking about the Bloat their own bloated self-importance, Elon Musk doesn't care. He doesn't know their last names. He's like, I got a robot army of automobiles and I'm shooting rockets into the sky. Twitter is like not even my snack between breakfast and lunch on a Wednesday.

JONES: You know, Jessica, one thing he did say -- he said there's diversity between freedom of speech and freedom of reach. And really what he's saying is we don't have to ban Donald Trump to keep from amplifying if we don't agree with the message. So, is he really even doing -- trying to do something all that radical or just stay out of the headlines a little bit.

TARLOV: Well, I don't think it's that radical if there is a way to create a place where we call it the home of ideas or the -- I forget his original terminology.

JONES: Townhall or something.

TARLOV: That's what these places should be. And frankly, most people agree with that if you ask them. And there's -- this has always been a very aggressive movement of an isolated group of blue checkmarks that wield tremendous online power but not real power. Like, we saw that at the ballot box. This is what happened when Joe Biden winning the Democratic primary that everyone was screaming online, it's got to be Elizabeth Warren, it's got to be Bernie Sanders. And then people were like, actually, we're the ones that are going to show up at the polls, and we're telling you, it's going to be this guy.

So, I don't have a problem with -- oh, town -- public square. I do think it is -- we're talking and I understand that SpaceX is a private company and an open letter is not necessarily the best way to go about this. But the timing of that leaked video of him talking this way and then firing those people who were speaking out against him within his own organization, doesn't feel completely kosher to me. I think you probably could have used that as an example to amplify his free speech credo.

JONES: He can fire them in his role. At least he didn't go to Twitter and tweet about it. OK, all right, coming up, angry motorists confront climate wackos blocking traffic in a must-see "FASTEST." This is awesome.

(COMMERCIAL BREAK)

TARLOV: Welcome back. It's time for "THE FASTEST." First up, climate activists blocking traffic on a busy road in Rome learning the hard way to not mess with angry Italian motorists.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: (SPEAKING FOREIGN LANGUAGE)

(END VIDEO CLIP)

GUTFELD: That guy is amazing.

TARLOV: In case you couldn't hear that, that is the judge cackling at this. She loves this so much.

GUTFELD: He doesn't need to take the cigarette out of his mouth. That is -- that's an Italian hero.

PIRRO: Oh, my God.

GUTFELD: I love everything -- I love everything about that person.

PIRRO: Can you run that again? (INAUDIBLE).

GUTFELD: He was being polite. He was being polite.

PIRRO: I'm sorry. Is there a question on the table?

JONES: I love it. Justice.

GUTFELD: Just -- let's keep watching this. It's so much fun.

MCDOWELL: One of the chicks gets pulled by her hair which is even better.

GUTFELD: I mean, obviously, there's people that are -- that are -- you know, this is something -- somebody could be going to an emergency.

PIRRO: Is that a (INAUDIBLE).

JONES: You know what this is? This is proof that sometimes violence is the answer.

MCDOWELL: That's not really violence.

GUTFELD: I wouldn't call that violence. I would call that concern. There's probably -- you could argue there's somebody that could lose their life that's in traffic right now.

PIRRO: That's right. They could be having a baby.

MCDOWELL: This is in Rome. It's the busiest -- like, the loop around Rome. I will only add one thing.

GUTFELD: Well, there -- they should be Roman.

PIRRO: I want to see. Watch here. Here he comes again with the truck.

GUTFELD: Yes, yes. It's like he's taking out the trash. Get out of my way.

MCDOWELL: If it was the U.S. though, they kept walking back into the road and blocking traffic again. We would have thrown on --

PIRRO: There he is.

GUTFELD: This guy -- I want this guy. I wish this guy was my neighbor. Look at that. He got the cigarette. He knows he's got no time for this crap. He's probably got something frozen in his truck he's got to get somewhere. Look at that.

PIRRO: I'm sorry.

MCDOWELL: But if it was --

GUTFELD: Why do -- why do people think this helps the cause? Why does this --

PIRRO: Would somebody -- would you send me that link?

GUTFELD: Why do people -- why do people think this helps your cause? It makes your cause so unlikable.

PIRRO: Why does that not happen in the United States of America?

MCDOWELL: Well, I'll tell you what would happen in the United States. It actually does but somebody -- some beefcake in a pickup truck shows up and picks all of them up and throws him in the bed of the pickup truck and drives off to ensure they don't keep blocking traffic. Oh my gosh.

GUTFELD: There you go.

TARLOV: All right, let's have -- so -- and finally, rest easy history buffs. Kim Kardashian did not destroy Marilyn Monroe's dress. People have been accusing the reality star of damaging the historic 60-year-old gown after she went to the Met Gala. Posting these before and after photos is proof but the owner of the dress, Ripley's Believe It or Not, says no damage was done to the piece.

PIRRO: Well, Michael Morissette disagrees. See the rip is not the same. First of all, what is she doing in Marilyn Monroe's dress?

JONES: She's the modern-day Marilyn Monroe.

PIRRO: Who says?

JONES: She says a sex symbol embroiled by controversy that goes straight to the White House.

GUTFELD: The only people who should be in Marilyn Monroe's dress is a Kennedy. By the way, was this just an excuse to show two butts?

TARLOV: It's a very see-through --

GUTFELD: Yes, yes.

PIRRO: I mean, to me that's desperation. Oh, I want to be in Marilyn Monroe's. Get your own dress.

MCDOWELL: I have spent way too much of my life thinking about this dress and staring at Kim Kardashian's well, body in it.

JONES: Her brand. That's --

MCDOWELL: Her brand in it.

JONES: And speaking of -- beefcake and pickup truck is my shadow Twitter account by the way.

MCDOWELL: Like I don't -- like I don't know that.

TARLOV: I hate to do this but the segment is over. "FAN MAIL FRIDAY" is up next.

(COMMERCIAL BREAK)

GUTFELD: All right, "FAN MAIL FRIDAY." This is a great question from Rheta. What is the one thing you never thought you'd need and now you just can't live without it, Dagen?

MCDOWELL: Injections in my face.

GUTFELD: Really?

MCDOWELL: Oh, yes. I never thought --

TARLOV: She just went for it.

GUTFELD: Yes.

MCDOWELL: Getting stuff shot in my face. I need it.

GUTFELD: Well, congratulations.

MCDOWELL: I'm 92.

GUTFELD: Yes, it's amazing. Joey?

JONES: VIP parking or some call it a handicap pass.

GUTFELD: Yes.

JONES: I park right up front. I love it. It's fantastic.

GUTFELD: Well, I think you earned it. Yes, definitely.

JONES: It's somewhat necessary.

GUTFELD: Yes, yes, yes. What about you, Jessica?

TARLOV: Earplugs. I started using them in 2008. And now, even if I'm by myself, no noise anything, I cannot sleep without them.

GUTFELD: Judge, what is one thing you can't live without you never thought? And you could say me. It's OK.

PIRRO: I'm thinking -- you have two minutes to tell me. OK, I'm thinking coffee. I didn't start drinking coffee till I was like 48.

GUTFELD: Wow.

GUTFELD: So, it's just about three years ago.

PIRRO: Oh, don't I wish. Yes, coffee.

GUTFELD: Yes. You know, "FOX AND FRIENDS." You know, I'm up every morning. I watch it religiously. I love the kind of the sultry sounds of Kilmeade and Doocy bouncing off each other in the comedic expertise of Ainsley Earhardt. I watch it every single morning without fail. I never thought I would

PIRRO: You can't live without it. Is that your?

GUTFELD: Yes. Next question from Ricky. What's the best thing you've gotten at a yard sale or a flea market? Do you -- do you go to flea markets? Jessica, you probably -- you (AUDIO GAP) flea markets I bet.

TARLOV: More Manhattan going to Brooklyn for the flea market.

GUTFELD: Yes, there you go.

TARLOV: But yes. I have a great pair of Levi's 501s from a flea market. And I don't understand -- I hate when people say it's gross --

GUTFELD: Yes.

TARLOV: -- to wear previously -- she's about to say it's gross.

PIRRO: NO, I didn't. I didn't say a word.

GUTFELD: You were thinking it, Judge.

PIRRO: No.

TARLOV: See?

GUTFELD: You were thinking it.

PIRRO: No.

GUTFELD: What did you -- have you ever gotten anything --

PIRRO: Did she finish? Respect her.

TARLOV: Yes, I'm done. Jeans.

GUTFELD: Jeans. She said jeans.

PIRRO: OK, is it my turn?

GUTFELD: Judge Jeanine.

PIRRO: OK, I was -- I was -- I remember I was in law school. And there's nothing funny about it, but I remember there was a crystal perfume bottle and it was \$2.00. And I remember buying it from my mother. I was so excited that I got this what I thought was a deal. And when my mom passed a couple years ago, I remember finding it on her dresser and it was one of those moments.

GUTFELD: Oh, that's beautiful. There you go. Wow. You can't top that, Joey.

JONES: I can, I'm telling you. Every pair of underwear and socks I had growing up came right from a flea market.

GUTFELD: Really?

JONES: We went over by the fairground there in Dalton, Georgia I'm telling you right now.

MCDOWELL: Yes, but flea markets down south are not like flea markets up here.

JONES: It had Haines printed (INAUDIBLE).

TARLOV: Oh, but they're not used.

JONES: But the best thing was my first shot gun. I bought it from a flea market. You didn't have to do a background check, Jessica. It has never hurt anybody.

GUTFELD: There you go. Nothing bad is around a fairground, right? Nothing but good things come out of a fairground.

TARLOV: Don't children get stolen from fairgrounds?

PIRRO: Are you kidding? When the carnie comes into town, that's when you lock your kids up.

MCDOWELL: There's a lot --

GUTFELD: Don't badmouth the carnies.

MCDOWELL: Well, yes. There's a lot of vomit around fairgrounds because people eat too much and then ride the carnie rides.

GUTFELD: What of the flea market yard sale?

MCDOWELL: Yes, flea market on Sixth Avenue. I went down there when I moved to New York 30 years ago thinking I was going to meet Mickey Rourke just like in 9 1/2 Weeks but I didn't.

GUTFELD: Yes.



MCDOWELL: Anyway, I did furnish my first apartment from that flea market.

JONES: There's a different kind of Mickey you got down there.

MCDOWELL: Yes.

GUTFELD: Yes, I picked up a Mickey Rourke at a flea market.

PIRRO: How about you?

GUTFELD: The thing I got there was like an Indian Head nickel. I thought that was a big deal back then.

TARLOV: Did you see American buffalo?

GUTFELD: No.

TARLOV: Oh, because that was all about an Indian Head coin. I thought that was --

GUTFELD: Well, thank you for that information, Jessica.

TARLOV: You're very welcome.

GUTFELD: I'll quickly forget it in this break.

TARLOV: That's very generous of you.

GUTFELD: Hey, look, it's Friday. What do you expect? "ONE MORE THING" is up next.

(COMMERCIAL BREAK)

PIRRO: It's time now for "ONE MORE THING." Greg, hit it.

GUTFELD: What a great show I have for you tonight. We on "GUTFELD!" we got Dagen. We got Rob Long, T.W. Shannon, Kat Timpf. That's tonight at 11:00.

And you know, I as you know, I do a lot of live shows. I'll be up at Foxwoods casino Saturday, October 1st in Connecticut. And then I'll be in Houston, Texas at Smart Financial Center. But we were releasing our tour trailer just to show you what it's like to go to my show. Roll it, trailer.

(BEGIN VIDEO CLIP)

GUTFELD: All right.

Come over here, lady. How are you doing?

UNIDENTIFIED FEMALE: We are so excited. We watch Greg every night.

UNIDENTIFIED MALE: Ladies and gentlemen, please put your hands together. Greg Gutfeld.

GUTFELD: Thank you.

It's part of the identity circle.

UNIDENTIFIED MALE: Greg Gutfeld.

GUTFELD: Thank you.

(END VIDEO CLIP)

GUTFELD: It's just -- it's a bummer --

TARLOV: That was great.

GUTFELD: It's a bummer that Jesse's in here -- sorry, Joey -- because I just want to rub his face in it.

JONES: I get it.

PIRRO: OK. All right, I won't be at Foxwood on October 1 but I will be in Nashville tomorrow at the Road to Majority Conference. Fox Nation is streaming the conference. I was there actually one year ago to the day. Road to Majority is all about the Faith and Freedom Coalition. There am I think from last year with Ralph Reed, Jason Williams from North Carolina. It's a great group. It's a grassroots organization, conservative activists who fight for their values, fight for the country and fight for religion. So, watch it on Fox Nation, Road to Majority. And I'll be there in Nashville. And Dagen.

MCDOWELL: Babies are evil and I have the proof.

TARLOV: What?

MCDOWELL: Greg was talking about it earlier.

GUTFELD: Yes.

MCDOWELL: Watch this. Seven-month-old baby pulls the chair out from under her daycare teacher.

GUTFELD: Oh, my God. That's amazing.

PIRRO: That is amazing.

MCDOWELL: He can't even walk.

GUTFELD: Don't be filming it too. That's crazy.

MCDOWELL: I've watched that on a loop even before my one more thing.

JONES: She should -- she should have gave him more (INAUDIBLE)

TARLOV: Not as exciting as the Italians pulling the climate activists.

PIRRO: Jessica, go ahead.

TARLOV: OK, so, I was finally allowed to do a basketball "ONE MORE THING" because the Golden State Warriors has won the NBA title last night in Boston. It was Game Six. They're the first team since the 1985 LA Lakers to beat the Celtics in Boston to win an NBA title. That's Stephen Curry who won his first NBA Finals MVP award. This is their fourth title in eight years, and their six final that they went to. So, that's amazing winning four of six. I'm happy to talk with anyone online about where Kevin Durant plays in all of this. Anyway, it was really exciting.

PIRRO: All right.

JONES: You know, if you -- if you want to cover real sport, the Braves have won 13 in a row, but I guess that's --

TARLOV: I'm happy to -- come one, that's a big deal. I get to do it like once a year.

JONES: I'm just kidding. I'm just kidding.

TARLOV: Every day, Bret is like, no more basketball. No more basketball.

PIRRO: All right, Joey hit it.

JONES: All right, this is the best one out of the whole group here. Sam Short of Columbus, Ohio is 16 years old, but he's already proven himself to be an absolute warrior. In 2018, he was diagnosed with spinal cancer. This is his make a wish, to become a Marine. So, he went to Parris Island, South Carolina where the real Marines are made. He said he always wants to be a Marine because we're the best.

Let me tell you about what he did. In two days, he did the crucible which is how you earn it, the gas chamber, raffle qualification, swing qualification. It's an amazing thing. Sam, congratulations. Welcome to the Corps, buddy.

MCDOWELL: Congrats.

PIRRO: Wow, that's fantastic. And that's it for us. We'll see you back here on Monday. Have a terrific weekend. Thanks so much. Bye.

END

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**NewsRoom**

## NewsRoom

6/17/22 Targeted News Serv. (U.S.) 00:00:00

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June 17, 2022

### Sen. Graham to DOJ: Uphold the Law, Protect **Supreme Court** Justices

WASHINGTON, June 17 -- Sen. Lindsey Graham, R-South Carolina, issued the following news release and letter:

U.S. Senator Lindsey Graham (R-South Carolina) and a group of Republican senators wrote to Attorney General Merrick Garland emphasizing the Justice Department's responsibility to prosecute those who criminally protested in front of the homes of **Supreme Court** justices.

The senators noted that Title 18, Section **1507** of the U.S. Code is an act of Congress that criminalizes parading or picketing in front of the homes of judges with the intent to influence pending litigation. The senators emphasized the importance of judicial independence and keeping **Supreme Court** deliberations free from influence outside the courtroom - including, but not limited to, harassment and intimidation outside of their homes.

"The responsibility of a judge-or justice-is to follow and apply the law according to his or her judgment," wrote the senators. "It is not to do so according to the judgment of their community, or the desires of their political party, or the will of the mob. It is only their judgment that counts. This is why they are given life tenure, so that external considerations-such as politics or public opinion-will not influence their constitutional duties. Given these important distinctions it is only fitting that Congress prohibited the parading and picketing of judges' houses in order to influence their decisions. It is a measure that preserves judicial independence."

The senators referenced last week's assassination attempt of Justice Brett Kavanaugh as a primary example of the importance of this law. They note that the Washington Post reported that the perpetrator discovered where Justice Kavanaugh lived by watching videos of protests outside his house.

The senators also noted that a number of letters were relayed to the Department of Justice on the subject of judicial security leading up to the assassination attempt. Those letters, including one sent by Graham, were largely left unanswered.

"Somehow, the situation is only escalating," wrote the senators. "Not only did the illegal picketing resume mere hours after the assassination attempt on Justice Kavanaugh, but reports are that those seeking to intimidate the Justices at their homes plan to expand their campaign of harassment to their children's schools. Enough."

"We want to know why you aren't prosecuting these Section **1507** violations. We are aware that President Biden has endorsed home protests for Justices, but as you told us repeatedly, your decisions whom to prosecute would not be decided by the White House. Is White House policy keeping you from bringing charges? If not, tell us. Or tell our staff. You can respond by letter or you can schedule a phone call or even a briefing. If there is a good reason why you aren't charging these obvious crimes,

explain it to us. We want to understand. The situation is too dire and too important for more meaningless boilerplate about Justice Department policies," concluded the senators.

The full text of the letter is available here ([https://www.lgraham.senate.gov/public/\\_cache/files/227b11e1-5a2a-46ed-93d7-9259d8318cfa/june-15-garland-letter.pdf](https://www.lgraham.senate.gov/public/_cache/files/227b11e1-5a2a-46ed-93d7-9259d8318cfa/june-15-garland-letter.pdf)).

\* \* \*

Original text here: [https://www.lgraham.senate.gov/public/index.cfm/press-releases?ID=CC701C2F-37B3-4295-AD50-31C0C173CB58\\_MSTRUCK-7867048\\_MSTRUCK](https://www.lgraham.senate.gov/public/index.cfm/press-releases?ID=CC701C2F-37B3-4295-AD50-31C0C173CB58_MSTRUCK-7867048_MSTRUCK)

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Washington Times (DC)  
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June 16, 2022

Section: Politics

### Protests at justices' homes trigger GOP call for DOJ action

Alex Swoyer, THE WASHINGTON TIMES

Republican senators are asking Attorney General Merrick Garland why the Justice Department hasn't prosecuted any of the protesters outside of **Supreme Court** justices' homes in violation of federal law.

In a letter Wednesday to Mr. Garland, they warned that the threat "is only escalating," referring to a California man arrested last week on an attempted murder charge after he traveled to the home of Justice Brett M. Kavanaugh with plans to kill him.

"We continue to be baffled over the lack of prosecutions under Title 18, Section **1507** of the U.S. Code. We understand it is the policy of the Justice Department not to discuss any pending or potential investigations, but this is an urgent matter of national importance," they wrote in the letter.

Their letter comes as a progressive group has urged protesters to appear outside the school where Justice Amy Coney Barrett sends her children.

The federal law cited by the senators bans protests outside of judges' homes with the intent to influence pending decisions.

"While judges serve a public office, the principle of judicial independence means that their deliberations should be free from influence outside the courtroom," the senators wrote. "This means especially that their deliberations should be free from harassment and intimidation, nowhere more than in their homes where their families reside."

Protesters have been gathering outside GOP-appointed justices' homes since last month, when a leaked draft opinion indicated the high court is poised to overturn *Roe v. Wade*, the 1973 ruling that gave women a national right to abortion up until viability.

The justices are weighing Mississippi's ban on abortion at 15 weeks in the case of *Dobbs v. Jackson Women's Health Organization*.

The official ruling is expected to be released by the end of June.

A spokesperson at the Justice Department did not immediately respond to a request for comment.

**--- Index References ---**

Company: THE UNITED STATES DEPARTMENT OF JUSTICE

News Subject: (Civil Rights Law (1CI34); Government (1GO80); Government Institutions (1GO90); Government Litigation (1GO18); Intellectual Freedoms & Civil Liberties (1IN08); Judicial Cases & Rulings (1JU36); Legal (1LE33); National Judiciaries (1NA65); U.S. **Supreme Court** (1US13))

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June 15, 2022

Section: Us World

McConnell demands answers from DOJ on **Supreme Court** security after Kavanaugh plot

Kaelan Deese, Washington Examiner

Top Republican lawmakers sent a letter to the Justice Department on Wednesday demanding answers over a lack of criminal prosecution surrounding "illegal picketing" outside the homes of **Supreme Court** justices, one week after a man was arrested and charged after plotting to kill Justice Brett Kavanaugh.

Minority Leader Sen. Mitch McConnell (R-KY), Sen. Chuck Grassley (R-IA), and 10 other Republicans on the Senate Judiciary Committee signed the letter addressing Attorney General Merrick Garland directly, questioning why the DOJ had not prosecuted dozens of protesters who had shown up outside the homes of several justices in recent weeks. The protests have largely been in response to a May 2 leaked draft opinion signaling a majority on the high court is poised to allow states to make restrictive laws preventing abortion procedures.

"Somehow, the situation is only escalating. Not only did the illegal picketing resume mere hours after the assassination attempt on Justice Kavanaugh, but reports are that those seeking to intimidate the Justices at their homes plan to expand their campaign of harassment to their children's schools. Enough," McConnell wrote in the letter obtained by the Washington Examiner.

MAN ACCUSED IN KAVANAUGH BREAK-IN PLOT TEXTED SISTER BEFORE HIS SURRENDER: POLICE

"Where is Attorney General Garland? As the former chief judge of the D.C. Circuit, he should understand the need for judicial security and independence as well as anyone," McConnell said during a floor speech Wednesday on the issue.

McConnell also blasted Garland's June 8 response to a previous letter sent by GOP leader on May 18 requesting the DOJ's response to apparent violations of Section **1507** of the Criminal Code, which makes it a crime to "picket" outside the home of a judge "with the intent of influencing any judge."

In Garland's response earlier this month, he acknowledged McConnell's letter "suggests that some individuals may have violated federal criminal law" but deferred to long-standing DOJ policy not to confirm or deny the initiation or existence of any investigation, adding, "Do not interpret this acknowledgment as confirmation or denial of an investigation."

In McConnell's most recent letter, he urged Garland to avoid "meaningless boilerplate" about the DOJ's policies and explain whether there was a "good reason why you aren't charging these obvious crimes."

"President Biden won't even denounce the ongoing protests at judges' private homes, and our supposedly nonpolitical attorney general will not lift a finger to enforce existing federal law," McConnell said in his Senate floor speech Wednesday.

Last week, 26-year-old Nicholas Roske of Simi Valley, California, was charged with attempted murder after he fled from California and traveled to the justice's Chevy Chase, Maryland, home with a Glock 17 pistol in his suitcase and additional materials intended to help him execute his plan before he was arrested by law enforcement during the early hours of June 8. He faces a maximum of 20 years in prison if convicted.

Additionally, a criminal affidavit alleged Roske discovered Kavanaugh's address on the internet and confirmed its location by comparing images and videos from recent protests outside the justice's home.

Republicans have long been frustrated that the DOJ hasn't done enough to enforce the existing anti-protest law and more recently hit House Democrats, accusing them of stalling legislation intended to beef up security for the high court justices.

[CLICK HERE TO READ MORE FROM THE WASHINGTON EXAMINER](#)

On Tuesday, the House managed to clear the Senate-passed Supreme Court security legislation, sending the legislation to the president's desk, without some amendments that were sought by Democrats, such as suggestions to increase security for clerks in the high court.

"It's obviously behavior that we will not tolerate," Garland said of the threat to Kavanaugh during a June 8 press conference. "Threats of violence and actual violence against the justices, of course, strike at the heart of our democracy. And we will do everything we can to prevent them and to hold people who do them accountable."

The DOJ did not respond to the Washington Examiner's request for comment.

Original Location: McConnell demands answers from DOJ on Supreme Court security after Kavanaugh plot

Washington Examiner Videos

---- **Index References** ----

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U.S. Congressional News  
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June 15, 2022

Section: U.S. Senate Documents

### Hawley Blasts Garland's Failure to Act on Threats Against Justices, Attacks on Pro-Life Pregnancy Centers Sen. Josh Hawley (R-MO) News Release

U.S. Senator Josh Hawley (R-Mo.) sent a letter to Attorney General Merrick Garland demanding answers as to why the Department of Justice (DOJ) has failed to enforce the law against illegal protests at the homes of **Supreme Court** Justices, especially after the attempted assassination of Justice Kavanaugh. Senator Hawley also called on the DOJ to take immediate action against the criminals responsible for the recent firebombings of pro-life pregnancy resource centers across the country.

"When Democratic officials openly say that it is fine to flout the law and commit crimes, radicals take note," Senator Hawley wrote. "That is why it was so outrageous that, hours after the assassination attempt, your office did not immediately arrest illegal picketers who surrounded Justice Kavanaugh's house in a renewed attempt to intimidate. Dangerous persons see the failure to enforce the law, and they grow bold."

Senator Hawley notes that the Biden Administration has refused to condemn the illegal protests and prominent Democrats have openly encouraged them. Senator Hawley also cites recent reporting that shows at least 13 crisis pregnancy centers have been attacked since the leak of the draft Dobbs opinion.

Read the entire letter here [https://outreach.senate.gov/iqextranet/iqClickTrk.aspx?&cid=SenHawley&crop=14502.7755788.7025186.7849109&report\\_id=&redirect=https%3a%2f%2fwww.hawley.senate.gov%2fsites%2fdefault%2ffiles%2f2022-06%2f2022-06-14%2520Letter%2520to%2520Garland%2520to%2520JDH%2520-%2520FINAL.pdf&redir\\_log=982340504088721](https://outreach.senate.gov/iqextranet/iqClickTrk.aspx?&cid=SenHawley&crop=14502.7755788.7025186.7849109&report_id=&redirect=https%3a%2f%2fwww.hawley.senate.gov%2fsites%2fdefault%2ffiles%2f2022-06%2f2022-06-14%2520Letter%2520to%2520Garland%2520to%2520JDH%2520-%2520FINAL.pdf&redir_log=982340504088721) and below:

June 14, 2022

The Honorable Merrick Garland Attorney General

United States Department of Justice 950 Pennsylvania Avenue, N.W. Washington, D.C. 20530

Dear Attorney General Garland:

Just hours after a man tried to assassinate Justice Kavanaugh, far-left agitators flocked outside his house in brazen violation of federal law. Meanwhile, there is an epidemic of pro-abortion attacks on pregnancy resource centers across the country, and

there have been few, if any, arrests. To tamp down on this wave of violence, you must immediately stand up and enforce the law, prosecute those who break it, and condemn the violent rhetoric coming from the left.

The assassination attempt on Justice Kavanaugh's life on June 8 by a man armed with a gun, a knife, and burglary tools did not happen in a vacuum. Activists and even elected officials have openly threatened the Justices. Two years ago, when the **Supreme Court** last was ruling on a case about abortion, Senator Chuck Schumer took to the steps of the **Supreme Court** and threatened Justice Kavanaugh by name. He said, "I want to tell you, Kavanaugh. You have released the whirlwind, and you will pay the price. You won't know what hit you if you go forward with these awful decisions." Other politicians have unfortunately followed this example. After the draft Supreme Court opinion was leaked last month, Chicago Mayor Lori Lightfoot said, "This moment has to be a call to arms."<sup>1</sup>

In addition to explicit threats by the left, Democratic officials have encouraged other illegal activity against Justices. As you know from my previous letter dated May 10, 2022, federal law makes it a crime to picket or parade in front of a Justice's home. 18 U.S.C. [Sec.]**1507**. And the **Supreme Court** has already upheld statutes like this one. *Cox v. State of La.*, 379 U.S. 559 (1965). Yet on May 10, then-White House Press Secretary Jen Psaki noted the picketing occurring at Justice's homes and said, "We certainly continue to encourage that outside of judges' homes." Senate Majority Leader Schumer similarly told reporters that demonstrations outside the homes of Supreme Court Justices are "OK with me" --even though they are a federal crime.

All of this rhetoric emboldens not only the man who tried to take the life of Justice Kavanaugh, but also the radicals who have attacked pregnancy resource centers across the country. According to a recent report, "attacks against crisis pregnancy centers, some of them faith-based, have risen steadily since the leak of a draft opinion" last month but that "police have made few arrests, if any." The report identifies at least attacks in the last month, including arson and firebombing attacks. This is a disgrace.

When Democratic officials openly say that it is fine to flout the law and commit crimes, radicals take note. That is why it was so outrageous that, hours after the assassination attempt, your office did not immediately arrest illegal picketers who surrounded Justice Kavanaugh's house in a renewed attempt to intimidate. Dangerous persons see the failure to enforce the law, and they grow bold.

You wrote in a letter to me on June 8, 2022, that you are taking measures to increase judicial safety. But taking safety seriously requires that you immediately move to counter all illegal activity directed at Supreme Court Justices, as well as all other crimes committed by radical leftists. Please respond to this letter with a full account of why your office did not immediately arrest those who illegally flocked around Justice Kavanaugh's home on June 8, in violation of [Sec.]**1507**, hours after the assassination attempt and also why you are dragging your feet on arresting criminals for the firebombing of pregnancy resource centers across the country.

Sincerely,

Josh Hawley

United States Senator

Read this original document at: <https://www.hawley.senate.gov/hawley-blasts-garlands-failure-act-threats-against-justices-attacks-pro-life-pregnancy-centers>

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**NewsRoom**

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June 14, 2022

### Democrats Begin To Question Biden Re-Election Run; House To Vote On Additional Protection For Justices; Maher Blasts Media For Kavanaugh Murder P...

Democrats Begin To Question Biden Re-Election Run; House To Vote On Additional Protection For Justices; Maher Blasts Media For Kavanaugh Murder Plot Coverage; Pro-Life Centers Face Increasing Threats Of Violence; Senators Reach Bipartisan Deal On Safety Measures; New Regulation On Young Buyers And 'Red Flag' Laws; Border Crisis, U.S. Officials Fear Surge Despite Disbanded Caravan; 'Say It Ain't So' Joe; Gas Prices Surge & Markets Drop As Biden Deflect Blame; Insult To Injury, Seattle Suspect To Be Paid \$250 Per Day By Taxpayers

SHANNON BREAM, FOX NEWS CHANNEL HOST: Hello and welcome to FOX NEWS @ NIGHT. I'm Shannon Bream in Washington. Breaking tonight, record high gas prices for the 17th consecutive day, that's 34 out of the last 35, as President Biden continues to pin the blame elsewhere leading members of his own party to now question whether he should really be seeking a second term.

Well, more protests tonight outside the homes of Supreme Court justices as we await a landmark decision on abortion rights. Meanwhile, the mainstream media largely ignoring the man accused of attempting to murder Justice Brett Kavanaugh. Our panel is standing by live to weigh in.

And we will explore why hundreds of officers are leaving the New York City Police Department and what is shaping up to be the biggest exodus from the NYPD since the stats had been made available. But we begin tonight with Democrats evidently coming to the realization that President Biden's cratering approval ratings could be very bad news for their party in the long term and short-term. White House correspondent Kevin Corke tracking all the latest tonight. Good evening, Kevin.

KEVIN CORKE, FOX NEWS CHANNEL SENIOR CORRESPONDENT: Evening, Shannon. Great to be with you my friend. Happy Monday. It was clearly one of those days, Shannon, in the financial markets when no amount of lipstick on that pig was going to make it appealing. Imagine waking up to the most pain at the pump that you've ever seen as an American, ever. Only then to watch the markets crater and your 401k really move into retreat. Indeed, it was that kind of day, DOW plummeting 875 points amid bear market fears and major rate hike jitters. We'll talk more about that in a bit.

Skyrocketing inflation and, yes, gas and food prices absolutely soaring. Now, economists think inflation will continue and even get worse as we approach the midterms. In fact, former Clinton Treasury Secretary and Obama Adviser Lawrence Summers predicts the country will be in flat-out-full on recession in less than two years. In sharp contrast to the rosy outlook coming from the Biden White House.

(BEGIN VIDEO CLIP)

KARINE JEAN PIERRE, WHITE HOUSE PRESS SECRETARY: We are coming out of the strongest job market in American history. And that matters, and that a lot of that is thanks to the American Rescue Plan, which only Democrats voted for that Republicans did not. And it led to this this economic boom, this historic economic boom that we're seeing with jobs.

PETER DOOCY, FOX NEWS CHANNEL WHITE HOUSE CORRESPONDENT: (INAUDIBLE) historic inflation?

PIERRE: No, that is not, that is, that is, that is not -- that is not how we're seeing the American Rescue Plan.

(END VIDEO CLIP)

CORKE: Well, it may not be how they're seeing it, but a lot of other people certainly see it that way. By the way, the economic disconnect between the White House's view and the way Americans view the economy is just one of many reasons. There are growing concerns tonight among Democrats over just who might be the party standard bearer and 2024. As you see, they're both the New York Times and New York Post running stories today about how more and more Democrats don't want Mr. Biden to run in 2024.

(BEGIN VIDEO CLIP)

REP. ALEXANDRIA OCASIO-CORTEZ (D-NY): We'll cross that bridge when we get to it. But, but I think if, if the president has a vision, and that's something certainly we're all willing to entertain and examine when the, when the time comes.

(END VIDEO CLIP)

CORKE: Examine when the time comes, not exactly a ringing endorsement from AOC. Now, tomorrow, the president will deliver remarks on the economy at the 29th annual or semi-annual AFL CIO convention. And we'll also keep an eye, Shannon, on any news regarding the president's likely upcoming trip to the Middle East. We've heard rumors about a stop in Israel and of course, going hand in hand over to Saudi Arabia to see if he can get a little help on oil while domestic supplies continue to dwindle. Shannon.

BREAM: They do. All right, Kevin, I will see you back here in a few minutes for something that's kind of draining our bank accounts that we aren't even aware of.

CORKE: We can, yes, we kind of overlooked it, I think. I'll see in a few.

BREAM: I'll see then. Thank you, Kevin. Protests tonight outside the home of U.S. Supreme Court Justice Samuel Alito, as the justices released five new opinions Monday but none of them are the landmark decision on abortion that we're waiting. That waiting game continues as the Attorney General faces growing pressure to enforce a federal law that actually prohibits demonstrations outside justices' homes for the purpose of influencing their decisions. Chief Breaking News Correspondent Trace Gallagher is tracking the details tonight. Good evening, Trace.

TRACE GALLAGHER, FOX NEWS CHANNEL CHIEF BREAKING NEWS CORRESPONDENT: Shannon, good evening, for the record about 24 opinions remain to be released by the Supreme Court. Some of them will come on Wednesday. And you can bet that pro-choice pro testers who will be back outside the court in force. Meantime, Attorney General Merrick Garland is under increasing pressure to crack down on those who were protesting at the homes of the justices. Federal Code **1507** clearly states that picketing outside the home of a judge with intent to interfere or influence a decision is illegal. Here's GOP Senator Tom Cotton, watch him.

(BEGIN VIDEO CLIP)



SEN. TOM COTTON (R-AR): Yet again, the feckless and hapless Attorney General Merrick Garland did nothing. Even though he had advanced knowledge, he should resign in disgrace.

(END VIDEO CLIP)

GALLAGHER: But the Biden administration has encouraged protesting outside the homes as long as they remain peaceful except even after the alleged assassination attempt against Justice Brett Kavanaugh, the DOJ has yet to bring any charges against any protesters, which has baffled former Attorney General Bill Barr who said quoting here: "The administration's talking point that it supports the First Amendment is a non-answer."

And breaking tonight, the House will finally put the Senate Supreme Court security bill on the floor for a vote tomorrow. It'll need two-thirds to pass, but now it's losing support from key senators who say it's no longer viable because House Democrats changed it. Look.

(BEGIN VIDEO CLIP)

SEN. JOHN CORNYN (R-TX): The reason given by our Democratic colleagues in the house as well, they want to extend further protection to court employees and their families. That could include round the clock security details for everyone from clerks to I.T. staff and their spouses, children, siblings and parents.

(END VIDEO CLIP)

GALLAGHER: But Nancy Pelosi is endorsing the changes saying it's not about the justices, they're already protected. This is about protecting the staff, which has a lot of Republicans a bit surprised. Shannon.

BREAM: Hmm. All right. We will track that vote tomorrow and then the opinions again on Wednesday. Trace, thank you so much.

GALLAGHER: You bet.

BREAM: Following our reporting on this whole thing Friday, the past weekend rolled on with an abundance of broadcast time dedicated to the January 6th Committee hearings, but almost nothing on the threat to Justice Kavanaugh and his life, and his family. Let's discuss that glaring dichotomy tonight with News Busters Managing Editor Curtis Houck, and Cal Berkeley Law Professor John Yoo. Great to have you both back.

CURTIS HOUCK, MANAGING EDITOR, NEWS BUSTERS: Good evening, Shannon.

JOHN YOO, CAL BERKELEY LAW PROFESSOR: Hi, Shannon.

BREAM: OK. So, let's play something from Bill Maher talking about the spotty coverage on Justice Kavanaugh and the attempt on his life.

(BEGIN VIDEO CLIP)

BILL MAHER, HOST AND COMEDIAN: The New York Times buried this.

UNIDENTIFIED MALE: Yes, it was like the tiny thing below the fold.

MAHER: If this had been a liberal Supreme Court Justice that someone came to kill, it would have been on, it would have been on the front page. And that's what's so disappointing about a paper like the New York Times, because they just wear their bias on their sleeves. And they -- if it's not part of something that feeds our narrative, (BLEEP) it.

(END VIDEO CLIP)

BREAM: Oh, we got a little bleep there. OK. Curtis, I mean, do you agree? I feel like any Supreme Court, Justice Breyer, Sotomayor, Kavanaugh, whoever it is, I mean, that feels like front page news.

HOUCK: Right. Yes, and it was covered in the Washington Post in The Washington Times here in D.C. But you know, the New York Times really decided to just bury it on a 20 with a really short story and a bottom white corner that took multiple paragraphs to even get to the motive. You know, if you asked a lot of these broadcast networks or newspapers, the excuse they would offer would be something rather lame in my opinion, like, you know, because it was foiled, because the lead the suspect confessed.

And we had all of these details, and it didn't turn out as badly as it did. But what an indictment that is on our news media that something so serious, that turned out to, you know, not have come to fruition have to not really received a lot of coverage. And again, it just shows the bias that we all know if this had been Justice Sotomayor, any of the justices, it would have gotten way more coverage. But instead, you know, it's some threats, like the threat to the Capitol, obviously far larger in scope gets, you know, three, four times more coverage on the broadcast networks than it did on a Justice Kavanaugh.

BREAM: Well, and you can cover both. I mean, these are both big stories. You can't do that. The Wall Street Journal editorial board on the headline says the assault on the **Supreme Court** it says, "January 6th was an assault on the transfer of presidential power and Congress's duty to certify the electoral college votes under the Constitution. But what about the growing threat to the third branch of Democratic government, the **Supreme Court**? And especially this seeming nonchalance for last week's arrest of an armed man outside the home of Justice Brett Kavanaugh?" John, can they not walk and chew gum? I think we can.

YOO: The Wall Street Journal has a point. We are in the middle of watching these nationally televised hearings about political violence to interfere with constitutional process of the changing government. That's fine. I'm glad that Congress is finally putting his cards on the table and showing us but it's been spending months investigating.

But at the same time, we should follow the same standards when it comes to Justice Kavanaugh, which the assassination attempt, I don't think a justice -- someone's tried to kill justice for over 100, more than 100 years. I think it was actually in the late 19th century you have an effort to try to kill a justice of the **Supreme Court** to get the court to change his decision in one of the most important **Supreme Court** cases in our history. That is also using political violence to try to interfere with constitutional government. I think, at least, you should apply the same standards to both stories.

BREAM: Well, and there's another story that's not getting a lot of attention. We've got video and -- that shows you some of the clinics, the pregnancy, pro-life clinics that are out there that have been firebombed, vandalized, spray painted with messages. Like if, if abortion is not safe, you're not safe. I mean, there's been a lot of destruction.

The Washington Examiner writing about this as, "Attacks against crisis pregnancy center, some of them faith-based, have risen steadily since the leak of a draft opinion the case *Dobbs v. Jackson, Women's Health Organization* -- that's the abortion case -- which suggests the court is considering overturning the legal precedent that prevents states from banning abortion. A Washington Examiner review identified recent incidents of arson, vandalism, or both at, at least 13 anti-abortion centers across the country." Curtis, I haven't seen a lot of reporting on that either.

HOUCK: No, we're really getting only a couple of seconds here or there. The only time we're actually getting more than a few seconds or a sentence or two is here on the Fox News Channel. I mean, really, this is, again, another example of they should be able to walk and chew gum at the same time and consider really look inward to realize, you know, political violence in this

point at the point in the country is getting so heated, you know, whether it's a Supreme Court justice or journalists or you know, pro-life groups now that are being attacked.

All sides, everybody's really feeling like, we're really -- something's about to blow. And I think it would behoove everyone to give everything equal time and for people to just simply calm down. But with Bill Maher, you know, it just shows like this -- it's creating strange bedfellows across the political spectrum, people realizing that something's going on in our body politic and it has to stop.

BREAM: Well, and the Catholic telegraph writes about this, these "Anarchist groups and individuals using the moniker Jane's Revenge are among those who are claiming to plan a quote, night of rage to support -- to respond to the Supreme Court's expected overturning of Roe v. Wade. Their grandiose rhetoric portrays churches, crisis pregnancy centers and pro-life groups as their enemy. And these actors seem to be behind at least six vandalism or arson attacks on pro-life groups, crisis pregnancy centers and churches." John a night of rage sounds rather ominous. I mean, DHS has been warning there could be violence to come from groups, they say on both sides of this.

YOO: I wish the Justice Department and the Department of Homeland Security spend just a portion of the resources they've poured into investigating January 6th to investigate these groups. Take for example, the group that's put the addresses of the justices' homes on the Internet. That's how the assassin, would be assassin found Justice Kavanaugh's home. I think that group should be investigated. Are they in some way connected, in any way to other, to officials? Are they connected to people counting out violence?

Those are the same questions that people have been asking you about January 6th. We should ask the same questions about any groups that are threatening violence, again to try to intimidate or pressure one of our three branches of government to try to change your decision. I think that is a serious threat to our constitutional government. I'm very surprised that Justice Department is not taking a firmer stance

BREAM: I know, especially because there is a law on the books with very clear language that they could go out and arrest these people right now. If nothing else, just to send a message and calm things down. Gentlemen, we're not going to solve it tonight. But we're going to keep tracking it. Curtis and John, thank you both very much.

HOUCK: Thanks, Shannon.

YOO: Thanks, Shannon.

BREAM: In Monday's public hearing, the January 6th committee focused on testimony from a host of Trump officials who they say tried to convince the former president that his re-election bid had been lost.

(BEGIN VIDEO CLIP)

BILL BARR, FORMER ATTORNEY GENERAL: I saw absolutely zero basis for the allegations. But they were made in such a sensational way that they obviously were influencing a lot of people. I thought, boy, if he really believes this stuff he has, you know, lost contact with, with -- he's become detached from reality.

(END VIDEO CLIP)

BREAM: Two more hearings still to come just this week on Wednesday digging into allegations there was a push for states to change their election outcomes and Thursday. The so-called Pressure campaign on former Vice President Mike Pence, we will track them both.

Breaking tonight, a California Highway Patrol officer is reportedly in critical condition after being shot in Los Angeles. That incident happened near the intersection of Laurel Canyon Boulevard and Landau Street in the Studio City area of L.A. Details minimal at this hour, but we will keep tracking that and keep you updated tonight.

With crime in New York City up almost 40 percent so far this year, new reporting tonight that the exodus of resigning or retiring officers from the NYPD is much higher than the department is admitting. Correspondent Bryan Llenas has taken a closer look at those numbers and another weekend of mass shootings across the country. Good evening, Bryan.

(BEGIN VIDEO CLIP)

BRYAN LLENAS, FOX NEWS CHANNEL CORRESPONDENT: Shannon, when asked whether this recent NYPD Exodus concerns him, New York City Mayor Eric Adams said, no, it does not. The former NYPD captain said it's an "amazing career" and he boasted about the city's new recruitment efforts.

UNIDENTIFIED MALE: Were looking for the next generation of police officers. Show your community you care by stepping forward -- help protect your city.

LLENAS: The New York Police Department is looking for more police officers amid an exodus from the department. According to The New York Post, nearly 1600 officers have resigned or retired so far this year, that is up 38 percent compared to the same time last year and up 46 percent compared to the same date in 2020.

JOSEPH GIACALONE, JOHN JAY COLLEGE: Well, listen, I mean, if you're surprised, I'd like to know where you've been for the last couple of years. This is the time when they start jumping ship because there's too much legislation, too much scrutiny. Some of it warranted but most of it's not, and then you have the issue of dealing with the politics on top of.

LLENAS: This as crime continues to rise. Transit crime in New York City is up 54 percent. The NYPD is searching for a man who unprovoked randomly attacked a 19-year-old woman on the subway, placing her in a chokehold and slashing her multiple times in the neck and back. This is video of at least eight people dangerously, subway surfing, on top of a train as it crossed the Williamsburg Bridge in the Brooklyn. Police are short nationwide amid rising crime. A 2021 survey showed a 45 percent increase in retirements and a nearly 20 percent spike in resignations from 2020.

In Akron, Ohio, three men were arrested in connection with the beating death of a local 17-year-old teen, Ethan Liming, outside of The I Promise High School established by LeBron James. And a shooting in Los Angeles Sunday morning at a rappers party and underground warehouse left three people dead.

UNIDENTIFIED MALE: We'd like to know what happened, especially for the victims that died here.

LLENAS: In Chicago, 31 people were wounded in 23 separate shootings over the weekend, killing six people. The Chicago Police Department is reportedly short roughly 1100 officers. Shannon.

(END VIDEO CLIP)

BREAM: Bryan Llenas, thank you very much. A bipartisan coalition of Senators say well they've got an agreement tonight on a plan to curb gun violence. The measure would include background checks, including digging into juvenile records for people under 21. State grants for red flag laws and funding for school safety and mental health. Let's bring in nationally syndicated radio show host Dana Loesch to talk about this potential breakthrough and see what she thinks. Hey, Dana.

DANA LOESCH, NATIONALLY SYNDICATED RADIO SHOW HOST: Hey, Shannon. Thanks for having me.

BREAM: OK, so, I'm going to put up on the screen so people can see some of the things that you know, we talked about. We mentioned some of these mental health funding, school safety funding, federal laws, closing loopholes that are dangerous, the so-called boyfriend loophole where you can prevent somebody who's married to or lives with someone in a domestic violence situation from getting a gun, but this boyfriend-girlfriend thing would be -- it doesn't have to be that you live with this person, but you still have to threaten that relationship.

A few other things. This is how it's being portrayed. The Washington Post, in an opinion piece says the willingness of Democrats and Republicans to negotiate and find agreement on an issue that is so deeply divided the two parties for so long is noteworthy and hopeful sign our government is not completely broken. Do you see it that way? Are there some things here you could go along with or no?

LOESCH: There are, I think, some good directions when they talk about the mental, the mental health awareness and school security funding, specifically now, it is kind of hard to judge exactly what we're going to get because we're just looking at the principle that they're kind of coming to get, like an outline this framework. So, we don't have the legislative text just yet. But I will say this, I'm pleased that we're not immediately, we're not raising the age of purchase, because that would be the denial of unenumerated right. And I think that that takes way more than just Congress.

I mean, I -- we were passing a couple of laws in the Senate, I think you actually need to start the process of amending the constitution at that point. But to the, to the point where you'd mentioned the boyfriend loophole as well. There's, there's certain vague vagueness about this about the framework that I have some questions on. The boyfriend loophole, that's the Lautenberg Amendment, that was which people who are convicted of domestic violence abuses are already considered prohibited possessors, but with the Lautenberg Amendment does, that was something that was codified back in the 90s.

They're trying to expand that to include any, not just not just not dating partner, whether it's a sexual relationship or not. And I think that there's a lot of questions that people have about civil liberties and the abuses by different partners whether or not you know, it's an ex, et cetera. As it concerns the Red Flag Law, this is the biggest the biggest concern that a lot of Second Amendment, you know, people who just exercise their Second Amendment have. The Red Flag Law, this is sidestepping the 10th amendment on this.

I know that there were some issues with that with the Brady background, the background check bill in the 90s with Prince v. U.S. I think that they smartly sidestep re-litigating that whole issue again by incentivizing states to adopt this. Shannon, 19 states so far have Red Flag Laws. There isn't actually any evidence to show that they've decreased any kind of, you know, criminal activity, mass casualty incidents. That's something that I'm sure that they're going to try to whittle down as they, the details on this. I just have concerns because it is the removal of due process. You are essentially punishing someone -- they're guilty until they prove themselves innocent in a court of law.

BREAM: Yes, in some of these states, they do take the firearm before there's ever hearing. And that is the big difference whether they're going to be talking about Red Flag Laws, where there is a hearing, the person who was accused is able to either go represent themselves or have representation there. Those are two different things. The Federalist asking about this with the Red Flag Law says, asked this: "Will Senate Republicans guarantee that funding for state laws is contingent on laws that have protections for basic due process rights or penalties for bringing frivolous or false charges against gun owners?" Because that can be abused too. Here's what Senator Cornyn, who's been the Republican negotiating on this. Here's what he says about the red flag laws.

(BEGIN VIDEO CLIP)

CORNYN: 16 states have Red Flag Laws, Texas does not. And they certainly shouldn't miss out on access to those resources for crisis intervention. It's absolutely critical that each and every one of those includes protection that comes from due process of law. And particularly when it comes to the rights of law-abiding gun owners.

(END VIDEO CLIP)

BREAM: So, you've got 10 Senate GOP, you know, folks who are supporting this, and Cornyn is leading the charge on that, are you confident that he will make sure there are due process protections or say, we don't have a deal?

LOESCH: I would love to, I would love to not have to worry about it. And Senator Cornyn is going to be on my radio program Wednesday, and we're going to have a big conversation about this. Yes, I have a million questions to ask Senator Cornyn. And real quick, not that it's interesting, the 10 Republicans that are actually for joining with the 10 Democrats on this, none of them are in the election cycle.

BREAM: Right.

LOESCH: Of them, four of them are retiring and six aren't even -- yes, so it's very interesting that they're not going to be penalized for any decisions in the next cycle. But to the protections offered, the way that it's current, the what we know it looks like it's a mash up of Lindsey Graham's bill with Richard Blumenthal from a few years ago. And I was very critical of the absence of protections in that because first off, you're looking at deprivation hearings, which are supposed to be having if you're removing from someone their constitutional rights, so far, these 19 states, we don't have anything like that.

Furthermore, there's no standards on what kind of evidence is going to be offered. Is it imminent danger, clear? And I mean, there's, there's a lot of questions about those standards. And furthermore too, a court appointed lawyer, usually these people have to prove themselves innocent in a court of law at their own expense.

BREAM: Yes, and like you said, everything is in the details. We will see as this gets hammered out because that is -- the proof is in the pudding here in Washington when they get down to brass tacks. All right, Dana, we will listen to interview on Wednesday. Thanks for dropping in.

LOESCH: Thanks, Shannon.

BREAM: All right, a dog wanders into a gorilla enclosure. No, this is not a joke. We're going to tell you what happens next. And if you need a new admin assistant, we got someone for you. It's a cow. The day's best for her videos is next.

(COMMERCIAL BREAK)

BREAM: First up in tonight's viral videos. A doggie on the loose at the San Diego Zoo Safari Park being chased around by Gorilla. Officials think the dog wandered into the park and the gorilla enclosure, on his own, somehow got in there, there wasn't a zookeeper around. So, at the time according to local reports, visitors started shouting the gorillas name, they were beckoning the dog, trying to get the dog to come out. While the dog was later rescued, picked up by the San Diego Humane Society where he is waiting hopefully to be reunited with -- how cute is he? Reunited with his owners. Can they fly him here from San Diego? We'll take him. I'm glad everybody's safe.

All right, a dairy cow in England's Lake District apparently prefers a desk job to working out in fields, who wouldn't? Take a look at this video of the cow wandering into her owner's home office. She's even got a front- hooves up on the desk there. I'll have to say to the cow is you are hired.

(BEGIN VIDEO CLIP)

JUSTIN BIEBER, SINGER: As you can see, this eye is not blinking. I can't smile on the side of my face. This nostril would not move. So, there's full paralysis in the side of my face.

(END VIDEO CLIP)

BREAM: Justin Bieber announcing to fans he's been diagnosed with Ramsay Hunt Syndrome, which has caused paralysis on one side of his face. Now, the singer posted an update today saying quote each day has gotten better, and through all of the discomfort I have found comfort in the one who designed me and knows me best. Bieber's wife, Haley, she'll remember had her own health scare recently, suffering stroke like symptoms after a blood clot traveled to her.

A zoo in China holding a huge birthday celebration for six of its giant pandas. The festivities even included delicate little birthday cakes decorated with bamboo shoots and lots of fruits and vegetables. You can even see the pandas enjoyed playing with the decorations. That's very crafty and cute. If you got any viral videos to share and especially if they involve animals, hit us up at @shannonbream or @foxnewsnight on social media.

All right, the one and only, Kevin Corke is back and he's got some insight into something that drives me crazy. I will get notices about this and I feel like I'm just throwing away money. Where am I losing my money?

KEVIN CORKE, FOX NEWS CHANNEL WHITE HOUSE REPORTER: A lot of this, I think has to do with the fact that you and I both have lots of things on auto, right?

BREAM: Yes.

CORKE: It's like, oh, just auto-pay and everything about it. You may need to pay attention. Pay attention, this is important. Now paying for monthly subscriptions, it's a regular part of human life in America, especially in a lot of households with several subscription services. But while these services may be affordable, the truth is, Shannon knows this, they can certainly add up quickly.

BREAM: Yes.

CORKE: And if you're not careful, you may spend a lot more than you're actually budgeting for. How much more you ask? Well, get this. C + R Research Survey found that on average, respondents estimated that they thought they spent about 86 bucks a month on subscriptions turns out that Americans actually spent about \$219 a month.

BREAM: What?

CORKE: That's about \$133 more than most people realize. And 74 percent of those who responded said it's easy to forget about the recurring bill. What see you?

BREAM: Yes, I'll get these things. It'll be like 899 for this or this, 699 charges, one through I'm like, what is all this stuff? I don't remember signing up for it. And then it adds up to real money.

CORKE: It really does. And I look at my -- you know, I have one of these phones I have a million apps on it. Probably like, I don't know. How many apps would you say I have?

BREAM: 2 million.

CORKE: 2 million. So who knows how many of these services. And a lot are minor entertainment, right? It's like OK, I'm Hulu. Yes. Do you have Netflix? Yes. YouTube TV? Yes. Paramount, you know, plus, yes. Disney Plus? Yes. And before you know it, you drop in tangible.

BREAM: Well, and you're a sports guy.

CORKE: Yes.

BREAM: Like my husband. And so he has to join these things so we can see specific games and specific conferences.

CORKE: I got that too.

BREAM: And you can't give that up because it's the only way to see those games.

CORKE: I can't. Yes. I had them all. I got them all.

BREAM: That got us over to bear it all.

CORKE: It is crazy. Come on. Help us out, you all.

BREAM: All right, we're going to start taking up collections. Let us know like at home if you get caught with this stuff, too, I'd love to hear what you're doing if you crack down on yourself to like unsubscribed everything. I don't know.

CORKE: They won't do it.

BREAM: We got to work on it.

CORKE: We do.

BREAM: It's a goal. And a goal is to have some good news --

CORKE: Oh.

BREAM: From you in a little bit later.

CORKE: You're going to love this one. A nurse does something really important can't wait to share those with you too.

BREAM: And they do every day.

CORKE: Yes, they do.

BREAM: OK, I love it. I can't wait.

CORKE: All right.

BREAM: I'll see you then.

CORKE: See you then.

BREAM: All right, gas prices officially topping \$5 a gallon for the national average tonight. That's almost \$2 more than this time last year. And that is not helping the president's political bottom line, so what did Democrats think of his performance so far? Democrats will tell you next.



(COMMERCIAL BREAK)

BREAM: Even with the latest migrant caravan disbanding over the weekend, U.S. border authorities remain concerned that those will now -- the folks who don't travel freely throughout Mexico and they're soon going to arrive at our southern border in large numbers in the coming days. Correspondent Bill Melugin has the latest tonight from Hidalgo, Texas. Good evening, Bill.

BILL MELUGIN, FOX NEWS CHANNEL CORRESPONDENT: Shannon, at any given time, there are thousands upon thousands of migrants on the Mexican border waiting to cross into the U.S.

(BEGIN VIDEOTAPE)

MELUGIN (voiceover): Case in point, take a look at this video we shot in Reynosa, Mexico we crossed over yesterday. What you're looking at are thousands of Haitian migrants waiting in that Mexican border city hoping for a chance to cross into the U.S., many of them standing in a long single-file line hoping to get into a local migrant shelter there, more than 1000 of them waiting to get in several hundred others already living inside that shelter. The shelter director spoke with us and told us the numbers of migrants he's dealing with right now are overwhelming. Take a listen.

PASTOR HECTOR SILVA, MIGRANT CAMP DIRECTOR: Speaking a foreign language.

UNIDENTIFIED MALE: This is the result of people thinking the border is open. We are not equipped to handle this capacity and 10 to thousands and thousands of families.

MELUGIN: And the video you're looking at right now was sent to us by a contact in Ciudad Acuna. That is the Mexican city across from Del Rio, Texas. What you're seeing are busloads of migrants from that migrant caravan arriving late yesterday afternoon, obviously with the intent to cross into Texas illegally. But they were actually stopped by Mexican authorities. Mexican police and immigration officials stop those buses, detain them, and actually physically took those migrants elsewhere away from the border. More information on that as we get it.

Last thing we'd like to show you is, take a look at this. We embedded with Texas DPS here in the Rio Grande Valley over the weekend is their troopers were on the hunt for runners, guys who are not willing to turn themselves in, didn't take long to find them. This was a group of young men who were arrested trying to evade law enforcement.

(END VIDEOTAPE)

MELUGIN: One guy in the group who spoke perfect English told us he's from El Salvador. He was actually a dreamer. Came to the United States when he was nine months old, his parents brought him, grew up here, ended up getting in trouble, went to jail, got deported, he tried coming back, he got caught again, and he's going to be sent back again. Shannon, more than 20,000 illegal crossings here in the Rio Grande Valley in just the last two weeks alone, we'll send it back to you.

BREAM: Bill Melugin at the border. Thank you very much, Bill. Well, more bad economic and political news for President Biden with gas prices officially north of \$5 a gallon nationwide. No end in sight to rising inflation and the markets taking a beating Monday. All these, leading many Democrats to both publicly and privately question whether the president should seek a second term.

Let's bring in tonight's BREAM TEAM panel. Fox News Contributor Richard Fowler and Fox News Political Analyst Gianni Caldwell, welcome back. Great to have you.

GIANNO CALDWELL, FOX NEWS CHANNEL POLITICAL ANALYST: Thank you for having us.

BREAM: OK.

RICHARD FOWLER, FOX NEWS CHANNEL CONTRIBUTOR: Good to be here, Shannon.

BREAM: Let's start here with the New York Times. The headlines, should he run in 2024 or not? They, "Democratic National Committee member says, to say our country was on the right track would flagrantly depart from reality. He said he should announce his intent not to seek re-election in '24 right after the midterms." But, Gianni, the team says he is planning to run again.

CALDWELL: Well, I'm glad to hear that there's at least another sane member of the Democratic Party outside of Joe Manchin. The truth of the matter is this democratic leader is absolutely correct. Almost 80 percent of Americans say that the country is on the wrong track. You got Joe Biden's approval numbers, even with Democrats catering around that 30 percentile mark.

Gas is at the highest it's ever been, inflation at the 40-year high. But the only thing that Joe Biden's administration has done to try to make things cheaper is by sending out these crack cocaine kits for people to smoke crack. That's about the only thing they've done to try to mitigate costs. And it's a shame, but they will certainly be paying the prices mid- term.

BREAM: All right. They have denied that just for the record.

CALDWELL: Yes, that's true, that's their denial.

BREAM: They have also -- the White House -- the President has lost double digits among people who voted for him, independence, young voters. Richard, you know, he's upside down in nearly every issue. Do Democrats just cut their losses and say, listen, he's a statesman, he can gracefully bow out, let's get the next generation ready for 2024?

FOWLER: Listen, I don't think there's any Democrat right now that's thinking about 2024. And I think just like Republican -- the Republican Party, I think Democrats are focused on the elections coming up in just 11 or 12 weeks from now. And I think where that's concerned, I think Democrats do need to have a message when it -- to the American people about inflation, right, because it's happening to everybody, it's happening at the pump, it's happening at the grocery store, it's happening at your local Target and your local Walmart.

The good news here, when you look at America versus our global partners is we have a better jobs market than the United Kingdom, or Canada or Germany. And we actually have a lower inflation rate than both Germany and the United Kingdom. But that doesn't matter to folks at the gas pump, which is why now more than ever, what this White House and what Democrats have to begin to do is talk about what it feels -- what's that -- what's that pain at the pump, how that feels, and what they plan on do to fix it?

Now, I've said all along in your show. I think I said this last week, and I'll say it again, I think -- I mean, they're going to have some hard time -- they're going to have a hard time getting Republicans to join them on it. But where Democrats can actually work on decreasing prices that can decrease a price -- decrease prices around prescription drugs, where the government has an oversized impact, and they could also decrease prices around housing, where the government has an oversized impact. Right now, a lot of people's paychecks are going to pay for the rent and the rent is too high right now. And Democrats could fix that.

BREAM: Yes. Remember the guy who ran on that? I won't say it because there's a bad word in it but he said the rent -- the rent was too dang high but not Dang.

CALDWELL: Yes.

BREAM: He's still out there. I'm sure he's got a lot to say now. OK, so let's look at this. Gallup, does a monthly survey of folks to ask them, what are the most important or most pressing issues they're worried about? So altogether, economic problems

account for 39 percent. If you break that down within that the top three are inflation, the economy in general, and gas prices. Then when you look at the top non-economic problem, it is poor government leadership. Gianni, there's not a lot salvageable for the Democrats in that right now since -- for now, they control everything in Washington.

CALDWELL: It is none. It just politely pushed back on what Richard said. Republicans -- actually Donald Trump was trying to push prescription drug reform. The pharmaceutical companies were pushing back on that and Democrats were as well. So Democrats weren't working on that particular issue. But I'll tell you, yes, it isn't much salvageable and I know that -- according to CNN, at least, that Republicans have an 80-year advantage in terms of their likelihood to take a supermajority at least in Congress in some way, shape, or form.

Those are good things, I think, for the American people, but at the same time, as a conservative, I must always caution my fellow conservatives that if you, in fact, do take back the majorities that we need to have something actually offered to the American people and don't fumble the bag as I would -- as I would say.

And so certainly, there's some good news in terms of the country potentially getting back on track and certainly taken back from this dereliction of duty from Joe Biden but at the same time, plans are necessities and how we're going to be able to do that, especially with the president currently sitting in the White House past the midterms is a question I think conservatives should be talking about.

BREAM: Yes, another issue is a crime that's certain to impact how people feel about when they head to the polls. The Washington Post an opinion piece says, you know, yes, there are problems within the criminal justice system, the author says that's definitely up for discussion. But while we should be looking for ways to make the system less draconian, with crime rising everywhere, we need to make sure we find ones that don't make crime more likely, like say, declining to prosecute crimes that you've deemed inconsequential but that voters won't. Richard, quick, final word to you on the issues of crime.

CALDWELL: Yes, it is.

FOWLER: I think that's absolutely right. I think we saw that in the San Francisco primary where the progressive DA got pushed out there. And listen, I think in this new bill coming out where you have some bipartisan support, that there will be more money going into taking illegal guns off of our streets. And I think that's something that both Democrats and Republicans agree on.

If we want to really deal with crime in major cities, we've got to figure out a way to get illegal guns off our streets. And beyond that, we've also got to figure out a way to ensure that senior citizens aren't paying six or \$700 a month for their insulin payments. Now, I think there's a bill in Congress to do that. And it's on both parties to figure out how they get that done.

But I'm happy to see finally, that there is some bipartisanship around the idea when you talk about poor government leadership. I think most Americans can agree that for a long time, we've been asking for some solutions on guns. And finally, it looks like 10 Republicans and 10 Democrats decided to talk to each other and we might have a deal on guns.

BREAM: Yes. On immigration, economy, everything else, let's hope that they get inspired over there on the Hill. Richard and Gianni, thank you both.

CALDWELL: Thank you.

FOWLER: Take care, Shannon.

BREAM: You too. All right, coming up. A career criminal in Seattle violently pushes a 62-year-old woman down the steps of a train station, yes, caught on tape, broke several bones. She was rushed into surgery. But now a judge is ordering Washington State to pay him, the suspect, \$250 a day. We're going to explain that next.

(COMMERCIAL BREAK)

BREAM: Shocking new detail tonight about this brutal attack on a 62-year-old nurse at a light rail station caught on camera in Seattle. Taxpayers may soon be on the hook to pay out hundreds, maybe thousands of dollars on behalf of the man accused of that crime. Now, Correspondent Dan Springer is going to explain that for us tonight from Seattle. Good evening, Dan.

DAN SPRINGER, FOX NEWS CHANNEL CORRESPONDENT: Yes, Shannon. This whole thing is pretty unbelievable, especially when you see the video of that violent and really senseless crime that happened here in Seattle a few months ago.

(BEGIN VIDEOTAPE)

SPRINGER (voiceover): Prosecutors say it's an open and shut case against Alexander Jay. Back in March, they alleged Jay was caught on camera at a Seattle light rail station, throwing down a 62-year-old woman down some stairs for no apparent reason. They say he then kicked her, all this after he allegedly stabbed a different woman 10 times at a bus stop. He was charged with first and second-degree assault.

But in April, Jay was found to be not competent to stand trial in order to spend the next three months at the state secure mental facility to get treatment. The problem is there are no beds available at Western State Hospital and won't be for several more months. There are around 400 defendants in these jails across Washington waiting for a bed so they can get treatment, and so they can eventually stand trial. A court ruling last fall opened the door for the state to be found in contempt in cases like these for not providing defendants with a speedy trial.

King County Judge Johanna Bender decided last week to punish the state for not treating Alexander Jay and getting him competent to stand trial. She ordered the state to pay him \$250 for every day he sits in jail waiting for a treatment bet. A spokesman for the Department of Social and Health Services says "over the past seven fiscal years, inpatient evaluations and competency restoration services have increased 87 percent."

(END VIDEOTAPE)

SPRINGER: The backlog is so bad a bed not -- might not be available for Jay, a career criminal with nearly a dozen convictions until August, he could collect more than \$15,000 from the state in fines. And he is not alone. There are many other inmates right now who are getting paid by the state because they haven't gotten treatment yet. Shannon.

BREAM: All right. Dan Springer, we'll track that story. Thank you. And some good news before we say good night, DJ Daniel has always dreamed of becoming a policeman. The 10-year-old has been fighting terminal brain and spinal cancer, so he's now gotten the opportunity to live his dream. Thanks to Texas law enforcement agencies DJ was sworn in as an honorary officer, raised his right hand, got her certificate, his father says DJ wanted to be sworn in by 100 agencies but get this an astounding 500 have responded. Kevin, they want to honor his wishes. They're going to get him you know, sworn in and as many jurisdictions as possible. I'd love it. And I love his hat too.

CORKE: That is great. I want that hat. You got to get me a Kimmel Stetson. It sounds good.

BREAM: I love it.

CORKE: I take you to the amazing State of Utah for this good news and I love Utah, it's so great. That's where a nurse there is being honored after saving a man's life. He actually collapsed from a heart attack while playing softball. Seconds after Darren Ewell collapsed, Danya Topham ran onto the field, she's a registered nurse, by the way, no pulse, administered CPR, saved the guy's life, and she was honored by the city for a job well done.

BREAM: Love it. Hats-off to her.

CORKE: Indeed.

BREAM: All right, thank you, Kevin. That's it for us from Washington tonight we'll be back here tomorrow Lord willing. I'm Shannon Bream.

(COMMERCIAL BREAK)

END

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**NewsRoom**

## NewsRoom

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June 10, 2022

### Sen. McConnell Issues Statement on **Supreme Court**

Targeted News Service WASHINGTON, June 10 -- Sen. Mitch McConnell, R-Kentucky, issued the following floor statement, which was published in the Congressional Record on June 9, 2022:

Madam President, 2 years ago, the Senate Democratic leader stood on the steps of the **Supreme Court** and threatened two Justices by name. "You will pay the price," he shouted. "You won't know what hit you." A month ago, after the precedent-breaking leak of a draft opinion, top Democrats intensified the reckless talk. Hillary Clinton said the Court was poised to "kill and subjugate women."

Leader Schumer and Speaker Pelosi said the Court would be "ripp[ing] up the Constitution." Some of the most powerful people in the country pushing total hysteria over the possibility that Justices may--may-overturn a decision that even Justice Ruth Bader Ginsburg said was badly reasoned.

Far-left activists publicized Justices' private addresses and encouraged angry people to flock to their homes. President Biden and his White House were asked to condemn these intimidation tactics, and they refused. I wrote to Attorney General Garland about a month ago, asking why he wasn't enforcing the laws on the books already against judicial intimidation.

Look, everybody saw where this climate might lead. So, yesterday morning, U.S. marshals arrested a deranged person who traveled to Washington from California in order to assassinate a Supreme Court Justice at his house. He has reportedly been charged with attempted murder. The FBI says the would-be assassin was armed and equipped for a break-in. He told authorities that he was trying to think about how to give his life a purpose. Apparently, it was only when he came across the Justice's address posted online that it occurred to him to attempt a murder-suicide. He explained that his problem with this Justice was ideological, citing abortion and the Second Amendment.

While this would-be assassin was making his plan and traveling across the country, House Democrats have spent weeks--weeks--blocking bipartisan legislation to strengthen security for the Justices and their families.

This bipartisan bill passed the Senate unanimously in early May.

Chairman Durbin is a strong supporter. But inexplicably--inexplicably--this urgent and uncontroversial bill has been sitting on Speaker Pelosi's desk ever since. The same House Democrats whose irresponsible rhetoric has contributed to this dangerous climate are themselves blocking added security for the Justices and their spouses and their children. Even last night--last night--even after this arrest was made, even after a leftwing group published an ominous social media post concerning a school that a Justice's children attend, when Leader McCarthy asked consent to pass the uncontroversial bill, House Democrats objected to it.

Meanwhile, the Biden Department of Justice, under Attorney General Garland, continues to flatly ignore section **1507** of the Criminal Code, which would appear to make it a Federal crime to protest at the homes of Federal judges to influence them over a pending case. That is the law right now.

So this has been a shameful and disturbing two-step from Washington Democrats. First they use reckless rhetoric that helps fuel the dangerous climate, and then they refuse to do their jobs and address the problem. The same far left that has spent years trying to improperly pressure the Court is now aiding and abetting this illegal intimidation campaign through total inaction.

So why won't President Biden call on his supporters to leave the Justices alone?

President Biden, call on your supporters to leave the Justices alone.

Why won't the Attorney General of the United States enforce existing law? Why won't the Speaker stop blocking a bipartisan security bill that passed the Senate unanimously?

So it is hard to avoid concluding that perhaps some Democrats may want this dangerous climate hanging over the Justices' heads as they finish up this term--a disgraceful--disgraceful--dereliction of duty.

This is antithetical to the rule of law. The Speaker of the House and the Attorney General must honor their oaths to the Constitution and do their jobs.

I understand Democrats want to stage a big spectacle this week about what they claim is their opposition to political violence, but in reality, they are going out of their way to block concrete steps to prevent political violence. TARGETED NEWS SERVICE (founded 2004) features non-partisan 'edited journalism' news briefs and information for news organizations, public policy groups and individuals; as well as 'gathered' public policy information, including news releases, reports, speeches. For more information contact MYRON STRUCK, editor, editor@targetednews.com, Springfield, Virginia; 703/304-1897; <https://targetednews.com> -1609996

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## NewsRoom

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June 9, 2022

### Protest At Kavanaugh Home After Armed Man Arrested; Suspect Charged With Attempted Murder Against Kavanaugh; Mass Shooting Survivor Speaks At Gun...

Protest At Kavanaugh Home After Armed Man Arrested; Suspect Charged With Attempted Murder Against Kavanaugh; Mass Shooting Survivor Speaks At Gun Violence Hearing; L.A. Defendant Eager To Plea As Gascon Recall Looms; L.A. County Sheriff's Re-election Bid Pushed To November; Voters Oust Progressive San Francisco District Attorney; Back In The Hot Seat, President Biden Gives First Major Interview In 118 Days; The Joe Shows, Kimmel Interviews Biden Before Summit Of The Americas; School Daze, RPT: Principal Stonewalls Police With Intruder On Grounds

SHANNON BREAM, FOX NEWS CHANNEL HOST: Hello, and welcome to FOX NEWS @ NIGHT. I'm Shannon Bream in Washington.

Breaking tonight, protests outside the home of **Supreme Court** Justice Brett Kavanaugh, as several officers guard the residence. This is just hours after a man armed with a pistol, knife, and other weapons was arrested and charged with attempted murder of the justice. Utah Senator Mike Lee joins us in studio live to discuss what happens now.

Plus, protests out west tonight with President Biden in Los Angeles for the Summit of the Americas, and as his motorcade passes by, well, we'll show you the incident if we can get our tapes working tonight.

But we're going to begin with protests outside of **Supreme Court** justices home the same day an armed man was arrested there after allegedly telling authorities he wanted to kill the justice. White House Correspondent Kevin Corke is tracking the very latest details tonight. Good evening, Kevin.

KEVIN CORKE, FOX NEWS CHANNEL SENIOR CORRESPONDENT: Evening, Shannon, a criminal complaint accuses Nicholas Roske of "attempts to kidnap or murder or threatened to assault, kidnap or murder, a U.S. judge to wit a current Justice of the United States **Supreme Court**."

Among the items Roske is accused of bringing to Justice Kavanaugh's neighborhood: black tactical chest rig, and tactical knife, Glock 17 with a pair of magazines and ammo, pepper sprays, zip ties, hammer, screwdriver, nail punch, crowbar, pistol light, duct tape, and even hiking boots. Now, keep in mind, Roske did say, he bought the gun to kill Kavanaugh and that he would later kill himself.

The arrest coming on the heels of a Wisconsin judge being zip tied and murdered in his very own home by a man he sentenced years earlier. And also, amid escalating threats against members of the U.S. Supreme Court. Meanwhile, from end to end along Pennsylvania Avenue tonight, condemnation and consternation.

(BEGIN VIDEO CLIP)

SEN. MITCH MCCONNELL (R-KY): This is exactly the kind of event that many worried the unhinged, reckless, apocalyptic rhetoric from prominent figures toward the court.

KARINE JEAN-PIERRE, WHITE HOUSE PRESS SECRETARY: As the president has consistently made clear, public officials, including judges must be able to do their jobs without concern for their personal safety, or that of their families.

MERRICK GARLAND, ATTORNEY GENERAL: This kind of behavior is obviously, is behavior that we will not tolerate, threats of violence and actual violence against the justices, of course, strike at the heart of our democracy.

(END VIDEO CLIP)

CORKE: And it's not just politicians who are making outlandish comments, a lot of folks in the media doing so as well. Now, Roske, actually called emergency management services before his arrest, he actually warned the call taker that he was suicidal, that he had a gun and intended to kill a Supreme Court justice. As for the A.G., you just heard Merrick Garland speaking there. He also noted today, that just last month, Shannon, he accelerated the protection of all the justices' homes 24 hours a day, seven days a week -- he also met with the marshal of the court. A scary situation indeed, Shannon.

BREAM: Absolutely. Kevin, thank you very much for the very latest facts. We'll see you again in just a few minutes.

CORKE: See you soon.

BREAM: Thank you. All right, Fox News is told there are now serious considerations about finally moving forward on a bill over on the House side. It's aimed at beefing up security for Supreme Court justices and their families, already passed in the Senate. So, let's discuss this, the developments Wednesday. Their wide-ranging impact was Senate Judiciary Committee Member Mike Lee of Utah, Author of the brand-new book, "Saving Nine: The Fight Against the Left's Audacious Plan to Pack the Supreme Court and Destroy American Liberty. That's quite a title, Senator.

SEN. MIKE LEE (R-UT): It's a mouthful, isn't it?

BREAM: It is. OK, so let's dig into this because this is one of your areas of expertise. You have clerked there; you know what goes on at the court. I know that you are concerned that they need to get the Dobbs Opinion out. There have been many calls for that publicly. But clearly, the chief is letting this proceed as he sees fit for, you know, as these opinions generally come together.

Now, look, I get the fact that they want to appear from the outside, that they're not going to be deterred, that they're not going to be influenced by the outside. Nonetheless, they're putting themselves and their members at risk their families at risk. Every day, this remains pending, there's that much more incentive for somebody to try to influence them improperly or to try to harm them and we can't have that happen.

BREAM: OK, so the Attorney General is talking about this. He said today, "We were doing everything we can to prevent this to hold people who do these protests accountable for that reason. Last month, I accelerated the protection of all the justices' residences 24/7." Which is good. We're glad that's happening. But why not arrest these people who again showed up at Justice Kavanaugh's house tonight, when we have a law on the books. It is very clear there isn't gray area if you show up and do this it's breaking the law.

LEE: Under 18 USC Section **1507**, they're committing a federal felony offense. You do a whole lot more than community service for that one, Shannon. You will go to prison for years for that. You should go to prison for years for that. And yet, not

one criminal prosecution has been brought under that. Go figure. Could it be perhaps that this is the same attorney general who's operating under the same president who has refused to condemn people showing up at the homes of Supreme Court justices to try to influence them?

BREAM: I will say today, the White House Press Secretary said that the president does condemn this. He doesn't want to see this moving forward, at least anything that involves violence or threats. Obviously, after this arrest this morning, it's terrifying for everybody who is now waiting for this opinion, who cares about these justices, their families, their neighbors. I got to imagine everybody is worried about how this proceed.

Now, to your point about how the left may use some things regarding the Supreme Court to talk about adding members, this is the conversation from Congressman Mondaire Jones, a Democrat, and he says on the issue of gun control, it may also be an opportunity to change the court. Here's what he said.

(BEGIN VIDEO CLIP)

REP. MONDAIRE JONES (D-NY): If the filibuster obstructs us, we will abolish it. If the Supreme Court objects, we will expand it and we will not rest until we have taken weapons of war out of circulation in our communities.

(END VIDEO CLIP)

BREAM: So, this is just the latest in this conversation and pieces of legislation that have been introduced in the last year or two that have talked about expanding the court and how that may be a way to get things done if he can't push him through on Capitol Hill.

LEE: Yes, in fact, I quote Monday or Jones, from about a year ago in my book, "Saving Nine," he's one of the first members of Congress who started actively pushing this early last year. And look, as I explained in "Saving Nine", Shannon, there are all kinds of reasons why the American people should be taking this threat very seriously. This is the kind of maneuver they can bring about at any moment.

This is the one action that is not unconstitutional, but that could destroy the constitution that has its necessary effect. When you diminish the objectivity and independence of the judiciary, you destroy the constitutional structure. The book, "Saving Nine" explains how you can defend the independence of the judiciary by learning the facts. These are facts that are no longer taught in American schools. This book does that job for you.

BREAM: OK. But Congress has changed the number of justices over the years.

LEE: Sure.

BREAM: So, why shouldn't that be game for conversation now?

LEE: Because we haven't done it in 153 years with very good reason, because we've learned over time, but every time we do that, it jeopardizes the independence of the judiciary. That's why since 1869, this thing hasn't budged and it should never budge again, we actually do need, and I point this out in "Saving Nine" as well, we need a constitutional amendment that would solidify it. But until that can happen, we've got to push up against this effort to do it, because while not technically unconstitutional, it's anti-constitutional.

BREAM: So, tomorrow night, we will be covering the first Primetime January 6th hearing, will you be watching?

LEE: Yes, yes.

BREAM: Will you watch us?

LEE: Sure. I'll watch you watching the hearings. That'll be a better way --

BREAM: OK, the New York Times says this, Representative Jamie Raskin, Democrat of Maryland, Member of the Committee, also was a key player in impeachment of President Trump has promised the hearings will "blow the roof off the house." They've retained an experienced television executive to ensure that happens and organize scores of watch parties across the country in hopes of generating interest.

I don't know what they have, we've seen leaks here and there. We'll see tomorrow night, but it feels eerily reminiscent of when Congressman Schiff was constantly telling us there's all kinds of evidence you're going to see linking Trump to Russia. And I mean, there was a lot of over promising and under delivering, but do you think tomorrow night we'll see things that will surprise us?

LEE: Likely not. They have a tendency to leak what they've got far in advance. I could be wrong. Maybe they're holding things back. What I do know is that this committee is a little troubling. The way the committee was put together, there's no adversity, there's no adverseness, and if they -- there's no opposition within it.

BREAM: Well, you've got Republican Liz Cheney.

LEE: Yes, well, OK. You've got Liz Cheney, and you've got Adam Kinzinger, who have chosen to turn against their own party. They're not there representing the Republican Party or its interest. Notice, Shannon, that they've done nothing to investigate what on earth Nancy Pelosi was doing on and in the lead up to January 16th. Why on earth, she didn't call for more security sooner? They haven't done any of that because they become a tool of the Democratic Party. This is government funded campaign opposition research.

BREAM: Well, it worked for the Democrats, though? They, they need something to bolster the terrible poll numbers for the White House for Democrats in general going into the midterms.

LEE: They need something big and notwithstanding the assistance from Hollywood. This isn't going to work. The American economy is sputtering because Joe Biden has deliberately driven it into the ground.

BREAM: All right, we'll see what they've got tomorrow night. In the meantime, um, congrats on the new book. I will read it because anything about Supreme Court, I'm very interested in.

LEE: You'll never lose another political argument in your life after reading "Saving Nine."

BREAM: OK. I'm prepared.

LEE: Any topic.

BREAM: Thank you. Good to see you, Senator. All right, talks on Capitol Hill continue on a narrow compromise on gun reform an emotional hearing on Capitol Hill took place Wednesday as lawmakers heard testimony from families of mass shooting victims and a survivor of the Uvalde school shooting.

(BEGIN VIDEO CLIP)

MAIAH CERRILLO, UVALDE, TEXAS SHOOTING SURVIVOR: Shot my teacher and told my teacher -- he shot her in the head. He shot my friend (INAUDIBLE), and I thought he was going to come back to the room, so I grabbed blood and put it all on me.

(END VIDEO CLIP)

BREAM: Attorney General Merrick Garland has announced a Justice Department review of the police response to the Uvalde shooting but wanted to make clear one of all criminal charges, it is a review of what happened. The decisive recall of San Francisco District Attorney Chesa Boudin has sent an emphatic message to south down to Los Angeles to another progressive prosecutor under threats of a recall and criminals who may be running out of time to avoid doing hard time. Chief Breaking News Correspondent Trace Gallagher is on the case tonight. Good evening, Trace.

TRACE GALLAGHER, FOX NEWS CHANNEL CHIEF BREAKING NEWS CORRESPONDENT: Shannon, good evening. The definition of far-left justice is nicely summed up in a conversation obtained by Fox News between gang member, Willie Wilkerson, and his mom. Wilkerson's in jail for shooting and killing a 21-year-old man during a home invasion. Normally, he's looking at life without parole, but now he's hoping George Gascon will intervene. Listen.

(BEGIN VIDEO CLIP)

WILLIE WILKERSON, GANG MEMBER: I told you last time that he wants to hurry up and try to get some did before they, uh, re-elect somebody else besides Gascon and bring back that low (BLEEP) life without parole and the death penalty. We could get the manslaughter then (BLEEP). Manslaughter only carries six, nine, and 12.

(END VIDEO CLIP)

GALLAGHER: Yes, and maybe that's why the deputy D.A.s in Los Angeles are speaking out saying when it comes to violent criminals, George Gascon is a bigger ally than their defense attorneys. And if you think they're kidding, let's review the case of the team who ran down a mom and her baby in Venice Beach. Under Gascon, he got six months in a juvenile camp, which many believe is just a step more difficult than summer camp. And the mom who got ran down, voted for guests gone but then said this to Tucker Carlson. Watch.

(BEGIN VIDEO CLIP)

RACHEL, HIT-AND-RUN VICTIM: Rewarding criminals, violent criminals for their actions is very far from, from any kind of reformation that anybody would think is appropriate.

(END VIDEO CLIP)

GALLAGHER: But far-left prosecutor Chesa Boudin, who was recalled by San Francisco voters doesn't think he was ousted over his soft on crime policies, rather a lack of money. Look.

(BEGIN VIDEO CLIP)

CHESA BOUDIN, SAN FRANCISCO DISTRICT ATTORNEY: The right-wing billionaires outspent us three to one. They exploited an environment in which people are appropriately upset. And they created an electoral dynamic where we were literally shadowboxing.

(END VIDEO CLIP)

GALLAGHER: President Biden was a bit more realistic saying the takeaway here, public safety. Watch.

(BEGIN VIDEO CLIP)

JOE BIDEN, PRESIDENT OF THE UNITED STATES: Voters sent a clear message last night. Both parties have to step up and do something about crime as well as gun violence.

(END VIDEO CLIP)

GALLAGHER: But the pushback at the polls wasn't focused on guns, it would have focused on those who use guns to commit crimes. And that's why voters in Los Angeles might soon give Gascon his walking papers as well. Shannon.

BREAM: We should know soon. Trace, thank you very much.

GALLAGHER: Sure.

BREAM: All right, staying in Los Angeles County, it appears Sheriff Alex Villanueva is headed to a runoff election to keep his job in November against Long Beach Police Chief Robert Luna. Villanueva holds a lead over Luna but neither of the top two candidates in the nine-person primary field approach the 50 percent threshold, they need to avoid a runoff. So, let's bring in the sheriff now to address his run for re-election and other top issues of the day. Sheriff, welcome back.

ALEX VILLANUEVA, LOS ANGELES SHERIFF: Oh, thank you, Shannon.

BREAM: All right, let's start there and I want to give you a chance to answer the claims against you. Reason.com talks about this runoff that you're going into it says, "Villanueva has shown himself to be a foe of greater transparency, resisting a relatively new law that finally opened some police misconduct records to public review, and he has gone on the attack against anybody whether it's other Los Angeles County officials or journalists attempting to shine a light on misconduct at the LASD." Your response.

VILLANUEVA: Oh, again, it's hollow rhetoric. We asked for facts, they don't have facts. There's a law SB 1421 we've complied with to the 10s degree. In fact, we've asked the board of supervisors for the right resources six times to, to fund this effort because it costs money to be transparent. And six times we've been rejected, we've had to literally rob Peter to pay Paul to find the resources internally to be able to satisfy these transparent laws which we have come in full compliance with.

Of course, they can't mention that because it doesn't fit the false narrative. And anyone who claims oh my god, we're done such a horrible job. Well, when you defund the department there's grave consequences defunding law enforcement. We're seeing it play out on the streets: surges in violent crime. Gascon's policies that are easy on criminals and hardened victims. They're, the people are paying the price for this. So, you know, I'm not buying their argument at all. And of course, if you if you disagree with someone, you're attacking them, I guess, I guess that's a new language now.

BREAM: OK, so about Gascon, I want to ask you about the specific case we've reported on over and over again, and get you to clarify something that they, that his office initially said. So, we've got the video of this mom and her baby bidding, being hit by the car of this kid that was then ultimately charged, and got this sentence that a lot of people thought was way too light five months that essentially, you know, a camp on steroids is supposed to help him not reoffend, that kind of thing.

This is what Gascon's office said to Fox News digital back on Friday, said: "The sheriff's department, meaning your office, agreed with the felony charges that were filed at arraignment, the minor admitted two felony counts of assault by means of force likely to produce great bodily injury and one felony count of hit and run. The probation department recommended and the court sentenced the minor to a youth camp for five to seven months and appropriate resolution." Can you clarify for us whether or not you signed off on any of that?

VILLANUEVA: Oh, hell no. That had nothing to do with our department to begin with. That happened in LAPD's jurisdiction. That was investigated by the LAPD. I don't think they agreed with that position either. This is all on George Gascon shoulders trying to find a scapegoat somehow that we're OK with it. We would never be with something like that. That should have been charged appropriately as attempt murderer, and that should have faced the consequences for attempted murder. Particularly considering the background of this individual was already on probation for a free, a serious crime itself.

BREAM: OK, Sheriff, thank you for that clarification. Now, I want to read something the Washington Post said about Boudin being recalled and what may be happening moving forward, says California offers a warning to Democrats, but how big is it? The results in California on Tuesday may not pretend a collapse of the Democratic Party over the long term. But they do reinforce the looming danger the party faces in November.

Obviously, crime is a big issue. People are very concerned about that. It shows up in polling and conversations on the streets. But you may have seen the soundbite that Trace used from President Biden where he said voters send a clear message that both parties have to step up to do something about crime and gun violence. Last night, it seemed like at least the progressive prosecutor there in San Francisco was the one getting the message. Do you think that both parties should be on notice about the crime issue?

VILLANUEVA: I think both parties have to roll up their sleeves and work together. I think that's what everybody wants. There are some solutions that moderates from both sides agree on, that you have the leadership of both parties running to the extremes on the far left or the far right.

That doesn't help the majority, the country that lines up in the middle. They want sensible policies, they want actually, the laws on the book to be enforced. Like here in L.A. County, I have a D.A. who refuses to charge gun enhancement when a crook uses a gun to commit a crime.

So, if he doesn't charge, that means every single person on the street will use a gun and there's no consequence for using a gun to commit their crime. That is just insane, and that has to be rectified. At the same time. I mean, there's other issues, I'm pretty sure, in congress, both people can come together and agree on make sure we don't get guns in the wrong hands, for example, things like you know, simple things like that.

BREAM: Yes. And if they're going to have serious conversations, both sides have to come to the table knowing they're not going to get everything they want. But it would seem enforcement of current gun laws would be a common- sense place to start.

VILLANUEVA: Exactly.

BREAM: Sheriff Villanueva, thank you for your time. We will track your campaign and watch it into the fall. Thank you, Sir.

VILLANUEVA: All right, thank you.

BREAM: As temperatures heat up, so too do tempers, in parts of the country that is translating into violent crime like this wild gun battle, Tuesday, on the streets in Queens. Senior Correspondent Laura Ingle shows us the shocking video and the crime stories that go with it. Good evening, Laura.

(BEGIN VIDEO CLIP)

LAURA INGLE, FOX NEWS CHANNEL CORRESPONDENT: Shannon, like a scene out of the Wild West, two men in Queens, New York get into a gun battle on the street, one of them using an outdoor dining enclosure to duck for cover and all



of this happening in the middle of the afternoon. It all went down around 3:30 p.m. as a car pulls up near a sidewalk in Queens and a man wearing a gray hoodie approaches, and quickly backs off only to be followed by a man wearing a red-striped shirt.

The video then shows them shooting at each other. The man in gray was hit in the shoulder and is in the hospital. The man in red ran back to a black four door Audi with a paper license plate, but not before surveillance cameras captured this crystal-clear picture. Police are on the lookout.

13 gunshots in the Bronx. The NYPD releasing this video of the shootout that happened just after midnight last Tuesday. You can see the vehicle in the middle of the street. The men running in the street, one jumping out of the car everyone running away no one was hurt. Police are asking anyone with information to come forward.

The trouble not confined to the Big Apple as persistent crime grips Washington, D.C. Tuesday afternoon, shoplifters were caught on camera robbing a grocery store. Check out this footage of at least three people stealing as much laundry detergent as they could carry.

And chilling video from an attempted kidnapping. D.C. police are searching for this man who they say tried to abduct a 4-year-old little boy this week in Georgetown. Police say, the child was with his family when the suspect started talking to him, then the man grabbed him and took off running. The little boy's family chased the man and he let go of the child. There is a \$1,000 reward for information leading to a conviction.

And a creepy story out of upstate New York. This one we don't have video of but that's OK, you might not want to see it anyway. An Albany courthouse had to be closed and fumigated after hundreds of cockroaches were let loose on purpose during legal proceedings for suspects who had been arrested at the state capitol. Shannon.

(END VIDEO CLIP)

BREAM: That is one way to clear the courtroom. Laura Ingle, thank you very much. Coming up, a bear and a dog get into a full-on staring contest. We're going to tell you who wins. And a blast from the past for this young woman who got a hold of her grandmother's 1950s Honeymoon wardrobe. The day's best viral videos next.

(COMMERCIAL BREAK)

BREAM: First up in tonight's viral videos. A couple from Georgia making a Garth Brooks Fans Day sharing a spare ticket to Saturday night's concert in Birmingham, Alabama. Now, the fan happened to be their Uber driver. He was giving people rides to the concert hope we can get just close enough to hear the music. Now, the couples from was originally going to go with them but ended up getting sick. So now, let's just say the Uber driver has got friends in high places. Very nice. I didn't write it. Very nicely done.

All right, it's going to be a good weekend for fishing if you happen to live near the North Pole in Alaska. Take a look as the state's Fish and Game Department fill a lake with thousands of rainbow trout. Officials say, the department also stalks the lake with silver salmon and arctic char.

Now this, a bear and a dog face to face but thankfully, a window in between. After the bear climbed up a tree adjacent to the pet owners' home in New York and just stared in. Almost looks like they were having a stare down competition. And it looks like we're going to have to give the victory to the dog because the bear climbed back down the tree. Good job doggy.

And a young woman named Maddie Mill going viral on TikTok after posting videos wearing clothing her grandmother wore on her honeymoon in the 1950s. One of the polls shows Maddie opening a vintage green suitcase to reveal a very stylish wardrobe. Maddie says her grandmother intentionally left the garments in the suitcase as a time capsule for her kids and grandchildren,

and that she's saving some of the dresses to wear on a special occasion. I think her grandmother is now 92. Very excited about this whole viral thing.

If you have a video you want to go viral, hit us up @ShannonBream or @FoxNewsNight on social media.

All right, Kevin Corke is back and what better to celebrate, way to celebrate National Best Friends Day.

CORKE: Yey!

BREAM: Glad to have you here. And you're going to give us some deets on how we feel about our friends.

CORKE: I can't wait to find -- I know you're going to say Sheldon, but we've all have great best friends all over the world. Now, if you've been meaning to give your best friend a call, and you keep putting it off, you know who you are? Well now is the perfect time to do so because June 8th, 2022, that's today or yesterday, depending on where you live is National Best Friends Day. A day to celebrate your lifelong friendships and the ones who've gotten you through the really tough times, if you know what I'm saying.

Now, the Mayo Clinic -- I found this interesting -- reports that friends actually help you cope with traumas such as divorce and serious illness, job loss or the death of a loved one. And get this, 19 percent of Americans surveyed say that their most loyal pals are their dogs. Nine percent admit that their cats, mean the very most to them. And I love this stat: 70 percent say they found their lifelong mates in elementary, middle or high school. So, how about you other than your hubby? Who's your bestie? Or do you have a bestie?

BREAM: -- is up there.

CORKE: OK. That's good.

BREAM: But I feel like, I feel like you have really close best friends for different parts of your life almost.

CORKE: Absolutely agree. I'm closer I think with college friends and maybe my high school friends just because I'm more connected with them, whether it's by school or just by occupation. But I have friends that go all the way back to my elementary school years.

BREAM: I love that.

CORKE: Yes.

BREAM: I love that. And they, they weathered so much with you and I'm so grateful for my friends that have been through the highest highs the lowest lows.

CORKE: Yes.

BREAM: And it just means so much. It's a great treasure I think to have those kinds of friends.

CORKE: We appreciate Sheldon, and we appreciate Biscuit.

BREAM: We do. And I appreciate you.

CORKE: I appreciate you.

BREAM: OK, I'll see you a little bit later for good news. There's a lot -- just a lot of love to go around.

CORKE: Love everywhere, all right. I see you in a bit. By the way, we're matching nice tonight.

BREAM: I know. Twitter has noticed too.

CORKE: Boom. Love that.

BREAM: I can't keep up with Kevin on the word for a friend. I'm just trying. OK, President Biden giving his first TV interview since February tonight to a late-night comedian. That's next.

(COMMERCIAL BREAK)

BREAM: President Biden, fielding questions tonight in his first major network interview in nearly four months, with a slightly curious choice of questioner, late-night host Jimmy Kimmel. Correspondent Ashley Strohmier has the highlights of their conversation tonight. Good evening, Ashley.

ASHLEY STROHMIER, FOX NEWS CHANNEL CORRESPONDENT: Hey there, Shannon. Yes, the interview with Kimmel looked a little different than his last one with NBC's Lester Holt. And regardless of rising gas prices, inflation, and a number of mass shootings that have gripped the nation, this was the president's first major network interview in 118 days. The president had a safe space when it comes to questions, if you will, appearing on Kimmel who has made a slew of partisan comments in the past.

(BEGIN VIDEO CLIP)

MARSHA BLACKBURN, (R-TN): The meaning of the word woman is so unclear and controversial that you can't give me a definition.

JIMMY KIMMEL, LATE-NIGHT HOST: Hold on. I know the answer. You are a horrible woman, Ted Cruz must know that. At this point, every busboy spits in his food, right? But maybe that's what he likes about eating out. I don't know. But I ever want to hope Ted Cruz never gets a seat peacefully in a restaurant again.

(END VIDEO CLIP)

STROHMIER: So those were all comments made within the last month starting May 11. So take a listen to Kimmel Wednesday night, taking jabs at former President Trump while asking Biden about gun control.

(BEGIN VIDEOTAPE)

KIMMEL: Can't you issue an executive order? Trump passes out like Halloween cancer.

JOE BIDEN, PRESIDENT OF THE UNITED STATES: Yes, you're right. Well, I did.

KIMMEL: And isn't that something that could happen?

BIDEN: Well, I have issued executive orders within the power of the presidency to be able to deal with these -- everything having to do with guns, gun ownership, whether or not you have to have awaited -- but all the things that are within my power. But what I don't want to do, and I'm not being facetious. I don't want to emulate Trump's abuse of the constitution.

STROHMIER (voiceover): So let's go back to February and Biden's pre-Super Bowl appearance. That was February 10. He snapped back at Lester Holt calling him a wise guy when asked about his claim of inflation being temporary.

LESTER HOLT, ANCHOR, NBC NEWS: I think it was back in July, you said inflation was going to be temporary. I think a lot of Americans are wondering what your definition of temporary is.

BIDEN: Well, you're being a wise guy with me a little bit. And I understand that's your job.

(END VIDEOTAPE)

STROHMIER: President Biden is in Los Angeles for the Summit of the Americas to talk about economic recovery and growth. Well, protesters gathered outside the LA Convention Center. One woman who said she was protesting women's rights was seen being tackled as a motorcade approached. Cuba, Venezuela, and Nicaragua were not invited because they are led by dictators. The Mexican president said because of those exclusions, he will not be attending. Shannon, back to you.

BREAM: OK. Ashley Strohmier, thank you very much. So a pretty important week for the president between his first major network interview in months and his meetings with international leaders at that summit, as domestic headaches continue to mount for him as well. Let's bring in tonight's BREAM TEAM panel to debate. Fox News contributor Leslie Marshall, and TAG Strategies VP, Erin Perrine, great to have you back.

ERIN PERRINE, VICE PRESIDENT, 'TAG STRATEGIES': Thank you.

LESLIE MARSHALL, FOX NEWS CHANNEL CONTRIBUTOR: Thank you, Shannon. Good to be with you.

BREAM: OK. So I want to play a little bit more of the president talking to Jimmy Kimmel. Here's what he says.

(BEGIN VIDEO CLIP)

BIDEN: You'd often get asked, look, the Republicans don't play at Square, why do you play square?

KIMMEL: Yes.

BIDEN: Well, guess what? If we do the same thing they do, our democracy would literally be in jeopardy.

(END VIDEO CLIP)

BREAM: So, Aaron, Republicans play dirty Democrats don't because our democracy is in danger if they do.

PERRINE: It's just not attached to reality. And if you continued on that clip there with Joe Biden, he finishes it by joking around about how he should lock up those who politically disagree with him. So you know, want to talk about democracy being saved. Let's talk about locking up political opponents that Jimmy Kimmel openly featured, actually, both you and I, Shannon, when we were talking about different things that have happened, but specifically whether or not Jimmy is the right format for this kind of interview with the president.

To your point, we have an inflation crisis, a border crisis, a crime crisis, a drug crisis, and he's on there, palling around, not taking it seriously because again, the Biden administration sees everything as a communications failure, that they just need to show more of who Joe is and that it's not a policy failure exacerbated by Democrats. Tonight's another example of them being completely out of step with the American people.

BREAM: Well, an opinion piece in the Boston Herald hits on some of those things you talked about, Erin, it says. It's Biden's first network sit-down interview in 118 days since a Super Bowl interview with NBC that imploded when Biden couldn't answer some basic questions from the host, Lester Holt. American voters who go to the polls this fall for the midterm elections are fed up with the rising cost of living and driving and Biden has been unable to get it under control. Biden's reportedly incensed that his aides had been forced to walk back his off-the-cuff comments.

So, Leslie, does this interview tonight calm some of those things, help the president who says he needs to be out there more, and it's about messaging?

MARSHALL: It is about messaging. I mean, look, I think this was a smart move by the White House and this is why. You know, you have a falloff of young voters and you really want young voters to get out there who register more as independents, the Democrats that they do as Republicans, and you want them to get out there, especially in the midterms. For my party Democrats do not show up yesterday here in California was an example of that in some other places. But I think this was very smart. Years ago, a lot of people laughed at a guy named Bill Clinton for playing saxophone on Arsenio Hall, and President Clinton became President Clinton.

But when we look at Joe Biden, people were criticizing him for not being out there. And one could argue more people, especially young adults, and young voters would tune in to Jimmy Kimmel more than they would to Lester Holt. This shows a different side of the president and somebody who is constantly being mocked for his age, maybe gives a more youthful side to him and a more humorous side to him because Jimmy Kimmel is a comedian. And I don't think -- if this is the only interview he does in the next 180 days, then I'd have a problem with that, but I think it's good to have it on the circuit.

BREAM: OK. So he also said today, the president, on Wednesday said that global inflammatory issues and pressures, inflammation -- inflation, I think is probably what that is meaning -- his referring to. Anyway, since it's been made worse by Putin's brutal and unprovoked war against Ukraine, he says it's making it harder for families to make ends meet. He said all these factors are contributing to increase migration flows as well. So he says, basically, Erin, it's not his policies that are sparking any of this, and a lot of it is out of his control.

PERRINE: Well, God -- gosh forbid that Joe Biden takes accountability for anything that his policies have caused. We've seen time and again where when Joe Biden announces what he's going to like the fact that they want to do away with Title 42, a measure to help expel people more quickly from the southern border, you're seeing larger caravans.

And on this meeting of the Americas that are coming up the Summit of the Americas, Mexico is not coming. If you want to talk about the migration crisis and the real things that are happening in this part of the globe, you need people to show up. But our allies don't take us seriously. Our enemies are emboldened. Geopolitically, Joe Biden has been a disaster throughout his presidency. Afghanistan, Russia, Ukraine, you name it.

BREAM: OK, we'll wait --

PERRINE: He's been on the wrong side of it so nobody's going to take this seriously that's why they aren't showing up.

BREAM: OK. Let me get Leslie in for a quick final comment. Leslie, against this ABC News/Ipsos poll finds that the president is underwater on nearly every issue, from inflation, economic recovery, gas prices, all kinds of things the American public disagreed with his performance. Quick, final word to you.

MARSHALL: Yes. And we have seen like in Quinnipiac numbers, we -- as well. We have seen numbers like this. At the beginning of April and at the beginning of January, polls go up and down. Does it mean I'm not nervous about the midterms? Of course, I am, especially because my party is in power. But you know the American people have a right to be angry. And even the president himself has said, I know they're going to blame me and they're going to blame the party in power.

BREAM: Yes, it's true.

MARSHALL: That's factual, whether it's a Democrat or Republican and whether the president is actually to blame or not.

BREAM: Yes. We know historically, you are right. It does happen to either party. Leslie and Erin, thank you. See you both again soon.

PERRINE: Thank you.

MARSHALL: Thank you, Shannon.

BREAM: Coming up, high school teachers reportedly requiring students to declare support for Black Lives Matter and much more simply to participate in a school program. But guess who found out and got all the details? You guessed it. Seattle talk radio host Jason Rantz. He's on deck in-studio live for a wild west LIGHTNING ROUND next.

(COMMERCIAL BREAK)

BREAM: A suspect, accused of entering a portable classroom at a Seattle elementary school trying to steal students' backpacks, there's more to this. But when the police showed up, the principal didn't want to cooperate. Well, let's bring in the reporter who broke that story. KTTH Seattle Talk Radio host Jason Rantz in person for tonight's LIGHTNING ROUND. It's great to see you.

JASON RANTZ, HOST, KTTH SEATTLE TALK RADIO: It's so crazy I had to come in the studio to talk about.

BREAM: I appreciate that because it does sound crazy that somebody would get into a school, an elementary school. And you're saying that when the cops showed up, the principal did not want to cooperate with the investigation.

RANTZ: Yes, according to the police incident report, this officer showed up. They were kind of late. But once they got there, the guy was already leaving the campus, the principal and two other teachers were seeing this guy kind of clearly going through something to the point where the police thought that he was either having some sort of mental health issue or he was maybe under the influence of alcohol or drugs.

Now, the officer was asking for some basic information so they can establish that a crime was committed and that there have probable cause to go ahead and make an arrest. However, the principal, according to the cop, just turned around and walked away. Now, as a result of that, the cop, he says, and then this incident report could make an arrest, so allegedly, the suspect ends up trying to steal a DHL delivery van, assaulting the driver.

BREAM: While the cops are there?

RANTZ: Well, the cop was still over at the school because the guy could just go away at that point.

BREAM: Right.

RANTZ: I didn't have the right to go ahead --

BREAM: With no cooperation.

RANTZ: Exactly.

BREAM: But these are elementary kids that we're talking about who are subjected to this whole thing.

RANTZ: Yes. It is ludicrous that they don't want to cooperate with the police because I think this has everything to do with the BLM movement and the activists on the ground who might say, well, you just are now cooperating with the police, we can no longer trust you. It's very ludicrous.

BREAM: OK, very interesting. OK, speaking of BLM, you uncovered this other situation where there's sort of a mentorship leadership program for older students, younger students in this high school. And this is what you say in the headline. High school teachers demand students pledge support to BLM and abortion. So if they wanted to take part in this program, there were certain things that they had to sign on to.

RANTZ: Yes. So there's a code of conduct policy that in order to participate in the LINK program, you would have to sign off and have your parents sign off as well. And it -- most of it was totally normal. I pledge to curtail bullying and show school spirit, not controversial. And then it says I believe Black Lives Matter. Love is love. The -- what are we talking about?

BREAM: No human is illegal.

RANTZ: Yes, no human is illegal, which is my favorite. Women's rights are human rights. So very clearly political here and obviously, if we got this exact same code of conduct, and it said, All Lives Matter, or life begins at conception, or build the wall, people would be outraged. And yet, they're not seeming to understand why this is wrong because they live in that echo chamber.

BREAM: Any explanation?

RANTZ: They didn't give me an explanation. I asked a lot of questions and what they basically told me was we will review this with the school and the advisors. So I do, in this case, I kind of feel bad for the spokesperson for the district, but they have to know that this is crazy.

BREAM: Right. OK, we're going to get into this last story. This has to do with a school assignment for sixth graders, and it send them on a poetry scavenger hunt but where they ended up was a bit of a problem.

RANTZ: Yes. The teacher ended up giving a link to a poetry site that if you look, not even that hard, you find some very, very graphic material. I cannot even blur out some of the words. I can't -- censor any of the words and do it on TV. It's that bad. And a student, kudos to the kid, goes up to the mom and says, look at this material. This is wrong. Mom complains, and activist group of parents in the community starts to bring up a stink. And the school says we didn't do this on purpose. As soon as they found out, they took it down. And I actually believe them.

BREAM: OK.

RANTZ: But it does get to the point of just having conversations with your kids, make sure you're going over the material that they are learning because you don't know what's in front of them sometimes.

BREAM: Exactly. Well, when you're on the case, we know you will get answers.

RANTZ: Thank you.

BREAM: Jason, good to see you in person.

RANTZ: Good to see you.

BREAM: OK. First up in tonight's REAL NEWS ROUNDUP, the standoff between Twitter and Elon Musk may be over as the company intends to give him the internal data he wants, according to The Washington Post. Musk has demanded Twitter show him data related to just how many of the company's user accounts are fake or spam, and Musk even threatened through his attorneys to pull out of the \$44 billion deal if the social media giant didn't comply. Twitter's incoming data dump on Musk may close an option that he could have tried to use to exit the massive bargain.

Well, Johnny Depp's attorneys making the morning media rounds Wednesday disputing Amber Heard's claim the verdict was a setback for domestic violence survivors. Depp's attorneys would not deny that Depp might forego the settlement funds if Heard agrees not to appeal saying the trial for Depp was about his reputation and not about money.

And now some good news before we say goodnight, a touching moment in Flagstaff, Arizona, where veteran Army Lieutenant David Barthman got a welcome home ceremony from his community not only for his service but get this. In April, he lost his home and service metals in the tunnel fire that swept through his town, thanks to the nonprofit organization, Veteran's Affinity, he was presented with new metals and a uniform. Lieutenant Barthman with the support from his community is getting back on his feet after losing everything. Kevin, we thank him for his service and I love that this organization stepped in to make that right for him those lost medals.

CORKE: That is so cool because you're talking about the lowest of the low when you lose everything, and finally they stepped in. Good for them. I want to take it to the Lone Star State of Texas. I love Texas.

BREAM: Ye-ha.

CORKE: For this "GOOD NEWS GOOD NIGHT," a special reunion taking place outside St. David's South Austin Medical Center between Kelly Howard and a team of trauma doctors a year after they saved his life. Last Memorial Day, the 62-year-old was actually hit by a car and he was in pretty bad shape. So bad, in fact, he didn't remember much of what happened. He was transported to St. David's, the trauma team saved his life and a year later, he finally got to tell them, thank you. And that is good news, indeed.

BREAM: I love that. I mean so often when there's an emergency medical care situation like that, you never can really know exactly how to walk you through it.

CORKE: Exactly right.

BREAM: It's so beautiful that they got to meet when he was much better.

CORKE: A-pluses across the board.

BREAM: All right, Kevin, you always bring us the best stories.

CORKE: I try.

BREAM: Thank you very much. That is it for us from Washington. We'll have special coverage of the January 6 hearing tomorrow. I'm Shannon Bream.

(COMMERCIAL BREAK)

END



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**NewsRoom**

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### Biden Goes West; Kavanaugh Targeted In Murder Plot, Authorities Say

SEAN HANNITY, FOX NEWS HOST: And welcome to HANNITY.

Tonight, it is 9:00 p.m. here in New York. Our commander-in-chief, oh, he's likely fast asleep after a long trip to the West Coast. He's tired.

Now, meanwhile back in the swamp in D.C. are U.S. Supreme Court justices. They're probably likely pretty restless tonight because 24 hours ago, a man that was armed with a nine millimeter handgun and a knife traveled from California to Maryland, to the home of Justice Brett Kavanaugh and that's where he planned to assassinate the Supreme Court justice and then commit suicide. Now this lunatic who is now in police custody, thankfully, great job for the police, was reportedly upset over the leaked draft Roe versus Wade opinion, he knew exactly where Kavanaugh lived, why because Democrats were publishing his address and the address of other justices online.

Liberals have been protesting outside of Kavanaugh's home on and off now for weeks including another demonstration earlier tonight, only moments ago. But, of course, for years, the left has -- well, brutally and unfairly they have vilified Justice Kavanaugh quite unfairly. But without any corroborating evidence, they falsely accused him -- remember let's see -- of gang rape, then they told people that he was an abusive alcoholic, a drug addict, that hated all women.

Over MSDNC, that would be NBC News Joy Reid published a conspiracy theory that Kavanaugh was trying to ban birth control. And top Senate Democrat Chuckie Schumer even seemingly threatened Kavanaugh's life at a speech that he gave right on the steps of the U.S. Supreme Court. You probably remember this.

(BEGIN VIDEO CLIP)

SEN. CHUCK SCHUMER (D-NY): I want to tell you, Gorsuch. I want to tell you Kavanaugh you have released the whirlwind and you will pay the price. You won't know what hit you, if you go forward with these awful decisions.

(END VIDEO CLIP)

HANNITY: I want to tell you, Kavanaugh, Gorsuch, you have released the whirlwind. You will pay the price. You won't know what hit you.

Now, naturally, a few weeks ago, Schumer didn't seem to mind at all the Kavanaugh's address and other Supreme Court justices' addresses were published online and that so-called protester showed up outside of his house. He does have young children in a family. Now, Schumer thought it was kind of hilarious. Take a look.

(BEGIN VIDEO CLIP)

REPORTER: Are you comfortable with the protests that we saw outside the homes of Supreme Court justices over the weekend?

SCHUMER: If protests are peaceful? Yes. My house is -- there's protests three, four times a week outside my house. That's the -- the American way to peacefully protest is okay, and I've been -- that's my wife, sorry. Maybe there's a protest outside.

(END VIDEO CLIP)

HANNITY: I doubt Chuck Schumer's home is having protests three or four times a week.

Not only did Schumer refuse to condemn this kind of intimidation, this type of harassment, but so did Biden's White House. Take a look at this.

(BEGIN VIDEO CLIP)

JEN PSAKI, THEN-WHITE HOUSE PRESS SECRETARY: So I know that there's an outrage right now I guess about protests that have been peaceful to date and we certainly continue to encourage that outside of judges' homes.

PETER DOOCY, FOX NEWS WHITE HOUSE CORRESPONDENT: Some of these justices have young kids but their neighbors are not all public figures. So, would the president think about waving off activists that want to go into residential neighborhoods in Virginia and Maryland?

PSAKI: Peter, look, I think our view here is that peaceful protest -- there's a long history in the United States and the country of that.

DOOCY: So he doesn't care if they're protesting outside the Supreme Court or outside someone's private residence?

PSAKI: I don't have an official U.S. government position on where people protest.

(END VIDEO CLIP)

HANNITY: Now one blue checkmark media mob reporter took it even a step further tweeting, quote: May these people never know a moment of peace or safety until they rot in the ground.

One politician from California encouraging protesters to, quote, empty Kavanaugh's house and burn his bleep in front of him.

In a statement, House Speaker Nancy Pelosi, she even applauded the, quote, righteous anger against Kavanaugh and called on her supporters to march and mobilize.

Now, for months, she blocked a bipartisan bill, bolstering security for all nine **Supreme Court** justices. Aren't these the same people saying insurrection every other second of the day?

Now she continues to block security for our **Supreme Court** justices and this bill to this very day. Why Nancy? Why are you blocking what is a bipartisan bill to keep judges safe? Why didn't you call up the National Guard, by the way, now that we're

talking about it, that Donald Trump authorized days earlier for you on January 6? Because I doubt that committee is ever going to ask you because they have a predetermined outcome.

And keep in mind, for the past several weeks, this country has experienced an increasing level of violence against those that oppose abortion. Look, for example, in Buffalo. Yesterday, one pregnancy center, it was actually fire bombed. In Asheville, North Carolina, another crisis pregnancy center was vandalized overnight, windows broken, graffiti that read, quote, if abortions aren't safe, neither are you.

We recently saw a similar attack that was in a clinic in Wisconsin, and yet, Nancy Pelosi is blocking a bill that would step up security for these justices who might soon overturn Roe v. Wade, really? And just to recap, the party that claims to revere our great institutions, the Democratic Party, they first vilified, then they smeared a U.S. Supreme Court justice then many called for violence against him. You won't know what hit you, right?

And then someone, perhaps one of their lackeys inside the Supreme Court leaked the court's abortion decision or at least a draft of one in an unprecedented effort to unleash an angry mob against the court and then they lied about what the decision would mean to whip up their base in a frenzy with full of just lies and misinformation and propaganda because of Roe v. Wade is overturned, abortion will not be illegal in America. It will be relegated and regulated by the states. In other words, it's not enumerated as a right in the Constitution. Then the 10th Amendment kicks in, the states decide.

Then Democrats publish the home addresses of these Supreme Court justices online, then they refused to pass a bill bolstering their security, and then a deranged lunatic shows up at Kavanaugh's front door in order to assassinate him?

Look, despite all of this, I'm not blaming Democrats for the actions of this crazy individual. Just like I didn't blame them when a Rachel Maddow obsessed, Bernie Sanders super fan shot up a baseball field full of Republican lawmakers, nearly killing Steve Scalise that day. I hold the people responsible for their own actions.

But for God's sakes, as Joe always says, can Democrats at least quit their obnoxious moral preening and could they give these people the protection they need? Every official should be protected, Republican, Democrat, whether they work in the halls the Congress or at the Supreme Court. At least -- well, that's what we believe on this show.

Democrats only seem to care about political violence when they can then use it to their political advantage.

Anyway, here with reaction is Florida Senator Marco Rubio is with us.

Senator, do you see a correlation between the rhetoric of say Chuck Schumer, he's on the steps of the Supreme Court. You know, you'll be hitting the likes of which you've never been hit before, his comments. Do you see a correlation to the animosity, hostility and doxxing of these justices?

SEN. MARCO RUBIO (R-FL): Yeah, I have a terrible feeling about this, Sean. I think this is headed in a very dangerous direction. I think the last time I was on the show from this very studio I said that at the time, and here's why: this is a country, 331 million people, okay? You have people out there basically saying that these members of the Supreme Court are equivalent to the Ku Klux Klan to Nazis. You've had some sort of saying burn the place down.

Three hundred thirty-one million people, it only takes a couple of them to look at that and say, well, if these people are that evil, the next step is to just take them out. And that's just the Supreme Court justices, not to mention we've got hundreds of members of Congress that don't have U.S. marshals outside their home and you know we want to thank the U.S. marshals for the role they played we will be having a very different day here today in Washington.

But this is an incredibly serious thing. This is not the only guy in America with these thoughts in their head and I have a very bad feeling about the direction this goes on either side. I'm not in favor of this happening to anybody. I don't think -- I don't want protesters showing them outside the house of Nancy Pelosi or Chuck Schumer anybody else. I think there's a time, place and manner for free speech to be regulated. You can say whatever you want but there's got to be some limits to it.

And in this particular case, it's illegal because these are judges that these people are trying to intimidate to make a decision that they want in a court case.

HANNITY: To me, that's straight up harassment, intimidation of these nine justices or in this case the six conservatives. My question is, what about posting the addresses or doxxing as they call it and giving out the locations where these people that serve in government live? Isn't that inviting this intimidation? Isn't that creating a hostile work environment to use, well some of the favorite words of woke liberals?

RUBIO: Well, there's only one reason for protesters to show upside outside the home of a public figure, and that is to send them a clear message: we know where you live.

Now, maybe there's a hundred people there and not a single one of those hundred people are going to hurt anybody. But I'm going to tell you, someone's watching, someone's taking down note on the Internet where this person lives and that one deranged person is going to show up at the house of someone and eventually harm them.

This is an unfortunate trend that we're now seeing. It's a very, very dangerous one. We should not be playing with this. We are playing with fire.

I'm not saying this guy wouldn't have done this anyway if he's truly as deranged as he appears to be. My point is that when you're encouraging this, when you're calling your political opponents people that have blood on their hands, people that are the same as the Ku Klux Klan, that are coming to rip your rights from you, you're going to have some people take some pretty violent dramatic and dangerous actions and that's what was averted last night thank God. But I don't think we've seen the last of this unfortunately.

HANNITY: All right. So we're going to have this big Hollywood presentation, the January 6 Committee tomorrow night, during this hour. I think some of it will still be going on.

What's fascinating to me is we've actually gone back in time. And in the summer of 2020, Senator, we have 574 official riots, we had dozens of dead Americans. We had thousands of injured cops. We had billions of dollars in property damage, very few people were held accountable even though we had videotape evidence of people responsible for that.

One, why is there no committee for looking into those instances, and two, you know, I look at the Democrats, either they were silent, especially the ones on the committee, they were either silent about the summer of 2020, or they lied and say they were mostly peaceful when they were anything but peaceful.

What does that tell you about their feigned outrage that we'll see on display tomorrow with their Hollywood production?

RUBIO: From day one, I've said that if people committed crimes on that day, they should be prosecuted and convicted --

HANNITY: I agree.

RUBIO: -- by jury and so forth, and that's what's happening, okay? This is a Hollywood paid political advertisement. They hired a producer to put this thing on, okay?

The criminal justice system is already dealing with it, but here's what it says about it -- it says that if you're a member of Congress and something terrible happens here on the Capitol grounds like what happened on that day, they're going to put a fence up. They won't do that for our country but they'll put a fence up. They still have metal detectors in the House chamber, so members have to go to these metal detectors. They'll do all these extraordinary things and mobilize the National Guard.

But you're -- if you're among the hundreds of small businesses that got burned to the ground, the people that were killed, the people that were harassed, the people that suffer from that, well, then we don't care about that. That -- well, you know, that we're going to condone, that we're going to excuse, that we're going to have a now vice president raise money to bail people out of jail. Now, we're going to have prosecutors that refuse to prosecute you.

And by the way, it doesn't matter if you torched the police car, killed a security guard, did whatever you do, that's not as big a deal. It doesn't matter as much. And if you call out the National Guard or Marshals or anybody else, that's nothing but the Gestapo.

That's their attitude. It reveals hypocrisy and the good news is people see it for what it is. That's why they're getting it handed to them all over the country and why I think you're going to see that in November. Thank God as well.

HANNITY: Well, thank God for that as well. Your election is really crucial for the Republicans to keep control or get control of the Senate.

I want to ask you specifically. So in the days leading up to January 6, there was a meeting with President Trump in the Oval Office. There were four other people there. Chris Miller, the acting secretary of defense, Kash Patel, his chief of staff. Mark Meadows was there and General Milley, chairman of the joint chiefs, was there.

At that meeting, four of the people, that would be the president, Mark Meadows, Kash Patel, Chris Miller, all told me on the record that Donald Trump authorized up to 20,000 troops to be used if in fact they had problems on January 6th. I was able to get in contact with people that are around General Milley and they confirmed with for me today in a phone call that in fact issues involving security in the days leading up to January 6, he did discuss with the president.

So the question is -- once the president authorizes those guard troops, if they would have had 10,000 or 20,000, we wouldn't talk about January 6th. But the president then -- the authority to call them up once he authorizes that as legally as required, then it goes to Nancy Pelosi and Muriel Bowser, they failed to call up those troops.

My question is, how do you blame Donald Trump for that when it was their responsibility to take advantage of the resources he was offering them?

RUBIO: Well, if this was a real congressional hearing and not a kangaroo court and not a circus and not a made for TV production and an infomercial for their political purposes, those are the questions they would be asking. That's exactly what they would be asking. It would be a review of why didn't Capitol police, why didn't the sergeant-at-arms take advantage of these resources that were available? That's what you would be focused on.

But they're not going to be focused on that. This is a -- you know, I mean, they move this thing to prime time, they hired a producer to put it on, this is not a fact-finding mission. This is a two-hour, free documentary sponsored by virtually every major network in America except for this one that's willing to give it airtime, the only good thing about it is most Americans aren't going to watch this garbage. They -- I mean, people already know what happened that day. They're watching the justice.

HANNITY: It's not even one opposing voice. There's not even one person that would have asked the question of Muriel Bowser and Nancy Pelosi. You're right. It's like a kangaroo court.

Senator, we're watching your reelection really closely. Thank you for being with us.

RUBIO: Thank you.

HANNITY: All right. Tonight, our Supreme Court justices now are facing active threats of violence but House Democrats, they're preoccupied with this riot, only one riot, the 574 riots in the summer of 2020, on January 6, 2021, and as we've been saying a made for TV show hearing. It does nothing to improve security at the Capitol and it appears Democrats care more about cheap political wins than actually protecting our republic. That would be nice if they changed course.

In fact, we can't find a single person on the January 6 Committee, not one who has condemned the doxxing of Supreme Court justices.

Here with reaction, Ohio Congressman Jim Jordan, Outkick founder Clay Travis.

Congressman Jordan, that's a pretty amazing statistic, isn't it?

REP. JIM JORDAN (R-OH): Yeah, no, it sure is. And I think you used the right word when you talked about what happened to Justice Kavanaugh. And like all Americans, we're glad that he's safe and the bad guy's been arrested.

But this is a pattern of intimidation that -- you rightly mentioned the Kavanaugh confirmation, then Schumer speaks on the step of the Supreme Court. And then, of course, last April, it was Jerry Nadler who introduced the bill to pack the court. Then we had Clarence Thomas, the sustained effort to target him and his wife and harass them.

Then there was the leak of the draft opinion. Then there were the protests at justice's home and, of course, just a few weeks ago, we had a hearing on the very subject matter in the Judiciary Committee, the same hearing where the Democrats witness said men could get pregnant. We had a hearing on the subject matter pending in front of the court.

It's all about bullying, intimidating the court. And when you do all that, we probably shouldn't be surprised at this terrible thing -- that this guy was willing to do something terrible to one of our Supreme Court justices.

This pattern of intimidation is frightening. Senator Rubio was right. It needs to stop, but the left just keeps doing it.

HANNITY: Let me ask Clay.

Clay, it's interesting because they're not condemning the doxxing that has gone on, which is extraordinarily dangerous. It's to intimidate and harass. There are families involved here, that's number one.

And then when we go back and look at all the people on the January 6 committee, they were either silent or they were lying to us saying that the riots, 574 of them, again that killed dozens of Americans and injured thousands of cops, they said they were mostly peaceful. That doesn't sound peaceful to me.

CLAY TRAVIS, OUTKICK FOUNDER: Sean, think about where we are. There was an attempted assassination of a **Supreme Court** justice early this morning that was thankfully stopped that was designed to keep a **Supreme Court** opinion from being released. That is an insurrection against our courts.

And think about what would have happened if Justice Kavanaugh, God forbid, had been murdered, if he had been assassinated. Suddenly, Joe Biden would be able to appoint a new Supreme Court justice in order to overturn and keep from ever being released potentially this opinion? I mean, this is a revolutionary insurrectionist direct attack upon the Supreme Court.

And while I was sitting here getting ready to talk, it's the 20th lead story on "The New York Times" website.

JORDAN: Yeah.

TRAVIS: The 20th. Imagine the reaction if a right-wing zealot had been grabbed outside of Ruth Bader Ginsburg's home when she was still alive, it happened outside of Sotomayor's house right now, if it happened outside of Ketanji Brown Jackson's right now.

HANNITY: If we did it, we'd be fired.

TRAVIS: Everyone will be talking about it, this is crazy. This is unbelievable that we're talking about this, guys.

HANNITY: Yeah, well said.

You know, Congressman Jordan, same question though. When you look at the people for example on the Jan 6 committee, they were either silent or they said the protests in the summer of 2020 were mostly peaceful. Nobody's out there condemning all that violence with all the damage and all the dead people and all the injured cops.

I find this fascinating. They won't condemn the doxxing either. So how do they with a straight face go before the nation tomorrow and say, Donald Trump caused this when Donald Trump we now know ordered up to 20,000 guard troops to be called up if Nancy Pelosi and Muriel Bowser wanted them.

JORDAN: Because they're smarter than us, Sean. They have a disdain for regular Americans who actually believe in the Constitution, believe in the rule of law, and those of us who've been willing to condemn the violence when it happened in the summer of 2020, and when it happened on January 6, 2021.

They're so much better than us, the disdain they have for us folks who live in flyover country and believe that and are conservatives.

And this intimidation pattern -- it's not just with the courts. This is the same thing the Justice Department did to moms and dads. It was designed to chill their speech and intimidate them so they didn't show up at school board meetings to defend their kids and stand up for their children.

It's the same thing with the disinformation governance board designed to chill speech of all Americans so that we people who aren't as smart as the elite who run this town, we don't get to speak out at all. That's what this is ultimately about, and how Clay said it was so on target. This is frightening what the left is up to.

HANNITY: And we know the real motive. Number one, Clay, it distracts away from Biden's failures. That's a plus for them.

And number two, it gives people like Jamie Raskin the opportunity to talk about getting rid of that constitutional provision about the Electoral College, so I guess states like New York, California, Illinois and New Jersey will decide every election in the future.

TRAVIS: Sean, also you're exactly right on that and the congressman's right. But let's not also forget, we still don't know who leaked this draft opinion and this was exactly what they hoped to do, either to intimidate a justice into changing their mind or to potentially unleash violence upon them.

Which is why Chief Justice Roberts -- I don't know if you agree, Congressman, I bet you do, Sean, too -- he needs to join this opinion so that it's a six-three decision to ensure that these five justices in the majority aren't a target.

HANNITY: Good luck with that.



TRAVIS: And they -- yeah, I know he should if he had any bravery at all here, and they also need to immediately release this opinion because there are justices that have targets on them, their families are in danger.

HANNITY: No, we need security --

TRAVIS: And we know there are people willing to kill them.

HANNITY: We need security for our kids in schools, the same as politicians have and these -- every one of those nine justices all need security. Nancy Pelosi --

TRAVIS: Amen.

HANNITY: -- needs to push forward this bill.

Thank you both.

All right. Coming up, the left continues its trend of preaching tolerance but yet spewing hate. Senator Ted Cruz has been accosted now multiple times in public. Now, he'll join us to outline their dangerous rhetoric and the potential consequences as we continue.

(COMMERCIAL BREAK)

HANNITY: Now, unfortunately, tonight the violence of the left is becoming all too common, all too real, an armed man has now been charged with attempted murder after being arrested today near Justice Kavanaugh's home. And sadly, too often, when the far left rage mob doesn't get their way, they resort to more lies, more smears, more unhinged behavior.

Now someone that knows about this all too well is Texas Senator Ted Cruz. You might remember back in 2018, he was out with his wife and confronted by a large mob at a restaurant amid the Brett Kavanaugh confirmation hearings. Take a look.

(BEGIN VIDEO CLIP)

PROTESTERS: We believe survivors! We believe survivors! We believe survivors!

(END VIDEO CLIP)

HANNITY: Here with reaction to all of tonight's big breaking news is Texas Senator Ted Cruz.

Senator, I remember that incident well and I also remember another incident where it was you, your wife and your young children are confronted by a mob. I've had my own instances. I don't talk about it. It's not fun at all.

Tell us about it.

SEN. TED CRUZ (R-TX): Well, listen, the left is angry and the rhetoric that comes from their political leaders from the radical extreme is getting more and more heightened. And the problem is what we saw early this morning with the lunatic that came to murder Justice Kavanaugh, that is a lunatic following through on the deranged rhetoric from elected Democrats. And when you see it is now becoming more and more common that leftists scream, curse, harass. As you know, Maxine Waters instructed leftists to do that.

And it is -- and it is deliberately inciting violence. You know, when this opinion was leaked, I believe this opinion was leaked by a left-wing law clerk who wanted precisely this to happen, who wanted the justices of the majority to be threatened to be bullied. You saw the left encouraging protesters to go to the justices house -- houses, where their kids are, where their family is and what is disgusting is this is what the Democrats have called for.

As you know, Chuck Schumer stood on the Senate -- on the steps of the Supreme Court and he said, I want to tell you, Gorsuch, I want to tell you, Kavanaugh, you have released the whirlwind and you will pay the price. You won't know what hit you.

That was inciting precisely this kind of threat and just as bad, Jen Psaki from the White House when asked about the potentially violent protesters at the home of the justices, here's what she said. She said, quote, and we certainly continue to encourage that outside the judge's home -- homes and that's the president's position.

Now, it is a crime, it is a felony to protest outside a judge's home while a judge is considering a case. You have the White House, you have Joe Biden's White House urging people to commit felonies and we're seeing the fruits -- the effect of their rhetoric and it's dangerous.

HANNITY: Yeah. So, tomorrow, we got this -- you know, Hollywood production, January 6 Committee. They will withhold critical information from the American public, the information we have confirmed and corroborated, and people that gave testimony to that committee that in fact Donald Trump signed up -- signed off on up to guard troops to be called up if in fact Nancy Pelosi or Muriel Bowser needed them.

They decided not to do that. It was outside of the president's purview at that point. He did what he was legally required to do. He can't do any more.

Here's the question. These very same members on this committee that are going to be lecturing America with a phony Hollywood narrative with all the license to lie and omit key important facts, silent on doxxing, silent on the riots, the 574 of them in the summer of 2020, or they gave their approval, like Kamala Harris.

They're not going to stop. They shouldn't stop. They won't stop. We're not going to stop if you remember, or tweeting out a link to contribute to a bail fund for the people that are rioting.

So what does that tell us about the Democratic Party? They only care about, what? One riot if they can politicize it and the hell with the riots that killed dozens of Americans and injured thousands of cops?

The radical left hates their political opponents and they condone violence as a means of getting what they want. And you're right, in the Antifa and Black Lives Matter riots.

You saw Democrat after Democrat excuse it. You remember the summer of love that was one of the -- the euphemisms to cover up the CHAZ and the CHAD, there were murders and rapes, and that was just the summer of love in their view. And --

HANNITY: Mostly peaceful senator, mostly peaceful.

CRUZ: While CNN -- while the building burned behind them and the media celebrates it, the Democrats it, and they embrace the use of violence for their political ends. It is fundamentally wrong.

But in particular with regard to the Supreme Court, it's not just the use of violence. It's destroying the institutions of our democracy and the Constitution.

This threat -- politicians unleashing violent threats on Supreme Court justices is designed to tear down the Supreme Court, to tear down the independence of our judiciary and fundamentally to tear down our Constitution and our bill of rights. That's what Schumer and Biden want. They know what they're doing and even now, they're not stopping. Even now, they're not condemning. They're not telling their supporters to go home.

By the way, all the people who self-righteously said that Donald Trump should have told people to go home on January 6 -- well, Chuck Schumer and Joe Biden need to stand up and tell the protesters outside the justices home go home and Merrick Garland, the attorney general, needs to show up and arrest them because they're violating federal law.

HANNITY: All right. Senator Ted Cruz, thank you for being with us.

Now, last night's primaries in California proved to be an unmitigated disaster for the radical left. Is this a preview of coming attractions in November? We'll check in with the great one, Mark Levin, as we continue.

(COMMERCIAL BREAK)

HANNITY: All right. Interesting last night, San Francisco voters, they ousted a far left D.A. named Chesa Boudin for his failure to take the issue of violent crime seriously and for refusing to fulfill his duties as the city's top prosecutor. By the way, the recall vote is now sending shock waves across not just California but the entire country, because we have big city Democrats and now being put on notice that their defund, dismantle, no bail laws are failing and failing miserably and their agenda is very unpopular.

It turns out the American people want to be safe and secure, so they can pursue happiness. What a shock.

Anyway, Democrats going to finally get the message, we'll see, or will they continue to double down on stupid and on this failed pro-criminal policy one after another.

All right. Here to talk about this, the threat to the U.S. Supreme Court justices, this Hollywood produce show that they're going to put on, a clown show tomorrow, is the host of "Life, Liberty & Levin" right here on the FOX News Channel, massive bestseller, "American Marxism," nationally syndicated radio host, I call him the great one, Mark Levin.

Great one, I'll let you take this wherever you want to go. You're -- you have free reign.

MARK LEVIN, HOST OF "LIFE, LIBERTY & LEVIN": Well, first of all, until the people San Francisco get rid of Pelosi, I don't give a damn what they do quite frankly. No offense.

Now, Nancy Pelosi America has been sitting on a bill passed unanimously by the Senate to protect Supreme Court justices for two damn months and you know why she wouldn't bring it up for a vote, because she didn't like what the Supreme Court was doing in the Roe versus Wade case.

So she was prepared to allow these Supreme Court justices to be threatened, to be subjected to violence. That's what the speaker of the House has done. She has a record on this.

She failed to bring in the proper authority to protect the Capitol building on January 6. Why? Because she hates federal police. Remember what she said about the federal police at the Portland federal courthouse, storm troopers. So, Nancy Pelosi has a problem and she will never be questioned because Liz Cheney has given her cover.

Nancy, what did you do on January 6? Can we see your texts? Can we see your emails? Can we see your documents? Can we talk to your staff under penalty of perjury?

And if you don't respond maybe we should put you in handcuffs and leg irons, and throw you in jail with your husband, the drunk. I'm just saying, I'm just being honest. But no, that won't happen tomorrow.

Never in American history except maybe the Salem witch trials have we had a court of law or more recently a congressional hearing with just one side, just one side. The purpose of the hearing is to get information, not to put on a Hollywood spectacle, but the media are all in and we know what we're going to get. My advice, boycott them, boycott them.

So, a couple of things about this and, by the way, why are there 11, I'm told, federal prosecutors on the staff of this committee? The Constitution is separation of powers. The executive branch handles criminal investigations. Why are there 11, or whatever the hell the number is, former federal prosecutors on this committee? What, to violate the Bill of Rights and the rights of those people who are called in to testify?

Yeah, that's exactly what's going on here. This is not a clown show. This is a Stalinist show trial. Google it. Duck Duck it. Bing it. You'll see what I mean.

I'm going to read something that Donald Trump said on January 6, 2021, that Woodward and Bernstein said are seditious. Of course, these two guys are really two knuckleheads.

He said: We have come to demand that Congress do the right thing and only count the electors who've been lawfully slated. Lawfully slated -- I know that everyone here will soon be marching over to the Capitol building to peacefully and patriotically make your voices heard.

Wow, what an insurrectionist.

Now, I want to read to you what you've played Chuck Schumer. I want to tell you, Gorsuch, I want to tell you, Kavanaugh, you have released the whirlwind and will pay the price. You won't know what hit you if you go forward with these awful decisions.

Now, if Donald Trump had said that, then I can understand all the rigmarole. He didn't say that. He didn't say he didn't threaten anybody. So this committee has to have a thousand witnesses and a hundred forty thousand documents what basically a hundred thousand puzzle pieces where they try and put things together and use people's texts and emails without any opposition objecting and so forth.

This is a disgusting disgrace what's going to happen tomorrow and the phony media has been on it since he came down the elevator. Russia collusion, now we have to deal with this. But there's more.

Chuck, were you inciting violence? Were you promoting violence, Chuck? If you're accusing Trump of doing this, who never said anything violent then we have to conclude that Chuck was signaling the mob. He was signaling the mob to act.

And later he would say he wants people to protest the justices and Nancy Pelosi said it, too. Well, you know what that means, they assisted in criminal activity. We all know about 18 United States Code **1507**, you're not allowed to parade and protest and threaten and hassle judicial individuals, particularly **Supreme Court** justices and threaten them the way they did.

Psaki did it. Schumer did it. Pelosi did it. Are they going to be indicted, Mr. Garland? In fact,

Mr. Garland hasn't indicted a single person who's violated a federal statute. Not one. How about them in handcuffs and leg irons, Mr. Garland? What do you say? These are federal violations.

And I haven't heard a damn thing from Liz Cheney tonight, have you, Sean?

HANNITY: No.

LEVIN: Has she put out a statement condemning Nancy Pelosi, condemning Schumer, the Democrat Party? Every damn one of them and they're Democrats in the media, they all said the same thing Schumer did, trashing the justices, trashing the Supreme Court. They've been at war with this court for years. It's independence.

The numbers of justices threats like Schumer. This has become a serious, serious problem. No commission on any of that. Gee, I wonder why, Liz. I wonder why, Adam.

People need to put this stuff in context. These people are absolute percent hacks.

And by the time the Republicans take over the House, I hope they will investigate this committee. I hope they will subpoena Nancy and Hoyer and all the rest of them. Get their texts. Get their emails.

What did you do on January 6, Pelosi? Did you do anything? And by the way, Chuck, have you been in touch with these groups, like Ruth Sent Us? Ruth Sent Us, this group with dark money, funding people to protest the justices.

Let me ask you something, Garland. You went after the Proud Boys, fine. You went after the Oath Keepers, fine. You're going to go after this Ruth Sent Us, which is promoting serial violations of federal law for intimidating justices?

I've had about enough for this crap, Sean. President says you want the National Guard, you can have it. What happened, America? They didn't bring in the National Guard. Why not? We won't know after this hearing, that's for sure.

Well, anyway, that's about it. I'm done.

HANNITY: You could always add some more. No, the great one, that's why we call it the great one, Mark Levin.

You know what? These are troubling times. Mark, you once called this -- he said America is in a post-constitutional period. I think you've been vindicated in those remarks. Mark Levin, thank you.

All right. Coming up, another day, another outrageous comment from the ladies on "The View". You won't believe what Joyless Behar said this time. We'll show you that. We'll get reaction from Newt Gingrich and his thoughts on the November midterms, straight ahead.

(COMMERCIAL BREAK)

HANNITY: All right. Now, the far left agenda on the issue of guns and the Second Amendment is hitting new lows tonight, because on that hard-hitting ABC News show "The View", or we have Joyless Behar claiming gun laws will change once African Americans get them. She said it. Take a look.

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: Let me give you a story. There's a man in Connecticut that watch his neighbor have a home invasion and watch his whole -- their whole family get killed. He built his own AR-15 because Connecticut won't let you buy them but you can abide by rules that allow you to build them and then he has one in his house to protect his family because he never wants to see that happen again.

He is a black man. It's odd. Most AR-15 owners are former military, 35 plus and married. So, that's all I'm saying is that they're not crazy people.

JOY BEHAR, CO-HOST OF "THE VIEW": Here's the thing, once Black people get guns in this country, the gun laws will change trust me.

UNIDENTIFIED FEMALE: That's what happened with the Black Panthers.

(END VIDEO CLIP)

HANNITY: Okay. Now, of course, that kind of bizarre rhetoric does nothing to keep our schools and our cities safe and secure, only further divides and inflames tensions across the country.

Anyway, here with reaction, former speaker of the House, FOX News contributor Newt Gingrich.

I'll let you respond to that and then more broadly I got a question about November which is a little more serious.

NEWT GINGRICH, FOX NEWS CONTRIBUTOR: Well, I mean, the answer there is that it's a lie. It's typical of the left. They lie constantly.

And what she said is a lie. African Americans, in fact, have been buying guns in considerable numbers and if you look at places that are really, really dangerous, like Chicago, like San Francisco, like Philadelphia, the great threat is after is to African Americans, not from whites, not from white nationalists, but frankly from fellow African Americans.

And I think it's fairly reasonable to suggest that a lot of African Americans are buying guns to protect themselves because the police have been so weakened by left-wing cuckoos that in fact they don't have the kind of protection that 20 or 30 years ago would have kept those cities safe.

HANNITY: All right. So, it's June 8th. Election Day in November will be here in a blink of an eye. The Democrats -- they obviously can't run on a 40-year high of inflation. They can't run on five dollar a gallon gasoline. They can't run on open borders, and the disaster down south.

They can't say they're for law and order. They don't want parental input in education. So, what, they run on abortion, guns, January 6th, and let's see Republicans are racist and sexist, which they always say? What do they run?

GINGRICH: I think, first of all, look, I think that the politics of what happens in your own life absolutely overwhelms the politics of Washington baloney. So whatever the Democrats are doing right now, they can't fix gasoline prices. As you know, my wife Callista paid \$104.50 to fill her tank on Saturday. It was a shock to her. What's happening all over the country?

So they can't fix gasoline. They can't fix diesel fuel, and that's driving up the cost of everything delivered by truck. They can't fix the cost of food. They can't fix crime in the big cities. They can't fix the border.

I mean, take every single thing and if we start having electricity blackouts this summer which is very likely in places like California because it turns out electric cars require electricity, and suddenly, we've not been investing in an electric grid strong enough to sustain it.

(CROSSTALK)

HANNITY: You mean they didn't think about that part? And you may need petroleum products to build a lot of the parts and the electric cars. What a discovery you've made.

GINGRICH: Well, look, I think you cannot overstate how out of touch with reality the left is, how much they don't understand what really goes on in the world and how truly the -- you know, big government socialism just doesn't work. I mean, it's not a question of ideology, it just doesn't work, because I always tell people, you can put an egg in a freezer and you can get a hard egg, but it's not boiled.

And this is where the left is. Every single one of their policies is based on things that don't work. Now, what's that going to mean. It's going to mean that by November, Americans are going to be so sick of the -- of the Democrats and so sick of their inability to deliver anything, that you're likely to see the largest Republican victory since 1920, that's a 102 years ago.

And I think it's very likely to happen. Go ahead.

HANNITY: But, look, you're talking about the House and the Senate. I think the House is easily winnable.

GINGRICH: Of course.

HANNITY: We got -- look at the states for the Senate. You got Florida, you got Georgia, you got North and South Carolina. You got New Hampshire. You got Ohio. You've got Wisconsin. You got Missouri, Arizona, Nevada.

I mean those are all bellwether states, aren't they?

GINGRICH: Right, and the Washington state, we have a great candidate for the U.S. Senate in Washington state.

HANNITY: That's true.

GINGRICH: I think that that almost -- you know, I think almost certainly, Adam Laxalt is going to win in Nevada. I think that you're going to see us pick up state after state because what happens you saw last year in New Jersey, you had a guy win, beat the Senate president, Ed Dunn Jr. won the race, he only spent \$2,300, most of it at Dunkin Donuts, on his volunteers.

But people walked -- what happened was people walked in and said, not him about the state Senate president and when they said not him, they voted for Ed Dunn Jr.

By the way, the state Senate president four years ago won the most expensive legislative race in the country, \$17 million. He got beat this last year for 2,300 bucks. And now you're going to see that happen all across the country and you could have -- I just saw a report today from one of the analysts that you could have an all-Republican congressional delegation from Iowa when this year is over.

Every place you look, the guys who really study this and the men and women who study this are saying the trend line is towards the Republicans and I think they're right.

HANNITY: Every time they -- every American goes to a store, they're reminded. Every time they fill up their tank, they're reminded. I think you're on to something and you're probably going to be proven right. Mr. Speaker, thank you.

More HANNITY right after this.

(COMMERCIAL BREAK)

HANNITY: All right. Unfortunately, that's all the time we have left this evening. Thank you for being with us. Thank you for making the show possible. We hope you'll set your DVR so you never miss an episode of HANNITY.

And don't forget for news anytime, anyplace, anywhere, foxnews.com, hannity.com.

But I have some good news. In the meantime, let not your hearts be troubled, the news continues. "THE INGRAHAM ANGLE", Laura Ingraham is up next. Have a great night.

END

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## NewsRoom

## NewsRoom

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### Democrats Resist Election Safeguards Being Put Into Place In Swing States; Chesa Boudin Ousted In San Francisco Recall; Democrats Lawmakers Have ...

Democrats Resist Election Safeguards Being Put Into Place In Swing States; Chesa Boudin Ousted In San Francisco Recall; Democrats Lawmakers Have Encouraged Violence For Months; Protesters Still Outside Kavanaugh's House; Democratic Party Has Created America's Crime Wave; Interview With Sen. Josh Hawley (R-MO); Biden's DHS Planned For A Partnership With Twitter To Suppress Disfavored Content

JESSE WATTERS, FOX NEWS CHANNEL HOST: Gas prices higher than Hunter Biden. That's a good one.

We're going to get to a window, but it involves writing a will. All right, we'll have an update for you tomorrow.

Tucker is up next, and always remember, I'm Watters, Kat, you want to do it with me?

KATHERINE TIMPF, FOX NEWS CHANNEL CONTRIBUTOR: Oh, it is like this, right?

WATTERS: And this is my world.

TUCKER CARLSON, FOX NEWS CHANNEL HOST: Good evening, and welcome to TUCKER CARLSON TONIGHT.

A year and a half after January 6, the date much of the news right now, it's interesting that even the most basic questions about what actually happened that day remain mysteriously unanswered. First and most obviously, if you've seen the tape, why did law enforcement open the doors of the building and let protesters walk right into the Capitol? That's bizarre behavior, no matter what they say.

So why did it happen?

And then once it did happen, why did authorities lie to the country for months and tell us that Officer Brian Sicknick had been murdered by the mob when in fact the medical examiner determined that he died of a stroke hours later?

Just tonight on CBS News, we were informed, just a moment ago, as Norah O'Donnell stared on like it was true, that five police officers were murdered by the mob on January 6. Really?

We know of one killing on January 6 and that killing was committed by Officer Michael Byrd, a Capitol Hill police officer with a confirmed record of highly reckless behavior with firearms, and yet, for some reason, he was allowed to shoot an unarmed, non-threatening woman in the neck. Why was he allowed to do that? What was the justification? No one's ever told us. Why is that?

And by the way, just how many FBI agents and DOJ informants were active in the crowd on January 6, and what exactly were they doing there?

Why can't we know the answer to that question? Seriously?

Why did Kamala Harris lie about where she was on January 6 and why there's still no leads on those two attempted pipe bombings on Capitol Hill? Remember those? There are massive amounts of physical evidence, but the FBI apparently has gotten nowhere. How come?

And so on.

So, there is still, once again, a remarkable amount that we don't know about what happened that day, despite the fact they tell us it was the largest FBI investigation in American history. That's very strange. We'll address it all in some detail on tomorrow's show.

But tonight, we want to get to the most basic question of all that you never hear asked and it's this: Why did so many Trump voters show up at the Capitol in the first place? Somehow no one's ever really explained that.

For a year and a half, Democrats have searched for a smoking gun that would prove some sort of pre-planned conspiracy to storm the Capitol. They haven't found that because there wasn't a preplanned conspiracy.

So instead, they've told us that the crowd converged on the Capitol that day because their orange cult leader commanded them to. Now, Trump did encourage a protest that day. That is true. But it's not a real explanation for what happened next.

The people you saw outside the Capitol on January 6 were not brainwashed robots, mindlessly following their leader. Whatever you think of them, they weren't Sociology students from Wesleyan telling you the straight face there are 400 genders because their professors told them so. No, they were just the opposite.

These were mostly sober, middle-class people, older for the most part, small business owners from smallish towns, far from the fashionable coasts. They were mostly passionately patriotic Americans, the kind who believe in the Bill of Rights and know what it says.

These are people who genuinely love America, far more than, say, Chuck Schumer loves America. So why were they there? Why did they go to the Capitol?

Well, because, again, unlike Chuck Schumer, they actually believed in democracy and they believed their democracy had been taken from them. They were convinced that the presidential election was unfair, which it certainly was. Some of them believed the election had been rigged. We will let others debate whether that's true, but the fact is many that day believed it was true, and that itself is a huge problem for all of us going forward.

The fact that large numbers of Americans believe democracy isn't real may itself be the biggest threat to our democracy because in order for our system to work, the population has to believe that it works.

In other words, that our elections are fair and transparent and therefore legitimate.

You can't just censor or arrest people for thinking the system is rigged. You have to show them the system isn't rigged. That is your baseline obligation if you lead the country and yet the Biden administration, amazingly, is doing just the opposite.

After screaming at the rest of us for questioning elections ("That's immoral," they said), Joe Biden himself has begun to do just that. Here's Biden in January.

(BEGIN VIDEO CLIP)

REPORTER: Speaking of voting rights legislation, if this isn't passed, do you still believe the upcoming election will be fairly conducted and its results will be legitimate?

JOE BIDEN (D), PRESIDENT OF THE UNITED STATES: Well, it all depends on whether or not we're able to make the case to the American people that some of this is being set up to try to alter the outcome of the election.

REPORTER: You were asked whether or not you believed that we would have free and fair elections in 2022 if some of these state legislatures reformed their voting protocols. You said that it depends. Do you think that they would in any way be illegitimate?

BIDEN: Oh, yes, I think it would be easy to be illegitimate.

(END VIDEO CLIP)

CARLSON: Huh? So, 2020 was the most secure election in American history. They tell us that endlessly, and you're a nut, probably a criminal, if you say otherwise and they say that because Biden won. He got -- what do they say -- 81 million votes. But things are different now because the Democratic Party understands it will be severely punished. It will be spanked at the polls five months from now.

So, because they know what the outcome is going to be, Joe Biden is now telling us that that election could quote, "easily be illegitimate."

Illegitimate? How would it be illegitimate? Well, if states required voter IDs at the polls to stop voter fraud, that would be racism. It would be the new Jim Crow. Remember that?

Then when primary elections in Georgia, the state most debated actually took place, those supposedly racist voting laws led to what? A 200 percent increase in early voter turnout.

Well, how'd that happen? Well, no one in the Democratic Party explained or even acknowledged that it did happen. Instead, they got back to work thinking of new ways to destroy the public's confidence in this upcoming election, the one they're almost certain to lose.

In the State of Michigan, a political activist called Jocelyn Benson, now the Secretary of State, a former employee of the Southern Poverty Law Center by the way, just accused other Secretaries of State of trying to rig the election by spreading quote, "disinformation." Watch.

(BEGIN VIDEO CLIP)

JOCELYN BENSON, MICHIGAN SECRETARY OF STATE: The very threat of potential secretaries of state using these increasingly high-profile positions as a bully pulpit to spread misinformation and lies, thereby causing citizens to disengage and lose faith in their democracy is one of the most dangerous and pernicious ways in which this office can be misused.

We facilitated a meeting with law enforcement officials throughout the state, the Attorney General's office and local election officials in our state to build connectivity so that we can preemptively prepare for anything and it's a big job of what we have to do in this moment.

And if you don't have a Secretary of State leading in that way, you can instead open the door for all their pernicious attempts to undermine our democracy.

(END VIDEO CLIP)

CARLSON: Okay. So, first of all, people who don't blink enough ought to make you nervous. People who recite pre-masticated chunks of language handed to them by the DNC ought to be dismissed because they're not thinking for themselves. They're repeating propaganda.

But Secretaries of State who do that, should be feared because Secretaries of State are responsible for certifying elections. So, if you were a Secretary of State who wanted to restore the public's trust in election results, you'd probably do your best not to sound like a low IQ MSNBC weekend host on MSNBC. Instead, you would try to come off as competent and sane.

But Jocelyn Benson is deliberately doing the opposite. Why is she doing that? Why is she trying to shake your faith in the coming elections? You've got to wonder and of course, Jocelyn Benson's concerns about election integrity are strangely selective or maybe not so strange.

She never mentioned, for example, a major and supposedly unintentional screw-up by the Census Bureau that just took place, you probably haven't read about. The Census just acknowledged they dramatically miscounted the population of 14 states and you may not be surprised to learn that most of the over-counted states were controlled by Democrats while the undercounted states were heavily Republican.

Why does this matter? Because the Census determines congressional apportionment. So, the mistakes the Census just made could give Democrats control of the Congress. Therefore, Democrats aren't bothered by it. That's not a crisis.

Democrats also aren't very interested in making sure that votes are counted quickly. Counting votes quickly, like delivering justice quickly and certainly, may be the single fastest way and most important way to restore the public's faith in the institution, in this case, in elections.

So Pennsylvania just held a primary election, and it took weeks to get the answer. France just held a national election and announced the winner within a few hours using paper ballots, again the same day, and in Pennsylvania, a primary took weeks to decide.

So, what's the difference? Well, in France, there is virtually no voting by mail. There is no early or absentee voting either. Ballots are hand-counted.

Our system is obviously much slower and critically, far more susceptible to voter fraud. Why? Because Democrats like it that way. They want you to distrust this fall's election results and that's why they're going on television to warn you that White supremacists, a term they never define because its power lies in its ambiguity, but somehow White supremacists are going to hunt down election officials and quote, "attack the election." Watch this.

(BEGIN VIDEO CLIP)

REP. STEVE COHEN (D-TN): We all should be concerned about the midterms being harmed and all public officials should be concerned about their own safety, I fear.

Jonathan Martin, our friend who wrote that "This Shall Not Pass," makes it clear in his book that this is something that is a continuing part of American government, American politics, that the Big Lie continues, the fealty to Trump continues and the encouragement to the White supremacists and the terrorists to be involved continues.

(END VIDEO CLIP)

CARLSON: White supremacists and the terrorists -- terms they never define. The most powerful words in the English language, by the way, words they use to suppress the vote and terrify you, but Steve Cohen is telling you it's the White supremacist you have to worry about and by that, he means anyone who disagrees with him in any way.

What you don't have to worry about is BLM, the Democratic militia who torched Courthouses or shot people in the street, or the people who show up at the homes of **Supreme Court** justices with guns. None of that is a threat to democracy because all of that in the end helps the Democratic Party.

Very few people say any of this out loud. One of the very few who's been brave enough to do that is, of all things, an NFL defensive coordinator called Jack Del Rio. He was attacked relentlessly for pointing this out. Here's what he said in response.

(BEGIN VIDEO CLIP)

JACK DEL RIO, NFL DEFENSIVE COORDINATOR: I think we all, as Americans, have the right to express ourselves, especially if you're being respectful. I'm being respectful. I just asked a simple question, really. Let's get right down to it. What did I ask? A simple question.

Why are we not looking into those things? If we're going to talk about it, why are we not looking into those things? Because it's kind of hard for me to say. I can realistically look at it. I see the images on TV. People's livelihoods are being destroyed. Businesses are being burned down, no problem.

And then we have a dust-up at the Capitol. Nothing burned down, and we're not going to talk about, and we're going to make that a major deal. I just think it's got two standards and if we apply the same standard, and we're going to be reasonable with each other, let's have a discussion. That's all it was.

(END VIDEO CLIP)

CARLSON: Yes. Exactly.

But ultimately, what matters long term for all of us is that people believe our system is real, that democracy is not a charade, the outcome is not predetermined, that everything in this country is not controlled by a small group of people, billionaires, and the people who work for them in Washington, that everybody has a voice, that we're all equal and that all citizens have an equal chance to choose their leaders.

That's the core promise of democracy, and people no longer believe it. So, the question is: Can we now, with the current rules in place, have faith in November's elections? That really matters, not just because the outcome in November matters, but because the system itself matters more than anything.

Harmeet Dhillon is the Chairwoman of the Republican National Lawyers Association. She's looked very closely at this question and she joins us tonight.

Harmeet, thanks so much for coming on.

So it's pretty clear. Democrats want to all of a sudden undermine the public's faith in elections. It's pretty low, it is partisan. But the deeper question is, can we actually trust the outcome of these elections with the system that we have in place? It was changed a lot under COVID. Where are we now?

HARMEET DHILLON, CHAIRWOMAN, REPUBLICAN NATIONAL LAWYERS ASSOCIATION: Well, thanks for having me, Tucker. And the answer is we are definitely moving in a much better direction and we just had primary elections throughout the United States, we have a few more to come. And what we've seen is that, in fact, Americans are coming out to vote. And in Georgia, for example, after they passed, the second of the major election reforms Iowa did one as well, they had record turnout, as you mentioned.

And so despite all the fear mongering and Stacey Abrams claiming that this was some kind of a racist plot to undermine Black people from voting, in fact, the opposite was true.

And so throughout the country, we've seen legislatures, including some bipartisan in Virginia, coming together to pass reforms, to increase public confidence in our elections. And it's important, not just that the elections be safe and secure, like you said, but that people believe them to be, and yet Democrats, including the President are working very hard to gaslight the public and tell them that they should not trust the outcome of an election that hasn't even occurred, talk about evil and cynical.

So we are working with legislators to make sure that in fact, people do have confidence in the outcome, whatever it is, and that includes having transparency.

So some of the things that we saw in the 2020 election that can never happen again, would include billionaires like Mark Zuckerberg using their cash to affect the outcome of elections in swing states.

So, I'm pleased to say that today, numerous state legislatures have passed laws that that ban Zucker bucks or anything like it from influencing our elections in the future.

Democratic governors including the governors of Pennsylvania, Michigan, Wisconsin, and North Carolina have vetoed those measures to increase security and confidence in our elections. So you have to wonder what they're really looking for there.

Some of the other reforms that we have seen have been either elimination of drop boxes or heavy regulation of them. And so when you look at all of that, we are definitely moving in a much better direction, voter ID, other things that really increase the confidence of citizens and we have to keep going at it, Tucker. And so I feel confident myself about our vote in November of this year.

CARLSON: Good. That's reassuring to hear it. I mean, the fact that a tech oligarch, a partisan Democrat was able to control the mechanics of our elections in swing states is so shocking and wrong. I don't think we spend enough time considering that.

Anyway, I'm glad to hear it is not going to happen again.

Harmeet Dhillon, thank you so much.

DHILLON: Thanks, Tucker.

CARLSON: So if you are looking for reassurance that democracy can work, look to San Francisco.

Last night, 60 percent of the city's voters decided to oust Chesa Boudin that is the District Attorney who refused to enforce the law in San Francisco and turned our prettiest city into a pretty hellish place.

For example, Boudin is one of the reasons that people feel free to defecate on the street.

(BEGIN VIDEO CLIP)

QUESTION: Does that mean that as a District Attorney, you can't do anything about human feces on the street?

CHESA BOUDIN, OUTGOING SAN FRANCISCO DISTRICT ATTORNEY: Sorry to say, the best I can do about it is to use whatever platform I have here in front of all of you on Twitter to demand more public toilets. I think public toilets are a great solution to that problem.

I'll tell you what is not a good solution is having police who could be investigating unsolved rapes and murders get distracted with paperwork, to give citations to people who don't have anywhere to use the toilet in private.

(END VIDEO CLIP)

CARLSON: Oh, so there are human feces on the sidewalk, but it's your fault for not building more public toilets. How about no crapping on the sidewalk. How does that sound? And that is the message actually, that San Francisco voters sent yesterday. And the reason they were able to trace this back to a man called David Sachs. He is one of the people who funded this recall election. He's the cofounder of Craft Ventures, where he is a partner. He's also the former CEO of PayPal, and we're happy to have him join us tonight to celebrate the triumph of democracy in his city, San Francisco.

Congratulations. Were you surprised by the margins here? They seemed huge given the city.

DAVID SACKS, CRAFT VENTURES COFOUNDER AND PARTNER: Yes, thank you, Tucker. It's great to be here. Yes, you know, Boudin tried to portray this recall as a Republican recall, he called it Trumpist. But you know, only seven percent of San Francisco voters are registered Republicans. It's a 90 percent Democratic city and 60 percent majority shows you that mainstream Democrats and moderates throughout the city rejected this sort of radical progressive agenda.

And so, I think what you're seeing now is some boundary lines are being drawn inside the Democratic Party where average Democratic voters are starting to push back against the activists and the woke billionaires, the donor class, and the unions and the special interests who are trying to push an agenda that's out of step, even with the liberal citizens of San Francisco.

CARLSON: Well, exactly. And the idea that this is some sort of Trumpist effort, you merely, whatever your politics are stepped in and gave voters the opportunity to weigh in. Because it is an emergency what's happening in your city, I think it's fair to say, so you just allowed democracy to take place. How could anyone complain about that?

SACKS: Right. And you know, it wasn't just me, there are many other organizations and individuals who contributed who, you know, are registered Democrats. And so it was very much a broad-based effort of people in San Francisco rejecting this sort of radical decarcerationist agenda, where Chesa Boudin had this idea that he could make San Francisco safer by emptying out the jails and releasing or decreasing the prison population as much as possible. They call it decarcerationism.

Obviously, it backfired massively and we are all living with the results of that now in San Francisco and you know, just San Franciscans from all walks of life basically rejected that agenda.

But you know, like I said, the sort of activist wing of the Democratic Party is still deeply invested in it, and it's going to take a lot more than one election to get them to reject it. And so, you know, this sort of playbook here is going to have to be replicated across the country.



CARLSON: Really. So you honestly don't -- and you follow this closely. If they lose in San Francisco, that's not a clear enough message for them?

SACKS: Well, you know, I think you've got the sort of de-carceral prosecutors who've been elected in LA and Chicago, New York City, Austin, Philadelphia. You know, they're backed by very deep pocketed sort of woke billionaires, Soros, Reed Hastings, and so forth. They're not going to change their minds just based on one election.

So they may change their messaging, but I don't think they're going to change their minds. It's going to take, you know effort in many of these cities to try and see to try and make a change.

CARLSON: Yes, it's going to take democracy. Amen. David Sacks, congratulations. You really have helped make that city better and we appreciate it. Thank you.

SACKS: Thanks, Tucker.

CARLSON: So "The New York Times" almost didn't even know this, somehow, but a crazed partisan tried to murder Supreme Court Justice Brett Kavanaugh today. He knew where Kavanaugh live because Democrats including top Democratic officeholders, including Chuck Schumer, have encouraged protests outside Brett Kavanaugh's home. We are on that, next.

Plus, we're learning new details about Joe Biden's Ministry of Truth. Senator Josh Hawley just got leaked memos from the Disinformation Board. He joins us straight ahead to share them exclusively with us.

We'll be right back

(COMMERCIAL BREAK)

CARLSON: Just after midnight this morning, a man called Nicholas Roske was arrested outside the home of Supreme Court Justice Brett Kavanaugh, his home. Roske took a cab to Kavanaugh's home where he lives with his children, then ran away when he saw U.S. Marshals. When arrested, Roske said he planned to murder Brett Kavanaugh. Authorities found, he was carrying a Glock pistol and zip ties.

It was only a matter of time before something like this happened. For months, thugs have gathered outside Brett Kavanaugh's home. That is a crime, but the DOJ has completely ignored it. They'd been busy arresting Trump officials for non-crimes. And in fact, Democratic Party lawmakers have encouraged the thugs to show up at Brett Kavanaugh's house. Watch.

(BEGIN VIDEO CLIP)

HILLARY VAUGHN, FOX BUSINESS NETWORK CORRESPONDENT: Bottom line, you don't condemn it. You think that these protesters should continue to be outside Supreme Court Justices' homes and interrupt church.

REP. RASHIDA TLAIB (D-MI): I get interrupted and protested all the time. I welcome it in many ways, as long as it's not, you know, violent rhetoric, talking about you know, physical harm and all those kind of things. I think it's just really important to understand that that happens. We're in public service.

SEN. ELIZABETH WARREN (D-MA): This Supreme Court said back then, protesters should be able to get right in people's faces. Now. They are erecting barriers to try to keep protesters as far away from themselves as possible.

I think that's fundamentally wrong.

VAUGHN: But do you think that these protesters should be prosecuted for breaking Federal law?

REP. ILHAN OMAR (D-MN): What is the Federal law, I'm sorry?

VAUGHN: It is U.S. Code **1507**. It prevents picketing or parading in or near a building housing a Court of the United States or in or near a building or residence occupied or used by such Judge. Do you think they should be prosecuted for breaking federal law?

OMAR: The Supreme Court itself has heard this argument. And they have themselves said it is protected by the First Amendment.

(END VIDEO CLIP)

CARLSON: Kind of weird. They're defending all this on the eve of the January 6 protest hearings, and just to be completely clear, this is not simply a question of whether you're allowed to protest, which of course you are, peacefully, we would support that right and have supported that right consistently.

This is a question of whether you're trying to intimidate Judges into changing their decision, so the leak that we got for the Supreme Court was not the decision. It was an opinion. They have yet to render the decision. So the point of showing up at Brett Kavanaugh's house and the house of other Conservative Justices is to intimidate them into changing their votes. That is a crime. It should be a crime.

And yet, Democrats are betting it, encouraging it, as far back as March 2020. The Democratic Leader in the Senate, Chuck Schumer of Wall Street, threatened conservative Justices if they ruled the wrong way on his sacred right of abortion. Watch this.

(BEGIN VIDEO CLIP)

SEN. CHUCK SCHUMER (D-NY): I want to tell you Gorsuch, I want to tell you Kavanaugh, you have released the whirlwind and you will pay the price.

[CHEERING AND APPLAUSE]

SCHUMER: You won't know what hit you if you go forward with these awful decisions.

(END VIDEO CLIP)

CARLSON: So don't touch partial birth abortion or the carried interest tax loophole. That's Chuck Schumer's whole political career in a sentence.

Miranda Devine is a columnist in "The New York Post." She has been watching all of this and she joins us to assess what we're seeing.

Miranda, thanks so much for coming on. What do you make of this?

MIRANDA DEVINE, FOX NEWS CHANNEL CONTRIBUTOR: Hi, Tucker. Well, it is absolutely perfectly ironic to be happening on the eve of this January 6 Committee nonsense theater, because, you know, this was Chuck Schumer, this was the Democrats encouraging protesters to break the law, to break federal law and parade and picket in front of Judges' houses.

Now, those are exactly the same charges that the DOJ has locked up hundreds of Trump supporters for. They've accused them of sedition.

Well, when is Chuck Schumer going to be charged with sedition? None of those Trump supporters at the Capitol on January 6 committed sedition. They paraded and picketed just like those protesters did outside Judge Kavanaugh's home and the other **Supreme Court** Justices with the full approval of Merrick Garland and the President.

The President and his Press Secretary were repeatedly asked during May when the protesters were out there harassing and intimidating **Supreme Court** Justices. They were repeatedly asked if they would condemn it and they repeatedly did not.

There was not a word of condemnation from the President or his pulpit people against those protesters. And it is against the law, it is the very same law that they've locked up Trump supporters for. And, you know, all you can take from this is, again, this dual system of justice that works for the Democratic Party. They wanted those Justices to be intimidated because they didn't want them to do anything about Roe versus Wade.

CARLSON: Equal application of the law really has to be the redline for all of us. I agree with that completely.

Miranda Devine, thank you so much.

DEVINE: Thanks, Tucker.

CARLSON: So we're about to see a huge change in who leads the country. It's going to begin this fall, and it may extend into 2024. So you start asking questions that you wouldn't have otherwise asked, like, will Kid Rock run for something?

We asked him that in our newly released documentary, which is out this week. Here's how it went.

(BEGIN VIDEO CLIP)

CARLSON: He is 51 now. He lives on his own ranch. He doesn't have to go anywhere. But he does. And he puts everything into it.

But it makes you wonder how much longer is he going to do this?

You're very much a product in Michigan. You and Uncle Ted, Eminem, Seger, I mean, it's produced a lot of pretty famous artists currently run by a character called Gretchen Whitmer.

(KID ROCK blows raspberry.)

CARLSON: Right. I mean, would you ever run against her? Like take over Michigan and bring it back to what it was?

KID ROCK, SINGER/SONGWRITER: I'd run behind her, try to trip her up.

CARLSON: Would you?

KID ROCK: Oh, it's so mean. No, I like my day job.

CARLSON: Yes. So you're not running for office?

KID ROCK: No. No, no. I mean, if one day I ever thought if I was bored sitting around, I really thought you know, I could serve my country to help them out and stir things up a little bit and do what's right. I'd have to take a hard look at it, but you know, no.

CARLSON: Where do you see yourself in 10 years?

KID ROCK: Ten years, I see myself on the front porch, a glass of whiskey, cigar, the rocking chair. My grandkids are going to come over and walk up say, "Grandpa, what are you doing?" I'm going to say, "Still rocking."

(END VIDEO CLIP)

CARLSON: That was a friggin line. Honestly, there are a lot like that in that documentary. It is just out on FOX Nation. We recommend it. You get a free trial on tuckercarlson.com.

So in cities across the country, murder and violent crime is soaring. We've got the numbers. We also have the videos of what's happening. It is being encouraged by prosecutors backed by George Soros and the Democratic Party. It is beyond belief. That's straight ahead.

(COMMERCIAL BREAK)

CARLSON: In a small but important triumph of democracy, Chesa Boudin was bounced out of his job last night in a referendum, but there are more District Attorneys like him across the country all backed by Soros, of course. One of them is called Jason Williams. He's the DA in New Orleans. Under Williams, the homicides in the city were up 80 percent last year. So far this year, they are up 46 percent. Here's a local news report.

(BEGIN VIDEO CLIP)

WVUE REPORTER: From 4:00 PM Friday to 4:00 AM Sunday, 12 people were shot in seven different incidents resulting in three people being killed. Suspects pulled up in a truck, got out, and began firing at a group of people hitting three of them. One victim, a 22-year-old male was pronounced dead at the hospital.

Less than a mile away, around 3:00 AM, police say a 16-year-old boy got into an altercation with someone in the French Quarter and was shot.

WVUE REPORTER: Video shows mayhem in one New Orleans neighborhood, dozens of shots sent people running.

UNIDENTIFIED MALE: My wife and I hear assault rifle fire that seemingly was not going to end.

WVUE REPORTER: One neighbor tells FOX 8, she thinks more than 70 rounds were fired.

(END VIDEO CLIP)

CARLSON: French Quarter used to be wild, always has been, but you could go there, can't now, too dangerous.

How out of control is New Orleans? Well at the time when they are telling you that they need to take your deer rifle away because some lunatic shot up a school, this is what it looks like, dozens of people in downtown New Orleans right in the Convention Center filmed themselves waving hand guns and rifles on the street. Watch this.

[VIDEO CLIP PLAYS]

CARLSON: Just parked right in the middle of the street next to Convention Center in the middle of the day. So what are the New Orleans Police doing about this? Well, we checked their Facebook page. We didn't see anything at all. No arrests have been made. They don't care.

What have they been doing? Well, New Orleans Police Department officers were busy attending something called a Drag Brunch. We reached out to the NOPD. They said drag brunches are quote "essential to their mission." It wouldn't tell us if officers run drag queen duty during the incident you just saw on the video.

Meanwhile, Democratic Party leaders have not said a word about the collapse of New Orleans. They're just glad the statues were taken down, and so they're telling you the biggest threat this country faces is something called White supremacy.

(BEGIN VIDEO CLIP)

SEN. PATRICK LEAHY (D-VT): And each week to bring new tragic incidents, increasing number committed by individuals who hold White supremacist ideologies.

SEN. CHRIS COONS (D-DE): Congress and law enforcement can strike a balance that preserves treasured civil liberties while protecting against a rising tide of White supremacists.

SEN. DICK DURBIN (D-IL): In the bill that I brought to the floor, it was required that White supremacist terrorism be restored as one of those categories that was eliminated under President Trump.

SEN. AMY KLOBUCHAR (D-MN): White supremacist violence is a nationwide problem.

(END VIDEO CLIP)

CARLSON: So what exactly is White supremacy? It's the most powerful phrase in the English language. You can lose your job, you can be arrested for it. So what is it? Well, they keep it ambiguous, just so you'll be terrified into obeying them because you don't want to be accused of it. They never define it.

It turns out that even if you accept the ADL's definition of White supremacist violence, the ADL is just a paid arm of the Democratic Party, but even if you believe their definition, there were all last year, a total of 13 deaths in the United States due to White supremacy. That's their accounting.

By comparison, there were 22,900 murders overall. What lessons can we draw from this?

Victor Davis Hanson is historian, a senior fellow at the Hoover Institution and one of our favorite guests. Professor, thanks so much for coming on. What conclusions do you draw from the spectacle?

VICTOR DAVIS HANSON, SENIOR FELLOW, HOOVER INSTITUTION: Well, I think that usually in normal times, Tucker, that we don't do insane things like let people out with no bail or do not prosecute people who are arrested or let felons out of prison. But these are confined to the campus. Critical race theory, critical legal theory, critical penal theory, but I don't know whether it was COVID, or the lockdown or George Floyd or the 120 days of rioting in the summer of 2020, or the strange 102 mail-in ballots, or the Biden left-wing agenda.

But these academic theories got mainstream into actual policies of defunding the police and letting criminals out of jail and accepted and we lost deterrence. So the criminal today say, in a cost benefit analysis, it's in my interest to commit a crime, because I'm not going to pay the price for it. And then we can't deal with that reality.

But if you're talking about White supremacy, we would like to go to certain data areas to confirm that. So, when we look at rare interracial crimes, which are pretty rare, African-Americans by a great number disproportionately commit them against Whites versus Whites versus Blacks that wouldn't be possible under a White supremacist nation.

Or if you look at murders and violent assaults, African-Americans in cases of murders are between 50 and 60 percent, even though they only make up 12 percent of the population and Whites are underrepresented.

If you look at hate crimes, African-Americans are over represented and Whites are underrepresented. I'm not trying to justify any of this. I'm just giving you the data. But that data is toxic to these theories. So people try to suppress it or they massage it or they contextualize it.

But we're never going to get to helping the people who really need the help in the inner city, the innocents, if we don't stop this crime wave and a lot of it has to do with African-American males who feel one way or another, there is no deterrent left.

And as far as the White supremacy we recall, remember, Lloyd Austin and Mark Milley gave us lecture after lecture about it. But one thing they didn't do, they never gave us any data. They didn't say, here's the Pentagon's data. Here is the enlisted ranks. We have an epidemic where white soldiers are committing interracial hostile acts -- acts of hostility at a greater number than Hispanics or Latinos vis-a-vis other race. They never told us that.

But since they wanted to dwell on race, race, race and proportional representation, which I think is very dangerous in a multiracial society, maybe Whites are more violent in the sense that they're more likely to be in combat units, but double their numbers of the general population and white males died at twice their numbers in Afghanistan and Iraq. Nobody ever talks about that.

If that's what they mean by they took a gun and they went after the enemy, and that makes them dangerous. I don't know if that's what they intended.

But finally, Tucker, they don't -- the left doesn't have an agenda in November. So we're going to hear Roe versus Wade, we're going to hear the Electoral College is racist, filibusters. We're going to hear White supremacy, White supremacy. And we're never going to hear, here is what we can do for energy, here is what we can do for deterrence of foreign policy. Here's what we can do for inflation, none of that.

So this is what it's all about.

CARLSON: It's pretty simple. If you improve people's lives, no matter what color they are, they'll vote for you. And if you don't, they won't. I don't know why they haven't figured that out.

HANSON: They won't.

CARLSON: They haven't. Victor Davis Hanson. Great to see you tonight.

HANSON: They don't want to go back to a tribal racial society. We want to be content of our character, not the color of our skin.

CARLSON: Amen. Thank you.

So it turns out that Biden administration's Disinformation Board was planning to partner with Twitter to monitor speech and suppress content to censor you, which is illegal.

Senator Josh Hawley just obtained documents and he has got them for us. Next.

(COMMERCIAL BREAK)

CARLSON: Calm down, conspiracy nut, Joe Biden told us recently. My Disinformation Board is going to focus on foreign sources of disinformation. It is not aimed at the domestic population.

Well, thank heaven for Senator Josh Hawley because he just got whistleblower documents showing that is, of course, a total lie. The memos Hawley obtained show the Board was created, in part to monitor domestic speech, conspiracy theories about the validity and security of elections and COVID vaccines. If you question the COVID vaccines, right, you need to be monitored.

The Board was also working on a partnership with Twitter to suppress unauthorized opinions of many stripes.

Josh Hawley is of course a senator from Missouri. He joins us tonight with these documents. Senator, thanks so much for coming in and for doing this. So, this was aimed -- tell me if I'm mischaracterizing this -- at our population?

SEN. JOSH HAWLEY (R-MO): Yes, that's exactly right. As it turns out, Tucker, the people that the Biden administration thinks are the real threat to America. It's not the drug cartels. It's not foreign threats. It's you, it's the American people.

If you have questions about COVID, if you have questions about COVID masks, if you have questions about the COVID vaccine, this administration wanted you to be monitored, this Disinformation Board was set up to go after you. That's what the documents say.

By the way, election integrity, same story. The documents specifically mentioned that they needed to be a Disinformation Board, because some people were having questions about election integrity. Some people had questions about January 6. Well, we couldn't have that, and this Board was set up to monitor that. That was what was in their sights.

And I'll tell you, Tucker, it just gives the lie to what they were saying in public.

CARLSON: So the Federal government partnering with private companies to censor Americans who criticize Pfizer is unconstitutional, isn't it?

HAWLEY: Yes. You would sure think so. I mean, this idea that the government is going to stand up an institution that's going to monitor American speech, that's going to treat Americans political speech, Tucker, core political speech, about political issues as something that needs to be monitored, that needs to be countered. This is going to be a state propaganda machine.

This board was supposed to push out counter-information to Americans who are raising questions. And yes, to partner with Big Tech. The whole idea here and the documents show this is that the government would get together with Big Tech and collect information on Americans who were raising these questions.

I mean, how dare you. That's the whole idea here is that the government and Big Tech, these companies would partner together in this massive censorship campaign. It is truly, truly chilling.

CARLSON: It's beyond belief. And thank you for proving what everyone suspected, beyond a shadow of a doubt.

Senator Josh Hawley of Missouri. Thank you.

HAWLEY: Thank you.

CARLSON: So the CIA is spying on you, maybe reading your texts. That's illegal. But don't worry, because they're celebrating Pride Month. We have the documents.

(COMMERCIAL BREAK)

CARLSON: So let's say you're a federal bureaucrat with a critical job that you have repeatedly proven unable to accomplish. Like let's say you were the military, but you have shown that you're unable to win protracted wars against poorly armed peasant insurgencies. But you don't want to answer questions about why you failed. What do you do? We celebrate Pride Month, obviously.

That's why the Marine Corps just posted a picture of a helmet with rainbow colored bullets attached to it. Now the CIA, which is spying on you and making Americans less safe than they would otherwise be if the CIA didn't exist, has posted this picture of a rainbow flag along with the word "Pride" and they added this note because it's reassuring" "CIA is a proud LGBTQ+ (a term of course, no one ever defines) ally. We're committed to maintaining a safe environment for all.

So that means at the very least, the next drone will have a rainbow on it. Sleep easy, America.

So before we go, we had a really interesting conversation with a porn star turned preacher called Josh Broome, and his description of what the industry he once worked in does to people, how it exploits them and kills them. It is really pretty bracing.

You can watch it on "Tucker Carlson Today." Here's part of it.

(BEGIN VIDEO CLIP)

JOSHUA BROOME, PREACHER: It is literally leading to deaths, like people are taking their life because of like part of the legislation is being passed like people are raping people and putting it on the internet, and there are no checks and balances to see where it came from or --

CARLSON: But some people are getting rich from it.

BROOME: Yes.

CARLSON: And it is totally cool.

BROOME: And Tucker the 30 people who are dead that were my friends that took their life because of the industry, those -- all of that content is still online being consumed at an astronomical rate.

(END VIDEO CLIP)

CARLSON: Now that was an interesting conversation. You can stream the entire thing tomorrow morning, "Tucker Carlson Today."

We will be back tomorrow night, our January 6 Special. We will see you then.

END

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**NewsRoom**

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June 8, 2022

### A Man Equipped With A Gun, Knife And Other Dangerous Paraphernalia Like Zip Ties Is Arrested Outside The Home Of **Supreme Court** Justice Brett Kava...

A Man Equipped With A Gun, Knife And Other Dangerous Paraphernalia Like Zip Ties Is Arrested Outside The Home Of Supreme Court Justice Brett Kavanaugh; The White House Didn't Do Anything To Calm Down The Rhetoric That Is Putting The Lives Of Justices In Danger; The Recall Of San Francisco D.A. Chesa Boudin Last Night Sends A Signal To The Left Of Their Soft On Crime Policy; The Biden Administration Gave Up On Looking For Solution To Cut Down Prices Of Gas And Other Commodities, While One Senator Suggested That Going Electric Would Be A Smart Choice; Dem Senator Brags About Her Expensive Electric Car; Cancel Culture Firestorm: Washington Post Suspends Reporter Who Retweeted Joke; Greg, Judge Bust A Move In The Greenroom

UNKNOWN: I feel like we were -- I feel like we were cornered with this, Neil.

NEIL CAVUTO, FOX NEWS ANCHOR: Yes, you were.

(CROSSTALK)

UNKNOWN: It's not fair. You work all the time.

CAVUTO: I was plotting this.

UNKNOWN: Go (Inaudible).

CAVUTO: But you know, you great guys. It could be the way. They brought us the Beatles, Monty Python. This could be next, the four-day work week. How do you feel about it? Let us know. Write at us. Screen at us. We're all ears.

JEANINE PIRRO, FOX NEWS HOST: Hello, everyone. I'm Judge Jeanine Pirro along with former Congresswoman Tulsi Gabbard, Jesse Watters, Dana Perino and Greg Gutfeld. It's 5 o'clock in New York City, and this is THE FIVE.

Radical rhetoric from the left leading to some chilling consequences. A madman armed to the teeth with a gun, knife and other dangerous items like zip ties arrested steps away from the home of Supreme Court Justice Brett Kavanaugh. Telling police, he said he wanted to murder the justice.

The man reportedly angry over recent mass shootings and the leaked drafted opinion overturning Roe versus Wade.

It comes after last month's left-wing protests at the homes of Supreme Court justices including Kavanaugh's house. The White House release as statement saying they have been, quote, "forceful" about condemning such behavior. Yes, right. Take a listen to how they previously lit the fuse.

(BEGIN VIDEO CLIP)

STEVE DOOCY, FOX NEWS HOST: And activist posted a map with the home addresses of the Supreme Court justices. Is that the kind of thing this president wants to help your side make their point?

JEN PSAKI, FORMER WHITE HOUSE PRESS SECRETARY: Look, I think the president's view is that there's a lot of passion, a lot of fear, a lot of sadness from many, many people across this country about what they saw in that leaked document. We obviously want people's privacy to be respected.

We have not seen violence or vandalism against Supreme Court justices. We know that there's an outrage right now, I guess, about protests that have been peaceful to date. And we certainly continue to encourage that outside of judge's homes and that's the president's position.

(END VIDEO CLIP)

PIRRO: And now -- excuse me, Chuck Schumer's reckless rhetoric is getting more attention after he directly threatened members of the Supreme Court by name on the court's own steps two years ago.

(BEGIN VIDEO CLIP)

SEN. CHUCK SCHUMER (D-NY), SENATE MAJORITY LEADER: I want to tell you, Gorsuch, I want to tell you, Kavanaugh, you have released the whirlwind and you will pay the price.

(CROWD CHEERING)

SCHUMER: You won't know what hit you if you go forward with these awful decisions.

(END VIDEO CLIP)

PIRRO: And the attorney general who acted like a coward and refused to prosecute any left-wing protesters for breaking the law now says threats against Supreme Court justices strike at the very heart of our democracy.

(BEGIN VIDEO CLIP)

MERRICK GARLAND, UNITED STATES ATTORNEY GENERAL: This kind of behavior is obviously is behavior that we will not tolerate. Threats of violence and actual violence against the justices of course strike at the heart of our democracy and we will do everything we can to prevent them and to hold the people who do them accountable.

(END VIDEO CLIP)

PIRRO: You know, I'm going to start with that last quote of the attorney general, Jesse. And I'm going to start with you. When he says that words like that are a threat to our democracy, it's almost as though he is sounding outraged at what happened. But the truth is when he had the opportunity to arrest and so many demanded under article 18 of the United States Code section 50 -- **1507**, he refused to do it. And this is what exactly what people were afraid of.

JESSE WATTERS, FOX NEWS CO-HOST: That's a great point. So, by the left's own standards, judge, Schumer should be impeached. We should have a commission like a January 6 commission. Because remember what they said about the president? Remember January 6 he said, go on and fight it and march. Didn't say anything but they said that was inciteful and that he should be brought up on criminal incitement charges.

So, from what Schumer said and from what Psaki didn't say by giving it license to show up at the homes by his inaction, the attorney general and this Ruth Sent Us group that is still tonight published the address of Kavanaugh online and maintains that they will be outside his door again after all of this.

So, there needs to be investigation, we need to connect the dots, we need to follow the money and we need to subpoena everybody and find out exactly what they really believe under oath.

This is the difference between what Schumer said and anything else. These guys have appointments for life on the court.

PIRRO: Right.

WATTERS: When he says you won't know what hit you and you will pay the price, what is that supposed to mean if you're going to be on the court for the rest of your life? They're not a politician. They're not a governor or a senator. You can't take them out of office. What does pay the price mean? What possibly could you do to a sitting U.S. justice? That leaves a lot of questions.

Also, what's up with the guns? They want to take our guns while people are showing up to people's residents with zip ties and firearms and knives and they want to defund the police? The police being posted outside his house. That was the only thing that deterred the guy.

He showed out outside with the taxi and saw that U.S. Marshalls armed and then ended up turning himself in. This is sad. And I think they need to deal it back. This whole country needs to take a deep breath and chill because it's going in a really dangerous direction. And I know the media is going to cover this up in both sides that you probably not going to hear about this in the next 24 hours but we should hear about it.

PIRRO: Well, what is outrageous about this, Tulsi, is that when Schumer said this, when he said you have released or unleash the whirlwind, and you will pay the price, it was in the context of abortion. It was directly to Schumer -- to Kavanaugh and to Gorsuch. I mean, if that isn't a direct line, I don't know what is.

FMR. REP. TULSI GABBARD (D-HI): It is extremely direct and it is a direct affront to the Constitution. You know, every member of Congress as you know very well, every member of the U.S. Senate takes that oath to support and defend the Constitution. We have three co-equal branches of government.

And so, for the legislative branch to so directly threaten and incite threats against the executive, the judicial branch, which is the independence is sacred, we need them to be in a position where they're not feeling like they're not pressured to rule in a certain way because of these threats, and you have a high-ranking Democrat who is directly threatening that.

I think the other thing with this, too, is you know, with all of this talk about guns, gun laws, gun restrictions, I think there's so much hypocrisy here where you have the very same people who are pushing for stricter gun laws --

(CROSSTALK)

PIRRO: Using guns.

GABBARD: -- are the same people pushing for more lenient treatment of gun- related crimes. And so, I'm interested to see what are they going to do with this guy? Are they really going to throw the book at him and treat what he has done with the seriousness it deserves, or are they going to kind of do the same thing that we're seeing in other parts of the country and let it go?

PIRRO: You know, I don't think they have any choice. This is the attempted murder, a planned assassination of a **Supreme Court** justice. But you know, Greg, I want to ask you that -- let's start with the fear factor. You have a planned assassination of a **Supreme Court** justice at his own home with guns and one gun several magazines, zip ties, a pistol light, duct tape, burglary tools.

This is his home where his children go to sleep. I mean, in this age of so- called rage as they call it, good people are going to be forced out of office and an entire family is at risk in some of these cases because the left has lost it.

GREG GUTFELD, FOX NEWS CO-HOST: You know, the guy, apparently the suspect claims he was looking for a life's purpose. Right? I think that's what he said. What better purpose is there than to kill Hitler? Right? So, I'm sorry. I meant Kavanaugh.

But you can see how you get confused, right? For four years, four years, maybe even longer, the right has been portrayed by the left as being a, a white supremacist, b, a Nazi, c, Hitler. It used to be you were wrong. Now you're evil. And now you're the utmost evil. We've been called everything.

The View just called the Republican Party in its entirety the home of white supremacists and insurrectionists and the party should be banned. I think that was Sunny Hostin.

PIRRO: It was.

GUTFELD: And so, so why wouldn't, you have to ask yourself, let's say you take these people at their word? And they think that you're a Nazi and you're a Hitler. Doesn't it make sense that they go after the evil people? Right?

If you're a moral person and you believe these people, then you should go after Hitler. And you should go after the Nazis. That's what is scary about this. I mean, we -- we have crazy people on our side. We disown them and we never defend them.

In fact, January 6, we were the first people out there saying that you riot, you go to jail. We also said that there were people there that were wandering around like they thought it was a museum. But the people that committed the crimes, we want them punished. We don't see party when it comes to law and order. Apparently, they do.

But this goes back to the rhetoric of demonization which is run by a Twitter-controlled model of journalism. A lot of these people that sail this stuff are craving online attention. They're like Pavlovian drooling dogs, writers, anchors, CNN, MSNBC. They keep trying to out evil each other. And so, what you have, this is the result.

I'm totally -- I don't like connecting language to actions like this. But it is obvious that when you keep saying that somebody is evil. Somebody is essentially Satan. You're going to have this. And that's what -- we've always talked about dialing it back. We always argue on this table. We don't sit there and just demonize people. This is the result.

PIRRO: Well, there's no question, Dana, that the rhetoric is basically a call to arms to unstable people. And it always will be.

DANA PERINO, FOX NEWS CO-HOST: Well, I think you can draw a direct line. And it's not hard from the things that they've been saying about Kavanaugh for several years till today.

GUTFELD: Yes.

PERINO: And there's a couple of things that should happen. First of all, this group, Ruth Sent Us, it's like the Westboro Baptist Church. Right?

PIRRO: Right.

PERINO: Except -- except for one thing. And Judge, you correct me if I'm wrong. It's illegal to protest at the home of a justice.

PIRRO: Yes, it is.

PERINO: OK. So, Ruth Sent Us is going to go to the house -- they were at his house today, they plan to be there tonight. If I was the attorney general of the United States, I'd say arrest them all. And Biden should say they absolutely should be prosecuted. You cannot do that. If they a stand tonight, and if they don't take a stand tonight, they are complicit.

WATTERS: Yes.

PERINO: The other thing is that the Speaker of the House, Nancy Pelosi, has been slow-walking this bill that passed the Senate unanimously to protect Supreme Court justices. Why is she doing that? Fast track it tonight. And if you don't, you're complicit.

The third thing is, that Vice President Harris should come out and try to calm people down. For years they've been saying that is Roe v. Wade is overturned, that the police patty wagons are going to show up and arrest every woman in site. Now they are saying that Roe v. Wade, if it's overturned it's going to kill women.

And now you have this person who said I will -- I will have a life's purpose by killing somebody that they think is so evil. What if Kavanaugh was not even going to -- what if he voted the other way? They don't know. They are so --

WATTERS: Stupid.

PERINO: Right. It's absolutely absurd. And I am -- I felt a little emotional about it. Because I've known Brett Kavanaugh for a long time. One of my dearest friends when I work in the White House. And his wife Ashley is lovely. He has two daughters.

PIRRO: Right.

PERINO: Do his daughters deserve this? Do they deserve to go to school and have to deal with the fact that somebody was going to sneak into their home and kill them?

PIRRO: Yes.

PERINO: If you don't do something about it tonight, you're complicit.

PIRRO: Yes. And by the whole family be in harm's way, they -- the government is not doing its part in protecting its citizens.

Coming up, a major warning to left wing soft on crime politicians everywhere after a radical prosecutor gets recalled.

(COMMERCIAL BREAK)

GABBARD: Voters in San Francisco last night sent a big message on public safety. Recalling progressive District Attorney Chesa Boudin after major public outcry that his approach on crime was too lenient on criminals. Now Boudin is blaming the right for his loss.

(BEGIN VIDEO CLIP)

CHESA BOUDIN, SAN FRANCISCO DISTRICT ATTORNEY: People are angry. They're frustrated. I want to be very clear about what happened tonight. The right-wing billionaires outspent us three to one. They exploited an environment in which people are appropriately upset. And they created an electoral dynamic where we were shadowboxing.

(END VIDEO CLIP)

GABBARD: It sounds like a bunch of excuses to me. The results, the people's voices were heard and it sent a clear message that even the most left-leaning cities are fed up with surging crime rates. Now Los Angeles, George Gascon could suffer a similar fate. He's recently been under fire for issuing a very light sentence over a teen driver's hit-and-run.

Public safety is everything. I mean, if you talk to any family, any mom or dad or teacher, anyone in any community regardless of the divisiveness and politics, race, religion, or anything else, everyone wants to know that they can, you know, be safe. That their children be safe going to school, that they can walk down the street in peace.

And I think that's really what this D.A. is just completely lost. I served on the Honolulu city council years ago. My district on the Honolulu city council, it's 100,000 people. Also, the same size population as Mayor Pete's city of South Bend, Indiana. But I was chair of the committee that was responsible for public safety, police, fire, lifeguards and understanding really this is not something theoretical.

When you have homeless encampments as we did on sidewalks, you have elderly, you have disabled, you have children being pushed out into busy streets just to be able to walk down the streets, those are the kinds of things that we could take action on and actually bring about a change to clear those sidewalks and make sure the community is safe.

There's so many other examples. And for this D.A to be so out of touch is just mind-blowing to me.

Dana, I'll start with you. You know, his response from that clip blaming right-wing billionaires and I think later he blamed the police.

PERINO: I got to say, if Chesa Boudin wants to feel better about himself, he should go and listen to this podcast that NPR did this morning. Because the reporter basically gave him every excuse. It was the pandemic. Also, that he didn't change any policies that the previous person had in.

That the people were really, like that upset about the quality of life. That it's just like really been exaggerated by everyone. I couldn't believe this piece. Again, National Public Radio I listen to it this morning.

One of the Democrats that looks at all of these things from the third way, that group, they said if the Democrats on the far left do not see this as a wake-up call, they are looking at a permanent minority status.

The other thing is, is that if you look at who voted for Boudin, it was very similar to who voted for that woman who I can't remember her name. She was running against Eric Adams.

GUTFELD: Yes.

PERINO: The much more far left progressive here in New York City. It was the Wile -- Maya Wiley. Thank you. The ultra-rich neighborhoods, the white liberal neighborhoods, they are the ones that voted for her and they're the ones that voted for

him. You look at a map who in San Francisco voted to recall Boudin. It's all the -- all the rest of the people. The rest of the thing is blue and there's that one neighborhood.

GABBARD: That's so interesting. This is -- this is kind of your home territory, isn't it, Greg?

GUTFELD: Yes, it's one.

GABBARD: How do you see like, how did it get to this point where -- go ahead.

GUTFELD: There's a, you only have so much shelf space. I talk about this. So, it's like I'm OK with like tackling pronouns and talking about statues and the offensiveness of holiday decorations. But first, get the basic stuff down. And what happened was they replaced the basic concerns with this external nonsense.

So, what happened is they also replaced the real victims, victims of rape, assault, murder, family, family suffering. Whatever you -- any crime was replaced with these political identity victims of TikTok politics.

GABBARD: Yes.

GUTFELD: You know, the people that claim that their feelings are -- that's what they chased. So, I think that was -- that was probably the big problem. The other thing, I don't know if there's anything more dangerous to a minority population than a white leftist. Because they can experiment with them. They can try out things and be immune from the consequences.

PERINO: Yes.

GUTFELD: So, they can like, they live in the better neighborhoods. So, they can say hey, let's release the criminals. It's not my problem. I'm not going to be mugged. And I feel so good. I also want to say, you know what, I like this recall vote idea. Why don't they just make it automatic every six months. That way you can keep -- because remember, this is a story of reality versus ideology. And reality won. But look how long it took. Three years since 2019.

If you had an -- if you had an automated recall vote every six months, they would have stopped this thing well ahead and lives would have been saved.

GABBARD: Yes. I mean, speaking of reality versus fantasy in this age of words or violence, Judge, you spent your entire career fighting for victims of crime to see a district attorney whose sole responsibility is public safety. Acting the way that he has got to just make your blood boil.

PIRRO: It makes my blood boil and all the D.A.s that I still keep in touch with. I mean, the truth is the job of a prosecutor, an elected district attorney is to enforce the law. It is not to worry about the defendant. That's the defense attorney's job and the judge's job. All right.

But what we're seeing now I believe and I pray that we're seeing the end of progressivism as it relates to the left. The left bought into this after George Floyd. They brought into theory that, you know, the criminal justice system is broken and we're going to fix it. We're going to have equal justice. We're going to have equity, and we're going to have fair cash bail and all that stuff.

But the truth is the system wasn't broken. Because Derek Chauvin who killed George Floyd was convicted of murder. He was convicted, he will be in prison for the rest of his life. But now what they're seeing is that what we've done, is we have created a scenario where the bad guys don't take D.A.s seriously and they're continuing to commit crimes and it's a problem for everyone.



And I think it kind of reminds me of the last segment with the White House. Where the White House on the one hand is encouraging peaceful protests, but they're not enforcing the law. And then what they're left with is a non- safe environment in front of a Supreme Court justice's house. And that's what they're doing. It's all talk and no action.

GABBARD: That's where, Jesse, I mean, they're clearly out of touch. This is one of many examples. They can take a lesson from your book and actually get out on the street and go talk to people.

WATTERS: You read my book.

PERINO: Wow! Wow. You really --

(CROSSTALK)

WATTERS: You know what it takes. Ever have people over for a dinner party and they want to change everything about your menu? They get in the kitchen. And they start adding things to the dishes that you don't want to do. Like you have a lasagna. Why don't we fry it? No. You bake a lasagna. Let's put white wine. No. We're serving red wine.

That's what liberals do. They came in after 25 years of low crime rates and just want to experiment and just try out this new stuff that was not common sensical. So, they come in and they say, you know what, putting lots of people in prison, it's been working. Let's try something else. Let's empty the prisons and just not prosecute everybody.

And then, so all hell breaks loose and this is what happens when white guilt takes over. You have people that have white guilt. And they get in charge, they get control of things and then they try to assuage the white guilt. And they try to let everybody out of prison.

And then look what happens. It ends up hurting more minorities than anybody. And as you said those people in that little white guilt paradise are immune from everything else.

GUTFELD: I don't --

WATTERS: This is a big warning shot. First it was the school board knuckle heads then it was the radical D.A. The left is panicked over --

(CROSSTALK)

PIRRO: This is the beginning.

WATTERS: -- what they're seeing in hard-core left-wing city of San Francisco.

GUTFELD: Don't count out stupidity. It's not just white guilt.

WATTERS: It's both.

GUTFELD: It's a lot of stupidity.

WATTERS: It's both.

PIRRO: Now its people buying in to words without looking at the actions that are taken in addition to the words.

GABBARD: And coming up, as millions of Americans are getting crushed by sky high gas prices all across the country, the Biden administration they seem to be throwing in the towel.

(COMMERCIAL BREAK)

GUTFELD: The White House and Democrats giving up on fixing gas prices after their policies send costs to the moon. And one senator thinks struggling Americans well, they should just go electric.

(BEGIN VIDEO CLIP)

SEN. DEBBIE STABENOW (D-MI): On the issue of gas prices after waiting for a long time to have enough chips in this country to finally get my electric vehicle, I got it and drove it from Michigan to here this last weekend. I went by every single gas station and didn't matter how high it was.

(END VIDEO CLIP)

GUTFELD: I wonder where she charged it? And the White House is running out of ideas on what to do.

(BEGIN VIDEO CLIP)

GINA RAIMONDO, U.S. SECRETARY OF COMMERCE: Unfortunately, that is the brutal reality unfortunately. You know, this is in large part caused by Putin's aggression. You know, since Putin moved troops to the border of Ukraine, gas prices have gone up over \$1.40 a gallon. And the President is asking for Congress and others for potential ideas. But as you say, the reality is that there isn't very much more to be done.

(END VIDEO CLIP)

PIRRO: It is amazing.

GUTFELD: Hard-hitting. Jesse, so the gas prices don't matter to Stabenow, right? So, crime shouldn't matter, because she's probably in a safe, secure place. And maybe baby formula doesn't matter because you know, she doesn't have any babies. The border crisis doesn't matter, because she -- you know, she enjoys the cheap labor and doesn't live in Texas.

So, basically, anything that doesn't affect her as a human being, as a politician, doesn't matter. How snide and disgusting is she as a human being from a scale of one -- zero to 10? I said Bundy (PH).

WATTERS: I said it wasn't going to make any comments about people's personal appearance anymore. Should I not?

GUTFELD: Yes.

WATTERS: OK, fine.

PIRRO: Go ahead. I want to hear it.

GUTFELD: It will at least spoil your perceptive point that follows.

WATTERS: Oh, really?

GUTFELD: Yes.

WATTERS: It's someone else. I think we're at a point where people don't care about why gas prices are high. We just know what you're going to do about it. But they don't have an answer of what they're going to do about it, so we're stuck and just a bunch of mumbo jumbo. Right now, the price of an EV, you could get like a low entry level model in like the mid-30s, and the range is decent, you know, 200-something miles on it. The problem is there are not enough stations to charge it in this country.

You can -- you cannot drive from Dallas to Denver -- you cannot drive from Dallas to Denver in an electric car. Your car will just die, and there's nowhere to charge it. So, until we just start installing these things all over the country, there's no way this is going to work.

And the thing is, everyone's competing about who's going to install what. Like, you can't charge an EV if you're a Tesla person. But what if you have the little LEAF, the Nissan LEAF? Those things don't charge together. So, it's like an adapter that doesn't work in Europe, doesn't work in America. Wasn't that deep? I thought that was pretty deep.

GUTFELD: Yes, that was pretty deep.

WATTERS: I should have gone -- I should have gone with the personal attack.

GUTFELD: No one will ever know what you're about to say. You can say it in the break. You know, the Audubon Society, Dana, claims that the electric car is the most popular car among vultures.

PERINO: Is that right?

GUTFELD: I just made that up.

PERINO: I like it. I like it.

GUTFELD: But, but, but does she know that you need gasoline in machinery to dig up those precious metals that you put in the batteries?

PERINO: Well, I cannot -- I cannot wait for the deep think piece in The Atlantic about how we're destroying the environment by creating an electric vehicle.

GUTFELD: Yes.

PERINO: That's going to be great. It'll be about two and a half years from now, you know. Like, after the election that like, oh, whoops.

GUTFELD: Yes.

PERINO: Yes, we've got a problem here.

GUTFELD: Nuclear.

PERINO: Also, when the White House is like -- first of all, they're saying, dorm number one, well, prices are going to be high and that's the price we're going to have to pay because we're going to transition and it's so important that we do this for climate change. Nobody's buying that, so then door number two, that like actually Putin did it.

GUTFELD: Yes.

PERINO: And then like, nobody's buying that either. Although, OK fine. So, it's \$1.00. But it's up \$2.50, so where did that other dollar and a half come from? But the third -- behind door number three cannot be we've gone home, sorry.

GUTFELD: Yes.

PERINO: Like, you can't quit the presidency. You don't get to crowdsource the presidency. You have to have some ideas.

GUTFELD: Yes. You know, Tulsi, I'm reminded of when you were a congresswoman. You didn't -- like, you were elected by the people, so you didn't mock them. And we see this though -- we've seen this with a few politicians. It's a weird thing. Don't make fun of the people who elected you, you mooch.

GABBARD: That's the thing, though. I don't think she was making fun of them. She's just out of touch with them. And I think this is just another example of how, you know, like, half of Congress are millionaires, not so much representative of the people who they are representing and who are struggling.

But also just with this, the thing is, you know, she's not the only one, Pete Buttigieg and others like, hey, just go and buy an electric vehicle. And they're saying this as we're facing inflation and the cost of all cars is going up, and to people who are having a hard time affording filling up their gas tank, period. It's wildly out of touch. It just shows how self-serving they really are.

GUTFELD: Yes. Last word to you, Judge.

PIRRO: All right. They don't care about the middle class. They don't care that you have problems buying gas. They don't care that you have problems buying food or baby formula. Look, here's the bottom line. You need oil to make tires. You need an infrastructure for the electric cars, which is not there, which we saw on the Wall Street Journal article. I think it was two days ago.

They're already predicting rolling brownouts. And that's going to happen because our electrical grid can't support the infrastructure needed for the electric cars. They're digging into the environment for the lithium, and then they're going to eviscerate the environment when these cars are be are -- you know, when they get rid of the cars because the battery is as big as the bottom of the car.

GUTFELD: Yes.

PIRRO: And so, then they'll destroy the environment again. This is all about -- this is a scam. It's a con. Plus, no one can afford these cars.

GUTFELD: All right, rolling brownouts. It's why I don't eat ice cream. Up next, the woke turning against one another at the liberal Washington Post.

(COMMERCIAL BREAK)

WATTERS: The liberal Washington Post melting down over a cancel culture firestorm. The steward of democracy facing intense backlash over their reaction to an employee's retweeted joke on Monday. The Post suspended reporter Dave Wiegel for a month without pay. It's going to be tough after he retweeted, apologized for it, then unretweeted a sexist joke. We'll show you the joke. "Every girl is bi. You just have to figure out if it's polar or sexual."

One of my Wiegel's colleagues shared a screenshot of the retweet and publicly called them out for it on Twitter. Since then, it's been a woke Civil War at Washington Post. Greg, you're delighted in the story.

GUTFELD: It's the best story ever. I don't think you gave it justice. They are eating each other alive. They're calling each other out on Twitter. And this is what happens when adults hand the reins to children. Woke adults are not real adults. They're humorless infantile boars who can't tell the difference between real and imagined misery.

Bezos should come in there and just scream, grow up, but he won't. He's too busy hanging out with that new chick. This is the product -- this is the product of the death of blue-collar journalism. We've talked about this. A lot of people the newsroom didn't have college degrees. Now, they're over diplomaed, right? And so, they can't -- you don't see this kind of behavior on a factory line or on a construction site. But you see it with these people that all they do is go to class and complain and report that professors.

WAPO got suckered by people who get attention on social media. But a journalist isn't striving to get -- to be the object of attention. They're looking for objects to bring attention to it. All of these hires have been people that are used to having people click, click, click, click, click. And so, now, they're eating each other alive. And the reason why they're eating each other alive is you can't field a unified team with everyone who wants to be the center of attention.

That's why we work so well here. That's why we all share. We never do -- we never go on Twitter and I don't make -- I don't say -- I say everything just to people's faces.

PIRRO: To our face, correct.

WATTERS: Don't bash people on social media ever.

GUTFELD: Ever.

WATTERS: But it doesn't seem like Fox, we like each other here, not so much over there.

PERINO: Well, a couple of things. One, I think that what Bezos should do -- and maybe all journalists, all news organizations to do it. But all the people at the Washington Post, they should say everyone is banned from Twitter for a month, everyone. And then they can sort of take it from there. Like, let's get back to doing work.

GUTFELD: Good idea.

PERINO: Also, do you remember back in the day, when the person who was the snitch is the one who got punished?

GUTFELD: Right?

PERINO: I long for those days.

GUTFELD: Snitches get stitches, Dana.

PERINO: Yes. Yes. Like, if I -- if I said -- like, in my household, if I had said, Angie did this, my parents would have been like, you need to go mind your own business.

WATTERS: Right.

PERINO: What happened to that?

WATTERS: I don't know. We need to bring shaming snitches back in this country.

GUTFELD: Carry a shiv.

WATTERS: Right. We -- yes, we need to make examples out of them.

PIRRO: Carry a shiv.

WATTERS: Tulsi?

GABBARD: Twisted priorities. I mean, the Washington Post is supposedly about news and journalism and facts. They are more concerned about cancel culture and you know, suspending without pay this guy for a month for retweeting a comedian's joke. They're more concerned about that than they are about people like Taylor Lorenz, who writes articles that are factually inaccurate, misinformation, bias, and so on and so forth.

I mean it is a sign of the times to show how far off track the Washington Post has become more of a propaganda organization than a news organization.

WATTERS: How would you have handled Weigel? Would you have suspended him? Would do you brought him into HR?

PIRRO: No. I wouldn't have suspended him. In my office, when people started fighting with each other, I said, you either get along or you both get out, OK. You don't have time for this petty nonsense.

WATTERS: Where's the joke?

PIRRO: You have a job to do.

GUTFELD: They're not adults. That's the problem.

WATTERS: Was the joke funny?

PIRRO: No.

WATTERS: A little bit funny?

PIRRO: It's disgusting.

PERINO: I laughed.

GUTFELD: You said in the break it was funny because it's true.

PIRRO: You lie! You're lying, Greg Gutfeld. And I'll never dance with you again.

WATTERS: That's right. Speaking of, "THE FASTEST" is up next featuring a dance off.

(COMMERCIAL BREAK)

PERINO: Welcome back. It's time for "THE FASTEST." First up, it turns out that the Judge and Greg balls have a secret hidden talent. Take a look at what we caught them doing in the green room yesterday.

(BEGIN VIDEO CLIP)

GUTFELD: Back, forward, fall back, forward, fall back, forward.

(END VIDEO CLIP)

PERINO: I just love this so much. So, the Judge is taking some lessons. And Greg, how do you have all those moves?

GUTFELD: I actually was -- I took ballroom dancing maybe 20 years ago at a place where I worked. They had one of those things. It's a good way to meet some chicks. Anyway, except you only can bring one. And then --

PERINO: But you don't -- you never forgot how.

GUTFELD: No, you don't forget. You don't forget. All you need is maybe one more lesson to get yourself going there. And yes, it's great. I used to walk into bars and stuff and just freak people out.

PERINO: It's a great skill. And Judge, what do you think?

PIRRO: Well, first of all, I didn't know they were going to air it, but it's amazing that we were able to do it with no music. But my trainer got COVID, so he said don't get fat on me. So, I decided let me take some lessons. So, I started Monday night. And that's what I had.

PERINO: That's so great.

PIRRO: That's Tuesday night.

PERINO: I missed the whole thing. I was in the restroom.

GABBARD: I missed it. I heard about it when I walked back in.

WATTERS: I saw the whole thing from the very beginning. It goes without saying you're great. You look phenomenal and you can move. I couldn't believe how smooth you were.

PIRRO: Yes, Greg was very smooth.

WATTERS: The look on your face. I mean, you had this smooth look of confidence --

GUTFELD: Do you -- do you --

WATTERS: -- that I have never seen before.

GUTFELD: Do you remember when you asked me -- we were talking about dancing and I told you I -- you ballroom dancing and you ridiculed me?

PIRRO: Yes. We didn't believe you.

GUTFELD: Yes. Remember it was like -- it was like a year ago.

WATTERS: No, I don't remember, but it sounds right.

PERINO: I mean, if he was making personal attacks, that's a yes. It figures.

PIRRO: Yes.

PERINO: It figures. All right, let's go to our next topic. Up next, so who wears short shorts? Too many people, apparently. A big office trend right now is workers wearing shorts. And one of the biggest offenders sitting right here. Now, that was -- that was when we're at home during COVID. But you know, Judge, have you seen these outfits now that are like, it's like a short suit?

PIRRO: Yes.

PERINO: What do you think? Would you let people wear shorts to the office?

PIRRO: Never.

PERINO: Oh, I love it.

PIRRO: But that -- I was a DA. That -- but you mean now?

PERINO: Yes.

PIRRO: Oh, no, go right ahead. Wear whatever you want.

PERINO: Oh, gosh. There goes the standard. All right, Tulsi, what about you?

GABBARD: I mean, short? I don't know. I honestly don't know. I mean, short shorts, I think there has to be some standard of professionalism. Maybe I'm more old school than you are, Judge. I don't know.

PERINO: That's a longer shorts. It looks weird on short person.

WATTERS: Board shorts or something, right, Tulsi? Like --

GABBARD: Yes. I mean, I'm with you, man. Like, if I'm -- if I'm at home and all you can see is this, yes, I got my board shorts on. Chubbies?

WATTERS: That's right.

GABBARD: Why not?

WATTERS: I don't know -- women can wear mini-skirts at the office but guys can't wear short shorts? No?

PERINO: Yes -- what? I don't know. What are you talking about.

WATTERS: Chubbies is the name of the short shorts.

PERINO: I have never --

PIRRO: Men can go topless, but women don't. I mean --

WATTERS: Not in the office. Men can't go topless. Where do you live?



PERINO: You just have like a 10-year flashback.

GUTFELD: I know. I know, chubbies. You wear shorts to work, you should be fired. I don't want to see your hairy legs and that goes for men too.

PIRRO: Next topic.

PERINO: Oh, God. OK. If you are a fan from 12 years ago, or however long we've been doing this show, you know exactly what I'm talking about. Finally, you cannot choose your family but you can choose to keep them in the dark if you win the lottery. 83 percent of people say they would not tell their loved one if they won the big jackpot. Agree?

GUTFELD: Yes, I wouldn't tell anybody because I don't want to be murdered.

PERINO: Judge, you keep it quiet -- I don't think you could keep it quiet.

PIRRO: I probably wouldn't, but I would show the kids the will that say you're not getting until I -- you know.

PERINO: Save up. Tulsi, how about you?

GABBARD: Yes, you know, I keep it quiet. People love you and care about you for who you are and not because you got a big check.

WATTERS: Oh, I'd tell everybody and then I'd make them beg.

PIRRO: Leverage.

PERINO: "ONE MORE THING" is up next.

(COMMERCIAL BREAK)

PIRRO: It's time now for "ONE MORE THING" and I go first. So, we'd like to introduce you to the newest member of THE FIVE. Everybody, meet the very adorable Bennett Maxwell Zoeller. That's right. A huge congratulations to our executive producer Brett Zoeller, wife Lauren, and big brother Miles on the new addition. Bennett is already big man on campus weighing in at eight pounds and 12 ounces.

WATTERS: Nice.

PIRRO: Funny story, he was almost born on a bridge, the Queensboro Bridge. His fast was stuck in bumper-to-bumper traffic on the way to the hospital. And even though it was a close call, they made it there in time. Mama, papa, big brother now home resting, for a minute, and enjoying time with their precious bundle.

PERINO: You know, I like the way his name is spelled because it's Bennett with two T's, Maxwell with two L's, and Zoeller with two L's.

PIRRO: That's right. Very good. Very smart. You were good in school. Jesse, hit it.

WATTERS: Feeding Frenzy. Let's do it. Here we go. So, salt and straws picnic series has the new flavors. Baked brie and fig cheesecake is number one, deviled egg custard with smoked black tea is the second. And the third is cinnamon and honey fried chicken. Everybody must try it. Greg, you can't just sit there scornful.

GUTFELD: I told you. You don't -- I don't want no brownouts.

WATTERS: All right. And you can get these -- they have 27 locations all across the country. Saltandstraw.com. I think this is the fig one.

PERINO: What's the third one?

WATTERS: Oh, this is good. This is the brie and fig.

GUTFELD: This is the dumbest.

GUTFELD: It's -- you're the dumbest.

PIRRO: I want chocolate.

GABBARD: I'm with you, Greg. I can't -- I can't do this.

WATTERS: So, everybody hates ice cream. Shove it.

PERINO: What happened -- what happened to the one --

PIRRO: You put it in your mouth.

WATTERS: I did.

PIRRO: OK.

WATTERS: That's what -- I'm just kidding. Also tonight on "PRIMETIME," we have Senator Lindsey Graham, Kayleigh McEnany, and Dan Bondgino.

PIRRO: Great show. OK, Greg, hit it.

GUTFELD: Tonight, we have Guy Benson, and we have Molly Hemingway, and Kat and Tyrus. Another great show. But let's do this. Greg's hot tub party action. Parental guidance is suggested. Yes, everybody knows I like a good hot party. A couple of my friends cheese in Yukon (PH) showed up. Here they are. We relaxed. They're enjoying a relaxing bath.

This is in my hot tub back in Memphis. I have a hot tub on the roof and they're just sharing an antler. I don't know where that came from, but they enjoy the old antlers. It's like little backscratcher. You should see what we did after this. Oh, man.

WATTERS: Did use the antler?

GUTFELD: Yes, there was no hibernating.

PERINO: That's with you tonight.

WATTERS: It's the answer.

PIRRO: All right, are you done?

GUTFELD: Yes.

PIRRO: OK, good. Dana, hit it.

PERINO: All right, so one Florida town got a little too much rain but this guy came up with the most fun way to walk his dog post-tropical storm. Look at that.

GABBARD: Oh, that looks fun.

PIRRO: I love this.

PERINO: I think that is a smart dog. He connected the boogie board to his bike for his friend around. I'm going to -- I don't want to have a flood, but if I do, I will teach Percy. Also a new Everything Will Be Okay podcast is up with Salena Zito. She's at the Washington Examiner. She has like 20 jobs. An amazing discussion about the resilience for women. And it's not -- it's focused also just not on the elite coastal cities, but all across America as well. So Salena Zito, that's my new podcast.

PIRRO: OK, it sounds great. Do you think Percy would do that?

PERINO: I think that Percy --

PIRRO: Wouldn't he would climb down.

PERINO: No, I think he can do it.

PIRRO: Yes? OK. Well, then, let's try it with my guys. Tulsi, your turn.

GABBARD: Today is World Oceans Day. No surprise to all of you, I'm sure. I love the ocean. I grew up in Hawaii surfing. This is a little video that my husband made with a GoPro at my favorite surf spot in Hawaii. So, I can't be out there in the water today. It is -- it is just --

PERINO: Beautiful.

GABBARD: I don't know. Words can't describe that feeling of --

PERINO: You could teach --

GABBARD: -- being refreshed. We should -- that's what I'm saying. You guys gotta bring this show out to Hawaii.

PIRRO: Yes.

WATTERS: How are you saying it again?

GABBARD: Hawaii.

GUTFELD: Dude, you're missing the point. THE FIVE does the show in Hawaii.

(CROSSTALK)

GABBARD: Thank you. I don't know how that got lost. I'll take you all out surfing. How about that?

PIRRO: All right, so it's a deal?

GABBARD: Deal.

PIRRO: All right, we all agreed.

GUTFELD: No, we all go surfing.

PIRRO: All right -- yes, I agree.

WATTERS: You surf and you ballroom dance?

PIRRO: That's it for us tonight. "SPECIAL REPORT" is up next. Hey, Bret! Do you want to go surfing?

END

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June 8, 2022

### Man Who Threatened Kavanaugh To Appear In Court; Suspect Facing Federal Attempted Murder Case; Uvalde Fourth Grader Doesn't Feel Safe At School; ...

Man Who Threatened Kavanaugh To Appear In Court; Suspect Facing Federal Attempted Murder Case; Uvalde Fourth Grader Doesn't Feel Safe At School; Mass Shooting Survivor Testifies Before Congress; Feds Ask For Gag Order On Former Trump Aide Navarro; Peter Navarro Speaks Out As Feds Seek Gag Order

(BEGIN VIDEO CLIP)

JUDGE ESTHER SALAS, SON KILLED BY DISGRUNTLED LAWYER: -- testament to what will happen if we do not do something to protect the judiciary.

(END VIDEO CLIP)

JOHN ROBERTS, FOX NEWS CHANNEL HOST: Very powerful words there from a judge who suffers the horror of her son's death every day.

SANDRA SMITH, FOX NEWS CHANNEL HOST: Absolutely. Chad reporting that there is more considerations now to move up that bill to protect these **Supreme Court** justices and their families. We're watching all of it. Thanks for joining us. I'm Sandra Smith.

ROBERTS: And I'm John Roberts. "THE STORY" starts right now.

MARTHA MACCALLUM, FOX NEWS CHANNEL HOST: All right, thank you very much, John and Sandra. Good afternoon, everybody. I'm Martha MacCallum at Fox News headquarters in New York. In minutes, on the eve of the January the Sixth hearings, we will be joined by former Trump White House adviser Peter Navarro, the only official who now faces jail time over his decision to not comply with this committee.

He joins us in a moment. But first to the story that is breaking at this hour. A court hearing for the suspect arrested a short time ago near the home of **Supreme Court** Justice Brett Kavanaugh telling the officers he wanted to kill Justice Kavanaugh. The feds say, 26-year-old Nicholas Roski from Simi Valley, California had a pistol, had ammunition, pepper spray, zip ties, a hammer, and more. These are brand new details that we're just getting about what was actually on this individual.

He has now been charged in court with attempted murder of Justice Kavanaugh. Republican Senator Mike Lee is going to join us in just a moment. But first to Correspondent David spent live at the Justice Department with these brand-new details this hour. Hi, David.

DAVID SPUNT, FOX NEWS CHANNEL CORRESPONDENT: Hi, Martha. Chilling details in this criminal complaint just released within the last hour or so for the public to read. Nicholas John Roski appearing before a federal judge in court in federal court in Maryland. He's been in FBI custody for the past 12 hours or so. And he'll be appearing for that judge to face those charges of attempted murder of Justice Brett Kavanaugh, a Supreme Court justice.

According to a court filing, Roski wearing all black got out of a taxi cab at 1:05 in the morning, looked at the two U.S. Marshals working security outside Justice Kavanaugh's home, then walked down the street. At 1:42 a.m., the Montgomery County police department received a 9-1-1 call, it was Roski himself were told he told authorities on the phone he was suicidal, and he had intent to harm and kill Justice Brett Kavanaugh, he came with a gun a knife pepper spray, a crowbar and zip ties.

(BEGIN VIDEO CLIP)

MERRICK GARLAND, ATTORNEY GENERAL: Obviously, is behavior that we will not tolerate. Threats of violence and actual violence against the justices of course strike at the heart of our democracy and we will do everything we can to prevent them and to hold people who do them accountable. For that reason, last month, I accelerated the protection of all the justices' residences 24/7.

(END VIDEO CLIP)

SPUNT: Martha, Senator Mitch McConnell today blasted heated rhetoric outside the court from prominent names as he said one person he was referring to, his counterpart in the Senate Majority Leader Chuck Schumer, who outside the Supreme Court in March of 2020, after a Louisiana abortion clinic case, said to go after Justice Brett Kavanaugh and go after Justice Neil Gorsuch.

Also, we have some fresh reaction from White House Press Secretary Karine Jean-Pierre, she said the president condemns this in the strongest terms, he's on his way to Los Angeles for the summit of America's. And as our Gillian Turner reported about 15-20 minutes ago, we are told through a government source that National Guard in Washington is being told to be on standby and to possibly activate other parts of the National Guard around the country, if needed once that Supreme Court decision is released, dealing with abortion, Martha.

MACCALLUM: Very tensed times in our country. David, thank you very much.

SPUNT: Very much.

MACCALLUM: David Spunt at the Justice Department. Former Attorney General Bill Barr is going to join us in a moment but we begin with Republican Senator Mike Lee, of Utah, a member of the Judiciary Committee and Author of "Saving Nine" about the effort to pack the court. Senator, good to have you with us today.

SEN. MIKE LEE (R-UT): Thank you, Martha. So, your reaction to this latest, you know, and according to that report, this young man says that he was upset about the leak from the Supreme Court about the overturning of Roe v. Wade, and also about the mass shootings that we've seen across this country.

LEE: Yes, this is the predictable, foreseeable and very tragic result of what happens when people think that they can influence the **Supreme Court** by protesting at the homes of individual justices. And then the administration responds by not enforcing the law. Under 18 USC Section **1507**, showing up in people's homes and protesting in front of the home of a judge trying to

influence the judge, that is a federal felony criminal offense. That hasn't been prosecuted and that needs to change. It needs to change immediately.

But look, this is almost a feature not a bug for this administration. This administration that's been trying to denigrate, delegitimize and isolate those **Supreme Court** justices inclined to join Justice Alito's opinion. And they are doing that also by threatening to pack the **Supreme Court** of the United States. This is deeply concerning. It's got to stop.

MACCALLUM: I want to play this from Senate Majority Leader Chuck Schumer, which happened during the confirmation process for Justice Kavanaugh, and after the approval process for justice Gorsuch. Watch this.

(BEGIN VIDEO CLIP)

SEN. CHUCK SCHUMER (R-NY): I want to tell you, Gorsuch, I want to tell you, Kavanaugh, you have released the whirlwind, and you will pay the price.

(END VIDEO CLIP)

MACCALLUM: He said, you will pay the price. He later said that he should have not used the words that he used there. But it -- what do you think about what he had to say there were they were those comments irresponsible at the time. And you know, now we're looking at a situation where the National Guard is sort of preparing, not coming in but preparing, to get at the ready for this decision which could come any day.

LEE: They were beyond irresponsible -- they were reckless that they were, that they were incitement words. These were words that were intended to bring about that kind of reaction. And that's what we face today. Look, as I explained in "Saving Nine," my new book that just came out yesterday, it's about much more than court packing.

It talks about the left's ongoing effort to delegitimize the court, our constitutional system of government depends for its functioning, its ability to operate. It depends on the existence of an independent, free judiciary. They're trying to throw that off, because they have become dependent upon a judiciary that will do their dirty work. We can't allow that to continue.

MACCALLUM: I'd like to switch gears for a moment because we saw today the parents and a child who was a survivor at Uvalde, at the Robb Elementary School, and this I thought was just particularly you know, it's very moving. You feel terrible for this young girl. Watch this.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: Do you feel safe at school. Why not?

UNIDENTIFIED FEMALE: (INAUDIBLE)

UNIDENTIFIED MALE: And you think it's going to happen again?

(END VIDEO CLIP)

MACCALLUM: She nods her head, she thinks it's going to happen again, Senator Lee. This a little girl who was put in a situation of smearing the blood of one of her classmates on herself in order to stay safe. Where does it stand in terms of potentially some bipartisan movement on some of the issues that might help to end some of these school shootings, for example, raising the age to 21 and extending the waiting period.



LEE: This tragedy is nothing short of heartbreaking. And hearing that little girl speak reminds me how brokenhearted I was to get that news and am continually every time I received word of that. I know there are ongoing conversations among some of my colleagues about this. We also have to remember, Martha, we've got to look at the underlying causes of this. There's tremendous social isolation, a breakdown of institutions.

And we've got young men in particular who found themselves in a, in a state of solemn despondency and isolation who very often choose to carry out these horrific acts. By the time they do that, dozens of laws have been violated. And so, I think it's important for us to learn from the patterns that that are exhibited here. A lot of these young men crave attention, that's why they're doing it.

MACCALLUM: Absolutely, you know what, Senator, I don't think anybody would disagree with anything that you've just said. We have a frayed society that I think doesn't support young men in the way that it should. And that that's a that's a big part of all of this. But what I asked you about was the idea of raising the age to 21. This young man bought his gun, legally.

He had nothing that would have come up in a background check at the age of 18. Is it wise, you know, we saw Matthew McConaughey, he has some very strong statements yesterday, is it wise to do what we do for other things like drinking to make it also 21 for a gun? Why wouldn't that make sense? Can you tell me?

LEE: Well, yes, so, I'd want to start from the premise that I'm not sure that we should take away the rights of other 18, 19, and 20-year-olds simply because this one chose to abuse those rights. It's not how rights work, it would make them rather unlike rights if we treated them that way. But if we are going to change them, if we were to get to that point, I don't think we could change one without changing all of them. You can't tell someone we're going to draft them and conscript them.

MACCALLUM: It's different if you're in the military, you're under supervision in that situation, Sir.

LEE: Sure, sure, but you do have a gun. And if you're going to be conscripted into our military, then --

MACCALLUM: So, should've -- what about 20 -- should we make it 18 for alcohol too then?

LEE: Yes, yes, so what I'm saying is if you're going to start switching things, you got to make them equal. I don't know if that you necessarily need to change other things. But when you're dealing with a protected constitutional right, you're going to change that then let's move them all up. I don't personally think that's unnecessary because I don't think you respond where the exercise of a right is at stake. You don't respond to the violation of other laws by taking away the rights of the law abiding.

MACCALLUM: Well, these are things that states vote on all the time, you know, in terms of what, what makes sense. Florida, Rick Scott state moved it to 21 after the Parkland shooting. So, you know, it's certainly something that's up for discussion, which doesn't necessarily negate the right or the Second Amendment in, you know.

So, anyway, thank you, Sir. I think a lot of people are just, you know, hoping that there's going to be some sort of movement on some of these issues, because it's going to take a lot of the things that you discussed, absolutely. And perhaps some other measures as well to even put a dent in this problem. Thank you.

LEE: Thank you.

MACCALLUM: So, as we mentioned, former Attorney General Bill Barr is here as the DOJ moves to silence my next guest, Former White House Official Peter Navarro, arrested at the airport handcuffed and charged with defying Congress and the investigation into January 6th. He joins me next.

(COMMERCIAL BREAK)

MACCALLUM: We are about to hear from a former Trump White House adviser who could soon be under a gag order from the Feds. Peter Navarro, facing contempt of Congress charges for refusing to cooperate with the committee investigating the Capitol Hill riot. He has called the panel illegitimate.

Now, the committee is about to hold that first primetime hearing that gets underway tomorrow evening.

Peter Navarro joins us in just a moment.

But first to chief White House -- Chief Washington correspondent Mike Emanuel on Capitol Hill. Hi, Mike.

MIKE EMANUEL, FOX NEWS CHANNEL CHIEF WASHINGTON CORRESPONDENT (on camera): Well, hi, Martha.

Yes, this primetime January 6th Select Committee events expected to be a lot more polished than your typical congressional hearing.

EMANUEL (voice-over): Two announced witnesses so far: Capitol Police Officer Caroline Edwards, who was injured in the melee and filmmaker Nick Quested, who captured key moments in the Capitol riot.

Former ABC News President James Goldston is working as an adviser to the House Select Committee and has been brought in to produce it for primetime T.V.

Leading Democrats insist this is not about firing up their base before November's midterms.

(BEGIN VIDEO CLIP)

REP. HAKEEM JEFFRIES (D-NY): And it is not a midterm issue. It is not a political issue. It's an issue about the integrity and sanctity of our democracy.

EMANUEL: Two of the nine members on the panel are Republicans Liz Cheney of Wyoming and Adam Kinzinger of Illinois, after the members GOP Leader Kevin McCarthy selected were rejected, top Republicans are calling that unfair.

REP. KEVIN MCCARTHY (R-CA): Well, look, the committee is not a legitimate committee that never allowed Republicans to be appointed to the committee. We tried to participate. The Speaker when it gets 232 years of history, rejecting that. It's really just something that goes after their political opponents.

(END VIDEO CLIP)

EMANUEL (on camera): Republicans counter that they believe the American people care much more right now about inflation, the crime surge, and the crisis at the border. Martha.

MACCALLUM: Mike, thank you very much.

EMANUEL: Sure.

MACCALLUM: Former Trump adviser Peter Navarro joins me now. He is the author of Taking Back Trump's America. Peter, welcome. Good to have you on the program. Thanks for being here.

PETER NAVARRO, FORMER WHITE HOUSE TRADE ADVISOR: So nice to see you again, Martha. It's been a long time, but I really always enjoyed our discussions when I was in the White House. And I'm looking forward to your questions.

MACCALLUM: Well, thank you.

You know, I want to start here, because we just got this report just a short time ago that the Department of Justice, and we can put a piece of this up on the screen.

MACCALLUM (on camera): And this I should point out is in reaction to the fact that you have been speaking out quite a bit on a number of different networks telling your story and choosing not to do so before the committee.

But according to the reports, the DOJ is asking Judge Mehta to quickly enter a protective order to guard against disclosure of evidence in Peter Navarro's case. They say that his extrajudicial statements to the press and on Tucker Carlson show, where you were last night, reveal your intent to litigate your case through the media.

So, what's your reaction to that, sir?

NAVARRO: Oh, well, first of all, Merrick Garland there put me in leg irons last Friday, refused me access to an attorney while I sat in solitary confinement, without food or water.

And while I was in there, the Justice Department leaked that I had been arrested to the press. So, if they want to start doing gag orders and messing around with communications to the press, I think they should start with there because that right off the bat not only prejudice my case, it also set me at a great disadvantage with respect to the law.

Now, I know Bill Barr is coming. I'm looking forward to hearing what he has to say because Bill Barr knows full well, the following. One, the Justice Department going back to said that the 1970s has over a dozen of memoranda from the Office of Legal Counsel stating I have absolute testimonial immunity -- absolute testimony, and there's no way that, that committee should be able to do what they're doing that the Justice Department never should have prosecuted me.

(CROSSTALK)

MACCALLUM: You're talking about your executive privilege.

NAVARRO: Executive privilege goes hand in hand, Martha, with testimonial immunity. Executive privilege is that of President Trump, it's not my privilege to waive.

I told the committee as well as the Department of Justice repeatedly. It's not my privilege to waive. Bill Barr, I hope will also tell you --

(CROSSTALK)

MACCALLUM: But sir, what's being said now is that --

NAVARRO: Let me make this point. This is critical point. What the Justice Department should have done as the committee should have done was first, negotiate the privilege with Donald Trump.

Secondly, if they didn't do that, that was the least burdensome alternative. The second least burdensome was a civil case, not a criminal case. This came up maybe when Bill Barr was at the Justice Department in the Miers' case.

And there is case law on this that says you have to pursue the least punitive alternative. They didn't -- Martha, they put me in leg irons.

And instead of walking across the street to arrest me, they grab me at the airport.

(CROSSTALK)

MACCALLUM: All right. But, no, I get it. You know, and I think there is -- I heard you talk about what happened to you. And I know you also say that you gave them every opportunity too.

NAVARRO: Yes.

MACCALLUM: And I read the document that you sent.

NAVARRO: Yes, yes.

MACCALLUM: Saying that you haven't been able to retain legal advice yet. So, that was something that you say you've had hurdles trying to get lawyers. Why is that? Why don't you have a legal team?

NAVARRO: Well, this is going to cost a half a million dollars from what I'm being told. And I have a choice to make about, you know -- that's going to give, basically wipe out my retirement savings, and I'll be eating dog food if I stay out of jail.

And so, I'm trying to -- I'm trying to grapple with that this case, also, and I think Bill Barr will justify this. It's unprecedented. Never in our history, has this happen to a senior White House adviser.

The case itself is unique. So, what I need is top shelf legal talent who understand constitutional law. So, this is a difficult situation for me.

(CROSSTALK)

MACCALLUM: OK. Understood. But, here is what -- here is what's being said about this. That you, by going on, and I watched a number of the appearances that you had done recently on MSNBC.

They're saying that you are -- you're already stating your case, you have blown your executive privilege by going on networks and having these discussions and explaining what your -- what your site is to the media that you have given up that executive privilege by doing that. What do you say?

NAVARRO: Yes. That's dead wrong? Yes, it's dead wrong. All I've done is argued the merits of the civil suit I presented to the courts on last Tuesday. I don't think it's a coincidence that preemptively they strike me on Friday with a criminal prosecution.

That lawsuit, it's 80 pages. It says, first of all, like Kevin McCarthy says that, that committee is illegal and doesn't have the power to issue legal and enforceable subpoenas.

I'm right on that. Right there, the Justice Department does, therefore, not have the right to go forward. That's got nothing to do with testimony to the Congress. That's just challenging on the law.

There is separation of powers issues, that committee is pursuing a judicial function behind the (INAUDIBLE), all sorts of stuff.

(CROSSTALK)

MACCALLUM: All right, well, I understand that you believe in the Constitution allows you the right to do what you're doing, and that you feel that this is unprecedented in terms of the way that they're coming at you.

NAVARRO: Correct. Correct.

MACCALLUM: But with regard to the substance of what happened, you talked about, you know, your plan to get 100 members of Congress on your side, and that it was essentially a stall tactic to give Vice President Pence more time to change his mind.

(CROSSTALK)

NAVARRO: Oh, what kind of tactic?

MACCALLUM: A stall tactic.

NAVARRO: Oh, what tactic? (INAUDIBLE) let me --

MACCALLUM: You said we hoped that the media would be exposed to this -- let me finish my question, OK?

NAVARRO: Yes, let me -- sure, go ahead.

MACCALLUM: You said -- I have exactly what you said here. You said we hoped that the media would see all of this. They'd see 100 members of Congress saying that they wanted to send this back to the States, and that, that would encourage Vice President Pence to change his mind about the decision that he had made based on all the legal advice that he received, that he didn't have a right to do that. That he had to certify the election on that day. Is -- was that your motivation?

NAVARRO: That's not an accurate statement, I had nothing to do with changing Pence's, mind. It had everything to do with the stain clearly between the lines, the Electoral Count Act that allows the challenge of ballots in any given state by congressmen and senators. And that's all that we were seeking to do that day.

And the last thing, Martha, I wanted, the president wanted, or Steve Bannon wanted, who's also being charged with criminal contempt was violence on Capitol Hill.

That basically stopped any ability to count the legal votes. All we wanted was a fair accounting to that. So, that's, that's not an accurate portrayal. And all I did, and its public record, is basically go forward and try to work within the legal boundaries of the Electoral Count Act.

The problem here, Martha, is that this is a kangaroo committee. It doesn't abide by its own authorizing resolution. It doesn't have even a ranking minority member, which the House says you have to have even to issue subpoenas.

So, why would I -- look -- and look, the legal issue here is executive privilege. That's one of the key ones. It's not my privilege to waive. And by the way, Martha, the day before -- the two days before they arrested me, I sent a letter, seeking a modus vivendi with Patricia Loy (PH), the deputy attorney, and gave her the name of an attorney to call.

(CROSSTALK)

MACCALLUM: No, I read that letter. And I mentioned that letter earlier and I have it right here.

NAVARRO: I called (INAUDIBLE), but, yes, yes. It's like they didn't (INAUDIBLE) to that.

MACCALLUM: I mean, I understand where you're coming from.

NAVARRO: Instead they (INAUDIBLE) leg irons.

MACCALLUM: Yes. I understand where you're coming from.

NAVARRO: Yes.

MACCALLUM: I guess my question really was, you know, when Vice President Pence felt that he had no legal right to prevent the certification on that day. And, you know, according to the reports there, family members of -- the Trump family also felt that, that was the case at that point, or some of them, at least.

There had been 61 different legal suits that had gone to states all across the country that had also been shut down.

NAVARRO: Yes.

MACCALLUM: Why was all of that, you know, that did -- that was not persuasive to you and a small group who remained steadfast in your contention?

NAVARRO: Well, look, the one thing I can say about Mike Pence and the reason why I believe he betrayed President Trump is he came up with a set of legal opinions with this guy, Marc Short, and Greg Jacobs's counsel.

And they may have been good opinions, I don't think they were. But he had - - Pence had an obligation to the commander in chief to share those opinions with the president and pass it below in the White House legal counsel, before he announced them publicly and went out there.

That was wrong move. That was stab in the back.

MACCALLUM: If didn't he several times said that the president know where he stood?

NAVARRO: No, not -- I don't know that.

MACCALLUM: Not according to --

NAVARRO: But my understanding is that the president never and this White House legal counsel never saw those opinions with. Look, Martha, I -- you know, it's like whatever Pence did that day had nothing to do with the plan itself.

I mean, the plan started flawlessly at 1:00, where crews and another congressman basically called into question the results of the state.

And look, it -- there are serious issues still surrounding that, that remain unresolved. But at that point in time, all we were trying to do was operate between the boundaries of the Electoral Count Act, and I'm on record for that.

But this issue here, this bigger issue here of putting me and leg irons and holding me in charge, which could put me for two years in prison. I got to emphasize, it's a two-tiered system of justice.

All of the clowns and people who are involved in that, that discredited Russia hoax on the Democratic side, where the FBI, the intelligence community, of Hillary Clinton's campaign, they're walking free. They're walking free.

I'm in leg irons. All I ever did was save lives and create jobs.

(CROSSTALK)

MACCALLUM: Yes. We talked about that, yes.

And Eric Holder know, we have a hold this to people who have been holding contempt of Congress who were not treated the way you were. That is 100 percent true.

NAVARRO: Yes. Thank you.

MACCALLUM: And we thank you for being here, Peter Navarro. We'll continue to follow your story.

NAVARRO: Martha, thanks so much.

MACCALLUM: And we thank you for coming in and talking to us.

Thank you, sir.

NAVARRO: I appreciate it.

MACCALLUM: So, the aforementioned former Attorney General Bill Barr weighs in on all of this in a moment. And the story that is breaking right now and in an attempt to burglarize and kill Justice Kavanaugh.

The latest breaking news that we're just hearing on this suspect, coming up next.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

PETER NAVARRO, FORMER TRUMP AIDE: This case also, and I think Bill Barr will justify this, it's unprecedented. Never in our history has this happen to a senior White House adviser. The case itself is unique. So what I need is top shelf legal talent who understand constitutional laws.

(END VIDEO CLIP)

MACCALLUM: Former Attorney General Bill Barr joins us now, author of "One Damn Thing After Another: Memoirs of an Attorney General." Bill, always good to have you with us. Thank you for joining us.

BILL BARR, FORMER ATTORNEY GENERAL: Thank you.

MACCALLUM: So what do you say? Is he is he correct in that?

BARR: Well, it's unprecedented in the sense that all cases involving these kinds of separation of powers are unprecedented. But there have been similar disputes in the past. He has a point about the way he was arrested. Normally, that would not happen. I don't know all the facts, but it seems very heavy handed to me, and perhaps reflected some animus on the part of the prosecutors.

You know, in terms of the gag order, telling him, you know, seeking from the judge in order preventing him from speaking, there's sort of two dimensions to that. When I looked at the papers, it looked that they were complaining that he has been

challenging the legitimacy of the committee, the power of subpoena, and raising issues like executive privilege. He should be able to litigate those issues to the court. And frankly, the fact that he's out there speaking about these legal theories is not a danger to the process. So I think it's a bit of an overreaction.

The area where they may have, or the department may have a case is if they're going to give him nonpublic information as part of discovery. And he makes it public, and there seem to be concerned about that also, and that could be a legitimate concern.

MACCALLUM: I mean, has he -- so he hasn't blown his executive privilege by speaking out?

BARR: Well, I mean -- no, you can't wait -- he can't waive executive privilege. What he has said out there is out there, but it doesn't mean that that would require him to surrender other information that's privileged. But that issue has to be litigated as to whether or not he can assert executive privilege.

MACCALLUM: So you heard him call with can start tomorrow night, a kangaroo court. He said it's illegitimate. It doesn't have a ranking member from the other side on that committee. Valid points?

BARR: I think they're not frivolous arguments and you should be able to make those arguments in court, and have them be decided.

MACCALLUM: What do you think? How seriously should people take what we're going to see tomorrow night?

BARR: Well, I mean, what we're going to see tomorrow night is not this fight with Navarro, but the information they've amassed so far.

MACCALLUM: Right.

BARR: You know, I have a sense that they're not going to have very strong evidence against the president.

MACCALLUM: OK. With regard to what happened today at Justice Kavanaugh's home, your thoughts on protecting these justices and what needs to be done?

BARR: Well, you know, it's outrageous that we've come to this point, and part of it comes from the demonization of individuals and the effort to delegitimize the court. And also there's an aspect of the slippery slope. I think the department should have enforced the federal criminal law against demonstrating in front of justices' houses. And the fact they have and it's on the books, it couldn't be clearer. And the fact they haven't, I think, is emboldened people.

MACCALLUM: You know, the White House in fact said, you know, they said they protect the right to protest and Senator Lee cited that statute as well. That does not -- because the argument is that they're trying to persuade the justice while they're deciding a case, correct, which is illegal.

BARR: Right. Well, as the President is fond of saying no right is absolute, and the first amendment is subject to what's called time, place and manner restrictions. And it's perfectly legitimate to say you cannot demonstrate right out in front of the private residence of a judge in an effort to influence their decision. That doesn't hurt the first amendment.

So, saying that we encourage demonstrations is not an answer. They should be enforcing the law. And, you know, the Justice Department did step up the protection of the justices and I'm glad they did.



MACCALLUM: Yes. Thankfully, there were two marshals outside of Kavanaugh's house, and that's the person -- that's who this person turned themselves into. So thank God for that because who knows what might have happened if those marshals hadn't been outside that house.

I want to play this on a separate topic, Bill. This is from the President today when he was asked about the problem of crime, asked about what's happening in these school shootings and mass shootings that we've seen in the past few weeks. And he was asked about law enforcement about police. Here's what he said.

(BEGIN VIDEO CLIP)

JOE BIDEN, PRESIDENT OF UNITED STATES: This time they move. This time the states and the localities spend the money they have to deal with crime, as well as retrained police officers, as well as provide for more community policing. It's time to get on with doing that.

(END VIDEO CLIP)

MACCALLUM: So, he sounds angry at the states for not using the money that, you know, because we've heard from the podium a lot. Well, we spent \$300 million on this and \$400 million on that in order to fix this crime problem, and he's frustrated it's not done.

BARR: Well, they created an environment in which police aren't willing, you know, are hard to find now, people willing to serve as police. Two years ago when I was attorney general, I gave a speech and said people aren't going to have police departments if this keeps up there. They're hard to find and recruit, and they're inhibited in doing their job. They're worried they're not going to be backed up by either the federal government or the local state government.

And the problem isn't the police. The problem is the rest of the law enforcement system. It's the system that won't support the police. It's the system that lets people go right away after police --

MACCALLUM: I mean, we just have the recall of Chesa Boudin.

BARR: Right. And the revolving door is the problem. Cops have done their job. It's the rest of the system that is frustrating both citizens and the police. And I have to say this administration has done nothing to strengthen the law enforcement system or to show any leadership in that direction.

MACCALLUM: What about leadership on this shooting issue? Is there anything that the federal government can do or that Congress can do that you think might help to alleviate any of these issues or shootings?

BARR: Well, the one that I think had the most immediate impact would be obviously hardening our schools and providing defense in our schools. But I do think there are areas that could be --

MACCALLUM: There were police on the scene here. They were standing in the hallway.

BARR: Right.

MACCALLUM: And they didn't go in.

BARR: Right. But that was a local decision. That was an unfortunate decision by a man who, you know, people have challenged his qualifications.

MACCALLUM: What should happen to -- I mean, to me that's a very, very serious, egregious --

BARR: Yes. And since we have to live from it, and then if people were culpable, you know, they should be held accountable. But in terms of trying to negotiate over the gun issue, there's certain things the federal government needs to be involved in, like making sure the records are there to conduct adequate searches and things like that. Setting the age limit, there's no reason that shouldn't be done on the state level, as you pointed out. Florida has done it, other states can do it.

MACCALLUM: California.

BARR: Yes.

MACCALLUM: Yes.

BARR: And I'm a little worried about the federal, you know, this do- something-ism that the federal government has to do everything. I do think there are things we can do on guns. I hope this bipartisan effort bears fruit. But let's not get into the idea that it has to be one-size-fits-all. And I think allowing the states to do some things the way Florida did.

MACCALLUM: Yes. I mean, the states control the age of, you know, when you can drive, when you can drink all the -- I mean, now it is all 21. But there was a time when the states had different ages for that as well. Bill, thank you. Always good to see you. Thanks for coming in.

BARR: Yes.

MACCALLUM: So what the Biden administration now says about the enormous economic burden on American families as gas prices, yes, I mean, it's a broken record, right, another day, another new high for the gallon price of gas in America. And the former Georgetown law professor opting not to go back to Georgetown Law, after they said that he could return after he sent out a tweet that they didn't like.

(BEGIN VIDEO CLIP)

ILYA SHAPIRO, FORMER GEORGETOWN LAW PROFESSOR: Nationwide, and as Georgetown specifically there are a lot of cowardly administrators who refuse to stand up to the activist radical woke mob who insists that there is no deviation from a progressive orthodoxy.

(END VIDEO CLIP)

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

JANET YELLEN, US TREASURY SECRETARY: But there's no question that inflation is unacceptably high and we need to get it down. And it's partly a matter of demand and supply.

(END VIDEO CLIP)

MACCALLUM: President Biden's Treasury Secretary saying what most Americans already know they feel that every day. Prices are just simply too high for everything. That includes the cost of gas and that just hit another old time high. The national average for regular now \$4.95 a gallon according to AAA, up four cents from yesterday and up almost \$2 from a year ago. Fox Business correspondent Jackie DeAngelis here with us today. Hi, Jackie. Good to have you with us.

JACKIE DEANGELIS, FOX BUSINESS CORRESPONDENT: Good to be with you.

MACCALLUM: You know, basically what we're hearing from Secretary Yellen and also from the White House is that the President is, you know, doing all they can. Here's Gina Raimondo speaking about this on CNN. Watch this.

(BEGIN VIDEO CLIP)

GINA RAIMONDO, COMMERCE SECRETARY: The President is asking for Congress and others for potential ideas. But as you say, the reality is that there isn't very much more to be done.

(END VIDEO CLIP)

MACCALLUM: Oh-oh.

DEANGELIS: Wow.

MACCALLUM: That doesn't sound too inspiring in terms of what the plan is.

DEANGELIS: Well, a couple of things they could stop doing is stop spending. They could stop forgiving student loans, they could stop trying to push through these packages that essentially are, you know, aimed at funding social programs in this country.

We're at a critical tipping point, Martha. \$4.95 for gas, we were forecast to be at \$5 in a couple of weeks. We're probably going to hit it this week. JP Morgan says we'll be at \$6 or higher by the end of the summer. So people are really suffering right now.

It's not just gas. It's also food prices. You've covered this on your show, you know, hundred times. But there are no concrete answers on what to do. And when I listened to Janet Yellen, I'm glad that she's the first one to step up and say, well, I made a mistake here but no one is coming up with a concrete plan. For her to say that there's nothing we can do at this point is unacceptable.

MACCALLUM: Yes. I mean, it seems waded out is the answer. You've got Jamie Dimon saying that he thinks that the economy is headed toward the hurricane, Elon Musk saying that the economy looks super bad, in his opinion. And this is the gas price over the consecutive days. We just updated this screen today because now you've got 17 days of consecutive increases.

And you point out, Jackie, that, you know, one of the things that the administration is doing is to relieve tariffs to get more solar panels.

DEANGELIS: Right. Where do we get our solar panels from mostly? We get them from China. China is the number one producer right now. We come next and then Japan but we're making significantly less. As a matter of fact, solar energy in this country only provides 3% of our needs right now. There are so many problems with solar still that we have to work through. One of them is the reliability, right?

One of them is they're not as green and friendly as you think they would be. We have to put them somewhere when they're broken, when we get rid of them, when we replace them. They use toxic fumes to put them together. And so here he goes, earlier this week, he rolls out the Defense Production Act and says, oh, how we're going to fix this energy problem. We're going to produce more solar panels. That's not the answer right now, not to mention the barrier to entry, the high costs for people to get in, you know, at the onset. This is just going in completely the wrong direction.

MACCALLUM: And there's no suggestion that we have to turn back the wheels a little bit on fossil fuels and on fracking to sort of begin to increase supply. Everyone always says, oh, that's not going to make a difference in the short term. But it does because it starts to move the long term markets on energy supply, right?

DEANGELIS: Absolutely. And that's why the price of oil itself is at \$122 because speculators are looking into the future where they see supply and demand going. And let me just make this one final point when it comes to oil production in this country. We can be roughly 3 million barrels a day higher than where we are now, had we remained on track. And all this finger pointing is happening, it's all coming down to big oil, they're greedy, you know, they're price gouging. That's not what's happening.

This is a supply demand issue that could actually pretty easily be fixed. This is just an administration. And I want to be clear, it's not that they're stupid. They've got an agenda, they're sticking to it. When they made the solar power panel move the other day, I said, OK, they're doubling down.

MACCALLUM: Yes. President Obama said way back when, you know, yes, it's going to hurt a little bit when we make this transition that Brian Deese has spoken about as well to a different kind of energy, and it's pretty painful on the way there. Jackie, thank you very much.

DEANGELIS: Thank you.

MACCALLUM: Good to see you, Jackie DeAngelis from Fox Business Network. And coming up former Georgetown Law professor Ilya Shapiro explains why he will not go back to teaching at Georgetown Law over what he calls the abandonment of free speech at Georgetown Law School. Really important topic, we're seeing it in so many places across the country. His personal story is next.

(COMMERCIAL BREAK)

MACCALLUM: So, more migrants could soon be taking buses to cities farther from the border. First stop, Los Angeles that according to NBC News. It reports that the Biden administration is trying to ease overcrowding at facilities near the border. Some Homeland Security officials are reportedly jokingly calling it "the Abbott plan" after Governor Greg Abbott sent buses of migrants from Texas to Washington.

And now a former Georgetown Law professor turning down the chance to go back to the university because of their free speech policy. Ilya Shapiro was suspended for a comment about President Biden's promise to nominate a Black woman, nominate a Black woman to the Supreme Court. Shapiro tweeted in January before the President had chosen a nominee, objectively best pick for Biden is Sri Srinivasan who is solid progressive and very smart. Even has identity politics benefit of being first Asian Indian American. But alas doesn't fit into the latest intersectionality hierarchy, so we'll get lesser Black woman. Thank Kevin for small favors.

He later tweeted , "I apologize. I meant no offense but was in artful tweet. I have taken it down."

So that is what sparked huge outrage at Georgetown. And this whole escapade that has now led him to be reinstated and now he has left resigned. This is former Georgetown Law professor Ilya Shapiro joining me now. He's the author of "Supreme Disorder: Judicial Nominations" in the politics of America's highest court. Ilya, thank you for being here today.

You know, you said it was an artful, maybe you could explain, you know, what you were trying to say in that tweet.

SHAPIRO: Sure. This was the day that the news of Justice Breyer's retirement leaked and I've been doing media commentary all that day. That's what I did when I was at the Cato Institute for nearly 15 years, my area of expertise, the book that you just mentioned. And late at night, bad practice, don't do this. I was doing scrolling in my hotel room on Twitter, and getting more

and more upset about the President limiting his selection pool by race and sex. I really don't like discrimination or preferences based on immutable characteristics.

So I thought, you know, if I were Biden, if I were a Democratic president, I would pick chief judge of the DC Circuit Sri Srinivasan. Brilliant lawyer, brilliant judge, also has that diversity aspect that you quoted. But since Biden is going to stick to his intersectional criteria, we're going to end up with someone who's less qualified. And since Biden said it was going to be a Black woman, we'd end up with a less qualified than Sri Srinivasan Black woman. And I in artfully phrase that as lesser Black woman, partly because of the limits of the character limits of Twitter.

That was -- then I went to bed and again, bad practice tweeting right before going to bed late at night when you're upset. And I woke up and things had exploded. People were trying to get me fired. The online mob was after me. So I took it down. I thought, you know, this is causing confusion. People are doing bad things. I'll take it down. Sorry, I communicated poorly. But the underlying point that anybody acting in anything other than bad faith or understand was supported by 76% of the American people.

MACCALLUM: Yes. Well, we should live in a world where you can tweet something that you that doesn't come out the way you intended to and be able to fix it and apologize. Which is what you did, you change it, you apologize. And then it turned into this whole enormous thing. But my question for you is, when we look at what's happening across universities, would it be the better choice to stay and fight at Georgetown to expose your law students to thinking outside the box, and to also considering the idea that perhaps what would have been the greatest way to choose the current incoming justice would be to say that you want to choose the absolute best person for the job and not to put them in a box of color or gender?

SHAPIRO: Well, I tried to, that's why I stuck it out after those four, first four days of hell. I had four months of purgatory, while they conducted this farcical investigation. It shouldn't take much time to read a tweet, read the very simple, clear, good policies and apply them. Let alone to determine as the ultimate decision came down last Thursday, that, oh, I wasn't actually an employee. So it wasn't even covered by the policies under which I was investigated.

So I was reinstated. And I celebrated that technical jurisdictional victory. But then, with advice of counsel, with advice of my wife, who's a better lawyer than any of us, we realized that the way that the report from the bureaucrats came down the, Office of Inclusion Diversity, Equity and Affirmative Action, they were setting me up for a fall. They basically said that anytime I said or wrote something that would offend or that somebody could claim offence or discomfort, that would constitute a hostile educational environment.

I couldn't work that way. I couldn't present competing ideas. I couldn't comment on controversial Supreme Court cases. Someone's going to be upset. And so they made it impossible for me to fight, to present students with this other perspective or what have you. It was an untenable situation. I had to leave, and I had to leave and make sure as I did with my four page detailed resignation letter, exactly how Georgetown's policies and how they're applied is rotten.

This illiberal culture bowing to the mob applying rules differently, whether you're liberal or conservative, and fundamentally having the standard of you have free speech, unless you offend someone, that's no freedom at all.

MACCALLUM: Is there a law school in America right now where you could send a student and you feel like they would get the kind of education that would allow them to think outside the box, to have true free speech, to truly debate issues of constitution and law in an open and fair way, where they don't have to worry about getting canceled?

MACCALLUM: Some are definitely better than others. We've seen a Yale Law School have a lot of scandals in that regard. I think they're doing a very poor job, supposedly the most elite in the country. My own alma mater, the University of Chicago Law School, I think, you know, I don't know about the student culture is exactly, but the policies are very good and they're

enforced. And in a good way, University of Chicago, in general, has been an outlier in as these illiberal trends have been sweeping academia across the country.

And that shows that it's not rocket science to have a good culture of free speech and discussion of ideas. Administrators, presidents, deans just at the very outset, need to say we're not in the business of adjudicating, you know, what's good or bad speech.

MACCALLUM: Yes. Well, that's a problem. And you couldn't graduate lawyers who can't think for themselves and who have the sword of Damocles hanging over their head as you said you felt you did. Ilya Shapiro, thank you. We wanted to have you on so we're grateful for your visit. We hope to see you soon.

SHAPIRO: Anytime, Martha. Thank you.

MACCALLUM: All right, you bet. Thank you.

So that's THE STORY for this Wednesday, June 8. But as always, THE STORY goes on so we will see you live from Washington DC tomorrow. We look forward to that. And "YOUR WORLD" starts right now. Bret and I tomorrow night as well on FBN.

END

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**NewsRoom**

## NewsRoom

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May 23, 2022

Fact-check: Is it legal to protest outside justices' homes? The law suggests no  
Law suggests it's not legal to protest outside Justices' houses.

Sara Swann, politifact.com

Abortion protests have erupted across the country since a leaked Supreme Court draft opinion suggested Roe v. Wade may be overturned. With more demonstrations expected in the nation's capital, some Republicans have called into question the legality of protesting outside of justices' homes.

Conservative political commentator Bill O'Reilly raised the issue during a May 11 segment of his show, "No Spin News." He played a clip in which White House Press Secretary Jen Psaki said the abortion rights protests have been peaceful.

Analysis: Here's how Texas Republicans could expand abortion restrictions post-Roe v. Wade

"She's justifying the violation of federal law, saying oh they're peaceful so it's okay. They can go to the Supreme Court justices' houses. It's not okay. It's against federal law," O'Reilly said.

We wanted to look into that.

Legal experts generally agree that targeted, stationary protests outside of a justice's home are prohibited under federal law — an effort to protect judges from undue pressures or influence.

Whether they are illegal is up to a court's interpretation. Experts also warn that interpreting the law too broadly could infringe upon a person's First Amendment right to peaceably assemble.

The federal law O'Reilly claims these protestors have violated is Title 18, Section **1507** of the U.S. Code, which was enacted in 1950. Under this law, it is illegal to picket or parade in front of a courthouse or a judge's home "with the intent of interfering with, obstructing, or impeding the administration of justice, or with the intent of influencing any judge."

Individuals found in violation of this law could be fined, sentenced to up to one year in prison, or both.

'We're going to fight back': Austinites gather at Texas Capitol rally for abortion rights



"Targeted, stationary protest, solely and directly in front of a justice's home, with the intention of influencing that justice's opinion on a vote, could constitute a violation of Section 1507," said Vera Eidelman, staff attorney with the ACLU Speech, Privacy and Technology Project, in an interview with PolitiFact.

But claiming this section prohibits all protests in a justice's neighborhood or that it bans people from marching past a justice's home would be too broad of an interpretation, Eidelman said.

"That reading would unconstitutionally limit people's ability to protest in traditional public forums, including streets and sidewalks, and it would restrict our ability to communicate our messages of dissent, disgust, and disappointment to the public," she said.

In the past, the **Supreme Court** has addressed bans on residential protests. For example, in the 1988 *Frisby v. Schultz* case, the **Supreme Court** upheld a Wisconsin law that banned targeted picketing outside of a person's home.

In this case, the court's concern was that a broader ban on mobile protests through residential neighborhoods would restrict too much protected speech and assembly, Timothy Zick, a constitutional law professor at William & Mary Law School, told PolitiFact.

"It's also possible, given that not only residential privacy but also concerns about the administration of justice are involved, that a court would allow a broader restriction on protests near justices' (and judges') homes," he said.

Grumet: Amid abortion debate, a 'pro-life' Texas does little to support mothers

O'Reilly isn't the only Republican decrying these protests. On May 11, GOP Sen. Chuck Grassley of Iowa sent a letter to the Justice Department calling on Attorney General Merrick Garland to enforce this picketing statute.

"It is beyond dispute that far-left activists have launched a concerted and coordinated effort to intimidate the Court into changing the draft Dobbs decision," Grassley wrote in the letter, referring to the case being considered by the **Supreme Court** that asks if Mississippi's 15-week abortion ban is constitutional.

Republican Govs. Larry Hogan of Maryland and Glenn Youngkin of Virginia also sent a joint letter to the DOJ calling on Garland to "provide adequate resources" to keep the **Supreme Court** justices safe.

While the DOJ has not yet commented directly on the protests, spokesperson Anthony Coley said on May 11 that Garland "continues to be briefed on security matters related to the **Supreme Court** and **Supreme Court** justices."

The attorney general has also directed the U.S. Marshals Service to assist the Marshal of the **Supreme Court** and the **Supreme Court** Police in ensuring the justices' safety.

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**NewsRoom**

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June 13, 2022

January 6 Hearings: Abomination To The American System;  
'Battle For The American Mind;' 'For Such A Time As This'

TREY GOWDY, FOX NEWS HOST: Yes, ma'am, Your Honor. Thank you.

And thank you for joining us. Good night from South Carolina.

"LIFE, LIBERTY & LEVIN" is up next.

MARK LEVIN, FOX NEWS HOST: Hello, America. I'm Mark Levin, and this is LIFE, LIBERTY & LEVIN.

Well, you've seen the spectacle this week and I want to dig into this and I want to dig into the threat of assassination against a Supreme Court **Justice**.

You heard these words often, the past few days, insurrection, sedition, democracy, peaceful transfer of power. What words haven't you heard from this Committee? Show trial, Star Chamber, tyranny of the legislature, separation of powers.

In a courtroom, ladies and gentlemen, there are all kinds of rules based on the truism that **justice**, truth and fairness, they require the ability of the accused to effectively defend himself or herself.

We have a judge, we have a jury of peers, we have the government lawyer, the defendant has a lawyer. Rules of evidence, they apply to both sides. Discovery, especially useful to the defendants, and et cetera.

This is built on 4,000 years of human experience. Athens, the Magna Carta, the Great Western Reformation, and it was refined by the Founding Fathers and the Bill of Rights.

Furthermore, when our Constitution established the House of Representatives, it was created as the single, the only Federal branch directly elected by the people. We don't have a democracy, we have a Republic.

But the extent to which the people have a direct role in their government, it's supposed to be through the House of Representatives, or at least was, and it was to be the body in which the people, all the people, all the people are represented not just the majority. It was to be a body in which the minority had some power, the minority had a role. Otherwise, why have elections if the majority takes over?

The Committee structure: The minority has certain number of seats on the Committee, not the majority, but they have a minority number of seats. They have some says under Robert's Rules of Evidence, the parliamentary rules that apply to the House of Representatives. It is supposed to be a participatory system.

And so the minority as the founders believed in over 200 years of practice, while they can't control the floor of the House and other elements, they have a say. What's the purpose of this? Their purpose is then to ensure that everybody has at least some voice in their government and over their lives. It is to ensure tranquility, even when you have a diverse political system with a lot of voices. It is to avoid the tyranny of the majority, the tyranny of the majority, the tyranny of the legislature.

See in the courtroom, you want opposition to get to the truth, in the legislature, you want opposition. Well, not so much to get to the truth, but so that the other side, so to speak, has a say, has some kind of representation.

We have separation of powers, among other things, Congress exists to raise money, to borrow, to spend, to legislate. Congress has no power to conduct criminal investigations, none whatsoever. That's not their lane. Their lane is to legislate and to ensure, the framers believed, that we wouldn't be criminalizing politics.

You see, the framers of the Constitution looked all over the world. They looked at history. They looked at the Judeo-Christian experience. They looked at Athens, they looked at Rome. They looked at Britain. They looked at Germany, they looked at France. They looked at the great philosophers and they came up with the most fantastic Constitution ever known to man.

And we have the Supreme Court. The Supreme Court is the only Court specifically mentioned in the Constitution. There is no mention of the Appellate Courts, the District Courts or Administrative Courts for immigration or anything of the kind. The Supreme Court is, in fact, in Article III by name, as is the Chief **Justice** of the United States. It is the only one.

Three branches of power. Montesquieu -- Montesquieu, cited over and over again in the Federalist Papers how important it is to have three branches of government. This is all set up so We, the People can survive in a civil society and that we have rights, too.

Now, none of this has been discussed by this January 6th Committee. Why? Because every single thing I just told you is being rejected by this Committee -- hook line and sinker. Individuals were not protected. Individuals had no due process rights.

This Committee has conducted an unconstitutional parallel criminal investigation, going through the backdoor to get around the Bill of Rights and other procedures and then feed its information to a politicized Department of **Justice** and Attorney General. Absolutely appalling.

This is outrageous. This Committee is made up of all Democrats. I know they keep talking about two Republicans, these are figureheads. They're never Trump errs. In fact, they are the most zealous on the Committee, Cheney and Kinzinger because they're on the outs with their own party, and they're trying to even the score.

There is no way possible that a Committee structured like this, where every person is appointed by the Speaker of the House, who has a four or five vote majority in the House of Representatives. Speaker of the House, because of their loyalty, either to her or their hate for the prior President, Donald Trump. There is no way that we can get to the truth under this Committee.

And what is the purpose of the hearing? The purpose of the hearing is not to present a Hollywood produced show trial. The purpose of a hearing is to garner information.

They say they had a thousand witnesses and 140,000 documents. A thousand witnesses and 140,000 documents? In order to determine what? How to protect the Capitol Building?

A thousand witnesses and yet, they couldn't call one more, Nancy Pelosi to explain what she did or didn't do. And more and more information is coming out about how incompetent and ideologically irresponsible Nancy Pelosi was. Her failure to protect that building.

Now, this is a sham. This will go down in history as a dark mark on the American political system. You can't see it now, the mob is in control. The mob runs the media. The propaganda is full throated. You can't see it now.

But history has a way of sobering events and we will see this one day as the outrageous attack on our system, on the prior President, on scores of people that it truly is.

It's an abomination to the American system, not just of a **Justice**, but our congressional and representative system.

Now, as you know, there was what was to be an assassination attempt on a Supreme Court **Justice**, Kavanaugh -- Brett Kavanaugh.

Brett Kavanaugh was turned into the enemy of the state by the Democratic Party, by "The Washington Post," by people bearing false witness and by others, day in and day out, Kavanaugh. That was the goal: To dehumanize him, to destroy him.

That was the goal in the war against Clarence Thomas. It is now the goal against the Supreme Court unless of course, the left controls the Court and it is independent. They are near to worship it, then they do movies about their **Justices**.

But not now, not now, because the left knows it is not going to get all the decisions at once because it didn't win all the elections, that it insisted on winning.

Mr. Kavanaugh's life and potentially, the life of his family were threatened just a few days ago. Why were they threatened? Well, among other reasons, the Democratic Party and their media mouthpieces said some things about this Court and have said things about Kavanaugh that would cause the blood to boil of any kook and psychopath. It has blood boiling in people who aren't kooks and psychopath.

We've never had a persistent, constant threat on **Justices** of the Supreme Court.

Not only that, the Democratic Party and so many of its members and media types are on record, that they want to destroy the independence of the Court, they want to pack the Court. They want to eliminate the filibuster so they can influence the final decision of the Court.

This is a disaster what the Democratic Party is doing, reaching back to Donald Trump, this is what third-world types do. This is what Stalin and the other genocidal maniacs have done. That is try to take people who are out of political power and destroy them so they can never come back, so their voices can't be heard. Smear the people who back them and so forth and so on.

Yes, there is an overlay here.

Very quickly. I want you to listen to what Donald Trump said on January 6, 2021 in relevant part. Cut one. Go.

(BEGIN VIDEO CLIP)

DONALD TRUMP, FORMER PRESIDENT OF THE UNITED STATES: We have come to demand that Congress do the right thing and only count the electors who have been lawfully slated -- lawfully slated.

I know that everyone here will soon be marching over to the Capitol Building to peacefully and patriotically make your voices heard. Today, we will see whether Republicans stand strong for integrity of our elections, but whether or not they stand strong for our country.

(END VIDEO CLIP)

LEVIN: That is about as passive a statement you could possibly make, "peacefully and patriotically." Does that sound like a man leading an insurrection?

And even more than that, we have on the record numerous people that President Trump offered National Guardsmen to the Capitol, to Pelosi four days before January 6th -- four days before January 6th.

So these two issues alone would undermine completely the entire purpose of this Committee, which is why they have to have a thousand witnesses and 140,000 documents.

They want 100,000 puzzle pieces so they could put little texts together and e-mails, have music, show the violence from the group that did break in to the Capitol, and then trying to turn it into a Donald Trump event. That's what propagandists do. That's what Hollywood does. It's what our media do with the Russia collusion and the rest of it.

Now, I want you to hear what Chuck Schumer said on March 2020, about the Supreme Court and two **Justices** in particular. And keep in mind the comparison to the two: The voice of Donald Trump and the substance of what he said "peacefully and patriotically." Now, listen to Chuck Schumer. Go,

(BEGIN VIDEO CLIP)

SEN. CHUCK SCHUMER (D-NY): I want to tell you, Gorsuch; I want to tell you, Kavanaugh, you have released the whirlwind and you will pay the price.

[CHEERING AND APPLAUSE]

SCHUMER: You won't know what hit you if you go forward with these awful decisions.

(END VIDEO CLIP)

LEVIN: "You won't know what hit you if you go forward with these awful decisions." He is not only obstructing the work of the Court and trying to influence the outcome of a case or two or three or 10. "You won't know what hit you." Now, this is violent language.

Can you imagine what this Committee would do with that language if those words were uttered by Donald Trump on January 6th? But that's not what happened.

There was a complaint filed by Landmark Legal Foundation with the Senate Select Committee on Ethics, headed by Senators Coons and Lankford, talking about specifically the threat that was made by Schumer to these **Justices** and how an unhinged individual might view this as a call to violence.

You know what the Select Committee on Ethics did in the United States Senate? Nothing. Absolutely nothing. A Supreme Court today, even as I speak, threatened with violence.

Finally, there's a Federal law, most of you have memorized it by now. 18 U.S. Code Section **1507**. You're not allowed to quote-unquote, "peacefully" protest at the home of a **justice**. That's the law.

It took the Attorney General of the United States weeks -- weeks -- to beef up security for these **Justices** -- weeks, and he hasn't prosecuted a single person who has committed a felony here, not one.

And Chuck Schumer, we have the audio, we have the video, and Nancy Pelosi, we have the audio we have the video. Both of them encouraged their mob to go to those houses, break Federal law, commit felonies, and influence the outcome of a Supreme Court decision that is obstruct the work of the Court.

I don't believe any of them have been charged with anything. No handcuffs, no leg irons like Peter Navarro. No, none of that.

What we're facing now is the tyranny of the legislature as Jefferson called it. You're witnessing it through Nancy Pelosi who failed to protect the Capitol Building. As of today, has failed to protect Supreme Court **Justices**. She has a bill on her table passed unanimously by the Senate.

And as of my speaking right here, for almost two months, she has done absolutely nothing with it. Why? Because she wants the Supreme Court damaged because she disagrees with their opinions.

This is tyranny. You're staring it in the face.

I'll be right back.

(COMMERCIAL BREAK)

LEVIN: Welcome back, America.

One of my favorite people in the world is Peter Hegseth. A hero, great patriot, incredibly smart, and a fighter. That's what he is and it is an honor to have you on the program, Pete.

PETE HEGSETH, FOX NEWS CHANNEL COHOST, "FOX AND FRIENDS" WEEKEND: Thank you, Mark.

LEVIN: You have written a book that is so greatly important. I don't know how you timed it so perfectly. "Battle for the American Mind: Uprooting a Century of Miseducation." This applies to everything going on in this country today.

And if the radical left has control of education K-12 in brainwashing and indoctrinating our children, it's over. Why did you write this book?

HEGSETH: I wrote this book because I don't want it to be over, Mark, like you, and I realized only an educated populace is a free populace and of course that's what our founders understood, that's what you know, that's also what the left knows.

First of all, you wrote a book that contributed a lot to it, "American Marxism." This book laid out what's happened in our country. I have it right here, the embargoed original copy.

What we humbly hope this book is, is basically "American Marxism" for the classroom K-12. A full expose of how the lunacy you see: Genderism gender pronouns for eight year olds, critical race theory, 1619 Project, that didn't pop up out of nowhere, it was part of an intentional, first gradual then sudden as Hemingway said, takeover of the minds of our kids.

And you see it now in the lunacy, and you might think, oh, this is just an accident of the 60s, or, you know, a few radical teachers unions or Joe Biden, or Common Core or Barack Obama. No, no, no. This is a 100-year -- over 100-year progressive project, you know, names like John Dewey and Frances Willard and, you know, the whole Frankfurt School.

Chapter 6, to tie it to current events, Mark, is the straight line from critical theory to Antifa. How ideas that promulgated in places like Columbia University and that teachers college when the Marxist landed there have made their ways into first the classroom and the curriculum and the pedagogy and everything, but now into our streets, because they are breeding a new class of radical leftist activists coming out of not just universities, but high schools, middle schools, and elementary schools.

And what I want to do with this book is equip parents and grandparents to understand the depth of the problem. So that they can be a part of the solution and radically reorient how they educate their kids first, and then get to how we address the larger system as well.

LEVIN: You know, Pete Hegseth, I've spent a lot of time studying this, and yet, I learned a lot from your book. It really exposes the underbelly of what has been taking place in this country and the classroom, and I would strongly encourage parents and grandparents and everybody who cares about the future of this country to grab a copy of "Battle for the American Mind."

You and I were talking before the program of the book called "The Closing of the American Mind" by Allan Bloom, and he was focused on colleges and universities. That was a very, very important book at the time that resonated throughout society.

It is my deepest hope that "Battle for the American Mind," which is the focus on the public school system, and what goes on in the classrooms and how we got to where we are, what's happening today, what we can do about it, that this resonates as well.

It is very important when people show up at school board meetings, they have this book under their arm. I touched on it in the book, but you expand on this issue like nobody I've ever seen. It's very, very important.

As you point out in the book, there is a reason they are pushing critical race theory, there is a reason they're attacking the nuclear family. There is a reason they don't want parents involved.

Now, you say this started a hundred years ago or so, which is true. What was the goal of John Dewey and these other so-called early progressives in the earlier part of the last century?

HEGSETH: Societal change, Mark. It was a reversal of Western Christian tradition. It was -- they masked it under the idea of more vocational training, that you didn't need a generation of kids in rural America interested, you needed to train them for an industrial economy, a future economy. That's how they spun it.

In reality, every single name I've listed from Frances Willard to Francis Bellamy, who created the first Pledge of Allegiance to John Dewey to the Frankfurt School, they are all atheists, socialists, and Marxists.

And what they knew is if they wanted radical societal humanist change, they wanted a future utopia of what they would call the quality now today, they say equity which is total crumbling of the capitalist system, and of a Western style Republic, they had to undermine free thinking, and they had to get -- they had to replace the key ingredients.

What's the most key ingredient they replaced, Mark? It was God. It was -- and they knew that parents would have revolted in the early 20th Century if they did that.

So like a precious artifact on a pressure plate, they took God off, and they replaced it with something that looked just like it and what they replaced it with -- and this is shocking for people like you and me -- who revere our flag and our pledge and our



country is they replaced it with patriotism, and the flag, and they put in a new Pledge of Allegiance called the Bellamy Salute, after the Roman Salute, which did not include under God when it was first instituted by a socialist.

They created a brand new network of schools, one called the Gary Plan in Gary, Indiana, which removed God.

Now, fast forward 80 years, as their pipeline of progressive and Marxist thinking goes, they never cared about patriotism in America and the flag, so they're happy to get rid of it. It was all incremental steps toward an atheist societal change of humanism and secularism and the belief that -- it goes back to the Marxist battle of the bourgeoisie and the proletariat.

Although that didn't work in class, as you know, as you wrote about in "American Marxism" with class, so they moved into a race and gender and more cultural issues of Cultural Marxism and they -- real quick on the idea of Frances Willard. She was a socialist feminist in the 1870s, who wanted to get rid of alcohol.

And so, she put in anti-alcohol curriculum into the third grade classrooms across America. Wa-lah, a generation later, not only was alcohol banned, there was a constitutional amendment passed to prohibit it.

The progressives in the early 20th Century studied that and they said, the classroom is the most powerful tool we have for societal change. And so they started to create new schools that could do those types of things and they wrote about it openly in the "New Republic." And a big part of our research, I wrote this book with David Goodwin, he is an expert on classical Christian education. He is amazing.

A big part of our research was looking at the New Republic and what John Dewey and other atheist progressive socialists were talking about. They openly talked about how important education was toward their goals, and they had to remove God and they had to remove the free thinking aspect of it.

They just believe it is the same condescending view that our elites have today, Mark. Average people don't need to think about philosophy or politics or economics, just treat them -- just give them a skill, tell them what to think, and make them go away. Those people become easier to control.

The idea of the Liberal Arts was a liberated mind, you know this, and that's what they wanted to get rid of.

LEVIN: The book is "Battle for the American Mind." You can get it at amazon.com, any major bookstore. It really is the book about education for our time as far as I'm concerned.

We'll be right back.

(COMMERCIAL BREAK)

MOLLY LINE, FOX NEWS CHANNEL CORRESPONDENT: Welcome to "FOX News Live." I am Molly Line in New York.

Capitol Hill unveils a major breakthrough in gun reform talks. A new bipartisan agreement aims to strengthen Red Flag Gun Laws, bolster school security, and enhance mental health support.

A group of 20 senators including 10 Republicans has signed on to the deal's framework. Senate Majority Leader Chuck Schumer says the bill will be put on the floor as soon as possible once finalized.

Members of the White supremacist group, Patriot Front are set to be arraigned tomorrow and an Idaho Court on charges of planning to incite a riot. The 31 suspects were arrested yesterday while traveling in a U-Haul carrying riot gear.

Authorities say the group gathered from at least 11 states intent on disrupting an LGBTQ Pride event.

I'm Molly Line. Now back to LIFE, LIBERTY & LEVIN.

LEVIN: Welcome back, America.

Pete Hegseth, the book is "Battle for the American Mind." "Battle for the American Mind."

Pete, what you seem to be describing is patriotism towards government, not your country's, not the ideals of the founding and the devouring of the society, the country by government and its impact today, is that about right?

HEGSETH: That's about right. That's exactly right. It was never about celebrating the ideals in the classroom, our Western Christian tradition, Judeo-Christian tradition, it was about elevating the state and government. And they always use the word democracy, you notice that word. It's always on the lips of progressives today as well. It was on the lips of progressives then.

And you know, the pipeline never stopped in this goal even if those that started it could have known exactly where it ended. They knew where it wasn't going to end. It wasn't going to end in the founding ideals of our country and our Judeo-Christian Western values.

So from the Frankfurt School arriving at Columbia University, to the teachers unions, which used to be patriotic, faith-filled teacher associations, they were gobbled up by the union movement. God was stripped out there as well. Supreme Court rulings occurred.

Who created the Department of Education, Mark? The teachers unions. Who founded the AFT? John Dewey. He used the model of progressive schooling and he's the Honorary Life chairman of the NEA.

So secular Marxists started the unions, which then were taken over which they openly -- the unions created the Department of Education as a gift from Jimmy Carter -- enter "A People's History" of Howard Zinn, the most popular textbook, in our classrooms today, which was written by an avowed lover of the Soviet Union, a totally anti-American history, you know that, move into common core and social emotional learning.

And wa-lah, COVID-19 happens, and you open up your kid's laptop, and you're seeing 1619 Project, and you're seeing Black kids are inherently oppressed, and White kids are inherently oppressors, and you're seeing gender pronouns and queer studies in your elementary and middle school.

It didn't happen by accident. It was academics in ivory towers, who proliferated theories, the ideas have consequences and they understood the Abraham Lincoln axiom that the philosophy of the schoolroom becomes the philosophy of government and the next.

So as parents, as we look at this, I celebrate the people that go to School Board meetings in protest, Mark, and I really do. I think it's really important. My mom watched dog my public school.

But ultimately, that doesn't change the dynamic of that School Board, that school system, the teachers unions, the pedagogy of what is taught, the diversity, equity and inclusion counselors -- all of the money of the Democratic Party in the educational complex, you have to make a radical choice as a parent or grandparent to do something different.

And then eventually down the line, policymakers have to get the full educational choice so that parents can vote with their money and vote with their feet. And we need to defund the unions. These are all the types of things we have to do now.

But we talked about classical Christian education, classical education, there are online options, there are homeschooling options. There are things you must do, because if you're counting on deprogramming your kids, Mark, out of middle school in high school at this point, it is not going to work.

You're sending your kids to Democrat camp for eight hours a day, 40 hours a week and hoping you know one night at church or over dinner you can deprogram that, that's not how you create the kind of citizens we need to fight for our republic.

LEVIN: And I noticed, Pete, that the Federal government, Department of Education, which is the plaything of the teachers unions, you're right, wants to have more and more control over private schools, too, don't they?

HEGSETH: Sure, do. They also -- you know, they tried to outlaw homeschooling in the 1970s. They want more control over private schools and Christian schools.

In fact, they attempted to outlaw Christian schools decades ago. They want full consolidation. They want the complete monopoly of government schools. That's exactly what they want. That's what the teachers unions believe they deserve even though they don't deliver excellence and they know they don't deliver excellence.

You know, there were books like "Closing the American Mind," there are books like "Johnny Can't Read." There are a lot -- there is a lot of exposes about how our school system fails kids. Ultimately, it is failing them to understand why America is special. It is creating America haters. It is self-loathing citizens and activists, and you can't keep a Republic when that happens.

Randi Weingarten and what she has done with the teachers unions during COVID-19 is a stark example.

So we talk about the solution, Mark as an insurgency. That's what it is. It's a form of warfare of the weak against the small, the public school unions have the power, parents can have the knowledge to fight back. There are five chapters on the solution in this book, we focus on the solution. We want parents to be equipped as well.

I'm just grateful that you give me the time to talk about it, Mark.

LEVIN: Pete, you've done a great public service here. You're a great patriot. I hope every American gets a copy of this book, not because we want to sell books, we're on a mission here as you've been on many missions in your life.

The book is the "Battle for the American Mind: Uprooting a Century of Miseducation." Pete Hegseth with David Goodwin. Here it is. It's very much worth reading.

We'll be right back.

(COMMERCIAL BREAK)

LEVIN: Welcome back, America.

Fantastic guest, Kayleigh McEnany. You all know who she is?

Press Secretaries. I'll tell you why: You're very honorable. You've written a book about your life, your spirituality, and how it affected your job, then and after. You haven't written one of these books where you're angry after the fact and then you have a tell-all book about your former boss and on and on. I can't stand books like that. I never wrote a book like that.

It's just the wholesome, thoughtful, inspiring book "For Such a Time as This." So tell us about such a time as this, and the times, it seems to me are very grave.

KAYLEIGH MCENANY, FOX NEWS CHANNEL CO-HOST, "OUTNUMBERED": Yes, well, thank you, Mark. I'm humbled by your words.

You know, I came in to this job and arguably one of the most aberrational periods, certainly in modern history. I mean, think about it: COVID-19, no one had seen anything like it, at least in a generation, the entire country shut down and walking in to this job of being the chief communicator to the country at such a time underneath my boss, the President, who really was his own communicator was quite something and I was nervous, I was a little scared.

I'm very honest about that in the book, but I drew inspiration from the Book of Esther for such a time as this where God puts people in certain positions in certain places for just such a time and I think I was in that role. I had an amazing boss. I couldn't write a tell-all if I tried because President Trump was just treated me wonderfully, almost like a daughter, and just was very kind.

But not only that, more importantly, Mark, the way he led our country, I think everyone now, Joe Biden at 33 percent approval in Quinnipiac kind of longs for a time where we didn't pay for \$5.00 gas. We could afford baby formula. We weren't anticipating rolling blackouts.

I had a great boss, chiefly because he was a great leader for this country.

LEVIN: But let's get into that a little bit because you just hear these endless attacks on Donald Trump in every way. People who have stabbed him in the back, people who stab him in the front. The media has had a hate on for Donald Trump since day one. You have these Never Trumpers like Liz Cheney, and others.

You have just this portrayal of a man that you know, and I know who is nothing like what they say about him. He is a kind man, he is a funny man. He looks at you when he talks to you. He wants to know about you, is that the Donald Trump, you know?

MCENANY: It is, no doubt about it. I mean, he is fun to be around. It's hard to walk out of a meeting without laughing at least once or twice.

And look, make no mistake, he was hard on people. I remember, I talk about this, one of the toughest times I ever saw him was in the aftermath of St. John's Church burning. We all remember that iconic church across from the White House that burned amid that summer of riots, and I watched him really be tough on people in the room.

The Department of Defense who should have stepped up: Why was this area not secure? Be tough on the DOJ. But that toughness was merited.

But by and large, I can tell you this man, he was great to be around and I remember being on Marine One with him taking off and you're watching the blades of grass kind of blowback from the White House lawn and he asked me this odd question: "Why are you here, Kayleigh?" And I'm like, "I'm your Press Secretary. It's a little odd." He said, "No. Why are you here?"

And he found out my husband was in the middle of playing a baseball game. You know, my daughter was around. He's like, he told me, at the end of this trip, "Kayleigh, you know, I'm honored you're here. I'm honored you're here during your husband's baseball game. But never miss another one of those on a weekend. Send one of the young kids. Go to my private dining room, prop up your feet and enjoy the baseball game."

I didn't do it, but it tells you a lot about how he was. I didn't agree with him on every tweet. I didn't agree with everything the President ever did. You never do. But I can tell you one thing, he was a great President of the United States.

LEVIN: And at his core, he loved the country. We have people in public office now who attack the country, who attack the people of the country, who don't believe in the founding principles and he defended every aspect of that, didn't he?

MCENANY: Even when it was difficult. Mark, you know, you've seen this game play out over and over again, oftentimes with Republican Presidents. They say one thing, they get in, they don't do it.

And everyone waited with bated breath as President Trump went into the White House and the media was aghast. How dare he get out of the Paris Climate Accord? How dare he stick with his word, this temporary pause from terrorist hotbed countries? How dare he -- you know how xenophobic of him to ban travel from China amid the coronavirus?

All of these things, he followed through. On pro-life, look at the **Justices** he has put in place, and with each one, the media said we can't believe he is actually keeping true to his word, but he did, because he was a different kind of President and it wasn't about the swamp changing him, it was about him staying true to what I watched him as his campaign secretary, say to those forgotten men and women all across the country.

LEVIN: We'll be right back.

(COMMERCIAL BREAK)

LEVIN: Welcome back, America.

Kayleigh McEnany, real class act. Here's the book, "For Such a Time as This." I know you're going to love this book. It's inspiring. It's about faith. It's about belief and how it affects your everyday life.

Did you have to reach down deeply into your faith when you would come under attack? I mean, after all, they didn't treat you like Jen Psaki.

MCENANY: Oh yes, indeed, I did.

You know, if look at the things Jim Acosta would ask or Kaitlan Collins or you know, any of these reporters, they were absurd questions. I mean, Mark I went back and I was watching one briefing where I'm flipping through the pages in my binder, and I'm asked this question, and it was by a, quote- unquote, "serious reporter," Ryan Lizza.

The question was this: "Is the President glad that the South lost the Civil War?" To which you could see me just stop flipping the pages of my briefing book, look up totally just bemused by this question, and they say there's no such thing as a dumb question. That is dumb. And I was asked a lot of questions like that with shouting over me as I spoke.

And it's interesting to watch the difference. You know, Jen Psaki, for instance, her last briefing, someone shouted over her, and the White House press corps got together and said, "We may punish this person." They threatened the reporter. You know, you may be out of the White House Correspondents Association, I believe that was the punishment.

And I'm like, where were you during the entire duration of my tenure when people were yelling? So it took digging down deep, leaning on 1 Peter 3:5, which says we need to be gracious in our responses to people for why we believe the things that we believe.

LEVIN: It is an interesting question about the Confederacy. I guess, Biden will never be asked that question since he was a racist and a segregationist and was good buddies with two racists out of Mississippi, so he'll never be asked that question, of course.

MCENANY: Of course not.

LEVIN: So tell us a little bit about your faith, and how you practice your faith.

MCENANY: It's instrumental to my life. You know, I lean on it, especially during the very hard times before my first briefing, for instance, my parents got on the phone, we prayed together. I went into the private West Wing bathroom there, and the last thing I did was get on my knees, say a prayer, and I walked to the podium, and I had this serenity, as if I had been there my whole life and that's how I channel it.

It's a conversation. It's a relationship. It's not even really a religion, just a relationship with my savior. And yes, I was raised Southern Baptist. I went to an all-girls Catholic school. But my faith is so much more. It's a conversation, and it's something that I lean on.

And at the times when it got most heated, most often, there were a lot of tough times. I mean, we had a tough summer with the riots, with COVID, of course, with the elections. It is something that I found refuge in and in the most powerful building in the world, and sometimes the most challenging.

LEVIN: And you're a cancer survivor, are you not?

MCENANY: BRCA-2, so I have a genetic mutation, never had breast cancer, but I had an 84 percent chance of it. So, I took preventative action, had a preventative double mastectomy. Same thing, when I say during the low points is when I really find refuge in my faith, that was such a time as well, which happened to be on May 1st, my first briefing, May 1st was my double mastectomy.

My mom had had a double mastectomy before me. And you know, I look to many strong women, about a quarter of a million women in this country get breast cancer every single year, and I took action and took my chances down to virtually zero. And I'm thankful for all the women who came before me on this path.

LEVIN: What do you say to people who are facing these life and death decisions about faith?

MCENANY: Look, I say this, ask God, challenge God, ask if He is out there. I just heard a powerful story recently about the underground church and someone who was not a believer but challenged God and was encouraged to do so. And he showed up in a pretty powerful way, in a healing way.

So if you're on a life and death decision, just challenge it. What do you have to lose? Are you there? Ask the question. Show up. And I promise you, because He certainly did that for me in one of the lowest points in my life. It's when my faith became real to me.

I was at a very lonely spot. My parents weren't available to talk on the phone and I said, "Hey, God, if you're out there, I've got to hear from you right now in this very moment." And I got a phone call. And they said, "This is the Journey Church," and it was the church I had attended a few times, "How can we pray for you?"

And it was in that moment that someone I don't even know who the person was changed my life, and I got a call that forever changed my life more so even than the call I got from the President to come in to the White House.

LEVIN: Well, I want to thank you for your service to the country. Absolutely outstanding.

I want to thank you for how you dealt with the media. You did it with a lot of class and grace, you were always prepared. He came with your notebook. You're a Harvard Law grad, and it looked like it when you were there.

Okay, next question. Boom, boom, boom, boom. Just fantastic.

The book is "For Such a Time as This: My Faith Journey through the White House and Beyond." You're going to love this book, folks. I hope you'll get it on amazon.com, any major bookstore. She wrote this from her heart. It's a fantastic book.

Kayleigh, thanks for everything.

MCENANY: Mark, thank you. And I must say, as a young conservative, I've looked up to you for a long time. I followed you, an entire generation of conservatives, a lot of people are doing what they're doing because of you and others like you, but you are -- you stand alone, Mark Levin, and it shows.

LEVIN: Well, you're very, very kind. Very sweet. God bless you very, very much.

MCENANY: Thank you.' ' LEVIN: We'll be right back.

(COMMERCIAL BREAK)

LEVIN: Welcome back, America.

I don't have a lot of time. Let me tell you this about Donald Trump that you're hearing such terrible things from the corrupt media.

My brother-in-law passed away last October. He was very, very ill. He was in the hospital. It wasn't clear that he could hear us near the end, and I called President Trump because he was a huge, huge Trump fan. And I asked him if he would say something to him, if he could hear something encouraging.

Ladies and gentlemen, 90 seconds later, the President of the United States calls, speaks to my brother-in-law, Joe. He didn't know Joe at all, but Joe was a Trump fan from day one.

These are the sorts of things Donald Trump does every single day. He is nothing -- nothing -- like Liz Cheney, Adam Kinzinger, Nancy Pelosi and the media portray him.

I just want you to know that from me to you.

See you next time on LIFE, LIBERTY & LEVIN.

END

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June 12, 2022

Interview with Sen. Chris Coons (D-DE); Interview with Governor Asa Hutchinson of Arkansas

BRET BAIER, FOX NEWS ANCHOR: I'm Bret Baier.

A nation divided over some of the biggest issues of our time raises questions about the future of Americans' freedom, security, and democracy itself.

(BEGIN VIDEOTAPE)

REP. BENNIE THOMPSON (D-MS): January 6th was the culmination of an attempted coup. The violence was no accident.

BAIER (voice-over): On Capitol Hill, a House panel laying the blame for what happened at the U.S. Capitol on January 6th on Donald Trump, while Republicans claim the committee lacks credibility.

REP. KEVIN MCCARTHY (R-KY): It has permanently damaged the House and divided this country.

BAIER: Divided over guns.

(CHANTING)

UNIDENTIFIED MALE: Our everyday problems.

BAIER: As the country faces mass shootings at schools, supermarkets, and workplaces, divided over abortion -- as Congress considers what action to take after a threat on Supreme Court **Justice** Brett Kavanaugh's life escalates fears of violence.

We'll ask Democratic Senator Chris Coons, a close ally of President Biden, about the bill he is sponsoring to extend security and protection for **justices'** families.

Then, Arkansas Republican Governor Asa Hutchinson joins us to discuss the prospects for finding common ground on guns and abortion.

And, we'll ask our Sunday panel what it will take to raise the level of political discourse in this country.

Plus, "FOX News Sunday" is on the road to the midterms in the pivotal swing state of Nevada, ahead of another round of primaries.

All, right now, on "FOX News Sunday".

(END VIDEOTAPE)

BAIER: And hello again from FOX News in Washington.

It was a week of major challenges for everyday Americans and the elected officials responsible for steering the ship of state. Hearings about the Capitol riot of January 6 brought back memories of a mob of protesters attacking police and trying to stop the certification of a lawful election. Marchers gathered in Washington to push for control in response to the massacre at a Texas elementary school. Inflation rose again and the average price of gas hit a painful \$5 a gallon nationwide.

The challenges facing the nation hitting the White House hard as President Biden struggles to push his agenda midway through the primary season.

In a moment, we will speak with Democratic Senator Chris Coons about his party's struggles.

But, first, let's turn to Lucas Tomlinson live at the White House for a look at how the Biden administration is responding -- Lucas.

LUCAS TOMLINSON, FOX NEWS CORRESPONDENT: Bret, President Biden wants to make gun control a central issue in the upcoming midterm elections. Protesters around the country want action now.

(BEGIN VIDEOTAPE)

UNIDENTIFIED MALE: We're just simply here to say enough is enough.

TOMLINSON: Thousands gathered on the National Mall and in cities across the country following mass shootings in Buffalo, Uvalde, Chattanooga, and Philadelphia. So far, no agreement has been reached on Capitol Hill for new gun control legislation.

JOE BIDEN, PRESIDENT OF THE UNITED STATES: They're still mildly optimistic.

TOMLINSON: Also unfinished, a final bill of protections for Supreme Court **justices** and their families. House Speaker Nancy Pelosi under new pressure to pass the measure after an armed man was arrested for saying he wanted to kill Associate **Justice** Brett Kavanaugh.

REP. NANCY PELOSI (D-CA): There will be a bill, but nobody is in danger over the weekend, because of our not having a bill.

TOMLINSON: And the long-awaited hearing investigating the violence of the U.S. Capitol on January 6th aired in primetime with millions watching.

Republican Committee Vice Chair Liz Cheney saying Trump bears responsibility and pressed lawmakers who have stood by him.

REP. LIZ CHENEY (R-WY): I say this to my Republican colleagues who are defending the indefensible: there will come a day when Donald Trump is gone, but your dishonor will remain.

TOMLINSON: All this against the backdrop of crushing inflation. The Labor Department saying it jumped to 8.6 percent in May.

KARINE JEAN-PIERRE, WHITE HOUSE PRESS SECRETARY: The economy is in a better place than it has been historically.

TOMLINSON: It's a tough sell. The gas prices now the highest in American history, crossing the \$5 threshold early Saturday. In contrast, Biden's approval numbers now tying his record low at 33 percent.

(END VIDEOTAPE)

TOMLINSON (on camera): President Biden confirmed he will be going to Saudi Arabia next month. He claims it's not because of oil, but for national security -- Bret.

BAIER: Lucas Tomlinson reporting from the White House -- Lucas, thank you.

BAIER: Joining us now, Democratic Senator Chris Coons of Delaware, the president -- the president's home state.

Senator, welcome back to "FOX News Sunday".

SEN. CHRIS COONS (D-DE): Great to be on with you, Bret. Thank you.

BAIER: You heard in Lucas' piece, this week, a man called police on himself saying he wanted to kill Supreme Court **Justice** Brett Kavanaugh. He did that outside Kavanaugh's home, armed and prepared to do it.

You cosponsor this bill last month to beef up security for Supreme Court **justices** and their family, but the House has not moved on the bill for 30 days. You heard House Speaker Nancy Pelosi in Lucas' piece reference -- there's no problem here, there's protection for the **justices**, nobody is going to get harmed over the weekend.

But what about that and what is the hold up?

COONS: Well, Bret, I was grateful for the chance to work with Senator Cornyn. We got the bill unanimously through the United States Senate. And as you know these days, not enough things get through the Senate with the kind of uniform universal support that that bill enjoyed.

The House is working to add a provision that would allow the marshal of the Supreme Court to decide to extend protection to staff and families of staff of the Supreme Court. I think that's appropriate, that's an acceptable compromise.

More than anything, I think the House needs to take it up and pass it early next week. And I'm optimistic after several conversations with House leadership that they will.

Frankly, as you also referenced in the introduction, Bret, the January 6th hearing that just took place was a riveting reminder of the dangers of politically motivated violence in our country. And the gun massacres, the shootings that happened at a grocery store in Buffalo and at an elementary school in Uvalde, are also a call to action.

And I'm grateful to be working with Senator Cornyn as a part of a broad bipartisan group that's working to address mental health and gun safety as well.

BAIER: Going to get to both of those other things in just a minute. But staying on this particular thing, there is already a federal statute on the books that makes it illegal to protest in front of a judge's home. It is Title 18, Section **1507**.

These groups published the conservative **justices'** addresses online. They've been protesting nightly. Should they be arrested?

COONS: Look, Bret, we have to strike the right balance here between protecting freedom of speech in this country and ensuring that our **justices** and judges are safe.

We passed a bill through the Senate months and months ago that would also provide further protections obscuring the addresses, for example, of **justices** and judges. That's something we took up in the wake of a horrifying attack on the family of a federal court judge in New Jersey where her son was killed.

I do think we need to take stronger action to make sure that our federal judiciary is safe because that's part of making sure our democracy is safe, which really is the core issue of the January 6th hearings, is how do we make sure that the fundamentals of our democracy, the safety and security of Congress, the peaceful transfer of power, and I would also at the safety and security of our federal judiciary is insured. We should act.

BAIER: Senator, we're getting ready for this ruling. It's going to be controversial no matter what happens. If it matches the draft -- leaked draft opinion or not, there is this law on the books.

I'm just asking, should they follow the law? Should the attorney general say, yes, arrest those people before something happens?

COONS: Well, Bret, I think if the leaked version of the opinion is matched by what would be a remarkable act of judicial activism, conservative judicial activism, there will be understandable anger across the nation.

As an elected official, I've certainly had protests out front of my house. Many of us have who serve in Congress and other elected offices.

But we need to make sure that all appropriate actions are being taken to ensure the safety of members of our federal judiciary, including Supreme Court **justices**.

BAIER: Okay, so don't arrest the protesters based on the title, I got it. That's what you're saying.

The president this --

COONS: Bret, let's be clear. I didn't say don't arrest protesters. I'm simply saying that all appropriate action should be taken to ensure the safety of the Supreme Court **justices**.

And I'm not going to say this protester or that protester ought to be arrested. I just think that that's a judgment call to be made by law enforcement, not by a senator on a Sunday show.

BAIER: Understood, but they haven't been arrested yet and nobody has for protesting outside these judges' homes that were published online, only the conservative **justices**.

What -- I want to also ask you, is the president hasn't said anything publicly about this specific threat about Supreme Court **Justice** Kavanaugh. The White House press secretary said a couple of things in a gaggle to reporters that the president condemns violence of any kind.

But should the president have said something publicly about this?

COONS: Bret, the president has repeatedly spoken out against politically motivated violence in our country, the risk of politically motivated violence in our country. And as you well know, presidents often speak more through their press secretaries to events of the day. I certainly have denounced this latest threat against **Justice** Kavanaugh.

But it's important that we remember there are threats of political violence of many kinds and types. Folks who are watching this morning who didn't watch the January 6th hearing should take a few moments and review what Congresswoman Liz Cheney, an unimpeachable conservative from Wyoming, had to say in her opening statement.

I think there are risks of political violence we should all be speaking out against and acting to ensure we control, manage, and reduce.

BAIER: I -- we're going to talk about January 6th in just a moment. But don't you think Democrats and the media would possibly, Senator, be making more about a threat like this, a specific threat, if it was happening to liberal **justices**?

COONS: Well, Bret, you have in front of the Democratic senator who cosponsored with Senator Cornyn a bill that would provide greater security --

BAIER: I'm just saying publicly, Senator.

COONS: -- for the families of **justices**.

I don't know how more publicly I can say that I think threats of violence against Supreme Court **justices**, their families, their clerks are reprehensible, unacceptable, and we should take action to secure the federal judiciary.

BAIER: All right. Last thing before we get to January 6. The law has been made this week about words, how much they matter, how much stirring the pot, giving the green light to violence in any way, shape, or form is unacceptable.

Take a listen to this.

(BEGIN VIDEO CLIP)

SEN. CHUCK SCHUMER (D-NY): I want to tell you, Gorsuch, I want to tell you, Kavanaugh, you have released the whirlwind and you will pay the price.

(CHEERS)

You won't know what hit you if you go forward with these awful decisions.

(END VIDEO CLIP)

BAIER: On the steps of the Supreme Court, did those words qualify, Senator?

COONS: So here's a key distinction. What Senator Schumer was saying was that he was upset. He was alarmed, he was concerned at the prospect that **justices** would reverse decades of a well-established fundamental constitutional right in our country. What he did not say was let's go attack them.

The point of the January 6th hearing is to prove that that is in fact what President Trump did, that he, in the words of Congresswoman Cheney, summoned the mob, stirred up the mob and then lit the fuse that sent them storming the Capitol of the United States.

I do think there's a distinguishable difference between what we just heard from Senator Schumer and the actions taken by former President Trump and his circle of advisors in the days before January 6th.

BAIER: OK.

COONS: And the results were clear and I think catastrophic. The physical assault of officers that led to several officer deaths and the shattering of the Capitol perimeter. Frankly, as one of the members of the Senate who had to be escorted out along with the vice president by Capitol police just feet ahead of an angry mob, I do think that we are at risk of a season of political violence in this country, and all of us should reduce the temper and level of our rhetoric.

BAIER: Including Senator Schumer, who has said the **justices** released a whirlwind and you will pay the price.

You don't see any problem with that kind of language on the Supreme Court?

COONS: That's not what I said. What I just said, Bret, was I think all of us need to reduce the level of our rhetoric --

BAIER: OK.

COONS: -- and be mindful of the fact that stirring up potential violence is not a good or constructive thing to be doing at this moment in our country by any political leader.

BAIER: You mentioned the prime time hearings and made the case about January 6 and the importance. The committee obviously had this presentation. "The New York Times" said they praised it for its sober approach. There will be many committee hearings to come.

But this is also "The New York Times": It is clear that the hearings, coming five months before midterm elections in which Democrats are bracing for big losses, carry high political stakes.

Are there concerns of politicization here in your mind, Senator?

COONS: Look, I think what impressed me about those January 6th hearings, about the first hearing that I watched, was how clear and nonpartisan and thoughtful and directed it was.

I certainly don't think the Congresswoman Cheney or Congressman Kinzinger were trying to impact the midterm election chances of Democrats.

I think the point here has been to take a hard and clear-eyed look at what happened on January 6, and new evidence that they've uncovered about the role of the former president's close advisors in how they shaped the events that led to that really critical moment in our modern American history.

We've never had our Capitol stormed by Americans. We've never had an attempt through an insurrection, through a riot to try and interrupt the peaceful transfer of power.

And, Bret, right now, I'm working with a bipartisan group of senators to try to make reforms to the Electoral Count Act to make it clear that Vice President Pence did the right thing on the night of January 6th, that no vice president has the power, nor should they, to unilaterally overturn the will of the American people.

BAIER: Speaking of "The New York Times," the paper also had a detailed piece this weekend entitled "Should Biden Run in 2024? Democratic whispers of 'no' start to rise". In which the paper states they have interviews of dozens of Democratic officials and members of Congress who backed Biden in 2020, quote, reveal a party alarmed about Republicans' rising strength and extraordinarily pessimistic about an immediate path forward.

One DNC committee member is actually quoted as saying: Mr. Biden should announce his intent not to seek reelection in '24 right after the midterms.

You're a close ally. Is President Biden running in '24, and should he?

COONS: Yes, he is, and I'll tell you, Bret, it is my understanding -- let me be clear. I'm not speaking on his behalf or announcing a candidacy. I'm just saying that as of now, it's my understanding that the president intends to seek a second term, and I understand why.

His leadership on the world stage has been impressive. He's just returned from a successful Summit of the Americas. He's pulled together four critical partners in the Indo Pacific in a new organization called the Quad, a new partnership with allies.

And in the face of Russia's brutal invasion, their aggression against Ukraine, President Biden has shown a masterful skill at pulling together the E.U. and NATO in order to push back, in order to support Ukraine's brave resistance to Russian aggression.

Here at home, his predecessor talked about infrastructure over and over, was never able to get a bill on infrastructure to the floor, and to his desk. President Biden signed into law one of the biggest investments in infrastructure in American history.

And President Biden and Democrats in the Senate have a plan for how to reduce prescription drug prices, how to tackle health care costs that I remain optimistic we will get done.

BAIER: Yeah.

COONS: The deficit is coming do. He's got clear plans for how to tackle inflation, and he's helping lead the United States to a position of strength on the world stage. I can understand why he might think running for reelection is a good idea.

BAIER: Okay. Last thing, obviously, the deficit numbers, Republicans point out, they went way up and COVID, it took a dip because of that.

But the other thing is Saudi Arabia. It's being reported now that the president is going to visit Saudi Arabia. How, Senator, can that not look like a blatant effort just try to get gas prices down?

COONS: Well, the president is going to the GCC. This is a summit that's being hosted by the Saudi Kingdom that will allow him a chance at one time at one place to meet with a whole range of heads of state from the Persian Gulf, from the Middle East.

The president, as you know, has decades of experience in foreign policy, and I trust his firm hand, his leadership, in this moment. We do need to improve the supply of oil and gas to our Western European partners in order to help sustain their support for Ukraine's fierce resistance against Russia's invasion.

And I do expect the president will be addressing both the human rights record of the leadership of Saudi Arabia and our shared security concerns. Our concerns about Iran, our concerns about the war in Yemen, our concerns about oil a gas supply. But I think this is another moment where the president may well make significant steps forward in terms of supporting the security of our vital partner, Israel, in the region, and of addressing the real threat to security posed by Iran and Iran's nuclear program.

So I'm optimistic that this will be another productive step forward on the world stage by one of America's most seasoned foreign policy leaders, President Biden.

BAIER: Thank you, Senator Coons. Always nice to speak with you.

COONS: Thank you, Bret.

BAIER: Up next, we'll sit down with Arkansas Republican Governor Asa Hutchinson to discuss the efforts to try to find agreement on gun reform legislation.

(COMMERCIAL BREAK)

BAIER: Americans have faced many difficult headlines in recent weeks: a mass shooting at an elementary school; the arrest of a man, as we mentioned, threatening to kill a member of the Supreme Court; and prime time hearings revisiting the dark day of January 6th, 2021 on Capitol Hill. It is that kind of moment that puts political leadership to the test.

Joining us now from Arkansas, chair of the National Governors Association, Asa Hutchinson.

Governor, welcome back to "FOX News Sunday."

GOV. ASA HUTCHINSON (R), ARKANSAS: Always good to be with you, Bret.

BAIER: January 6th Committee this week revealed some of their findings in that prime time hearing. They played new clips from depositions of some of President Trump's inner circle.

(BEGIN VIDEO CLIP)

BILL BARR, FORMER ATTORNEY GENERAL: I made it clear I did not agree with the idea of saying the election was stolen and putting out this stuff, which I told the president was (EXPLETIVE DELETED).

IVANKA TRUMP, FORMER TRUMP WHITE HOUSE SENIOR ADVISER: It affected my perspective. I respect Attorney General Barr. So I accepted what he was saying.

(END VIDEO CLIP)

BAIER: They suggest that the former president knew he had lost the 2020 election but was still trying to hold on to power. What's your reaction to the hearing?

HUTCHINSON: My reaction to the hearing is that it's an important review as to what happened on January 6th. I've always said we need to do this. This is not the most bipartisan effort in it, but it is a review that is important.

Obviously, as they present the case, Americans see this, and they want to hold the people who are responsible for the January 6th attack accountable. Now, the whole premise of the hearing is that President Trump is criminally responsible, and that's the case that they're trying to make.

As Bill Barr has said, I think that is a heavy lift. I don't see the factual basis for that. You can make the case, and I would agree, that he is politically, and morally responsible but much of what has happened. But in terms of criminal liability, I think the committee has a long way to go before they could establish that.

I think the key thing politically is that the American public does not want us to focus on the past. It's an important review, but I think the Democrats make a mistake if they simply want to relitigate what they did in the impeachment. It's about the future always and solving problems. We have enough problems to address and that's what the American people want us to focus on to a greater extent.



BAIER: Yes, you've said this, something like this, before in which you said it's important. Republicans have to make sure we are clear that President Trump did have some responsibility for that. Congresswoman Liz Cheney was a little bit more pointed on Thursday night about Republicans and their role.

Take a listen.

(BEGIN VIDEO CLIP)

REP. LIZ CHENEY (R-WY): I say this to my Republican colleagues who are defending the indefensible. There will come a day when Donald Trump is gone. But your dishonor will remain.

(END VIDEO CLIP)

BAIER: "The Wall Street Journal" put it this way: Mr. Trump betrayed his supporters by conning them on January 6th, and he is still doing it. "The Wall Street Journal" editorial board.

So, my question, Senator -- Governor, is what is the future of the Republican Party on this, and on Republican leadership?

HUTCHINSON: Well, I hope that the future of the Republican Party is different than former President Trump's leadership. I hope we move in a different direction. I believe that what happened on January 6th is a lot at his feet. It was wrong for our country and for him to continue to push that theory I agree is the wrong direction for the Republican Party.

I think there's many Republicans that are looking for an off-ramp, new opportunities to find leadership in the future.

Obviously, what President Trump -- there's a lot of things that he did that were very good, that the base and I agree with. But he got off track in January 6th and that was a costly error for our democracy.

And I agree with a lot of the comments. He is -- he has a responsibility there. We need to make sure that's clear.

I think Republicans need to do a lot of soul-searching as to what is the right thing here, what is the right thing to say for our party and our democracy and our future, and not simply appeal to the basest instincts of some of our base.

BAIER: Let's talk policy. Up on Capitol Hill, Senate negotiators are in the middle of trying to find some compromise on finalizing bipartisan agreement on a narrow set of goals for gun control proposals. Here's what they're looking at, we're told: enhanced school safety, federal support for mental health programs, state incentive red flag laws, expansion to federal background checks and raising the minimum purchase age for an AR-15 or the like to 21.

Arkansas' minimum age to purchase is currently at 18. There are no red flag laws. What about this effort on Capitol Hill, Governor?

HUTCHINSON: Well, I applaud the senators for trying to look at this from a bipartisan way and find out, is there a narrow path that we can better protect our children. It's a discussion that we absolutely need to have and I applaud them for doing it.

As you know, I joined a letter from the National Governors Association to create a bipartisan review by governors and part of it is to evaluate what's going to be coming out of the Senate, making comments because the governors are going to be the one to implement mental health policy and strengthening that, it's going to be responsible for school safety.

So I hope that there are some positive things that can come out of this. When you look at the age of 21 or 18, there's constitutional issues there, but that has to be part of this discussion.

But it's difficult. It's going to be a narrow path but it's a conversation that is important and governors are willing to engage in that and particularly look at what comes out of the Senate side.

BAIER: Governor, we've seen Florida, Washington, Vermont, California, Illinois and Hawaii all raise the age to purchase a long gun from 18 to 21. If there's no deal up on Capitol Hill federally, would you consider doing that in the state of Arkansas?

HUTCHINSON: No, I would not, because you called it a long gun and I believe that somebody that's 18 ought to be able to go out there and shoot ducks with a long gun and to be able to purchase that. But -- and so to me, it's an issue --

BAIER: Do you want me to clarify more? An AR-15 or --

HUTCHINSON: Yeah, AR-15 style is something that should be part of the conversation versus simply a long gun. And that's the challenge that we face.

First, a California federal judge struck that limitation down as constitutional and then secondly, the definitions.

BAIER: Yeah.

HUTCHINSON: And that's what you've got to really listen to each other and come down -- but, yes, the AR-15 style military weapons ought to be a part of the conversation before they actually raise to 21.

BAIER: And to my point, if they don't do it here on Capitol Hill, you would consider the raising of the age from 18 to 21 on an AR-15 in Arkansas?

HUTCHINSON: I haven't seen a definition that works yet, but we will look at that. But I think that what you're going to see coming out of the Senate is something that we need to respond to us governors and I think that's how we would approach it.

BAIER: OK. Moving to the economy quickly. Inflation hit another 4-decade high last month. Gas prices as you know continue to soar.

Take a listen to what the president had to say about all that this week.

(BEGIN VIDEO CLIP)

JOE BIDEN, PRESIDENT OF THE UNITED STATES: Today's inflation report confirmed what America's already know. Putin's price hike is hitting America hard. Gas prices at the pump, energy and food prices account for half of the monthly price increases since May.

(END VIDEO CLIP)

BAIER: What do you make of the president's messaging and leadership on this issue?

HUTCHINSON: Well, I listened to his remarks at the port of Los Angeles and they were, in fact, disappointing. He was engaging in blaming everyone from Senator Scott to Putin, he was blaming corporate America, and really did not provide the leadership that is needed during this time.

Americans want a leader that will lay out challenge that we face, what is the solutions and the directions we need to go. And what we are going to be looking at in October and November of this year.

And so, I thought the blame game is not presidential. I don't think that's what we needed.

Arkansans right now are paying \$500 more per month than they did in January of 2021 simply because of inflation. This hurts the pocketbook of hardworking Americans and what we've heard so far is not sufficient.

Energy is a big driver in this. Gas prices, and that impacts our agriculture, that impacts our production in every commodity, really. And that's where this president has failed us in effective energy policy that America produces and is independent.

BAIER: Governor Hutchinson, thanks for your time this morning.

HUTCHINSON: Good to be with you, Bret, thank you.

BAIER: Up next we will bring in our Sunday group on the fallout the first primetime January 6th hearing with more to come.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

REP. LIZ CHENEY (R-WY), JANUARY 6TH SELECT COMMITTEE VICE CHAIR: President Trump summoned the mob, assembled the mob, and lit the flame of this attack.

(END VIDEO CLIP)

BAIER: Republican Congresswoman Liz Cheney, vice chair the select committee investigating January 6th, bluntly blaming former President Trump. It's time now for our Sunday group: NPR national political correspondent Mara Liasson; former Bush White House adviser, FOX News contributor Karl Rove; FOX News political analyst Juan Williams; and Josh Kraushaar of the National Journal.

Mara, what's the fallout from this first primetime hearing?

MARA LIASSON, NATIONAL POLITICAL CORRESPONDENT, NPR: I think the fallout is that the committee is laying out a pretty clear case about Trump's responsibility, about the fact that many of the participants were set on breaching the Capitol even before President Trump spoke. You had that pretty compelling video of the Proud Boys going up before he gave the speech. There has also been some new information about members of Congress seeking pardons, about what President Trump said about hanging Mike Pence. So I think it has been pretty compelling. How it affects public opinion is unclear, but I think for the historical record, they are laying down a pretty compelling case.

BAIER: Obviously what's clear, Karl, is that there is no opposition side. There is no other side of the story to this committee.

KARL ROVE, FOX CONTRBITOR: Yes, so far. I'm with Mara. I'm not certain how much it's going to impact public opinion. We did learn some new things. But I think we are going to learn the most important things from the trials of the Oath Keepers and Proud Boys. If they were in communication in advance of January 6th with the Willard command center, Bernie Kerik, Rudy Giuliani, Steve Bannon, John Eastman, we know that they -- the command center was in communication with the White House. If the Oath Keepers and Proud Boys were in communication with the command center, then it will raise the question of what did the president know and when did he know it. That's going to be, I think, the key moment.

BAIER: Chairman Bennie Thompson has said in an interview that they have testimony coming that's going to link to the Trump inner circle. But, Juan, what about the American public's perception of this, going back to that day and what it means now?

JUAN WILLIAMS, FOX POLITICAL ANALYST: Well, I think you can just break it down. We are such a highly polarized country, Bret, that if you were to say 40 percent of the American people just aren't going to change their mind, they are just locked in their perception, high number of Republicans continue to say that, you know, Trump is the likely nominee next time going around. And there's a high percentage of Democrats who say Trump clearly was a cancer on the American body politic. But in between you might have let's say 20 percent who might be persuadable and who are people -- and this comes a little bit from the discussion you were having with Senator Coons, who are saying, well, what's going on in my life now, what about gas prices, what about food prices, inflation, immigration, guns?

But nonetheless, those are people who might hear in these hearings, and they had 20 million people apparently tuning in, might hear things and say, you know, this is an attack on democracy itself. Democracy was under attack on January 6th. We now have people who are running for office who continue to perpetrate the big lie. And you know what, it's a little unsettling. And that my drive people who would turn out or not turn out in the midterms.

BAIER: Josh, are we clear what the blueprint is, where they want to go, whether it's criminal charges or just preventing former President Trump from running again?

JOSH KRAUSHAAR, NATIONAL JOURNAL: Well, there wasn't a whole lot new, and I think that is both significant on the substance and on the politics. We learned a few details about the Proud Boys and their planning. But this was more of a documentary. We are reminded of the pain that everyone followed on January 6th. And that isn't going to move the political needle a whole lot. People are feeling more pain economically, as Juan was just talking about, then want to focus on the past, a painful moment in our past. So I don't think there's going to be a whole -- there may be a pretext for the DoJ to make a move, but I think this was more a P.R. display more than a pretext for legal action by the White House.

BAIER: I was struck, and I said this to Senator Coons, about the lack of talking about this threat to **Justice** Kavanaugh in the coverage of it as compared to if this had been a liberal **justice** with a Trump supporter gone wacko outside their house.

ROVE: Absolutely. I mean, this is -- look, this is sort of personal. I know Ashley and Brett Kavanaugh personally from our time together in the White House. And I -- it's amazing to me. The law is clear, you quoted it. It goes on to say "with the intent of influencing any judge." And I love it, the American Civil Liberties Union says, yes, this is the statue but we interpret it the following way. We point to a Supreme Court case that suggests that as long as they keep moving in front of the house -- if they are stationary, they should be arrested but if they are moving in front of the house they have a right to try and influence a Supreme Court **justice**. And that is ridiculous. And if it is true, I didn't see Senator Schumer moving very much behind that microphone in front of the U.S. Supreme Court where he had a clear intent of influencing a Supreme Court **justice**.

So we either ought to apply the law or we ought to just simply say it's open season judges, because that's what we're doing.

WILLIAMS: Well, I think you have a right to protest. I think you have...

ROVE: Yes, but not in front of their house.

WILLIAMS: Wait, you have a right to protest anywhere in America. Now clearly these people should not be violent and they should not threaten. But the idea that they are influencing -- I don't think it's about the influence. I think it's about a Supreme Court that has become radical and extremist and activist and is going to put out a decision that's going to, believe me, polarize this country...

ROVE: So because...

(CROSSTALK)

WILLIAMS: ... undo 50 years of law.

ROVE: So because you disagree with a prospective decision, you think they have -- people have a right to show up in front of a house and then try and intimidate a judge to change their opinion?

WILLIAMS: I -- no.

ROVE: And how about any case in America?

WILLIAMS: No.

ROVE: Would you defend everybody...

(CROSSTALK)

WILLIAMS: I didn't see the...

ROVE: ... in front of every judge and say, my God...

WILLIAMS: Karl...

ROVE: ... if you decide one way or the other...

WILLIAMS: Karl...

ROVE: ... you know, you deserve my -- me protesting in front of your house? Forget it, that's intimidation.

WILLIAMS: Karl, no, it's not.

ROVE: That's banana-style republic.

WILLIAMS: Karl, first of all, this guy was suicidal and is there is no excusing him. And he's...

ROVE: No, no, I'm not talking about him.

WILLIAMS: What we're talking about...

ROVE: I'm talking about those people who were up in front of...

(CROSSTALK)

WILLIAMS: No, Karl, wait a second.

ROVE: ... attempting to intimidate a judge.

WILLIAMS: Karl...

(CROSSTALK)

WILLIAMS: Karl, just a second. But I'm saying that we as Americans all have a right to express our upset with undoing 50 years of law with regard to abortion. It's an attack on rights. Rights.

BAIER: OK. But for the groups that published the addresses of the conservative justices...

WILLIAMS: That's unnecessary. And, you know what, I think everyone sitting at this table has had people demonstrate or come to their door and it's unsettling, nobody is defending it. But the right to protest is essential to America.

ROVE: Fine, but not in front of their house. Go have them protest in...

WILLIAMS: I'm just telling you in politics that's a reality.

ROVE: Yes, well, it's not a good reality.

WILLIAMS: No.

BAIER: This should be a wake-up call to get this bill out of the House.

LIASSON: Yes, I think the bill will be passed. Look, Supreme Court justices deserve security, and they deserve just the safety of being able to live in their house without fear. However, there was a case where a judge -- judge's husband and son were shot, killed, the guy who did it did have a dossier on Sonia Sotomayor, that got very little coverage. So for conservatives who ask, oh, if this was a liberal judge it would become a much bigger deal, wrong.

BAIER: All right. Panel, thank you. We will have to take a break here. When we come back we take you on the road to the midterms in the Silver State where there's a major shift under way in voters' party registration.

(COMMERCIAL BREAK)

BAIER: "FOX News Sunday" is on the road to the midterms ahead of primaries in four states this Tuesday. In the swing state of Nevada, hit hard by pandemic economy, more and more voters are leaving their political party, registering instead as independents. Democrats have lost the most ground in that move so far. FOX News congressional correspondent Aishah Hasnie takes us to Clark County, where inflation and that scorching summer heat are hitting service workers hard.

(BEGIN VIDEOTAPE)

UNKNOWN: And the excessive heat is here to stay as we head into the weekend, it's 84 degrees outside this morning as temperatures are running...

: You want to go walk?

AISHAH HASNIE, FOX CONGRESSIONAL CORRESPONDENT: Let's go for a walk. It's hot.

(voice-over): Like so many Americans, Salvador Munoz just can't get ahead.

SALVADOR MUNOZ, NEVADA VOTER: I never dreamed that I would have to work two jobs to make 32.50 an hour, never.

HASNIE: The 36-year-old is a single dad working two jobs, including the graveyard shift at a McDonald's. Today, he doesn't know how he will get to work.

MUNOZ: I wasn't able to make it to my second job today because of gas prices. That one thing stopped me. I do still have my night shift coming up that I'm going to be going to work locally, that's only a mile away so even without the car I can make that.

HASNIE (on camera): What do you mean, without the car you can make that? You would walk?

MUNOZ: If I had to walk, yes, I could definitely do that.

UNKNOWN: He's a really great little person.

HASNIE: What do you think about when you put him to bed at night and go to your shift?

MUNOZ: Getting back to him in the morning.

HASNIE (voice-over): Nevada Democrats need voters like Salvador. They already have voters like Kevin Carter, a culinary worker at the MGM Grand and proud union member.

TANYA CARTER, NEVADA VOTER: He paid \$7 for toothpaste at a grocery store? Like, what just went up so drastically on toothpaste to produce it, to ship it, what?

HASNIE: He and his wife Tanya don't blame Democrats for their problems, they blame corporate America.

KEVIN CARTER, NEVADA VOTER: That's grocery stores doing that, gas stations. How does gas go up every day or every three or four days, 2 cents, 3 cents...

T. CARTER: Yes, 5 cents.

K. CARTER: It's insane.

T. CARTER: It's ridiculous.

HASNIE: Nevada has become increasingly competitive...

DONALD TRUMP, 45TH PRESIDENT OF THE UNITED STATES: Hello, Nevada.

HASNIE: ... often drawing in huge names during presidential campaigns.

In midterms right now, it's a race to the middle with independent and unaffiliated voters becoming the majority.

We tried to catch up with incumbent Democrat Congresswoman Susie Lee...

REP. SUSIE LEE (D), NEVADA: Nevada Democrats know how to win the tough fights.

HASNIE: ... who represents the Third to ask her about all of this.

AUTOMATED VOICE GREETING: The mailbox is full and cannot accept any messages at this time. Goodbye.

HASNIE: But we never could lock down an interview.

In a statement, though, Lee told us: "I'm fighting every day to bring costs down for our families and ensure that they thrive as our economy bounces back and we continue to recover."

RANDY HYNES (D), NEVADA CONGRESSIONAL CANDIDATE: They're not making good decisions.

HASNIE: We did, however, speak with her Democratic primary challenger, Randy Hines, who doesn't even want to call himself a Democrat.

HYNES: The only thing that makes you a Democrat or makes you a Republican in this state is putting Democrat or Republican on your voter registration.

HASNIE (on camera): Really?

HYNES: Yes, that's it. That's what I did in order to be on -- be on the primary ballot.

HASNIE: So what are you? What would you call yourself? How do you identify?

HYNES: I am a physical -- fiscal conservative, a little bit right of center, but I see all of the things that -- you know, all the social programs that we have already...

HASNIE: You would run as a centrist if you could?

HYNES: If I could. If I could.

MUNOZ: Essentially make the costs come down for us a little bit.

HASNIE (voice-over): For Salvador, it's not about who's a Democrat or a Republican. It's about who can deliver.

(on camera): What can Congress do for a Nevada dad that is thinking about walking to work because he can't afford gas?

MUNOZ: I mean, what can they do? Spend more wisely so that we don't end up paying the price at the end of the day.

(END VIDEOTAPE)

BAIER: Aishah Hasnie reporting from Nevada.

We are back now with the panel. Josh, that piece tells a big story. We have primaries in Nevada, Maine, North Dakota, South Carolina, a Texas special election, but Democrats are facing headwinds this election. You have this new poll out showing the president's job approval for everybody sits at 33 percent approve, disapprove 55 percent. But then you look at independents, this is the Quinnipiac poll, 25 percent approval for President Biden. That is not just a headwind, that's a gust.

KRAUSHAAR: These are red wave numbers and any Democrat in a swing district, a swing state like Nevada has got to be watching their back. And look, if I had a white board here, I'd say Nevada, Nevada, Nevada is going to be the big bellwether in November. You've got a Senate race, a governor's race, three of the four Democratic numbers of congress in tough races that we heard on the segment by Aishah. It could be a sweep for Republicans in a state they haven't won, at least at the presidential level, since 2004. So there's a lot of headwinds the Democratic Party is facing, the economy is the biggest issue, a lot of Nevadans having trouble making ends meet.

BAIER: Since the whiteboard was mentioned, you get a rebuttal.



(LAUGHTER)

ROVE: No rebuttal. There's a reason why the number is 33, and it goes back to something that Senator Coons said when he said this inflation is all on Putin. Inflation was running at 1.4 percent in January of 2021. It was running at 7.871 percent in February. And when Putin invaded Ukraine four days before the end of the month, it's now 8.582 percent in May. That means that 90 percent of the inflation that we have had since the time that Joe Biden took office occurred before Putin invaded Ukraine, 90 percent. And people feel that. They know that this is not Putin. They know this is bad decisions that were made in 2021 by this administration with the America Rescue Plan and too much spending.

I mean, I quote my favorite current Democrat economist, quote: "Over the last 75 years, every time inflation has exceeded 4 percent and unemployment has been below 5 percent, the U.S. economy has gone into recession within two years." Today inflation is north of 6 percent, when he wrote it, it's now north of 8.5. And unemployment is south of 4 percent, Larry Summers. And we've got a recession coming and it will be coming before the 2024 election in all likelihood.

BAIER: Mara, FedEx founder and CEO Fred Smith told me that President Obama once told him that his approval ratings tracked opposite of gas prices, almost diametrically, I mean, just right there.

LIASSON: Inflation defeats presidents. And inflation is one of those things, I actually disagree with Karl, the American Rescue Plan might have contributed, but inflation is global. The reasons for it are about supply chains, a whole bunch of other things. But, the problem is that there are a lot of things that aren't the president's fault but they are his problem, and inflation, which is the single economic indicator that affects people the most every single day. So what if hiring is really on fire, they still have to fill their car up with gas and inflation is eating away all those wage gains that the White House likes to talk about. So it is a problem, there's very little the president can do. It's up to the Fed. Oftentimes when the Fed tightens we get a recession, 85 percent of Americans, I think, in the latest Quinnipiac poll said that they expect there's going to be a recession, so it's a real problem.

BAIER: But to Karl's point, there were red flags and warning signs and flares going up from Larry Summers and others.

LIASSON: Yes. There's no -- Larry Summers all along has said the American Rescue Plan was too big and was potentially inflationary, and the Fed maybe didn't do enough sooner.

BAIER: Juan, besides the economy, the inflation, there are also issues like crime, and you have this recall in San Francisco of the district attorney, Chesa Boudin, getting recalled in San Francisco because of how he's dealing with crime. Similar to other places, you may see that in Los Angeles as well.

WILLIAMS: Well, I think crime, again, especially violent crime and guns are a huge issue right. We talk about inflation. We talk about abortion and the potential for anger over that decision. But I think there's a lot of frustration with the inability of the political class to do anything when you see children being slaughtered and people in the afternoon supermarket being slaughtered. And so right now there's a sense that there has to be some change, that people are looking for change.

There's a lot of resentment out there. I think, you know, we've been talking about midterm politics. Well, you know, you look at -- you go back to, well, you know, go back even to Bill Clinton in '92. You go to -- you know, come forward, President Obama in '10, President Trump in '18. All of them lost big in midterms. That's the historical model. And I think the reason -- a lot of the reason for that is there's frustration, resentment in the direction of the country, and people are speaking out in frustration against the elected class, the party in power.

BAIER: But the question is, if they do lose, like if it was held tomorrow, it would be a big red wave, would they do like Bill Clinton did in '94 and change and kind of use some Republican policies to their own? Do you see that or do you still see progressives running the Democratic Party?

WILLIAMS: I think progressives right now are the energy. But let me just say, Joe Biden is a moderate, and he's the head of the party for now, even the people who may have skepticism about his future. He's the head of the party and he models sort of reasonableness, decency, empathy. And I think that that's the drive. But people on the Democratic side oftentimes want him to be more aggressive because they see the Republicans as the aggressors and Biden is not fighting back, saying that Mitch McConnell is his buddy.

BAIER: I see a "we'll see" look on your face.

ROVE: No. The look is he has claimed to be a moderate but he has not governed as one. And he's not going to change after this election, no ifs, ands, or buts. He's going to go -- he's going to stay stuck where he is, which is unfortunate for him and unfortunate for the country.

BAIER: Panel, thank you very much. We'll see you next Sunday.

Up next, a final word on the week ahead and a special debate I'm moderating tomorrow between two of the nation's most well-known senators.

(COMMERCIAL BREAK)

BAIER: Well, it's called the Senate Project. It's a live Oxford-style debate. I'll moderate between senators Lindsey Graham and Bernie Sanders. Two different sides of the ideological spectrum where you can watch the debate tomorrow streaming live, 12:00 p.m. Eastern on Fox Nation. I'll bring you the highlights from the debate tomorrow night at 6:00 p.m. on "Special Report" from Boston. Hope you will join us.

That's it for today. I'm Bret Baier. Make it a great week. And we'll see you next "FOX News Sunday."

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### As Democrats Fuel More January 6th Hysteria, Americans Suffer Under Costs Of Biden Economy; Biden Rambles Through Softball Interview

SEAN HANNITY, FOX NEWS HOST: And we start with a FOX News alert this Friday night. Welcome to HANNITY.

Tonight, while Democrats devote almost all their time and energy to the riot at the Capitol on January the 6th, 18 months ago -- well, Americans economy is literally coming apart at the seams and frankly so is the president. Take a look.

(BEGIN VIDEO CLIP)

JOE BIDEN, PRESIDENT OF THE UNITED STATES: Well, on climate change, we've actually made some real moves. I mean, we have -- we have, you know, one and seven of all of our changes taking place in terms of solar, wind, and wind the pumps -- I mean, pumps and like. They've occurred in the last 18 months. We've moved.

(END VIDEO CLIP)

HANNITY: That was Joe Biden's first sit-down interview in 118 days. And despite a flurry of -- well, nothing but softball questions from Democratic activist pretending to be a late night comedian, Biden still struggled to communicate. He could barely get words out that no answers for the economic problems we are facing and it got a lot worse today.

Now, inflation went up yet again to an all new 41-year high 8.6 percent. Now, the cost of food is up 10.1 percent, the cost of housing 7 percent, rent is up in some places as high as 20 percent. Household energy bills, they're up a whopping 19.1 percent and meanwhile the average cost for a gallon of gas has now more than doubled since Joe Biden took over as president now over \$5 a gallon nationwide, for the first time ever remember. Remember, when he first became president on day one, you only paying \$2.39 for a gallon of gasoline.

Now the price at the pump is so high that deputies from one Michigan county, they are now reportedly dealing with non-urgent calls remotely over the phone because they can't afford to fuel a patrol car. Now to make matters even worse, we have major supply shortages. That continues to plague the country. Hot sauce, by the way, that is the latest product that might soon go missing from store shelves.

And in order to cope with the shortages and inflation and high gas prices, well, now, manufacturers -- look at this -- I don't really blame them they have to shrink the size of their packages in other words not only do you pay more for your getting less for what you paid for. The "A.P." is now calling it shrinkflation.

And don't worry because Joe Biden knows just who to blame -- international shipping companies. Let's blame them, or Putin, or Trump, or FOX News or Sean Hannity. Take a look.

(BEGIN VDSEO CLIP)

BIDEN: I have to admit to you a lot of elected officials have been in office for a while every once in a while something you learn makes you visually angry, like if you had the person in front of you want to pop them. And I really mean it.

There are nine, nine major ocean shipping companies that ship from Asia to the United States, nine. They formed three consortiums. These companies have raised their prices by as much as 1,000 percent.

(END VIDEO CLIP)

HANNITY: Wait a minute. The guy that gets blown over multiple times climbing up the steps to Air Force One always wants to punch somebody. He gets blown over by the wind.

Anyway, Joe went on to blame Florida Senator Rick Scott, congressional Republicans. He blamed ExxonMobil. He previously was blaming Vladimir Putin, big meat conglomerates, COVID-19, greedy corporations, people with diabetes, climate change billionaires. And when all else fails, just blame Donald Trump.

And naturally Joe Biden himself has not accepted any of the share of responsibility or blame. Forget the trillions of dollars in new spending, the artificial reduction of the world's oil and gas supply because of his -- well, adherence to climate alarmism and that religious cult.

And according to Joe, that has nothing to do with gas prices or inflation. It has everything to do with it.

Now, meanwhile, Joe Biden's friend from the Senate, Claire McCaskill, well, she has her own -- well, to be honest -- batty, insane conspiracy theory about gas prices and inflation that involves Mitch McConnell and January 6th. You can't make this up either take a look.

(BEGIN VIDEO CLIP)

STEPHANIE RUHLE, MSNBC HOST: I'm 100 percent sure Mitch McConnell was tuned in. What's he thinking tonight? He is no friend of Donald Trump's.

CLAIRE MCCASKILL, FORMER U.S. SENATOR: No, he can't stand Donald Trump.

RUHLE: Hates him.

MCCASKILL: He is worried about Donald Trump's candidates winning primaries, which makes it harder for them to take back power. But you know what he's thinking tonight? Well, I sure hope gas prices stay really high. That's what his thinking. Because he really wants to distract the American public from reality of what we saw tonight.

I think that he is hoping that the high gas prices and the inflationary pressures in our economy will be enough to make people forget.

RUHLE: That's sad. That's sad.

MCCASKILL: Well, it's politics.

(END VIDEO CLIP)

HANNITY: Isn't this great to see, Claire McCaskill, she is a perfect fit for NBC News because that's all they pedal our conspiracy theories.

Now, in reality, the GOP is the only party willing to take the logical steps that would lower prices at the pump which would help ease inflationary pressure by increasing domestic production of oil and gas, building the Keystone XL pipeline to increase the oil and gas supply from Canada. According to the Alberta premier, if we had finished it, we would be getting every single day 900,000 barrels of Canadian oil every day. That would lower the price of a gasoline of gasoline.

And, by the way, Joe also needs to end the restrictions that he has put on the energy sector of our economy.

Now, these are concrete steps that Joe Biden could take right now but it's not going to happen. He is refusing to change course at all. He is beholden to the radical new green deal socialist.

So, now from the guy that brought you America's winter of severe illness and death, buckle up for Joe Biden summer of stagflation and suffering.

Now I'll be honest I don't bring you bad news every night, but that's all there is with the economy, because the president is in way over his head or whoever is really in charge.

Now at this point, his presidency is an abject failure worse than even Jimmy Carter. I didn't think I'd see that in my lifetime. Our country would absolutely be better off if he retired early. Honestly, I don't know what's keeping him in the White House.

He has plenty of money. He loves his beach house in Delaware. We know he loves that. He spends most of his time there. So, for God's sake Joe, to use your words, for the good of the country, maybe let the adult adults take charge once again.

Let somebody more competent run the country. Let somebody that's not struggling cognitively. Let someone maybe who understands the free market capitalism businesses, the supply chain, someone who has the courage to actually stand up to the socialist cult climate alarmist cult in your party, that you're a part of.

Now, sadly, I don't think there's a Democrat left in Washington with maybe the exception of Joe Manchin who would fit that description.

Anyway, here with how bad this is, is FOX business host, our friend, Larry Kudlow.

All right. I want to ask very simple questions. How bad is this? How long is it likely to last? Because a lot of people are saying the recession is next year, not this year and what advice do you have for the people impacted the most in this? And that is the poor, the middle class, and people on fixed incomes.

LARRY KUDLOW, FOX BUSINESS HOST: Well, Sean, today's report was actually worse. This is the worst report we've had in several months.

HANNITY: Why?

KUDLOW: You've got all these categories. Whether it's food, energy or core, excluding food or energy, or whether it's shelter, or whether it's services. All these areas, Sean, the last three months -- the three-month growth rate is faster than the 12-month growth rate. So when that happens, that means the trends are getting worse, i.e., higher inflation.

So, of course, Biden wants to you know blame big oil and Vladimir Putin and somebody -- I mean, that clip with McCaskill and McConnell is the stupidest thing I've ever seen.

But putting that aside, we're in a lot of trouble here. The GDP now from the Atlanta Fed -- you know, they have a GDP tracker from the Atlanta Fed, that's right, GDP in the first quarter down one and a half percent, Sean, and the second quarter, what they're looking at, is nine-tenths plus 0.9.

We're on the front end of a recession and the inflation rate is actually rising at a faster pace. So this is just terrible news. The stock market got killed today, down 900 points.

HANNITY: And yesterday.

KUDLOW: And yesterday. And by the way, interest rates -- market interest rates, forget the Fed, market interest rates have moved up now well through three percent. That would be reflected of course in continuously high mortgage rates.

And then, you know, add your gasoline prices as you said, we should deregulate all these energy businesses, you got it -- it's not a good story. I'm like you. I hate to be a pessimist, but it's not good.

(CROSSTALK)

HANNITY: Let me throw some numbers -- let me throw some numbers at you. Two-thirds of American families now are living paycheck to paycheck. We know that.

We know Bloomberg, they did a study, the average American household is going to pay between five and six thousand dollars more per household because of Biden's inflation. If you drive a car to and from work, you're going to pay at least on average \$2,000 more this year than you did last year.

Now, Moody's Analytics, they came out and they are saying that the average household is paying \$460 more per month than they were paying just last year, not the 18 months that Joe's been president. So these are numbers that the average family cannot keep up with. So what gives here? What are families supposed to do?

KUDLOW: Well, these are the inflation taxes okay and it falls most heavily on working folks, middle income, blue collar, hard hats, lower middle income, you're quite right. What are they supposed to do? Well, in a sense, they're powerless. Look, I always say to you that people should just work as hard as they can and try to push through this. That's not, you know, a fabulous thing, but it's all you can do. What are you going to do you're trapped by inflation.

And I will say this, Sean, right now, the Joe Biden inflation is going to lead to a Joe Biden recession and it's going to happen before the presidential election. We may be in a recession now, we may not be. But folks just have to work as hard as they can, this is a great country. They've got to take advantage of whatever opportunities exist.

I mean, it's too bad -- look, wages are rising, middle income wages are rising. We like that. People working hard to get and paid for it. What we don't like is after inflation, wages are falling. That's the tragedy of the Biden inflation problem.

HANNITY: Larry Kudlow, like you, I wish we had better news and these are not -- I don't see any soft landing either which is not good for anybody, but we appreciate you being with us.

All right. In just a minute, we're going to bring you uh all the so-called revelations from the sham January 6 hearing. But first, earlier today, the 911 call from the man that traveled from California to Maryland with the intention of assassinating **Justice** Kavanaugh has now been released. Here it is.

(BEGIN AUDIO CLIP)

911 DISPATCHER: And you said you came from California, do you know someone down here?

ROSKE: Brett Kavanaugh.

911 DISPATCHER: And what were you coming to do, just to hurt yourself and him or what was going to happen?

ROSKE: Correct.

(END AUDIO CLIP)

HANNITY: Well, that's very chilling. Now, we're going to have the very latest from the ongoing threats that **justices** on the Supreme Court are now facing every day. We have new ones today ahead of the Roe verdict.

But now, tonight, we turn to big breaking news from the January 6 committee. As it turns out, President Trump -- well, should have been nicer to his Vice President Mike Pence, okay. Of course, we have known that for quite some time. It's not new information. They got along up until that day.

The actual revelation though from last night's show hearing was this statement from Liz Cheney. Pay very close attention to this.

(BEGIN VIDEO CLIP)

REP. LIZ CHENEY (R-WY): The attack on our Capitol was not a spontaneous riot. Intelligence available before January 6 identified plans to, quote, invade the Capitol, occupy the Capitol, and take other steps to halt Congress's count of electoral votes that day.

(END VIDEO CLIP)

HANNITY: Okay. So what we've been telling you on this program is dead on accurate. This violence was pre-planned by radical individuals. They weren't inspired to riot from the president's speech, especially when he said many of you will peacefully and patriotically march to the Capitol so that your voices will be heard.

And, of course, last night, the committee didn't play that part of the president's speech because they deceptively edited his remarks to make him look as bad as possible.

Now, Liz Cheney is also being very deceptive with her own remarks. Now, she claimed, rightly so, Donald Trump didn't call up the National Guard on January 6. She's right. In reality, President Trump had already authorized up to 20,000 troops to be called up before January 6th.

As a matter of fact, we have four of the five people in the room at the time the Oval Office when the president authorized these troops to be made available. Wow. Why didn't they bring that up last night?



Now, according to the law, at that point, the jurisdiction to call up the troops would then go to Nancy Pelosi who is in charge of security for the Capitol, and jurisdiction in D.C. would be Mayor Muriel Bowser. And, of course, Chuck Schumer could all work to call up the guard. They all refused to, until it was way too late.

But Pelosi will not be brought before the committee, nor will Chuck Schumer, nor will Muriel Bowser, nor will the sergeant of arms, nor will the Capitol police chief either, who by the way was requesting troops from January third on. Six separate requests that we know of according to testimony of the chairman. And the speaker of the House, she's off limits.

This is not a real investigation. This will not prevent future acts like this from happening and that should be their primary goal. It is only another tired, slam, smear, besmirchment campaign against Donald Trump.

And even the Democrats sadly, pathetically, we now have discovered, are using these hearings to raise money.

Now, if Democrat Democrats really cared about violence, if they cared about intimidation Bennie Thomas would not be the chairman of this committee. Why? Bennie Thomas once supported a violent secessionist group that killed cops.

Here now with reaction is former Congresswoman Tulsi Gabbard.

All right. So when Liz Cheney identified correctly that this was all pre-planned, that they had intelligence to that fact, we know that Chuck Schumer's office was given direct intelligence the day before, then isn't the logical question why didn't they call up the troops that we now know Donald Trump had authorized to be called out?

TULSI GABBARD (D), FORMER HAWAII CONGRESSWOMAN: Yeah, Sean. You know, I heard and watched what she said last night and here's the reality is as we look at what they said and we look at what we'll continue to likely hear as these hearings go on everything that Liz Cheney and Adam Kinzinger say and do has to be seen through the lens of their motivation. They represent the establishment, war-mongering wing of the Republican Party and they hate Donald Trump. They hate him because as president.

He was not clamoring to bring our country into more interventionist wars and so now they want to do everything they possibly can to prevent him from running again in 2024, and they're working with the Democrats in order to do that because they want to rest control back, bring the Republican Party back into the war-mongering Bush-Cheney era and they see themselves as the leaders in doing so.

So, you're right. This is all political theater. They've got their own political maneuvering machinations happening and it's all to further their own selfish interests, not caring at all about our democracy, our Constitution, our freedoms, the things that they should be focused on if they were serious about upholding their oath.

HANNITY: Shouldn't they really be focused on -- okay, what -- where were the security breaches? What could we do better next time and shouldn't they if they care about violence be looking into the 574 riots that took place in the summer of 2020 that a lot of your Democratic colleagues, a lot of people in the media refer to as mostly peaceful? Well, mostly peaceful resulted in dozens of dead Americans. It resulted in billions of property damage, and with bricks and bottles and Molotov cocktails and frozen water bottles, 2,000 plus cops were injured during those riots in the summer of 2020.

Shouldn't we be looking for ways to prevent that from ever happening again?

GABBARD: Absolutely, yes, and I think that's what the American people would look for and expect from leaders in Congress from both parties to actually do their job and focus on the facts, rather than what we saw play out last night which was very selective sound bites and tidbits of video and statements that very clearly furthered a very specific narrative which was to push their political objectives forward.

And that's why I think the American people are so sick and tired of these politicians in Washington who blatantly, blatantly just don't give a crap about the people and actually solving the problems.

HANNITY: They're all -- you are a voice of moderation in the Democratic Party. I would say Joe Manchin is. I would even add to that to a certain extent Kyrsten Sinema is.

But there's only three of you. I can't think of a fourth one. Why has this party gone so hardcore left? You know, climate alarmist, religious cult, that results in a 41-year high in inflation and \$5 a gallon gasoline? Why is the party adopting those policies, artificially reducing the world supply of oil and gas, the lifeblood of the world's economy?

GABBARD: You know, I don't have any insight into the minds of the leaders of the Democratic Party. But from what I've seen from my experience is rather than being leaders and acting with courage in the best interests of the American people in our country, even when it's not popular amongst their own tribe to do so, they're acting out of fear. They're afraid of losing power. They're constantly putting their finger to the wind to the loudest of the minority of extreme voices within the Democratic Party and shifting accordingly, again not putting the interests of the American people in our country first and even worse, rejecting our Constitution which is the foundation of who we are as a country.

HANNITY: You know, I honestly it would be in the Democratic Party's best interest if they would listen to people like you. But I don't see that happening anytime soon. I really don't. I give you a lot of credit for being a voice of reason within your party.

I don't know -- I see your party is abandoning you and your views and I don't think you're going to be very welcome much longer. That's my thought. But I'm not wishing that on you.

Anyway, we appreciate you being with us. Tulsi Gabbard, thank you.

All right. When we come back, an explosive new report. Miranda Devine details how much Joe Biden relies on his son Hunter for advice. Also, we'll tell you about threats not only to Supreme Court **Justice** Amy Coney Barrett but her children, explicit threats. We'll talk to Judge Pirro coming up next.

(COMMERCIAL BREAK)

(NEWSBREAK)

HANNITY: Yet more developments tonight in the chronicles of zero experience Hunter Biden. Now, according to a brand new report from "The New York Post" and Miranda Devine, insiders close to the Bidens, they now say that Hunter is his father's closest advisor and is even reportedly offering advice on Ukraine policy. What a shock.

Now you may remember Joe himself called Hunter the smartest man he knows but maybe Joe was on to something. Hunter did ink very lucrative deals in Ukraine with no experience in oil and gas. He was also paid millions from oligarchs like the former first lady of Moscow, in that case, \$3.5 million. And, of course, the big \$1.5 billion deal with the Bank of China.

So I think it's fair to ask yourself, what kind of advice do you think maybe Hunter would be giving his dad on gun policy, especially in light of these new photos that came out, or how to fix inflation or how to fix rising gas prices.

Now, meanwhile, we have more signs tonight that the left and their intimidation tactics are continuing. This was on FOXNews.com. This is scary.

One left-wing group that's called Ruth Sent Us, they're now publishing details about the children of Supreme Court **Justice** Amy Coney Barrett. This on the heels of a would-be assassin in the case of **Justice** Kavanaugh.

Here with reaction to all of it, she's the co-host of "The Five", our friend, Judge Jeanine Pirro is with us.

Let's start with the second story first. I cannot for the life of me, Judge, understand, we have laws, you're not allowed to harass, you're not allowed to intimidate judges, especially when they're making a ruling. Okay.

We had the tacit approval of Jen Psaki and the Biden administration as far as these protests goes, the doxxing of the **justices**. Now, we've got not only a would-be assassin, now we're targeting they're giving out the name of the school of this **justice's** kids and the church where they say she goes to every single day.

Now, that to me is an invitation to hurt or kill a **justice**. Your thoughts?

JEANINE PIRRO, CO-HOST OF "THE FIVE": Well, there's no question and that's the reason, Sean, that the Congress and the president -- not this one certainly -- passed a section 12 of -- **1507** of the United States Code, Section 18 **1507**, to protect Supreme Court **justices** and all judges in a situation where people are protesting or parading in an effort to influence them. This goes beyond that.

And by the way, Sean, the fact that Merrick Garland especially after the attempted assassination of the Supreme Court **Justice** Brett Kavanaugh, the fact that that night, Merrick Garland did not use that 18 USC **1507** to arrest everyone in front of **Justice** Kavanaugh's home, to me, he should be fired.

Now, they're going one step beyond that. They're not just looking to influence a judge's opinion by threatening, intimidating or worse their children. This is beyond the pale.

It all started, Sean, with Maxine Waters when she said: Get in their face, get confrontational and it continued with Chuck Schumer when he was talking abortion and going after Gorsuch and Kavanaugh. These people on the left know that they're not going to be accountable.

But when you go after children -- and I was a public official with children and they had protection, not so much because of them but because people wanted to get to me through my children. And in the end, we've got an administration that is ginning up a revolution, even Joe Biden said it on the --

(CROSSTALK)

PIRRO: Yeah, Kimmel, the other night, a mini revolution. That's what they want.

HANNITY: And, Judge, let me read what they wrote.

PIRRO: Go.

HANNITY: The group Ruth Sent Us, they say -- wrote: Falls Church is a people of praise stronghold. She sends her seven kids and they give the name of the school and she sits on the board of directors for and she attends church daily.

PIRRO: Every day.

HANNITY: Okay, Judge, if that's not a direct threat to a judge, I don't know what is.

PIRRO: That is a direct threat and what you've got is you've got a country that is on edge. You've got people who are -- who are going to listen to that kind of rhetoric and they're going to act on it. Just like the guy did with the Supreme Court **Justice** Kavanaugh, and the blood will be on their hands when something happens.

And the fact that the mainstream media doesn't bother to cover this is shocking. And you know, I don't know how people decide they're going to stay in office, Sean. The people on the left are trying to threaten everyone out of office who's on the right.

HANNITY: All right. Let's go to Joe Biden's son Hunter. We got these new images out. He apparently is with a hooker, according to reports. There he is recklessly handling a gun. We also know that he lied on his gun application about his drug use, and we know that they dumped the gun in a dumpster, thank God somebody that was responsible actually found it and gave it to the police.

You know, I'll use Biden's language, for god's sakes, Joe, maybe tell Hunter to be a responsible gun owner.

PIRRO: Well, the amazing part of that is when Joe Biden talks about background checks, my brain immediately goes to Hunter Biden and his pistol permit application that he lied on. He should never been able to get a pistol permit. As far as I'm concerned, this guy is a drug addicted, sex crazed lunatic who's been able to parlay his father's name and he openly says it to make eighty thousand dollars a month in a country where he calls up his dad, he says, I get through to him all the time.

He boasts to all his friends how if he wants his father to talk about any policy, all he has to do is tell his father where the world is basically -- you know, whatever he wants it to be in order because his father is a the president of the United States.

This is a sad commentary. He's got a gun. He's a sex addict. He's a drug addict. He was dishonorably discharged from the military.

This is a guy -- by the way, why did we recently send \$44 million or was a billion dollars to Ukraine? Why would a couple of weeks ago, the cash? Why are we sending that to Ukraine? Why were we so late in sending ammunition to Ukraine?

If Hunter Biden is the guy who tells his father what to do and when to do it, you have to wonder is he behind the policymaking with China, Ukraine and Russia, where he made millions? It is a sad state of affairs, and we all -- we all know Joe Biden isn't running the country. God knows who is. But if Hunter is as he says, as Bobulinski says, as Joe Biden says, we're in a heap blow to trouble.

HANNITY: Well, maybe it explains Nord Stream 2 and the waiver that Joe Biden gave Putin. Maybe it explains Joe's desire to lift tariffs off of China.

PIRRO: China.

HANNITY: Because there's no other explanation I can come up with. Can you?

PIRRO: There's no explanation. Any normal thinking person can come up with, you shut down gas in the United States so that you can go to green energy which we're not ready for so that you can buy the batteries from China, with lithium from Afghanistan that you ran out of, and you paid for weapons in Ukraine, which if you had half a brain you could have taken from Afghanistan and given to Ukraine.

This is crazy, Sean. These people -- they're a crime family. The Biden family is a crime family, from Joe, to his brother, to his son, and they are a disgusting group of people. Read Miranda Devine's book. I don't need to say another thing.

HANNITY: Well, we love -- we love when you talk a lot. We always -- we always love having you on the program.

Judge, thank you.

PIRRO: Love you, too. Bye-bye.

HANNITY: You're the best. Thank you.

All right. Straight ahead, as the crisis now continue to build up around the administration, the president is blaming the media and anyone and everyone but himself. We'll check in with Tammy Bruce, Joe Concha. They give reaction, coming up next.

(COMMERCIAL BREAK)

HANNITY: All right. We didn't have time to cover this last night. So here it is, the eve of the January show trial and Biden sits down for a softball interview with far left GOP hater and host Jimmy Kimmel, where he rambled through one softball question right after another and didn't even do too good a job at that. Take a look.

(BEGIN VIDEO CLIP)

JIMMY KIMMEL, TV HOST: We have so many problems and that maybe it's just that Americans aren't as knowledgeable as they should be, or maybe there's a death star pumping false information into our --

BIDEN: Fox, right?

KIMMEL: Or -- yeah.

BIDEN: So there's a lot of major things we've done, but what we haven't done is we haven't been able to communicate it in a way that is -- like I say another way.

KIMMEL: Well, see, that's kind of perfect, yeah.

BIDEN: Even -- with notable exceptions, even the really good reporters, they have to get number clicks on nightly news. So instead of asking a question -- anyway, it just -- everything gets -- gets sensationalized.

(END VIDEO CLIP)

HANNITY: All right. So why is Joe Biden sitting down with Jimmy Kimmel when he hasn't done a real actual serious interview in, oh, 120 days and counting?

But Biden didn't stop there. He even predicted a mini revolution if Roe v. Wade is overturned. That sounds like insurrectionist talk. Take a look.

(BEGIN VIDEO CLIP)

BIDEN: It's clear that if in fact the decision come down the way it does and these states impose the limitations they're talking about, it's going to cause a mini revolution. They're going to vote a lot of these folks out of office.

(END VIDEO CLIP)

HANNITY: Now, of course, these blunders are nothing new for Joe Biden. We know he's weak. We know he's frail. We know he's a cognitive mess.

And by the way, let's take a quick trip down memory lane in case you might have forgotten. Take a look.

(BEGIN VIDEO CLIP)

BIDEN: And a pound of Ukrainian people.

The first lady's husband contracting COVID but --

We're emerging from this pandemic. We want to expand pre-K for three and four-year-olds, millions of pre-care children.

Forty percent of all products coming into the United States of America on the West Coast go through Los Angeles and -- what am I doing here?

Running as a proud Democrat for the Senate.

I got in trouble when we're running against the senator who is a Mormon, the governor, okay?

We hold these truths to be self-evident, all men and women created by the -- you know, the -- you know the thing.

If you agree with me, go to Joe 30339.

We choose truth over facts.

Play the radio. Make sure the television -- excuse me -- make sure you have the record player on at night. The phone -- make sure the kids hear words.

(END VIDEO CLIP)

HANNITY: Put that record player on. Make sure the kids hear words, okay.

Jimmy, just give us a straight answer, do you think Joey is cognitively all there or not?

Anyway, here with reaction FOX News contributors Joe Concha, Tammy Bruce.

You know, Tammy, for a while, I started joking about it. I made fun of it. The sippy cup, and all this stuff, I can't make fun of it anymore because it's that serious.

Now for 120 days, he's able to avoid the press. It's like his campaign. He's in his bunker at all times. He goes on Jimmy Kimmel. Jimmy Kimmel throws him a lifeline every time he loses a trend of thought, and then he talks about a mini-revolution if Roe is overturned?

TAMMY BRUCE, FOX NEWS CONTRIBUTOR: Yeah. You know, this is what -- and Kimmel almost broke the rule because when Biden started to lose the train of thought, he said, you know, that's a good example, right? I mean, that is the problem.

And yet, this is what also they're focused on, which is winning the news cycle, which is very, very strange. They realize that, you know, the news matters and conveying things to the American people matter, but they've also in the process forgotten that we're actually real human beings out here, that they -- what they need to look at is not how the news is covering them but what

the American people are experiencing as people every single day in this country. They're setting dry grass on fire every day and they really believe that if he cozies up with Jimmy Kimmel, it's going to save them.

But this is how they've been trying to run the government, and this is why everything is in such trouble. But every now and then, Joe Biden -- people are trying to give him a pass, that includes me in the beginning, was that he's just a puppet. When he says that there's going to be a mini revolution in the midst of the rise in crime, in the midst of an attempted assassination of a Supreme Court justice, if those kinds of dynamics -- he knows what he's saying. He's bought into this dynamic because he likes what he's getting in return.

That is what Americans I think are outraged about, that they know that there's things that can be done that can save this country, that can stop inflation, that can have the price of oil go down. That can make the food get back onto the under the shelves, get the baby food crisis solved.

But when you've got people like Pete Buttigieg or Kamala Harris, people that were chosen because of how they would look to the news reporters as opposed to what they could do, this invited this kind of cataclysm that we're experiencing now.

HANNITY: You know, Joe Concha, you follow the media. You're the best in the business at what you do and you and I all -- and Tammy, we all know that in fact everybody in the media sees exactly what we see. They know that this man is weak, frail and a cognitive mess. They don't go near that topic. They allow him to go, what, 120 days without a press conference a real press conference or a real interview.

Why are they letting him get away with it? Why -- does the honeymoon ever end here?

JOE CONCHA, FOX NEWS CONTRIBUTOR: One would think it would because it's clear. I don't know if it really matters anymore, quite frankly, Sean, given what little influence the media has on the American people. But they're smart enough to see what they see and hear what they hear.

And for this president, to complain about press coverage, I mean, the only word that comes to mind is hubris. I mean, he hasn't done an interview as you said in days and I'm sorry -- I'm not counting the cotton candy conversation from comedian turned -- you know, activist Jimmy Kimmel. That doesn't count. Sorry. A foot rub, yes. Interview, no.

And what does the president expect exactly, you know, reporters or journalists to do? Spin 8.6 percent inflation, gas prices being at an all-time high, skyrocketing crime across the country, with police officers being targeted more than we've seen in many of our lifetimes? The U.S. southern border? What does he want that report to sound like exactly?

Millions have crossed over the border since he took office and hundreds of thousands of Americans are dying as a result of opioid overdoses primarily driven by fentanyl coming from China to Mexico across our border and into towns across the country especially killing younger adults.

So Joe Biden wants nicer press coverage? Come on, man. And plus, you talk about the --

HANNITY: I want nicer press coverage. I think -- I get harsher press coverage than he does. A matter of fact, I know --

CONCHA: A little bit more harsh, yeah.

HANNITY: I think you're right.

CONCHA: But he's not even -- it's not even like the gaffes. He openly lies. That's what we have to call it here. Today, he said about inflation, quote, we've never seen anything like Putin's tax on both food and gas. Oh, you mean the inflation that's been

going up 12 months before Russia ever invaded Ukraine? I mean, who is advising this man to come up with this BS about Putin, a carrot top? I mean, enough. Just tell the truth and be straight with people.

BRUCE: Well, you know what he wants, Sean, and it's -- this is what they want from the media. When Mayorkas says that the border is closed and we with our eyes, see that that is a lie, they want all the media to say the border is closed, when they say that this is Putin's fault, they want them to say that. He's been saying, oh, you know the baby food shortage, oh, you know, we've got that solved. They want that repeated.

They want what the Chinese communist party has in China. They got that, by the way, last night with the January 6th hearing, where you have one-sided information, no debate, no contradictory evidence, no variety of opinions. That's what they got last night, and they're -- I'm sure thrilled with it and they want more of that.

But we're the only firewall --

HANNITY: Nobody's going to watch.

BRUCE: No one is.

HANNITY: They had their shot last night.

By the way, and then he says to Kimmel, we have a communication problem. What? You're not -- you're not communicating well enough, \$5 a gallon gasoline, and a 41-year high of inflation.

I think the American people see it for themselves and they see it and are reminded of it every day.

BRUCE: That's right.

HANNITY: I have to let you both go. Great commentary.

Tammy, thank you. Joe, thank you.

When we come back, you don't want to miss this, the founder of a group called Save Our Allies, his name is Tim Kennedy, he will tell us about the organization and the heroic story about how his team rescued our colleague, our friend Benjamin Hall when he was injured in Ukraine. That's straight ahead.

(COMMERCIAL BREAK)

HANNITY: Now, tonight, we are spotlighting a heroic story of how a decorated Green Beret, UFC fighter assisted in rescue efforts for our colleague, our friend, FOX News reporter Benjamin Hall after he was severely injured in Ukraine. Now, the injuries happened after an explosion while he was reporting in Kyiv, in an attack that also took the lives of two other journalists working for FOX News.

Now, Tim Kennedy started the group. It's called save our allies, and the group has conducted rescue operations in Ukraine and Afghanistan following Biden's disastrous withdrawal and surrender to the Taliban, where, of course, he abandoned our fellow Americans, many trapped behind enemy lines. By the way, today is 300 -- day 300 since he abandoned them.

Now, this is a story though of heroism of selflessness and, of course, we continue to pray for Benjamin Hall and his family. I'm hearing great reports, he's making incredible progress.



Here to explain more is the author of 'Scars and Stripes', Save Our Allies co-founder, Tim Kennedy, is with us.

Tim, first of all, thanks for being with us. Thanks for all you do. I love that you're a UFC fighter, a big fan. You were a Special Forces master sergeant, sniper. So, your group saved 12 people I understand it, and had rescued 12,000 other people. Is that true?

TIM KENNEDY, SAVE OUR ALLIES CO-FOUNDER: Yeah, there's 12 of us on the ground in Afghanistan. Four people went forward into Afghanistan myself and three others and in the days that we were on the ground, we moved a total of 12,000 people out of Afghanistan, out of HKIA, out of Kabul.

We were lily padding them so we moved them to multiple places all over the country and over the world before we finally moved them out of -- out of harm's way.

HANNITY: Let me talk about our friend and colleague. We did lose two FOX journalists that day a cameraman and a Ukrainian reporter. The injuries that were sustained by Benjamin Hall were severe.

Tell us how you were able to get him out because this was not an easy job in any way, shape, manner or form.

KENNEDY: I do have to be slightly cautious. You know, we still have teams working in Ukraine and the method in which we moved them are -- you know, we're still moving equipment in and out of Ukraine. We're trying to help the Ukrainian people as best we can, providing humanitarian aid.

Benjamin Hall, first, that man is so incredibly tough. He's so brave. I saw a video of him yesterday dancing, moving, walking, he the perseverance of that man's soul is absolutely beautiful.

The work that you guys do for, you know, journalists in combat zones, it's a -- it's paramount. You know, the world has to see the atrocities and the war crimes that are happening in Ukraine and Benjamin Hall was one of those brave men.

You know, when he got wounded and the people around him died, our team, like the ground team there -- I mean, this is the stuff of movies. I cannot tell you that the bravery and the creativity that happened on the ground in real time to get Benjamin Hall out, to get him care, to get him the care that he needed to save his life, and ultimately, get him evacuated out of Ukraine.

And now, it's all on him to do a full recovery. The injury was significant but that man is so tough.

HANNITY: Well, I got to tell you, you are truly a hero. I know I speak for everybody at the FOX News Channel and FOX Corporation in thanking you for your help, your assistance, your bravery, your courage. It's pretty inspiring. Thank you for all you do and thanks for helping our colleague out and helping to save his life. Thank you very much. We can't thank you enough.

All right. We'll have more HANNITY after this break.

(COMMERCIAL BREAK)

HANNITY: All right. Unfortunately, that is all the time we have left this Friday night. As always, thank you for being with us. Thank you for making this show possible. Please set your DVR so you never miss an episode of HANNITY.

And in the meantime, let not your hearts be troubled, stay tuned. "THE INGRAHAM ANGLE," Laura Ingraham is next. Don't forget, FOXNews.com, Hannity.com for news anytime day or night. Have a great weekend. We'll see you Monday.

END

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**NewsRoom**

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June 10, 2022

MIL-OSI USA: Moolenaar: Democrats Again Refuse to  
Vote on Bill to Protect Supreme Court **Justices'** Families

MIL-OSI Publisher

Source: United States House of Representatives – Congressman John Moolenaar (4th District of Michigan)

Headline: Moolenaar: Democrats Again Refuse to Vote on Bill to Protect Supreme Court **Justices'** Families

June 9, 2022

Press Release

Today, Speaker Pelosi once again refused to hold a vote on the Senate bill to provide **justices** and their families with more security.

On May 9th, the Senate unanimously passed legislation to provide more security for Supreme Court **justices** and their families. On Wednesday of this week, a man showed up outside the home of Supreme Court **Justice** Brett Kavanaugh and said he was there to assassinate the **justice**. Thankfully, he was arrested before any violence occurred.

"Speaker Pelosi is leaving Supreme Court **justices** at risk and allowing far-left protesters to continue intimidating them and their families at their homes. It's a disgraceful low in American politics. Every Democrat and Republican in the Senate already agreed to a bill to provide the **justices** with more security, but she continues to block it from a vote in the House. She should hold a vote on the Senate bill immediately," said Congressman John Moolenaar.

"Additionally, Attorney General Merrick Garland needs to get to work and enforce the law. The law is very clear that it is illegal to intimidate Court officials at their homes. Yet for more than a month, he has done nothing as far-left protesters gather outside **justices'** homes and try to intimidate them over an upcoming court ruling," added Moolenaar.

18 U.S. Code § **1507**

"Whoever, with the intent of interfering with, obstructing, or impeding the administration of **justice**, or with the intent of influencing any judge, juror, witness, or court officer, in the discharge of his duty, pickets or parades in or near a building housing a court of the United States, or in or near a building or residence occupied or used by such judge, juror, witness, or

court officer, or with such intent uses any sound-truck or similar device or resorts to any other demonstration in or near any such building or residence, shall be fined under this title or imprisoned not more than one year, or both."

MIL OSI USA News -

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---- **Index References** ----

News Subject: (Government (1GO80); Government Institutions (1GO90); Judicial Cases & Rulings (1JU36); Legal (1LE33); Legislation (1LE97); National Judiciaries (1NA65); U.S. Supreme Court (1US13))

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**NewsRoom**

## NewsRoom

6/10/22 Targeted News Serv. (U.S.) 00:00:00

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June 10, 2022

### Sen. McConnell Issues Statement on Supreme Court

Targeted News Service WASHINGTON, June 10 -- Sen. Mitch McConnell, R-Kentucky, issued the following floor statement, which was published in the Congressional Record on June 9, 2022:

Madam President, 2 years ago, the Senate Democratic leader stood on the steps of the Supreme Court and threatened two **Justices** by name. "You will pay the price," he shouted. "You won't know what hit you." A month ago, after the precedent-breaking leak of a draft opinion, top Democrats intensified the reckless talk. Hillary Clinton said the Court was poised to "kill and subjugate women."

Leader Schumer and Speaker Pelosi said the Court would be "ripp[ing] up the Constitution." Some of the most powerful people in the country pushing total hysteria over the possibility that **Justices** may--may--overturn a decision that even **Justice** Ruth Bader Ginsburg said was badly reasoned.

Far-left activists publicized **Justices'** private addresses and encouraged angry people to flock to their homes. President Biden and his White House were asked to condemn these intimidation tactics, and they refused. I wrote to Attorney General Garland about a month ago, asking why he wasn't enforcing the laws on the books already against judicial intimidation.

Look, everybody saw where this climate might lead. So, yesterday morning, U.S. marshals arrested a deranged person who traveled to Washington from California in order to assassinate a Supreme Court **Justice** at his house. He has reportedly been charged with attempted murder. The FBI says the would-be assassin was armed and equipped for a break-in. He told authorities that he was trying to think about how to give his life a purpose. Apparently, it was only when he came across the **Justice's** address posted online that it occurred to him to attempt a murder-suicide. He explained that his problem with this **Justice** was ideological, citing abortion and the Second Amendment.

While this would-be assassin was making his plan and traveling across the country, House Democrats have spent weeks--weeks--blocking bipartisan legislation to strengthen security for the **Justices** and their families.

This bipartisan bill passed the Senate unanimously in early May.

Chairman Durbin is a strong supporter. But inexplicably--inexplicably--this urgent and uncontroversial bill has been sitting on Speaker Pelosi's desk ever since. The same House Democrats whose irresponsible rhetoric has contributed to this dangerous climate are themselves blocking added security for the **Justices** and their spouses and their children. Even last night--last night--even after this arrest was made, even after a leftwing group published an ominous social media post concerning a school that a **Justice's** children attend, when Leader McCarthy asked consent to pass the uncontroversial bill, House Democrats objected to it.

Meanwhile, the Biden Department of **Justice**, under Attorney General Garland, continues to flatly ignore section **1507** of the Criminal Code, which would appear to make it a Federal crime to protest at the homes of Federal judges to influence them over a pending case. That is the law right now.

So this has been a shameful and disturbing two-step from Washington Democrats. First they use reckless rhetoric that helps fuel the dangerous climate, and then they refuse to do their jobs and address the problem. The same far left that has spent years trying to improperly pressure the Court is now aiding and abetting this illegal intimidation campaign through total inaction.

So why won't President Biden call on his supporters to leave the **Justices** alone?

President Biden, call on your supporters to leave the **Justices** alone.

Why won't the Attorney General of the United States enforce existing law? Why won't the Speaker stop blocking a bipartisan security bill that passed the Senate unanimously?

So it is hard to avoid concluding that perhaps some Democrats may want this dangerous climate hanging over the **Justices'** heads as they finish up this term--a disgraceful--disgraceful--derelection of duty.

This is antithetical to the rule of law. The Speaker of the House and the Attorney General must honor their oaths to the Constitution and do their jobs.

I understand Democrats want to stage a big spectacle this week about what they claim is their opposition to political violence, but in reality, they are going out of their way to block concrete steps to prevent political violence. TARGETED NEWS SERVICE (founded 2004) features non-partisan 'edited journalism' news briefs and information for news organizations, public policy groups and individuals; as well as 'gathered' public policy information, including news releases, reports, speeches. For more information contact MYRON STRUCK, editor, editor@targetednews.com, Springfield, Virginia; 703/304-1897; <https://targetednews.com> -1609996

---- **Index References** ----

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News Subject: (Government (1GO80); Government Institutions (1GO90); Government Litigation (1GO18); Judicial Cases & Rulings (1JU36); Legal (1LE33); Legislation (1LE97); National Judiciaries (1NA65); U.S. Supreme Court (1US13))

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## NewsRoom

## NewsRoom

5/19/22 St. Louis Rec. (Pg. Unavail. Online)  
2022 WLNR 15789939

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May 19, 2022

Schmitt, Hawley urge AG Garland to curb pro-life  
protests in front of U.S. Supreme Court **justice** homes

Juliette Fairley

May 19, 2022

The Missouri Attorney General's office and Sen. Josh Hawley (R-Missouri) are urging the U.S. Attorney General to hold accountable pro-abortion protesters who rally in front of the homes of U.S. Supreme Court **justices**.

Attorney General Schmitt signed onto a letter that cited 'escalating extremism directed at the judicial branch' in a letter addressed to U.S. Attorney General Merrick Garland that asked the former judge to play his obvious role.

"You can and should act accordingly by faithfully executing federal law to prevent protestors from attempting to intimidate the **Justices** of the Supreme Court, both to protect the **Justices** and to safeguard the rule of law," wrote Steve Marshall, the state of Alabama's attorney general, in the May 11 letter.

Some 23 other attorneys general joined Schmitt in signing the letter, which was written after a draft opinion in *Dobbs v. Jackson Women's Health Organization* by the U.S. Supreme Court was improperly leaked before it was finalized, which sparked pro-abortion protests across the nation.

"Pro-abortion activists have begun protesting not just outside the Supreme Court, but outside the **Justices'** homes, in the hope of pressuring the **Justices** to change their votes," Marshall further stated in the five-page letter. "As a former federal judge and the current head of the Department of **Justice**, you must surely appreciate the unique risks to both judges and the rule of law when judges are targeted at their homes."

Garland served as chief judge of the U.S. Court of Appeals for the D.C. Circuit before being appointed as U.S. Attorney General by current U.S. President Joe Biden.

"If *Roe versus Wade* is reversed, it's going to hurt Republican candidates in the upcoming election," said Kenneth Warren, a St. Louis University professor of political science. "Obviously, the letter is trying to stop the demonstrations by pro-choice proponents, but they can't really do that because any suggestion to stop it is absurd. They clearly have a right to demonstrate."

Sen. Hawley also sent a letter to Garland citing federal statute, 18 U.S.C. **1507**, which criminalizes picketing or parading in or near a building or residence occupied or used by a judge with the intent of influencing the judge.



"Across the nation, radical pro-abortion activists have begun a campaign of violence, destruction, and intimidation in response to the leak of a draft document from the Supreme Court," Hawley wrote in the May 10 letter. "You must vigorously investigate and prosecute the crimes committed in recent days."

Warren sees it differently. He told the St. Louis Record that 18 U.S.C. **1507** would likely be deemed unconstitutional if it were challenged in court.

"That would be up to a court to decide whether or not that law Hawley is citing is constitutional," he added.

---- **Index References** ----

Company: SAINT LOUIS UNIVERSITY; Department of **Justice**; GARLAND HOUSING FINANCE CORPORATION

News Subject: (Abortion (1AB77); Government (1GO80); Government Institutions (1GO90); Government Litigation (1GO18); Judicial Cases & Rulings (1JU36); Legal (1LE33); National Judiciaries (1NA65); Social Issues (1SO05); U.S. Supreme Court (1US13))

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**NewsRoom**

## NewsRoom

5/16/22 FOX: Life, Liberty & Levin (Pg. Unavail. Online)  
2022 WLNR 15341433

FOX: Life, Liberty & Levin  
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May 16, 2022

### Levin, Starr Cite Past Flawed SCOTUS Precedents Amid Abortion Fight; Interview with Sen. Mike Lee (R-UT)

TREY GOWDY, FOX NEWS HOST, "SUNDAY NIGHT IN AMERICA": Hello, good night from South Carolina.

MARK LEVIN, FOX NEWS HOST, LIFE, LIBERTY & LEVIN: Hello, America. I'm Mark Levin and this is LIFE, LIBERTY & LEVIN.

Today, we live in the United States of the Democratic Party what do you think of it? Massive inflation, gas prices through the roof, diesel prices, which costs all of us an enormous amount of money since all 18-wheelers use diesel, lack of baby formula, limited amounts of meat available, and that price is going through the roof, lack of fertilizer to grow wheat and corn, empty shelves, supply chain problems, this is what happens when you have a political party that has been radicalized.

The Democratic Party that embraces these various American Marxists movements and is at war with our economic system, with our private sector and with the American people themselves with open borders and trying to change citizenship.

And no, I'm not one of those Putinoids, who, in the media, in the various parties, the Republican Party and Democratic Party who seem to believe that if only we wouldn't help the Ukrainians to survive against the onslaught by the Russians, that somehow these things would be addressed by our government and be improved. That's idiocy. That's insanity.

The people in charge of our government with --

JON SCOTT, FOX NEWS ANCHOR: This is a FOX News Alert out of California authorities are about to give an update after one person was killed, five others hurt during a shooting at a church in Laguna Woods, California.

We know one suspect is in custody. So far, details are limited. We're about to learn more from this news conference by authorities there.

It all took place at the Geneva Presbyterian Church in Laguna Woods. You can see the authorities have assembled there.

All of the victims we are told our adults, one fatality and four critically wounded. Let's listen in now.

UNIDENTIFIED FEMALE: Spellings after?

SGT. SCOTT STANLEY, PUBLIC INFORMATION OFFICER, ORANGE COUNTY SHERIFF'S DEPARTMENT: Spellings after.

UNIDENTIFIED FEMALE: Spellings after.

SGT. SCOTT STANLEY: Spellings after.

UNIDENTIFIED FEMALE: We have a sheet for you with the spellings of the names --

SGT. SCOTT STANLEY: Are you okay, good afternoon. My name is Sergeant Scott Stanley (ph). I'm the Public Information Officer for the Orange County Sheriff's Department.

First of all, we'd like to just let the public know that our hearts reach out to those affected by this tragic event. For today's press conference, the following speakers will be in this following order.

First is Jeff Hallock, Under Sheriff Orange County Sheriff's Department; Brian Fennessy, Fire Chief Orange County Fire Authority; Kristi Johnson, Assistant Director in Charge F.B.I. Los Angeles; Stephen Galloway, Assistant Special Agent in Charge A.T.F., Los Angeles; Lisa Bartlett, Orange County Board of Supervisors Fifth District; and Carol Moore, Laguna Woods Mayor.

We will take questions at the conclusion of this press conference.

JEFF HALLOCK, UNDER SHERIFF ORANGE COUNTY SHERIFF'S DEPARTMENT: Good afternoon.

First and foremost, I want to send our thoughts and prayers to all those that were impacted by this incident. This is a very tragic incident for the victims, their families and this entire community.

I want to start by asking you for your patience also. As you know, this is an active investigation that's been going on for less than four hours. Our investigators are still diligently processing the scene. So, we're here to provide as much information as we can at the time.

But again, I ask for your patience and please understand that we are working as quickly as we can to have more details and the information that you're looking for.

At about 1:26 PM this afternoon, a male subject opened fire here at the Geneva Presbyterian Church in the City of Laguna Woods. One person is confirmed deceased at the scene, four others are critical, and one other victim sustained minor injuries.

The injured victims were taken to local hospitals. We currently do not have a status of the injured four that are in critical condition.

When Deputies arrived on scene they provided immediate medical aid to the victims here at the church. Shortly after, our partners from the Orange County Fire Authority arrived on scene and began providing advanced medical lifesaving measures.

We're very grateful to the Orange County Fire Authority for their quick response and their ability to provide critical lifesaving treatment.

The incident happened at lunch -- at a lunch banquet following the morning service, and again to remind you this is all very preliminary information. We believe a group of churchgoers detained him and hogtied his legs with an extension cord and confiscated at least two weapons from him.

He was detained when the Deputies arrived, that group of churchgoers displayed what we believe is exceptional heroism and bravery in interfering or intervening to stop the suspect.

They undoubtedly prevented additional injuries and fatalities. The suspect was not injured during the incident and was taken into custody. He is believed to be an Asian male adult in his 60s.

We don't believe he lives in this area. Investigators are working to determine his city of residence and whether he has any connection to this church or to the congregation.

At this time, we do not know what the suspect's motive may be or whether he had an intended target or whether this is even a hate-related incident.

Following the incident, the Sheriff's Department's Hazardous Device Section utilized bomb canines and swept the church grounds to ensure there were no secondary devices.

Members from the Trauma Intervention Program also are on scene to provide crisis counseling to the congregants.

Next?

BRIAN FENNESSY, FIRE CHIEF ORANGE COUNTY FIRE AUTHORITY: Multiple OCFA resources responded as part of a potential MCI, a mass casualty incident as part of the active shooter response. Resources included multiple firefighter paramedic units, our specialized mass casualty unit, private ground ambulances, and a helicopter air ambulance.

An MCI was declared and our firefighter paramedics quickly triaged, treated, and transported five patients and the Under Sheriff set for critical and one minor status and one victim was pronounced deceased at the scene.

In addition, OCFA chaplains responded to the church and the hospitals. We also have started our critical incident stress debriefing for our OCFA first responders. Our hearts are with the victims, their families and our community.

Thank you.

KRISTI JOHNSON, ASSISTANT DIRECTOR IN CHARGE F.B.I. LOS ANGELES: Thank you Under Sheriff Hallock and Chief Fennessy.

Good afternoon. My name is Kristi Johnson and I'm the Assistant Director in Charge of the F.B.I.'s Los Angeles Field Office, which has jurisdiction here in Orange County and throughout the area.

First of all, my sincerest condolences to the families and the victims here today. And also a really, a heartfelt thank you to the congregants who were very brave today in their actions.

We arrived today as we would in response to any report of a mass shooting. The F.B.I. responded to offer resources as needed to our partners here at the Orange County Sheriff's Department.

Currently, we have investigators working with the Sheriff's Department who are taking logical investigative steps. Obviously, motive is always the question which determines the extent of involvement at the Federal level, or whether federal or local prosecution is pursued. And at this time, we are working very hard to determine the motive.

We will continue to provide resources regardless of the motive as needed by the Sheriff's Department to deliver **justice** to the victims.

We have linguists who are going to arrive soon to assist. We have our Evidence Response Team who was on standby and we also have our Behavioral Analysis Unit present on scene.

And again on behalf of the F.B.I., our heartfelt condolences to the victims and their families.

Thank you.

STEPHEN GALLOWAY, ASSISTANT SPECIAL AGENT IN CHARGE A.T.F., LOS ANGELES: Good afternoon.

On behalf of the men and women of A.T.F., I want to send my sincerest condolences to the victims, the families and the community that's been affected by this tragedy.

Upon receiving reports of the shooting, agents from our Santa Ana field office responded to the scene immediately to provide assistance to the Orange County Sheriff's Department.

Since the scene has been secured, our agents have initiated an emergency trace on the recovered firearms, those traces are currently in progress and will be thoroughly investigated once certain with the lead. A.T.F. will continue to work in close tandem with our law enforcement partners until this investigation is completed.

Nothing further at this time. Thank you.

LISA BARTLETT, ORANGE COUNTY BOARD OF SUPERVISORS FIFTH DISTRICT: Good afternoon.

Orange County Supervisor, Lisa Bartlett, Fifth District.

Today is a very dark day for the people of Laguna Woods and Orange County and our thoughts and prayers are those with all those affected by this senseless tragedy.

Just a day after the tragic and hate-filled actions that led to the senseless deaths of Americans at the Tops friendly markets in Buffalo, New York, we too are now dealing with people shot in their place of worship here in Laguna Woods.

I'd like to thank Sheriff Don Barnes and the heroic actions of our Orange County Sheriff's Department and Deputies, who were able to bring the perpetrators swiftly and securely on the site.

I'd also like to thank Chief Fennessy of the Orange County Fire Authority to attending to the victims of this senseless tragedy.

To the church congregants impacted by the violence that took place here today, we are here for you and we will seek **justice** for you.

To the perpetrator of such heinous acts, our county will work to ensure **justice** for the victims. As Fifth District Supervisor, I am making sure that our county's mental health counselors are available for the victims and their families of today's shooting.

I want to thank the Orange County Healthcare Agency Department for being so quick to respond to the needs of our citizens, and to the citizens of Orange County, please know that we will continue to have my unwavering support to ensure the safety and security of all of the residents here in Orange County.

Thank you.

MAYOR CAROL MOORE, LAGUNA WOODS, CALIFORNIA: Good afternoon. My name is Carol Moore.

I want to think those people who were wise enough to take action and endangered themselves who save others in that church. That is so impressive.

Our thoughts are to all the members of that congregation and their families, and I think that we have to think, and I know we do think, the City of Laguna Woods is so pleased the cities nearby immediately contacted and wanted to support us. It was so outstanding to have that happen.

On top of that, we have all these first responders, please look at these people that are providing our safety, our Fire Department, our Sheriff's Department, the F.B.I., the A.T.F., we are so thankful.

Thank you for taking the time to cover this properly.

HALLOCK: All right, this time, we'll take any questions you may have.

QUESTION: How many arms are covered?

HALLOCK: I'm sorry.

QUESTION: How many arms were covered?

HALLOCK: Two firearms were recovered at the scene.

QUESTION: What kind of firearms were they? Were they handguns? Rifles?

HALLOCK: Two handguns.

QUESTION: Hey, Jeff, can you talk a little bit about how quickly this transpired? How quickly these parishioners intervened like, kind of describe what -- how they did? You said that their actions were heroic?

HALLOCK: Yes, so the question was how quickly this unfolded. We don't have that information. That dispatch call came in at about 1:26 PM. Deputies were here within minutes and by the time we arrived, the parishioners had the subject hogtied and in custody, so this happened really quickly.

QUESTION: Do you know if anyone was injured in the process?

HALLOCK: That's still part of the active investigation. Like I said earlier, we have five that were injured, four critically -- obviously, we're saddened to say that one is deceased, but we're still working through kind of the details on how it unfolded.

QUESTION: Is it known whether the guns were legally purchased?

HALLOCK: We don't have that information. That will be part of the investigation.

QUESTION: Did any of the congregants recognize this gunman?

HALLOCK: That still part of the investigation of --

SCOTT: LIFE, LIBERTY & LEVIN will be back after the commercial break. It will air in full at 11:00 PM this evening.

So that is the update from authorities in California. They say an Asian male apparently in his 60s took part in a luncheon after services today at the Presbyterian Church, the Geneva Presbyterian Church in Laguna Woods.

During this luncheon, he got up and started shooting. Members of the church were able to take him down, but not before he killed one parishioner, wounded five others, four of them critically.

They don't know yet or have not announced the identity of the gunman. They don't know the motive. They don't even know if he has at this point, any connection to this particular church.

They have an active firearms trace underway to find out where he obtained the two pistols that were used in this attack.

Once again, LIFE, LIBERTY & LEVIN will run in full 11:00 PM Eastern, 8:00 PM Pacific.

(COMMERCIAL BREAK)

LEVIN: Welcome back, America.

Our first guest really needs no introduction, but I will give him one anyway. He is Judge Ken Starr. He was a Judge on the D.C. Court of Appeals. He was Solicitor General of the United States, Independent Counsel, one of the great legal minds in the country.

Judge Starr, I have a question here. Have you ever seen anything like this in your life with a leaked first draft with a political party encouraging protests at the homes of **Justices** with at least early on the Department of **Justice** taking literally no steps to protect these **Justices**? What do you make of this?

KEN STARR, FOX NEWS CONTRIBUTOR: No. It's been one outrageous thing after another. The leak itself was as Chief **Justice** Roberts said in his written statement, an egregious breach. We all know that.

And I have frankly been very disappointed that there hasn't been unanimity in the condemnation of the leak, as opposed to simply ignoring it. And then yes, the protests outside the different homes, but especially **Justice** Alito's home is really another outrage and one that just cries out for the government to use -- for the Federal government to use its enforcement power.

You identified the law, it's a criminal law. It's been on the books for a long time, and it should be enforced. It should be faithfully enforced.

LEVIN: What do you think would happen if the shoe was on the other foot? If there was a decision that conservatives, the MAGA so forth, didn't like, and all of a sudden people started showing up at the homes of the more liberal **Justices**, harassing them trying to coerce a decision.

And Kevin McCarthy comes out and says, I support these efforts because I want them to change their ultimate decision. What do you think the reaction of the media would be?

STARR: One of condemnation and rightly so, that is simply unacceptable. It is a form of mob rule when people take to the streets targeting a Judge's home or a **Justice's** home, and essentially trying to intimidate them. That's the only natural consequence of what it is or the intent of these individuals.

So I think there would just be a sense of outrage, how dare these people do this? They're interfering with the orderly conduct of government.

LEVIN: As I said, you were a Federal Appellate Judge, you had conferences with your fellow Judges, too, over writing opinions, who would write the opinion, sending drafts back and forth and so forth.

Can you explain to the American people how bad this is that when somebody perhaps a law clerk, we don't know yet, leaks a first draft of what is a majority opinion, and the impact that has on the ability of Judges to work together and the Court?

STARR: Because it's so unprecedented, it is almost impossible to predict the long-term consequences, but the short term is this, there will be now a lack of trust on the part of the Court toward those who are working in the Court. And it's so consequential, because the Judges depend on the confidentiality of one another, to be able to speak freely, just as the President of the United States enjoys executive privilege, just as Members of Congress enjoy the speech or debate privilege, there are privileges that are designed to do what? To protect the orderly and lawful functioning of government.

This totally disrupts this. The train has left the tracks. And we need to do everything that we can beginning with identifying this individual and bringing this person to **justice**. But we also need to know and the Chief **Justice** has been reassuring in this respect that this is not going to interfere with the work of the Court. It will be steady as she goes, but it's incredibly disruptive and very destructive.

LEVIN: You know, Judge Ken Starr, when you go back and you look at the confirmation process, starting with Robert Bork, the effort to intimidate would be **Justices**, to destroy their character. These are preeminent legal scholars with tremendous careers behind them. So, if and when they get on the Court, by then they hope they've been already coerced and so forth. This is something that's been building for several decades, isn't it?

STARR: Yes, the Bork confirmation hearings set a new and incredibly low standard of character assassination. That's exactly what happened there and it has happened time and time again.

We had a brief reprieve with **Justices** Ginsburg and Scalia enjoying essentially a quiet confirmation process, but the process erupted again with **Justice** Clarence Thomas, we saw it at its worst, again with **Justice** Brett Kavanaugh. So we need a restoration of civility and kindness and decency in the process, but I don't hold out any hope whatsoever, in light of what we have now seen erupt in the wake of the improper disclosure of the draft opinion.

LEVIN: And the Democrats have the media supporting them. The media participates in these horrendous smear campaigns, and I just don't see how we get out of this.

STARR: I don't think there's an exit ramp right now. It takes leadership. It takes the leadership, obviously of both parties, but I agree with you. This has been very one sided in terms of the nature and extent of the attacks, the very personal attacks and vilification.

So it is very much in the hands of the Chairman of the Senate Judiciary Committee, the other members of the Senate, whoever is in control, to say we need to set a tone of decency.

LEVIN: We'll be right back.

(COMMERCIAL BREAK)

SCOTT: Welcome to "FOX News Live." I'm Jon Scott.



Just one day after a horrific mass shooting in Buffalo, New York, word tonight of yet another shooting, this one in Southern California.

Latest reports are that at least one person was killed and four others critically hurt after a gunman opened fire at Geneva Presbyterian Church in Laguna Woods. A fifth person suffered minor injuries.

The alleged gunman subdued by churchgoers. Police still don't know why he opened fire on the congregation.

President Biden and First Lady Jill Biden will visit the grieving City of Buffalo, Tuesday. That's where another gunman opened fire at a supermarket yesterday, killing 10 people and injuring three others. Police say racist conspiracies triggered that massacre. Most of the victims were Black.

I'm Jon Scott. Now back to LIFE, LIBERTY & LEVIN.

LEVIN: Welcome back, America.

Judge Ken Starr, we talk about Roe versus Wade and Casey, and yet the other evening, the Democrats in the Senate voted in favor of abortion on demand right up to birth. Is that what Roe and Casey say that abortion on demand right up to birth is to be legalized throughout the country? Is that what they say?

STARR: No, absolutely not. And in your opening, you described correctly, the original holding of Roe v. Wade and the core provisions of Roe v. Wade we then reaffirmed 20 years later in Planned Parenthood versus Casey.

And in that third trimester, this state can come in as it sees fit and essentially forbid abortion, save for the safety of the mother, the health of the mother, whereas this proposed legislation, which happily did not pass, the Senate would have opened the doors to abortion to the very last minute as you rightly said.

So that represents a very significant, I would say, a radical expansion of Roe versus Wade.

LEVIN: You know, we've had a lot of lectures about the science in the last few years when it comes to the virus, when it comes to masks, when it comes to vaccines, when it comes to shuttering, when it comes to our businesses and on and on and on.

Follow the science that's what they tell us. Don't you find it interesting that not one of these so-called government scientists or college or university scientists, professors have been asked, well, what exactly is the science when it comes to abortion? At one point is that a baby? What is the science tell us? Isn't it interesting that we spend almost no time on that?

STARR: It is. It's an enormous area that should have been discussed very fully in the public debate. Happily, the Supreme Court had the benefit of a number of briefs that go into the science of the child in the womb, and how early the heartbeat at five weeks, human features very early on, the ability to experience pain early on.

The DNA is there from the very outset, and so all these things have been made known to the Court and I think we're helpful to at least the five member majority in the draft opinion in saying, we need to write this constitutional wrong, informed by the science, but to essentially, which is what the draft opinion does return this issue, as you said in the opening to We, The People, for debate and discussion, just as we handle other very sensitive issues, very sensitive issues, such as the right to die, physician-assisted suicide and the like.

And the Supreme Court has been clear to say, just let the debate unfold and let We, the People, within limits of reason, decide for themselves what the policy is of their particular state.

LEVIN: It's interesting, Ruth Bader Ginsburg said virtually the same thing in 1992 when she was interviewed for the Columbia Law Review. Let me ask you something about stare decisis or precedent. Just a yes or no answer.

Was Dred Scott good law?

STARR: No.

LEVIN: Was Plessy versus Ferguson good law?

STARR: No.

LEVIN: Was Korematsu a good law?

STARR: No.

LEVIN: Slavery, segregation, and the internment of Japanese-Americans innocent, didn't commit any offenses and three Supreme Court decisions, all of which have been effectively overturned. Isn't that correct, sir?

STARR: Correct. Infamous decisions that it took the Court a long time to correct, but at least the Court eventually did it. And in one of the footnotes in the draft opinion, **Justice** Alito, the author, points to some 25 cases where the Court has overruled its prior precedent. And there are over 150 such examples.

So the Court has a duty to get it right, and to overrule that which it believes is wrong.

LEVIN: So an argument that Roe has been in place for 49 years, isn't that effective of Roe is not constitutionally based, like these other decisions? And I might add this, the Supreme Court decision in my view was quite modest. They didn't take a position on abortion. They said, "That's not our job." There's nothing in the Federal Constitution.

And so they basically said hands off, and somehow that is a radical decision attacking women's rights. Every single woman in America is having her rights attacked. What do you make of that?

STARR: Well, there has been a terrible distortion of what the Court or at least the draft opinions says. It is a restoration. It is saying we were wrong in Roe v. Wade to take this issue out of the cauldron of debate. That's what Ruth Bader Ginsburg said in 1992.

And now the Supreme Court is saying, let's allow the debate to go forward, which is the way it should have been all the way along.

LEVIN: And effectively the Democrats demonstrated the other day in the Senate that they don't believe in Roe v. Wade either and they don't believe in Casey either.

They believe in the most radical form of abortion on the planet, on the face of the Earth, that you can abort a viable baby, a human being right up to the last second.

Ken Starr, I want to thank you very, very much for your contribution to this country over the decades and for coming on tonight. God bless you sir.

STARR: Mark, God bless you.

LEVIN: We'll be right back.

(COMMERCIAL BREAK)

LEVIN: Welcome back, America.

Senator Mike Lee is a fantastic senator. He's up for re-election. And also, he was a law clerk to **Justice** Samuel Alito who happens to be an old friend of mine, too, from the Department of **Justice** days under Ronald Reagan, and I don't know how you pull this off, Senator, but you have come out with a book called "Saving Nine: The Fight against the Left's Audacious Plan to Pack the Supreme Court and to Destroy American Liberty." The timing of this book couldn't be better. I would say maybe send a thank you note to the protesters, but maybe not.

And so, among other things, you say in your book, you talk about the purpose of the Supreme Court. What is the purpose of the Supreme Court, is to find out what's polling out there? Is it to make law? Is it to amend the Constitution of the United States? Or is it to do as this Court appears to be ready to do in the in the abortion case?

SEN. MIKE LEE (R-UT): Mark, as I explained in Chapter One of "Saving Nine," the purpose of the Supreme Court is to decide cases or controversies brought before the jurisdiction of the Courts, and in doing that, they interpret ambiguities in the law. Sometimes it's a provision of a statute, other times, it's a provision of the Constitution, and that's how they decide cases.

Their role is not to decide what's fair or what's good policy. The Supreme Court's role and the role of the Federal Courts generally is simply to interpret the law, to decide what it means in order to decide those cases and controversies over its meaning.

LEVIN: What if the Constitution says absolutely nothing about a particular topic? Who decides it then?

LEE: You know, it is a great question because there is a provision of the Constitution that specifically deals with that. The 10th Amendment says that matters that are not made Federal by the Constitution and matters that are not prohibited by the Constitution with respect to the states, are reserved to the states respectively, or reserved to the people. And that's a very important feature, the 10th Amendment, because it re-emphasizes what was already implicit in the text of the original Constitution making State government and not the Federal government, the default level of government in our Federal system.

LEVIN: So if states want to have an income tax, they have an income tax; if they don't want to have an income tax, they don't have an income tax. If they want a death penalty, they have a death penalty. If they don't want a death penalty, they don't have a death penalty.

They want an extremist position on abortion, unfortunately, from my perspective, then they have an extremist position on abortion right up to the minute before birth. If they don't want abortion at all, there's no abortion at all. It's called mobility, right? It's called -- it is called diversity that brings unity.

What does that mean diversity that brings unity? Does it mean that we won't be at each other's throats all the time, because certain states go one way and certain states go another way?

LEE: No, it's the source of our strength. It was patterned in some ways after the Iroquois Confederacy when Canasatego, a chief from the Onondaga Tribe taught Benjamin Franklin, about this in 1744, that their Confederacy was strong, because it allowed each tribe to govern itself at the local level, they came together as a nation for purposes common to all the tribes, including and especially defense.

That's basically what our Constitution does. It allows most matters to be resolved at the state and local government, and just a few things deemed distinctively national by the Constitution are entrusted with the national government.

LEVIN: But if you don't believe in the Constitution, and you believe in critical race theory, if you don't think the nation was founded in 1776, but 1619, if you think everything in the Constitution is malleable, that is the ends justify the means then none of these matters to you, does it?

LEE: Right. Exactly. And if none of these matters to you, then you lose sight of this vision of what we call federalism, this idea that most of the people in the United States will get more of the kind of government they want, less of the kind of government they don't want if we follow the Constitution.

If none of that matters to you, then what you'll have is the dangerous temptation to accumulate power at the highest level possible at the national level. And then you'll have those powers combining and putting together a government, this can make a lot of people unhappy, and it leads inevitably to tyranny.

LEVIN: It leads inevitably to tyranny and violence.

Let me ask you this Senator Mike Lee, when you read this first draft opinion, did it say anything in there about marriage, interracial marriage, affecting any other rights other than the issue of abortion?

LEE: No and in fact, **Justice** Alito's opinion, which is masterfully written and reaches the absolutely right result goes out of its way to point out that it doesn't extend to any of those areas. This is focused on this narrow area, and it reached the decision that it reached big in a manner consistent with what I predict.

You know, when I when I wrote this, we hadn't yet seen the Supreme Court's opinion. But in Chapter Eight of "Saving Nine," I described this interaction between **Justice** Alito at oral argument and the Solicitor General of the United States, in which he asked, you know, what about cases that were egregiously wrong when they were decided? Cases like Plessy v. Ferguson? Can't we overrule those?

And I predicted that he might rely on that type of reasoning, which is exactly where he went. But **Justice** Alito also made clear that this is limited to this specific case. It is limited to this specific fact pattern.

The left wants to do everything it can to de-legitimize the Court and those **Justices** who might join this opinion. And for that reason, they're trying to call into question all sorts of things from Loving versus Virginia, protecting interracial marriage, for example, to Brown versus Board of Education, overturning Plessy versus Ferguson, and getting rid of this evil, separate, but equal concept that that had been brought about originally as a result of Plessy.

None of those things are to be revisited, neither the logic nor the holding of this opinion would lead in that direction and get the left wants to undermine the legitimacy of the Court and with it, our entire system of government and that is very dangerous.

LEVIN: Yes or no? Did the Supreme Court outlaw abortion in this draft opinion? Yes or no?

LEE: No. No, emphatically no, and this is one of the greatest misconceptions. You would think while listening to some leftist politicians in this country and most of its commentators that the Supreme Court had outlawed abortion. It did nothing of the sort.

All it did was acknowledge something that has always been true, which is the Constitution says nothing about abortion. It says nothing even implicitly about abortion.

Consequently, those decisions are to be made, not by nine lawyers wearing robes on the Supreme Court, not even in most circumstances by Congress, but by the people's elected lawmakers, typically in the State governments.

LEVIN: All right. I want to explore this further with you.

We'll be right back.

(COMMERCIAL BREAK)

LEVIN: Welcome back.

Senator Mike Lee, you worked on the Court. Now, there is a massive fence surrounding the Court, a riot fence to protect it from protesters. You have people in Congress, some of whom you're well aware of, colleagues, who are encouraging people to protest and using language that could easily spark violence.

They want these people at the homes of the **Justices**. They are violating Federal law because they're trying to interfere with the administration of **justice**. Nancy Pelosi and Schumer and others have said that they don't want this first draft to stand. They're hoping to pick off maybe a **Justice**, or to get them to alter the opinion in some way, not make it so harsh, they said.

Promoting lawlessness. This has been going on a while, hasn't it? This same party has been pushing for packing the Court. The same party has used the confirmation process to try and destroy the reputations of **Justices** nominated by Republicans. They are already praising the leaker before the leaker is identified, even though what they did is a horrendous violation of American tradition and separation of power. What do you make of this?

LEE: This is part of the tactic that I predicted might arise in "Saving Nine." I explain Roe versus Wade, I explain the Dobbs case. And I wrote "Saving Nine" anticipating that this very thing might happen, and that if this sort of opinion were in fact agreed upon by the Supreme Court, that there would be a massive attempt by the left to undermine, denigrate, diminish, and isolate, particularly those **Justices** who signed on to the majority opinion, and the Court itself as an institution, if in fact, if it were the opinion of the Court.

And I predicted then that there would be a widespread effort to change the Court, to expand the number of seats on the Court, to increase the number of **Justices** so that President Biden could appoint additional leftists to the Court and undo correct decisions under the law with which they disagreed.

I predicted all of this, and I even described the story of what I experienced as an 11-year-old child when my dad was serving as Solicitor General of the United States, picketers showed up at our home while my dad was working on a brief in a case called City of Akron versus Akron Reproductive Health Center in order to threaten and intimidate him just for submitting an amicus brief.

This is inappropriate, because as I explained in "Saving Nine," when you show up at someone's home, the only message that really matters is the implicit signal you sent. We know where you sleep.

Now, this is prohibited in front of the home of a **Justice** like this under 18 USC Section **1507**. It's clearly prohibited, and yet they are encouraging it. They're encouraging it the same way they are going to continue encouraging the packing of the Court in an effort to delegitimize the Court.

The problem is if they get their way to whatever degree they get their way, they're going to undermine not only the reputation and integrity, as it is perceived by the public of the Supreme Court, but they're going to destabilize our entire system of government, which for them is a feature, not a bug.

LEVIN: Well said, I wrote a book about that called "American Marxism."

Your book is outstanding. It couldn't be more timely, "Saving Nine," by certainly one of the smartest people in Congress in the United States Senate, one of the most accomplished constitutionalist as far as I'm concerned, and a dear friend.

I encourage you to get it on amazon.com, any major bookstore, it'll be out soon. But it really does. It's so prescient on how it addresses these issues and so forth.

You know, on the one hand, Senator Lee, we hear about, we want democracy, of course, we're Republic, but we hear we want democracy. The people should decide; then on the other hand, they insist that the Court decide. It seems to me the Democratic Party has embraced sort of the schizophrenia argument.

If they win elections, the elections are legitimate. If you win elections, the elections are illegitimate. And if you win elections, we will turn to the bureaucracy and the Courts to get our way. And if we don't get our way, then we're going to violate the law, including this Federal statute that's been cited, protesting at people's homes with the encouragement of the Speaker of the House, and the Senate Majority Leader Chuck Schumer.

Have you ever seen anything like this?

LEE: No, I've never seen anything like this, not in this country, and certainly not in my lifetime. It's unfortunate. And it's unfortunate in a way that that I anticipated when I wrote "Saving Nine." In the first couple of chapters, I explain what the Supreme Court is, and what it isn't, why it matters.

In the last two chapters, I explain exactly what the left wants to do and how it resembles what Franklin D. Roosevelt did to the Court in 1937 when he last threatened to pack it. It failed legislatively, but it left a lasting mark, a mark that has caused a lot of problems for the American people.

You can read all about it in "Saving Nine," which goes on sale June 7th, but is available now for pre-order.

LEVIN: As a matter of fact, Senator Lee, it was the Democrats who stopped their President. Here it's the Democrats and their President who are doing enormous damage. It's a terrific book, "Saving Nine," you can order at amazon.com as I speak.

Thank you, sir. Keep up the good battle.

LEE: Thank you, Mark.

LEVIN: We'll be right back.

(COMMERCIAL BREAK)

LEVIN: Welcome back, America.

You know after we were attacked at Pearl Harbor, the Chief Admiral of Imperial Japan said, Yamamoto, "I fear we've awakened a sleeping tiger." And I believe that's what the American Marxist movement and their Democratic Party have done in this country.

I think the vast majority of Americans, red-blooded Americans of every stripe, love this country and are sick and tired of what's happening to it. And I sure as hell hope so, because the only thing that stands between our liberty and their tyranny are We, the People and our Constitution, both of which are under attack.

These are tough times, economically and otherwise, but we've gotten through worse. Let's stick together, let's be united. Let's become more active than ever before, and let's be heard.

I'll see you next time on LIFE, LIBERTY, & LEVIN.

END

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## NewsRoom



## NewsRoom

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May 16, 2022

### OVER 40 HOUSE REPUBLICANS PUSH RESOLUTION TO CONDEMN SCOTUS OPINION LEAK, PROTESTS IN FRONT OF **JUSTICES'** HOMES

WASHINGTON

The following information was released by the office of Louisiana Rep. Mike Johnson:

FIRST ON FOX: House GOP Conference Vice Chairman Mike Johnson and 40 other Republicans Thursday are introducing a resolution decrying protests in front of Supreme Court **justices'** homes, amid demonstrations over an upcoming abortion ruling.

The resolution also condemns the leak of a draft opinion in the case Dobbs v. Jackson Women's Health Organization, which Politico reported last week. The unprecedented leak revealed that the Supreme Court likely has enough votes to overturn Roe v. Wade.

The resolution from Johnson, R-La., begins by expressing "support for the enforcement of section **1507** of title 18, United States Code, with respect to protests outside the homes of sitting Supreme Court **Justices.**"

That federal law makes it illegal to "picket or parade" outside a courthouse or a judge's residence "with the intent of influencing any judge... in the discharge of his duty."

Republicans called for the Department of **Justice** (DOJ) and Attorney General Merrick Garland to enforce that law all week. Garland and the DOJ were initially silent on the matter but addressed the protests in a statement Wednesday.

"Attorney General Garland continues to be briefed on security matters related to the Supreme Court and Supreme Court **Justices,**" **Justice** Department spokesperson Anthony Coley said.

The statement added, "The Attorney General directed the U.S. Marshals Service to help ensure the **Justices'** safety by providing additional support to the Marshal of the Supreme Court and Supreme Court Police."

Johnson's resolution, which is joined by 40 other House Republicans, continues to raise concerns that the leak of the draft opinion, "constitutes a grave breach of judicial ethics and a blatant attack on the independence of the Court." And it notes that after the leak "activists sought to intimidate **Justices** of the Supreme Court by protesting outside their homes."

The resolution, which is unlikely to pass in the Democrat-controlled House, concludes by expressing concern about "the erosion of Americans' faith in our institutions" and calling on the DOJ to enforce section **1507** of title 18.

Johnson's resolution is just the latest move by high-ranking Republicans railing against the protests and the DOJ's handling of them.

Senate Majority Leader Mitch McConnell, R-Ky., and Judiciary Committee Ranking Member Chuck Grassley, R-Iowa, sent letters to Garland Wednesday demanding that his department step up its response.

Also Wednesday, a group of nearly 50 House Republicans led by Claudia Tenney, R-N.Y., railed against Garland for allowing "mob rule" by not prosecuting demonstrators they said were violating the law. Johnson and Stefanik also signed onto that letter.

---- **Index References** ----

Company: FOX CORPORATION; Supreme Court Registry; POLITICO LLC; U S Marshals; Department of **Justice**; THE UNITED STATES DEPARTMENT OF **JUSTICE**; Sekisui House,Ltd.; GARLAND HOUSING FINANCE CORPORATION

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**NewsRoom**

## NewsRoom

5/14/22 Targeted News Serv. (U.S.) 00:00:00

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May 14, 2022

### Rep. Comer, Oversight Republicans Call for Protection of Supreme Court **Justices**

WASHINGTON, May 14 -- Rep. James Comer, R-Kentucky, ranking Republican member of the House Oversight and Reform Committee, issued the following news release:

In the wake of the unprecedented leak of a draft opinion on a matter being considered before the Supreme Court, House Committee on Oversight and Reform Ranking Member James Comer (R-Ky.) and Oversight Committee Republicans urged Attorney General Merrick Garland to provide the Committee all documents and communications related to any steps the **Justice** Department is taking to enforce federal law and ensure the protection of Supreme Court **Justices**. In their letter to Attorney General Garland, Oversight Republicans highlighted the growing wave of violence perpetrated by radical, far left ideologues and blasted extremists for likely violating federal law by recently picketing at the Supreme Court **Justices'** residences with the goal of influencing or intimidating them.

"We continue to conduct oversight of efforts by the U.S. Department of **Justice** to enforce federal laws protecting the integrity of the Supreme Court. In the wake of the unprecedented leak of a draft opinion on a matter currently pending before the Supreme Court, a reactionary wave of violence by radical ideologues has descended upon the country, as crisis pregnancy centers, pro-life organizations and churches have been vandalized and subject to arson attacks and theft of sacred objects. Other protestors are picketing at Supreme Court **Justices'** family residences with the goal of influencing or intimidating the **Justices**. This likely violates federal law, notwithstanding the Biden Administration and other prominent Democrats stating their support for these unlawful actions. We request further information regarding steps the **Justice** Department is taking to enforce federal law and ensure the protection of Supreme Court **Justices**," wrote the Republican lawmakers.

On May 3, 2022, the Republican lawmakers requested (<https://republicans-oversight.house.gov/release/comer-oversight-republicans-call-for-doj-investigation-into-leaked-scotus-draft-opinion/>) Attorney General Garland to launch an investigation and provide Congress all information and a description of laws potentially violated by the leaking of a draft opinion. The only court the U.S. Constitution established, the Supreme Court, is the highest court of the land. This flagrant attack on the Court threatens to undermine our nation's entire judicial system and demands immediate congressional oversight.

"Under federal law, picketing or parading 'in or near a building or residence occupied or used by [a] judge' with intent of 'interfering with, obstructing, or impeding the administration of **justice**, or with the intent of influencing any judge... in the discharge of his duty...' is a misdemeanor offense punishable by fines or jail time. It is unclear whether the **Justice** Department has been investigating or prosecuting any cases related to the current protests at the **Justices'** homes. The recent leaked draft opinion has the potential to undermine the ability of **Justices** to deliberate on cases of national importance. Our system of law and order must stand firm against any illegal attempts to intimidate **Justices** by mobbing their neighborhoods," concluded the Republican lawmakers.

\* \* \*

May 13, 2022

To: The Honorable Merrick B. Garland, Attorney General, U.S. Department of **Justice**, 950 Pennsylvania Avenue NW, Washington, D.C. 20530

Dear Attorney General Garland:

We continue to conduct oversight of efforts by the U.S. Department of **Justice** (**Justice** Department) to enforce federal laws protecting the integrity of the Supreme Court. In the wake of the unprecedented leak of a draft opinion on a matter currently pending before the Supreme Court,<sup>1</sup> a reactionary wave of violence by radical ideologues has descended upon the country, as crisis pregnancy centers,<sup>2</sup> pro-life organizations<sup>3</sup> and churches<sup>4</sup> have been vandalized and subject to arson attacks and theft of sacred objects. Other protestors are picketing at Supreme Court **Justices'** family residences<sup>5</sup> with the goal of influencing or intimidating the **Justices**. This likely violates federal law,<sup>6</sup> notwithstanding the Biden Administration<sup>7</sup> and other prominent Democrats<sup>8</sup> stating their support for these unlawful actions. We request further information regarding steps the **Justice** Department is taking to enforce federal law and ensure the protection of Supreme Court **Justices**.

Our Constitution guarantees citizens freedom of speech, the right to assemble, and to petition the government,<sup>9</sup> however these rights are not without limits.<sup>10</sup> We have already seen Americans exercising this right to make their voices heard in front of the Supreme Court building and other public squares.<sup>11</sup> Governing bodies have passed, and the Supreme Court has upheld, content-neutral time, place, and manner restrictions on First Amendment activities.<sup>12</sup> Under federal law, picketing or parading "in or near a building or residence occupied or used by [a] judge" with intent of "interfering with, obstructing, or impeding the administration of **justice**, or with the intent of influencing any judge... in the discharge of his duty..." is a misdemeanor offense punishable by fines or jail time.<sup>13</sup> It is unclear whether the **Justice** Department has been investigating or prosecuting any cases related to the current protests at the **Justices'** homes. The recent leaked draft opinion has the potential to undermine the ability of **Justices** to deliberate on cases of national importance. Our system of law and order must stand firm against any illegal attempts to intimidate **Justices** by mobbing their neighborhoods.

To assist the Republicans on the Committee in understanding the **Justice** Department's efforts to enforce federal laws protecting the integrity of the Supreme Court, we request that you produce the following documents and information no later than May 27, 2022, from the time period May 2, 2022 to the present:

1. All documents and communications regarding any open **Justice** Department investigation or other law enforcement partners into violations of federal law related to picketing at the Supreme Court **Justices'** personal family residences;
2. All documents and communications regarding any accepted or declined criminal prosecution related to picketing at Supreme Court **Justices'** personal family residences;
3. The number of open investigations into any threats made against members of the Supreme Court, especially threats stemming from the release of the draft opinion referenced above;
4. All documents and communications regarding any **Justice** Department response to threats made against members of the Supreme Court.

Thank you for your consideration of this important issue. To make arrangements to deliver documents or ask any related follow-up questions, please contact the Committee on Oversight and Reform Republican staff at (202) 225-5074. The Committee on Oversight and Reform is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X. Thank you in advance for your cooperation with this inquiry.

\* \* \*

Footnotes:

1 Tierney Sneed et al., Supreme Court draft opinion that would overturn Roe v. Wade published by Politico, CNN NEWS (May 3, 2022); see also Mark Sherman & Zeke Miller, Report: Supreme Court draft suggests Roe could be overturned, AP NEWS (May 3, 2022).

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3 Vander Ploeg, Luke & Addison Lathers, Anti-Abortion Group in Wisconsin Is Hit by Arson, Authorities Say, N.Y. TIMES (May 8, 2022).

4 See e.g. Nieto, Greg, Abortion-rights vandalism stirs church parishioners, FOX31 COLORADO (May 9, 2022); Betz, Bradford, Boulder Catholic church vandalized with abortion rights graffiti, FOX NEWS (May 5, 2022); Mullen, Shannon, Update on Unrest: Tabernacle Stolen, Catholic Church Defaced, Pregnancy Clinic Vandalized, NATIONAL CATHOLIC REGISTER (May 10, 2022).

5 Sanchez-Cruz, Rafael, Pro-choice protests outside Maryland homes of **Justices** Roberts and Kavanaugh, WUSA9 (May 8, 2022); Alder, Madison, **Justice** Alito's Home Targeted by Abortion Rights Protesters, BLOOMBERG (May 9, 2022). 6 See 18 U.S.C. Sec. **1507**.

7 Mordock, Jeff, Psaki says Biden supports peaceful abortion protests outside **justices'** homes, WASH. TIMES (May 10, 2022).

8 Prieb, Natalie, Schumer says he sees no issue with peaceful protests at houses of Supreme Court **justices**, THE HILL (May 10, 2022).

9 U.S. Const. amend. I.

10 See e.g. Ward v. Rock against Racism, 491 U.S. 781 (1989); Hill v. Colorado, 530 U.S. 703 (2000).

11 Qiu, Linda & Sarahbeth Maney, Demonstrators Gathered at Supreme Court Lament, and Celebrate, Leaked Draft, N.Y. TIMES (May 3, 2022).

12 Supra, n.10. 13 18 U.S.C. Sec. **1507**. MSTRUCK-7836353 MSTRUCK

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**NewsRoom**

## NewsRoom

5/14/22 Targeted News Serv. (U.S.) 00:00:00

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May 14, 2022

### Rep. Rose Joins GOP Members of Congress Calling for DOJ to Enforce Law Amid Attempts to Intimidate Supreme Court **Justices**

WASHINGTON, May 14 -- Rep. John Rose, R-Tennessee, issued the following news release:

U.S. Representative John Rose (TN-6) joined Rep. Claudia Tenney (NY-22) and more than 40 Republican Members of the House of Representatives in calling on Attorney General Merrick Garland to end the mob rule outside Supreme Court's homes **Justices** in a letter.

The letter highlights the need to zealously guard the First Amendment, and ensures judges are not intimidated by mob rule. Since the leak of the draft decision, mobs of protestors have swarmed the homes of several U.S. Supreme Court **Justices**.

Rep. Rose released the following statement:

"I'm grateful to live in a country where peaceful assembly is among the first rights guaranteed to citizens in the constitution; however, that right doesn't extend to those who seek to intimidate judges into swaying their opinion on a case. The Biden Administration has continuously displayed an unwillingness to enforce our laws. By not denouncing these left-wing agitators, President Biden is explicitly endorsing mob rule and ripping the constitution to shreds by putting his seal of approval on their attempts to influence the court."

Background:

Following the unprecedented leak of the high court's take on *Dobbs v. Jackson*, protestors have continuously demonstrated outside the personal homes of Supreme Court **Justices**. The pressure campaign, which many fear could turn to violence following a final decision on abortion access, even forced the Senate to approve additional security for the court.

18 U.S.C. Sec. **1507** states:

Whoever, with the intent of interfering with, obstructing, or impeding the administration of **justice**, or with the intent of influencing any judge, juror, witness, or court officer, in the discharge of his duty, pickets or parades in or near a building housing a court of the United States, or in or near a building or residence occupied or used by such judge, juror, witness, or court officer, or with such intent uses any sound-truck or similar device or resorts to any other demonstration in or near any such building or residence, shall be fined under this title or imprisoned not more than one year, or both. Nothing in this section shall interfere with or prevent the exercise by any court of the United States of its power to punish for contempt.

Rep. Rose was joined in the letter led by Rep. Tenney by Reps. Elise Stefanik, Tom Cole, Rodney Davis, Bruce Westerman, Mike Johnson, Lee Zeldin, Andrew Garbarino, Ralph Norman, Don Bacon, Ken Buck, Vicky Hartzler, John Rose, Chuck Fleischmann, Lisa McClain, Ted Budd, Jefferson Van Drew, Markwayne Mullin, Greg Murphy, Burgess Owens, Gregory Steube, Doug LaMalfa, John Moolenaar, Andy Biggs, Tracey Mann, Rick Crawford, Tom Rice, Andy Barr, Brian Babin, Jody Hice, Warren Davidson, Diana Harshbarger, Louie Gohmert, Glenn Grothman, Jack Bergman, John Rutherford, Vern Buchanan, Dan Bishop, Bill Posey, Bob Gibbs, Madison Cawthorn, Steven Palazzo, Byron Donalds, Barry Loudermilk, Tom Tiffany, Michael Cloud, Troy Balderson, and Jody Arrington.

U.S. Representative John Rose is currently serving his second term representing Tennessee's Sixth Congressional District and resides in Cookeville with his wife, Chelsea, and their two sons, Guy and Sam. The Sixth District includes Cannon, Clay, Coffee, Cumberland, DeKalb, Fentress, Jackson, Macon, Overton, Pickett, Putnam, Robertson, Smith, Sumner, Trousdale, White, and Wilson counties as well as portions of Cheatham and Van Buren counties. Representative Rose is an eighth-generation farmer, small business owner, and attorney, and currently serves on the Financial Services Committee.

\* \* \*

To: The Honorable Merrick B. Garland, Attorney General, U.S. Department of **Justice**, 950 Pennsylvania Avenue NW, Washington, D.C. 20530

Dear Attorney General Garland:

We watch with profound concern and deep dismay as the rule of law in the United States is completely eroded under your leadership. As you should know, 18 U.S.C. Sec. **1507** makes it a crime to picket or parade outside of a judge's home, particularly if the intent of such actions are to influence them in the discharge of their official duties. We therefore ask a simple question: as Supreme Court **Justices** are being illegally targeted at their homes, do you intend to enforce the law? Your failure to act is a shameless and implicit endorsement of mob rule in America.

The right to peaceful assembly is among the most sacred rights we hold as Americans, which is why our forbearers demanded it be enshrined in the First Amendment to the United States Constitution. This right has been exercised responsibly and respectfully by generations of Americans, who have relied on First Amendment protections to protest injustices, fight for change, and make their voices heard. We should zealously guard our First Amendment rights. Yet our sacred right to peacefully assemble has never permitted Americans to intimidate judges, jurors, or officers of the court with the expressed objective of swaying the outcome of an independent judicial proceeding. This is not **justice** - it is mob rule. 18 U.S.C. Sec. **1507** reflects the vitally important interest of safeguarding not only the independence and fairness of the judiciary but also in protecting our constitutionally protected right to due process under the Fourteenth Amendment. We have included the statute in its entirety below for your reference:

Whoever, with the intent of interfering with, obstructing, or impeding the administration of **justice**, or with the intent of influencing any judge, juror, witness, or court officer, in the discharge of his duty, pickets or parades in or near a building housing a court of the United States, or in or near a building or residence occupied or used by such judge, juror, witness, or court officer, or with such intent uses any sound-truck or similar device or resorts to any other demonstration in or near any such building or residence, shall be fined under this title or imprisoned not more than one year, or both. Nothing in this section shall interfere with or prevent the exercise by any court of the United States of its power to punish for contempt.

Importantly, enforcing 18 U.S.C. Sec. **1507** in no way deprives protestors of their constitutional right to assembly. Protestors have ample opportunity to gather in one of a million other places, including on sidewalks outside of the U.S. Supreme Court, as was upheld by *United States v. Grace* (1983). There is therefore no compelling justification for your failure to act other than to permit protestors to unlawfully intimidate **justices** of the United States Supreme Court.



We urge you to enforce the laws of the United States and stop the mob. You should send the clear and unmistakable message to all Americans - regardless of party or political affiliation - that the intimidation of **justices** and the judicial process will not stand. Will you act? We look forward to your response to this urgent question no later than Monday, May 16, 2022

View signatories here: <https://tenney.house.gov/sites/evo-subsites/tenney.house.gov/files/evo-media-document/Letter%20to%20Garland%20Condemning%20Protests%20at%20Homes%20of%20Supreme%20Court%20Justices%20-%20FINAL.pdf>  
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--- Index References ---

Company: ROBERTSON OPPORTUNITY CAPITAL, L.L.C.; The House of Representatives Committee on Foreign Affairs; CANNON RESOURCES LIMITED; DEKALB COUNTY CENTRAL SCHOOL BUILDING CORPORATION; The Supreme Court of the United States; Pickett Equipment; Jackson Acquisition Co; CUMBERLAND PHARMACEUTICALS INC.; COFFEE HOLDING CO., INC.; PUTNAM MASTER INTERMEDIATE INCOME TRUST; THE UNITED STATES DEPARTMENT OF **JUSTICE**; FENTRESS INC.; MACON COUNTY SCHOOL DISTRICT (GEORGIA)

News Subject: (Civil Rights Law (1CI34); Government (1GO80); Government Institutions (1GO90); Government Litigation (1GO18); Intellectual Freedoms & Civil Liberties (1IN08); Judicial Cases & Rulings (1JU36); Legal (1LE33); National Judiciaries (1NA65); U.S. Supreme Court (1US13))

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**NewsRoom**

## NewsRoom

5/13/22 Chattanooga Times (Tenn.) B7  
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May 13, 2022

Section: Free Press Editorial

### WHY THE SILENCE ABOUT PROTESTS AT **JUSTICES'** HOMES?

WASHINGTON - Protesters outside Brett Kavanaugh's house warned the Supreme Court **justice** this weekend, "If you take away our choices, we will riot." They marched on **Justice** Samuel Alito Jr.'s home chanting "Abort the court!" and stood outside the home of Chief **Justice** John Roberts Jr. (who apparently did not vote to overturn Roe v. Wade) yelling "The whole world is watching!"

This is not just noxious behavior; it is illegal. Federal law - Section **1507** of Title 18 of the U.S. Code - clearly states that it is unlawful to protest near a "residence occupied or used by [a] judge, juror, witness, or court officer" with the intent of influencing "the discharge of his duty," adding that anyone who "uses any sound-truck or similar device or resorts to any other demonstration in or near any such building or residence, shall be fined under this title or imprisoned not more than one year, or both."

The reason is simple: It is obstruction of **justice**. Just as it is against the law to tamper with witnesses or jurors by intimidating them or their family, it's unlawful to tamper with a Supreme Court **justice** by coming to their home to threaten, harass or coerce them to influence their vote in a case before the court.

So, what is the Biden administration doing about it? This is a federal statute, so it's Attorney General Merrick Garland's responsibility to enforce it. When the National School Boards Association wrote to President Joe Biden complaining about angry parents showing up at school board meetings, Garland immediately issued a memorandum to the director of the FBI ordering him to "convene meetings ... in each federal judicial district" to discuss "strategies for addressing threats" made by parents. The **Justice** Department further announced Garland would form "a task force, consisting of representatives from the department's ... National Security Division" - created by the Patriot Act to investigate terrorists - to "determine how federal enforcement tools can be used to prosecute these crimes."

Garland declared at the time, "Threats against public servants are not only illegal, they run counter to our nation's core values." I'm sorry, are Supreme Court **justices** not public servants? Does attempting to intimidate them not run counter to our nation's core values? In the case of the school boards association, not one of the incidents they cited involved a violation of federal law, yet Garland swung into action. But the harassment of **justices** at their homes does violate federal law and what is Garland doing? Despite multiple inquiries, **Justice** Department spokesman Anthony Coley refused to explain what steps Garland was taking to protect **justices** or enforce the law.

Garland's failure to act is an appalling dereliction of duty. So is Biden's failure to condemn the protests.

Asked last Friday about the group calling itself "Ruth Sent Us," which published the locations of the **justices'** homes on its website, White House press secretary Jen Psaki refused to condemn the doxing. "We want people to protest peacefully if they want to," she said, adding that she didn't have "an official U.S. government position on where people protest."

There is in fact an "official U.S. government position on where people protest" - it's 18 U.S.C. **1507**. After someone firebombed a pro-life group's offices in Wisconsin on Sunday, Psaki belatedly tweeted that the Biden "strongly believes in the Constitutional right to protest. But that should never include violence, threats, or vandalism." It took someone throwing a Molotov cocktail at pro-lifers to elicit even that mild criticism.

Last year, when left-wing protesters followed Sen. Kyrsten Sinema, D-Ariz., into a bathroom, filming as they yelled at her over her opposition to Biden's Build Back Better legislation, the president dismissed her harassment, declaring it was "part of the process." It's not. It's appalling behavior. But it's not illegal. Well, harassing Supreme Court **justices** in their homes is against the law. It's time for Biden to enforce that law before someone gets hurt.

The Washington Post

---- **Index References** ----

Company: Federal Bureau of Investigation; THE NATIONAL SECURITY GROUP, INC.; MEATECH 3D LTD; National School Boards Association; GARLAND HOUSING FINANCE CORPORATION; United States of America

News Subject: (Civil Rights Law (1CI34); Government (1GO80); Government Institutions (1GO90); Government Litigation (1GO18); Intellectual Freedoms & Civil Liberties (1IN08); Judicial Cases & Rulings (1JU36); Legal (1LE33); National Judiciaries (1NA65); U.S. Supreme Court (1US13))

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**NewsRoom**

## NewsRoom

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FOX: Fox News at Night  
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May 13, 2022

### Baby Formula Shortage Afflicts Families Nationwide; Examining Biden's Delivery On Campaign Promises; Lawmaker Claims Migrant Centers Stockpiling ...

Baby Formula Shortage Afflicts Families Nationwide; Examining Biden's Delivery On Campaign Promises; Lawmaker Claims Migrant Centers Stockpiling Formula; Controversy Over Protests Outside **Justices'** Homes; Up In Flames, 'Coastal Fire' Rips Through Orange County Community; Just Say 'Nyet,' Russia Threatens Retaliation Over Finland NATO Bid; Where's The Beef, Beyond Meat, Dunkin' Sued Over Meatless Sandwich Slogan

SHANNON BREAM, FOX NEWS CHANNEL HOST: Hello and welcome to FOX NEWS @ NIGHT, I'm Shannon Bream in Washington. Breaking tonight, the baby formula shortage has parents across America at a breaking point tonight. Lawmakers demanding the president to take action and one Florida Congresswoman even claiming that pallets of hard-to-find baby formula awaits illegal immigrants at the border as parents in the U.S. desperately searched to find supplies for their babies.

And remember when the Biden administration insisted that taxpayer money was not being used to buy drug paraphernalia for its harm reduction grant program? Well, a new report claims there is proof that crack pipes are being included in the so-called safe smoking kits in several major U.S. cities. We have an update on how the White House is responding tonight.

Plus, FOX NEWS @ NIGHT takes a closer look at some of the campaign promises President Biden's opponents say, he's been breaking. Fox News Contributor Joe Concha has a few things to say about that; he's going to join us live. And we are getting our first look tonight at the supermassive black hole at the center of our galaxy, courtesy of a collection of telescopes from around the world.

But we begin tonight with the latest crisis causing headaches for the Biden administration. White House Correspondent Kevin Corke is tracking the latest developments regarding the baby formula shortage. Good evening, Kevin.

KEVIN CORKE, FOX NEWS CHANNEL WHITE HOUSE CORRESPONDENT: Evening, Shannon, as you mentioned, the parents across the nation are really struggling just to find baby formula, and for moms with hungry babies tonight, the sad truth is relief may not be coming anytime soon. That's in part say White House officials, because of hoarding, not just supply shortages. But tonight, there are actually growing questions about exactly where this so-called hoarding is happening and who's doing it?

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: To the families looking for baby formula. Do you have a message to those families?

JOE BIDEN, PRESIDENT OF THE UNITED STATES: Yes, but not on this occasion. I spent a couple of hours on the phone talking to them.

CORKE: President Biden today short on details about his phone calls with desperate parents seeking baby formula, and even shorter about his plans to solve the problem. Nationwide, the supply of baby formula is at about 43 percent below normal. Even worse for moms in places like Arizona, Nevada, Tennessee in Texas. The out-of-stock raid for popular brands is above 50 percent, a shockingly short supply, leaving many moms running low on patience.

MICHELLE WILLARD, MOTHER STRUGGLING TO FIND FORMULA: Right now, I'm not seeing any solutions and just scrambling to find formula.

CORKE: Leading formula makers Gerber and Reckitt say they're working round the clock to boost output. But as shelves across the country remain empty, tonight, there are new allegations that the Biden administration itself is stockpiling formula and detention centers along the southern border in an effort to ensure that migrants have what they need. Florida Republican Congresswoman Kat Cammack, sharing these photos of what she says are pallets of infant formula found at a migrant processing center in McAllen, Texas.

REP. KAT CAMMACK (R-FL): When American mothers are purchasing formula for illegals at the border, but they can't even get formula for their own children. That's a problem.

(END VIDEO CLIP)

CORKE: And tonight, we also hear it from the head of the National Border Patrol Council, gentleman by the name of Brandon Judd, he actually confirms to FOX NEWS @ NIGHT that yes, their resources along the border are in fact stocked with infant formula. And he also added this if the Biden administration wasn't prioritizing, quote, illegal aliens over US citizens. That formula could be on store shelves.

Now that said he also did stress tonight that there is a sincere need to take care of those in CBP custody. Just the American people sometimes suffer because of a lack of formula in this particular case that they're apparently leaving on the border, Shannon.

BREAM: Yes, it's tough because these are moms and babies from all over the place that desperately need this material. We got to hope that production can ramp up for everybody who's searching for it. OK. In the meantime, more bad numbers for the president tonight showing just how hard it is for Americans increasingly to pay for everyday items like gas and groceries. What are you finding?

CORKE: Well, brutal and I mean, brutal survey results for the president, Shannon, and it frankly, underscores just how bad things are out there for everyday Americans. And it's not just the stark reality of now. It's actually fears about the future that also abound. Let me share some numbers for you. 21 percent of Americans according to this particular Monmouth survey, say they find paying for groceries, very difficult.

Now, 21 percent may not sound like a giant number, but it is especially when you consider back in 2017 just 7 percent of Americans said they found it very difficult by the way just 18 percent say they find it very easy to pay for groceries. How about a whopping 32 percent say they find it very difficult to pay for gas? And that's compared to just 13 percent who say they find it very easy.

And if you're like me, and you're like most Americans, paying for gas has gotten really insane compared to just a couple years ago. Even worse yet for the White House, Shannon, Mr. Biden's overall approval rating sits at just 38 percent while nearly six in 10 Americans say they disapprove of the job he is doing. Shannon.

BREAM: All right, room for improvement with those numbers. So, room to grow for the White House. Kevin, thank you very much. We're going to talk about one of our favorite topics coming up. Of course, it involves a view or an update now on a story we've been tracking here on Fox News at night investigating whether or not taxpayer dollars are being used to give out crack pipes. That's the allegation.

The Biden administration says its multimillion-dollar harm reduction grant program is not funneling taxpayer dollars to drug paraphernalia but that is being called out tonight. The Washington Free Beacon reporting, "Yes, safe smoking kits include free crack pipes. We know because we got them." Well, Correspondent Ashley Strohmier is digging into that story for us tonight. Good evening, Ashley.

ASHLEY STROHMIER, FOX NEWS CHANNEL CORRESPONDENL Hey there, Shannon. Yes, the Biden White House said months ago that safe smoking kids and so-called safe drug use Sites wouldn't contain crack pipes yet, as you said the Washington Free Beacon says that's not true because they got them in five major cities. They reportedly got the kids in Boston, New York, DC, Baltimore and Richmond. Here's Jen Psaki in February following outrage that taxpayers would potentially fund \$30 million for a harm reduction program that included the paraphernalia and take a listen.

(BEGIN VIDEO CLIP)

JEN PSAKI, WHITE HOUSE PRESS SECRETARY: They were never part of the kit. It was inaccurate reporting and we wanted to put out information to make that clear, and we don't have support federal funding indirect or direct for pipes.

(END VIDEO CLIP)

STROHMIER: However, here's photos of the pipes and which cities they were allegedly obtained by the Washington Free Beacon. Jen Psaki on Thursday called it a conspiracy theory.

(BEGIN VIDEO CLIP)

PSAKI: This policy does not allow for crack pipes to be included. I would just note that this is a bit of a conspiracy theory that's been spread out there. It's not accurate. There's an important drug treatment programs for people who have been suffering from what we've seen as an epidemic across the country and money is not used for crack pipe.

(END VIDEO CLIP)

STROHMIER: Meanwhile, amid a nationwide shortage of baby formula, one Republican Representative says it's easier for Americans to get their hands on crack pipes than it is the formula.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: I think we need to take a moment and think about the fact that in Joe Biden's America, it seems like it's easier to get a crack pipe in a government funded smoking kit, than it is to find baby formula.

(END VIDEO CLIP)

STROHMIER: Right now, more than 20 million Americans suffer from a substance abuse disorder along with overdose deaths hitting its highest level in 2021. Also, in the year 2021, nearly 110,000 Americans died from drug overdose. Shannon.

BREAM: Difficult numbers. Ashley, thank you very much. So, the **Justice** Department is finally commenting on recent protests at the homes of some of the Supreme Court **justices** with officials in one suburban Washington community is refusing to establish a security perimeter around those homes. Chief Washington Correspondent Mike Emanuel has a latest on that tonight.

(BEGIN VIDEO CLIP)

MIKE EMANUEL, FOX NEWS CHANNEL CHIEF WASHINGTON CORRESPONDENT: After days of protests around the homes of conservative Supreme Court **justices**, Senate Republican Leader Mitch McConnell is calling out Attorney General Merrick Garland to enforce the law.

SEN. MITCH MCCONNELL (R-KY): One would think a DOJ run by the former chief judge of the D.C. Circuit would need no prodding, no prodding to protect judicial safety and judicial independence.

EMANUEL: Two Democrats have split with the White House and other members of their own party on protests. House Majority Leader Steny Hoyer and Senate Democratic Whip Dick Durbin.

SEN. DICK DURBIN (D-IL): I think it's reprehensible stay away from the homes and families of elected officials and members of the court.

EMANUEL: The Senate majority leader is on the other side of this issue

SEN. CHUCK SCHUMER (D-NY): If protests are peaceful, yes, my house is there's protests three four times a week outside my house.

EMANUEL: Unlike protesting politicians, judges are a special category. Title 18 section **1507** of U.S. Code says it is illegal with the intent of influencing any judge to pickets or parades in or near a building or residents occupied are used by such judge, juror, witness or court officer. Virginia Governor Glenn Youngkin is asking Fairfax County authorities to extend security parameters around the homes of three **justices** who live there. The county said no. The Commonwealth's Attorney General says the **Justice** Department must step up, too.

UNIDENTIFIED MALE: It's a clear violation of six -- section **1507**, and they're trying to intimidate witness, intimidate Supreme Court **justices**.

EMANUEL: The **Justice** Department has prosecuted cases before for people disrupting oral arguments in their workplace at the court. Some experts suggest protesters could also be charged with obstruction of **justice**, for acts aiming to intimidate and influence the Supreme Court **justices**. Shannon.

(END VIDEO CLIP)

BREAM: Mike Emanuel, thank you so much. So, let's talk about that. And about some of the things that Joe Biden, the candidate promised, versus most of the things Joe Biden, the President, has delivered with. The Hill Media Opinion Columnist, Fox News Contributor Joe Concha. Great to see you, Joe.

JOE CONCHA, FOX NEWS CONTRIBUTOR: Hi, Shannon. Happy Friday.

BREAM: Yes, you know what -- yes, on the East Coast, it definitely is. Thank you for reminding me. It's great news.

CONCHA: Of course.

BREAM: OK, I want to ask you a little bit of a follow up about what Mike was just talking about there. And the media and the way they're covering these protests and stuff. When we see people use language that is considered incendiary or inflammatory on either side, it seems to be treated differently, whether it's coming out on the left or the right, and kind of this argument that there are passion. There's a lot of passionate about the arguments about abortion, and people are fired up, and they may act accordingly. And as long as it's peaceful, can we agree that we have to draw a line somewhere about where this goes?

CONCHA: We do. And the U.S. Code, as Mike just talked about, says that this is illegal in front of the homes of Supreme Court **justices**. When you think about Amy Coney Barrett, for example, Shannon, she has several children: seven, right? or **Justice** Gorsuch or **Justice** Kavanaugh, they have children at home. All the neighbors in those neighborhoods have nothing to do with this. Yet here we have mobs showing up to the homes of **justices** and protesting when it's against the law.

And I don't know really what else to say on this, except that this should happen in front of the Supreme Court, where protests were everybody Republicans, Democrats would say that's OK. But at the homes of these folks, it's intimidation. And the Democrats know it. And some are now even saying that this shouldn't happen. Yet, democratic leaders like our president, and the house speaker and the press secretary all the way down, are saying no, it's OK. No, it's not actually. And this reflects poorly on the Democratic Party, as far as our argument is concerned. Shannon.

BREAM: Yes, it is good to see folks like Senator Durbin stepping up today saying absolutely not, this should not be going on. And listen, you could argue whether it was ethical or moral. But if we didn't have that law, which is so clearly worded, and says you can't do this stuff, nobody seems to be intent on enforcing, you know, arrest or anything like that. But the law is there on the books. OK. So, you say the President made a lot of promises as a candidate that he's not delivering on as a president? Don't all candidates do that?

CONCHA: Oh, sure. Well, you know, I would say that Donald Trump, you know, you can agree or disagree with the way he tweets or the way he communicates. But most promises that Trump made, he kept right, as far as the border, as far as trade as far as regulations. As far as Joe Biden is concerned. He promised that he would unify the country, and that he would take responsibility, if anything goes wrong, that he's the president. He's the top of the food chain, therefore, he would take accountability.

And what we're seeing Shannon over and over again, when it comes to say inflation, he doesn't blame, say, his spending or his party spending. He says, OK, no, actually, it's Vladimir Putin his fault, or it's Donald Trump's fault, or on the border, same thing. It's Donald Trump's fault. Or on crime, he says, actually, that it's COVID fault, or it's Republicans fault. His press secretary literally said that Republicans want to defund the police.

And now obviously, we know that's not true. I could go on and on, but this is the past the buck president, as far as taking responsibility, instead of saying, OK, we created these problems, therefore, we're going to fix them. No, it's blamed the other party, again, we're seeing with inflation, with the economy and the American people. Poll after poll, Shannon, just don't buy it.

BREAM: All right, quickly before we're out of time. Do you have a media winner this week?

CONCHA: Oh, I think it's Elon Musk again, quite frankly, Shannon, because he is showing now that he means business. And the old regime at Twitter knows that you're seeing resignations there now, and in the end, Elon Musk is going to change that social media giant and the folks there know it and free speech is a good thing. And he wants more of it. So here you go. Elon Musk one person the year with Time Magazine, he wins my winner of the week here on this great show FOX NEWS @ NIGHT, Shannon.

BREAM: OK, we are honored to have your award here on our show. Do you think the former president haven't been the door cracked open for him to come back to Twitter, yes or no? He says, he's going to say at Trump Social, do you think he resists or at some point? He sneaks back on Twitter?



CONCHA: I think he will dabble, Shannon. I think he'll come back on Twitter from time to time but in the end, true social is his company. It is something he created. He'll stick to that primarily, Shannon.

BREAM: All right. Joe Concha, always great to see you. Enjoy your Friday.

CONCHA: I will. Thank you and my Thursday if I'm on the West Coast. Thank you.

BREAM: That's right. You can have it all on the show right here. Thanks, Joe. All right, first up and tonight's "CRIME CRISIS ROUNDUP." Was it a crime or something else? Officials in the Bahamas are still working to determine what killed three American tourists staying in a luxury Sandals Resort. Autopsies began this week. unclear how long that's going to take to complete. A toxicology report was sent to a lab in Philadelphia. Prior to the deaths, many guests had complained of a strong odor on the property.

A violent rampage at a New Mexico gas station Wednesday caught on camera. Watch as the 43-year-old suspect first throw several objects at the clerk, she runs off. He turns his attention to merchandise on the counter smashing and tossing the items. The store manager says more than \$20,000 of damage was done. Suspect is facing multiple charges.

And this is the moment: a car traveling 70 miles an hour smashed into the greater Columbus Convention Center in Ohio last week. The speeding Tesla had run a red light before the crash. The driver saying, he lost control of his brakes before we went airborne. The driver was taken to the hospital in stable condition and cited for failure to control.

Miami Police have made an arrest after this video of a man popping nearly 50 balloons off the side of a yacht into the Biscayne Bay went viral. The city's illegal dumping unit made the arrest. Now, the man who charter the yacht to celebrate his engagement says he did not tell workers to dispose of the balloons in this way. But officers issued 10 citations totaling more than \$25,000.

And we've got an update to a story we brought you last night about New York City police officer Dennis Vargas who was able to walk out of the hospital Wednesday after being wounded in a Tuesday shoot out in the Bronx. Turns out the suspect remake Smith who was shot dead by Vargas's partner could have been in jail at a felony gun charge and was instead under the watch of a court ordered mental health program. So, let's talk about the case. America's crime crisis and National Police Week with retired Las Vegas Police Lieutenant Randy Sutton Great to see you RANDY

RANDY SUTTON, RETIRED LAS VEGAS POLICE LIEUTENANT: Shannon's Great to be here. Thank you.

BREAM: OK, so let's talk about this case. And this issue, the Legal Aid Society in New York said this on Wednesday about the case, Rameek Smith, was a father and son, his tragic and untimely killing is devastating. If anything, his case underscores the need for early intervention, access to services, and community--based support. They basically go on to say he was struggling with a number of things in the system failed him, how do you respond?

SUTTON: Well, the system did fail, the system failed in the, in the for not having him in prison, where he belonged. And to blame. All the other sociological influences of this is just more of the same nonsense we keep on hearing from these from the people who, who simply don't want accountability for crime. And this is why we are seeing more and more violent crime in New York, because there, there just are no consequences. And, and I'm sorry, but I keep on waiting for the mayor, to stop talking about it and start doing something about it.

BREAM: Well, let me play what he said about guns and maybe tougher gun laws and what's going on in New York. He said this Wednesday.

(BEGIN VIDEO CLIP)

ERIC ADAMS (D), NEW YORK CITY MAYOR: There is no fear for people carrying guns. I've never seen anything like this in my life. In all my years of policing, in all my years of advocacy, and if you were to speak with senior law enforcement officers across this country, they would tell you, we've never experienced. The level of total disregard and fearlessness of carrying a gun and using a gun.

(END VIDEO CLIP)

BREAM: So, Randy, what causes that, and how do we change it?

SUTTON: Oh, he's, he's 100 percent correct. But this was the influence of the previous Mayor De Blasio who, whose soft on crime policies included low bail, no bail, same thing with the previous Governor Cuomo, he, he's the one that along with De Blasio, put all these policies into place.

And then, you have you have the toughest some of the toughest laws on the books about, about carrying a gun in New York, but it doesn't mean anything if they are not prosecuted, and even if they are prosecuted, you have judges who aren't, weren't sentencing them to the, the sentences they're supposed to get. So, the criminals know this.

This is this is a game to them. They are, they are very savvy about, about what they can get away with they are absolutely unencumbered by any, by any consequences for the crimes that they do. So of course, they're going to continue to do it.

BREAM: Well, the New York Times or excuse me, the New York Post had a piece out today about this suspect who is supposed to be on parole through March 2027, was arrested in conjunction with a Monday rape and robbery that took place in an elevator. He's accused of this. They say, that he just got out after spending 16 years in jail.

Recently, paroled high risk sex offender arrested Thursday in connection to the brutal knifepoint rape of a woman in a Bronx elevator cop said Thursday, "Our most violent prisoners are continually being released despite being a danger to the community all for a second chance." This is a police source they're quoting; we're doing a disservice to the community and almost being complicit in their next crime. A quick final comment from you.

SUTTON: No, absolutely correct, and this is this is just another example of no consequences for their actions. And instead of, of taking the public safety in the, in the way that it should be the, the city of New York is just dropping the ball over, and over, and over again.

BREAM: Well, listen, we -- I know that you're in town to celebrate Police Week, we saw the bikes and the memorials and things going on today. So, God bless you in every one of those officers and everyone in uniform you've lost as well. We really appreciate your service. Thank you.

SUTTON: Thank you. I appreciate that.

BREAM: All right, as they continue to investigate last year's capitol riot, an unprecedented move by the January 6th Commission tonight, issuing subpoenas to five sitting Republican lawmakers including Minority Leader Kevin McCarthy, Ohio's Jim Jordan, Scott Perry of Pennsylvania, Alabama's Mo Brooks, and Andy Biggs of Arizona. The 01/06 committee plans a wave of public hearings, some in primetime coming in June.

All right, what could go wrong here? Just a truck removing a giant tree or at least that's what was supposed to happen. Plus, fast frenetic lightning creates a beautiful summer storm display. The day's best viral videos are next.

(COMMERCIAL BREAK)

BREAM: First up in tonight's viral videos, what could go wrong here? Well, the maple tree proving too much for this crane truck that was actually cutting it up and trying to remove it stepped the truck, tipped over, and crashed into the owner's house, as she looked on in horror but still managed to video the whole thing. You can hear an onlooker asked was that supposed to happen? We're pretty sure it wasn't, but luckily nobody was hurt.

And a massive dust storm rolling into Bushland, Texas, the towering storm known as a haboob stretched far into the sky and engulf the houses in its wake -- looks like something out of a movie, but this is real. Residents were scrambling to close up their windows and their homes before it hit, but by the way, they later posted a photo of a beautiful rainbow after the storm had passed.

And check out this scary scene, a dump truck veered off in Ohio interstate, a massive fireball explosion as that truck then crashed into a DOT vehicle that was on the shoulder. The worker had stopped to pick up trash, but was still inside the parked vehicle when the dump truck smashed into it. Both drivers were taken to the hospital and we were told the dump truck driver has life threatening injuries all caught on tape.

And check out this mesmerizing lightning dazzling the Iowa sky during a thunderstorm earlier this week, with bolts flashing and quick succession against these huge dark clouds. The person who shot this video says she's never seen such constant fast lightning. It's kind of beautiful, too.

This kindly elephant was trumpeting for help even pointing its trunk to a drowning antelope who'd fallen into a pool at the Guatemala Zoo. The elephant Trumpeta kept up the ruckus until a worker jumped into the water to help, took a lot of pushing and attempts and antler grabbing with Trumpeta keeping close watch until the worker finally was able to lift as you can see that little antelope high enough to get out. Now, the elephant actually stuck around to see that the worker got out OK as well. Bravo indeed. You can hear the folks there the zoo clapping, but it ended well.

If you've got a viral video to share. Oh, hit us up @ShannonBream or @FoxNewsNight on social media.

We are getting our first look tonight at the supermassive black hole at the center of our galaxy. It comes from a collection of telescopes all over the planet. Correspondent Alexis McAdams is taking a closer look tonight. Good evening, Alexis.

(BEGIN VIDEO CLIP)

ALEXIS MCADAMS, FOX NEWS CHANNEL CORRESPONDENT: Good evening, Shannon. That's right. And we're going to show you that picture in a second. Now, scientists tell us that this black hole is four million times bigger than the Sun. Take a look here on your screen.

(BEGIN VIDEOTAPE)

MCADAMS (voiceover): This is the first look that we just got today of this supermassive black hole. It's at the center of Earth's Milky Way galaxy. Here, you can see that glowing ring of radiation surrounding that darker dish, that's actually the edge of the black hole. The supermassive black hole is also called Sagittarius A, the collapse stars are located about 27,000 light-years or 159 quadrillion miles away from Earth, so with that that far away, it's practically invisible to optical telescopes.

So, this collaboration used eight different telescopes spread across the world collecting data from Antarctica to Hawaii. Black holes are extremely dense and have such strong gravity that not even light can escape, dragging in everything from stars to gas to planets but this black hole is taking in less than expected researchers calling it a gentle giant.

MICHAEL JOHNSON, SMITHSONIAN CENTER FOR ASTROPHYSICS: First, we see that only a trickle of material is actually making it all the way to the black hole. If Sanjay star were a person, it would consume a single grain of rice every million years.

MCADAMS: It's the second black hole ever to be imaged by telescope. Back in 2019, the same group captured this historic but more distant image from a galaxy far, far away.

(END VIDEOTAPE)

MCADAMS: And, Shannon, astronomers believe that every galaxy, including our own, has a black hole at its center, and they're working as they always are every single day to better their technology and their telescopes to get a closer and clearer image of these black holes. Shannon.

SHANNON BREAM, FOX NEWS CHANNEL ANCHOR: Alexis, it is fascinating. Thank you so much. It is time to bring Kevin back for a MIDNIGHT SNACK. And, Kevin, it is hard to beat a good piece of pizza.

KEVIN CORKE, FOX NEWS CHANNEL WHITE HOUSE REPORTER: Yes.

BREAM: But there's disagreement about what toppings actually make it good.

CORKE: You know this list is something that I think we can probably all agree on. Maybe that's not the order per se but I think you're going to like what I have to share with you. Now, if you're like most people or you -- you love pizza, right? Don't yet most people do. And maybe you're just wondering, what's the most popular topping? Well, no survey, as you know, is just positive but the folks at restaurant clicks thought they'd give it a shot so here we go. Most Popular pizza toppings. Pepperoni, check. Sausage, check. Mushroom, check. Bacon?

BREAM: Yes.

CORKE: Onion.

BREAM: No.

CORKE: No. I'm with you. Cheese, peppers, chicken, black olives, spinach, OK, tomato and basil, beef you know meat lovers, Canadian bacon, pesto, and not to be left out. Don't forget a little ham and cheese.

BREAM: Oh, pineapple.

CORKE: All right, make that ham and pineapple. Yes, pineapple and Canadian bacon.

BREAM: Yes.

CORKE: Right.

BREAM: Right. Oh, yes. OK, so what do you like?

CORKE: Well, I'm a -- I'm a sausage guy.

BREAM: OK.

CORKE: So I like sausage. Pepperoni has good meat lovers but I like sausage. That's my favorite. How about you?

BREAM: OK. We have actual pizza here tonight.

CORKE: Yes, we do.

BREAM: It's one of my favorite places in town. And I have the buffalo chicken pizza which has a hot sauce on it. Everything is really good. So I'm not against non-traditional pizza but we have a bunch of people on our team.

CORKE: Yes.

BREAM: I knew we had some tonight that were big pineapple and ham fans.

CORKE: Yes.

BREAM: But when the pizza got here tonight, I always make sure I order some of that.

CORKE: It was got, right.

BREAM: Because I know -- I'd say half our team was into the pineapple and ham.

CORKE: You know, I never grew up like that. I guess because I grew up in sort of a traditional household is like you get your pepperoni, you get your sausage, a lot of mushrooms. Do you remember Mama Celeste, those frozen?

BREAM: Oh, yes but it had to be on sale. I was like you feel it was like free for the price of one, did when we get it?

CORKE: Right. Before the whole delivery craze, like we were doing the frozen pizza things.

BREAM: OK.

CORKE: So I'm a pizza guy and I love pizza and --

BREAM: What do you got? All right, so, I've got the buffalo chicken.

CORKE: I've got, what's this spinach and chicken --

BREAM: Artichokes, OK.

CORKE: Artichokes, yes.

BREAM: Yes. Oh, that's chicken is in it too.

CORKE: Artichoke and chicken. Is that what that is?

BREAM: Yes.

CORKE: Pretty good. I would eat it now but I don't want to have like, artichoke between my teeth, yes.

BREAM: Artichokes on our teeth. By the way, this pizza tonight was a courtesy of Rich Strike because you know I put my money on that horse in the Kentucky Derby. So now, every -- I just keep going around buying drinks and to -- for people, I'd say it's courtesy of Rich Strike. We're just trying to spread the love.

CORKE: Bomber for you though. He's not running in the next race.

BREAM: I know. I -- listen, I don't know that he could have paid off for me, it's a long shot more than once but once it's going to be more than enough.

CORKE: Once is enough. I'm so happy for you.

BREAM: Belm, all right.

CORKE: And thanks for the pizza.

BREAM: You're welcome. It's courtesy of Rich Strike like, it's a --

CORKE: Oh, there you go.

BREAM: All right, come back for some good news. All right, I'm not going to make you talk now. Coming up. A wildfire near Los Angeles turning multi- million dollar homes to ash plus, a live report on the ground in Ukraine. It's coming up next.

(COMMERCIAL BREAK)

BREAM: A raging wildfire burning through in a affluent Southern California Community Wednesday, reducing many multimillion dollar mansions to rubble in just a matter of hours. Correspondent Jeff Paul reporting tonight from Los Angeles, good evening, Jeff.

JEFF PAUL, FOX NEWS CHANNEL CORRESPONDENT: Good evening, Shannon. The wildfire here in California started without warning and moved through a coastal community in Orange County so fast. Some had just minutes to get out.

(BEGIN VIDEOTAPE)

PAUL (voiceover): We're also learning from authorities the fire is only 15 percent contained, burning 200 acres, destroying multimillion dollar homes, and damaging several others.

SHANE SHERWOOD, ORANGE COUNTY, CALIFORNIA FIRE AUTHORITY: That's tragic. Feel for the residents to lose a home is I can't imagine. You know, we don't really have a season for the fire season these days as you have seen.

PAUL: They're calling it the coastal fire which forced hundreds to evacuate. Firefighters believe it started near a water treatment facility positioned between Laguna Niguel and Laguna Beach. While the cause is under investigation, residents say at one point, the sky turned orange and filled with smoke as the fire raced through the canyon near the ocean.

ASASSAN DARIAN, RESIDENT: The heat started getting on us and it was really -- the wind got worse and the fire spark, started jumping and you can see it got really, really close really, really quick.

ANDREAS FRANK, EVACUATED HOME: We were in shocked. I mean, I've never been through anything like this and we really had 30 minutes' notice.

RITZ SHERMAN, EVACUATED HOME: Everybody evacuated pretty quickly yesterday and got out and coming back to kind of look at what happened and watching the news was -- it was hard.

(END VIDEOTAPE)

PAUL: Beyond California, a massive and near unstoppable fire continues to burn in New Mexico growing day by day. And we're also getting word of a new wildfire that started in Colorado Springs near the city's airport, Shannon.

BREAM: Jeff Paul, thank you very much. Ashley Judd revealing in a new television interview that her mother, Naomi's death on April 30 was the result of a self-inflicted gunshot wound at her home in Tennessee. The family of the Grammy-winning country music singer including her other daughter, Wynonna, is now dedicating itself to efforts to encourage people if you are distressed, if you need it, please seek help.

Pentagon officials confirmed North Korea fired three short-range ballistic missiles toward the sea, Thursday. It's just the latest in a series of demonstrations this year and came just hours after North Korea confirmed its first official case of Coronavirus since the pandemic began. President Biden is scheduled to visit Japan and South Korea later this month.

Russia's war in Ukraine has convinced Finland's leaders to apply for membership to NATO without delay. And Sweden is expected to follow suit. Now, Russia is threatening both countries with "retaliatory steps if they follow through."

So let's get the greatest -- latest on the ground tonight with Correspondent Matt Finn, live from Lviv. Hello, Matt.

MATT FINN, FOX NEWS CHANNEL NATIONAL CORRESPONDENT: Hi, Shannon. The Institute for the Study of war says that Russia, once again, did not gain any ground in eastern Ukraine on Thursday.

(BEGIN VIDEOTAPE)

FINN (voiceover): And the latest on those Ukrainian Marines trapped beneath that massive Azovsta steel plant, Russia conducted more air and artillery strikes against the Ukrainians in that steel plant on Thursday, but Russian troops did not conduct ground offensives on the steel plant. However, they did block the tunnels so that Marines could not escape. It is a dire horrific situation for those Marines and their families.

And the first war crimes trial of a Russian soldier since the start of the conflict is now scheduled to begin tomorrow in Kyiv. A 21-year-old captured Russian member of a tank unit is accused of shooting a 62-year-old man on his bike. Ukraine's Prosecutor General says it's been investigating more than 10,000 alleged war crimes committed by Russians, with over 600 suspects identified.

And Finland's president and prime minister endorsed joining NATO in a statement, Thursday. Sweden could do the same in the coming days. It would be a historic realignment in Europe after Russia's invasion of Ukraine signifies this new modern threat. Finland shares an 800-mile border with Russia and for a long time has had no military alignment. The Kremlin reacted by warning it will be forced to take retaliatory military measures. Shannon.

(END VIDEOTAPE)

BREAM: Matt, thank you very much. Coming up, who's hating on Dunkin'? Well, one vegan company claims that the donut giant's meatless sausage sandwich stole its slogan. You better believe it. NIGHT COURT is next. It's actually FOOD COURT tonight and you are the jury.

(COMMERCIAL BREAK)

BREAM: Time now for NIGHT COURT with Beyond Meat, and the parent company of Dunkin' Donuts facing a lawsuit tonight over their plant-based breakfast sandwich slogan, great taste plant-based. The problem is a Philadelphia- based company says it got a federal trademark for its corporate slogan where great taste is plant-based back in 2015.

Now, Vegadelphia Foods is suing -- alleging the newer phrase as well as other campaign similarities, interferes with their trademark. So let's bring in tonight's Legal Eagles, Class Action Attorney Kelly Hyman, and Attorney Rich Roth, great to have you both with us.

KELLY HYMAN, CLASS ACTION ATTORNEY: Great to see you, Shannon.

RICH ROTH, ATTORNEY: Thanks for having us.

BREAM: OK. So let's put up Exhibit A. This shows the two slogans and the wording side by side, the -- you know, Vegadelphia people say you got the sort of starburst rays coming from behind on both of these products. The great taste, plant-base versus where great taste is plant-based. Rich, they say this is -- this is stealing their business and Dunkin' Donuts needs to knock it off.

ROTH: Yes. Here's the problem where great taste is plant-based is a generic term. Terms like cereal, e-mail, and modem, are not trademarkable. They just aren't. You know I've had many litigations where you just have a term of the word destiny, it's not trademarkable. So the fact that they said the great taste is plant-based really doesn't get them where they need to be. It's just not trademarkable.

Now, what the -- what -- the other part of the argument is that they are making the logo look similar with the font and the colors, maybe they're getting closer, but it is a generic term. Plant-based, great taste, I just don't see it.

BREAM: OK. So, let's get to Exhibit B because Dunkin' has not commented anywhere that we could find. We have no comment from them. Reuters reporting on this says Vegadelphia said in the statement Friday that Dunkin' and Beyond's blatant use of our slogan and lack of response gave us the impression that they felt they are above the law.

But, Kelly, you know this has to wind its way through the courts just because Dunkin's not out there dropping press statements does not mean they think they're above the law, does it?

HYMAN: Well, plaintiffs are making that argument. Plaintiffs are basically contending in their lawsuit that in fact, Dunkin' Donut infringed on their copyright and that they filed copyright. We have to remember the plaintiffs have the burden of proof. And so they have to prove first off that there was a copyright and plaintiffs claim that their slogan trademark is copyrighted.

And then it's confusing to -- great taste plant base is confusing to the where is great taste is plant-based and so based on that, that consumers will be confused on the fact of their trademark and their harm financially. Ultimately, Shannon, as you said, it'll be up to the court to make a determination on the facts and evidence, and no one should be above the law.

BREAM: No, they shouldn't. And I got to admit, I did not know that there were plant-based sandwich offerings or birthday -- breakfast offerings at Dunkin'. I have a brother-in-law who's a big Dunkin' fan if you're watching, hello, and he would know all these things, so I should check with him.

Let's go to Exhibit C now. Food & Wine is talking about this. They say Vegadelphia argues that not only is a slogan an imitation of Vegadelphia's trademark but that Dunkin' and Beyond Meat also used placement and imagery in their branding that's nearly identical to Vegadelphi's own branding, including an overlap and font style tag -- stacked text and even sunray background imagery in a manner that was beyond coincidence.

So, Rich, you've said you don't think they're quite there. They say this is beyond coincidence that there's no question about it.

ROTH: Well, so there's a lot of questions. First of all, we're talking about the Lanham Act. And to my colleague's point, you have to show confusion. And we're talking about a Philadelphia-based company versus a nationally -- a national chain, Dunkin'



Donuts. And the question is, is there confusion? Will someone go to Dunkin' Donuts thinking they're buying this Vegadelphia brand and buy it because they thought it was a different brand?

And I -- it's a toughy -- it's a toughy. Plant-based great tastes are not terms that are just trademarkable or copyrightable. So, yes, the question is, is it confusion? Is it confusing if I say, the best cereal or plant-based cereal, or do I have generic e-mails? It's got to be something which has its own meaning, like Xerox or Coca-Cola or Kleenex, or Frisbee. So, yes, it's a tough sell for the plaintiff.

BREAM: So, Kelly, how would this plaintiff then plan to mount these obstacles and these hurdles that Rich lays out for us?

HYMAN: Well, first, plaintiff contends in the complaint that their food was at Fast Food restaurants so there can be confusion. Someone could go to Dunkin' Donuts and think that this plant-based food is in fact their food as well. And so the consumer would go to Dunkin' Donuts, assuming that it was the fact, and get the product as well.

And also the fact that we have to look at the language and the slogan, great tastes plant-based, and they're taking those -- picking those words from their slogan and they're going to be harmed. But ultimately, the court will make a determination on whether there's enough evidence.

BREAM: Well, we will track it and let folks know. But thank you for your advocacy tonight. Kelly and Rich, great to see you both.

HYMAN: Nice to see you, Shannon.

ROTH: You're welcome. Your brother-in-law is going to be the best determining factor in it.

BREAM: If he gets on the jury, Dunkin's going to win. All right, thanks, guys.

All right, some good news before we say good night, toy giant, Mattel, has announced its newest additions to the Barbie collection including its first-ever doll with hearing aids. The dolls include a wider range of skin tones, body types, and disabilities that children see in the world around them.

They've also added bodies with discolored skin, one in a wheelchair, an adult with a prosthetic leg, and Mattel says it's important for children to see themselves reflected in their products and their toys and to be able to play with dolls that look more like them. I love this idea, Kevin.

CORKE: That's a great idea. By the way, I love Dunkin' into grad school in Massachusetts.

BREAM: Oh, they're going to get you on the jury too.

CORKE: America runs on Dunkin'. I take you to the Bronx really quickly for this GOOD NEWS GOOD NIGHT. That's where a young boy recently burned by gasoline at Bridgeport, Connecticut home, got a visit to Yankee Stadium this week, got to meet some of the players, his name is Dominick Krankall.

He can be seen hanging out with the players, throwing a baseball, and we just want to say for him (AUDIO GAP) all who go through a trauma like that, the fact that the Yankees would do that says so much about the organization. By the way, the good guys won the game 5-3.

BREAM: Ah and he looks like such a cutie like he's had a great time.

CORKE: Isn't that great? Yes, indeed.

BREAM: Anything to lift his spirits beat it all.

CORKE: Indeed.

BREAM: All right, Kevin, thank you.

CORKE: See you tomorrow.

BREAM: You always bring us good news.

CORKE: Thank you.

BREAM: Good night for Washington. I'm Shannon Bream.

(COMMERCIAL BREAK)

END

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May 13, 2022

### Merrick Garland Asks Federal Marshals to Help Protect Supreme Court **Justices** as Governors Rail Against 'Threatening' Protests

Aaron Keller

May 13, 2022

Attorney General Merrick Garland appears at an August 5, 2021 news conference in Washington, D.C. (Photo by Kevin Dietsch/Getty Images.)

Attorney General Merrick Garland on Wednesday "directed" federal law enforcement officers to "provide additional support" to security efforts involving the U.S. Supreme Court - but a message from the **Justice** Department didn't explicitly state that the officers would directly be involved with security efforts around the **justices'** homes.

Protests have occurred in front of the personal residences of **Justices** Samuel Alito , Brett Kavanaugh , Clarence Thomas , Neil Gorsuch , and Amy Coney Barrett in the days since Politico published a leaked draft opinion which would overrule Roe v. Wade and therefore to allow states to criminalize abortion practices as they see fit.

U.S. Department of **Justice** Spokesperson Anthony Coley released the following on Wednesday:

Attorney General Garland continues to be briefed on security matters related to the Supreme Court and Supreme Court **Justices**. The Attorney General directed the U.S. Marshals Service to help ensure the **Justices'** safety by providing additional support to the Marshal of the Supreme Court and Supreme Court Police.

Some have noted that the statement did not call for the protests to end.

The governors of Virginia and Maryland also requested additional security for the **justices**.

Virginia Gov. Glenn Youngkin , a Republican, wrote Wednesday to local leaders to request an "expanded security perimeter around the homes of the three current **Justices** Supreme Court **Justices** [error in original] who reside in Fairfax County."

Abortion rights advocates stage a protest outside the home of U.S. Associate Supreme Court **Justice** Brett Kavanaugh on May 11, 2022 in Chevy Chase, Maryland. (Photo by Kevin Dietsch/Getty Images.)

"This request is based on credible and specific information received about upcoming activities planned at or involving the homes of the **Justices** in Fairfax County," Youngkin's letter continued. "We believe for the safety of the **Justices** and their families, their neighbors, and the law enforcement heroes dedicated to preserving peace and order in our communities, that an expanded security perimeter should be established. Establishing a perimeter will ensure both the safety of the **Justices**, their neighbors and the demonstrators."

"In addition to my clear safety concerns, I fundamentally believe such demonstrations and picketing should not be allowed at the **Justice's** [sic] homes as they are meant to intimidate and influence the **Justices**, not to mention, scaring their families and small children," the governor also wrote .

Maryland Gov. Larry Hogan , also a Republican, and Youngkin both wrote to Garland to take more direct action.

"It is in your hands to ensure that applicable federal law is enforced to preserve the integrity of our American judicial system and the safety of our citizens," Hogan and Youngkin said in a joint letter.

The governors said the demonstrators used "threatening language" in interviews with ABC News. The verbiage attributed to the picketers included beliefs that Alito's "intrusion into our rights deserves some intrusion into his peace and comfort."

"If you take away our choices, we will riot," one protester was quoted as saying, according to the letter .

The letter attributes the interviews to an "ABC News" report, but the concomitant footnote in the letter actually directs the reader to a story by WUSA , which is an affiliate of an entirely different network (CBS). Despite that factual error, the WUSA report does contain the cited quotes.

Today, @GovernorVA and I sent a letter to Attorney General Merrick Garland calling on the Department of **Justice** to provide adequate resources to keep the Supreme Court **justices** and their families safe amid ongoing protests at their homes. [pic.twitter.com/6D0bMGSp3q](https://pic.twitter.com/6D0bMGSp3q)

- Governor Larry Hogan (@GovLarryHogan) May 11, 2022

Law&Crime previously surveyed the statutes and federal cases at play . A frequently referenced federal criminal statute, 18 U.S.C. § **1507** , forbids "picket[ing] or parad[ing] in or near . . . a . . . residence occupied or used by [a] judge" if the activity is undertaken "with the intent of influencing any judge." The U.S. Supreme Court has spoken favorably of such statutes and has upheld the constitutionality of their analogues among the states. In *Cox v. Louisiana* (1965), sometimes known as *Cox II* because the same exact plaintiffs and defendants were involved in another matter, the Court held that such statutes were constitutional despite their heavy restrictions on the rights of speech and protest - both of which are encapsulated by the First Amendment - because of a constitutional collision with the Due Process Clause. In other words, First Amendment protests must take a back seat to the due process rights of litigants whose cases and controversies are before the courts.

"There is no room at any stage of judicial proceedings for such intervention; mob law is the very antithesis of due process," the *Cox II* court rationed .

But subsequent decisions involving different statutes, such as *Frisby v. Schultz* (1988), have noted that protests which simply walk past houses likely pass constitutional muster. *Frisby* draws the line when protests target a specific house - not when protests are simply passing by or through a particular area.

"Our prior holdings make clear that a public street does not lose its status as a traditional public forum simply because it runs through a residential neighborhood," said the *Frisby* court. "General marching through residential neighborhoods, or even walking a route in front of an entire block of houses, is not prohibited by this ordinance."

Because the ordinance was narrowly drawn on those parameters, it was constitutional. Ironically, Frisby held that a Wisconsin ordinance which banned picketing that targeted a specific residence could be applied against a pro-life mob that had assembled at the home of a purported abortion doctor.

Frisby's more permissive approach toward protests in residential neighborhoods might not square completely with Cox II, since the latter dealt with protesting judicial functions, and the former dealt with protests in general. The court in Cox II signaled strong approval for additional prescriptions on protests which target judicial functions.

White House Press Secretary Jen Psaki highlighted the tension between the constitutional provisions in a recent tweet.

. @POTUS strongly believes in the Constitutional right to protest. But that should never include violence, threats, or vandalism. Judges perform an incredibly important function in our society, and they must be able to do their jobs without concern for their personal safety.

- Jen Psaki (@PressSec) May 9, 2022

[images as noted]

The post Merrick Garland Asks Federal Marshals to Help Protect Supreme Court **Justices** as Governors Rail Against 'Threatening' Protests first appeared on Law & Crime.

--- **Index References** ---

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## NewsRoom

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May 13, 2022

### The Supreme Court Has Itself to Thank for Upholding Laws That Could Be Used to Criminalize Protests Outside **Justices'** Homes

Aaron Keller

May 12, 2022

Abortion rights advocates stage a protest outside the home of U.S. Associate Supreme Court **Justice** Brett Kavanaugh on May 11, 2022 in Chevy Chase, Maryland. (Photo by Kevin Dietsch/Getty Images.)

While seeking to balance the First Amendment with the rights of due process and of the courts to function as a co-equal branch of government, the U.S. Supreme Court has signaled support for laws which criminalize picketing around judicial facilities - laws which might be used to prosecute those who protested outside the homes of several **justices** in the wake of a leaked draft opinion by **Justice** Samuel Alito that seeks to overturn *Roe v. Wade* .

Ironically enough, the relevant case law includes a previous Supreme Court decision that protected an abortion doctor against pro-life protesters.

Protests neared Alito's home as well as the home of **Justice** Brett Kavanaugh , according to images on Twitter. FOX News reported that the homes of **Justices** Clarence Thomas , Neil Gorsuch , and Amy Coney Barrett were also involved. FOX said a group called "Ruth Sent Us" organized the protests - which they dubbed "Walk-by Wednesday." The latter moniker for the protests themselves may be key to interpreting whether they violated any laws.

We have been coordinating with @FairfaxCountyPD , @VSPPIO , and federal authorities to ensure that there isn't violence. Virginia State Police were closely monitoring, fully coordinated with Fairfax County and near the protests. <https://t.co/SZMhbuzKFN>

- Governor Glenn Youngkin (@GovernorVA) May 10, 2022

The protests ignited a firestorm of commentary, especially by conservatives and Republicans who wanted the protesters to be arrested and prosecuted . The governors of Maryland and Virginia, both of whom are Republicans, on Thursday asked for a clampdown on the protests .

As with many areas of law, the analysis of whether the protests amounted to a crime is fact-specific and highly dependent on the wording of the individual criminal statutes and ordinances at play. The bottom line is that the courts have looked favorably



upon laws which protect the judiciary and juries from protests directly linked to judicial proceedings when they occur on the doorsteps of their workplaces or homes - but there are key caveats.

Let's look at the statutes and constitutional cases that are most on point.

Abortion rights advocates stage a protest outside the home of U.S. Associate Supreme Court **Justice** Brett Kavanaugh on May 11, 2022 in Chevy Chase, Maryland. (Photo by Kevin Dietsch/Getty Images.)

One federal statute (and the analogous statutes of several states ) bans "picketing or parading" with the "intent of influencing any judge." The statute, 18 U.S.C. § **1507**, reads as follows:

Whoever, with the intent of interfering with, obstructing, or impeding the administration of **justice**, or with the intent of influencing any judge, juror, witness, or court officer, in the discharge of his duty, pickets or parades in or near a building housing a court of the United States, or in or near a building or residence occupied or used by such judge, juror, witness, or court officer, or with such intent uses any sound-truck or similar device or resorts to any other demonstration in or near any such building or residence, shall be fined under this title or imprisoned not more than one year, or both.

Nothing in this section shall interfere with or prevent the exercise by any court of the United States of its power to punish for contempt.

A Virginia state statute supplies broader verbiage and prescribes, in part:

Any person who shall engage in picketing before or about the residence or dwelling place of any individual, or who shall assemble with another person or persons in a manner which disrupts or threatens to disrupt any individual's right to tranquility in his home, shall be guilty of a Class 3 misdemeanor. Each day on which a violation of this section occurs shall constitute a separate offense.

The Virginia statute authorizes "damages, including punitive damages, against the persons found guilty of actions made unlawful by this section."

"A person may not intentionally assemble with another in a manner that disrupts a person's right to tranquility in the person's home," reads Maryland's anti-picketing statute . That statute expressly says that "the protection and preservation of the home is the keystone of democratic government" and that the government's goal is that "members of the community [should] enjoy in their homes a feeling of well-being, tranquility, and privacy."

Both types of statutes have been the subject of notable litigation - and the U.S. Supreme Court has upheld the constitutionality of them.

Abortion rights advocates stage a protest outside the home of U.S. Associate Supreme Court **Justice** Brett Kavanaugh on May 11, 2022 in Chevy Chase, Maryland. Law&Crime has blurred the house number. (Photo by Kevin Dietsch/Getty Images.)

The federal statute traces its roots back to 1950 and was judicially discussed by the Supreme Court in *Cox v. Louisiana* (1965), a case which technically dealt with a state statute that similarly banned protests and known in legal quarters as *Cox II* . (Another case , *Cox I* , involved the same plaintiffs but different statutes.) The analogous state and federal statutes were passed, *Cox II* indicated , after "the picketing of federal courthouses by partisans of the defendants during trials involving leaders of the Communist Party." The 5-4 opinion explains (with legal citations omitted):

This picketing prompted an adverse reaction from both the bar and the general public. A number of groups urged legislation to prohibit it. At a special meeting held in March 1949, the Judicial Conference of the United States passed the following resolution:

" Resolved, That we condemn the practice of picketing the courts, and believe that effective means should be taken to prevent it." A Special Committee on Proposed Legislation to Prohibit Picketing of the Courts was appointed to make recommendations to the Conference on this subject. In its Report to the Judicial Conference, dated September 23, 1949 . . . the Special Committee stated: "The sentiment of bar associations and individual lawyers has been and is practically unanimous in favor of legislation to prohibit picketing of courts." Upon the recommendation of this Special Committee, the Judicial Conference urged the prompt enactment of the then-pending bill. Report of the Judicial Conference of the United States, 17-18 (1949). Similar recommendations were made by the American Bar Association, numerous state and local bar associations, and individual lawyers and judges.

Writing for the majority, **Justice** Arthur Goldberg called the statute a "precise, narrowly drawn regulatory statute which proscribes certain specific behavior." The Court then heartily reasoned that restrictions on protest activity connected to judicial proceedings were entirely constitutional (again, citations omitted):

There can be no question that a State has a legitimate interest in protecting its judicial system from the pressures which picketing near a courthouse might create. Since we are committed to a government of laws and not of men, it is of the utmost importance that the administration of **justice** be absolutely fair and orderly. This Court has recognized that the unhindered and untrammelled functioning of our courts is part of the very foundation of our constitutional democracy.

[ . . . ]

A State may adopt safeguards necessary and appropriate to assure that the administration of **justice** at all stages is free from outside control and influence. A narrowly drawn statute such as the one under review is obviously a safeguard both necessary and appropriate to vindicate the State's interest in assuring **justice** under law.

Nor does such a statute infringe upon the constitutionally protected rights of free speech and free assembly. The conduct which is the subject of this statute-picketing and parading-is subject to regulation even though intertwined with expression and association. The examples are many of the application by this Court of the principle that certain forms of conduct mixed with speech may be regulated or prohibited.

Those "examples," per the opinion, are "encouraging the commission of a crime," "fighting words," and certain types of picketing and parading in labor disputes.

The Cox II court then said some judges might be influenced by demonstrations and that they must be protected from their effects. It even went so far as to say that the state has a legitimate interest in assuaging the public perception that judges are malleable to the whims of protesters:

It is, of course, true that most judges will be influenced only by what they see and hear in court. However, judges are human; and the legislature has the right to recognize the danger that some judges, jurors, and other court officials, will be consciously or unconsciously influenced by demonstrations in or near their courtrooms both prior to and at the time of the trial. A State may also properly protect the judicial process from being misjudged in the minds of the public. Suppose demonstrators paraded and picketed for weeks with signs asking that indictments be dismissed, and that a judge, completely uninfluenced by these demonstrations, dismissed the indictments. A State may protect against the possibility of a conclusion by the public under these circumstances that the judge's action was in part a product of intimidation and did not flow only from the fair and orderly working of the judicial process.

Cox II also said that the State of Louisiana could infer that the protests in question in 1965 had the "intent" of influencing a judicial proceeding - even though the individuals whose arrests were the subject of the protest had not been hauled before a judge. Thus, the "intent" of the protest could be rather broadly "presumed to intend to influence judges, jurors, witnesses or court officials," the high court held.

Abortion rights advocates stage a protest outside the home of U.S. Associate Supreme Court **Justice** Brett Kavanaugh on May 11, 2022 in Chevy Chase, Maryland. (Photo by Twitter video screengrab.)

While Cox II upheld the basic constitutionality of the statutes in question, the Court threw out the convictions the case challenged. That's because the police told the protesters they were free to protest where they were standing, which the opinion described as "on the west sidewalk, the far side of the street, exactly 101 feet from the courthouse steps and, judging from the pictures in the record, approximately 125 feet from the courthouse itself."

The initial police acquiescence, the Court reasoned, was a form of "entrapment" that violated notions of due process:

Thus, the highest police officials of the city, in the presence of the Sheriff and Mayor, in effect told the demonstrators that they could meet where they did, 101 feet from the courthouse steps, but could not meet closer to the courthouse. In effect, appellant was advised that a demonstration at the place it was held would not be one "near" the courthouse within the terms of the statute.

However, the court limited the effect of a similar statute in U.S. v. Grace (1983). That statute, which has since apparently been moved to other areas of the federal criminal code, made it illegal "to parade, stand, or move in processions or assemblages in the Supreme Court Building or grounds" or "to display therein any flag, banner, or device designed or adapted to bring into public notice any party, organization, or movement."

Grace did not precisely deal with public pressure aimed squarely at a judge but rather dealt with generalized leafletting about topics largely unconnected to the judiciary. Still, the Grace court spoke favorably of Cox II and held that the instant statute up for consideration could not constitutionally apply to public sidewalks on the perimeter of the Supreme Court's facilities - even though it was originally written to do so.

Put another way, "the controversy presented by appellees concerned their right to use the public sidewalks surrounding the Court building for the communicative activities they sought to carry out," the Court said in a unanimous opinion by **Justice** Byron White. "[W]e hold that § 13k [the then-statute in question] may not be applied to the public sidewalks."

"The sidewalks comprising the outer boundaries of the Court grounds are indistinguishable from any other sidewalks in Washington, D. C., and we can discern no reason why they should be treated any differently," the court elucidated while walking through the usual constitutional analytical steps. "Sidewalks, of course, are among those areas of public property that traditionally have been held open to the public for expressive activities and are clearly within those areas of public property that may be considered, generally without further inquiry, to be public forum property."

Abortion rights advocates stage a protest outside the home of U.S. Associate Supreme Court **Justice** Brett Kavanaugh on May 11, 2022 in Chevy Chase, Maryland. (Photo by Kevin Dietsch/Getty Images.)

But Grace's sidewalk rule does not present an immediate get-out-of-trouble card to the protesters on the streets and sidewalks outside the homes of the **justices**. Though the same constitutional amendment was at play, Grace explicitly noted that the underlying statute, then codified as 40 U.S.C. § 13k, dealt with generalized assemblages in a specific premises - the Supreme Court grounds - and a concept entirely separate from what critics might call the content-based restrictions found in 18 U.S.C. § **1507**. While the majority holding in Grace cited Cox II favorably - "[w]e have regularly rejected the assertion that people who wish "to propagandize protests or views have a constitutional right to do so whenever and however and wherever they please" - a partial concurrence and partial dissent by **Justice** Thurgood Marshall drew attention to the distinction. Marshall argued that 40 U.S.C. § 13k should have been declared wholly unconstitutional but that 18 U.S.C. § **1507** was a more permissible ban on "conduct that is incompatible with the primary activity being carried out" in a courthouse.

In the ensuing years, other statutes have been used to prosecute people who interrupted Supreme Court oral arguments to protest and who chained the doors of a courthouse.

Perhaps most ironically, in the case of *Frisby v. Schultz* (1988), the Supreme Court upheld a Wisconsin ordinance that banned protests targeted at a specific house. The case arose when protests targeted an abortion doctor and questioned a law not terribly dissimilar from the overall goals of the Virginia and Maryland statutes cited above.

The *Frisby* court noted that "[g]eneral marching through residential neighborhoods, or even walking a route in front of an entire block of houses, is not prohibited by [the Wisconsin] ordinance."

"Accordingly, we construe the ban to be a limited one; only focused picketing taking place solely in front of a particular residence is prohibited," **Justice** Sandra Day O'Connor wrote in *Frisby*. "We readily agree that the ordinance preserves ample alternative channels of communication."

O'Connor next discussed the government's interest in "the protection of residential privacy."

"The State's interest in protecting the well-being, tranquility, and privacy of the home is certainly of the highest order in a free and civilized society," O'Connor noted while citing an earlier case.

"One important aspect of residential privacy is protection of the unwilling listener. Although in many locations, we expect individuals simply to avoid speech they do not want to hear," O'Connor continued, "the home is different."

"Instead, a special benefit of the privacy all citizens enjoy within their own walls, which the State may legislate to protect, is an ability to avoid intrusions," the first female **justice** continued.

Because the picketing prohibited by the Brookfield ordinance is speech directed primarily at those who are presumptively unwilling to receive it, the State has a substantial and justifiable interest in banning it. The nature and scope of this interest make the ban narrowly tailored. The ordinance also leaves open ample alternative channels of communication and is content neutral.

When synthesized into a relevant constitutional standard, the available case law suggests that picketing in a particular person's generalized neighborhood or on sidewalks adjacent to court facilities cannot be generally prosecuted because such activity is protected under the First Amendment. However, *Cox* adds a significant wrinkle to the mix because it addresses a mix of conduct and content that is specifically aimed at judicial decisions - and the courts have heretofore looked favorably upon laws which protect the judiciary from the latter when it occurs on the doorsteps of their workplaces, at least.

[Images as noted.]

The post [The Supreme Court Has Itself to Thank for Upholding Laws That Could Be Used to Criminalize Protests Outside \*\*Justices'\*\* Homes](#) first appeared on Law & Crime.

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May 13, 2022

Gov. Glenn Youngkin Reacts to Pressure re: Protests

ValueWalk

May 12, 2022

By JOHN F. BANZHAF. Originally published at ValueWalk .

Gov. Glenn Youngkin Reacts to Pressure re: Protests; But Seeks to Deflect Legal Responsibility to Biden Administration  
**Youngkin Reacts To Protest At Homes**

Virginia Governor Glenn Youngkin has reacted to growing pressure to do something to stop activists, who continue to illegally protest at the homes of conservative Supreme Court **justices**, by requesting that Attorney General Merrick Garland take action under a federal statute which prohibits picketing or parading in or near a building or residence occupied or used by a judge if it is done "with the intent... of influencing any judge..., in the discharge of his duty."

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But that statute may not provide the basis for arrests or other law enforcement action by federal law enforcement officials because it requires a specific "intent" to influence a judge; something protestors are denying by claiming that they are simply expressing their outrage, and have no intent of trying to influence **justices** since their minds appear to be already made up.

In asking the Biden administration to protect the **justices**, Youngkin is seeking to deflect legal responsibility from himself, and from his own legal duty to enforce the laws of Virginia, since a Virginia statute makes protesting near any residence a crime even if completely peaceful, and without the need to establish any specific intent, charges public interest law professor John Banzhaf.

The law professor, whose formal complaint triggered a criminal investigation of former president Donald Trump in Georgia, and helped obtain Special Prosecutors to investigate then-president Richard Nixon, send a formal demand for the enforcement of this Virginia statute to Youngkin on May 7th.

In it Banzhaf put the Governor and his staff on legal notice of Virginia's § 18.2-419."Picketing or disrupting tranquility of home," which mandates that: "Any person who shall engage in picketing before or about the residence or dwelling place of any individual, or who shall assemble with another person or persons in a manner which disrupts or threatens to disrupt any individual's right to tranquility in his home, shall be guilty of a Class 3 misdemeanor." He explained:

"Please note that the statute does not criminalize only picketing done with a specific intent, but rather makes criminal any and all picketing, as well as any activity which disrupts "tranquility," at any "residence or dwelling place of any individual" in Virginia.

This is important because the corresponding federal statute, §18 U.S.C. 1507, only makes picketing or parading in or near a building or residence occupied or used by a judge criminal if it is done "with the intent . . . of influencing any judge . . . , in the discharge of his duty. Thus it is not clear that any federal officers [e.g., U.S. Marshals, member of the Secret Service, Supreme Court police, etc.] who might be on scene would – or even legally could – arrest persons who picket or protest near a **justice's** residence in Virginia without direct evidence in their possession of the specific intent which the federal statute requires. It is even more doubtful that they would or even legally could arrest protestors for violating Virginia's criminal statute."

#### **Enforcing The Statute**

He also reminded Youngkin of how strongly the legislators feel about the statute, and about its need for enforcement, writing:

The legislature of Virginia, in its declaration of policy for this statute [Section 18.2 - 418], has made it abundantly clear that it regards such demonstrations as serious crimes which must be met with arrests: "protection and preservation of the home is the keystone of democratic government"; "good order of the community require that members of the community enjoy in their homes a feeling of well-being, tranquility, and privacy"; "picketing before or about residences and dwelling places causes emotional disturbance and distress"; "its object [is] the harassing of such occupants" ; and enforcing the provisions of the statute "are necessary in the public interest, to avoid the detrimental results herein set forth."

After receiving the legal demand for enforcement of the statute, Virginia Attorney General Jason Miyares urged commonwealth attorneys to enforce state law, making protests at the home of Supreme Court **justices** and others a crime, by arresting and prosecuting those who participate.

Miyares announced that: "Section 18.2-419 of the Code of Virginia states that protesting in front of an individual's private residence is a class 3 misdemeanor. Under Virginia law, local commonwealth attorneys are responsible for prosecuting violations of this statute. Attorney General Miyares urges every commonwealth's attorney to put their personal politics aside and enforce the law."

The law professor has pointed out that it seems clear that the legislators wrote the criminal statute, prohibiting demonstrations at private residences, to permit police to act when any such criminal activity begins, rather than waiting until it becomes violent.

That's because, once such a demonstration becomes violent, it may be difficult to bring it under control, with arrests or otherwise, without causing injury to demonstrators, police, and perhaps innocent bystanders.

Protests at the homes of influential people can easily become violent and even terrifying, says Banzhaf, citing this example.

As described just last year by Senator Josh Hawley: "Tonight while I was in Missouri, Antifa scumbags came to our place in DC and threatened my wife and newborn daughter, who can't travel. They screamed threats, vandalized, and tried to pound open our door." The Senator confessed that, as a result, his family was "terrorized." Fortunately, a local magistrate did find probable cause under Virginia's § 18.2-419 and issued a legal summons.

Banzhaf, a constitutional scholar, also noted that, according to the Washington Post "Yes, experts say protests at SCOTUS **justices'** homes appear to be illegal."

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May 13, 2022

### Fla. A.G. Moody Calls on U.S. Attorney General Garland to Enforce Federal Law Prohibiting Efforts to Intimidate Supreme Court **Justices**

TALLAHASSEE, Florida, May 13 -- Florida Attorney General Ashley Moody issued the following news release:

Attorney General Ashley Moody is calling on United States Attorney General Merrick Garland to enforce federal law against attempts to intimidate U.S. Supreme Court **Justices** by protesting outside the **Justices'** homes. Along with 24 other Attorneys General, Attorney General Moody is demanding the U.S. Attorney General take action to safeguard and ensure the integrity of the rule of law.

Attorney General Ashley Moody said, "The integrity of our courts is paramount to a free and democratic society. Any attempt to threaten or intimidate United States Supreme Court **Justices** so they change their votes should be thoroughly investigated by the Department of **Justice**--not just for the safety of judges and their families, but for the independence of our nation's entire judicial system."

In a letter to Attorney General Garland, the state Attorneys General write: "Following last week's leak of a draft opinion in *Dobbs v. Jackson Women's Health Organization*, pro-abortion activists have begun protesting not just outside the Supreme Court, but outside the **Justices'** homes, in the hope of pressuring the **Justices** to change their votes. As a former federal judge and the current head of the Department of **Justice**, you must surely appreciate the unique risks to both judges and the rule of law when judges are targeted at their homes. That is why Congress has long barred 'picketing or parading' near a judge's home 'with the intent of interfering with, obstructing, or impeding the administration of **justice**.' We the undersigned Attorneys General act daily to uphold the rule of law. These remarkable recent events provide you an opportunity to do the same."

The Attorneys General also noted in the letter that Attorney General Garland was not previously shy in using his authority to address a "threat" of parents voicing their opinions to school boards. Yet, when U.S. Supreme Court **Justices** and the **Justices'** families are being harassed at home, Attorney General Garland has remained silent.

The letter states: "You were quick to respond to the purported 'threat' of parents speaking out at local school board meetings (though the basis for your threat assessment was shaky to say the least). Here, in the face of escalating extremism directed at the judicial branch, you have an obvious role to play. Congress recognized that pressuring judges to change their votes by protesting outside their homes directly threatens the rule of law. You profess to share those concerns, having unequivocally stated that attacking a courthouse 'to prevent judges from actually deciding cases' plainly constitutes 'domestic extremism, domestic terrorism.' You can and should act accordingly by faithfully executing federal law to prevent protestors from attempting to intimidate the **Justices** of the Supreme Court, both to protect the **Justices** and to safeguard the rule of law."

The following Attorneys General joined Attorney General Moody in signing on to the letter: Alabama, Alaska, Arizona, Arkansas, Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, West Virginia and Wyoming.

\* \* \*

To: The Honorable Merrick Garland,, Attorney General U.S. Department of **Justice**, 950 Pennsylvania Avenue NW Washington, DC 20530

Re: Recent Efforts To Intimidate Supreme Court **Justices**

Dear Attorney General Garland,

Following last week's leak of a draft opinion in *Dobbs v. Jackson Women's Health Organization*, pro-abortion activists have begun protesting not just outside the Supreme Court, but outside the **Justices'** homes, in the hope of pressuring the **Justices** to change their votes. As a former federal judge and the current head of the Department of **Justice**, you must surely appreciate the unique risks to both judges and the rule of law when judges are targeted at their homes. That is why Congress has long barred "picketing or parading" near a judge's home "with the intent of interfering with, obstructing, or impeding the administration of **justice**."/1 We the undersigned Attorneys General act daily to uphold the rule of law. These remarkable recent events provide you an opportunity to do the same.

A group calling itself "Ruth Sent Us" declares that "our 6-3 extremist Supreme Court routinely issues rulings that hurt women, racial minorities, LGBTQ+ and immigrant rights," and has called on its supporters to "rise up to force accountability using a diversity of tactics."/2 One of these "tactics" is publishing the **Justices'** personal addresses and organizing a "walk-by" to take place "at the homes of the six extremist **Justices**."/3 Their strategy is already in full swing, with protestors yelling "You don't care if people die" while picketing outside the homes of Chief **Justice** Roberts and **Justice** Kavanaugh this past weekend./4

The same group has called for and carried out protests at Catholic Masses, based on the religious faith of several of the **Justices**,/5 and the group's general condemnation of "Catholic Churches."/6 The group has further threatened to "burn the Eucharist."/7

Others, it appears, have taken to burning buildings. This past weekend, a Molotov cocktail was thrown into the Madison-based headquarters of a pro-life group called Wisconsin Family Action./8 Graffitied on the building's walls was the message: "If abortions aren't safe then you aren't either."/9 Likewise earlier this week, the office of an Oregon-based pro-life group was the target of another attack using Molotov cocktails./10 There are those who would seek to legitimize such acts of violence as "Fiery But Mostly Peaceful Protests."/11 You should not be so cavalier. As the Wall Street Journal recently suggested, "a violent act by a fanatic can't be ruled out, and this warrants the attention of, Attorney General Merrick Garland."/12

You were quick to respond to the purported "threat" of parents speaking out at local school board meetings/13 (though the basis for your threat assessment was shaky to say the least)./14 Here, in the face of escalating extremism directed at the judicial branch, you have an obvious role to play. Congress recognized that pressuring judges to change their votes by protesting outside their homes directly threatens the rule of law./15 You profess to share those concerns, having unequivocally stated that attacking a courthouse "to prevent judges from actually deciding cases" plainly constitutes "domestic extremism, domestic terrorism."/16 You can and should act accordingly by faithfully executing federal law to prevent protestors from attempting to intimidate the **Justices** of the Supreme Court, both to protect the **Justices** and to safeguard the rule of law.

Sincerely,

Steve Marshall,, Attorney General of Alabama

TREG TAYLOR, Attorney General of Alaska

MARK BRNOVICH, Attorney General of Arizona

LESLIE RUTLEDGE, Attorney General of Arkansas

ASHLEY MOODY, Attorney General of Florida

CHRIS CARR, Attorney General of Georgia

LAWRENCE WASDEN, Attorney General of Idaho

TODD ROKITA, Attorney General of Indiana

DEREK SCHMIDT, Attorney General of Kansas

DANIEL CAMERON, Attorney General of Kentucky

JEFF LANDRY, Attorney General of Louisiana

LYNN FITCH, Attorney General of Mississippi

ERIC SCHMITT, Attorney General of Missouri

AUSTIN KNUDSEN, Attorney General of Montana

DOUGLAS J. PETERSON, Attorney General of Nebraska

DAVE YOST, Attorney General of Ohio

JOHN M. O'CONNOR, Attorney General of Oklahoma

ALAN WILSON, Attorney General of South Carolina

JASON RAVNSBORG, Attorney General of South Dakota

HERBERT SLATERY III, Attorney General of Tennessee

KEN PAXTON, Attorney General of Texas

SEAN REYES, Attorney General of Utah

JASON MIYARES, Attorney General of Virginia

PATRICK MORRISEY, Attorney General of West Virginia

BRIDGET HILL, Attorney General of Wyoming

\* \* \*

Footnotes:

1/ See 18 U.S.C. Sec. **1507**.

2/ See Ruth Sent Us, <https://www.ruthsent.us/home>.

3/ Id.

4/ Greg Stohr, Abortion-Rights Protest Targets Homes of Kavanaugh, Roberts, Bloomberg (May 7, 2022), <https://www.bloomberg.com/news/articles/2022-05-08/abortion-rights-protest-targetshomes-of-kavanaugh-roberts>.

5/ Joshua Rhet Miller, Pro-choice Abortion Activists Call for Mother's Day Protests at Churches, New York Post (May 6, 2022), <https://nypost.com/2022/05/06/abortion-activists-call-onamericans-to-protest-at-churches/>; Joe Bukuras, Costumed protesters disrupt Mother's Day Mass in Los Angeles, Catholic News Agency (May 8, 2022), <https://www.catholicnewsagency.com/news/251176/costumed-protesters-disrupt-los-angelesmass>.

6/ Jon Brown, DC Police Aware of 'First Amendment demonstrations' Meant to Disrupt Sunday Mass, Fox News, May 8, 2022, <https://www.foxnews.com/us/dc-police-aware-first-amendmentdemonstrations-disrupt-sunday-mass>.

7/ Id.

8/ Luke Vander Ploeg & Addison Lathers, Anti-Abortion Group in Wisconsin Is Hit by Arson, Authorities Say, The New York Times (May 8, 2022), <https://www.nytimes.com/2022/05/08/us/madison-anti-abortion-center-vandalized.html>.

9/ Id.

10/ Oregon Right to Life building in Keizer hit with Molotov cocktails, KGW (May 9, 2022), <https://www.kgw.com/article/news/crime/molotov-cocktails-oregon-right-to-life-keizer/28384ffd04a-41ba-47fd-99d9-7af4a61ddfde>.

11/ Joe Concha (@JoeConchaTV), Twitter (Aug. 27, 2020, 1:03 AM), <https://twitter.com/JoeConchaTV/status/1298863702272344064>

12/ Who's a Threat to Democracy, The Wall Street Journal (May 6, 2022), <https://www.wsj.com/articles/whos-a-threat-to-democracy-supreme-court-abortion-roe-v-waderuth-sent-us-11651875512>.

13/ Memorandum from the Office of the Attorney General, Re: Partnership Among Federal, State, Local, Tribal, and Territorial Law Enforcement to Address Threats Against School Administrators, Board Members, Teachers, and Staff, (October 4, 2021), <https://www.justice.gov/ag/page/file/1438986/download>.

14/ See Peter Hasson, NSBA Chief Had Advance Notice of DOJ's Controversial School Board Memo: Email, Fox News (Feb. 14, 2022), <https://www.foxnews.com/politics/nsba-advancenotice-doj-controversial-school-board-memo-email>.

15/ See 18 U.S.C. Sec. **1507**.

16/ LIVE COVERAGE: Senate Set to Consider Garland for AG, The Hill (Feb. 22, 2021), <https://thehill.com/homenews/senate/539824-live-coverage-senate-set-to-consider-garland-forag/>. Elizabeth Kuhn, 502/696-5300, [elizabeth.kuhn@ky.gov](mailto:elizabeth.kuhn@ky.gov)  
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--- Index References ---

Company: Extremis; Bundesanwaltschaft; NEW YORK POST CORPORATION; FOX NEWS NETWORK, LLC; The Supreme Court of the United States; THE UNITED STATES DEPARTMENT OF **JUSTICE**; BLOOMBERG INC.; NSBA Ltd; LAW ENFORCEMENT INTELLIGENT DEVICES, LLC; THE NEW YORK TIMES COMPANY; TWITTER, INC.; HILL & SMITH HOLDINGS PLC

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5/13/22 Targeted News Serv. (U.S.) 00:00:00

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May 13, 2022

### Rep. Owens Co-Signs Letter to AG Garland Calling for Enforcement of Law and Action Against Those Intimidating Supreme Court **Justices**

WASHINGTON, May 13 -- Rep. Burgess Owens, R-Utah, issued the following news release:

Rep. Burgess Owens (UT-04) co-signed a letter to U.S. Attorney General Merrick Garland demanding enforcement of the law and action against those intimidating Supreme Court **Justices** following the leak of a decision draft in the Dobbs v. Jackson case before the Court.

The letter highlighted the need to zealously guard the First Amendment while also ensuring judges are not intimidated by mob rule. Since the leak of the decision, mobs of protestors have swarmed the homes of **Justices** Alito, Kavanaugh, and Roberts.

It is a crime to picket or parade outside of a judge's home, particularly if the intent of such actions is to influence them in the discharge of their official duties. The right to peacefully assemble is among the most sacred rights we hold as Americans, which is why our forbearers demanded it be enshrined in the First Amendment to the United States Constitution. Yet this sacred right has never permitted Americans to intimidate judges, jurors, or officers of the court with the expressed objective of swaying the outcome of an independent judicial proceeding.

The lawmakers wrote in part, "Importantly, enforcing 18 U.S.C. Sec. **1507** in no way deprives protestors of their constitutional right to assembly. Protestors have ample opportunity to gather in one of a million other places, including on sidewalks outside of the U.S. Supreme Court, as was upheld by United States v. Grace (1983). There is therefore no compelling justification for your failure to act other than to permit protestors to unlawfully intimidate **justices** of the United States Supreme Court."

\* \* \*

To: The Honorable Merrick B. Garland, Attorney General, U.S. Department of **Justice**, 950 Pennsylvania Avenue NW, Washington, D.C. 20530

Dear Attorney General Garland:

We watch with profound concern and deep dismay as the rule of law in the United States is completely eroded under your leadership. As you should know, 18 U.S.C. Sec. **1507** makes it a crime to picket or parade outside of a judge's home, particularly if the intent of such actions are to influence them in the discharge of their official duties. We therefore ask a simple question: as Supreme Court **Justices** are being illegally targeted at their homes, do you intend to enforce the law? Your failure to act is a shameless and implicit endorsement of mob rule in America.

The right to peaceful assembly is among the most sacred rights we hold as Americans, which is why our forbearers demanded it be enshrined in the First Amendment to the United States Constitution. This right has been exercised responsibly and respectfully by generations of Americans, who have relied on First Amendment protections to protest injustices, fight for change, and make their voices heard. We should zealously guard our First Amendment rights. Yet our sacred right to peacefully assemble has never permitted Americans to intimidate judges, jurors, or officers of the court with the expressed objective of swaying the outcome of an independent judicial proceeding. This is not **justice** - it is mob rule. 18 U.S.C. Sec. **1507** reflects the vitally important interest of safeguarding not only the independence and fairness of the judiciary but also in protecting our constitutionally protected right to due process under the Fourteenth Amendment. We have included the statute in its entirety below for your reference:

Whoever, with the intent of interfering with, obstructing, or impeding the administration of **justice**, or with the intent of influencing any judge, juror, witness, or court officer, in the discharge of his duty, pickets or parades in or near a building housing a court of the United States, or in or near a building or residence occupied or used by such judge, juror, witness, or court officer, or with such intent uses any sound-truck or similar device or resorts to any other demonstration in or near any such building or residence, shall be fined under this title or imprisoned not more than one year, or both. Nothing in this section shall interfere with or prevent the exercise by any court of the United States of its power to punish for contempt.

Importantly, enforcing 18 U.S.C. Sec. **1507** in no way deprives protestors of their constitutional right to assembly. Protestors have ample opportunity to gather in one of a million other places, including on sidewalks outside of the U.S. Supreme Court, as was upheld by *United States v. Grace* (1983). There is therefore no compelling justification for your failure to act other than to permit protestors to unlawfully intimidate **justices** of the United States Supreme Court.

We urge you to enforce the laws of the United States and stop the mob. You should send the clear and unmistakable message to all Americans - regardless of party or political affiliation - that the intimidation of **justices** and the judicial process will not stand. Will you act? We look forward to your response to this urgent question no later than Monday, May 16, 2022.

View co-signers here: <https://tenney.house.gov/sites/evo-subsites/tenney.house.gov/files/evo-media-document/Letter%20to%20Garland%20Condemning%20Protests%20at%20Homes%20of%20Supreme%20Court%20Justices%20-%20FINAL.pdf>  
MSTRUCK-7834761 MSTRUCK

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News Subject: (Civil Rights Law (1CI34); Government (1GO80); Government Institutions (1GO90); Government Litigation (1GO18); Intellectual Freedoms & Civil Liberties (1IN08); Judicial Cases & Rulings (1JU36); Legal (1LE33); National Judiciaries (1NA65); U.S. Supreme Court (1US13))

Region: (Americas (1AM92); North America (1NO39))

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5/13/22 Targeted News Serv. (U.S.) 00:00:00

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May 13, 2022

### Sen. Rubio Calls on DOJ to Prosecute Those Intimidating Supreme Court **Justices**

WASHINGTON, May 13 -- Sen. Marco Rubio, R-Florida, issued the following news release:

U.S. Senator Marco Rubio (R-FL) sent a letter to U.S. Attorney General Merrick Garland regarding the coordinated campaign to intimidate Supreme Court **Justices** as they consider *Dobbs v. Jackson*.

"As you know, there is an ongoing, coordinated campaign of intimidation against the majority of the **justices** on the Supreme Court," Rubio wrote. "The DOJ can no longer remain silent on this issue if it hopes to protect the integrity of the Supreme Court.... Will the DOJ commit to identifying and pursuing criminal charges against those who violate 18 U.S.C. Sec. **1507**? If not, why?."

\* \* \*

To: The Honorable Merrick Garland, Attorney General, U.S. Department of **Justice**, 950 Pennsylvania Avenue NW, Washington, D.C. 20530

Dear Attorney General Garland:

I write with great concern to ask that the Department of **Justice** (DOJ) publicly condemn the ongoing and unlawful efforts to intimidate Supreme Court **Justices**. This includes disturbing and dangerous threats made toward the **justices**, and their families, outside of their homes. This behavior, and lack of DOJ enforcement against those who are violating federal law, is unacceptable.

In the past, you have opined on similar incidents, including in the October 4, 2021 DOJ memorandum, "Partnership among federal, state, local, tribal, and territorial law enforcement to address threats against school administrators, board members, teachers, and staff." In that memo, you promised to address the "disturbing spike in harassment, intimidation, and threats of violence" against school-board administrators. You also state that the Constitution does not protect "threats of violence or efforts to intimidate individuals," and that "threats against public servants are not only illegal, they run counter to our nation's core values." You also pledged to use the DOJ's authority to identify and pursue criminal charges against bad actors who commit such crimes. Of course, Supreme Court **Justices** are also public servants who deserve protection. So why have you remained silent while evidence mounts of a coordinated campaign to intimidate them as they consider *Dobbs v. Jackson*?

As you know, there is an ongoing, coordinated campaign of intimidation against the majority of the **justices** on the Supreme Court. It first took the form of an unprecedented leak of a draft opinion, and now, disguised as protestors, vigilantes have taken "**justice**" into their own hands. One group, "Ruth Sent Us," has posted the home addresses of the **justices** online. Following the posting, streets in front of the **justices**' homes have been filled by mobs of angry picketers, shouting threatening speech in

scenes similar to the unhinged riots during the summer of 2020. Some have drawn hangers, symbolizing abortion, on the street pavement in front of the **justices'** homes, while others have threatened, "if you take away our choices, we will riot." Standing before the Supreme Court, one person yelled, "F\*\*\* it! Let's burn this place down." That call was amplified thousands of times on social media.

Worse yet, the Biden Administration is actively encouraging this behavior. This week, White House Press Secretary Jen Psaki stated, "I know that there's an outrage right now, I guess, about protests that have been peaceful to date" and "we certainly continue to encourage that, outside of judges' homes, and that's the President's position." Similarly, Chicago Mayor Lori Lightfoot tweeted that the news surrounding Roe's potential reversal "has to be a call to arms." The comments made by the president's staff and members of the Democratic Party threaten the safety of members of the Court. Those who act at their behest should be held to account as violating federal law, which is clearly laid out in 18 U.S.C. Sec. **1507** and prohibits the picketing or parading outside of a residence occupied by "any judge, juror, witness or court officer" with the intent of influencing the "discharge of his duty." These woke actors are not engaged in protected speech but instead attempting to intimidate Supreme Court **Justices** into submission.

The DOJ can no longer remain silent on this issue if it hopes to protect the integrity of the Supreme Court. As such, I ask for responses to the following questions:

1. Is the DOJ investigating the doxing of U.S. Supreme Court **Justices** and how the locations of their homes were obtained?
2. Will the DOJ commit to identifying and pursuing criminal charges against those who violate 18 U.S.C. Sec. **1507**? If not, why?
3. Will the DOJ publicly condemn the activities outside of the **Justices'** homes?

Thank you for your attention to this urgent matter.

Sincerely,

Marco Rubio, U.S. Senator MSTRUCK-7834539 MSTRUCK

---- **Index References** ----

Company: THE UNITED STATES DEPARTMENT OF **JUSTICE**

News Subject: (Government (1GO80); Government Institutions (1GO90); Government Litigation (1GO18); Judicial Cases & Rulings (1JU36); Legal (1LE33); National Judiciaries (1NA65); U.S. Supreme Court (1US13))

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May 13, 2022

### Rep. Johnson: House Republicans Introduce Resolution Condemning Intimidation Tactics of Pro-Abortion Activists

WASHINGTON, May 13 -- Rep. Mike Johnson, R-Louisiana, issued the following news release on May 12, 2022:

40 Republican Members of Congress led by House Republican Conference Vice Chairman Mike Johnson (LA-04) today introduced a congressional resolution condemning the intimidation tactics used by pro-abortion activists.

The resolution follows a recent nationwide spate of violence, property damage, threats, trespassing, and church service disruptions by radical pro-abortion activists in the wake of a leaked draft Supreme Court opinion indicating the Court may be prepared to overturn *Roe v. Wade*.

"The possibility that individual states may again be allowed to prohibit the killing of unborn children has, of course, sent the Democrat Party and other radical pro-abortion activists off the deep end," Johnson said. "As the White House continues to equivocate, this resolution makes the position of Congress crystal clear: violence, property damage, threats, and intimidation tactics must be condemned, and these blatant violations of federal and state laws must be prosecuted."

Text of the resolution ([https://mikejohnson.house.gov/UploadedFiles/JOHNLA\\_065\\_xml.pdf](https://mikejohnson.house.gov/UploadedFiles/JOHNLA_065_xml.pdf)):

Whereas the Supreme Court of the United States is charged with guarding, interpreting, and applying the Constitution and ensuring the American people are afforded equal and impartial **justice** under the law;

Whereas the Court's power of judicial review is a necessary check to ensure that each branch of government does not exceed its authority under the Constitution;

Whereas our constitutional system and the rule of law rely upon the independence of judges who are not subject to the whims of public opinion or the political process;

Whereas the recent leak of a draft opinion in *Dobbs v. Jackson Women's Health Organization* constitutes a grave breach of judicial ethics and a blatant attack on the independence of the Court;

Whereas following the leak of the draft opinion in *Dobbs v. Jackson Women's Health Organization*, churches and the headquarters of a pro-life organization were firebombed and vandalized, and activists sought to intimidate **Justices** of the Supreme Court by protesting outside their homes; and

Whereas Federal law (18 U.S.C. **1507**) provides: "Whoever, with the intent of interfering with, obstructing, or impeding the administration of **justice**, or with the intent of influencing any judge, juror, witness, or court officer, in the discharge of his duty, pickets or parades in or near a building housing a court of the United States, or in or near a building or residence occupied or used by such judge, juror, witness, or court officer, or with such intent uses any sound-truck or similar device or resorts to any other demonstration in or near any such building or residence, shall be fined under this title or imprisoned not more than one year, or both.": Now, therefore, be it

Resolved, that the House of Representatives--

(1) condemns the unauthorized leak of the draft opinion in Dobbs v. Jackson Women's Health Organization and the ensuing violence, damage to property, and attempted intimidation of **Justices** of the Supreme Court by proabortion activists;

(2) expresses deep concern regarding the erosion of Americans' faith in our institutions;

(3) unwaveringly supports the notion that the judiciary must remain free from political interference and insulated from public opinion so that it may ensure every American is afforded equal and impartial **justice** under the law; and

(4) calls upon the Department of **Justice** to enforce section **1507** of title 18, United States Code, with respect to protests outside of the homes of sitting Supreme Court **Justices**.

House Republican Conference Chairwoman Elise Stefanik (NY) and Representatives Buddy Carter (GA), Greg Murphy (NC), Cathy McMorris Rodgers (WA), John Moolenaar (MI), Jody Hice (GA), William Timmons (SC), Ralph Norman (SC), Steven Palazzo (MS), Mary Miller (IL), Warren Davidson (OH), Garret Graves (LA), Darrell Issa (CA), Paul Gosar (AZ), Lisa McClain (MI), Neal Dunn (FL), Bob Gibbs (OH), Louie Gohmert (TX), David McKinley (WV), Vern Buchanan (FL), Beth Van Duyne (TX), Michael Waltz (FL), Burgess Owens (UT), Dan Bishop (NC), Bob Good (VA), Bill Johnson (OH), Adrian Smith (NE), Brad Wenstrup (OH), August Pfluger (TX), Chris Stewart (UT), Jodey Arrington (TX), Michael Guest (MS), Jack Bergman (MI), Bill Posey (FL), Billy Long (MO), Brett Guthrie (KY), Tom McClintock (CA), Markwayne Mullin (OK), Lee Zeldin (NY), Troy Balderson (OH), Michael Cloud (TX), Brian Babin (TX), Nancy Mace (SC), and Tom Cole (OK) joined Congressman Johnson in sponsoring the resolution. MSTRUCK-7834571 MSTRUCK

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Company: The House of Representatives Committee on Foreign Affairs; Department of **Justice**; The Supreme Court of the United States

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R. Johnson; Adrian Smith; Brad Wenstrup; August Pfluger; Chris Stewart; Jodey Arrington; Michael Guest; Jack Bergman; Bill Posey; Billy Long; Brett Guthrie; Tom McClintock; Markwayne Mullin; Lee Zeldin; Troy Balderson; Michael Cloud; Brian Babin; Nancy Mace; Tom Cole; MSTRUCK) (WASHINGTON)

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5/13/22 U.S. Cong. News (Pg. Unavail. Online)  
2022 WLNR 15319221

U.S. Congressional News  
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May 13, 2022

Section: U.S. House of Representatives Documents

U.S. Rep. Rose joins GOP Members of Congress Calling for DOJ to  
Enforce the Law amid Attempts to Intimidate Supreme Court **Justices**  
Rep. John Rose (R-TN) News Release

WASHINGTON, D.C.-- U.S. Representative John Rose (TN-6) joined Rep. Claudia Tenney (NY-22) and more than 40 Republican Members of the House of Representatives in calling on Attorney General Merrick Garland to end the mob rule outside Supreme Court's homes **Justices** in a letter.

The letter highlights the need to zealously guard the First Amendment, and ensures judges are not intimidated by mob rule. Since the leak of the draft decision, mobs of protestors have swarmed the homes of several U.S. Supreme Court **Justices**.

Rep. Rose released the following statement:

"I'm grateful to live in a country where peaceful assembly is among the first rights guaranteed to citizens in the constitution; however, that right doesn't extend to those who seek to intimidate judges into swaying their opinion on a case. The Biden Administration has continuously displayed an unwillingness to enforce our laws. By not denouncing these left-wing agitators, President Biden is explicitly endorsing mob rule and ripping the constitution to shreds by putting his seal of approval on their attempts to influence the court."

Background:

Following the unprecedented leak of the high court's take on *Dobbs v. Jackson*, protestors have continuously demonstrated outside the personal homes of Supreme Court **Justices**. The pressure campaign, which many fear could turn to violence following a final decision on abortion access, even forced the Senate to approve additional security for the court.

18 U.S.C. [Sec.] **1507** states:

Whoever, with the intent of interfering with, obstructing, or impeding the administration of **justice**, or with the intent of influencing any judge, juror, witness, or court officer, in the discharge of his duty, pickets or parades in or near a building housing a court of the United States, or in or near a building or residence occupied or used by such judge, juror, witness, or court officer, or with such intent uses any sound-truck or similar device or resorts to any other demonstration in or near any such building or residence, shall be fined under this title or imprisoned not more than one year, or both. Nothing in this section shall interfere with or prevent the exercise by any court of the United States of its power to punish for contempt.

You can read the full letter here <https://tenney.house.gov/sites/evo-subsites/tenney.house.gov/files/evo-media-document/Letter%20to%20Garland%20Condemning%20Protests%20at%20Homes%20of%20Supreme%20Court%20Justices%20-%20FINAL.pdf>.

Rep. Rose was joined in the letter led by Rep. Tenney by Reps. Elise Stefanik, Tom Cole, Rodney Davis, Bruce Westerman, Mike Johnson, Lee Zeldin, Andrew Garbarino, Ralph Norman, Don Bacon, Ken Buck, Vicky Hartzler, John Rose, Chuck Fleischmann, Lisa McClain, Ted Budd, Jefferson Van Drew, Markwayne Mullin, Greg Murphy, Burgess Owens, Gregory Steube, Doug LaMalfa, John Moolenaar, Andy Biggs, Tracey Mann, Rick Crawford, Tom Rice, Andy Barr, Brian Babin, Jody Hice, Warren Davidson, Diana Harshbarger, Louie Gohmert, Glenn Grothman, Jack Bergman, John Rutherford, Vern Buchanan, Dan Bishop, Bill Posey, Bob Gibbs, Madison Cawthorn, Steven Palazzo, Byron Donalds, Barry Loudermilk, Tom Tiffany, Michael Cloud, Troy Balderson, and Jody Arrington.

U.S. Representative John Rose is currently serving his second term representing Tennessee's Sixth Congressional District and resides in Cookeville with his wife, Chelsea, and their two sons, Guy and Sam. The Sixth District includes Cannon, Clay, Coffee, Cumberland, DeKalb, Fentress, Jackson, Macon, Overton, Pickett, Putnam, Robertson, Smith, Sumner, Trousdale, White, and Wilson counties as well as portions of Cheatham and Van Buren counties. Representative Rose is an eighth-generation farmer, small business owner, and attorney, and currently serves on the Financial Services Committee.

Read this original document at: <https://johnrose.house.gov/media/press-releases/us-rep-rose-joins-gop-members-congress-calling-doj-enforce-law-amid-attempts>

--- **Index References** ---

Company: The House of Representatives Committee on Foreign Affairs; CANNON RESOURCES LIMITED; DEKALB COUNTY CENTRAL SCHOOL BUILDING CORPORATION; PUTNAM MASTER INTERMEDIATE INCOME TRUST; THE UNITED STATES DEPARTMENT OF **JUSTICE**; FENTRESS INC.; Pickett Equipment; MACON COUNTY SCHOOL DISTRICT (GEORGIA)

News Subject: (Civil Rights Law (1CI34); Government (1GO80); Government Institutions (1GO90); Intellectual Freedoms & Civil Liberties (1IN08); Judicial Cases & Rulings (1JU36); Legal (1LE33); National Judiciaries (1NA65); U.S. Supreme Court (1US13))

Language: EN

Other Indexing: (U.S. Supreme Court; GOP; Congress; U.S. Representative; Biden Administration; Senate; United States; Congressional District; Clay; Coffee; Cumberland; Overton; Robertson; Sumner; Trousdale; Financial Services Committee; House of Representatives; Cannon; DeKalb; Putnam; DOJ; Fentress; Pickett; Macon) (John Rose; John D. Rose; Claudia Tenney; Merrick Garland; Biden; Jack Bergman; Elise Stefanik; Tom Cole; Rodney Davis; Bruce Westerman; Mike Johnson; Mike Johnson; Lee Zeldin; Andrew Garbarino; Ralph Norman; Ralph W. Norman; Don Bacon; Don Bacon; Ken Buck; Vicky Hartzler; Chuck Fleischmann; Lisa McClain; Ted Budd; Jefferson Van Drew; Markwayne Mullin; Greg Murphy; Greg Murphy; Burgess Owens; Gregory Steube; Doug LaMalfa; John Moolenaar; Andy Biggs; Tracey Mann; Rick Crawford; Tom Rice; Tom Rice; Andy Barr; Brian Babin; Jody Hice; Warren Davidson; Diana Harshbarger; Louie Gohmert; Glenn Grothman; John Rutherford; John C. Rutherford; Vern Buchanan; Dan Bishop; Bill Posey; Bob Gibbs; Madison Cawthorn; Steven Palazzo; Byron Donalds; Barry Loudermilk; Tom Tiffany; Michael Cloud; Troy Balderson; Jody Arrington; Chelsea; Guy; Sam)

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## NewsRoom

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May 13, 2022

Section: U.S. Senate Documents

### Sen. Johnson Asks Biden Administration Why Attack on Pro-Life Office Hasn't Been Labeled Domestic Terrorism Sen. Ron Johnson (R-WI) News Release

OSHKOSH - On Friday, U.S. Sen. Ron Johnson (R-Wis.) sent a letter to Attorney General Merrick Garland, Federal Bureau of Investigation (FBI) Director Christopher Wray, and Department of Homeland Security (DHS) Secretary Alejandro Mayorkas regarding their silence on the politically-motivated attack on the Wisconsin Family Action office in Madison, Wisconsin. Jane's Revenge, a pro-abortion group, threw two Molotov cocktails into the Wisconsin Family Action office and painted "if abortions aren't safe then you aren't either" on their building. To date, President Biden has made no public remarks, and neither DOJ, FBI, nor DHS have issued a statement condemning this attack.

"I want to reemphasize that your silence on this abhorrent attack against a pro-life organization is deafening and your continued silence could be construed as a tacit endorsement of such attacks against those who hold different or opposing political beliefs from those of this Administration," the senator wrote.

The senator asked, "What actions are DOJ, FBI, and DHS taking to assist state and local law enforcement regarding incidents of harassment, intimidation, and potential domestic threats against pro-life organizations?"

Read more about the letter in The Federalist.

The full text of the letter can be found here <https://www.ronjohnson.senate.gov/services/files/E618521B-084F-496B-BC67-07E5DB1BFEE4> and below.

May 13, 2022

The Honorable Merrick Garland

Attorney General

U.S. Department of **Justice**

The Honorable Christopher A. Wray

Director

Federal Bureau of Investigation

The Honorable Alejandro Mayorkas

Secretary

U.S. Department of Homeland Security

Dear Attorney General Garland, Director Wray and Secretary Mayorkas:

I write to you regarding the recent politically-motivated attack on the Wisconsin Family Action office in Madison, Wisconsin. According to news reports, the attackers threw a Molotov cocktail into the Wisconsin Family Action Madison office and painted "if abortions aren't safe then you aren't either" on the building.[1] A pro-abortion group called "Jane's Revenge" claimed responsibility for the attack, stating "This was only a warning... next time the infrastructure of the enslavers will not survive. . . Wisconsin is the first flashpoint, but we are all over the US, and we will issue no further warnings.[2]" However, to date, President Biden has made no public remarks, and neither the Department of **Justice** (DOJ), the Federal Bureau of Investigation (FBI), nor the Department of Homeland Security (DHS) have issued a statement condemning this attack.

I am unfortunately compelled to write to you about this matter because DOJ has a track record of not prosecuting left-wing violence as we have seen with the summer of 2020 riots that occurred nationwide.[3] In 2020, extremists exploited demonstrations across the country to incite riots that resulted in the loss of life, more than 2,000 injuries to law enforcement officers, and over \$1 billion in property damage.[4] There are currently mobs outside of the residences of the Supreme Court **Justices** appointed by Presidents George W. Bush and Donald Trump. The intimidation of sitting Supreme Court **Justices** is a clear violation of federal law,[5] and, once again, DOJ, FBI, and DHS have yet to condemn these activities. Compare your silence on these events to your robust actions against parents attending public school board meetings to voice their concerns about far-left ideologies being integrated into school curriculums.[6]

Based on the attack on the Madison pro-life organization, Jane's Revenge fits federal agencies' definitions of "domestic violent extremists" and the attack as a "domestic terrorism incident." The FBI defines a 'domestic terrorism incident' as an "ideologically-driven criminal act, including threats or acts of violence made to specific victims, made in furtherance of a domestic ideological goal that has occurred and can be confirmed." [7] Additionally, the FBI and DHS define a 'domestic violent extremist' as an individual "who seeks to further their ideological goals wholly or in part through unlawful acts of force or violence." [8] Attacking a pro-life organization in a manner that could have injured or killed the office's occupants due to differing political ideologies fits these definitions. It seems, however, that DOJ and DHS reserve those definitions for parents attending school board meetings or individuals who disagree with the policies of this Administration.[9]

I want to reemphasize that your silence on this abhorrent attack against a pro-life organization is deafening and your continued silence could be construed as a tacit endorsement of such attacks against those who hold different or opposing political beliefs from those of this Administration. I respectfully request the following information to learn more about your positions and actions to address this attack in light of your silence.

Has DHS or FBI designated the group, "Jane's Revenge," as a domestic violent extremist organization? If not, please provide your reasoning.

Will DOJ provide resources to identify and prosecute those responsible for the attack to the Madison Police Department?

What actions are DOJ, FBI, and DHS taking to assist state and local law enforcement regarding incidents of harassment, intimidation, and potential domestic threats against pro-life organizations?

Please provide this information as soon as possible but no later than 5:00 p.m. on May 27, 2022. Thank you for your attention to this important matter.

Sincerely,

[1] Danielle Wallace, Wisconsin Anti-Abortion Group Targeted in Molotov Cocktail Arson Attack: Police, Fox News, May 8, 2022, available at <https://www.foxnews.com/us/wisconsin-anti-abortion-group-molotov-cocktail-arson-attack>.

[2] Chris Rickert, Group Claims Responsibility for Attack on Anti-Abortion Organization in Madison, Warns of More Violence, Wisconsin State Journal, May 10, 2022, available at [https://madison.com/news/local/crime-and-courts/group-claims-responsibility-for-attack-on-anti-abortion-organization-promises-more-violence/article\\_c56741e2-05fe-551f-ada9-078bf58db076.html](https://madison.com/news/local/crime-and-courts/group-claims-responsibility-for-attack-on-anti-abortion-organization-promises-more-violence/article_c56741e2-05fe-551f-ada9-078bf58db076.html).

[3] Aruna Viswanatha, Sadie Gurman, Almost Half of Federal Cases Against Portland Rioters Have Been Dismissed, The Wall Street Journal, April 15, 2021, available at <https://www.wsj.com/articles/almost-half-of-federal-cases-against-portland-rioters-have-been-dismissed-11618501979>; C. Douglas Golden, In Stunning Decision, DOJ Dismisses 31 of 90 Portland Riot Cases, Some Violent, The Western Journal, March 6, 2021, available at <https://www.westernjournal.com/stunning-decision-doj-dismisses-31-90-portland-riot-cases-violent/>; James Varney, Prosecutors Dismiss Looting, Rioting Charges Against Hundreds of Protesters Across U.S., The Washington Times, June 4, 2020, available at <https://www.washingtontimes.com/news/2020/jun/4/prosecutors-dismiss-looting-rioting-charges-against/>.

[4] Louis Casiano, Police Chief Association Releases Number of Officers Injured During Violent Riots, Fox News, December 1, 2020, available at <https://www.foxnews.com/us/police-chief-officers-injured-riots>; Jennifer Kingson, Exclusive: \$1 billion-plus riot damage is most expensive in insurance history, Axios, September 2020, available at <https://www.axios.com/2020/09/16/riots-cost-property-damage>.

[5] See 18 U.S.C. [Sec.] **1507**.

[6] Attorney General Merrick Garland, Department of **Justice**, Partnership Among Federal, State, Local, Tribal, and Territorial Law Enforcement to Address Threats Against School Administrators, Board Members, Teachers, and Staff, Memorandum, October 4, 2021, available at <https://www.justice.gov/ag/page/file/1438986/download>; DHS National Terrorism Advisory Bulletin, November 10, 2021, available at <https://www.dhs.gov/ntas/advisory/national-terrorism-advisory-system-bulletin-november-10-2021>; Letter from House Judiciary Committee Republicans to Hon. Merrick Garland, Department of **Justice**, May 11, 2022, available at <https://twitter.com/JudiciaryGOP/status/1524531031851909120/photo/1>.

[7] Department of **Justice**, Domestic Terrorism: Definitions, Terminology, and Methodology, November 2020, available at <https://www.fbi.gov/file-repository/fbi-dhs-domestic-terrorism-definitions-terminology-methodology.pdf/view>.

[8] Id.

[9] Attorney General Merrick Garland, Department of **Justice**, Partnership Among Federal, State, Local, Tribal, and Territorial Law Enforcement to Address Threats Against School Administrators, Board Members, Teachers, and Staff, Memorandum, October 4, 2021, available at <https://www.justice.gov/ag/page/file/1438986/download>.

Read this original document at: <https://www.ronjohnson.senate.gov/2022/5/sen-johnson-asks-biden-administration-why-attack-on-pro-life-office-hasn-t-been-labeled-domestic-terrorism>

**--- Index References ---**

Company: Federal Bureau of Investigation; The State Journal; Department of **Justice**; FOX NEWS NETWORK, LLC; THE UNITED STATES DEPARTMENT OF **JUSTICE**; THE WASHINGTON TIMES LLC; AXIOS Sustainable Growth Acquisition Corp; U.S. Department of Homeland Security; LAW ENFORCEMENT INTELLIGENT DEVICES, LLC

News Subject: (Abortion (1AB77); Government Litigation (1GO18); Legal (1LE33); Social Issues (1SO05))

Industry: (Bioethics (1BI56); Homeland Security (1HO11); Security (1SE29))

Region: (Americas (1AM92); North America (1NO39); U.S. Midwest Region (1MI19); USA (1US73); Wisconsin (1WI54))

Language: EN

Other Indexing: (Biden Administration; Wisconsin Family Action; Molotov; Jane's Revenge; Supreme Court; Madison Police Department; Anti-Abortion Group; Wall Street Journal; The Western Journal; Police Chief Association; House Judiciary Committee Republicans; Federal Bureau of Investigation; State Journal; Department of **Justice**; Fox News; DOJ; The Washington Times; Axios; U.S. Department of Homeland Security; Department of Homeland Security; Law Enforcement) (Ron Johnson; Merrick Garland; Christopher Wray; Alejandro Mayorkas; Biden; Christopher A. Wray; Molotov; Presidents; George W. Bush; George Bush; Donald Trump; Danielle Wallace; Chris Rickert; Aruna Viswanatha; Sadie Gurman; C. Douglas Golden; James Varney; Louis Casiano; Jennifer Kingson)

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Washington Times (DC)  
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May 13, 2022

Section: Commentary

### A nationwide effort to intimidate Don't hold your breath waiting for DOJ to protect pro-life groups

Scott Walker

Can you imagine the outrage if someone had thrown a Molotov cocktail into an abortion clinic in Madison, Wisconsin, earlier this week? Or how about doing the same to the headquarters of Planned Parenthood? The response would have been immediate and nationwide. Every major media outlet would still be obsessed with it today.

Instead, the reaction from local, state and federal elected officials was late and weak - and most of the media outlets have moved on. We, however, will not forget.

Early in the morning on Mother's Day, a leftist anarchist group attacked Wisconsin Family Action's office in the capital city. They broke windows and threw two Molotov cocktails into the office of the pro-family and pro-life organization. Their attack caused significant fire damage.

The anarchist arsonists painted graffiti on the side of the building by the offices. The message was similar to those posted at pro-life crisis pregnancy clinics and churches across the country. It said, "If abortions aren't safe, then you aren't either."

Protests took place during the same weekend outside the private homes of members of the Supreme Court. As someone who has been the victim of aggressive and obnoxious protests outside of my personal home, I can tell you that they are no fun. In our case, they scared an elderly widow who lived two houses away and a young family right next door.

Most of the images from the protests in Wisconsin were of the 100,000 people in and around the state Capitol. Others were outside of the official Executive Residence in Maple Bluff. But thousands of protestors also blocked off the street in front of our home in Wauwatosa - where our sons Matt and Alex were still going to the local high school at the time.

On some of the days that protesters stood out in front of our home, the only people inside were my elderly parents. Many would argue that the protests were not right. Bad as it was, doing so was still legal - as long as they were peaceful.

White House press secretary Jen Psaki said that President Biden supports peaceful protests outside the homes of the Supreme Court **justices**. During a White House press briefing this week, Ms. Psaki said, "I know there's an outrage right now, I guess, about protests that have been peaceful to date. And we certainly continue to encourage that outside of judges' homes and that's the president's position."

Not surprisingly, the president's position - according to his press secretary - does not support the rule of law.

Federal statute, 18 U.S. Code § "1507 - Picketing or parading," is quite clear. It says:

"Whoever, with the intent of interfering with, obstructing, or impeding the administration of **justice**, or with the intent of influencing any judge, juror, witness, or court officer, in the discharge of his duty, pickets or parades in or near a building housing a court of the United States, or in or near a building or residence occupied or used by such judge, juror, witness, or court officer, or with such intent uses any sound-truck or similar device or resorts to any other demonstration in or near any such building or residence, shall be fined under this title or imprisoned not more than one year, or both."

Protesters are attempting to influence a judge by protesting near the residence of a judge. They are guilty of a federal crime. Don't hold your breath waiting for the U.S. **Justice** Department to take action.

When concerned parents showed up at school board meetings to raise their concerns about closures, mandates and curriculum, the Biden administration sought to assist those labeling these parents as "domestic terrorists." It was disgraceful.

One parent, a Loudoun County father who showed up at school board meeting because his daughter was sexually assaulted by a boy wearing a dress in a girls' bathroom, was actually arrested. Scott Smith attended the meeting to express his frustrations about how the school handled the assault.

The high school boy was ultimately convicted, but only after he was transferred to another school where he committed yet another sexual assault of a different female high school student. He was also convicted of that crime.

The National of School Boards Association sent a letter to Mr. Biden around the same time asking for help from the federal government and suggesting some of these outspoken parents were domestic terrorists. Attorney General Merrick Garland responded, in part, saying, "While spirited debate about policy matters is protected under our Constitution, that protection does not extend to threats of violence or efforts to intimidate individuals based on their views."

How are the protests in front of the homes of **justices** on the Supreme Court not an effort to intimidate them? In this case, there is actually a federal law that makes it illegal to do so in front of the residence of a judge. They should be prosecuted.

- Scott Walker is the president of Young America's Foundation and served as the 45th governor of Wisconsin from 2011 to 2019.

---- **Index References** ----

Company: Young America Corporation; National School Boards Association; US **JUSTICE** DEPARTMENT.

News Subject: (Assault & Battery (1AS33); Crime (1CR87); Criminal Law (1CR79); Government Litigation (1GO18); Health & Family (1HE30); Health & Wellness (1HE60); Judicial Cases & Rulings (1JU36); Legal (1LE33); Social Issues (1SO05); Violent Crime (1VI27))

Industry: (Contraception (1CO66); Healthcare (1HE06); Healthcare Practice Specialties (1HE49); Women's Health (1WO30))

Region: (Americas (1AM92); North America (1NO39); U.S. Midwest Region (1MI19); USA (1US73); Wisconsin (1WI54))

Language: EN

Other Indexing: (Planned Parenthood; Wisconsin Family Action; Supreme Court; White House; Young America's Foundation; National of School Boards Association; U.S. **Justice** Department) (Molotov; Matt; Alex; Jen Psaki; Biden; Scott Smith; Scott Smith; Merrick Garland; Scott Walker)

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## NewsRoom

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Florida Politics  
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May 12, 2022

Marco Rubio, Ashley Moody warn feds about SCOTUS abortion intimidation

A.G. Gancarski

May 12, 2022

In separate letters to U.S. Attorney General Merrick Garland , two leading Florida Republicans raised red flags about protesters at the homes of Supreme Court **Justices**.

Anxious that the abortion framework established by 1973's Roe v. Wade may be overturned soon after the leak of a draft Supreme Court ruling , these demonstrators are targeting jurists identified as supporting a Mississippi law that bans abortion after the 15th week of gestation. And like many Republicans, U.S. Sen. Marco Rubio and Attorney General Ashley Moody both want this intimidation to stop.

Rubio's letter demanded potential legal action against demonstrators. It spotlighted "disturbing and dangerous threats against the **justices**," contenting "there is an ongoing, coordinated campaign of intimidation against the majority of the **justices** on the Supreme Court."

"It first took the form of an unprecedented leak of a draft opinion, and now, disguised as protesters, vigilantes have taken '**justice**' into their own hands," Rubio contended.

"As you know, there is an ongoing, coordinated campaign of intimidation against the majority of the **justices** on the Supreme Court," Rubio added . "The DOJ can no longer remain silent on this issue if it hopes to protect the integrity of the Supreme Court. ... Will the DOJ commit to identifying and pursuing criminal charges against those who violate 18 U.S.C. § **1507**? If not, why?"

Moody wrote to her federal counterpart with similar urgency, in a communication co-signed by a host of other Republican Attorneys General.

"The integrity of our courts is paramount to a free and democratic society. Any attempt to threaten or intimidate United States Supreme Court **Justices** so they change their votes should be thoroughly investigated by the Department of **Justice** - not just for the safety of judges and their families, but for the independence of our nation's entire judicial system," Moody asserted, in a statement accompanying the letter.

"You were quick to respond to the purported 'threat' of parents speaking out at local school board meetings (though the basis for your threat assessment was shaky to say the least). Here, in the face of escalating extremism directed at the judicial branch,

you have an obvious role to play. Congress recognized that pressuring judges to change their votes by protesting outside their homes directly threatens the rule of law.

"You profess to share those concerns, having unequivocally stated that attacking a courthouse 'to prevent judges from actually deciding cases' plainly constitutes 'domestic extremism, domestic terrorism.' You can and should act accordingly by faithfully executing federal law to prevent protesters from attempting to intimidate the **Justices** of the Supreme Court, both to protect the **Justices** and to safeguard the rule of law," the letter asserted.

Post Views: 0

---- **Index References** ----

Company: SCOTUS INC; Department of **Justice**; The Supreme Court of the United States; THE UNITED STATES DEPARTMENT OF **JUSTICE**

News Subject: (Government (1GO80); Government Institutions (1GO90); Government Litigation (1GO18); Judicial Cases & Rulings (1JU36); Legal (1LE33); National Judiciaries (1NA65); U.S. Supreme Court (1US13))

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Other Indexing: (Florida; Republicans; Republican; Congress; SCOTUS; Department of **Justice**; United States Supreme Court; DOJ) (Marco Rubio; Ashley Moody; Merrick Garland)

Keywords: (Culture Wars); (Headlines); (Attorney General Ashley Moody); (Roe v. Wade); (Supreme Court); (U.S. Attorney General Merrick Garland); (U.S. Sen. Marco Rubio)

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May 12, 2022

MIL-OSI USA: Cotton Calls on DOJ to Prosecute Protestors Outside **Justices'** Homes

MIL-OSI Publisher

US Senate News:

Source: United States Senator for Arkansas Tom Cotton FOR IMMEDIATE RELEASE Contact: James Arnold or Mary Collins Atkinson (202) 224-2353 May 11, 2022 Cotton Calls on DOJ to Prosecute Protestors Outside **Justices'** Homes Washington, D.C. - Senator Tom Cotton (R-Arkansas) sent a letter to U.S. Attorney General Merrick Garland demanding action from the Department of **Justice** in response to ongoing protests at the homes of Supreme Court **Justices** with the intent to sway the outcome of a pending case—a violation of federal law. In part, Cotton wrote, "Please explain why you have refused to enforce the federal law against picketing and protesting at the homes of Supreme Court **Justices**. Left-wing mobs have recently targeted the homes of **Justices** Roberts, Alito, Thomas, Gorsuch, Barrett, and Kavanaugh, a blatant and obvious violation of 18 USC § **1507**. These unlawful protestors widely publicized their plans, yet it appears that no federal law-enforcement officers were present to arrest the lawbreakers and no investigation is ongoing." "This is in stark contrast to when you sicced federal agents on parents who attended public meetings of school boards in public buildings. Without an adequate explanation, one can only assume that you have weaponized federal law-enforcement against your party's political opponents," Cotton continued. Cotton concluded by warning Garland that a continued refusal to enforce federal law might prompt impeachment proceedings against him in the next Congress. Text of the letter may be found here and below. The Honorable Merrick Garland U.S. Department of Justice 950 Pennsylvania Avenue, NW Washington, DC 20530-0001 Dear Attorney General Garland, Please explain why you have refused to enforce the federal law against picketing and protesting at the homes of Supreme Court **Justices**. Left-wing mobs have recently targeted the homes of **Justices** Roberts, Alito, Thomas, Gorsuch, Barrett, and Kavanaugh, a blatant and obvious violation of 18 USC § **1507**. These unlawful protestors widely publicized their plans, yet it appears that no federal law-enforcement officers were present to arrest the lawbreakers and no investigation is ongoing. Further, President Biden's own press secretary announced this week that the Biden administration "certainly continue[s] to encourage [protests] outside of judges' homes, and that's the president's position." This is in stark contrast to when you sicced federal agents on parents who attended public meetings of school boards in public buildings. Without an adequate explanation, one can only assume that you have weaponized federal law-enforcement against your party's political opponents. When you last testified at the Senate Judiciary Committee, I recommended that you resign in disgrace. Unfortunately, I see you haven't taken my advice. If you don't take immediate action to enforce the law even-handedly against your party's political opponents, perhaps the next Congress should take matters into its own hands with impeachment proceedings. Sincerely,

MIL OSI USA News -

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Company: Department of **Justice**; Senate Budget Committee; THE UNITED STATES DEPARTMENT OF **JUSTICE**; U.S. NEWS & WORLD REPORT, L.P.

News Subject: (Government (1GO80); Government Institutions (1GO90); Government Litigation (1GO18); Judicial Cases & Rulings (1JU36); Legal (1LE33); National Judiciaries (1NA65); U.S. Supreme Court (1US13))

Industry: (Agriculture (1AG63); Agriculture, Food & Beverage (1AG53); Cotton & Fibers Farming (1CO75))

Region: (Americas (1AM92); Arkansas (1AR83); North America (1NO39); U.S. Southeast Region (1SO88); USA (1US73))

Language: EN

Other Indexing: (Supreme Court; Congress; Department of Justice950; 2022 Multimedia Investments Ltd; Contify.com; Department of **Justice**; Senate Judiciary Committee; DOJ; US Senate News) (Tom Cotton; James Arnold; James D. Arnold; Mary Collins Atkinson; Merrick Garland; Roberts; Alito; Thomas; Gorsuch; Barrett; Kavanaugh; Biden)

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5/12/22 FOX: SPECIAL REP. (Pg. Unavail. Online)  
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FOX: Special Report  
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### President Joe Biden Speaks With Retailers And Manufacturers Of Baby Formula; Abbott Laboratories Effort To Increase Supply; April Producer Prices...

President Joe Biden Speaks With Retailers And Manufacturers Of Baby Formula; Abbott Laboratories Effort To Increase Supply; April Producer Prices Signal Lasting Inflation; Mehmet Oz, David McCormick And Kathy Barnette In Tight Pennsylvania Race; Russian Tension: Moscow Warns Finland Over NATO Membership Bid; Rebuilding Cities: Russian Troops Continue Military Attacks; House Committee Investigating January 6th Riots Asking Congressmembers To Testify; Republicans Calling On **Justice** Department To Protect Homes Of Supreme Court **Justices** Due To Continued Protesting; Wildfire In Southern California Damages Mansions; New Images Released Of Black Hole At Center Of Milky Way Galaxy; White House Attends COVID Summit; Biden Administration Attempts To Address Ongoing Concern Over Inflation In U.S. Economy

DAGEN MCDOWELL, FOX NEWS CHANNEL HOST: And Hemmer town has been on Twitter trying to psych me out saying I'm going to win, but I know I'm -- wait, wait, yes, never mind. Maybe I'll lose but you never know.

JEANINE PIRRO, FOX NEWS CHANNEL LEGAL ANALYST: All right. I hope you win. That's -- well, I love Bill too. That's it for us, SPECIAL REPORT is up next. Hi, Shannon Bream.

SHANNON BREAM, FOX NEWS CHANNEL HOST: Hi, Judge, you know what, you may have to make a deciding judgements on those two? That's a tough one, Dagen versus Bill. We'll be watching.

PIRRO: Yes.

BREAM: Thanks, Judge.

PIRRO: Take care.

BREAM: Good evening, welcome to Washington. I'm Shannon Bream in for Bret Baier.

Breaking tonight, growing concerns about the nationwide shortage of baby formula. The White House says President Biden recognizes more needs to be done. It says supplies are increasing but hoarding is now becoming a problem. The president met with suppliers today.

We have Fox team coverage Grady Trimble in Sturgis, Michigan where a major formula manufacturer is still shut down. We began with White House Correspondent Jacqui Heinrich and yet another major challenge for the administration. Good evening, Jacqui.

JACQUI HEINRICH, FOX NEWS CHANNEL CORRESPONDENT (on camera): Good evening to you, Shannon.

Well, the pandemics fueled supply chain problems have been creating shortages for baby formula for months, but a voluntary recall from major manufacturer Abbott, which prompted the FDA to shut down that plant amplified the problem.

Now, there are signs the White House should have seen this coming sooner and the FDA possibly could have done more.

(BEGIN VIDEO CLIP)

HEINRICH (voice over): According to Politico, a former employee at Abbott's Sturgis, Michigan plant reported safety concerns to senior FDA officials in October, but the FDA didn't interview that whistleblower until December. The plant inspection didn't happen until January 31st. Then, the recall happened February 17th.

So, is that timeline acceptable to the White House? And if not, what is the White House doing to correct that at the FDA?

JEN PSAKI, WHITE HOUSE PRESS SECRETARY: I'm sure there will be plenty of time to take a look at if there are any issues that could have been improved here. I don't have any specific analysis of that at this moment in time. What I will notice that there has been work on going on this for months.

HEINRICH: The White House revealed some of that work in a new fact sheet today, telling the USDA to allow buyers paying with WIC benefits to use them for a wider variety of products, calling on the FTC to crack down on price gouging and ramping up imports from abroad while pushing manufacturers at home to produce more.

But while the president has unveiled plans to increase competition in other consolidated markets like meatpacking, so far, it's not on the agenda for formula.

PSAKI: It's a good question. I have not been made aware of that being a concern here. But I'm happy to raise it and see if there's more, I'd tell you.

HEINRICH: Republicans are pushing Democratic leaders in Congress to move up their timeline.

UNIDENTIFIED FEMALE: House Democrats plan is to have a hearing two weeks from now. I can tell you as a new mom, families and moms and dads and babies can't wait two weeks.

HEINRICH: The Biden administration is considering invoking the Defense Production Act, but first, trying to ensure it would deliver the intended outcome.

In the meantime, the White House is not issuing guidance for families on what they should do if they run out.

UNIDENTIFIED FEMALE: Is there a hotline that they can call? Should they take a baby to the hospital? What should they do?

PSAKI: Well, I would say those are important public health questions. But what I can report on here, what I can convey to all of you is what we're doing to address exactly that concern.

(END VIDEO CLIP)

HEINRICH (on camera): And the White House says because of their actions, manufacturers have produced more formula in the past four weeks than the four weeks preceding the plant shutdown and that recall, but after Abbott's plant reopens, it's going to take another eight weeks for that formula to reach store shelves and in the meantime, parents who are driving around to different stores searching for it are also paying record high gas prices, Shannon.

BREAM: That is a tough combination. And Jacqui, congressional Republicans are alleging there's no shortage of formula at the southern border. They say taxpayer dollars are actually using that to supply migrant processing facilities. What have you learned?

HEINRICH: Yes, so Republican Congresswoman Kat Cammack of Florida is on the Homeland Security Committee and she says that they are launching a formal inquiry into this after Border Patrol agents sent her pictures and videos showing pallets of unopened formula and diapers at the Donna and Ursula processing facilities.

She says that those agents tell her even more shipments are expected in the coming days. So, we plan to ask the White House for their response and more information on this, Shannon.

BREAM: We'll be standing by for that Jacqui, thank you.

So, let's take a closer look at what is happening at that troubled Abbott Laboratories facility in Michigan. Fox Business Correspondent Grady Trimble is in Sturgis tonight.

(BEGIN VIDEO CLIP)

GRADY TRIMBLE, FOX BUSINESS NETWORK CORRESPONDENT (voice over): As parents across the country struggled to find baby formula, still no relief.

MICHELLE WILLARD, MOTHER: One week, I'm thinking to myself, am I not going to have formula to feed my child?

UNIDENTIFIED FEMALE: It's still scary sometimes thinking that, OK, we have maybe two bottles left and we have to go get formula and we might not find it.

TRIMBLE: No word on when one of the country's top formula makers Abbott could restart production at its Sturgis, Michigan plant. Even after it does, it could take up to two months before that product hits shelves.

The factory has been shuttered since Abbott issued a voluntary recall in mid-February. Four kids using Abbott's formula got sick, two of them died.

The company now says after a thorough review of all available data, there's no evidence to link our formulas to these infant illnesses. This chart shows how the problem got worse after the recall.

But even before February, formula shortages were cropping up. Now, nationwide, the supply of baby formula is 43 percent below normal. States in red like Arizona, Nevada, Tennessee and Texas have an out of stock rate of more than 50 percent.

RUDOLF LEUSCHNER, ASSOCIATE PROFESSOR, RUTGERS BUSINESS SCHOOL: The government can only play a coordinating role, retailers might be able to share inventory. Manufacturers might be able to coordinate how they purchase products, and everybody can try to find different ways to raise their capacity.

TRIMBLE: Only a handful of companies make almost all of the country's formula. To make up for the factory shut down, Abbott says it's flying in product from Europe. Other companies say they're ramping up production.

PETER PITTS, FORMER ASSOCIATE COMMISSIONER OF FDA: Simply can't turn it up to 11 so to speak and produce more formula. These are very precise manufacturing mechanisms. And changes have to be made with FDA's OK. You can expedite but you can't rush, rushing causes problems.

(END VIDEO CLIP)

TRIMBLE (on camera): Abbott says it's waiting for the go ahead to restart production here. It needs the FDA it says to do that. We've asked the FDA why it hasn't given the OK for Abbott to start making formula again and they haven't given us a clear answer, Shannon.

Once it does get going again and the factory is up and running, the company says it can start making formula within two weeks, Shannon.

BREAM: All right, Grady Trimble, thank you very much.

Stocks were mixed, the Dow lost 104, the S&P 500 fell five, NASDAQ finished ahead seven.

Another shot of bad inflation news for the economy since Wall Street on a wild ride and sparks more talk about a recession.

Fox Business Correspondent Madison Alworth is in New York tonight. Good evening, Madison.

MADISON ALWORTH, FOX BUSINESS NETWORK CORRESPONDENT (on camera): Good evening, Shannon. We got another round of inflation data today that could show a bumpy road ahead for our economy. The Producer Price Index rising 11 percent year over year in the month of April, its fifth consecutive month of double digit gains.

The Producer Price Index measures what suppliers are charging businesses and other customers and generally reflects supply conditions in the economy. It could signal more inflation pressure building.

The fear is that more inflation could drive the U.S. into a recession. And that is the tough position that the Federal Reserve sees itself in, trying to thread an economic needle, extinguishing red hot inflation while trying to avoid recession and job loss.

But Federal Reserve Chair Jerome Powell receiving a show of support from the U.S. Senate today confirming him for a second term on an 80 to 19 vote. Inflation will be the biggest issue for law and policy makers. Prices for necessities like food and energy are surging year over year. It is eating into Americans paychecks and they feel stuck.

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: I'm going to pick up my daughter from college, I'm going to probably use all \$115 and then come back, fill up and so I can get to work as well.

I've already committed to certain things and that's why this is a big shock. I have no choice but to fill up my gas tank and pay this money, there's no other choice.

(END VIDEO CLIP)

ALWORTH: And it's not just Main Street. This year, Wall Street is feeling the hurt. Major indices down double digits for the year. The tech heavy NASDAQ down nearly 30 percent driven by sell offs of blue chip stocks like Netflix, Meta, Apple and Amazon.



Another big tech name in uncertain territory, Twitter, the company announcing that they will freeze hiring amid a takeover by billionaire Elon Musk. They are also laying off some executives. One executive confirming via tweet today that he was let go because they want to take the team in a different direction.

Musk Twitter deal is expected to close this year but we could still be months away from that, Shannon.

BREAM: Madison Alworth, thank you so much.

The Biden administration is canceling one of the most high profile oil and gas lease sales pending before the Interior Department. The government is halting the potential to drill for oil in more than one million acres and Alaska's Cook Inlet along with to lease sales in the Gulf of Mexico. The move comes as gasoline prices continued to hit record levels.

Joining us now is Dr. Mehmet Oz who is one of the GOP contenders in the Senate primary in Pennsylvania coming up in just days. Doctor, great to have you with us.

DR. MEHMET OZ (R), SENATORIAL CANDIDATE FOR PENNSYLVANIA: Great to be here, Shannon.

BREAM: Let's start with this has gotten to be an incredibly tight race. I want to pull up some Fox News polling brand new on this. It has got you at the top of the pack at 22 percent. McCormick follows you at 20 percent. Barnette at 19 percent. That's essentially within our margin of error.

So, I want to give you a chance to hear from your critics and a chance to respond as you all are all neck and neck at this point. Here are some jabs at why you aren't as qualified as they are.

(BEGIN VIDEO CLIP)

DAVID MCCORMICK (R), SENATORIAL CANDIDATE FOR PENNSYLVANIA: The reason Mehmet keeps talking about President Trump's endorsement is because he can't run on his own positions and his own records. And what's true is that he has flip flop on every major issue we're talking about in this campaign.

KATHY BARNETTE (R), SENATORIAL CANDIDATE FOR PENNSYLVANIA: When these carpetbaggers lose, you will never see them again. And if they should win, you will never see them again.

(END VIDEO CLIP)

BREAM: Is former President Trump's endorsement enough for the voters of Pennsylvania or do you offer them more?

OZ: I offer lots more, although it helps tremendously. President Trump's endorsement opens people's minds. You know, they call you back, they take meetings, which is an important opportunity for a candidate to articulate why they're the best person.

I'm strongly pro-life, strongly favor the Second Amendment, Ted Nugent endorsed me, these are two attacks, by the way that have come up that are driven by \$35 million of negative advertising primarily from outside Pennsylvania.

But the voters have figured that out. And as President Trump warned me, you know, when you're an outsider, the insider -- the establishment they come after with everything they've got.

And I've been able to stand on my own two feet very proudly. And live up to the promise of my campaign, which is identify why Washington is getting it wrong, why do they not align with our values. And knowing that I can go to Washington and be

a bold, loud voice for our commonwealth is what everyone in that I talked to is looking for. And I can deliver that because I've been doing it on television and in my operating room for many years.

BREAM: So, let's talk about the issue that has been one of those level against you is that you flip flopped on the issue of abortion. Here are your two primary opponents on that.

(BEGIN VIDEO CLIP)

BARNETTE: I've seen him on numerous occasions, and specifically at the Breakfast Club saying that my life was nothing more than a corn with electrical currents. I am wondering if the doctor has now since changed his position on that.

MCCORMICK: If you go back to that Breakfast Club interview, he'd tax the pro-life for picking fights, he attacks states to put in pro-life legislation as disrupting business. And this is something that you have to deal with Mehmet, because you've got a track record that's completely opposite.

(END VIDEO CLIP)

BREAM: OK, so that Breakfast Club interview was a radio interview back in 2019, in which you said that you were pro-life but that you wouldn't interfere with everyone else's stuff is the quote, because it's hard enough to get into life as it is.

So, what about the accusation that you have flipped or changed on that position?

OZ: I was clear in that interview. And it's the only one that keep talking about that I was against the law from Alabama that would ban abortions and all exceptions.

And I'm of the belief as a doctor that if the life of the mother is truly at risk, that will be an exception that is acceptable.

And I just think Kathy Barnette doesn't like that. And I as a heart surgeon respect the sanctity of life, I believe life starts at conception. I take care of babies when they're first born, I know this specialness of the baby and nine months earlier, it's still life.

But she's raised questions in her own candidacy that she's refused to answer as I'm answering yours right now. She's supported Black Lives Matter and one today statue of President Obama in place of other structures that are sacred to our country. She attacked the founder of our country, George Washington, as well as attacking President Trump.

And what's ironic is big money groups, Never Trump groups have now come into Pennsylvania with outside money. And they are wrongly supporting Kathy Barnette and putting her in contention.

And this is a candidate who lost by 20 points when she ran for Congress 18 months ago. So, she's not going to do on the general election, which is why President Trump has over and over again even today, put out a new announcement saying that I'm the one to support because I can win in November. And that's what we need as Republicans and other senator to take the place of the currently retired Republican senator in Pennsylvania.

If you want that, you should vote for Dr. Oz which is I think why I'm still leading in the polls.

BREAM: Well, they are tight. They are within the margin of error. She is surging and what is a good time for her. I am going to speak with her in a couple of days and we'll ask her those questions that are now bubbling up. Dr. Oz, in the meantime, great to have you.

OZ: God bless, take care.

BREAM: We will also have David McCormick on SPECIAL REPORT tomorrow night, but up next look at the death and devastation left behind by Russian troops in one Ukrainian town.

First, here's what some of our Fox affiliates around the country are covering tonight. WFXT in Boston as Governor Charlie Baker agrees to a \$56 million settlement in a lawsuit against Massachusetts over its treatment and care of veterans at the Holyoke Soldiers' Home. During the pandemic, 84 veterans died during the outbreak at the facility. Dozens more veterans were sickened.

Fox 9 in the Twin Cities as severe storms that pushed across Minnesota leave behind damage, downed trees, flooding and power outages. Utility officials said this morning they were working to restore power to some 30,000 customers.

And this is a live look at Miami from WSVN. One of the big stories there tonight, police trying to identify several good Samaritans who stopped to help a woman suffering a medical episode in the middle of a very busy intersection in Boynton Beach.

Traffic cameras capture the people springing into action to help the woman. Her daughter says she likely had a reaction to medication. She's doing great now.

That is tonight's live look outside the beltway from SPECIAL REPORT. We'll be right back.

(COMMERCIAL BREAK)

BREAM: Pentagon officials confirmed North Korea fired three short range ballistic missiles toward the sea today. It is the latest in a series of demonstrations this year. It came just hours after North Korea confirmed its first official case of Coronavirus since the pandemic began. President Biden is scheduled to visit Japan and South Korea later this month.

Finland's leaders have come out in favor of applying to join NATO and Sweden could do the same within days. The Kremlin is warning Finland it will be forced to take retaliatory military technical steps.

Meanwhile, residents are returning to the town of Bucha after the Russian occupation left a trail of death and destruction. Here's Senior Foreign Affairs Correspondent Greg Palkot.

(BEGIN VIDEOTAPE)

GREG PALKOT, FOX NEWS CHANNEL SENIOR FOREIGN AFFAIRS CORRESPONDENT (voiceover): The shockwave from the war in Ukraine reached further today. Finland saying we're to break decades of neutrality and apply for membership to NATO. Russia's aggression directly responsible.

PEKKA HAAVISTO, FINNISH FOREIGN MINISTER: Russia's invasion of Ukraine has altered the European and Finnish security environment.

PALKOT: It means Russia would double its shared border with NATO countries by another 800 miles. Sweden also looks like it will join NATO ranks. Approval from the alliance is expected. Russia is threatening unspecified actions.

DMITRY PESKOV, PRESS SECRETARY, KREMLIN (through translator): NATO expansion does not make our continent more stable and secure.

PALKOT: And that's not all from Moscow. With U.S. and Western military aid pouring into Ukraine, former Russian President Medvedev warned that could push the conflict into a direct war between Russia and NATO. And with economic sanctions biting, President Putin his grousing as well.

VLADIMIR PUTIN, PRESIDENT, RUSSIA (through translator): These sanctions largely provoke the global crisis.

PALKOT: Russian testing is perhaps a sign all is not well on the battlefield. Russian troops pulling back from Ukraine's second city of Kharkiv, grinding slowly on the Eastern Front, as the Ukrainian fighters in the Mariupol steel mill still hold out amid more signs of Russian military brutality.

The U.N. saying today more than 1000 Ukrainian civilians were killed by Russian troops during the occupation of suburbs north of Kyiv including the town of Bucha where locals are returning. Markets are reopening. Buildings are being repaired. The town's mayor sounded determined.

ANATOLIY FEDORUK, MAYOR, BUCHA, UKRAINE (through translator): It is our moral obligation to improve the city after the atrocities here, he says.

PALKOT: But with the scars of Russian horror all around and services and jobs still in short supply, residents aren't so sure.

ALEXEY CHERKASHIN, RESIDENT, BUCHA, UKRAINE: Of course we all want to restart here but our feelings are pretty bad.

(END VIDEOTAPE)

PALKOT (on camera): The street that gentleman lives on just about a month ago was littered with bodies, Ukrainian civilian, victims of Russian killing. Actually, that fellow ended on a positive note telling us we will live and we will win. Many here can only hope. Shannon?

BREAM: The determination is inspiring, Greg, thank you. Up next, a setback in attempts to provide Supreme Court **justices** more protection in the wake of the abortion draft leak.

But first, beyond our borders tonight, a Chinese passenger jet veers off the runway during takeoff and catches fire. More than 30 people were injured. Video shared by state media shows the left side of the aircraft on fire as people who appear to be passengers head away from the scene.

Qatar's Emir arrives in Iran for talks with the Iranian president as efforts to save Tehran's tattered nuclear deal with world powers hit a deadlock. State media says bilateral, regional, and international issues are on the agenda during that visit.

Spain says the land borders between its North African enclaves of the Ceuta and Melilla in Morocco will reopen next week. They have been closed for more than two years due to COVID 19 restrictions and tensions between the two countries.

Just some of the other stories beyond our borders tonight. We'll be right back.

(COMMERCIAL BREAK)

BREAM: Federal prosecutors are starting a grand jury investigation into the possible mishandling of classified documents that were found at former President Trump's Florida home. That's according to The New York Times. The report says the probe is examining the role of the Trump administration in the handling of sensitive materials during the final stages of his presidency.

Breaking tonight, House investigators have issued subpoenas to five Republican lawmakers including Minority Leader Kevin McCarthy as they look into last year's Capitol riot. Congressional Correspondent Chad Pergram has the details from Capitol Hill. Hello, Chad.

CHAD PERGRAM, FOX NEWS CHANNEL CONGRESSIONAL CORRESPONDENT: Good evening, Shannon. It is unprecedented for Congress to issue a subpoena to sitting lawmakers for testimony. Here are the five members who won't cooperate, all from the GOP, Minority Leader Kevin McCarthy, Jim Jordan, Scott Perry, Mo Brooks, and Andy Biggs.

(BEGIN VIDEO TAPE)

REP. ANDY BIGGS (R-AZ): This is an illegitimate committee, so we don't dignify what they're doing.

PERGRAM: Mo Brooks tweeted that if the committee wanted to hear from him, it should issue a subpoena. So the committee took Brooks' offer.

UNIDENTIFIED MALE: We feel that members that know information about January 6th, that they have an obligation to come forward.

PERGRAM: If the members don't comply, the House could vote to hold them in contempt that could trigger a prosecution by the DOJ.

Do you think that the House, if they don't comply with these subpoenas, that the House should vote to hold them in contempt?

UNIDENTIFIED FEMALE: If they don't comply, yes, I do. And I look forward to doing that.

PERGRAM: That's pretty rare to do that, because the House has its own --

UNIDENTIFIED FEMALE: It's excessively rare, but then again, so are insurrections.

PERGRAM: The committee did not Arab subpoena for GOP Georgia Representative Marjorie Taylor Greene.

REP. MARJORIE TAYLOR GREENE (R-GA): They need to dissolve that committee. It's not even real. Excuse me, I have to go.

PERGRAM: So you wouldn't comply with a subpoena?

House committee chairs say it's rare for anyone to ignore a subpoena.

REP. ADAM SMITH (D-WA): January 6th is a big damn deal, OK? To the extent the Republicans just want to sort of wish it away and pretend that it didn't happen, or change happened, I completely support the Speaker in saying we can't do that.

(END VIDEO TAPE)

PERGRAM (on camera): The 1/6 committee plans a wave of public hearings, some in prime time, in June. Shannon?

SHANNON BREAM, FOX NEWS ANCHOR: We know you will be right there on the front lines covering it. Chad, thank you.

There continues to be massive controversy about that leaked Supreme Court draft on Roe v. Wade and the aggressive response by pro-choice activists. The **Justice** Department has finally commented on the demonstrations at the homes of some of the **justices**, and today officials in one suburban Washington community refused to establish a security perimeter around those homes. Chief Washington correspondent Mike Emanuel has the latest tonight.

(BEGIN VIDEO TAPE)

UNIDENTIFIED MALE: If we don't get it.

MIKE EMANUEL, FOX NEWS CHIEF WASHINGTON CORRESPONDENT: After days of protests around the homes of conservative Supreme Court **justices**, Senate Republican leader Mitch McConnell is calling out Attorney General Merrick Garland to enforce the law.

SEN. MITCH MCCONNELL (R-KY): One would think a DOJ run by the former chief judge of the D.C. circuit would need no prodding, no prodding, to protect judicial safety and judicial independence.

EMANUEL: Two Democrats have split with the White House and other members of their own party on protests, House Majority Leader Steny Hoyer and Senate Democratic Whip Dick Durbin.

SEN. DICK DURBIN (D-IL): I think it's reprehensible. Stay away from homes and families of elected officials and members of the court.

EMANUEL: The Senate majority leader is on the other side of this issue there.

SCHUMER: If protests are peaceful, yes, my house is -- there's protests three, four times a week outside my house.

EMANUEL: Unlike protesting politicians, judges are a special category. Title 18, Section **1507** of U.S. code says it is illegal with the intent of influencing any judge to pickets or parades in or near a building or residence occupied or used by such judge, juror, witness, or court officer.

Virginia Governor Glenn Youngkin is asking Fairfax County authorities to extend security perimeters around the homes of three **justices** who live there. The county said no. The commonwealth's attorney general says the **Justice** Department must step up, too.

It's a clear violation of section **1507**, and they are trying intimidate witness -- intimidate Supreme Court **justices**.

(END VIDEO TAPE)

EMANUEL (on camera): The **Justice** Department has prosecuted cases before for people disrupting oral arguments in their workplace at the court. Some experts suggest protesters could also be charged with obstruction of **justice** for acts aiming to intimidate and influence the Supreme Court **justices**. Shannon?

BREAM: Mike, I'm sure this isn't going to wrap up any time soon. We'll continue to follow it. Thank you.

EMANUEL: Thanks.

BREAM: Some very expensive mansions have sustained heavy damage from a wildfire in southern California. National correspondent William La Jeunesse has the latest from Laguna Niguel. Hello, William.

WILLIAM LA JEUNESSE, FOX NEWS NATIONAL CORRESPONDENT: Well, Shannon, this house was for sale, seven bedrooms, \$10 million. And yet you can see it is a total loss. Despite being very fire resistant, you have a tile roof -- and yet this fire claimed about 20 homes in this subdivision about halfway between San Diego and Los Angeles.

So the fire broke out about 24 hours ago. Blue skies, 65 degrees, 53 percent humidity, the second week in May. And the -- had the support, the Phos-Chek, tankers, helicopters, engine crews, virtually every other driveway. It was not enough as embers entered open windows and attic vents and destroyed these homes from the inside out.

Now, what you are looking at is the back of the house. I want to show you the front of it this morning, and why this fire is not over until the last ember is out.

(BEGIN VIDEO TAPE)

LA JEUNESSE: So this house was destroyed last night. Firefighters tried to put it out to stop the embers from catching other homes next door on fire. This house appeared to have been saved, but as you can see, the fire has reignited about 12 hours later.

(END VIDEO CLIP)

LA JEUNESSE: So there are about several hundred firefighters here now mopping up and making sure that this fire does not reignite and we have a repeat of what we had yesterday.

Now, from here, you can see the ocean, right? That's where the fire began, down there, raced up this hill, driven by about 30 mile an hour winds. The embers shot over this ridge and into the backyards you see over there.

Now, we have seen a lot of insurance adjustors here today counting their losses. This is a state where many companies have already stopped underwriting, and they have pulled out. So Shannon, you have to consider this a warning, right? So today we are told this is probably emblematic of what is going to be a very long fire season. In fact, January to April was the driest four months on record in California. Back to you.

BREAM: Stunning images. William, thank you very much.

President Biden marking the death of a million Americans in the coronavirus pandemic. The president calling it a tragic milestone. He is urging Congress to sustain funding for additional testing, vaccines, and treatments. The move comes as the White House hosts a global COVID summit.

Up next, something you probably have never seen before, a look at this super massive black hole at the center of our galaxy.

(COMMERCIAL BREAK)

BREAM: We are getting our first look tonight at the super massive black hole at the center of our galaxy. It comes from a collection of telescopes around the world.

Correspondent Alexis McAdams has the picture tonight. Good evening, Alexis.

ALEXIS MCADAMS, FOX NEWS CORRESPONDENT: Good evening, Shannon. That's right, and we're going to show you that picture in a second. Now, scientists tell us tonight that this black hole is 4 million times bigger than the sun. Take a look here on your screen. This is the first look that we just got today of this super massive black hole. It's at the center of earth's Milky Way galaxy. Here you can see that glowing ring of radiation surrounding that darker dish. That's actually the edge of the black hole.

The super massive black hole is also called Sagittarius A. The collapsed star is located about 27,000 light years, or 159 quadrillion miles away from earth. So that far away it's practically invisible to optical telescopes. So this collaboration used eight different telescopes spread across the world collecting data from Antarctica to Hawaii. Black holes are extremely dense

and have such strong gravity that not even light can escape, dragging in everything from stars to gas to planets. But this black hole taking in less than expected. Researchers calling it a gentle giant.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: First, we see that only a trickle of material is actually making it all the way to the black hole. If the star were a person, it would consume a single grain of rice every million years.

(END VIDEO CLIP)

MCADAMS: It's the second black hole ever to be imaged by telescope. Back in 2019, the same group captured this historic but more distant image from a galaxy far, far away. And Shannon, astronomers believe that every galaxy including our own has a black hole at its center, and they're working, as they always are, every single day to better their technology and their telescopes to get a closer and clearer image of these black holes. Shannon?

BREAM: I can't even get my mind around those numbers. Alexis, thank you so much for that report.

So my colleague Bret Baier recently sat down with former national security adviser Robert O'Brien and actor Sean Penn to discuss the war in Ukraine. We brought that you weeks ago. The full event is now streaming on FOX Nation. Here is part of the interview.

(BEGIN VIDEO CLIP)

BRET BAIER, FOX NEWS ANCHOR: There are elements of both parties, Democrats and Republicans, who say, listen, why is this in our national interest? Why should we push this envelope? Why should we possibly face World War III with a nuclear armed Russia? There are elements of both sides, progressives and conservatives, who do say that today. And what do you say to them?

SEAN PENN, ACTOR: Well, a lot of in is, you know, what if Ukraine loses? And look at how they have lost, and the children killed and the women raped and mutilated, and all the brave soldiers, men, women, and children who are fighting for the same dream that we share.

And I think the better question is, what if Russia wins? And so this avoidance of nuclear war, if we maintain it for that reason, God knows there could be nothing more horrifying. And yet, those weapons exist. They are in the Russians' hands. They are in our hands. They are in Chinese hands. They are in Pakistani hands they are in many hands. But for the possibility, yes, of nuclear war, that's putting nuclear war off to another day if that's going to happen. That's putting it off to another battle.

ROBERT O'BRIEN, FORMER NATIONAL SECURITY ADVISER: Sean makes some great points there. What I would say is that, look, we have one of the great things that's happened in all of our lifetimes was the end of the cold war and the freeing of states in eastern Europe -- Poland, the Czech Republic, the Slovak Republic, Bulgaria, Romania, the Baltic states, the captive nations that we all learned about in school growing up. If Putin is successful in Ukraine, he is going to go after the Baltics next.

(END VIDEO CLIP)

BREAM: You can see that entire year right now on FOX Nation.

Up next, Hugh Hewitt, Kim Strassel, and Jeff Mason on more bad inflation news, and the White House COVID summit.

(COMMERCIAL BREAK)



(BEGIN VIDEO CLIP)

JOE BIDEN, (D) PRESIDENT OF THE UNITED STATES: We inherited an economy on the brink of a great depression. Millions of people losing their jobs, losing their homes, but even more importantly, losing hope.

There's more than one way to deal with the impact on a family than what we are doing, and we are going to beat inflation.

JANET YELLEN, TREASURY SECRETARY: It is really the number one economic issue that faces the administration and the nation.

PATRICK MCHENRY, (R-NC) HOUSE FINANCIAL SERVICES COMMITTEE: What actions are you taking to relieve the pain of families? We have to ask them, what are you actually doing? What does it mean?

(END VIDEO CLIP)

BREAM: Let's bring in our panel to talk about that, syndicated radio host Hugh Hewitt, Kimberley Strassel, a member of the editorial board at "The Wall Street Journal," and Jeff Mason, White House correspondent for Reuters. Welcome to all of you.

Today, just for kicks, I went up to Gallup's polling that they do constantly, talking about what's the most important issue facing the country. And Kim, not surprising today, 35 percent of the respondents had the economy at the top of their list. The administration is scrambling on this no matter what they try it seems at this point.

KIMBERLEY STRASSEL, "WALL STREET JOURNAL": Yes, the Democrats spent the last week talking endlessly about abortion, clearly hoping to change focus and get Americans' minds on something else. But those polls show that this is a pervasive problem now for them. What's even more worrisome is if you look at the numbers this week, whether it really suggests is that we have got soaring demand, too few workers, and that we're now in what is called a wage-price cycle where companies have to spend more to get workers to stay or come on. They then hike their prices. Then workers demand yet higher wages, and up we go.

And if that's the case, the White House is really going to struggle to do anything about this. And then add in that most of what it is doing in that it's cutting back on energy supplies and adding regulations that make companies pull back, this is the exact opposite what you need to be doing to help yourself politically and economically.

BREAM: So to the point of energy supplies, I want to play a little back and forth involving Secretary Yellen, and they gets to domestic production.

(BEGIN VIDEO CLIP)

ANDY BARR, (R-KY) HOUSE FINANCIAL SERVICES COMMITTEE: Did FSOC consider the substantial risk that is actually now materialized that overregulation of the fossil energy sector, ending Keystone, blocking lease sales on federal lands, constraining supply of energy, has actually undermined financial stability, specifically historic inflation and \$4.37 a gallon gas?

JANET YELLEN, TREASURY SECRETARY: I think we owe that to the failure of our domestic industry to ramp up production to pre-pandemic levels.

BARR: I don't think that's what they say. I think they say they can't get approval.

(END VIDEO CLIP)

BREAM: And Hugh, there is a lot of back and forth on that. There is the White House calling out the oil companies as bad guys, as people who are profiting off of difficult circumstances, and saying that they aren't using domestic production. They are saying this isn't something that happens overnight. We can't get approval for some of these projects, and there are major investments involved. Where do you come down on this?

HUGH HEWITT, SYNDICATED RADIO HOST: I come down that Secretary Yellen actually made me draw back and wonder when she said the production companies are not willing to produce. This very day the administration canceled oil and gas leases in Alaska. Last week they withdrew them in the Gulf of Mexico. Of course, we can go back to Keystone. This is an anti-energy administration. And that, of course, as Kimberley just said, increases pressure. Energy markets are forward-looking, and so long as they see ahead of them obstacles from every department, regulatory impediments from every official with a pen and a bureaucratic sense of mission, they are not going to produce. I just can't actually believe that Janet Yellen said it's the producers' fault when Joe Biden is throwing every obstacle in the way he can of lowering gas prices.

BREAM: Well, Jeff, and it's not just conservatives who have critiques for this administration. "The Washington Post," not a right-leaning publication, says this, "For much of the last year the Biden administration wrongly told the American public that rising prices would be short-lived. When it became clear that inflation would not come down on its own, the White House began a blame game. One of its favorite talking points is to pin inflation on greedy corporations for hiking prices too much. That just doesn't add up." That is from the editorial board, Jeff.

JEFF MASON, WHITE HOUSE CORRESPONDENT, "REUTERS": Well, and they are also citing the impact of the war in Ukraine and the ongoing impact of the ongoing pandemic. But "The Washington Post" is certainly right to say that the administration last year said that inflation would be transitory. It did not turn out to be that way. I, in fact, asked President Biden a question about that earlier this week after his speech about inflation. I said, you initially thought this was going to be transitory. That's not the case. What is your projection now? And he didn't want to give a projection, and that's probably because they just don't know.

They want it to come down obviously. It is not only an economic liability for this president. It is also a political liability going into the November midterms.

BREAM: OK, let's talk COVID. The White House was part of this global COVID conversation today. Here is what the president said about where we are.

(BEGIN VIDEO CLIP)

JOE BIDEN, (D) PRESIDENT OF THE UNITED STATES: There is still so much to do. This pandemic isn't over. And with thousands still dying every day, now is the time for us to act, all of us together. We all must do more.

KAMALA HARRIS, (D) VICE PRESIDENT OF THE UNITED STATES: We have called upon the United States Congress for \$22.5 billion in additional emergency funding to battle COVID.

(END VIDEO CLIP)

BREAM: OK, let me put up another number here, because this is important. While they're asking for that funding and saying this is not over yet, the American people who are worried about COVID and our situation, these numbers have steadily dropped. People worried about getting COVID, back in April of 2020 were at 69 percent. We're now at 17 percent. So, Hugh, how do you convince the average American that we need billions more dollars for something that they seem like they may be coming to terms with as part of daily life?

HEWITT: It cannot be done because the American people don't believe it. Those who want to be vaccinated and boosted are vaccinated and boosted and they are traveling, and they are living their ordinary lives. A COVID summit will do nothing except add clichés to the boosters.

They are trying to turn the page away from the economy of the United States. The American people are over COVID, and they are not going to go back to COVID. And I think the administration knows that, but they have got to do something with the president that doesn't let him wander around a microphone in hand in an audience making gaffes.

BREAM: And Kim, it is one of the few topics that in all of the polling he is not upside down. He is on immigration, the border, Russia, the economy. But he is starting to make gains on COVID, that the American people are gaining confidence in his ability to handle this.

STRASSEL: Well, that seems to be mostly a function, though, of the fact that they are not caring about it as much.

BREAM: Maybe.

STRASSEL: Which is your point. That seems to be the main point of this.

Now, look, I think one of the problems the administration has here is that, to the extent it focuses on COVID, it does it in a way that tends to really annoy a lot of Americans in that it's all focused on mask mandates on airplanes, other things designed to lock people up, take away their freedoms.

When you look at that polling, what it shows here is Americans now want to live with COVID, and if the administration was smart, it would be continuing its efforts, but on things that have more to do with therapeutics, for instance, tests and other things that allow Americans to manage their day-to-day lives with the pandemic alongside of it rather than a disruption on a day-to-day basis.

BREAM: I want to make sure we get to the Supreme Court and the efforts to get additional protections for them. Here is a breakdown of reaction to where we are right now.

(BEGIN VIDEO CLIP)

SEN. MITCH MCCONNELL, (R-KY) SENATE MINORITY LEADER: The Garland **Justice** Department is nowhere in sight. The attorney general was quicker to pounce on concerned parents at school board meetings.

GOV. GLENN YOUNGKIN, (R) VIRGINIA: They put barriers up in order to protect the Supreme Court building. This is what we should do around the **justices'** homes. I think we can both respect First Amendment rights and protect the sanctity of our **justices'** home.

WINSOME SEARS, (R) VIRGINIA LIEUTENANT GOVERNOR: President Biden, you need to tell your attorney general to go and do his job and protect the citizens of the United States of America. Ultimately, sir, this falls on you.

(END VIDEO CLIP)

BREAM: So Jeff, there is a federal law that appears to be pretty clear in the wording about what happens, the fact that it's against the law to go picket or parade in front of a jurist's home for the intent of influencing their opinion, their decision, as we await the actual original, official opinion from the Supreme Court. The DOJ is taking a lot of the heat for being willing to step in on a number of other things but not necessarily this. What do you make of what they have said so far?

MASON: I think this just represents the fact this is such a divisive issue. And it's focused right now, the Republican side is focused on these protests, the Democratic side is focused on what that decision is likely going to be based on the leaked draft. And it's divisive. And there is going to be pressure on both sides.

Shannon, if I can also take one second to go back to the previous discussion about COVID, to Kim's point, the administration is doing that which she said they should be doing, and that's why they are asking for money. The ask may be controversial because it's a big number. But they are asking for billions of dollars so that Americans can have vaccines, can have tests, and can have therapeutics this fall.

BREAM: Well, we'll leave there on all those topics. Panel, thank you very much for your time.

Finally tonight, SPECIAL REPORT salutes a dramatic rescue at a zoo in Guatemala City. Check out this cell phone video capturing the moment an elephant begins trumpeting repeatedly. It's pointing its trunk down into that pool of water where an antelope was drowning. A zoo worker picked up the queues, quickly dove into the water to help that frantic animal get over the ledge to safety. It took a few tries, but eventually that little antelope breaks free, and that story has a happy ending.

Tomorrow on SPECIAL REPORT, we talk with Pennsylvania Republican Senate candidate David McCormick.

Thank you for watching SPECIAL REPORT. I'm Shannon Bream. See you at midnight eastern, 9:00 pacific for FOX NEWS AT NIGHT. But now, "JESSE WATTERS PRIMETIME" is next. Hey, Jesse.

END

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May 12, 2022

Protesting **Justices** at **Justice's** Homes Should be a Subject of Condemnation, not Prosecution

jonathanturley

May 12, 2022

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The Roberts Court, November 30, 2018. Seated, from left to right: **Justices** Stephen G. Breyer and Clarence Thomas, Chief **Justice** John G. Roberts, Jr., and **Justices** Ruth Bader Ginsburg and Samuel A. Alito. Standing, from left to right: **Justices** Neil M. Gorsuch, Sonia Sotomayor, Elena Kagan, and Brett M. Kavanaugh. Photograph by Fred Schilling, Supreme Court Curator's Office.

Here is the column:

The leaking of a Supreme Court **justice's** draft opinion on abortion rights, followed by the "doxing" and targeting of individual **justices** at their homes, has led to calls for prosecution under a federal law prohibiting "pickets and parades" at the residences of judges or jurors. While I have condemned these protests, I believe the use of this law to arrest protesters would be a serious blow to free speech and would be difficult to defend in the courts.

Ironically, those who are harassing these **justices** likely would be protected by the very people they are targeting.

Under a federal law, 18 U.S.C. **1507**, any individual who "pickets or parades" with the "intent of interfering with, obstructing, or impeding the administration of **justice**, or with the intent of influencing any judge, juror, witness, or court officer" near a U.S. court or "near a building or residence occupied or used by such judge, juror, witness, or court officer" will be fined or "imprisoned not more than one year, or both."

On the key element of location, there is no question that protesters are picketing and parading near the residences of **justices**. (In one case, though, a protester in prior months thought she was targeting **Justice** Brett Kavanaugh's home but picketed the wrong house; neighbors never told her of her mistake.)

Even after some groups supplied maps and addresses for the **justices'** homes, President Biden could not muster the courage to denounce such acts. Days after insisting that the White House took no position on either the leaking of the draft opinion or the doxing of **justices**, White House press secretary Jen Psaki issued a tepid statement criticizing harassment, vandalism or violence directed at the **justices**.

Attorney General Merrick Garland also has failed in his leadership of the **Justice** Department. While Garland was quick to form a national task force to address parents protesting at school board meetings, he has had little to say about the targeting of **justices**.

Yet, demands that Garland arrest all of the protesters is a case of the pendulum swinging too far in the opposite direction. Such prosecutions could create a massive chilling effect on free speech, even if any convictions are unlikely to be upheld. After all, protests are common at the court itself, which is covered under the same federal provision; if it is unlawful to seek to influence a pending decision through picketing "near a U.S. court," such protests could be viewed as crimes under this interpretation.

Obviously, picketing a **justice** at home is more direct and threatening, even with security standing outside. Yet, the focus of our laws should not be on the act of protesting but on actual threats or violence committed against **justices** or their families.

The claim that such protests are acts of intimidation has been before the courts since the 19th century. In *Vegeahn v. Guntner*, 167 Mass. 92 (1896), for example, the Massachusetts Supreme Court ruled that a labor union could be found guilty of an intentional tort by picketing a business. Oliver Wendell Holmes, then a state court **justice** who later famously joined the U.S. Supreme Court, dissented and rejected the notion that protests "necessarily and always thereby convey a threat of force."

Even under the vague intent element under the statute, protests are criminal only if they are done with the "intent of interfering with, obstructing, or impeding the administration of **justice**, or with the intent of influencing any judge, juror, witness, or court officer." Certainly, today's protesters are upset about **Justice** Samuel Alito's draft opinion in *Dobbs v. Jackson Women's Health Organization*, and they want to see *Roe v. Wade* preserved. However, few seriously believe that protesting at **justices'** homes will make them more inclined to yield to mob demands. This is unadulterated rage by people who no longer recognize any limits of decency or civility in our political discourse.

If charged, the protesters likely would insist they were denouncing the **justices'** views, not trying to coerce a change in those views. Many wanted to vent their rage directly at **justices** or use the home protests as a way to make the evening news.

Of course, the Constitution often supports those who would deny such protections to others. Many Democrats and liberal organizations have long advocated for sweeping investigations, criminalization or sanctioning of free speech as well as both



state and corporate censorship. At the reported encouragement of Biden administration officials, the National School Boards Association sent a letter calling for a **Justice** Department task force on threats by parents at school board meetings, despite the small number of such incidents. This included the suggested use of national security offices, which also were referenced in the **Justice** Department's press release .

Likewise, many Democrats have sought to bar Republican candidates from election ballots for questioning the legitimacy of the 2020 presidential election or calling for a challenge to the certification of that election. Many of them are still demanding criminal charges against figures like former President Donald Trump for "inciting an insurrection" with his speech on Jan. 6, 2020. And some are using the same kind of overheated language as Trump, such as Chicago Mayor Lori Lightfoot's tweet: "To my friends in the LGBTQ+ community — the Supreme Court is coming for us next. This moment has to be a call to arms ... We will not surrender our rights without a fight — a fight to victory!"

Many Democrats also supported sweeping bans on protests near abortion clinics, like a law in Massachusetts that was struck down unanimously in *McCullen v. Coakley* in 2014. In a concurrence joined by **Justices** Anthony Kennedy and Clarence Thomas, then-**Justice** Antonin Scalia declared that "Protecting people from speech they do not want to hear is not a function that the First Amendment allows the government to undertake in the public streets and sidewalks."

The same is true for the public streets and sidewalks near the homes of **justices**.

These protests are worthy of condemnation, not criminalization. Just because something is legal does not make it right. Fortunately, for these protesters, the people inside the homes they are targeting will likely protect them from prosecution — because the court will likely follow the lead of Oscar Wilde who said, "I may not agree with you, but I will defend to the death your right to make an ass of yourself."

Jonathan Turley is the Shapiro Professor of Public Interest Law at George Washington University. Follow him on [Twitter@JonathanTurley](https://twitter.com/JonathanTurley) .

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May 12, 2022

Hogan, Youngkin Urge Biden **Justice** Dept. to Stop Protests at Supreme Court **Justices'** Homes

Alex Griffing

May 12, 2022

Photo by Drew Angerer/Getty Images.

The Republican governors of Maryland and Virginia sent a letter to Attorney General Merrick Garland Wednesday evening asking the Biden administration to stop the protests outside the homes of Supreme Court **justices** in their states.

Demonstrators have gathered outside **justices'** homes in the wake of the leak of a Supreme Court draft opinion signaling the overturning of Roe v. Wade next month.

Maryland's Larry Hogan and Virginia's Glenn Youngkin joined forces to ask the **Justice** Department to enforce a federal statute that forbids any effort to try and influence how a judge may rule.

"It is in your hands to ensure that applicable federal law is enforced to preserve the integrity of our American judicial system and the safety of our citizens," the governors wrote to Garland.

Hogan tweeted out a copy of the letter on Wednesday evening, with the text:

Today, @GovernorVA and I sent a letter to Attorney General Merrick Garland calling on the Department of **Justice** to provide adequate resources to keep the Supreme Court **justices** and their families safe amid ongoing protests at their homes.

Today, @GovernorVA and I sent a letter to Attorney General Merrick Garland calling on the Department of **Justice** to provide adequate resources to keep the Supreme Court **justices** and their families safe amid ongoing protests at their homes. [pic.twitter.com/6D0bMGSp3q](https://pic.twitter.com/6D0bMGSp3q)

— Governor Larry Hogan (@GovLarryHogan) May 11, 2022

The letter, however, makes the case for Garland to end the protests altogether.

"In short, federal law prohibits picketing the home of a judge with the aim to influence the judge's decision making process," the governors argue.

The letter defends the right to protest a "final opinion from the Supreme Court," but argues that "the circumstances of the current picketing at the **Justices'** private homes in residential neighborhoods are markedly different."

The governors cite United States Federal Code, 18 U.S. Code G **1507**, which reads:

Whoever, with the intent of interfering with, obstructing, or impeding the administration of **justice**, or with the intent of influencing any judge, juror, witness, or court officer, in the discharge of his duty, pickets or parades in or near a building housing a court of the United States, or in or near a building or residence occupied or used by such judge, juror, witness, or court officer, or with such intent uses any sound-truck or similar device or resorts to any other demonstration in or near any such building or residence, shall be fined under this title or imprisoned not more than one year, or both.

The governors also note they are "deeply concerned by reports of demonstrators using threatening language such as these comments to ABC News: 'His [sic **Justice** Alito's intrusion into our rights deserves some intrusion into his peace and comfort and 'Wf you take away our choices, we will riot.'"

The letter concludes with the governors asking Garland to "ensure these residential areas are secure."

Have a tip we should know? [tips@mediaite.com](mailto:tips@mediaite.com)

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---- **Index References** ----

Company: NEWSTEX, LLC; GETTY IMAGES, INC.; Department of **Justice**; ABC NEWS, INC.

News Subject: (Government (1GO80); Government Institutions (1GO90); Government Litigation (1GO18); Judicial Cases & Rulings (1JU36); Legal (1LE33); National Judiciaries (1NA65); U.S. Supreme Court (1US13))

Region: (Americas (1AM92); Maryland (1MA47); North America (1NO39); U.S. Mid-Atlantic Region (1MI18); USA (1US73))

Language: EN

Other Indexing: (Supreme Court; Republican; **Justice** Department; Garland; Newstex; Getty Images; Department of **Justice**; ABC News) (Larry Hogan; Drew Angerer; governors; Attorney GeneralMerrick; Merrick Garland; Biden; @GovernorVA; @GovLarryHogan; Alito)

Keywords: (Politics); (Glenn Youngkin); (Larry Hogan); (Roe v. Wade); (Supreme Court)

Word Count: 685

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**NewsRoom**

## NewsRoom

5/12/22 newsmax.com (Pg. Unavail. Online)  
2022 WLNR 15012200

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May 12, 2022

Section: Politics

### Tom Cotton Demands DOJ Arrest Abortion Protesters at **Justices'** Homes

Charlie McCarthy

Sen. Tom Cotton, R-Ark., blasted Attorney General Merrick Garland for the **Justice** Department not arresting abortion-rights protesters demonstrating in front of Supreme Court **justices'** homes.

In a letter to Garland on Tuesday, Cotton threatened impeachment proceedings if the attorney general didn't "take immediate action to enforce the law even-handedly against your party's political opponents."

"Please explain why you have refused to enforce the federal law against picketing and protesting at the homes of Supreme Court **Justices**," Cotton wrote Garland. "Left-wing mobs have recently targeted the homes of **Justices** (John) Roberts, (Samuel) Alito, (Clarence) Thomas, (Neil) Gorsuch, (Amy Coney) Barrett, and (Brett) Kavanaugh, a blatant and obvious violation of 18 USC § **1507**."

"These unlawful protestors widely publicized their plans, yet it appears that no federal law-enforcement officers were present to arrest the lawbreakers and no investigation is ongoing. Further, President Biden's own press secretary announced this week that the Biden administration 'certainly continue[s] to encourage (protests) outside of judges' homes, and that's the president's position.'"

Cotton said Garland's inaction was "in stark contrast to when you sicced federal agents on parents who attended public meetings of school boards in public buildings."

"Without an adequate explanation, one can only assume that you have weaponized federal law-enforcement against your party's political opponents," Cotton wrote Garland.

"When you last testified at the Senate Judiciary Committee, I recommended that you resign in disgrace. Unfortunately, I see you haven't taken my advice."

Chief **Justice** Roberts last week confirmed the authenticity of a leaked draft opinion suggesting the Supreme Court may be poised to overturn the landmark 1973 Roe v. Wade case that legalized abortion nationwide.

The news energized activists on both sides of the abortion issue.

Cotton told NBC News that while he didn't "advocate for arresting people protesting on public streets in Washington, D.C., the nation's capital," he did believe that "they should be arrested for protesting in the homes of judges, jurors and prosecutors. Federal law prohibits an obvious attempt to influence or intimidate judges, jurors and prosecutors."

While White House press secretary Jen Psaki has called protests at Supreme Court **justices'** homes exercises of freedom of expression, Senate Minority Leader Mitch McConnell, R-Ky., denounced those actions as attempts to intimidate.

"Trying to scare federal judges into ruling a certain way is far outside the bounds of First Amendment speech or protest," McConnell said on Monday on the Senate floor.

"It is an attempt to replace the rule of law with the rule of mobs."

More than 75% of likely voters opposed publishing the home addresses of the conservative Supreme Court **justices** and were against calling for protests at the **justices'** homes by pro-abortion activists, according to poll results released on Tuesday by the Convention of States Action and the Trafalgar Group.

---- **Index References** ----

Company: CONVENTION OF STATES ACTION; NBC NEWS DIGITAL LLC; Senate Budget Committee; THE UNITED STATES DEPARTMENT OF **JUSTICE**; TRAFALGAR GROUP OF COMPANIES

News Subject: (Abortion (1AB77); Civil Rights Law (1CI34); Government (1GO80); Government Institutions (1GO90); Intellectual Freedoms & Civil Liberties (1IN08); Judicial Cases & Rulings (1JU36); Legal (1LE33); National Judiciaries (1NA65); Social Issues (1SO05); U.S. Supreme Court (1US13))

Language: EN

Other Indexing: (**Justice** Department; Supreme Court; White House; Convention of States Action; NBC News; Senate Judiciary Committee; DOJ; Trafalgar Group) (Tom Cotton; Merrick Garland; John) Roberts; Gareth John Roberts; Samuel) Alito; Clarence) Thomas; Neil) Gorsuch; Amy Coney; Brett) Kavanaugh; Biden; Roe; Jen Psaki; Mitch McConnell; R-Ky)

Keywords: (Sen. Tom Cotton, Doj, Arrest, Abortion, Protesters, Merrick Garland)

Word Count: 472

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**NewsRoom**

## NewsRoom

5/12/22 University Wire 19:26:16

University Wire

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May 12, 2022

### 25 state attorneys general call on Garland to enforce law prohibiting intimidation of federal judges

Missouri Western State College, St Joseph, MO May 12, 2022 (The Griffon News, provided by UWIRE, a division of Uloop via Comtex) --

(The Center Square) - Twenty-five state attorneys general, led by Alabama AG Steve Marshall, are calling on U.S. Attorney General Merrick Garland to enforce a federal law that prohibits anyone from targeting judges' homes.

In a letter sent to Garland Wednesday, they wrote that federal law prohibits picketers and protestors from targeting judges' homes, including the homes of Supreme Court **justices**, "with the intent of interfering with, obstructing, or impeding the administration of **justice**."

"We the undersigned Attorneys General act daily to uphold the rule of law," they wrote to Garland. "These remarkable recent events provide you an opportunity to do the same."

After a Supreme Court raft opinion was leaked last week indicating the majority of **justices** were overturning the landmark abortion case, Roe v Wade, abortion activists published the addresses of the majority of the **justices**' homes and organized protests outside of them. Some also posted threats of violence against them on social media platforms.

As law scholar James Hirsen said, "interference with the administration of **justice** in the manner in which it has recently been occurring is illegal," pointing to federal statute 18 U.S.C. **1507**. Penalty for violating the law results in a fine and/or a prison sentence of up to one year.

The attorneys general reference 18 US Code in their letter arguing Garland is duty bound to uphold it. They also point to threats of violence and actual violence perpetrated by abortion activists over the past week that have gone without punishment, while Garland has directed the Department of **Justice** to investigate parents. Some of the same attorneys general who signed the letter also sued over the DOJ's call for surveilling parents who express concerns at school board meetings or other forums.

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'It feels overwhelming': Business owner on the impact of inflation

Audio of Sen. Lindsey Graham: Pres. Biden 'best person to have' after January 6

Audio of Sen. Lindsey Graham: Pres. Biden 'best person to have' after January 6

"You were quick to respond to the purported 'threat' of parents speaking out at local school board meetings (though the basis for your threat assessment was shaky to say the least). Here, in the face of escalating extremism directed at the judicial branch, you have an obvious role to play," the attorneys general wrote. "Congress recognized that pressuring judges to change their votes by protesting outside their homes directly threatens the rule of law," they added. "You profess to share those concerns, having unequivocally stated that attacking a courthouse 'to prevent judges from actually deciding cases' plainly constitutes 'domestic extremism, domestic terrorism.'"



The attorneys general argue that Garland must faithfully execute federal law "to prevent protestors from attempting to intimidate the **Justices** of the Supreme Court, both to protect the **Justices** and to safeguard the rule of law."

Florida Attorney General Ashley Moody, who signed the letter, is also calling for an investigation into the protestors. She said, "The integrity of our courts is paramount to a free and democratic society. Any attempt to threaten or intimidate United States Supreme Court **Justices** so they change their votes should be thoroughly investigated by the Department of **Justice** - not just for the safety of judges and their families, but for the independence of our nation's entire judicial system."

Attorneys General from Alaska, Arizona, Arkansas, Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, West Virginia and Wyoming also signed the letter.

Originally published on thecentersquare.com, part of the TownNews Content Exchange.

[https://www.thegriffonnews.com/news/nation/25-state-attorneys-general-call-on-garland-to-enforce-law-prohibiting-intimidation-of-federal-judges/article\\_405e6f0f-ea15-51d2-839d-36c54d5669fb.html](https://www.thegriffonnews.com/news/nation/25-state-attorneys-general-call-on-garland-to-enforce-law-prohibiting-intimidation-of-federal-judges/article_405e6f0f-ea15-51d2-839d-36c54d5669fb.html)

COMTEX\_407115931/2194/2022-05-12T19:26:16

#### ---- Index References ----

Company: ULOOP INC; COMTEX SA; Department of **Justice**; GRIFFON CORPORATION; The Supreme Court of the United States; THE UNITED STATES DEPARTMENT OF **JUSTICE**; Missouri Western State College; GARLAND HOUSING FINANCE CORPORATION

News Subject: (Government (1GO80); Government Institutions (1GO90); Government Litigation (1GO18); Judicial Cases & Rulings (1JU36); Legal (1LE33); National Judiciaries (1NA65); U.S. Supreme Court (1US13))

Region: (Americas (1AM92); Missouri (1MI10); North America (1NO39); Texas (1TE14); U.S. Midwest Region (1MI19); U.S. Southwest Region (1SO89); USA (1US73))

Language: EN

Other Indexing: (UWIRE; Alabama AG; Congress; TownNews Content Exchange; Uloop; Comtex; Department of **Justice**; The Griffon News; United States Supreme Court; DOJ; Missouri Western State College; Garland) (Steve Marshall; Steve Marshall; U.S.; Merrick Garland; Roe; James Hirsens; Lindsey Graham; Pres.; Biden; Ashley Moody)

Keywords: (abortion); (alabama); (alaska); (arizona); (arkansas); (business); (california); (child+abuse); (congress); (federal); (florida); (georgia); (idaho); (indiana); (inflation); (investigation); (kansas); (kentucky); (law); (local); (louisiana); (mississippi); (missouri); (montana); (nebraska); (ohio); (oklahoma); (prison); (result); (south+carolina); (south+dakota); (supreme+court); (tennessee); (terrorism); (texas); (threat); (united+states); (utah); (violence); (virginia); (west+virginia); (wyoming)

Word Count: 683

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2022 WLNR 15121697

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May 12, 2022

Section: U.S. Senate Documents

### Protecting Supreme Court Safety and Independence Should Not be Controversial Sen. Mitch McConnell (R-KY) News Release

WASHINGTON, D.C. - U.S. Senate Republican Leader Mitch McConnell (R-KY) delivered the following remarks today on the Senate floor regarding the Supreme Court:

"Two years ago, the Senate Democratic Leader addressed a crowd on the steps of the Supreme Court and threatened **Justices** if they didn't rule the way he wanted.

"Now far left crowds are surrounding **Justices**' private family homes.

"They want to use intimidation to influence the outcome in a pending case.

"This should be easy for leaders to condemn. All Americans should agree that judges and juries ought not be subjected to threats or intimidation campaigns.

"And, admirably, some on the political left have spoken out against their fringe.

"The Washington Post Editorial Board has condemned this.

"The number-two Senate Democrat, our colleague from Illinois, said, 'I think it's reprehensible. Stay away from homes and families...'

"His counterpart across the Capitol, the number-two House Democrat, Leader Hoyer, said, 'We need to protect Supreme Court **Justices** and their families, period. We're a nation of laws, not of violence, not of intimidation... laws.'

"But Leader Schumer and the White House will not follow suit. They won't condemn the harassment; they've basically endorsed it. And top Democrats are standing in the way of concrete action.

"A few days ago, the Senate unanimously passed legislation to give the Supreme Court's in-house police force some additional authorities they need to do their jobs.

"This isn't controversial stuff. It cleared this chamber unanimously.

"But House Democrats have been unwilling to promptly pass it.

"Congressman Jeffries suggested yesterday this uncontroversial bill might be shunted into a lengthy committee process.

"Really?"

"These are essentially clerical fixes. They breezed through the Senate without objection.

"But House Democrat leadership wants to drag this out hearings and markups?"

"While mobs assemble at people's houses?"

"I hope this is some misunderstanding.

"I hope Democrats are not intentionally stalling these security measures until after the Court has issued its rulings. That would be reprehensible.

"At the other end of Pennsylvania Avenue, either President Biden or Attorney General Garland has apparently decided not to enforce federal law.

"Like I explained on Monday, Section **1507** of the Criminal Code makes it a crime to picket or parade with the intent of influencing a judge, at locations that include a judge's residence.

"People have been doing exactly that for days and days now.

"But the Garland **Justice** Department is nowhere in sight.

"One would think a DOJ run by the former Chief Judge of the D.C. Circuit would need no prodding to protect judicial safety and independence.

"But so far the Attorney General was quicker to pounce on concerned parents at school board meetings.

"The Governors of Maryland and Virginia have had to write a joint letter to the Attorney General begging him to make his U.S. Attorneys do their job and uphold the law.

"Yesterday I sent the DOJ my own letter asking the same question.

"The Senate needs answers, right now. And the Court needs security, right now."

Read this original document at: <https://www.mcconnell.senate.gov/public/index.cfm/pressreleases?ID=A00A041B-6238-4C64-B10B-65793E1968C6>

---- **Index References** ----

Company: The House of Peoples' Representatives of The Federal Democratic Republic of Ethiopia; THE UNITED STATES DEPARTMENT OF **JUSTICE**; Sekisui House,Ltd.; DIGITAL CHINA HOLDINGS LIMITED

News Subject: (Government (1GO80); Government Institutions (1GO90); Government Litigation (1GO18); Judicial Cases & Rulings (1JU36); Legal (1LE33); Legislative Bodies (1LE67); National Judiciaries (1NA65); U.S. Senate (1US71); U.S. Supreme Court (1US13))

Language: EN

Other Indexing: (Supreme Court; U.S.; Senate Republican; Senate Democratic; Washington Post Editorial Board; Senate Democrat; White House; Garland **Justice** Department; House Democrats; DOJ; House Democrat; D.C. Circuit) (Mitch McConnell; Americans; Leader; Hoyer; Schumer; Jeffries; Biden; Garland)

Word Count: 555

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2022 WLNR 15121777

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May 12, 2022

Section: U.S. House of Representatives Documents

### Tiffany joins Wisconsin Republicans in Letter to DOJ Demanding an Investigation into Violence Against Pro-Life Organizations Rep. Tiffany, Thomas-(R-WI) News Release

WASHINGTON, DC - Today, Congressman Tom Tiffany (WI-07) joined Congressman Scott Fitzgerald (WI-05) and their colleagues Congressman Glenn Grothman (WI-06), Congressman Bryan Steil (WI-01), and Congressman Mike Gallagher (WI-08), in sending a letter to U.S. Attorney General Merrick Garland demanding an investigation into the arson of Wisconsin Family Action's office in Madison.

"Alarmingly, radical Left-wing extremists have shown us time and time again, first during the summer of 2020 when they burned American businesses to the ground and now with the arson of the Wisconsin Family Action in Madison, that they will resort to violence and destruction when they do not get their way," said Congressman Tiffany. "Biden's Department of **Justice** should be focusing on an investigation into this latest heinous act, but instead, they are too busy labeling concerned moms and dads attending local school board meetings as "domestic terrorists." Wisconsin Family Action deserves answers, and I stand with pro-life Americans in demanding them."

"Rather than focusing on defusing threats against Americans for their political beliefs, the Department of **Justice** has, in the last 17 months, spent time and resources to target conservatives while taking a hands-off approach to left-wing violence," said Congressman Fitzgerald. "The arson of Wisconsin Family Values' office in Madison must be investigated thoroughly and Attorney General Garland must put partisanship aside to put a stop to these pro-abortion extremists, who have already promised more violence if their demands are not met."

Read the full letter here [https://iqconnect.house.gov/iqextranet/iqClickTrk.aspx?&cid=WI07TT&crop=15304QQQ12552271QQQ5191240QQQ7259302&report\\_id=&redirect=https%3a%2f%2ftiffany.house.gov%2fsites%2ftiffany.house.gov%2ffiles%2fWI%2520Family%2520Action%2520Arson%2520Letter.pdf&redir\\_log=628167750756648](https://iqconnect.house.gov/iqextranet/iqClickTrk.aspx?&cid=WI07TT&crop=15304QQQ12552271QQQ5191240QQQ7259302&report_id=&redirect=https%3a%2f%2ftiffany.house.gov%2fsites%2ftiffany.house.gov%2ffiles%2fWI%2520Family%2520Action%2520Arson%2520Letter.pdf&redir_log=628167750756648).

Background:

In response to the unprecedented leak of the majority opinion in *Dobbs v Jackson*, abortion supporters across the country have engaged in animated and even violent activity, including harassing Supreme Court **Justices** at their homes, which is illegal under 18 U.S.C. [Sec.] **1507**. On May 8, 2022, two Molotov cocktails were thrown at and into the Family Action office in Madison, and a message was spray-painted on the exterior of the building, stating: "if abortions aren't safe then you aren't either."

Read this original document at: <https://tiffany.house.gov/media/press-releases/tiffany-joins-wisconsin-republicans-letter-doj-demanding-investigation-violence>

---- **Index References** ----

Company: Department of **Justice**; THE UNITED STATES DEPARTMENT OF **JUSTICE**

News Subject: (Abortion (1AB77); Government Litigation (1GO18); Health & Family (1HE30); Health & Wellness (1HE60); International Terrorism (1IN37); Legal (1LE33); Social Issues (1SO05); Top World News (1WO62))

Industry: (Contraception (1CO66); Healthcare (1HE06); Healthcare Practice Specialties (1HE49); Women's Health (1WO30))

Region: (Americas (1AM92); North America (1NO39); U.S. Midwest Region (1MI19); USA (1US73); Wisconsin (1WI54))

Language: EN

Other Indexing: (Republicans; Wisconsin Family Action; Wisconsin Family Values'; Supreme Court; Department of **Justice**; DOJ) (Tom Tiffany; Scott Fitzgerald; Glenn Grothman; Bryan Steil; Mike Gallagher; Michael J. Gallagher; U.S.; Merrick Garland; Biden; Americans; Jackson; Molotov)

Word Count: 379

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2022 WLNR 15121899

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May 12, 2022

Section: U.S. House of Representatives Documents

Rep. Loudermilk Demands Answers from Biden DOJ About  
Unlawful Protests Outside Supreme Court **Justices'** Homes  
Rep. Barry Loudermilk (R-GA) News Release

Rep. Barry Loudermilk (R-GA) wrote a letter to Attorney General Merrick Garland regarding the **Justice** Department's inconsistent application of what constitutes harassment, intimidation and threats of violence as it pertains to protests at the home of a sitting **Justice** of the United States Supreme Court.

Text of the Letter:

Dear Attorney General Garland,

I write today deeply concerned and frustrated with the state of affairs at the Department of **Justice** regarding an apparent lack of response to protests at the home of a sitting **Justice** of the United States Supreme Court. The First Amendment right to peaceably assemble and to petition the government for a redress of grievances continues to be a cornerstone principle to a functional government, but I question the Department of **Justice's** inaction and inability in this matter given your previous statements about harassment, intimidation, and threats of violence against government officials.

The Supreme Court has previously held that the First Amendment is not absolute, and that reasonable time, place, and manner restrictions can be placed on speech. In *Clark v. Community for Creative Non-Violence* (1984), the Court held that time, place, and manner restrictions are permissible but must be "justified without reference to the content of the regulated speech," "narrowly tailored to serve a significant governmental interest," and "leave open ample alternative channels for communication of the information." This could include use of amplified sound or restricting vehicular traffic. The Court later established a three-prong test in *Ward v. Rock Against Racism* (1989) that guides time, place, and manner restrictions and a government's interest in maintaining order.

18 U.S.C. [Sec.] **1507** is also relevant as it clearly prohibits picketing or parading "with the intent of interfering with, obstructing, or impeding the administration of **justice**, or with the intent of influencing any judge, juror, witness, or court officer, in the discharge of his duty." **Justices** are clearly carrying out their duty when considering a petition before the Court. Using intimidating tactics or behaviors to influence a decision before the Supreme Court, the highest appellate court in the federal judiciary, is unacceptable and unlawful.

I am concerned with the Department of **Justice's** unequal application of what constitutes "harassment, intimidation and threats of violence" against government officials. In your memorandum of October 4, 2021, you correctly stated, "while spirited debate about policy matters is protected under our Constitution, that protection does not extend to threats of violence

or efforts to intimidate individuals based on their views." I hope that you would also believe Supreme Court **justices** should also "be able to do their work without fear for their safety" and that you take these threats as seriously as the ones you referenced in this memorandum. As the events in Madison, Wisconsin with the arson of the Wisconsin Family Action office make clear, threats can evolve into action. I hope you will take the proper actions to protect the activities of the Supreme Court.

I ask that you respond to the following questions:

- 1) What actions are you taking to ensure protestors are not unduly harassing **justices** in their private residences?
- 2) What actions are you taking to stop protestors from using intimidating behavior to coerce **justices** into making a certain ruling in *Dobbs v. Jackson Women's Health Organization*?
- 3) Is it the position of the Department that **Justices** of the Supreme Court are carrying out their duty, as referenced in 18 U.S.C. [Sec.] **1507**, when considering or ruling on an issue before them?

Sincerely,

Barry Loudermilk

Member of Congress

A PDF copy of the letter can be found HERE <https://loudermilk.house.gov/components/redirect/r.aspx?ID=5819-1371627>.

Read this original document at: <https://loudermilk.house.gov/news/documentsingle.aspx?DocumentID=3982>

---- **Index References** ----

Company: Department of **Justice**; The Supreme Court of the United States

News Subject: (Government (1GO80); Government Institutions (1GO90); Government Litigation (1GO18); Judicial Cases & Rulings (1JU36); Legal (1LE33); National Judiciaries (1NA65); U.S. Supreme Court (1US13))

Region: (Americas (1AM92); North America (1NO39); U.S. Midwest Region (1MI19); USA (1US73); Wisconsin (1WI54))

Language: EN

Other Indexing: (DOJ; **Justice** Department; Wisconsin Family Action; Jackson Women's Health Organization; Congress; Department of **Justice**; United States Supreme Court) (Barry Loudermilk; Merrick Garland)

Word Count: 610

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## NewsRoom

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May 12, 2022

Section: U.S. House of Representatives Documents

### Owens Co-Signs Letter to AG Garland Calling for Enforcement of the Law and Action Against Those Intimidating Supreme Court **Justices** Rep. Clarence Burgess Owens (R-UT) News Release

WASHINGTON, D.C. - Today, Rep. Burgess Owens (UT-04) co-signed a letter to U.S. Attorney General Merrick Garland demanding enforcement of the law and action against those intimidating Supreme Court **Justices** following the leak of a decision draft in the Dobbs v. Jackson case before the Court.

The letter highlighted the need to zealously guard the First Amendment while also ensuring judges are not intimidated by mob rule. Since the leak of the decision, mobs of protestors have swarmed the homes of **Justices** Alito, Kavanaugh, and Roberts.

It is a crime to picket or parade outside of a judge's home, particularly if the intent of such actions is to influence them in the discharge of their official duties. The right to peacefully assemble is among the most sacred rights we hold as Americans, which is why our forbearers demanded it be enshrined in the First Amendment to the United States Constitution. Yet this sacred right has never permitted Americans to intimidate judges, jurors, or officers of the court with the expressed objective of swaying the outcome of an independent judicial proceeding.

The lawmakers wrote in part, "Importantly, enforcing 18 U.S.C. [Sec.] **1507** in no way deprives protestors of their constitutional right to assembly. Protestors have ample opportunity to gather in one of a million other places, including on sidewalks outside of the U.S. Supreme Court, as was upheld by United States v. Grace (1983). There is therefore no compelling justification for your failure to act other than to permit protestors to unlawfully intimidate **justices** of the United States Supreme Court."

The full text of the letter is available here <https://tenney.house.gov/sites/evo-subsites/tenney.house.gov/files/evo-media-document/Letter%20to%20Garland%20Condemning%20Protests%20at%20Homes%20of%20Supreme%20Court%20Justices%20-%20FINAL.pdf>.

Read this original document at: <https://owens.house.gov/posts/owens-co-signs-letter-to-ag-garland-calling-for-enforcement-of-the-law-and-action-against-those-intimidating-supreme-court-justices>

#### ---- Index References ----

Company: The Supreme Court of the United States

News Subject: (Civil Rights Law (1CI34); Government (1GO80); Government Institutions (1GO90); Intellectual Freedoms & Civil Liberties (1IN08); Judicial Cases & Rulings (1JU36); Legal (1LE33); National Judiciaries (1NA65); U.S. Supreme Court (1US13))

Region: (Americas (1AM92); North America (1NO39))

Language: EN

Other Indexing: (UT-; United States Supreme Court) (AG Garland; Burgess Owens; Merrick Garland; Jackson; Alito; Kavanaugh; Roberts)

Word Count: 327

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**NewsRoom**

## NewsRoom

5/12/22 U.S. Cong. News (Pg. Unavail. Online)  
2022 WLNR 15403445

U.S. Congressional News  
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May 12, 2022

Section: U.S. Congress - Legislative Update

UPDATE: H.Res.1111 - Expressing support for the enforcement of section **1507** of title 18, United States Code, with respect to protests outside of th...

UPDATE: H.Res.1111 - Expressing support for the enforcement of section **1507** of title 18, United States Code, with respect to protests outside of the homes of sitting Supreme Court **Justices**.

LATEST ACTION: May 12, 2022 - Referred to the House Committee on the Judiciary.

BILL TITLE: Expressing support for the enforcement of section **1507** of title 18, United States Code, with respect to protests outside of the homes of sitting Supreme Court **Justices**.

[NOTE: The contents of this legislative update are current as of 06:00 AM on May 16, 2022.]

BILL NUMBER: 117th Congress: House Resolution 1111 (H.Res.1111)

CHAMBER OF ORIGIN: U.S. House of Representatives

CURRENT CHAMBER: U.S. House of Representatives

For DETAILED LEGISLATIVE INFORMATION on H.Res.1111, visit: <https://www.congress.gov/bill/117th-congress/house-resolution/1111>

BILL TEXT: <https://www.congress.gov/bill/117th-congress/house-resolution/1111/text>

ACTIONS-TO-DATE (ordered by most recent first):

05/12/2022 -- House -- Referred to the House Committee on the Judiciary.

05/12/2022 -- House -- Introduced in House.

SPONSOR(S)\*:

-- Rep. Johnson, Mike [R-LA-4]

CO-SPONSOR(S)\*:

[\*Note: Sponsors and co-sponsors are current as of May 12, 2022. For the most up-to-date version of the sponsor and co-sponsor lists, visit: <https://www.congress.gov/bill/117th-congress/house-resolution/1111/cosponsors> ]

-- Rep. Stefanik, Elise M. [R-NY-21]

-- Rep. Carter, Earl L. "Buddy" [R-GA-1]

-- Rep. Murphy, Gregory [R-NC-3]

-- Rep. McMorris Rodgers, Cathy [R-WA-5]

-- Rep. Moolenaar, John R. [R-MI-4]

-- Rep. Hice, Jody B. [R-GA-10]

-- Rep. Timmons, William R. IV [R-SC-4]

-- Rep. Norman, Ralph [R-SC-5]

-- Rep. Palazzo, Steven M. [R-MS-4]

-- Rep. Miller, Mary E. [R-IL-15]

-- Rep. Davidson, Warren [R-OH-8]

-- Rep. Graves, Garret [R-LA-6]

-- Rep. Issa, Darrell E. [R-CA-50]

-- Rep. Gosar, Paul A. [R-AZ-4]

-- Rep. McClain, Lisa C. [R-MI-10]

-- Rep. Dunn, Neal P. [R-FL-2]

-- Rep. Gibbs, Bob [R-OH-7]

-- Rep. Gohmert, Louie [R-TX-1]

-- Rep. McKinley, David B. [R-WV-1]

-- Rep. Buchanan, Vern [R-FL-16]

-- Rep. Van Duyne, Beth [R-TX-24]

-- Rep. Waltz, Michael [R-FL-6]

- Rep. Owens, Burgess [R-UT-4]
- Rep. Bishop, Dan [R-NC-9]
- Rep. Good, Bob [R-VA-5]
- Rep. Johnson, Bill [R-OH-6]
- Rep. Smith, Adrian [R-NE-3]
- Rep. Wenstrup, Brad R. [R-OH-2]
- Rep. Pfluger, August [R-TX-11]
- Rep. Stewart, Chris [R-UT-2]
- Rep. Arrington, Jodey C. [R-TX-19]
- Rep. Guest, Michael [R-MS-3]
- Rep. Bergman, Jack [R-MI-1]
- Rep. Posey, Bill [R-FL-8]
- Rep. Cole, Tom [R-OK-4]
- Rep. Long, Billy [R-MO-7]
- Rep. Guthrie, Brett [R-KY-2]
- Rep. McClintock, Tom [R-CA-4]
- Rep. Mullin, Markwayne [R-OK-2]
- Rep. Zeldin, Lee M. [R-NY-1]
- Rep. Balderson, Troy [R-OH-12]
- Rep. Cloud, Michael [R-TX-27]
- Rep. Babin, Brian [R-TX-36]
- Rep. Mace, Nancy [R-SC-1]
- Rep. Kelly, Mike [R-PA-16]
- Rep. Mooney, Alexander X. [R-WV-2]

-- Rep. Tenney, Claudia [R-NY-22]

COMMITTEES: House Judiciary Committee.

---- **Index References** ----

Company: U.S. House of Representatives; House Committee on Financial Services

News Subject: (Government (1GO80); Government Institutions (1GO90); Legislation (1LE97); Legislative Bodies (1LE67); U.S. House of Representatives (1US72); U.S. Legislation (1US12))

Region: (Americas (1AM92); North America (1NO39); USA (1US73))

Language: EN

Other Indexing: (Supreme Court; House Judiciary Committee; U.S. House of Representatives; House Committee on the Judiciary) (John R.; Mike; Stefanik; Elise M.; Carter; Earl L.; Buddy; Murphy; Gregory; McMorris Rodgers; Cathy; Moolenaar; Hice; Jody B.; Timmons; William R. IV; Norman; Ralph; Palazzo; Steven M.; Miller; Mary E.; Davidson; Warren; Graves; Garret; Lisa C.; Darrell E.; Gosar; Paul A.; McClain; Van Duynes; Neal P.; Gibbs; Bob; Gohmert; Louie; McKinley; David B.; Buchanan; Vern; Beth; Waltz; Michael; Owens; Burgess; Bishop; Dan; Good; Bill; Smith; Adrian; Wenstrup; Brad R.; Pfluger; August; Stewart; Chris; Arrington; Jodey C.; Guest; Bergman; Jack; Posey; Cole; Tom; Long; Billy; Guthrie; Brett; McClintock; Mullin; Markwayne; Zeldin; Lee M.; Balderson; Cloud; Babin; Brian; Mace; Nancy; Kelly; Mooney; Alexander X.; Tenney; Claudia)

Word Count: 509

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**NewsRoom**

## NewsRoom

5/12/22 U-Wire 00:00:00

U-Wire

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May 12, 2022

### 25 state attorneys general call on Garland to enforce law prohibiting intimidation of federal judges

Missouri Western State College ; St Joseph, MO - news

By Tom Brenner | AP

(The Center Square) - Twenty-five state attorneys general, led by Alabama AG Steve Marshall, are calling on U.S. Attorney General Merrick Garland to enforce a federal law that prohibits anyone from targeting judges' homes.

In a letter sent to Garland Wednesday, they wrote that federal law prohibits picketers and protestors from targeting judges' homes, including the homes of Supreme Court **justices**, "with the intent of interfering with, obstructing, or impeding the administration of **justice**."

"We the undersigned Attorneys General act daily to uphold the rule of law," they wrote to Garland. "These remarkable recent events provide you an opportunity to do the same."

After a Supreme Court raft opinion was leaked last week indicating the majority of **justices** were overturning the landmark abortion case, Roe v Wade, abortion activists published the addresses of the majority of the **justices'** homes and organized protests outside of them. Some also posted threats of violence against them on social media platforms.

As law scholar James Hirszen said, "interference with the administration of **justice** in the manner in which it has recently been occurring is illegal," pointing to federal statute 18 U.S.C. **1507**. Penalty for violating the law results in a fine and/or a prison sentence of up to one year.

The attorneys general reference 18 US Code in their letter arguing Garland is duty bound to uphold it. They also point to threats of violence and actual violence perpetrated by abortion activists over the past week that have gone without punishment, while Garland has directed the Department of **Justice** to investigate parents. Some of the same attorneys general who signed the letter also sued over the DOJ's call for surveilling parents who express concerns at school board meetings or other forums.

More from this section

CA: LA CO REACHES \$32M STLMT IN CHILD ABUSE DEATH

'It feels overwhelming': Business owner on the impact of inflation

Audio of Sen. Lindsey Graham: Pres. Biden 'best person to have' after January 6



"You were quick to respond to the purported 'threat' of parents speaking out at local school board meetings (though the basis for your threat assessment was shaky to say the least). Here, in the face of escalating extremism directed at the judicial branch, you have an obvious role to play," the attorneys general wrote.

"Congress recognized that pressuring judges to change their votes by protesting outside their homes directly threatens the rule of law," they added. "You profess to share those concerns, having unequivocally stated that attacking a courthouse 'to prevent judges from actually deciding cases' plainly constitutes 'domestic extremism, domestic terrorism.'"

The attorneys general argue that Garland must faithfully execute federal law "to prevent protestors from attempting to intimidate the **Justices** of the Supreme Court, both to protect the **Justices** and to safeguard the rule of law."

Florida Attorney General Ashley Moody, who signed the letter, is also calling for an investigation into the protestors. She said, "The integrity of our courts is paramount to a free and democratic society. Any attempt to threaten or intimidate United States Supreme Court **Justices** so they change their votes should be thoroughly investigated by the Department of **Justice** - not just for the safety of judges and their families, but for the independence of our nation's entire judicial system."

Attorneys General from Alaska, Arizona, Arkansas, Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, West Virginia and Wyoming also signed the letter.

Originally published on thecentersquare.com, part of the TownNews Content Exchange.

(Distributed for UWire via M2 Communications (www.m2.com))

--- **Index References** ---

Company: M2 COMMUNICATIONS LLC; Department of **Justice**; The Supreme Court of the United States; THE UNITED STATES DEPARTMENT OF **JUSTICE**; Missouri Western State College; GARLAND HOUSING FINANCE CORPORATION

News Subject: (Government (1GO80); Government Institutions (1GO90); Government Litigation (1GO18); Judicial Cases & Rulings (1JU36); Legal (1LE33); National Judiciaries (1NA65); U.S. Supreme Court (1US13))

Region: (Americas (1AM92); Missouri (1MI10); North America (1NO39); Texas (1TE14); U.S. Midwest Region (1MI19); U.S. Southwest Region (1SO89); USA (1US73))

Language: EN

Other Indexing: (Alabama; Congress; TownNews Content Exchange; UWire; M2 Communications; Department of **Justice**; United States Supreme Court; DOJ; Missouri Western State College; Garland) (Tom Brenner; Steve Marshall; Steve Marshall; U.S.; Merrick Garland; Roe; Wade; James Hirszen; Lindsey Graham; Pres.; Biden; Ashley Moody)

Word Count: 615

## NewsRoom

## NewsRoom

5/11/22 ABC - The View (Pg. Unavail. Online)  
2022 WLNR 14867159

ABC - The View  
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May 11, 2022

THE VIEW

[SHOW: ABC - The View]  
[AIRDATE: 05/11/22]  
[AIRTIME: 22:15]  
[ANCHOR: WHOOP! GOLDBERG]  
[ANCHOR LOCATION: NEW YORK, NY USA]  
[STORY: THE VIEW]

TOPIC:

CONTENT:

GRAPHICS: THE VIEW, 25

ANNOUNCER: "The View's" historic season 25 continues live.

GRAPHICS: INDEFENSIBLE?

ANNOUNCER: Indefensible? Trump's former defense secretary Mark Esper's explosive accusations that the former president asked about shooting protesters, bombing Mexico and left America on the verge of collapse.

MARK ESPER (FORMER DEFENSE SECRETARY): Given the events of January 6th, given how he has undermined the election results, to me that threatens our democracy.

ANNOUNCER: But should have Esper spoken out and done more while secretary of defense?

GRAPHICS: BETO O'ROURKE

ANNOUNCER: Plus, former congressman Beto O'Rourke is live with his plan to unseat Texas Governor Greg Abbott as the Lone Star State becomes one of America's biggest battlegrounds for abortion and immigration rights.

GRAPHICS: EVA MENDES

ANNOUNCER: Then, Eva Mendes talks about stepping away from the cameras for her family, what made her log off social media, and the next role she's looking for.

GRAPHICS: GUEST CO-HOST ALYSSA FARAH GRIFFIN

ANNOUNCER: Plus, former White House communications director Alyssa Farah Griffin is back to guest co-host.

GRAPHICS: THE VIEW, 25

ANNOUNCER: Here come "Hot Topics," with Whoopi, Sara Haines, Joy Behar and Sunny Hostin. Now, let's get things started.

REPORTER LOCATION: NEW YORK, NY USA

**HOT TOPICS**

TOPIC:

CONTENT: ESPER, TRUMP, PROTESTOR, **JUSTICES**, CRUZ

WHOOPI GOLDBERG ("THE VIEW"): Well, hello, hello, hello. Welcome to "The View," y'all. Welcome to "The View."

WHOOPI GOLDBERG ("THE VIEW"): So CNN political commentator and former White House communications director Alyssa Farah Griffin is back at the table. So Alyssa, one of your old co-workers, former secretary of defense Mark Esper has a new book called "A Sacred Oath" that is packed with wild claims about you know who wanting to shoot protesters, drop bombs on Mexico to stop the cartels and Esper just told Brett Baier why he wouldn't leave his post. Take a look.

CLIP OF TV SHOW, "SPECIAL REPORT WITH BRETT BAIER" FROM YESTERDAY

GRAPHICS: OPEN BOOK, ESPER SAYS TRUMP ACTIONS THREATENED DEMOCRACY

MARK ESPER (FORMER DEFENSE SECRETARY): I could have resigned on the spot. It would have saved me a lot of grief, a lot of headache, but I, I thought that would be putting myself before the country, not the other way around.

BRETT BAIER ("SPECIAL REPORT WITH BRETT BAIER"): Do you think Donald Trump was a threat to democracy?

MARK ESPER (FORMER DEFENSE SECRETARY): I think that given the events of January 6th, given how he has undermined the election results, he incited people to come to DC, stirred them up that morning and failed to call them off, to me that threatens our democracy.

BRETT BAIER ("SPECIAL REPORT WITH BRETT BAIER"): So yes?

MARK ESPER (FORMER DEFENSE SECRETARY): I think the answer would, what else can you conclude, Brett?

JOY BEHAR ("THE VIEW"): Please.

WHOOPI GOLDBERG ("THE VIEW"): So what should he have done to stop the incite. Should he have mentioned a couple of things, but, you know, staying in but saying yes, the man is crazy and I'm letting you know I'm sitting here with him.

SARA HAINES ("THE VIEW"): Well, I love that his book is called "The Sacred Oath," while he spills the tea through the whole thing.

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): Well, and, and, so I worked with...

SUNNY HOSTIN ("THE VIEW"): He blew the oath.

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): I worked with Secretary Esper at the Department Of Defense.

WHOOPI GOLDBERG ("THE VIEW"): Right.

GRAPHICS: ESPER: TRUMP A THREAT TO AMERICAN DEMOCRACY

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): I was his spokeswoman and the department spokeswoman, traveled all over the world together. I was in Afghanistan with him. Served our country in uniform before he was secretary of defense. I know him to be a principled, serious person. And he is one of those that I am grateful was there because I am telling you crazier things would have happened. And on two different occasions, my first week back at the White House working under Donald Trump, he asked me pointblank in the Oval Office, "Should I fire your old boss Mark Esper?"

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): And I, you know, panicked, I said, "Sir, absolutely not. He's with you on the key issues like, you know, NATO contributions increasing, but also it would signal disaster in an election year." That's how you have to kind of reason with Trump. You have to make it all about him and his election.

JOY BEHAR ("THE VIEW"): Yeah.

WHOOPI GOLDBERG ("THE VIEW"): No.

GRAPHICS: DID ESPER DO ENOUGH TO STOP TRUMP?

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): And he held off. And then a few, right, and then a few months later he asked me again, pointblank, "Should I fire Esper?" And I said, "Absolutely not." Not taking credit, but I am grateful he was there because we saw after January, we saw on January 6th what happened when people like Esper weren't there. And when Trump loyalists were there telling him crazy things.

JOY BEHAR ("THE VIEW"): Well, you know, Alyssa, the impeachment and the 25th Amendment were in play at that time. And to stay there and not inform the American public that a sociopath was in the office, someone who wanted to shoot protesters, someone who was around during the '70s and '60s who they did shoot students at Kent State for protesting. He should know better. And he wants to send some kind of a bomb into Mexico.

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): Well, and he, I was...

JOY BEHAR ("THE VIEW"): This is psychotic behavior.

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): It is.

JOY BEHAR ("THE VIEW"): I'm sorry. Esper came out too late, just like Dr. Birx could have saved a lot of lives. He would have been kicked out at that point.

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): But my fear is this, I think it's a valid point, Joy. But my fear is if all the people of good faith who are public servants who cared about America left it would have been filled with little Steve Bannons. People who do not have the best interest...

JOY BEHAR ("THE VIEW"): They should have all opened their mouths.

SUNNY HOSTIN ("THE VIEW"): They should have. They should have said something.

JOY BEHAR ("THE VIEW"): That's all.

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): But he was still the president, is the problem.

SUNNY HOSTIN ("THE VIEW"): I think he's, I think this is a cowardly action. I'm tired of this ridiculous apology tour.

JOY BEHAR ("THE VIEW"): Yeah.

SUNNY HOSTIN ("THE VIEW"): I'm sorry, Alyssa. I'm sick of it. I'm sick of people now coming out and trying to sell a book. The reason he is speaking now is because he's trying to make money.

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): No. It's...

SUNNY HOSTIN ("THE VIEW"): I don't, I think that is cowardly. I think it's despicable and I completely agree with Joy. It's his new memoir, which by the way came out today. And that's why we're hearing about this.

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): He...

SUNNY HOSTIN ("THE VIEW"): The other thing that is just fascinating to me is that we have true heroes, true patriots like Alexander Vindman who testified during the 2019 impeachment and told us what happened with Ukraine, a country that's now being mercilessly attacked by Putin.

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): But do you think that it, do you think it would have been better if...

SUNNY HOSTIN ("THE VIEW"): And I'm sure your former boss who you're so proud of knew all about Ukraine, knew all about what was going on and said nothing.

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): No, no. Okay. No, no. This is an, this is an accusation. I need to make a response to. My boss, Secretary Esper, fought to get aid released to Ukraine. He was who stuck it to Donald Trump and got that aid ultimately released.

SUNNY HOSTIN ("THE VIEW"): Did he testify during the impeachment?

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): He got it done.

SUNNY HOSTIN ("THE VIEW"): Did he testify?

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): He wasn't asked to testify. He had...

SUNNY HOSTIN ("THE VIEW"): Did he tell us? Did he tell us anything?

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): Well, I, we were on the record...

SUNNY HOSTIN ("THE VIEW"): He's talking now.

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): We were on the record during that time at DOD that the aid needed to be released.

SUNNY HOSTIN ("THE VIEW"): No, no. He doesn't get a pass.

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): And it's, it's, listen, it's not about a pass so much as I, the idea that everyone of good faith should have just stepped down while Trump was still the commander in chief.

JOY BEHAR ("THE VIEW"): Not step down, spoke up.

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): And he did. He testified in open Congress countless times.

JOY BEHAR ("THE VIEW"): That's different.

SUNNY HOSTIN ("THE VIEW"): No.

SARA HAINES ("THE VIEW"): I think, the people that Trump would fill in those spaces with got worse and worse.

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): You saw it. Chris Miller...

SARA HAINES ("THE VIEW"): Yeah.

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): ...was the secretary of defense during January 6th. Trump wanted to call up the Insurrection Act and use active duty military to take on social **justice** protestors.

SUNNY HOSTIN ("THE VIEW"): Maybe January 6th would not have happened had he spoken up and stopped it.

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): Mark Esper stopped that.

SARA HAINES ("THE VIEW"): I do wish they...

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): Mark Esper stopped that.

SARA HAINES ("THE VIEW"): ...could stop writing books, though, 'cause to profit off this, if you were gonna give all proceeds to something that went back to rather January 6th or something else that happened, I'd feel, I'd be okay.

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): That's fair. I don't believe, I agree with that.

SARA HAINES ("THE VIEW"): I'd be more okay with those books. To profit off of holding onto those secrets, we felt the say way about Woodward when he did the, he found out all the stuff in office about COVID. And we were like why wait 'til you release a book if that could have helped people.

JOY BEHAR ("THE VIEW"): But Woodward wasn't part of the administration.

SARA HAINES ("THE VIEW"): No. But Joy, consistency here.

JOY BEHAR ("THE VIEW"): He's a journalist.

SARA HAINES ("THE VIEW"): He knew about some things that if he had come clean right away it would have saved lives.

SUNNY HOSTIN ("THE VIEW"): So we're gonna hold Woodward to a higher standard than we're gonna hold the secretary of defense.

SARA HAINES ("THE VIEW"): Sunny, Sunny, Sunny, wait one second. Sunny, you're making a false equivalent. What I'm saying is the activity of profiting off of something in a book basis, speaking up when it happens, I'm saying that I'm being consistent here. He should have spoken up. But so should Woodward.

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): I agree.

SARA HAINES ("THE VIEW"): I'm not saying they're not equal. I'm saying everyone should speak up.

SUNNY HOSTIN ("THE VIEW"): But you're not saying that they're equal?

SARA HAINES ("THE VIEW"): I'm not saying they're equal. Two things can be true at once.

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): And by the way, I totally agree, I declined to write a book. I will never try to profit off of public service. I don't think it's right. I've shared with the January 6th committee and anyone else that asks what I know about the Trump administration. I will say I just wanted to push this point a bit further. Secretary Esper and chairman Milley, who I also worked with, stopped Trump from invoking the insurrection act.

SUNNY HOSTIN ("THE VIEW"): We would have had active duty US military on the streets attacking social **justice** protesters rightfully assembling in Washington, DC. They stopped that from happening. We can't devalue those actual contributions that in those moments mattered.

SUNNY HOSTIN ("THE VIEW"): He got fired, right?

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): Yeah, he got fired.

SUNNY HOSTIN ("THE VIEW"): He didn't quit. He got fired.

WHOOPI GOLDBERG ("THE VIEW"): Yeah.

SUNNY HOSTIN ("THE VIEW"): So he never even, he never even quit.

JOY BEHAR ("THE VIEW"): Now, what do you say to, what do you say to the point she just made about how the January 6th thing wouldn't have happened if they had done something ahead of time? An ounce of prevention is worth a pound of cure. Did you ever hear that?

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): I, I think there's a lot of us, myself included, who should have, who were naive and thought something like January 6th could never happen. He's eventually just gonna go back to Mar-A-Lago, call it a day and admit loss. And we were, those of us who thought that, I can admit for myself I was wrong. I thought he was gonna peacefully leave. I never thought I would see an insurrection on US soil.

SUNNY HOSTIN ("THE VIEW"): How could, how could Esper, who's supposed to...

WHOOPI GOLDBERG ("THE VIEW"): You got a, hold on, baby. You got a, you got a...

SUNNY HOSTIN ("THE VIEW"): Oh.



JOY BEHAR ("THE VIEW"): A legal note.

WHOOPI GOLDBERG ("THE VIEW"): ...legal note.

SUNNY HOSTIN ("THE VIEW"): I have a legal note. Trump denied Esper's claims about wanting to shoot protesters, and while he did not comment on the allegation of proposing to launch missiles to strike drug labs in Mexico, you Trump called Esper, quote, "a lightweight." And claimed he had to run the military because Esper was weak and ineffective.

JOY BEHAR ("THE VIEW"): Well, who are you gonna believe? Come on, he's a liar. He lies about everything.

WHOOPI GOLDBERG ("THE VIEW"): It's too much.

JOY BEHAR ("THE VIEW"): Trump.

WHOOPI GOLDBERG ("THE VIEW"): It's just too much. You know, people knew, they could have said something, they said when they said it. That's all we got. That's all we got.

SARA HAINES ("THE VIEW"): Yeah.

WHOOPI GOLDBERG ("THE VIEW"): That's all we got. We'll be right back.

GRAPHICS: THE VIEW, 25

COMMERCIAL BREAK

GRAPHICS: THE VIEW, 25

GRAPHICS: VIEW YOUR DEAL, OPRAH DAILY EDITION

GRAPHICS: LAST CHANCE, VIEW YOUR DEAL

GRAPHICS: VIEWYOURDEAL.COM

ANNOUNCER: Spring into action with "O Daily" on "View Your Deal." We partnered with vendors for at least half off "O Daily's" fresh and fabulous finds for spring. So get to viewyourdeal.com now.

WHOOPI GOLDBERG ("THE VIEW"): So SCOTUS leaked an opinion about overturning Roe v. Wade has led to peaceful protests outside the homes of **Justices** Alito, Roberts and Kavanaugh. Now, the Senate, Senate just passed a ad (sic) security for the **justices** and their families and Republicans like, oh, I can't even say this man's name, you know, you'll know him when you see him, you'll see him.

JOY BEHAR ("THE VIEW"): You know what? How about Cancun Cruz?

WHOOPI GOLDBERG ("THE VIEW"): Okay. Republicans like Cancun Cruz are ranting about a double standard. Take a look.

CLIP OF TV SHOW, "HANNITY" FROM YESTERDAY

GRAPHICS: SEN TED CRUZ (R-TX) SENATE JUDICIARY COMMITTEE

GRAPHICS: PRO-ABORTION PROTESTORS DEMONSTRATE OUTSIDE SUPREME COURT **JUSTICES'** HOMES

SENATOR TED CRUZ (REP) (TEXAS): It's complete hypocrisy. You see this in, in the corporate media, you see this among Democrats. On January 6th of 2021 you had tens of thousands of people peacefully protesting and yet the corporate media and Democrats slandered them with the, the made-up term insurrectionists. And yet, in this instance, they are not willing to call their goons even now, even now as this has the potential to escalate and escalate further.

GRAPHICS: CRUZ COMPARES ABORTION PROTESTORS TO JAN. 6TH RIOTERS

WHOOPI GOLDBERG ("THE VIEW"): I'm actually gonna point something out to you, Mr. Cruz.

JOY BEHAR ("THE VIEW"): CC.

WHOOPI GOLDBERG ("THE VIEW"): No one outside of any of the **justices'** houses built a scaffold with nooses on it.

JOY BEHAR ("THE VIEW"): No.

WHOOPI GOLDBERG ("THE VIEW"): No one came there with zip ties to scare them. They are doing what we all know is legal in this country, which is to peacefully, that's how you peacefully protest. That's how we know the difference between January 6 and what you're seeing now.

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): Well...

WHOOPI GOLDBERG ("THE VIEW"): I'm sorry, the next woman you call a goon, don't do it to her face. Okay? I'm sorry. Go ahead.

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): Well, it's, what's funny about this is Ted Cruz, right after January 6th, called the protesters terrorists.

WHOOPI GOLDBERG ("THE VIEW"): Mm-hmm.

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): He condemned them. Now, he's on, he's on every side of this issue. And now they're peacefully protesting, which they obviously weren't. I would say this though, on the issue of the Supreme Court, it's enshrined in the First Amendment you have the right to peaceably assemble.

WHOOPI GOLDBERG ("THE VIEW"): Yeah.

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): And that's, so far, what we're seeing outside of **justices'** houses.

WHOOPI GOLDBERG ("THE VIEW"): Yeah.

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): I will say this, I think the more appropriate venue is the steps of the Supreme Court. I worry it could begin to look like intimidation when it's at someone's doorstep. I'm someone, I've...

WHOOPI GOLDBERG ("THE VIEW"): It's so funny. So does what Alito wrote, looks the same way to me. Looks like intimidation. And, and, yeah, it's kind of the same thing.

JOY BEHAR ("THE VIEW"): But it, it also shows Alito what it feels like to lose your freedom of choice, he cannot leave the house easily. So maybe that's good lesson for them.

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): Well, and I will say, and I'll say this, what I did think went too far is Lori Lightfoot, mayor of Chicago, put out a statement saying this is a call to arms, talking about the potential decision around Roe v. Wade. That is damaging reckless language.

SARA HAINES ("THE VIEW"): Yeah.

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): That is not what we need right now. We need to take the temperature down and have a real discussion (inaudible).

WHOOPI GOLDBERG ("THE VIEW"): Well, actually, I...

SARA HAINES ("THE VIEW"): But I think it was suck a conflation for Ted Cruz, when you look at the optics of that day, there's no one scaling windows, breaking glass, putting their feet up in your home office.

JOY BEHAR ("THE VIEW"): Killing anybody (inaudible).

SARA HAINES ("THE VIEW"): Going through any, yeah, the death is the extreme of the, the worst part of that day was the loss.

JOY BEHAR ("THE VIEW"): Yeah.

SARA HAINES ("THE VIEW"): But there was, there were people climbing into windows, like when you look at that and then he says, "That day was about peaceful protests," clearly it's part of gaslighting of sorts. But I just laugh because as far as we know there has been no one that crossed the line in peaceful assembly and protest.

WHOOPI GOLDBERG ("THE VIEW"): No.

SUNNY HOSTIN ("THE VIEW"): Right.

JOY BEHAR ("THE VIEW"): And yet, Trump would like to shoot them.

WHOOPI GOLDBERG ("THE VIEW"): I think that, I think that Lori, when she says a call to arms, that's something we in the '60s know what that means. That doesn't mean to go and do any (inaudible). That means to, to pay attention and make sure you're there voting, doing what you need to do.

SUNNY HOSTIN ("THE VIEW"): And I think, you know, what's interesting is, you have Republicans always talking about the Constitution and we have to think about Constitution and our constitutional rights. You always hear when it comes to the Second Amendment, truly a call to arms.

WHOOPI GOLDBERG ("THE VIEW"): Yeah.

SUNNY HOSTIN ("THE VIEW"): You always think about it when, when they don't wanna wear their masks, or they don't wanna be vaccinated. You know, I have my First Amendment right to my privacy. Yet, when we're talking about the right to protest, which is a constitutional right, when we're talking about our freedom of speech, which is just ingrained in the Constitution, Republicans don't wanna hear about it. Republicans like Ted Cruz, who calls him the consummate constitutionalist.

WHOOPI GOLDBERG ("THE VIEW"): Well.

SUNNY HOSTIN ("THE VIEW"): And I just think the hypocrisy there is so despicable. And I'm sorry, I would agree with you. It, it does, you know, we have to be very careful when we talk about protesting outside of people's homes.

WHOOPI GOLDBERG ("THE VIEW"): Mm-hmm.

SUNNY HOSTIN ("THE VIEW"): Because there is a federal law that Republicans are citing, it's federal US code **1507**, "That any individual who pickets or parades with the intent of interfering or obstructing or impeding the administration of **justices** or with the intent of influencing a judge," right, "near a US court or near a residence occupied by a judge, can be fined or imprisoned." There is that statute. So people have to be careful.

WHOOPI GOLDBERG ("THE VIEW"): They do. They do.

SUNNY HOSTIN ("THE VIEW"): But I think the, the Constitution certainly allows people to protest and we want to see that.

WHOOPI GOLDBERG ("THE VIEW"): Yes. And these people, again, the people who are protesting know what, how to do this. They know how they're doing it. And they're doing it correctly.

SUNNY HOSTIN ("THE VIEW"): By the way, some of them are Kavanaugh's neighbors.

WHOOPI GOLDBERG ("THE VIEW"): Yeah, they're a little annoyed.

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): And the one thing I would mention that the language and the rhetoric matters. I think this is a very good point you made, Sunny, because there was an anti-abortion clinic that was targeted violently. And we don't need that.

WHOOPI GOLDBERG ("THE VIEW"): Well, well, here's the thing.

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): We need civil discussion.

WHOOPI GOLDBERG ("THE VIEW"): We don't know who did that.

JOY BEHAR ("THE VIEW"): Yeah.

WHOOPI GOLDBERG ("THE VIEW"): We don't know who did that. So let's be really clear about that. Listen, nobody wants anybody to get hurt.

JOY BEHAR ("THE VIEW"): Right.

WHOOPI GOLDBERG ("THE VIEW"): That's why they're quietly protesting. They allow people to protest across the street from abortion clinics, screaming at women "How dare you" and "Murderer" and all that kind of stuff. So I think there's a balance here to be met. I think people are doing, yes, I see you. We have to go. We'll be back.

GRAPHICS: NEXT, BETO O'ROURKE

ANNOUNCER: With abortion and immigration rights under fire in Texas, what's former Congressman Beto O'Rourke's plan to unseat Greg Abbott and become the next governor of the Lone Star State? He's live on "The View," next.

GRAPHICS: THE VIEW, 25

COMMERCIAL BREAK

GRAPHICS: THE VIEW, 25

REPORTER LOCATION: NEW YORK, NY USA

**BETO O'ROURKE, TEXAS GUBERNATORIAL CANDIDATE**

TOPIC:

CONTENT: O'ROURKE, TEXAS, ABORTION, BORDER, ABBOTT

WHOOPI GOLDBERG ("THE VIEW"): Now, Texas is one of America's biggest battleground states for abortion and immigration rights. And former congressman Beto O'Rourke is attempting to do something no Democrat has ever done in a quarter century. He wants to become governor of the Lone State (sic). Please welcome back Beto O'Rourke.

JOY BEHAR ("THE VIEW"): Good to have you back.

SARA HAINES ("THE VIEW"): Welcome.

WHOOPI GOLDBERG ("THE VIEW"): So Sara has the first question.

SARA HAINES ("THE VIEW"): Yes, I do.

WHOOPI GOLDBERG ("THE VIEW"): But welcome back.

BETO O'ROURKE (DEM) (TEXAS GUBERNATORIAL CANDIDATE): Thank you.

SARA HAINES ("THE VIEW"): We'll get right into it. So this country has never been more divided when it comes to things like abortion, immigration, inflation. Texas politics is like a microcosm of everything kind of going in the world, well, this country at least. How did we get here and why is this divide so deep?

BETO O'ROURKE (DEM) (TEXAS GUBERNATORIAL CANDIDATE): Probably nowhere more so than in Texas right now. You have a, a governor who is attacking women. We have a complete abortion ban beginning at conception with no exception for rape and no exception for incest. You have a governor who's attacking Texas teachers, telling them what version of history they're allowed to teach to the students in, in their classroom. You have a governor who's attacking democracy. It's harder to vote in the state of Texas than any other state in the union.

BETO O'ROURKE (DEM) (TEXAS GUBERNATORIAL CANDIDATE): A 95-year-old World War II veteran who put his life on the line to fight fascism half a world away in World War II, to defend democracy at home, had his ballot-by-mail request rejected not once but three times in Texas because of Greg Abbott. So the answer to that has to be bringing us together, not on the things that divide us, these culture war issues that he has chosen to, to make the priority of the state of Texas, and instead the things that bring us together. The kinds of jobs that we want to be able work in a state where the minimum wage is still \$7.25 an hour.

SARA HAINES ("THE VIEW"): Nice.

BETO O'ROURKE (DEM) (TEXAS GUBERNATORIAL CANDIDATE): Or the quality of public education where 7 out of 10 fourth graders in Texas cannot read at grade level today. I wanna focus on that, or expanding Medicaid, which may sound quaint in New York and most of the other states in the union. But in Texas we still haven't done it.

WHOOPI GOLDBERG ("THE VIEW"): Yeah.

BETO O'ROURKE (DEM) (TEXAS GUBERNATORIAL CANDIDATE): So we're the least insured state in the country, where more people are dying of diabetes, curable cancers, the flu, than almost anywhere else in, in the country. We focus on those things, great jobs, world class schools, the ability to see a doctor. We can start bringing people together again, Democrats, Republicans, Independents alike.

SUNNY HOSTIN ("THE VIEW"): Yeah, and maybe...

BETO O'ROURKE (DEM) (TEXAS GUBERNATORIAL CANDIDATE): Yeah.

SUNNY HOSTIN ("THE VIEW"): And maybe women's health.

BETO O'ROURKE (DEM) (TEXAS GUBERNATORIAL CANDIDATE): That's right. That's right.

SUNNY HOSTIN ("THE VIEW"): So with the looming threat of the Supreme Court overturning Roe v. Wade, you held a rally in Houston, Texas, to support a woman's right to choose and women's health. Because I think we have to reframe this discussion, it's not just about abortion but women's health. The final ruling isn't until this summer, but is it just a matter of time in your view, at this point, before Roe is overturned?

BETO O'ROURKE (DEM) (TEXAS GUBERNATORIAL CANDIDATE): It is. And **Justice** Alito in that draft decision has made it very clear that it's coming back to the states. And there's no state more important than the state of Texas. One, because you have more women who will be denied that right to an abortion, but as you pointed out, Sunny, it is not just about access to an abortion. Because over the last seven years, under Greg Abbott, almost all of our reproductive health care clinics have been closed down.

BETO O'ROURKE (DEM) (TEXAS GUBERNATORIAL CANDIDATE): So not only is it harder to get an abortion, but try getting a cervical cancer screening or family planning help or seeing a doctor at all in some of these more rural and remote communities, we lead most of the developed world right now in the rate of maternal mortality in the state of Texas, three times as bad for black women.

JOY BEHAR ("THE VIEW"): I (inaudible).

WHOOPI GOLDBERG ("THE VIEW"): Yeah.

BETO O'ROURKE (DEM) (TEXAS GUBERNATORIAL CANDIDATE): You mentioned that rally in Houston, though, and it reminds us that we also have the answer to this challenge in the, in the, in the state of Texas. Five thousand people came out on three days' notice to stand up for every woman's right to make her own decisions about her own body, her own future and her own health care.

BETO O'ROURKE (DEM) (TEXAS GUBERNATORIAL CANDIDATE): And it's also a reminder that Texas women have always been there. Roe vs, have a Roe versus Wade, Jane Roe was a Texan. And the two women who successfully pled her case, Sarah Weddington and Linda Coffee, also from the state of Texas. So it wasn't women in Texas waiting for someone to come from outside to save them. It was women of Texas standing up, fighting for their rights and winning them. We're gonna do that again, yeah.

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): So I keep wanting to call you Congressman, 'cause we were in the House at the same time. But Governor Abbott has signed into law this ban after six weeks on abortion, a trigger law would go into effect if this ruling or this draft opinion turns out to be true, that would bar abortions even with exceptions for rape and incest.

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): But on the flip side, congressional Democrats are pursuing a House bill that protects abortion rights through viability as determined by a doctor. The language in my reading feels very vague. And I'm curious, if elected would you put any restrictions on abortion, like within the third trimester?

BETO O'ROURKE (DEM) (TEXAS GUBERNATORIAL CANDIDATE): The, the bill that you're talking about right now, as I understand it, seeks to enshrine Roe versus Wade, the decision that's been the law of the land for the last half century, into federal statute. As you know it's unlikely to pass. It's more theoretical than anything else at this point because there's not a pro-choice filibuster-proof majority in the Senate right now.

BETO O'ROURKE (DEM) (TEXAS GUBERNATORIAL CANDIDATE): But what is not theoretical and what is happening in the state of Texas is that total abortion ban, that so-called trigger law that goes into effect in Texas 30 days after this decision is finally rendered, we think sometime this summer. That will mean that no woman in state of Texas, beginning at conception, will be able to make her own decisions about her own body or her own future. And we just saw headlines today that state legislators are trying to stop women in Texas from leaving the state to go be able to access health care in another part of the country. That is happening today.

WHOOPI GOLDBERG ("THE VIEW"): So what it, so is it ownership now?

JOY BEHAR ("THE VIEW"): Yeah.

WHOOPI GOLDBERG ("THE VIEW"): Does Texas own the women in, that live there now? Is that what they're trying to do?

JOY BEHAR ("THE VIEW"): It's called fascism.

BETO O'ROURKE (DEM) (TEXAS GUBERNATORIAL CANDIDATE): Whoopi, you, you nailed it on the head. This is not about life, if it were about life, if it were about life the governor would do something about our foster care system in Texas.

WHOOPI GOLDBERG ("THE VIEW"): Yeah.

BETO O'ROURKE (DEM) (TEXAS GUBERNATORIAL CANDIDATE): A hundred kids...

WHOOPI GOLDBERG ("THE VIEW"): Yeah.

JOY BEHAR ("THE VIEW"): They do nothing.

BETO O'ROURKE (DEM) (TEXAS GUBERNATORIAL CANDIDATE): Yes.

JOY BEHAR ("THE VIEW"): Nothing. Once the kid is born it's bye bye, baby.

BETO O'ROURKE (DEM) (TEXAS GUBERNATORIAL CANDIDATE): That's right.

ALYSSA FARAH GRIFFIN (GUEST CO-HOST): But I, I do press further 'cause you're a progressive hero. There are so many people around the country who admire you and your leadership. Do you believe in any limitations on abortion, whether it's the third trimester or up until even the final months, nine months?

BETO O'ROURKE (DEM) (TEXAS GUBERNATORIAL CANDIDATE): I think Roe versus Wade, which we should remind ourselves is still the law of the land today, is the, the reference point that I would look to. And the, the way I think I can best express this, is that I trust women, we should all trust women to make their own decisions that are in their best interests for themselves, for their health care, and for their future.

BETO O'ROURKE (DEM) (TEXAS GUBERNATORIAL CANDIDATE): That's the way it's been literally my entire life. I'm 49 years old. I'll be 50 years old this year, but that, that's the way it should be going forward. But, but let me just finish this point super quickly. In, in Texas under Greg Abbott's watch, a hundred kids lost their lives last year in the CPS, Child Protective Service system...

WHOOPI GOLDBERG ("THE VIEW"): Yep.

BETO O'ROURKE (DEM) (TEXAS GUBERNATORIAL CANDIDATE): ...in Texas under the care and the custody of the state of Texas. If he cared about life, he would have cared about those kids.

WHOOPI GOLDBERG ("THE VIEW"): Yeah.

BETO O'ROURKE (DEM) (TEXAS GUBERNATORIAL CANDIDATE): But he cares about political points and control and power over women's bodies.

JOY BEHAR ("THE VIEW"): And he loves his guns, too.

BETO O'ROURKE (DEM) (TEXAS GUBERNATORIAL CANDIDATE): That's right. That's right. And the NRA.

JOY BEHAR ("THE VIEW"): Yep.

WHOOPI GOLDBERG ("THE VIEW"): We're gonna have more with Beto O'Rourke when we come back.

GRAPHICS: THE VIEW, 25

COMMERCIAL BREAK

GRAPHICS: THE VIEW, 25

WHOOPI GOLDBERG ("THE VIEW"): We're back with Beto O'Rourke. Joy?

JOY BEHAR ("THE VIEW"): Yes. So last week we saw that JD Vance won the Ohio primary after Trump endorsed him. Before Trump endorsed him he was going, he was running in the single digits. So what does that say about Trump and his base? That says to me that he has a good chance of being the nominee. What does it say to you?

BETO O'ROURKE (DEM) (TEXAS GUBERNATORIAL CANDIDATE): Well, certainly he has a profound influence over the Republican Party, at least those holding office or who wanna hold office within the Republican Party. I don't think he speaks for all Republicans, certainly. But in Texas, you see Greg Abbott trying to mimic Donald Trump's behavior. This abortion ban, this attack on transgender kids and trying to prosecute their parents...

WHOOPI GOLDBERG ("THE VIEW"): Yeah.

BETO O'ROURKE (DEM) (TEXAS GUBERNATORIAL CANDIDATE): ...for child abuse, these theatrics at the border, involuntarily activating 10,000 members of, of the Guard right now. He's not trying to be governor of the state of Texas. He's



trying to get that poll position in the Republican presidential primary, but it's costing us in Texas. I mean, this guy could not keep the lights on when the temperature dropped last year, 700 people died, froze to death...

WHOOPI GOLDBERG ("THE VIEW"): Yep, because of him. Yeah.

BETO O'ROURKE (DEM) (TEXAS GUBERNATORIAL CANDIDATE): ...in the energy capital of the world, in the state of the Texas.

JOY BEHAR ("THE VIEW"): Oh, you need to push that one.

BETO O'ROURKE (DEM) (TEXAS GUBERNATORIAL CANDIDATE): We, we will. And, and sent the bill to all the rate payers in Texas. We're all now paying fifty bucks more per month on our utility bills because of Greg Abbott.

SUNNY HOSTIN ("THE VIEW"): All Texas is doing that?

BETO O'ROURKE (DEM) (TEXAS GUBERNATORIAL CANDIDATE): Yes. It's the Abbott tax. And, and all of us are paying, he's the number one driver of inflation in the state of Texas.

JOY BEHAR ("THE VIEW"): Ha, wow, that is, that's terrible.

WHOOPI GOLDBERG ("THE VIEW"): He's terrible.

BETO O'ROURKE (DEM) (TEXAS GUBERNATORIAL CANDIDATE): So we're paying the tax.

JOY BEHAR ("THE VIEW"): He is just the worst.

WHOOPI GOLDBERG ("THE VIEW"): He is.

JOY BEHAR ("THE VIEW"): I don't know who's worse, him or DeSantis. They're sort of together in the same...

BETO O'ROURKE (DEM) (TEXAS GUBERNATORIAL CANDIDATE): They're competing for that title.

JOY BEHAR ("THE VIEW"): Yeah, yeah, yeah.

SARA HAINES ("THE VIEW"): Well, you mentioned the border a little bit ago, that leads me to my question. The Biden administration plans to end Title 42 later this month, this is a policy that started during COVID, restricting migrants from coming into the country in the interest of public health. Now, if this happens, Homeland Security predicts up 18,000 migrants could arrive daily. That's more than double the current average. Do you think the President has a clear plan on how to handle this surge of, of immigration?

JOY BEHAR ("THE VIEW"): At the border.

BETO O'ROURKE (DEM) (TEXAS GUBERNATORIAL CANDIDATE): I'll answer this in Texas terms, based on our values in the state and then coming from the border, I live in El Paso, Texas. We also have, I think, a unique perspective on this. One, we, we want order and rule of law. For those coming to this country. We want them to follow the law. We expect that. Two, we think Texas should lead the way in rewriting our immigration laws, which really haven't been updated since Ronald Reagan was the president of the United States.

BETO O'ROURKE (DEM) (TEXAS GUBERNATORIAL CANDIDATE): And three, on this issue of Title 42, when I listen to Border Patrol agents, they tell me that Title 42, which requires them to turn back everybody who approaches the border, even those who have legitimate asylum claims, makes their job harder because that same person who came last night will there tonight, will be there the next night. And if they pose a danger to this country, we're no more the wiser for it. They go back and they may try again.

BETO O'ROURKE (DEM) (TEXAS GUBERNATORIAL CANDIDATE): When we lift Title 42 and when we can process and where appropriate detain people, especially those who may pose a danger to us, we're gonna be safer. We're gonna be following our own asylum laws and I hope it produces more pressure on the United States. Especially those in Congress to do their job and rewrite our immigration laws, hopefully in the image of Texas, which I think of as the defining immigrant state.

BETO O'ROURKE (DEM) (TEXAS GUBERNATORIAL CANDIDATE): Last point, I do think that President Biden needs to do a better job of listening to border communities, those mayors, county judges, sheriffs, the Catholic charities that are helping these immigrants right now. They, they understand what's happening and they understand what they're communities need to successfully process these people who will be coming when Title 42 is lifted.

JOY BEHAR ("THE VIEW"): Okay.

WHOOPI GOLDBERG ("THE VIEW"): All right. So you know you're always welcome at this table. So keep coming back and telling us what's going on. And President Biden, listen to the people. Listen to the people of Texas 'cause they're trying to talk to you, trying to tell you something. We of course will be right back.

BETO O'ROURKE (DEM) (TEXAS GUBERNATORIAL CANDIDATE): Thank you, Whoopi.

GRAPHICS: NEXT, EVA MENDES

ANNOUNCER: Eva Mendes shares what made her walk away from the spotlight, which project would get her back on camera, and her advice for women who wanna get down to business, next.

GRAPHICS: THE VIEW, 25

COMMERCIAL BREAK

GRAPHICS: THE VIEW, 25

REPORTER LOCATION: NEW YORK, NY USA

**EVA MENDES, SKURA STYLE**

TOPIC:

CONTENT: MENDES, SKURA, ANTIMICROBIAL, GOSLING

WHOOPI GOLDBERG ("THE VIEW"): The fabulous Eva Mendes has been as busy as ever on and off camera. So we are glad she found a second to stop by and catch up with us. So please welcome back, the fabulous Eva Mendes.

SUNNY HOSTIN ("THE VIEW"): Hi.

WHOOPI GOLDBERG ("THE VIEW"): Hey now.

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): Hello, hello.

SUNNY HOSTIN ("THE VIEW"): You look stunning.

WHOOPI GOLDBERG ("THE VIEW"): Yes, gorgeous. Can we talk about, this is fly.

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): I like this swivel. Thank you so much. I feel so professional.

WHOOPI GOLDBERG ("THE VIEW"): You know.

SUNNY HOSTIN ("THE VIEW"): Gorgeous. Well, you haven't been on the show for a couple of years...

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): But you're back today because you're the co-owner, brand ambassador for our sponsor Skura Style...

WHOOPI GOLDBERG ("THE VIEW"): Yay.

SUNNY HOSTIN ("THE VIEW"): ...which is, right? And I'm a, I'm a germaphobe and like a neat fanatic.

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): Oh, this is perfect for you. This will change your, your sink life.

SUNNY HOSTIN ("THE VIEW"): I've been, I've been touching it. So...

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): It's amazing.

SUNNY HOSTIN ("THE VIEW"): It's a, it's a line of antimicrobial sponges. So please tell us about it.

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): So basically, I love to do the dishes.

WHOOPI GOLDBERG ("THE VIEW"): Yeah.

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): I find it oddly exciting.

WHOOPI GOLDBERG ("THE VIEW"): Me, too. I do.

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): You too?

WHOOPI GOLDBERG ("THE VIEW"): Yeah, I don't, I don't know how to use the dishwasher. My, my...

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): I don't like a dishwasher.

WHOOPI GOLDBERG ("THE VIEW"): No. I just wash with it my hands.

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): No dishwasher.

WHOOPI GOLDBERG ("THE VIEW"): No.

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): If you're it anyway to put it in the dishwasher, just clean the plate.

WHOOPI GOLDBERG ("THE VIEW"): Wash it, yeah.

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): Thank you. Thank you. So anyway, I was raised well by a Cuban woman.

WHOOPI GOLDBERG ("THE VIEW"): Yes, you were.

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): No. So I've always, you know, you guys heard that thing years ago, it was like your sponge is the dirtiest thing in your house. It's dirtier than your toilet.

SUNNY HOSTIN ("THE VIEW"): Yes.

WHOOPI GOLDBERG ("THE VIEW"): Yes.

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): So I was like, what?

SUNNY HOSTIN ("THE VIEW"): Yeah.

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): So I went on a sponge hunt and I found Skura Style sponges.

WHOOPI GOLDBERG ("THE VIEW"): Right.

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): Skura with a K. It's incredible, antimicrobial. So it doesn't smell at all. But the genius of this innovative design is, you see this little monogram?

SUNNY HOSTIN ("THE VIEW"): Yeah.

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): Once you start using it, it starts to fade, and it basically tells you when it's time to replace your sponge. So it does the thinking for you. It's a smart sponge.

WHOOPI GOLDBERG ("THE VIEW"): Right.

SUNNY HOSTIN ("THE VIEW"): Oh.

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): And I need all the help I can get 'cause I got two kids, I got a dog, I got a man. I'm always...

SUNNY HOSTIN ("THE VIEW"): Yeah.

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): I'm always in, I got a good man, though. I'm always in the kitchen and I, I love being in the kitchen.

WHOOPI GOLDBERG ("THE VIEW"): Right.

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): But who can, you know, who has the time to go, oh, has it been two weeks, I gotta change the sponge. So...

SUNNY HOSTIN ("THE VIEW"): Right.

WHOOPI GOLDBERG ("THE VIEW"): I love it.

SUNNY HOSTIN ("THE VIEW"): Talking about your ma'am, Ryan Gosling, we know him a little bit.

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): Yeah, you know what? I feel the same way about him.

SUNNY HOSTIN ("THE VIEW"): No, I, I fight with mine about cleaning in particular...

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): Yes.

SUNNY HOSTIN ("THE VIEW"): ...because he definitely puts the, the dishes in the sink, I'm like, is the dish fairy gonna do something with that dish, right?

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): Yeah.

SUNNY HOSTIN ("THE VIEW"): Do you argue...

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): No. I fight with him about the dishes for sure. So I'll, he'll be doing the dishes, doing dishes and I walk in, I say, "What are you doing?" And he's like, "I'm doing the dishes." And I'm like, "Why? Why the hell you doing the dishes? It's my thing. Get out of here." So we fight about it for another reason. I wanna do the dishes. It's my thing.

WHOOPI GOLDBERG ("THE VIEW"): Right.

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): He's the cook. Let me have my thing. Let me do my dishes.

SUNNY HOSTIN ("THE VIEW"): He's the cook?

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): Yes, he is the cook.

SUNNY HOSTIN ("THE VIEW"): Oh, that's nice.

WHOOPI GOLDBERG ("THE VIEW"): Now, you, you have built a really successful business side of your career. What's your advice for other women who are thinking, you know, I, I might have an idea or I'd like to be part of something. How, what's a good way for them to start?

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): Well, what's interesting is I feel like I'm very fortunate because I've, I've, you know, built a name for myself. And so when, when I, I seeked out this opportunity. I, I called these women, Linda and Allison, who are amazing, who are started this company. And I seeked out, I said, "I love your product, let's do something."

WHOOPI GOLDBERG ("THE VIEW"): Yeah.

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): I didn't know I'd be part owner, owner in it, but I understand that that comes, that having a name comes with a certain accessibility.

WHOOPI GOLDBERG ("THE VIEW"): Right.

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): But that person, a year ago, who called Skura is the same girl who 25 years ago was like, I need to do something, I need to make some money.

WHOOPI GOLDBERG ("THE VIEW"): Right.

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): Basically, I wanted to be financially independent. And I was like, I need to buy my mom a house. So what am I gonna do? Can I do that? Can I do that? So for me it was about seeing opportunity in everything.

WHOOPI GOLDBERG ("THE VIEW"): Right.

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): And I took some really horrible jobs early on, not just acting jobs, but you know jobs that you just don't wanna do.

WHOOPI GOLDBERG ("THE VIEW"): Yeah.

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): But I saw opportunity. I'm like, I don't wanna do this, but I see something there. And sometimes it turned into something, sometimes it didn't. But most of the time, I don't know, for me it's like seeing the opportunity everywhere.

SUNNY HOSTIN ("THE VIEW"): And just go for it.

WHOOPI GOLDBERG ("THE VIEW"): I like that. And you took, you took some time off...

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): I did. I did.

WHOOPI GOLDBERG ("THE VIEW"): ...from acting to raise your children.

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): I did. I was still working, I just wasn't acting. 'Cause as you know acting can...

WHOOPI GOLDBERG ("THE VIEW"): Right. Absorb your entire life, yeah.

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): ...take, take up a lot of your time. Yeah, absorb your entire life. Probably take over and make you self-doubt everything. No. But yeah, so I took time off from film, yeah.

WHOOPI GOLDBERG ("THE VIEW"): You wanna come back? You thinking of doing, what do you wanna do?

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): You know, Whoopi, I have such a short list of what I will do. Like, before kids I kind of was up for anything. I mean, you know, if it was a fun project but now I don't want to do violence.

SUNNY HOSTIN ("THE VIEW"): Yeah.

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): I don't wanna do sexuality.

WHOOPI GOLDBERG ("THE VIEW"): Right.

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): I don't wanna do, you know, the, the list is short.

SUNNY HOSTIN ("THE VIEW"): But if there's a special project will we see you again?

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): I hope so.

SUNNY HOSTIN ("THE VIEW"): I would like to.

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): I hope so.

SUNNY HOSTIN ("THE VIEW"): Okay, okay.

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): It has to be nice and clean.

WHOOPI GOLDBERG ("THE VIEW"): Like stuff like Disney does.

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): Disney, perfect.

SUNNY HOSTIN ("THE VIEW"): Okay.

WHOOPI GOLDBERG ("THE VIEW"): Okay.

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): Disney.

SUNNY HOSTIN ("THE VIEW"): Okay. So we'll, we may see you soon. Now, you have millions of followers, millions on social media, but you said that last year you took a break from it. What made you want to do that?

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): I did. I took a break from social media because I started feeling really phony in it. I started feeling like, you know, you hear, you know, you, you need to put out content, content. And it's like...

SUNNY HOSTIN ("THE VIEW"): Yes.

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): ...okay, content, but, okay, what is that? So I started seeing my day, like, is this a social media post? And it was like, I don't wanna live like that. I, I wanna, like, have more genuine, like oh, that's cool to post. But not seek it out.

WHOOPI GOLDBERG ("THE VIEW"): Yeah.

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): And I started feeling phony.

WHOOPI GOLDBERG ("THE VIEW"): Yeah.

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): I think I posted, I don't know, my last post was, like, me on a Ferris wheel or, I'm like, what am I doing? I'm just like, you know, on a carousel, I'm like, I'm 48, it's fine to do, but just stop.

WHOOPI GOLDBERG ("THE VIEW"): Right. Well, you know what I would like? I would like you to come back and co-host with us.

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): That would be so much fun.

WHOOPI GOLDBERG ("THE VIEW"): I think that would be fun. We'd have a good time.

EVA MENDES (SKURA STYLE CO-OWNER & BRAND AMBASSADOR): I would (inaudible). That would be fun.

WHOOPI GOLDBERG ("THE VIEW"): And these, first of all, our thanks to Eva Mendes, our sponsor Skura Style.

SUNNY HOSTIN ("THE VIEW"): Yeah.

WHOOPI GOLDBERG ("THE VIEW"): This is their sponge. We'll be right back. Whoop.

GRAPHICS: THE VIEW, 25

COMMERCIAL BREAK

GRAPHICS: THE VIEW, 25

GRAPHICS: TOMORROW, SARAH SILVERMAN

ANNOUNCER: Tomorrow, Sarah Silverman is live to talk about really going there in her very personal musical comedy "The Bed Wetter."

WHOOPI GOLDBERG ("THE VIEW"): Sara?

SARA HAINES ("THE VIEW"): I, Tonight, we have "The Chase" again at 9:00 PM. And it's the season debut of chaser James Holzhauer, who is a beast. His blood runs cold and he's fierce. But check it out, 9:00 PM Eastern right here on ABC. You don't wanna miss it.

WHOOPI GOLDBERG ("THE VIEW"): That's right. We never wanna miss any of it. So we want you all to have a great day and take a little time to enjoy the view and have the best day possible.

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**NewsRoom**

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May 11, 2022

### Biden's Inflation Failures Pile Up; Incoming White House Press Secretary Has History Of Radicalism And Extreme Rhetoric

SEAN HANNITY, FOX NEWS HOST: And welcome to HANNITY.

We begin with breaking news tonight. Now, we have good news and bad news out of the Biden White House.

All right. First, the good news, the most pompous and dishonest press secretary in American history, she will be gone at the end of the week. The bad news, her replacement is a full-blown tin foil hat conspiracy theorist who thinks that many of our political opponents are racist and we've got a full HANNITY investigation into Karine Jean-Pierre coming up.

But we begin tonight with this, the big guy Joe Biden, his genius new plan to battle inflation. Take a look.

(BEGIN VIDEO CLIP)

JOE BIDEN, PRESIDENT OF THE UNITED STATES: And I agree with what Chairman Powell said last week that the number one threat is the strength in -- in that strength that we built is inflation. Look, I know you got to be frustrated. I know I can taste it.

REPORTER: Translation, in this country, do you take any responsibility to your policies?

BIDEN: I think our policies help not hurt. Think about what they say. The vast majority of the -- of the economists think that this is going to be a real tough problem to solve but it's not because of spending.

(END VIDEO CLIP)

HANNITY: I'm screaming at the TV, how have they helped Joe? Now since Joe has clearly lost any ability to communicate because of his cognitive decline, allow me to try to translate for him. There's no plan to curb inflation. By the way, it's not transitory either. There's no plan to lower gas prices. There's no plan to spur on economic growth or as Bloomberg reported, quote, inside the administration, there is a sense of frustration doom and some say magical thinking about inflation. Magical thinking?

We're now on the verge of what is a devastating recession, coupled with record-setting inflation and of course on top of that a supply chain crisis and gas prices, yep, they just hit a brand new record high along with diesel prices.

Now, the stock market is plunging right before our eyes. Fortunes, I mean fortunes are being lost by the middle class in this country and people on fixed incomes in this country. That means their pensions, retirement funds, 401ks, they're getting wrecked in the market.

There's a nationwide shortage of baby formula and the White House is thinking about the economy in a magical way. Well, it's time for heads to roll. Joe's economic and energy policies, they're nothing but a complete and utter disaster.

Biden's inflation is now costing you, the average American, the average American household over \$5,200 annually and new numbers out today show the average American is paying \$2,000 more per year just for gasoline. But nothing is going to change because the Democratic Party is ruled by socialists that are all part of this religious climate alarmist cult and they will never retreat from their radical agenda. I don't see that ever happening.

They don't seem to care if you, the American people suffer. They don't care if the country implodes, so long as the system is fundamentally transformed the way they want and capitalism becomes a thing of the past and according to them, we all must pay for our sins against Mother Earth and beg Iran and Venezuela and OPEC to produce the oil we could be producing ourselves.

So, no matter how high gas prices go, Biden's not going to open up drilling and fracking. He's not going to green light the Keystone XL pipeline. The Alberta premiere said we'd be getting 9,000 barrels of Canadian oil a day had he let that continue to be finished by now.

And no matter how bad inflation gets, Joe's not going to stop spending either, as the economy gets worse and worse, the administration -- they keep peddling more dumb excuses one after another, you know, the usual Biden excuse.

For example, Treasury Secretary Janet Yellen, she was supposed to be a brilliant economic mind. As it turns out, Janet has lost all touch with reality. She now wants you to believe that a future Supreme Court ruling on Roe v. Wade is the cause of Joe Biden's economic and energy policies and all the problems we had. I thought this was all caused by Putin and Donald Trump. I guess I was wrong.

(BEGIN VIDEO CLIP)

SEN. BOB MELENDEZ (D-NJ): If the draft of the court's majority holding in Roe versus Wade is the actual decision, what impact will the loss of abortion access mean economically for women?

JANET YELLEN, TREASURY SECRETARY: Well, I believe that eliminating the right of women to make decisions about when and whether to have children would have very damaging effects on the economy and would set women back decades.

(END VIDEO CLIP)

HANNITY: There won't be a loss of abortion access. There might be restrictions in some states but there to be plenty of opportunities for everyone that wants one.

Now, remember, this is the same Janet Yellen that promised inflation was transitory. Janet was wrong. Inflation is not transitory. Our economy is a train wreck and yet Janet Yellen continues to toe the party line.

At this point, she really is nothing more than a useful idiot and it's past time that she sell off into retirement.

Here now with reaction is FOX Business anchor Larry Kudlow.

Larry, am I mistaken? Aren't we to get new inflation numbers consumer price index numbers tomorrow if I'm not mistaken?

LARRY KUDLOW, FOX BUSINESS ANCHOR: Yeah, you'll get it tomorrow. CPI comes out tomorrow.

HANNITY: So it's interesting that Joe held the press conference on inflation today because I would assume that tomorrow's numbers even if they decrease from the previous month are still going to be a 40-year high. Is that a fair assumption?

KUDLOW: Yeah. I think that's fair. The trend line's not going to change and, you know, Joe Biden, he probably got that number sometime in the middle to late afternoon. I used to be in that loop.

But look, all he did was play -- you played the Biden playing game today. There's nothing new. He wants to continue to spend. He wants to continue to restrict fossil fuels of all kinds, gasoline prices hit a record high. He also wants to continue to tax. He's also blaming ever -- I just love that he blamed Putin.

There's one in there he blamed Rick Scott. He blamed -- what's it, Ultra MAGA? I don't know what that is, Sean. Maybe you could help me. I may be Ultra MAGA. I'm not really sure, but he blamed that. He blamed congressional.

HANNITY: You're just an irredeemable deplorable to cling to your -- cling to your god, guns, bibles, religion and probably shop at Walmart like I do and you probably smell when you shop. There was a piece --

KUDLOW: but can I say something, Sean, just one point. I just want to mention, look, I'm very, very strong pro-life, defending the life of the unborn. And what Janet Yellen said today in that Senate hearing was bizarre, deplorable, it's one of the worst things I've ever seen.

Since Roe v. Wade, Sean, I'm sure you know these numbers, since Roe v. Wade, over 63 million abortions have been performed. Those are 63 million of God's created babies who would never see the light of day, who never would grow up, who never would become productive people in our economy and our society.

We lost 63 million. That is a great damaging blow to the economy. Apart from the moral problem involved in that, what Yellen said today was grotesque and deplorable and she ought to take it back because there's no -- and nobody could respect somebody who comes out and makes a statement like that that actually more abortions would be -- would be uh good for the economy. It's just utter nonsense, bizarre, grotesque.

HANNITY: Okay, let me ask you this, I'm sorry --

KUDLOW: I just want to say that.

HANNITY: Well, I don't disagree and even people that I know that say they're pro-choice, they're not as extreme as where the modern Democratic Party is which is you can have an abortion even hours before giving birth and that would be perfectly legal and acceptable to some of them.

I want to ask you this economic question, we now had a report today two-thirds of Americans are now living paycheck to paycheck. I mentioned in my opening monologue that the average American household is paying, according to Bloomberg, about \$5,200 extra in Biden inflation.

Now if you put those two facts together and then you artificially reduce the supply of the lifeblood of the world's economy and that is oil gas and coal like Joe Biden did when he became president and now you beg Iran and Venezuela and OPEC to produce the oil that we could be producing ourselves, when you do that, Larry, isn't that a guarantee that everything you buy in every store you go to is going to cost more because supply and demand crisscross and dictate the price and you reduce the supply, demand remains constant that means we're paying more for everything and he caused it.

Am I wrong in that analysis?

KUDLOW: No, you're -- look, you're basically right.

HANNITY: Basically, I get B, okay.

KUDLOW: Inflation is the cruelest.

HANNITY: B-minus, go ahead.

KUDLOW: Yeah, no, you're working on a good solid B. Okay, we can -- we can work with that.

HANNITY: Thanks a lot.

KUDLOW: Inflation is the cruelest -- inflation is the cruelest tax of all. So your point about \$5,200 a year for typical American family is a very important point. But here's the strangeness of this whole progressive agenda which has failed so badly.

Here's Biden up there blaming everybody else, but -- but, but, but he wants to keep spending which means more inflation. In other words, spend and borrow. He wants the Federal Reserve to purchase the bonds and inject more money, but he also is blaming fossil fuel producers.

If -- you know, his issue on gasoline, he has no sense of how important it is to produce more oil and gas, including LNG. He has no sense of that. So his White House people have the most restrictive environmental permitting in our history, which will knock out oil and gas pipelines, LNG.

But here's the bizarre part, it'll also knock out the infrastructure, bridges, roads and highways, will not pass their environmental tests. And even more bizarre, the Green New Deal people who want more solar and more wind turbines and so forth, they won't pass muster the way these regulations have been reconstructed.

(CROSSTALK)

HANNITY: We're now predicting brownouts. We're now predicting brownouts around the country because of these insane energy policies.

Larry, I got to run as a guest. You get about a C plus. I really appreciate you being with us.

(LAUGHTER)

HANNITY: But in all -- but it's the poor, it's the middle class, people on fixed incomes, they're getting slaughtered unnecessarily. They -- we do not need to force suffering on people. Yeah, last word.

KUDLOW: Think of this -- think of this: this is the ultimate failure of the left-wing progressive agenda and the really good news here is that most Americans have a lot of common sense. So you look at these polls and they are completely rejecting the progressive agenda, big government socialism and so forth and so on.

And so, the cavalry is coming, Sean. The cavalry is coming.

HANNITY: Let's start in November.

Larry Kudlow, thank you.

Now, while Americans do suffer under crippling inflation, record high gas prices, we're paying more for everything we buy at every store we go to, Democrats are spending almost percent of their time and energy lying about Roe v. Wade as we just showed you.

Now, if the Supreme Court does in fact overturn Roe and Casey, abortion will still be legal in the United States. But according to the left, we are now living in a real life version of handmaid's tale and the only way to stop it is to take to the streets. Forget about boating or contacting your state representative, the people that will actually decide, Democrats, they prefer mob rule, political intimidation and harassment.

And today, once again, Jen Psaki speaking on behalf of her fearless leader Joe Biden encouraged far left lunatics from Arlington, Virginia and suburban Maryland to stalk their local Supreme Court **justice** and show up at their homes. This is so extraordinarily dangerous, they're trying to delegitimize an institution, branch of government.

And on top of all of it, it's against the law. Take a look.

(BEGIN VIDEO CLIP)

JEN PSAKI, WHITE HOUSE PRESS SECRETARY: So I know that there's an outrage right now I guess about protests that have been peaceful to date and we certainly continue to encourage that outside of judges homes and that's the president's position, but the silence is pretty deafening about all of the other intimidation that we've seen to a number of people.

(END VIDEO CLIP)

HANNITY: Yeah. Let's send a mob right outside the House of elected officials, Supreme Court **justices**, anybody we disagree with. This is not going to end well.

Now, on this program, we have consistently condemned all acts of violence and intimidation. We condemn the riots of the summer of 2020, 574 of them. We had dozens of dead Americans, billions of property damage, thousands of injured cops and the Biden administration -- well, they were either quiet or they kind of supported it. They weren't going to take on the base of their party that was responsible for it.

On this program, on my radio show in real time, I condemned the violence on January 6th. I condemned it that night on this program. We also now condemn the doxxing of Supreme Court **justices** demonstrators stalking.

Now, **justice** Alito and his family and **Justice** Kavanaugh and **Justice** Roberts, and in some cases forcing them to flee their own homes, can't, Jen, you know be bothered a little bit, not see the danger in this philosophy of a president of the United States putting his tacit seal of approval on this type of behavior, even though it's against the law, but I guess they aid in a bit law breaking all the time down at the border, right?

Now a pro-abortion group is now planning to hold more protests at **justice's** private homes. And by the way, this is not only wrong. It is unlawful as I've been saying.

Look at the law, section **1507**, title 18 of U.S. Code, it is illegal to protest near a residence occupied or used by a judge, juror, witness or court officer with the intent of influencing the discharge of his duty.

And get this, one of the reasons it's illegal to protest outside the private homes of public officials is because of a case that actually protected the privacy of an abortion doctor. So, now, is the White House going to apply the law equally or are they just going to wait around see if something really bad happens first?

Now, this week, Senator Susan Collins of Maine, she got multiple death threats because of her support for constitutionalist judges. I can only imagine the kind of threats that the **justices** themselves are receiving and, by the way, not a word from FBI Director Wray, not a word from the DHS secretary, who just last week, Mayorkas was saying domestic extremism is the single biggest threat to America. Not a word from the Attorney General Merrick Garland, not one word at all. They're the ones that were scared of parents protesting at school board meetings and wanting to investigate whether they were domestic terrorists.

And, of course, none of that matters to the genius over at "The View", Joyless Behar. Now she thinks this kind of intimidation is just wonderful. Take a look.

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: You have the right to peaceably assemble and that's so far what we're seeing outside of **justice's** houses. I will say this, I think the more appropriate venue is the steps of the Supreme Court. I worry it could begin to look like intimidation when it's at someone's doorstep. I'm someone --

WHOOPI GOLDBERG, CO-HOST, THE VIEW: That's so funny, so does what Alito wrote, looks the same way to me. It looks like intimidation.

UNIDENTIFIED FEMALE: Well --

GOLDBERG: And, yeah, it's kind of the same thing.

JOY BEHAR, CO-HOST, THE VIEW: But it also shows Alito what it feels like to lose your freedom of choice. He cannot leave the house easily. So maybe that's a good lesson for them.

(END VIDEO CLIP)

HANNITY: Oh, a good lesson for them. Oh what if we send people over to Joyless's house, not that anyone would want to go, that anyone would care. How is she going to feel about that?

Here with reaction, Florida Senator Marco Rubio.

Senator, this is harassment. This is intimidation, and the law couldn't be any more clear. I read the statute. What part of that law is Merrick Garland missing here?

SEN. MARCO RUBIO (R-FL): He's missing the whole thing. First of all, it is illegal. Look, I can't call a Supreme Court **justice** tonight and say, hey, I know you have a case before you I really like you to rule that way. You can't do that. If I can't call him on the phone and say that, how can you assemble a mob with pitchforks and torches and go outside their private home and people say peacefully assembled? That's not true.

The message behind showing up at someone's house is we know where you live. We're going to make you uncomfortable. We're going to make your family uncomfortable. And by the way, there's a hundred of us here, 99 of us are going to go home and you never know if one whack job either here or somewhere else is going to show up in the middle of the night and try to harm you. That's the message behind showing up at people's home.

It is an open effort to intimidate Supreme Court **justices** on their decision. It's illegal. It's improper. It should be condemned and it's going to lead to bad places.

This is going to become a two-way street unfortunately because you'll see this happen the other way at some point. We shouldn't be doing this. They should put a stop to it right now.

HANNITY: Senator, imagine if I gave out the address of a congressman or a senator or **justice** -- a liberal **justice** somewhere, I would never do it. It's too dangerous.

You know, maybe you can explain the logic behind this. I mentioned the 574 riots in the summer of 2020. I mentioned January 6th, I mentioned what's happening now in front of the homes of Supreme Court **justices**. My question to you is, why is it of all of those incidents Democrats only are outspoken about one when we're outspoken anytime any violence any place anywhere is going on?

RUBIO: It's the same pattern. So, for the left, right, violence, intimidation, all these things are appropriate as long as the people doing it hold the position that they agree with. We saw that in the summer of 2020 when they were saying, look, you know, you know, riots are the language of people that feel like they have no power and they can't speak out, and it's the same here. They're saying -- well, you know, these are people that are outraged and they're cheered on.

You know, why these groups do it, because they know people like those whoever those ladies were there talking, you know, people like that are going to be out there cheering them on and they know political leaders in the Senate. We have Senate leaders that are saying I don't see a problem with people showing up outside their homes they know they're going to be cheered on and it's across the board. This is a radical left-wing party, radical left-wing party who believes and supports an abortion paid for by taxpayers on demand up to the date of birth.

That's their position. That's the vote they want here tomorrow. That's why they're running somebody against me in Florida. They want to take me out and replace me with someone named Val Demings, a do-nothing Pelosi puppet congresswoman who supports taxpayer-funded abortion on demand up to the moment of birth.

By the way, I've asked everybody out there. If you don't want Florida to go crazy or in a crazy direction, you know, go on my website. Learn more about this crazy congresswoman, MarcoRubio.com, and help me. Because otherwise, we got to beat these people at the ballot box in November, but this needs to be stopped. These protests right now, and leaders who refuse to condemn it should be called out for it.

HANNITY: Senator, your re-election is pivotal if the Republicans are to have any chance of taking back the Senate and you've done a great job for the people of Florida and I hope people go to your website and I hope they learn a lot about your campaign. You know, as we look at all of this happening and we see everything going on with the economy, is there a single thing that you can point to that you can say is a success for Joe Biden and the Democratic Party.

And what has happened to this party? Because it's unrecognizable to me. Democrats used to hide their radicalism. Now, they're more outspoken. You're going to vote on a bill tomorrow I understand that would allow abortion, what, up until the moment of birth? That is that really taking place tomorrow?

RUBIO: You cannot be a Democrat nominee for a major office and support a single exception or a single restriction. You can't -- you can't support a single one of them. The position of most Democrats today, the press never asks them about it, ask them. I hope the press will ask them, what restrictions do you support? They will not answer that because you can't get the NARAL endorsement unless you are in favor of taxpayer-funded abortion at any time during the pregnancy, on demand, up to the moment of birth. That's the only way you can get their endorsement.



And every Democrat either doesn't want to talk about it or admits it or just refuses to answer the question and they know the media won't ask them.

HANNITY: All right. Senator Rubio, your election is pivotal. We need you back in the Senate. Thank you for being with us.

Coming up is the incoming White House Press Secretary Karine Jean-Pierre, we're going to tell you everything you need to know about Biden's radical new spokesperson as we continue tonight on HANNITY, straight ahead.

(COMMERCIAL BREAK)

HANNITY: Right now, chief Biden propagandist, circle back Jen Psaki, as we've been telling you, will leave the press secretary podium this Friday and will be replaced with the current deputy press secretary, and that's Karine Jean-Pierre, who is yet another far-left activist with a history of radicalism, extremism, and, of course, baseless attacks against conservatives and even FOX News, what a shocker. Take a look.

(BEIGN VIDEO CLIP)

KARINE JEAN-PIERRE, INCOMING WHITE HOUSE PRESS SECRETARY: When you look at FOX News, FOX News was racist before coronavirus. They are racist during the coronavirus. FOX News will be racist after the coronavirus. So there is nothing new here.

I think the difference is they have been -- they are all in on being state TV for Donald Trump. And so they will continue to give them misinformation.

(END VIDEO CLIP)

HANNITY: Okay, and that's not all because Jean-Pierre has a long record of promoting debunk far-left conspiracy theories, that's why she fits in so well at MSDNC when she's there.

Anyway, especially about the 2016 election , she claimed that election was stolen. She also tweeted in 2016, quote, stolen emails, stolen drones, stolen election, welcome to the world of the unpresided Trump.

And in April 20 -- of April 2020, she posted, quote: Reminder, Brian Kemp stole the gubernatorial election from Georgians and Stacey Abrams.

And like any unhinged Democrat, she was a huge purveyor of the Russia hoax. Quote: Distraction, misdirection, cover-up. We have to keep asking about Trump-Russia ties, hashtag Russiagate, totally debunked.

On this show, we will do what the mainstream media mob will never do and that's actually vet the Biden White House. Here is just a small sample of the low lights from her appearances on MSDNC and fake news CNN, their hero.

(BEGIN VIDEO CLIPS)

JEAN-PIERRE: Donald Trump is the first president to have purposefully had made has made racism the center of his, of his campaign of his administration clearly.

So not only is Donald Trump a puppet for Putin, Putin's puppet, he's also a puppet for the NRA.

Donald Trump is indeed Putin's Manchurian candidate.

I don't know where Donald Trump is wants to take this, but it's -- wherever it is, it's going to be dangerous. It could lead to some sort of horrible civil war.

And he looked really like a child, like a man-child sitting there. But it really goes back to that's why he loves dictators, that's why he wants to be a dictator.

We're torturing these five, six year olds, these babies and just one other story, just one more story of the inhumane kind of nature and treatment by this administration.

Every fear that we've had about Donald Trump which is that his reckless and dangerous behavior is now in national security.

Donald Trump is just -- he stands with the abusers. He doesn't stand with the abused. It's almost as if he's projecting.

But we know that Donald Trump is a liar. He's the chief liar and -- you know, he's like the chief liar of the presidency and he never stops.

(END VIDEO CLIPS)

HANNITY: All right. As Jen Psaki departs, what can we expect from the new press secretary? It sounds like we're set to hear the same old, same old lie, same old propaganda, same old conspiracy theories, same old attacks, talking points against FOX News.

Here with reaction, FOX News contributor Joe Concha, along with the co-host of "The Five," there he is, Geraldo Rivera.

You know what, Geraldo, unlike most liberals --

GERALDO RIVERA, CO-HOST OF THE FIVE: Hi, Sean. Hi, Joe.

HANNITY: -- I'm not going to demand that that she be fired or cancelled or boycotted. I'm just going to point out the obvious, she's not qualified for this job. She is too -- she's a rigid, radical, leftist partisan that spews lies and propaganda conspiracy theories. I don't think she's qualified for the job based on her own words.

RIVERA: Well, I think she's qualified. She's a graduate of Columbia. She is and I think that it is of note that we haven't discussed at all the historic nature of her appointment. the first Black person. And not just Black woman, but a Black person since 1929, to hold the office.

(CROSSTALK)

HANNITY: You just heard -- you heard her, we played it for you, spew one lie after another, does that bother you at all? Do the lies bother you at all?

RIVERA: It is -- it is unfortunate and untrue --

HANNITY: Unfortunate?

RIVERA: -- that she went, that she smeared us here at FOX News. I think that it is a lazy way of doing business and she has to do much better as press secretary.

Joe Biden is a person who needs someone to translate for him --

(CROSSTALK)

HANNITY: What about conspiracy theories? You didn't answer my question what about the lies? What about the conspiracy theories? I mean, are you just going to sit there and --

(CROSSTALK)

RIVERA: This is a partisan -- this is a partisan -- a partisan position. It is not --

HANNITY: So that's okay?

RIVERA: We're not picking a judge here. You're picking a press secretary, a flak for the president, a president who has a difficult time communicating.

(CROSSTALK)

HANNITY: So you expect that -- I want to be clear, so you're saying we should expect her to lie, we should expect that she will lie like this and spew conspiracies.

RIVERA: You should expect her to be a politician. She's a politician and the fact that she's married to an NBC News --

HANNITY: Okay, that's different, no, no, no, no, no, no, no. You're driving me -- Joe Concha help me.

This isn't -- no -- that's not being political, that's outright lying. There's a big difference to me, Joe?

JOE CONCHA, FOX NEWS CONTRIBUTOR: If those tweets, Sean, that you showed in your monologue aren't the first three or four questions to Karine Jean- Pierre in her first day on the job, then we have no hope for the White House press corps outside of Peter Doocy and Jacqui Heinrich. She launched, as you mentioned, several chilling attacks on democracy, as you pointed out, said without ambiguity, 2016 election was stolen from Hillary Clinton. Not true. 2018 gubernatorial election in Georgia was stolen from Stacey Abrams, not true.

That sounds for the lack of a better word that doesn't actually exist, insurrectiony, right? And it should be noted that Karine Jean-Pierre is married to a CNN political analyst and comes from MSNBC.

She called this network as you guys were just talking about, racist simply because some analysts and pundits pointed out that COVID maybe just maybe came from a lab in Wuhan that studies, you know, coronavirus? Even many on the left see that's probably in the -- is the case now.

But let's have some sympathy here, okay, guys? Karine Jean-Pierre is now inheriting arguably the most difficult white collar job available in the country. She has to defend this president on inflation at a 40-year high, gas prices at an all-time high, skyrocketing crime, police officers being targeted like we haven't seen in recent memory, a border that is an outright catastrophe with more than 4 million people, including those on FBI terror list, projected to enter this country illegally in the span of two years.

So defend that? No thanks. But that's what Karine Jean-Pierre has signed up for and I have a feeling even just a few weeks from now, Geraldo, Sean, that she's going to regret it bigly.

HANNITY: You know, Geraldo, I'm trying to really understand -

RIVERA: I disagree. She's not an elected official, Sean. She's not representing, you know, a district in the United States. She is the PR person for --

HANNITY: Geraldo, you are telling --

RIVERA: -- the president of the United States.

(CROSSTALK)

RIVERA: -- for the president.

HANNITY: Her job description entails lying.

RIVERA: Her job is to translate his malaprops.

HANNITY: You are -- you're basically saying, yeah, that goes with the job. She should lie for the president.

RIVERA: She was -- she was a political pundit on MSNBC. She was a political pundit on MSNBC.

(CROSSTALK)

HANNITY: Did she say things that are demonstrably false? Yes or no?

RIVERA: Yes. Yes, she did.

HANNITY: OK.

RIVERA: Yes, she did as an MSNBC political analyst.

HANNITY: And that doesn't disqualify her, in your view?

RIVERA: She said things I disagree with 100 percent. It does not disqualify her.

HANNITY: Why not? Why not?

RIVERA: You know, a person who can now attempt to translate for Joe Biden what he really meant when he talked about his second for inflation today.

HANNITY: Hang on a second, I need my blood pressure medicine. Hang on, I got some here somewhere.

All right. Geraldo, driving me nuts. Thank you. Joe, thank you.

When we come back, Elon Musk, he says he would reinstate Donald Trump's Twitter account. Plus, Biden continues to attack all Trump supporters. Donald Trump Jr. weighs in as we continue.

(COMMERCIAL BREAK)

HANNITY: Right now, Joey Biden's speech on inflation today, short on solutions and heavy on more massive blunders, including this bizarre remark about the, quote, "Ultra MAGA" agenda and Senator Rick Scott apparently Biden thinks is from Wisconsin. Unbelievable. Take a look.

(BEGIN VIDEO CLIP)

BIDEN: I happen to think it's a good thing when American families have a little more money in their pockets at the end of the month. But the Republicans in Congress don't seem to think so. Their plan has actually made working families -- going to make working families poorer.

You don't have to take my word for it. It's in writing. They've made their intentions perfectly clear. Senator Rick Scott of Wisconsin, a member of the Senate Republican leadership, laid it all out, and the plan is the ultra MAGA agenda.

(END VIDEO CLIP)

HANNITY: Ultra MAGA, you mean, the one that gave us prosperity second to none, secure borders, oh, let's see, trade deals, free and fair for the first time with all of our trading partners all over the world, let's see, record low unemployment for every demographic group. The lowest gas prices we've seen in decades.

Now, we have inflation at a 40-year high under Biden, the highest gas prices we've ever had. We set another record today. Parents across the country now even struggling to find baby formula amid what is a nationwide shortage.

Ask yourself, did you hear any solutions from Biden today? You hear any answers to the growing self-inflicted crises? So, for all of Biden's bluster if you can even call it that about the Ultra MAGA agenda, the America First agenda, the Make America Great Again agenda that worked, he delivered re -- he at least delivered results, meaning Donald Trump, for common sense Americans. Low taxation, deregulation, free and fair trade deals, school choice, safety and security, law and order for every community, secure borders, originalists on the bench, national sovereignty, border security.

And get this: even Elon Musk, you know, says he's going to reinstate President Trump on Twitter, calling permanent bans morally wrong. Take a look.

(BEGIN VIDEO CLIP)

ELON MUSK, TESLA CEO: You know, I've talked with Jack Dorsey about this and he and I are of the same mind which is that permanent bans should be extremely rare and really reserved for people where they're trying to -- for accounts that are bots or spam scam accounts, where there's just no legitimacy to the account at all.

(END VIDEO CLIP)

HANNITY: Even former Twitter CEO Jack Dorsey says he agrees with Elon Musk, although Dorsey was the one to ban president Trump in the first place.

Here to react to all of this, Donald Trump Jr. He has his own social media site. It's a media gathering site.

You want to tell people about that part now that you're now entering the space as well?

DONALD TRUMP JR., EXECUTIVE VICE PRESIDENT AT THE TRUMP ORGANIZATION: Well, listen, I think Truth Social is a place that was created because there was no level playing field anywhere else. I mean, the engagement that I see

there just in a few weeks, Sean, versus all of the other social media platforms I'm on, it's just through the roof. I mean it's nice to see some place that's just not totally biased against you.

And you know that's what you get from the media. That's what you get from existing social media and so creating truth was a really important thing and I think people should really go check it out because I think they will experience something that no conservative has experienced on social media in quite some time now.

HANNITY: Look, I like the idea of Truth Social. I think there's a need for it. I thought it was gracious of Elon Musk to open the door for your dad to come back. Your dad has been pretty clear -- I don't think he has any plans to go back as he's building out that whole new site at Truth Social. You also have a media website where you link to articles and news that you believe is more fair. Tell us about that part.

TRUMP JR.: Well, that's MXM News. Some friends of mine and I created that, because again, like the Hunter Biden story, like the Durham stories. There's news that's out there that you just won't see. You know, it won't show up in a Google search. It won't show up on social media sites. It won't be there.

So, you know, I just created MXM News, so people can actually see the news that's out there. Not what big tech wants you to see, and that's a big difference. There's a huge distinction between what big tech, what the Democrats, what their lackeys in the media want you to see and what's actually out there.

And I want people to be able to see all of that. What's great about just the radical insanity of the Biden administration and really what it is, Sean, it's Democrat policy. You saw, you know, his speech earlier. He's blaming everyone.

It's Trump. It's the Russians, inflation, it's transitory, no, no, it's actually a good thing. It's everyone but what it actually is, which is the asinine policies that Democrats promised you. They are delivering what they said they were going to deliver. Americans are feeling it.

You can't find baby formula in America, but they're going to make sure that you can get abortions at 42 weeks, maybe a little bit post-term. I mean, what difference does it make right, Sean? This is the insanity of the radical left agenda, but it's been very domineering but what's great about Donald Trump, Sean, is he brought out the fight in conservatives. He made them learn to be able to stand up for themselves to speak out, to not just be put in a corner and to be afraid of cancellation. It's creating entire economies.

Whether that be again, you know, Truth Social and the boom that's going on on there, whether it's MXM news, whether it's what's happening to Disney in the reverse effect. When you see corporate woke America taking asinine positions where you know they want to really get into the explicit details of sexual innuendo with young children, and if you can't, it's over. You see it with Netflix.

America is waking up. There's going to be a red wave in the elections but more importantly there's going to be a push back against the woke corporate America that's been owned by the left for so long and it's about time, Sean.

HANNITY: Do you -- I actually like the comments of Elon Musk. I think he's a great innovator. I'm not sure why the left hates him so much. I mean, he's producing their precious electric cars and I'm told that they're really good. I've not had one a friend of mine loves his. Do you think he means it --

TRUMP JR.: They hate him, Sean, because they --

HANNITY: Go ahead.

TRUMP JR.: They hate that they no longer have a distinct advantage. If someone even levels the playing field, that's too much. You saw the reporters. Well, they could -- they could manipulate an election by just turning up someone, you mean like what they've been doing to conservatives for the last decade?

HANNITY: Yeah.

TRUMP JR.: You know, they can't stand that they could actually be in a fair fight. They're used to having trillion dollar corporations have their back and function as their marketing department. But that's not happening anymore and just the notion of a level playing field and free speech is far too far for them. That's why they're going nuts and losing their minds.

HANNITY: All right. Don Jr., always good to see you. Thank you for being with us.

All right. When we come back left-wing outrage over the league Supreme Court opinion on Roe v. Wade continues. It was a draft opinion.

Chicago Mayor Lori lightweight is now urging for a call to arms. Monica Crowley, Leo 2.0 Terrell weigh, in on the rhetoric of her next, straight ahead.

(COMMERCIAL BREAK)

HANNITY: All right. Now, prominent Democrats, they are once amplifying the lies of left wing rage and rage mob. For example, failed Chicago Mayor Lori lightweight is claiming that the Supreme Court won't stop at its abortion decision if in fact it comes down that way. They are coming for the LGBTQ rights next, even writing, quote: This moment has to be a call to arms. We will not surrender our rights without a fight."

It sounds to me like she is calling for an insurrection and is trying to use force to intimidate political opponents. But to the mob and media, one rule for the Democrats, one for the rest of the world.

Here's our friend Whoopi Goldberg defending like fun's remarks. Take a look.

(BEGIN VIDEO CLIP)

GOLDBERG: I think that Lori, when she says call to arms, that is something we in the '60s, we know what that means. That doesn't mean to go and do any fight. That means to pay attention and make sure you're there voting, doing what you need to do.

(END VIDEO CLIP)

HANNITY: Here for reaction, former Trump Treasury official, Monica Crowley, along with FOX News contributor, Leo 2.0 Terrell.

Monica, we'll begin with you. Imagine a conservative talks about a call to arms. How is that going to be interpreted?

MONICA CROWLEY, FORMER TREASURY OFFICIAL: Yeah, two things with that, Sean. Number one, she talks about -- she is invoking fear seeing that, you know, conservatives at the Supreme Court are going to come to us gays next, when in that draft opinion written by Samuel Alito, he explicitly says multiple times that this would only apply to abortion. Not gay marriage. Not any other social issue, just that. So she is lying there.

To your question about conservatives -- look, I guess called for violent incitement, I guess that's now cool, with the left right?

Look, President Trump on January 6 talked about a call for a peaceful protest at that capital. Okay?

So if people like Liz Cheney and Adam Kinzinger on the January 6 commission, if they had any political integrity whatsoever, they would then propose an investigation into this because this language for Mayor Lightfoot looks like an actual call for violence, it looks like an actual incitement to violence with a call to arms.

And Whoopi Goldberg can make all of the excuses in the world about the phraseology of Mayor Lightfoot and whatever. But we know exactly what they may because that left has been engaging in the threats of violence and actual violence, since the 1960s and even before that, Sean, to achieve their communist gains.

HANNITY: A call to arms, doxxing, Leo and 574 riots in the summer of 2020, virtual silence. They only care about one riot. Why don't you care about all the other riots? Why don't they care about that violence in Chicago that we talk about a lot?

LEO TERRELL, FOX NEWS CONTRIBUTOR: I will tell you, Sean, it is funny, when she talks about call to arms, and for us to take up arm, she wants to turn America into Chicago. Call to arm, that goes on 24/7, seven days a week in Chicago.

You have a disgraced mayor trying to look for an issue in order to salvage her reelection chances and it won't work. There is no nexus between Roe v. Wade and LGBT community or, you know, the challenge to interracial marriages.

I'm so sick of Whoopi Goldberg and those who keep talking about the '60s. A third of this country was not even born. And so after 1960, so they keep going back to this Jim Crow civil rights movement in order to get people upset, to basically tear down this country's value system.

This is nothing more than an attempt to change what is great about this country, the heritage, the Supreme Court. They wanted to tear it down because they are interested in his power and control. They don't care about rules. They don't care about anything like that. All they want is power and control.

HANNITY: Why did they not arrest people in the summer of 2020 rioting? Why did -- why do all those people go free? How come they are silent and even the tacit approval of Joe Biden as it relates to doxxing? We got 20 seconds, Monica?

CROWLEY: Yeah. You know, you are hitting on the really critical the point here, Sean, which is the double standard, the two tier **justice** system, the uneven application of the law and the republic just cannot go on like this. It needs to be fixed or we're not going to survive as a country.

HANNITY: All right. When we come back, we actually have some good news coming up next right here on HANNITY.

(COMMERICAL BREAK)

HANNITY: All right. Occasionally, we have actually great news and I got some big news and a big congratulations to friends of mine, Whitney and Drew. Now, they already have three beautiful girls, 12, 10 and 6, and they just had their son, there he is, Pierce James, born yesterday.

And Whitney and Drew, I know God has a great plan for his life just like your incredible daughters and both of you. By the way, he is going to grow up like I did, three older sisters. It wasn't that easy.

But anyway, I want to say congratulations. God bless all of you. Looking forward to meeting him hopefully soon, and welcome to the world, Pierce. Go out and make a difference. We're glad you're born, and may God bless you every day of your life. The life that he had and the plan map out for you. I'm so happy for you.



All right. That is all the time we have. Never miss an episode. Thank you for making the show possible.

In the meantime, let not your heart be troubled. Laura is next. We'll see you back here tomorrow night.

END

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**NewsRoom**

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### Excited Liberal Media: We Finally Have A Black, Lesbian Press Secretary; Biden Blames Inflation On COVID And Putin; Democrat Rep. Tlaib Says She ...

Excited Liberal Media: We Finally Have A Black, Lesbian Press Secretary; Biden Blames Inflation On COVID And Putin; Democrat Rep. Tlaib Says She Welcomes Church Protesting In Many Ways; Lightfoot Urges Call To Arms Against Courts; Bill Gates Has Tested Positive For COVID; Russia Is Preparing For Nuclear War

JESSE WATTERS, FOX NEWS CHANNEL HOST: The same thing happened when your show debuted. I think that show might be rigged. You know what? I think you're right. I think Van is running scared.

That's all for tonight, Tucker Carlson is up next, and always remember, I'm Watters, and this is my world. That's Ali's hand.

TUCKER CARLSON, FOX NEWS CHANNEL HOST: Good evening, and welcome to TUCKER CARLSON TONIGHT.

So, if you're the White House Press Secretary -- and thank God you're not -- but if you were, you would have two tasks every day. You've got to learn the President's views on what's happening in the world so you can repeat them, and then you've got to try to remember the names of those weird- looking people sitting in the folding chairs in the briefing room.

So, it's not an easy job, but it's not a very rewarding one, either. You're not making policy. You're not making decisions. You're repeating the party line.

Under normal circumstances, it takes a lot more creativity to, say, sell lipstick for L'Oreal than it does to be White House Press Secretary. They're all worn out by the end, except under Joe Biden. It's a totally different job under Joe Biden. The rules have changed.

If you're Joe Biden's Press Secretary, you've got to be able to think on the fly because your boss can't. So, every time Biden goes outside, you're going to be called upon to translate what he said or explain what he really meant, assuming for the sake of argument that he really meant anything at all.

"I know you're frustrated," Biden said today, for example. "I can taste it." What does frustration taste like? An earthy, slightly unctuous blend of bacon notes, mango, and raspberry with an undertone of saddle leather? Maybe. Joe Biden didn't say. The White House Press Secretary would know. That's her job.

Or to name another example, which United States senators represent the State of Florida and which represent the State of Wisconsin, which is not near Florida. Well, the Press Secretary would have to know that, too, in case Biden screws it up as, of course, he just did today, et cetera.

So it is not an easy gig, and it's a particularly tough job when the topics are serious, like nuclear war.

A few weeks ago, Joe Biden pledged to overthrow the government of Russia, which is fully capable of waging nuclear war, possessing, as it does, at least 6,000 nuclear warheads. That's not a small thing, starting a global conflagration and ending human life on the planet.

So, it fell to the Press Secretary to clean it up. "We are not advocating for killing the leader of a foreign country or regime change," Jen Psaki explained, despite the fact that Joe Biden had just advocated for regime change in Russia.

So, it's a lot of power. How did somebody like Jen Psaki -- someone so demonstrably talentless, a humorless gender studies major from Greenwich -- how did this person get this much authority in our government? Good question. Nowadays, it just comes with the job of Press Secretary.

Just hours ago, Psaki explained that Federal law no longer applies to mobs of Biden voters. They get to intimidate all the Supreme Court **Justices** they want as long as they're on the right side of abortion and we're quoting now, "We certainly continue to encourage protests outside Judges' home," she said, and in so saying, reversed hundreds of years of policy and tradition and took yet another blow against civilization and decency.

She could do that because she's the Press Secretary. She's Jen Psaki -- or was. Next week she's headed to MSNBC for a new life as a cable news contributor. Wish her luck, of course. Good luck, Jen Psaki.

But in the meantime, you've got to wonder who's going to replace her. Who could replace her? Is anyone qualified? Is there another person in this country as shallow, nasty, and partisan as Jen Psaki is? Well, there is. Her name is Karine Jean-Pierre.

Listen to Jen Psaki -- Jen Psaki describe Karine Jean-Pierre.

(BEGIN VIDEO CLIP)

JEN PSAKI, WHITE HOUSE PRESS SECRETARY: First, as you all know, she will be the first Black woman, the first out LGBTQ+ person to serve in this role.

TIFFANY CROSS, MSNBC HOST: The first Black woman and out gay person to speak for the President.

AL SHARPTON, MSNBC HOST: Becoming the first Black woman and LGBTQ person.

STEPHANIE RUHLE, MSNBC HOST: The first Black woman, first openly gay person.

PETER ALEXANDER, NBC NEWS CORRESPONDENT: The first Black woman. The first openly gay person.

ED O'KEEFE, CBS NEWS CORRESPONDENT: The first Black person, first openly gay person.

DAVID MUIR, ABC NEWS HOST: Becoming the first Black person and first openly LGBTQ person to serve as White House Press Secretary.

(END VIDEO CLIP)

CARLSON: Well, you heard it from Jen Psaki. She's going to be the first quote, "out LGBTQ+ person to be White House Press Secretary" and thank God.

But before you light a candle and begin tonight's celebrations, a quick question: What does LGBTQ+ mean? Hey, Jen Psaki, let us know if you have a minute. Explain every letter in that acronym and specifically what it signifies. We will wait. Don't hold your breath. She's not going to do it because like everybody else who uses that phrase, Jen Psaki literally has no idea, no clue at all what it means.

It's one of those terms you're not supposed to define. One day to start using it: LGBTQ+, and anyone who asks what it means is immediately presumed to be in the out group.

So, it is not actually a word. Words are meant to signify meaning and communicate it to other people. No, it's not that at all. It's a litmus test, and you could feel it. "Oh, you don't know what LGBTQ+ means? Keep an eye on that person. Hates gays."

But whatever. Don't ask questions.

Karine Jean-Pierre is our first out LGBTQ+ White House Press Secretary, and that's all you need to know. It's a good thing. Shut up and celebrate.

That's why she got the job. She's in the right group, and to the Biden administration, which thinks exclusively in terms of groups and never in terms of individuals, because individuals are messy and inconvenient, the group is all that matters. This is exactly how they pick Supreme Court **Justices** or Vice Presidents or members of the Federal Reserve Board and now, the all-important Press Secretary gig has gone to someone on the basis of group.

It's really simple. Show us your picture, and we'll tell you if you're qualified for the job.

And in many ways, Karine Jean-Pierre is perfect for the job. Not only is she a member of the out LGBTQ+ community, she's also critically the product of a private school and an Ivy League college and yet still oppressed somehow. She is furious at America, despite her ample privilege, and enraged by its racist systems of oppression, and she's happy to tell you about it. Here she is.

(BEGIN VIDEO CLIP)

KARINE JEAN-PIERRE, INCOMING WHITE HOUSE PRESS SECRETARY: When he got elected, I think people thought we were in a post-racial America and we were not. I think what we learned is that racism was very much real and still very much around and the obstruction that he saw, just the horrible racist rhetoric of having a Black family in the White House was very clear that you felt the hate and you saw the hate.

I just think that America has a really big problem with race and it's very real.

(END VIDEO CLIP)

CARLSON: "Yes, they keep electing Obama and promoting me, despite the fact I have no qualifications for the job." Lesson, it's a racist country.

Now, there's a word for this, kind of a clever term, it's called "cry-bullying." Right? "Stop hitting me," they say, as they punch you in the face. Why do they do it? Well, they do it because it works.

You whine about racism and you get into the best schools. You get promoted and eventually you run the Federal government and your presence atop the food chain is nothing, if not evidence, that the country is still racist. It has to be or you can't justify your job.

Kind of an amazing scam, people like Karine Jean-Pierre have going. She's perfected it. She used to work for MSNBC. She knows the script cold.

Here she is in 2020, yelling some more about racism. Now, if you imagine that COVID came from a lab in Wuhan, which, by the way is true, then according to Karine Jean-Pierre, you're not a person trying to get to the truth. No. Can you guess what you are? You're racist.

(BEGIN VIDEO CLIP)

JOY REID, MSNBC HOST: The easy pivot is race, its ethnicity. You say it's a foreign virus. I've noticed people tweeting "Chinese coronavirus."

JEAN-PIERRE: That's what Tucker Carlson said, right?

REID: Or Wuhan. Yes.

JEAN-PIERRE: When you look at FOX News, FOX News was racist before coronavirus. They are racist during the coronavirus. FOX News will be racist after the coronavirus. There is nothing new here.

(END VIDEO CLIP)

CARLSON: So criticizing the Chinese government, the most powerful organization in the world, is racist? Of course, criticizing the powerful is always racist. America itself is racist. Talking about COVID is racist. What isn't racist?

Well, we checked Karine Jean-Pierre's Twitter feed to find out what isn't racist. Couldn't find much, but we did find a very long list of things that are.

Here is a non-exhaustive sample that we compiled of racist people and things, according to Joe Biden's news Press Secretary. John Cornyn is racist. Joe Arpaio is racist. Border walls, needless to say, are racist.

Roseanne Barr for some reason is racist. The name Pocahontas is racist, despite the fact it was an actual American Indian's real name. Whatever, it's racist.

Mike Huckabee may seem nice, but he's racist.

Federal government shutdowns don't seem like they have anything to do with race, but oh, they're racist, too. Donald Trump, racist. That's a no brainer. You knew that. Jeff Sessions? Also, racist.

Brexit? Again, not connected to race, doesn't mean it's not racist. It is, according to Karine Jean-Pierre.

Ed Gillespie, former Senate candidate in Virginia, racist. Thank God, he didn't win. Ron DeSantis did win in Florida and that's bad news because guess what he is? Racist.

Steve Bannon? Racist.

Sebastian Gorka? Racist.

And you know who is most racist of all? Republicans who criticized Ralph Northam for wearing blackface in a Klan outfit. You're racist -- racist -- if you notice racism, as long as the racist is a Democrat.

Oh, so awesome. Give that girl a big job.

Now, you may be rolling your eyes because you've heard all of this a million times before. Ice cream and Shakespeare are racist. But think about it for a second. This is the person the Biden administration hired to tell the rest of us what Joe Biden really means when he says, for example, he's going to kill Vladimir Putin. How long until this person calls Putin a racist? Oh, she probably already has. How is that going to turn out in the middle of a war?

We might not have to wait long to find out. Here's yet another incredibly racist thing, according to America's new Press Secretary. Of course, it is voter identification laws. Now, you will find voter ID laws in every country on the planet, including in Africa, but that doesn't make them any less racist.

(BEGIN VIDEO CLIP)

JEAN-PIERRE: And in order to get these voter suppression laws, besides gutting the Voting Rights Act, you've also got to get your people in there to put these awful laws in place.

I'm so glad that the Georgia issue is being talked about almost every day now. It's getting national attention and it needs to, because what's happening is pure racism.

(END VIDEO CLIP)

CARLSON: "Well, it's pure racism." Now you honestly didn't think, we started the show saying, could you find someone more grating, dumber, more aggressive than Jen Psaki, who's headed off to MSNBC next week? And the answer is, oh, yes. The Biden administration can find someone even worse. That's their job.

And just to restate, voter ID laws are racist, according to Karine Jean- Pierre and if you have them, you don't have a fair election. And we're quoting: "Reminder," she wrote, "Brian Kemp stole the gubernatorial election from Georgians and Stacey Abrams." She wrote that in April of 2020.

She said something similar four years before, in 2016. We're quoting again: "Stolen e-mails, stolen drone (Stolen drone?), stolen election. Welcome to the world of #unpresided Trump." If we're even pronouncing that correctly, but take three steps back. She used the term "stolen election." She questioned voting integrity. She engaged in a baseless conspiracy theory. Yes, friend, she did and you know what that is?

We know because we read "The Atlantic" Magazine. What you just heard is a brazen attack on our democracy. It is a disqualifying assault on our norms, our sacred norms.

It looks, ladies and gentlemen, like Karine Jean-Pierre is an insurrectionist, a Q enthusiast likely funded by Vladimir Putin himself. Better call the D.O.J. and get her an ankle monitor.

Just kidding. We take it back. We didn't mean to question Karine Jean- Pierre -- because that's the most racist thing of all.

Charlie Hurt is not a racist. He is however, the opinion editor at "The Washington Times." He joins us tonight to assess America's new Press Secretary.

Charlie Hurt, it is so great to see you. So, I feel like we're in for a huge helping of more of the same.

CHARLIE HURT, FOX NEWS CHANNEL CONTRIBUTOR: Good to see you.

I think that's probably a really safe bet. This woman is the purest, lowest distillation of everything that the Biden administration stands for. They are absolutely beside themselves. I mean, watching the handoff between Jen Psaki and Karine and her gushing over the fact that she's the first Black Press Secretary, and the first out Press Secretary.

The problem is that, you know, as thrilled as they are about that, we've seen her out at the podium a number of times, she's not that good. She's pretty bad in fact. But this is the thing that really sort of gets me about her, is that her father was a taxi driver.

Have you ever met a taxi driver that you didn't think was interesting? This woman is not a product of her father, who was probably a very interesting guy. She's a product of American education today.

CARLSON: Yes.

HURT: And this is the kind of drivel that you wind up with. You turn everything into race. You accuse everybody of being a racist, and you peddle conspiracy theories.

CARLSON: That is such a smart and deep point. I lived in Washington for 30 years, I never met a single immigrant cab driver, who was a lifestyle liberal, not one.

And I've never met anyone who went to Columbia in the last 20 years who wasn't, so it was the school. I agree.

HURT: Right. And of course, they were also trying to make money, which of course, is the most unracist thing there is. This is the thing that brings us all together, but if you look at the world entirely through the lens of race, which is what the Biden administration does, you tear all of that down just like you tear down all of the relationships among Americans, which is why it is such a toxic poison.

CARLSON: Well, it's so interesting. So, they introduced her by referring to what she looks like and who she sleeps with, but they didn't say or emphasize the fact that she is the daughter of a cab driver, which actually, I think is a really cool story. Why?

HURT: Yes, exactly. And her mother was a home health aide. Another -- have you ever met a nurse that you didn't fall in love with? They're beautiful people. They bring people together.

CARLSON: Such a good point. Charlie Hurt, very smart. Thank you.

HURT: Great to see you.

CARLSON: So George Gascon became DE IN Los Angeles because George Soros backed him and then he promised to let criminals out of jail. One of those criminals, the sexual predator who has just been charged with murder, FOX's Kevin Corke has that story for us tonight.

Hi, Kevin.

KEVIN CORKE, FOX NEWS CHANNEL WHITE HOUSE CORRESPONDENT: Tucker, good to be with you. This is just an incredible story. The background is just going to -- I just can't believe it.



Back in 2014, then 17-year-old Tubbs, who identified as a man at the time, sexually assaulted a 10-year-old girl in the bathroom of a Palmdale, California restaurant. Now he was actually sentenced to two years in juvenile custody because of a policy that LA DA George Gascon implemented that barred juveniles from being tried as adults.

And now, as you know, Tubbs has been charged with robbing and the premeditated murder of a man back in 2019. Gascon, for his part has frankly been excoriated by South landers because of that original decision. And the anger frankly has only gotten worse since FOX obtained jailhouse phone calls in which Tubbs can be heard mocking the lightness of her sentence and referring to her first victim as meat.

(BEGIN AUDIO CLIP)

HANNAH TUBBS, OFFENDER: No matter what, I lucked out because it is not an adult case. It's a juvenile case, so if it was an adult case, I would be looking at life.

FATHER OF HANNAH TUBBS: Yes, they're treating you ultimately as a juvenile. You're so lucky on that.

TUBBS: Yes, so I am lucky, so I'm not really tripping.

(END AUDIO CLIP)

CORKE: "So I'm not really tripping."

Big thanks to Bill Melugin, by the way for helping us to break this story. As for Gascon, well, he now is thinking of different ways to do his job. But he has been so completely knocked off kilter because of this particular case and others, I think it is fair to point out, it's not certain that he'll be on the job for long, Tucker, we'll have to keep an eye on that.

But for now, back to you.

CARLSON: Facing a recall. Kevin Corke for us tonight, thanks so much.

CORKE: You bet.

CARLSON: Great to see you.

CORKE: You, too.

CARLSON: So that's not the only case in which Gascon has refused to prosecute criminals as adults. We took a look at a lot of cases like this for a two-part documentary we made, it was the Season Two premiere of "Tucker Carlson Originals." It's called "Suicide of Los Angeles." It is available now on FOX Nation, extended previews and free membership available at tuckercarlson.com.

So we are moving at high speed toward open war with Russia. We are funding the Ukrainian government the tune of 10s of billions of dollars a year the Russians are saying, "Watch out." We could launch nuclear weapons. This is happening like we're sleepwalking. No one is noticing.

Tulsi Gabbard has noticed, she joins us in a moment.

Plus, Joe Biden just told us inflation is actually a good thing. It's our strength, inflation is our strength. That's straight ahead.

(COMMERCIAL BREAK)

CARLSON: So you can fill the Federal government full of lunatics in the bureaucracy, and most people have no idea what is happening. But one thing you can't hide is when the economy goes south and your population gets poorer, that's happening now.

So Joe Biden was forced to deliver a speech on it today, and it did not go particularly well. We're being charitable, we'll let you assess. At one point, this kind of sums it up, Biden seemed confused about inflation, the thing that is crushing you right now is a good thing or a bad thing. Watch.

(BEGIN VIDEO CLIP)

JOE BIDEN (D), PRESIDENT OF THE UNITED STATES: And I agree with what Chairman Powell said last week that the number one threat is the strength - - and that strength that we build is inflation.

(END VIDEO CLIP)

CARLSON: Yes, yes. So we actually went to the official White House transcript because we thought, well, I don't know. What did he say? We didn't know. And here's what he said, quote, "That strength that we built is inflation."

Okay, so inflation is now our strength along with diversity and the COVID vaccine. Later, though, Joe Biden, who may have been waking up and the drugs taking effect, flipped around 180 degrees, and suggested that actually inflation is bad, but it's not his fault. Nothing to do with Fed policy or anything or his spending regime. No, it's because of 'rona and Putin. Watch.

(BEGIN VIDEO CLIP)

BIDEN: I'm taking inflation very seriously and it's my top domestic priority.

But first, I want us to be crystal clear about the problem. There are two leading causes of inflation we're seeing today. The first cause of inflation is a once in a century pandemic. And this year, we have a second cause, a second cause, Mr. Putin's war in Ukraine.

You saw -- we saw in March that 60 percent of inflation that month was due to price increases at the pump.

(END VIDEO CLIP)

CARLSON: So you can't afford meat or diesel fuel, but he is sending another \$40 billion to the government of Ukraine, but printing money doesn't cause inflation. Are they going with this? Does anyone believe it?

Dana Perino is the co-host, of course, of "America's Newsroom" -- of "The Five," and of "America's Newsroom" and our friend. She has had a birthday, we will tell you which one, she joins us tonight.

Dana, great to see you.

DANA PERINO, FOX NEWS CHANNEL HOST: Thank you.

CARLSON: So you are the most charitable, even handed person that we could think of and just thought we're going to play totally straight did you think as a former professional communicator in politics that he did a good job reassuring Americans about the economy.

PERINO: It was ultra-terrible, and you cannot fix a major strategic policy problem with a terrible communication strategy, he just can't do it.

Now, they don't just have a communications problem, they have a serious policy problem. And he went out -- they build this speech today, as he's going to have this new plan. There's nothing new in it, Tucker.

Some of the blame was, maybe a little bit new. He also blamed Senator Rick Scott for every ill in the world and I just really find it hard to imagine that there's a mom out there in Wisconsin who's filling up her tank of gas, and she's like, "I'm really mad at that junior senator from Florida for all my problems." That's just not going to cut it.

And also, you know, remember one thing about Bill Clinton was, if you asked, he understands my problems, you know, he could feel your pain.

President Biden just reads off a teleprompter and it really was ultra-terrible.

CARLSON: So I mean, if you're prepping the President for a speech on inflation, which I think most people would say is the number one thing they care about, because they notice it, they're getting poorer. Wouldn't you have him decide at the outset whether we're for inflation or against inflation? He couldn't seem to make up his mind.

PERINO: If it's a strength or a weakness, here's the other thing, Tucker, if you are a Democratic administration, and you let people know that you're going to -- that these are the points that you're going to make in your speech and liberal fact-checkers are openly mocking you, and giving you Pinocchios and laughing at you, I mean, take a clue.

And it's not just coming from Republicans either. Look at Larry Summers, Jason Furman people who worked in the Clinton White House, in the Obama White House, who have been saying for a long time that the spending that Joe Biden was going to try to put forward and he succeeded in doing without a single Republican vote, was going to cause inflation.

One of the reasons, Tucker, that people might not realize why did the President give a speech today? Why today? Well, because tomorrow morning, at I believe, 8:30 AM, you get the monthly inflation number, and it's going to be bad, and they know it. And so they tried to get ahead of it. And unfortunately, you got ahead of it, and then the bus ran over him.

CARLSON: It's unbelievable. Dana Perino, again, the most even handed person we know, we wanted to hear from you. Thank you.

PERINO: Great to be here. Thank you.

CARLSON: Thank you.

By the way, the leading Republican in the Senate, Mitch McConnell of Kentucky announced today, out loud, and this is almost a verbatim quote, "The single most important thing in the world right now is what's happening in Ukraine," which most Americans say, well, actually the single most important thing in my world is the fact that I can't afford the things I could afford last year. Our economy is in trouble, and no one in Washington seems to care at all.

Printing another \$40 billion that we don't have, borrowing from China to send to the Ukrainian government, not even for weapons, for their government. What are we -- this is crazy.

Meanwhile, Democrats in Congress defending the mob intimidating Supreme Court **Justices** in their home until they back off and change their views on Roe. We'll play the tape, next.

(COMMERCIAL BREAK)

CARLSON: So it's hard to believe this happened. We actually checked it just to make certain it happened, but it did happen.

Today at the White House, Jen Psaki, the outgoing White House Press Secretary encouraged the mob, thugs affiliated with the Democratic Party to threaten and intimidate Supreme Court **Justices** at their homes where their families live.

There's a quote, "We certainly continue to encourage protests outside of Judges' homes," Psaki said. There is no mistaking what she meant. She said it right out loud. So no one has said this ever before from the White House podium. It's a Federal crime as far as we know.

So we want to know what Democrats in Congress make of this. FOX's Hillary Vaughn just spoke to several of them, and she joins us tonight.

Hilary, thanks for coming on.

HILLARY VAUGHN, FOX BUSINESS NETWORK CORRESPONDENT: Thanks for having me, Tucker.

Well, we've been talking to lawmakers on Capitol Hill all day trying to ask the question, if they support people protesting outside Supreme Court **Justices'** homes, interrupting church, or if they think these protesters should be prosecuted for breaking Federal laws in place that ban that behavior.

(BEGIN VIDEO CLIP)

VAUGHN: Bottom line, you don't condemn it. You think that these protesters should continue to be outside Supreme Court **Justices'** homes and interrupt church?

REP. RASHIDA TLAIB (D-MI): I get interrupted and protested all the time. I welcome it in many ways as long as it's not, you know, violent rhetoric, talking about you know, physical harm and all those things. I think it's just really important to understand that that happens. We're in public service.

SEN. ELIZABETH WARREN (D-MA): This Supreme Court said back then, protesters should be able to get right in people's faces. Now, they are erecting barriers to try to keep protesters as far away from themselves as possible. I think that's fundamentally wrong.

VAUGHN: Do you think that these protesters should be prosecuted for breaking Federal law?

REP. ILHAN OMAR (D-MN): What is the Federal law? I'm sorry?

VAUGHN: It is U.S. Code **1507**. It prevents picketing or parading in or near a building housing a Court of the United States or in or near a building or residence occupied or used by such Judge. Do you think they should be prosecuted for breaking Federal law?

OMAR: The Supreme Court itself has heard this argument and they have themselves said it is protected by the First Amendment.

(END VIDEO CLIP)

VAUGHN: So Tucker, even though there are these laws in place, as you heard, they're preventing protesters from going to Judge's doorsteps trying to influence their decision, from interrupting church services, a lot of these Democrats that we talked to are not budging, and not backing away from supporting this law breaking behavior -- Tucker.

CARLSON: Hillary Vaughn, thanks for doing that for us tonight. I appreciate it. Thank you.

By the way, whether or not it's a crime, and it appears to be, it's certainly wrong and corrosive of society, we're not supposed to influence Judges. They have lifetime appointments for a reason. They're not elected. If you don't like the system, they get the Congress to change the system and amend the Constitution with the system that we have.

Do we really want people showing up in Judge's homes and intimidating their families? It is so obviously a terrible idea. Who could be for that?

Well, Janet Yellen is for it. She is the Treasury Secretary. Nobody in this country is more personally responsible for our economic crisis than Janet Yellen is, completely reckless. But an absolute affirmative action hire who actually doesn't know that much about the economy.

So you shouldn't be surprised that she didn't offer any solutions to inflation and the collapse of the stock market, instead, she explained that the real problem with the U.S. economy is the women aren't having enough abortions. Watch.

(BEGIN VIDEO CLIP)

JANET YELLEN, U.S. TREASURY SECRETARY: I believe that eliminating the rights of women to make decisions about when and whether to have children would have very damaging effects on the economy and would set women back decades.

(END VIDEO CLIP)

CARLSON: Oh, no, it would set Amazon back decades. If women decided to, I don't know, have families and raise them, then we'd have a labor crisis at Amazon warehouses.

And Janet Yellen, who has been a spokes-bot for Corporate America for decades, is upset at the prospect.

So over in Chicago, Lori Lightfoot heard the message loud and clear, and you know how she responded? She has declared war, not the war that's already going on in Chicago, where people are shooting each other in the streets, but a war for abortion. Here's the quote: "To my friends in the LGBTQ+ community," she wrote, "The Supreme Court is coming for us next." Huh? "This moment has to be a call to arms."

Oh, so now Lori Lightfoot likes guns, and she's vowed to use them so that Chicago can remain what she called an abortion oasis. Watch.

(BEGIN VIDEO CLIP)

MAYOR LORI LIGHTFOOT (D), CHICAGO, ILLINOIS: If you look around Chicago, we've got a number of states that have the so-called trigger laws that would ban abortion upon the reversal of Roe. So we've seen a substantial increase already, and we're expecting frankly, an explosion of new cases from women in Wisconsin, Missouri, potentially Michigan, and Indiana.

I think the list is long, and Chicago is going to be an oasis in the Midwest, and we've got to be ready.

(END VIDEO CLIP)

CARLSON: Yes, childless Lori Lightfoot telling us that the one thing Chicago can do is commit abortion. Famous for abortion. Chicago, we need a new slogan.

Candace Owens is the founder of Blexit and a very keen observer of this insanity. She joins us now. Candace, thanks so much for coming on. I'm not even sure what to make of this. I'm just going to throw it right to you.

CANDACE OWENS, POLITICAL COMMENTATOR: I don't know why you're shocked or surprised, Tucker. I mean, this is the left we know that they believe in mob rule. And what we're seeing by the way, they love to use the term a dog whistle for White supremacy. But in reality, these are the makers of the dog whistle, this is what they do.

When they don't get what they want through the democratic process, all of their politicians come out and they essentially say without saying, it's now okay for you to hit the streets to riot, to loot, and to burn, and to murder if you want to.'

We saw this during, especially during the Black Lives Matters riots, the summer riots of 2020. Then they will go well, we didn't say to get violent. We just basically said, hey, we'll bail you out in case you do get violent, right? We'll create all of these not for profits that will stand behind you no matter what happens.

So none of this is surprising to me. This really has become the left's playbook. But I do want to comment on Janet Yellen because I actually think she has been the most honest about this and she is not entirely wrong to say that her concern is economic or the left's concern is economical.

Anybody that has studied the progressive era and knows where abortion came from, of course know that it was eugenicist ideology and that the left, the progressives actually believed that we needed abortion for just this reason to get rid of the unfit, the undesirables. These are words that are used throughout many essays written by Margaret Sanger, the founder of Planned Parenthood.

The idea was Black people need to stop procreating, but also people that were born mentally retarded and the idea was that effectively these people, if they were allowed to be born would dumb down the superior Nordic race, right?

So when they're talking about that economic, if it's allowed to be implemented, people just start having babies, they are talking about who that they deem to be undesirable and unfit and which will place a burden on finances. And so it's actually -- I find her to be the most honest about this and I encourage people to go look through history and understand that that's their concern.

You're not a desirable person. They don't want you being born. That's the answer.

CARLSON: Having your own family when you could be serving the oligarchs and boosting the sacred GDP numbers. Yeah. How dare you, Candace Owens?

OWENS: Exactly.

CARLSON: And why am I laughing? It is so silly. Candace Owens, great to see you. Thank you so much.

OWENS: Thank you.

CARLSON: So things are getting super crazy in Ukraine. You're probably not aware of that, wave your Ukrainian flag and don't pay attention to the details. We're approaching a nuclear conflict. Russia is signaling that louder every day.

Now, you don't have to believe Russia, but if they're saying they might use nuclear weapons, maybe we should listen or something or is that -- does that mean you're working for Putin? Tulsi Gabbard joins us in just a moment.

(COMMERCIAL BREAK)

CARLSON: Now, we don't want to blow your minds or anything, but Bill Gates is actually not an epidemiologist, a physician, a scientist, he sells crappy software for a living. You would never know that because during corona he was our media's expert on lockdowns and vaccines. It turns out he was heavily invested in vaccines. Who knew?

But today, the unthinkable happened. Bill Gates announced on Twitter and we're quoting, "I've tested positive for COVID. I'm experiencing mild symptoms." Whoa, how'd that happen, Mr. Vaccine Guy? But there is good news. It turns out to Bill Gates' COVID infection is proof that vaccines are actually super, super effective. And we're quoting again, "And fortunate to be vaccinated and boosted," Gates wrote.

Jason Rantz is a radio show host in Seattle. He's been looking into Bill Gates. He joins us tonight.

Hey, Jason.

JASON RANTZ, SEATTLE RADIO SHOW HOST: Hey, so Bill Gates is actually hawking his new book, it's called "How to Prevent the Next Pandemic," something he doesn't actually know very much about. But given how many cases we've had in this country, he might be hoping a side effect of COVID is memory loss, because he has been proven wrong on almost everything he has recommended, which is obviously not the best way to sell this book and it's probably why he is rewriting history.

So for example, speaking at an event last week, this is what he said.

(BEGIN VIDEO CLIP)

BILL GATES, CO-FOUNDER, MELINDA AND BILL GATES FOUNDATION: At that point, we didn't really understand the fatality rate, you know, we didn't understand that it is a fairly low fatality rate, and that it's a disease mainly of the elderly, kind of like flu, although a bit different than that.

(END VIDEO CLIP)

RANTZ: So he was talking about what he knew about COVID back in February 2020. And in fairness, it wasn't that much. But we had data a month later that showed for the vast majority of people under 65, COVID was more like the flu and older folks were the ones who are being hospitalized at such high rates. And yet Bill Gates was pushing for a full national lockdown after the data came in, he said this.

(BEGIN VIDEO CLIP)

GATES: So we're entering to a tough period that if we do it right, we'll only have to do it once for six to 10 weeks, but we have to do it. It has to be the whole country.

(END VIDEO CLIP)

RANTZ: And as more data was coming in throughout the year, he kept promoting economic shutdowns and other policies that frankly never worked. So for example, he pushed testing to prevent COVID spread, including the expensive at-home test. Now obviously, they didn't actually stop the spread and it also didn't stop him and George Soros from joining a consortium to buy an at-home testing company.

He pushed overreaching contact tracing programs, including a centralized database that would track people who had COVID. Contact tracing is a strategy, it was a total failure here.

When then-Governor Andrew Cuomo pushed for closing schools, he ended up partnering with the Gates Foundation to reimagine education. But anything that kept students out of the classroom was actually really detrimental. And then, of course, he called masks magical.

But the cloth masks that everyone were wearing at the time, they didn't stop the spread. Two months ago, he said we should be mimicking Australia to stop the pandemic, they banned outdoor exercise and even walking your dog outside.

Bill Gates was more prescient about the Zune than he was about treating COVID, and yet now he's revising history. And he's taking stances like, hey, Americans should be a little bit more comfortable giving up their freedoms, and I think that that's dangerous if we continue to listen to him.

CARLSON: Crime of the century, anyone? Someone shoot a movie about this. In the meantime, Jason Rantz, we are grateful for your report. Thank you.

RANTZ: Thanks, Tucker.

CARLSON: So for the past couple of months, Biden has told us three things about Vladimir Putin. He's evil, he's crazy, and we're going to kill him. We're going to take him out of office and haul him before The Hague on war crimes charges. So what happens when you take someone who's crazy and evil and make them feel existentially threatened?

Well, today, Russia's Deputy Foreign Minister was asked about the possibility that Russia will use nuclear weapons. He has refused to rule it out. Really? Should we pay any attention to this? The Biden administration is not, they're not worried at all.

Tonight, Biden is sending another \$8 billion to Ukraine that will help pay the salaries of Ukrainian bureaucrats, the ones who paid off his drug addicted son.

Tulsi Gabbard is a former Member of Congress from Hawaii. She has from the very beginning said hold on, the stakes are high. We think you've been vindicated, Congresswoman, tonight.

TULSI GABBARD, FORMER U.S. REPRESENTATIVE: Yes, Tucker, you know, the Biden administration's policies, words, and actions, it has just been made very clear to us what their real goal is, and their real goal is destruction of the Russian state.

We heard just a few days ago how Secretary of Defense Austin kind of spilled the beans on what our real mission and goal is when he said, and I quote, "We want to see Russia weakened to the degree it cannot do the kinds of things it's done in invading Ukraine," so what that means is total destruction of the Russian state.

What he's not telling the American people is that Russia has also made it very clear that if we even get close to quote-unquote "winning" in achieving this mission and goal he has outlined, Russia said very clearly, they will have no other option than to resort to the use of nuclear weapons, starting first with tactical nuclear weapons and if necessary, escalating to the use of strategic nuclear weapons.

This is not fear mongering to point this out, the American people need to know that this is the track that this administration has put us on, and the very dire consequences that will occur if we continue down this path to our families, our communities, our country, and frankly, the world.



This is the reality that we're facing.

CARLSON: They're acting like he's Mullah Omar, some illiterate goat herder, who we can just dictate terms to. I mean, this guy runs a country with 6000 nuclear weapons, do they know that?

GABBARD: I would hope that the Secretary of Defense and the President of the United States would know this, that Secretary of State Blinken would know this. You know, there is no explanation for their actions, their decisions and their policies because it directly threatens the lives and wellbeing of the American people, but not only the American people, frankly, the world if we continue down this -- I think, on a hopeful note, it's not too late, that by God's grace, We, the People can stop this before it's too late by taking action, throwing out the war mongers that are in Congress, and actually voting for and electing leaders in this country who will take action to end this insanity before, frankly, the world is destroyed.

CARLSON: I thought bringing in Kamala Harris was the most reckless thing I've ever seen. I stand corrected. This is the most reckless thing I've ever seen anybody do ever. You called it early, I hope in some life, you're rewarded for that.

Tulsi Gabbard, thank you.

GABBARD: Thank you.

CARLSON: So Florida's COVID strategy was a success, a big success, actually, they kept the Bill of Rights and saved lives. One reason for that is because of the Surgeon General in Florida, Joseph Ladapo. He joins us next.

(COMMERCIAL BREAK)

CARLSON: When the history of the coronavirus pandemic has written, some honest politician -- historian is going to take a very close look at the State of Florida, one of the only places in this country that remained recognizably American for two years during the pandemic. They did not jettison the Bill of Rights.

Ron DeSantis is responsible for that. The media attacked him relentlessly for it, but they've been completely vindicated. So we want to know how they did this.

So for a brand new episode of "Tucker Carlson Today," we spoke to one of the architects of Florida's COVID policy, that would be the Surgeon General of Florida, Joseph Ladapo. We asked him, "How'd you do this?" Here's part of the conversation.

(BEGIN VIDEO CLIP)

CARLSON: Do you feel like now that you're in Florida, this is not a political question, it is a sincere one, that the way that Florida handled the pandemic that that approach has been vindicated?

JOSEPH LADAPO, FLORIDA SURGEON GENERAL: I think frankly, that doesn't matter because the vindication is this, you know, it, it assumes that, you know, the people in the media, you know, doctors, the medical community, a lot of the public health community had valid positions to begin with, but their positions were always invalid.

What Governor DeSantis -- and truly like, you know, I love him, and I mean, I have tremendous affinity for him, and it is because he has integrity, and he's just you know, God has fortunately blessed him with just a very clear vision of the difference between right and wrong.

(END VIDEO CLIP)

CARLSON: Dr. Joe Ladapo of Florida. That man's a star. You're going to see more of him in the years to come.

You're going to see more of us tomorrow night, 8:00 PM. Have the best night with the ones you love.

END

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--- Index References ---

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News Subject: (Abortion (1AB77); Economic Policy & Policymakers (1EC69); Economics & Trade (1EC26); Emerging Market Countries (1EM65); Minority & Ethnic Groups (1MI43); Monetary Policy (1MO18); Race Relations (1RA49); Social Issues (1SO05))

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Region: (Americas (1AM92); Asia (1AS61); CIS Countries (1CI64); California (1CA98); China (1CH15); Eastern Asia (1EA61); Eastern Europe (1EA48); Europe (1EU83); Far East (1FA27); Florida (1FL79); Illinois (1IL01); Missouri (1MI10); North America (1NO39); U.S. Midwest Region (1MI19); U.S. Southeast Region (1SO88); U.S. West Region (1WE46); USA (1US73); Ukraine (1UK09); Washington (1WA44); Wisconsin (1WI54))

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Other Indexing: (Democrat; Russia; FOX NEWS CHANNEL HOST; Supreme Court; 2022 Fox News Network, LLC; Chinese government; Senate; Republicans; Biden administration; The Washington Times; LA DA; Ukraine; Democratic Party; Obama White House; Republican; China; Democrats; Congress; D-MI; D-MA; Blexit; Planned Parenthood; Federal Reserve Board; CBS NEWS; VIQ Media Transcription, Inc.; Court of the United States; Ukrainian government; U.S. TREASURY SECRETARY; Amazon; Klan; Ivy League; SEATTLE RADIO; ABC NEWS; L'Oreal; FOX Nation; FOX BUSINESS; MSNBC; NBC NEWS; Fed; Corporate America; Gates Foundation; WHITE HOUSE PRESS SECRETARY; Twitter) (Joe Biden; Vladimir Putin; RASHIDA TLAIB; Bill Gates; William Henry Gates; JESSE WATTERS; Van; Tucker Carlson; AL SHARPTON; TUCKER CARLSON; God; Jen Psaki; Karine Jean-Pierre; JEN PSAKI; TIFFANY CROSS; STEPHANIE RUHLE; PETER ALEXANDER; Peter John Alexander; ED O'KEEFE; DAVID MUIR; David Muir; KARINE JEAN-PIERRE; Obama; JOY REID; Wuhan; John Cornyn; Joe Arpaio; Roseanne Barr; Pocahontas; Mike Huckabee; Donald Trump; Donald John Trump; Jeff Sessions; Ed Gillespie; Edward Gillespie; Ron DeSantis; Ron Desantis; Steve Bannon; Steve Bannon; Sebastian Gorka; Ralph Northam; Shakespeare; Karine Jean- Pierre; Jean-Claude Pierre; Brian Kemp; Georgians; Stacey Abrams; Charlie Hurt; CHARLIE HURT; Americans; George Gascon; George Soros; Kevin Corke; KEVIN CORKE; HANNAH TUBBS; Bill Melugin; Russians; Tulsi Gabbard; JOE BIDEN; Powell; Dana Perino; DANA PERINO; Rick Scott; Rick Scott; Bill Clinton; Bill Clinton; Larry Summers; Lawrence H. Summers; Jason Furman; Mitch McConnell; Roe; Press;

Hillary Vaughn; HILLARY VAUGHN; ELIZABETH WARREN; ILHAN OMAR; Janet Yellen; Janet Louise Yellen; JANET YELLEN; Janet Louise Yellen; Lori Lightfoot; LORI LIGHTFOOT; ILLINOIS; Candace Owens; CANDACE OWENS; Margaret Sanger; Margaret Sanger; Vaccine; Bill Gates'; William Henry Gates; Jason Rantz; JASON RANTZ; Andrew Cuomo; Andrea Cuomo; TULSI GABBARD; Austin; Mullah Omar; President of the United States; Blinken; Kamala Harris; Joseph Ladapo; JOSEPH LADAPO; Joe Ladapo)

Word Count: 7647

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**NewsRoom**

## NewsRoom

5/11/22 N.Y. Post 4  
2022 WLNR 14831314

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May 11, 2022

Section: News

### The DOJ abstains Mum on abort protests

Callie Patteson

While the pro-abortion demonstrations outside the homes of several conservative Supreme Court **justices** could be illegal under federal law, the Department of **Justice** has remained silent on the issue.

Since the weekend, hundreds of protesters have gathered outside the homes of **Justices** Samuel Alito, John Roberts and Brett Kavanaugh to protest the leaked draft opinion striking down the landmark Roe v. Wade abortion ruling.

Monday night saw the latest rally outside Alito's home, where about 100 people gathered, held signs and chanted, "Our bodies, our voice!" as well as, "Alito is a coward."

The leaked opinion — written in February — was authored by Alito.

The demonstrations could be considered illegal under 18 USC **1507**, which relates to obstruction of **justice** and states that anyone who has the intent of "interfering with, obstructing, or impeding the administration of **justice**, or with the intent of influencing any judge, juror, witness, or court officer" and pickets or parades in or near a court building or residence "occupied or used by such judge, juror, witness or court officer" will face a fine or imprisonment of one year.

The law also applies to a person who uses sound trucks or similar devices.

But Attorney General Merrick Garland has made no comment on the protests outside the **justices'** homes.

"They are elevating their political interest in portraying the draft Supreme Court opinion as extreme over their constitutional duty to execute the laws faithfully and protect both the court and the **justices**," Andrew McCarthy, senior fellow at the National Review Institute and a Post contributor, told Fox News.

The Department of **Justice** has not publicly commented on the protests and did not immediately respond to The Post's inquiries on whether it is monitoring the demonstrations and if it considers them to be in violation of the law.

Rep. Jim Jordan (R-Ohio) blasted the DOJ's silence on Monday, tweeting, "When can we expect AG Garland's memo condemning protests at Supreme Court **Justices'** homes?"

The Senate on Monday unanimously OK'd legislation put forth by Sens. Chris Coons (D-Del.) and John Cornyn (R-Texas), ramping up personal security for the **justices** and their families.

--- Index References ---

Company: National Review Institute; Department of **Justice**; FOX NEWS NETWORK, LLC; THE UNITED STATES DEPARTMENT OF **JUSTICE**

News Subject: (Government (1GO80); Government Institutions (1GO90); Government Litigation (1GO18); Judicial Cases & Rulings (1JU36); Legal (1LE33); National Judiciaries (1NA65); U.S. Supreme Court (1US13))

Region: (Americas (1AM92); North America (1NO39); Texas (1TE14); U.S. Southwest Region (1SO89); USA (1US73))

Language: EN

Other Indexing: (Supreme Court; Post; Senate; National Review Institute; Department of **Justice**; Fox News; DOJ) (Samuel Alito; John Roberts; Kevin John Roberts; Brett Kavanaugh; Merrick Garland; Andrew McCarthy; Jim Jordan; AG Garland; Sens.; Chris Coons; John Cornyn)

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**NewsRoom**

## NewsRoom

5/11/22 Targeted News Serv. (U.S.) 00:00:00

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May 11, 2022

### Sen. Graham to A.G. Garland: Protect Supreme Court **Justices**, Enforce and Uphold the Law

WASHINGTON, May 11 -- Sen. Lindsey Graham, R-South Carolina, issued the following news release:

U.S. Senator Lindsey Graham (R-South Carolina) has written to Attorney General Merrick Garland pressing him to protect Supreme Court **justices** from threats of violence and protests taking place outside their residences.

Graham noted there is a federal law that prohibits, "picketing, parades or any other demonstrations outside federal courts or the homes of federal judges and **justices** that are conducted with the intent of influencing any judge, juror, witness or court officer, in the discharge of his duty."

Graham pressed Garland to enforce and uphold the law.

"Non-violent protests in front of the Supreme Court building are one thing, but protesting at the home of a **justice** is beyond the pale," wrote Graham. "Protests at a person's home carry with them the implicit threat of violence and can be designed to stoke fear for their personal and their families' safety...The angry protests in front of the homes of **Justices** Alito, Roberts, and Kavanaugh have been part of an immense public pressure campaign, directed at the Supreme Court, with the goal of influencing its final decision in the Dobbs case."

Graham noted the protests were orchestrated by groups like Ruth Sent Us, which published a map on its website identifying where **Justices** Kavanaugh, Alito, Roberts, Barrett, Gorsuch and Thomas live.

"The Department of **Justice** should bring its resources to bear and enforce the statute that Congress passed to address circumstances like the ones playing out right now," concluded Graham. "Supreme Court **justices** must be able to rule independently, without fear or favor. Their ability to do so is undermined by these protests. It is incumbent upon you to act and protect the integrity of the Supreme Court and the **justices** who serve on it. Please take that charge seriously."

\* \* \*

May 10, 2022

To: The Honorable Merrick Garland, Attorney General, U.S. Department of **Justice**, 950 Pennsylvania Avenue, Washington, D.C. 20530

Dear Attorney General Garland,

I write to you regarding the ongoing protests targeting several Supreme Court **justices** at their homes following the unprecedented leak of a draft opinion in the case *Dobbs v. Jackson Women's Health Organization*.<sup>1</sup> While every American enjoys the right to peaceably assemble and to express their opinion, these protests appear to go beyond lawful exercise by impeding the orderly administration of **justice**, and have no doubt disrupted the lives of these **justices** and their families. I urge you to take any action necessary, including consideration of 18 U.S.C. Sec. **1507**, to protect the **justices**, their families, and the independence of the federal judiciary. You have both the duty and the jurisdiction to do so.

Intervention to protect the lawful functioning of the Supreme Court is warranted under federal statutory law. In 1950, Congress passed into law 18 U.S.C. Sec. **1507**, which prohibits picketing, parades or any other demonstrations outside federal courts or the homes of federal judges and **justices** that are conducted "with the intent of influencing any judge, juror, witness or court officer, in the discharge of his duty."<sup>2</sup>

Non-violent protests in front of the Supreme Court building are one thing, but protesting at the home of a **justice** is beyond the pale. Protests at a person's home carry with them the implicit threat of violence and can be designed to stoke fear for their personal and their families' safety. In the words of the Washington Post editorial board "[t]o picket a judge's home is especially problematic. It tries to bring direct public pressure to bear on a decision-making process that must be controlled, evidence-based and rational if there is to be any hope of an independent judiciary."<sup>3</sup> The Washington Post is right. The angry protests in front of the homes of **Justices** Alito, Roberts, and Kavanaugh have been part of an immense public pressure campaign, directed at the Supreme Court, with the goal of influencing its final decision in the *Dobbs* case.

This public pressure campaign has been orchestrated by groups like Ruth Sent Us, which published a map on its website identifying where **Justices** Kavanaugh, Alito, Roberts, Barrett, Gorsuch and Thomas live.<sup>4</sup> The website for Ruth Sent Us says "our 6-3 extremist Supreme Court routinely issues rulings that hurt women...we must rise up to force accountability using a diversity of tactics."<sup>5</sup> It seems to be no secret that the group organizing these protests are hoping doing so will cause a shift in the Supreme Court's rulings. At protests in front of **justices'** homes in the past week, the protestors have engaged in conduct like the following:

\* Protestors yelling "F\*\*\* Brett Kavanaugh, F\*\*\* Samuel Alito," "abort the court," "Alito is a coward" and "we'll be back" in front of **Justice** Alito's home.<sup>6</sup>

\* Antifa and black bloc protestors marching on the street where **Justice** Alito lives.<sup>7</sup>

\* Protestors yelling "we will not go back" outside **Justice** Kavanaugh's home.<sup>8</sup>

\* Protestors yelling "You don't care if people die" outside **Justice** Roberts' home.<sup>9</sup>

\* One protester, before marching to the homes of **Justice** Roberts and Kavanaugh, said "You don't get to take away our bodily autonomy and enjoy your Saturday night at home. You get to do one or the other."<sup>10</sup>

These protests are ongoing - more are planned for later this week. Meanwhile, the Supreme Court continues to deliberate in the *Dobbs* case. It is those deliberations that are under attack in these protests.

The Department of **Justice** should bring its resources to bear and enforce the statute that Congress passed to address circumstances like the ones playing out right now. Supreme Court **justices** must be able to rule independently, without fear or favor. Their ability to do so is undermined by these protests. It is incumbent upon you to act and protect the integrity of the Supreme Court and the **justices** who serve on it. Please take that charge seriously.

Sincerely,

Lindsey O. Graham

United States Senator

View footnotes here: [https://www.lgraham.senate.gov/public/\\_cache/files/dd39658d-3fdf-4333-89d9-23b3a916db3e/may-10-letter-to-attorney-general-garland.pdf](https://www.lgraham.senate.gov/public/_cache/files/dd39658d-3fdf-4333-89d9-23b3a916db3e/may-10-letter-to-attorney-general-garland.pdf) MSTRUCK-7831508 MSTRUCK

---- **Index References** ----

Company: THE UNITED STATES DEPARTMENT OF **JUSTICE**; WP COMPANY LLC

News Subject: (Civil Rights Law (1CI34); Government (1GO80); Government Institutions (1GO90); Intellectual Freedoms & Civil Liberties (1IN08); Judicial Cases & Rulings (1JU36); Legal (1LE33); National Judiciaries (1NA65); U.S. Supreme Court (1US13))

Region: (Americas (1AM92); North America (1NO39); South Carolina (1SO63); U.S. Southeast Region (1SO88); USA (1US73))

Language: EN

Other Indexing: (Supreme Court; Ruth Sent Us; Congress; Jackson Women's Health Organization./1; U.S. Department of **Justice**; Washington Post) (Lindsey Graham; A.G. Garland; U.S.; Merrick Garland; Samuel Alito; Roberts; Brett Kavanaugh; Dobbs; Ruth; Justices; Gorsuch; Thomas; Roberts'; Lindsey O. Graham) (WASHINGTON)

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**NewsRoom**



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5/11/22 Targeted News Serv. (U.S.) 00:00:00

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May 11, 2022

### Rep. Fitzgerald Leads Letter to DOJ Demanding Investigation Into Violence Against Pro-Life Organizations

WASHINGTON, May 11 -- Rep. Scott Fitzgerald, R-Wisconsin, issued the following news release and letter:

Congressman Scott Fitzgerald (WI-05) was joined by his colleagues Congressman Glenn Grothman (WI-06), Congressman Tom Tiffany (WI-07), Congressman Bryan Steil (WI-01), and Congressman Mike Gallagher (WI-08), in sending a letter to U.S. Attorney General Merrick Garland demanding an investigation into the arson of Wisconsin Family Action's office in Madison.

"Rather than focusing on defusing threats against Americans for their political beliefs, the Department of **Justice** has, in the last 17 months, spent time and resources to target conservatives while taking a hands-off approach to left-wing violence," said Congressman Fitzgerald. "The arson of Wisconsin Family Values' office in Madison must be investigated thoroughly and Attorney General Garland must put partisanship aside to put a stop to these pro-abortion extremists, who have already promised more violence if their demands are not met."

#### BACKGROUND

In response to the unprecedented leak of the majority opinion in *Dobbs v Jackson*, abortion supporters across the country have engaged in animated and even violent activity, including harassing Supreme Court **Justices** at their homes, which is illegal under 18 U.S.C. Sec. **1507**. On May 8, 2022, two Molotov cocktails was thrown at and into the Family Action office in Madison and a message was spray-painted on the exterior of the building, stating: "if abortions aren't safe then you aren't either."

View letter here: [https://iqconnect.house.gov/iqextranet/iqClickTrk.aspx?&cid=WI05SF&crop=0000.0000.0000.0000&report\\_id=&redirect=https%3a%2f%2ffitzgerald.house.gov%2fsites%2fevo-subsites%2ffitzgerald.house.gov%2ffiles%2fevo-media-document%2f22.5.11%2520Letter+to+Garland+re+WI+Family+Action+Arson.pdf&redir\\_log=128076799711013 null-7841080 MSTRUCK](https://iqconnect.house.gov/iqextranet/iqClickTrk.aspx?&cid=WI05SF&crop=0000.0000.0000.0000&report_id=&redirect=https%3a%2f%2ffitzgerald.house.gov%2fsites%2fevo-subsites%2ffitzgerald.house.gov%2ffiles%2fevo-media-document%2f22.5.11%2520Letter+to+Garland+re+WI+Family+Action+Arson.pdf&redir_log=128076799711013 null-7841080 MSTRUCK)

#### ---- Index References ----

Company: Department of **Justice**; THE UNITED STATES DEPARTMENT OF **JUSTICE**

News Subject: (Abortion (1AB77); Government Litigation (1GO18); Health & Family (1HE30); Health & Wellness (1HE60); Judicial Cases & Rulings (1JU36); Legal (1LE33); Social Issues (1SO05))

Industry: (Contraception (1CO66); Healthcare (1HE06); Healthcare Practice Specialties (1HE49); Women's Health (1WO30))

Region: (Americas (1AM92); North America (1NO39); U.S. Midwest Region (1MI19); USA (1US73); Wisconsin (1WI54))

Language: EN

Other Indexing: (Wisconsin Family Action; Wisconsin Family Values'; Supreme Court; Department of **Justice**; DOJ) (Scott Fitzgerald; Glenn Grothman; Tom Tiffany; Bryan Steil; Mike Gallagher; Michael J. Gallagher; Merrick Garland; Americans; Molotov) (WASHINGTON)

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5/11/22 U.S. Cong. News (Pg. Unavail. Online)  
2022 WLNR 14946661

U.S. Congressional News  
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May 11, 2022

Section: U.S. Senate Documents

Grassley Calls On **Justice** Dept. To Enforce Law & Protect **Justices**  
As White House Remains Muted On Threats To Supreme Court  
Following Grassley Letter, DOJ Dispatches Marshals Service  
Sen. Chuck Grassley (R-IA) News Release

WASHINGTON - Senate Judiciary Committee Ranking Member Chuck Grassley (R-Iowa), called on the **Justice** Department to prioritize the protection of Supreme Court **Justices** who've been the targets of sustained threats following the unprecedented leak of a draft opinion last week. In a letter early this afternoon to Attorney General Merrick Garland, Grassley called on the Department to enforce existing laws that prohibit demonstrations at the homes of **justices** intended to intimidate or influence forthcoming court actions. Following Grassley's letter, the department announced it is dispatching the U.S. Marshals Service to assist the Supreme Court Police with security for **justices**.

In the letter, Grassley noted that the White House has done little to discourage dangerous activity, even as left-wing activists publicized **justices'** home addresses and organized demonstrations. Grassley also cited statutes prohibiting such targeted protests.

"The President may choose to characterize protests, riots, and incitements of violence as mere passion. But these attempts to influence and intimidate members of the federal judiciary are an affront to judicial independence. No fair-minded person can question that 'such conduct inherently threatens the judicial process,'" Grassley wrote.

Grassley also noted the **Justice** Department's swift mobilization to monitor parents voicing concerns at school board meetings last year. The threat posed to **justices** is far more exigent.

"After this administration chose to publicly and vigorously marshal the **Justice** Department's resources in response to a letter from the administration's allies on school boards, the tepid response to the demonstrations against the **justices** has been deeply concerning. It took this administration just five days to forcefully respond to a letter concerning the supposedly grave risk posed by parents seeking to have a say in how their children are taught in schools. The serious threats to the Supreme Court demand no less of a robust response," Grassley wrote.

Grassley urged the department to publicly commit to protecting the **justices** and hold accountable those who seek to intimidate the court into changing its decision.

Full text of the letter follows:

May 11, 2022

VIA ELECTRONIC TRANSMISSION

The Honorable Merrick Garland

Attorney General of the United States

950 Pennsylvania Avenue NW

Washington, DC, 20530

Dear Attorney General Garland:

Since the unprecedented leak of a draft of the Supreme Court's opinion in *Dobbs v. Jackson Women's Health Organization*, I've watched this administration's refusal to condemn the efforts to threaten and intimidate the **justices** with grave disappointment. I've waited for this administration to commit to protecting the **justices** from violence and to denounce the effort by far-left activists to undermine the independence of the judiciary and influence judges through protests at their homes. As the Ranking Member on the Senate Judiciary Committee, I have serious concerns about the safety of the **justices** and the attacks on our judiciary. I urge you to publicly commit to protecting the **justices**, and to condemn and prosecute anyone seeking to threaten and intimidate the Court into changing its decision.

Protesting and rioting near the Supreme Court or the **justices'** homes to influence their decisions is illegal. 18 U.S.C. [Sec.] **1507** states that anyone who "pickets or parades in or near a building housing a court of the United States, or in or near a building or residence occupied or used by [a] judge" "with the intent of influencing any judge . . . in the discharge of his duty . . . shall be fined under this title or imprisoned not more than one year, or both."

It is beyond dispute that far-left activists have launched a concerted and coordinated effort to intimidate the Court into changing the draft *Dobbs* decision. As the *Washington Post* recently reported, "[p]rotestors outside Brett M. Kavanaugh's house warned the Supreme Court **justice** this weekend, 'If you take away our choices, we will riot.'" [1] Demonstrators outside **Justice** Samuel A. Alito's home chanted "Abort the court!" [2] These are plainly efforts to bully the Court in response to the leaked *Dobbs* opinion.

But instead of investigating and prosecuting this illegal activity, the administration has been sadly dismissive of the threats and danger to both the **justices** and our judicial system writ large. The White House Press Secretary refused to characterize progressive activists targeting **justices'** homes with protests as "extreme." [3] Instead, she explained that "the President's view is that there's a lot of passion, a lot of fear, a lot of sadness." [4] Confusingly, she went on to say, "I don't have an official U.S. government position on where people protest." [5]

The Press Secretary's unwillingness to condemn threats of violence and intimidation does not change the law or what the official U.S. government position ought to be: protesting outside the homes of the **justices** to intimidate them into deciding a case a certain way is illegal.

The President may choose to characterize protests, riots, and incitements of violence as mere passion. But these attempts to influence and intimidate members of the federal judiciary are an affront to judicial independence. No fair-minded person can question that "such conduct inherently threatens the judicial process." [6]

The consequences of this administration's unwillingness to act have been predictable. Activists published the **justices'** home locations and announced plans to continue protesting outside of those **justices'** residences. The **justices** are limiting public appearances.[7] Eight-foot fencing has been erected around the Supreme Court.[8] According to news reports, "the nine Supreme Court **justices** have been given extra security since general threats of violence against the **justices** have increased." Targeted personal threats have increased too.[9]

As you yourself have said, "[t]hreats against public servants are not only illegal, they run counter to our nation's core values." [10] Unfortunately, the American public has heard little from the **Justice** Department about threats against the public servants serving on the Supreme Court. After this administration chose to publicly and vigorously marshal the **Justice** Department's resources in response to a letter from the administration's allies on school boards, the tepid response to the demonstrations against the **justices** has been deeply concerning. It took this administration just five days to forcefully respond to a letter concerning the supposedly grave risk posed by parents seeking to have a say in how their children are taught in schools.[11] The serious threats to the Supreme Court demand no less of a robust response.

This administration's response also fails to recognize the foundational interests protected by 18 U.S.C. [Sec.] **1507**. First, the law addresses real concerns about the increased threats of physical harm to a judge and the risks that the judicial process could be influenced by protests and demonstrations. Second, it is directed at countering the pernicious effect that the public could believe that one side in a dispute has resorted to mob tactics to win a case that they could not through the legal process.

A fair and just judicial system cannot abide "influence or domination by either a hostile or friendly mob. There is no room at any stage of judicial proceedings for such intervention; mob law is the very antithesis of due process." [12] It should surprise no one, then, that the government is authorized to take measures to assure that judicial proceedings are not influenced by outside forces. Such protections are "obviously a safeguard both necessary and appropriate" to meet that goal.[13]

The **Justice** Department has been charged with protecting the integrity of the judicial process through this criminal statute. "[U]nhindered and untrammelled" courts are "part of the very foundation of our constitutional democracy." [14] After all, as you have said, there cannot be "one rule for Democrats and another for Republicans; One rule for friends and another for foes; One rule for the powerful and another for the powerless; One rule for the rich and another for the poor; Or different rules depending upon one's race or ethnicity." [15] "The success of the Department of **Justice** depends upon the trust of the American people. That trust must be earned every day." [16] You need to take prompt and decisive action to earn that trust by committing to protecting the **justices** and the integrity and independence of the Court.

Sincerely,

Chuck Grassley

Ranking Member

Judiciary Committee

[1] Marc A. Thiessen, *Protesting at **Justices'** Homes is Illegal. What is Biden Doing About It?*, Wash. Post, May 10, 2022, <https://www.washingtonpost.com/opinions/2022/05/10/abortion-protest-supreme-court-justice-homes-brett-kavanaugh-samuel-alito-john-roberts-illegal/>; see also Rafael Sanchez-Cruz, *Pro-Choice Protests Outside Maryland Homes of **Justices** Roberts and Kavanaugh*, WUSA 9, May 8, 2022, <https://www.wusa9.com/article/news/local/protests/pro-choice-protests-outside-the-homes-of-justices-roberts-and-kavanaugh/65-eebbc2e2-7593-4eaa-9992-f34383a6544f>.

[2] See *id.*

[3] White House Daily Briefing, C-Span, May 5, 2022, <https://www.c-span.org/video/?520018-1/jen-psaki-congratulates-incoming-white-house-press-secretary>.

[4] Id.

[5] Id.

[6] See *Cox v. Louisiana*, 379 U.S. 559, 566, 85 S. Ct. 476, 481, 13 L. Ed. 2d 487 (1965) (discussing crowds demonstrating near a courthouse and upholding the constitutionality of a state law based on 18 U.S.C. [Sec.] 1507).

[7] See, e.g., Nate Raymond, Exclusive: U.S. Supreme Court's Alito cancels conference appearance after abortion ruling leak, Reuters, May 5, 2022, <https://www.reuters.com/legal/government/us-supreme-courts-alito-cancels-conference-appearance-after-abortion-ruling-leak-2022-05-04/>.

[8] Ed O'Keefe, Supreme Court justices get increased security after Roe v. Wade leak: "The risk is real", CBS News, May 6, 2022, <https://www.cbsnews.com/news/supreme-court-justices-security-roe-v-wade-abortion/>.

[9] Id.

[10] Cf. Attorney General Merrick Garland, Justice Department Addresses Violent Threats Against School Officials and Teachers, Oct. 4, 2021, <https://www.justice.gov/opa/pr/justice-department-addresses-violent-threats-against-school-officials-and-teachers>; <https://www.justice.gov/ag/page/file/1438986/download>.

[11] Letter from the National School Boards Association to President Joseph R. Biden (Sept. 29, 2021), available at <https://s3.documentcloud.org/documents/21094557/national-school-boards-association-letter-to-biden.pdf>.

[12] *Cox*, 379 U.S. at 562 (citing *Frank v. Mangum*, 237 U.S. 309, 347 (1915) (Holmes, J., dissenting)).

[13] Id.

[14] Id. at 562.

[15] Merrick Garland, Remarks to DOJ Employees on His First Day, (Mar. 11, 2021), available at <https://www.justice.gov/opa/speech/attorney-general-merrick-garland-addresses-115000-employees-department-justice-his-first>.

[16] Memorandum from the Attorney General to All Department Personnel (July 21, 2021), available at <https://www.justice.gov/ag/page/file/1413766/download>.

Read this original document at: <https://www.grassley.senate.gov/news/news-releases/grassley-calls-on-justice-dept-to-enforce-law-and-protect-justices-as-white-house-remains-muted-on-threats-to-supreme-court>

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Company: Supreme Court Registry; U S Marshals; CBS NEWS INC.; Department of Justice; Senate Budget Committee; National School Boards Association; THOMSON REUTERS CORPORATION; WP COMPANY LLC; United States of America

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May 11, 2022

Section: U.S. House of Representatives Documents

### Tenney Leads Letter to AG Garland Calling for Enforcement of the Law and Action Against Those Intimidating Supreme Court **Justices** Rep. Claudia Tenney (R-NY) News Release

Washington, DC - Congresswoman Claudia Tenney (NY-22) today led a letter to U.S. Attorney General Merrick Garland with nearly 50 of her House colleagues demanding enforcement of the law and action against those intimidating Supreme Court **Justices** following the leak of a decision draft in the Dobbs v. Jackson case before the Court.

The letter highlighted the need to zealously guard the First Amendment, while also ensuring judges are not intimidated by mob rule. Since the leak of the decision, mobs of protestors have swarmed the homes of **Justices** Alito, Kavanaugh, and Roberts.

"The failure of this Administration to defend the integrity, independence, and fairness of the judicial process is a shameless and implicit endorsement of mob rule in America," said Tenney. "The right to peaceful assembly is among our most sacred rights as Americans, and we should guard it zealously, but this right does not permit us to intimidate judges, jurors, or officers of the court."

18 U.S.C. [Sec.] **1507** makes it a crime to picket or parade outside of a judge's home, particularly if the intent of such actions is to influence them in the discharge of their official duties. The right to peacefully assemble is among the most sacred rights we hold as Americans, which is why our forbearers demanded it be enshrined in the First Amendment to the United States Constitution. Yet our sacred right to peacefully assemble has never permitted Americans to intimidate judges, jurors, or officers of the court with the expressed objective of swaying the outcome of an independent judicial proceeding.

The lawmakers wrote in part, "Importantly, enforcing 18 U.S.C. [Sec.] **1507** in no way deprives protestors of their constitutional right to assembly. Protestors have ample opportunity to gather in one of a million other places, including on sidewalks outside of the U.S. Supreme Court, as was upheld by United States v. Grace (1983). There is therefore no compelling justification for your failure to act other than to permit protestors to unlawfully intimidate **justices** of the United States Supreme Court."

Tenney was joined by Reps. Elise Stefanik, Tom Cole, Rodney Davis, Bruce Westerman, Mike Johnson, Lee Zeldin, Andrew Garbarino, Ralph Norman, Don Bacon, Ken Buck, Vicky Hartzler, John Rose, Chuck Fleischmann, Lisa McClain, Ted Budd, Jefferson Van Drew, Markwayne Mullin, Greg Murphy, Burgess Owens, Gregory Steube, Doug LaMalfa, John Moolenaar, Andy Biggs, Tracey Mann, Rick Crawford, Tom Rice, Andy Barr, Brian Babin, Jody Hice, Warren Davidson, Diana Harshbarger, Louie Gohmert, Glenn Grothman, Jack Bergman, John Rutherford, Vern Buchanan, Dan Bishop, Bill Posey, Bob Gibbs,



Madison Cawthorn, Steven Palazzo, Byron Donalds, Barry Loudermilk, Tom Tiffany, Michael Cloud, Troy Balderson, and Jody Arrington.

The full text of the letter is available here <http://tenney.house.gov/sites/evo-subsites/tenney.house.gov/files/evo-media-document/Letter%20to%20Garland%20Condemning%20Protests%20at%20Homes%20of%20Supreme%20Court%20Justices%20-%20FINAL.pdf>.

Support from House Republican Conference Chairwoman Stefanik:

"It is unlawful for Far-Left activists to terrorize the homes of Supreme Court **Justices** and their families. In the face of this blatant attempt to obstruct **justice** and intimidate the highest Court in the land, I am calling on the DOJ to uphold law and order. We must maintain the independence of our courts," said Congresswoman Elise Stefanik.

Support from additional members of Congress:

"The rule of law must be upheld within our country," said Congressman Tom Cole. "Our Supreme Court **justices** should maintain the ability to deliberate cases independently without fear for their personal safety or the security of their families."

"Judges have to be able to rule without fear of physical intimidation. This is a basic rule of law issue, and the Biden administration needs to stop encouraging this lawlessness before someone gets hurt," said Congressman Ken Buck.

"Left-wing mobs are harassing Supreme Court **Justices** at their homes and clearly violating federal law by doing so. If Attorney General Garland condones or gives a pass to this criminal behavior like WH Press Secretary Jen Psaki, it would be an enormous blow to the rule of law in our country. General Garland has said he wouldn't do the President's bidding as Attorney General, now is his time to prove it," said Congressman Andy Barr.

"I am a steadfast defender of the constitution, which gives us the sacred right to assemble peacefully. This right was never a means of impeding our branches of government from fulfilling their duties. We cannot allow bullies to upend our judicial process. Lawlessness breeds lawlessness; the Department of **Justice** must act now," said Congresswoman Diana Harshbarger.

"The same party and administration that wanted to convince the public that Republicans undermined the rule of law are now openly intimidating the third branch of government or supporting the efforts of those who do," Congressman Markwayne Mullin said. "It's disgraceful. The DOJ must immediately tell the public how they plan to handle this violation to ensure the continued safety and security of our Supreme Court **justices** and help restore faith in our constitutional process."

"I'm grateful to live in a country where peaceful assembly is among the first rights guaranteed to citizens in the Constitution; however, that right doesn't extend to those who seek to intimidate judges into swaying their opinion on a case. The Biden Administration has continuously displayed an unwillingness to enforce our laws. By not denouncing these left-wing agitators, President Biden is explicitly endorsing mob rule and ripping the Constitution to shreds by putting his seal of approval on their attempts to influence the court," said Congressman John Rose.

"It's deeply disturbing that the Biden Administration has willfully ignored our rule of law and allowed protesters to intimidate U.S. Supreme Court **justices**," said Congressman Greg Murphy. "This failure of leadership neglects a clear and direct violation of U.S. Code, as the First Amendment does not allow Americans to target the independent judiciary. I'm proud to join Rep. Tenney in demanding a simple answer from Biden's DOJ: will this Administration enforce our rule of law?"

"Coercing a judge by threatening their families, vandalizing their homes, and firebombing pro-life clinics is not "free speech". The American people have a right to protest and petition their government, but they don't have a right to threaten or harm. There are plenty of places to protest, including at the Supreme Court. Protesting at a judge's home is not allowed by law for a reason.

The Biden Administration needs to take this seriously, and it should be investigated immediately by the Department of **Justice** and the FBI," said Congressman Doug LaMalfa.

"Our **Justices** should be able to conduct their constitutional duty of interpreting our laws as written without facing threats directed at themselves or their families. These intimidation tactics from the left are a danger to our institutions. Attorney General Garland had no issue investigating concerned parents at school board meetings as domestic terrorists but he's giving these protestors a pass. It's high time for him to enforce our laws and hold accountable those making threats to **Justices** and protesting outside of their homes," said Congressman Rick Crawford.

"The Biden Administration should have immediately condemned the protests outside the family homes of Supreme Court **Justices**," said Congressman Tom Rice. "Since deliberations of the Dobbs case are ongoing, these protests are threatening the sanctity of the judicial system. It is crucial that we protect the integrity of the Court and allow the **Justices** to act without fear or favor."

"It appears the only time Democrats wish to see the law enforced and crimes prosecuted is when conservatives are being accused and then liberal Democrats are OK with them being abused in jail indefinitely. The illegal and dangerous protests taking place outside of U.S. Supreme Court **Justices** homes, and this Administration's unwillingness to uphold the law, represents a disturbing threat to our Constitutional representative government. Attorney General Garland should seek to prosecute these illegal agitators with the same vigor with which his Department of **Justice** pursued every flag-waving grandma who peacefully entered the U.S. Capitol on January 6 and ignored their abuse behind bars," said Congressman Louie Gohmert.

"The radical Left is attempting to intimidate our Supreme Court **justices** into submitting to their partisan political will. The pro-abortionist protests outside of **Justice** Alito's home are disturbing, inappropriate, and pose a legitimate threat to the Alito family's safety. This kind of behavior is alarming and should not be tolerated," said Congressman Jody Hice.

"We are a nation of laws, and it's time Attorney General Garland starts enforcing them," said Congressman Brian Babin. "Attempting to intimidate and influence Supreme Court **Justices** by protesting outside of their private homes is illegal. These radical activists must be held accountable for their actions."

"It's absolutely unacceptable that the DOJ sit back and do nothing as radical leftist protestors try to intimidate our Supreme Court **Justices** outside their most sacred place, their homes. I urge Attorney General Garland to act swiftly and investigate this radical and illegal bullying of Supreme Court **justices** and their families," said Congresswoman Lisa McClain.

"Attorney General Garland needs to explain why he has not enforced the law prohibiting the use of protest to influence or intimidate jurors and judges. While we must protect our First Amendment rights to peacefully assemble, the US Code prevents that right from being misused, as in the case of these protests at homes. The intent of these protestors is to scare, intimidate and harass judicial branch members as they discharge their duties," said Congressman Don Bacon.

Read this original document at: <https://tenney.house.gov/media/press-releases/tenney-leads-letter-ag-garland-calling-enforcement-law-and-action-against>

---- **Index References** ----

Company: Federal Bureau of Investigation; Department of **Justice**; The Supreme Court of the United States; THE UNITED STATES DEPARTMENT OF **JUSTICE**; WH SMITH PLC

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May 11, 2022

Section: /politics/the-fix

Yes, experts say protests at SCOTUS **justices'** homes appear to be illegal

Aaron Blake

As Republicans and others cry foul over pro- Roe v. Wade protests at Supreme Court **justices'** private homes, Democrats have been forced into a tough spot. The White House has taken to saying that such protests by its abortion rights allies are okay as long as they are peaceful.

Senate Majority Leader Charles E. Schumer (D-N.Y.), meanwhile, cited the protests outside his own home.

"There's protests three, four times a week outside my house," Schumer said Tuesday. "The American way to peacefully protest is okay."

But while protest is indeed ingrained in American democracy, legally speaking, the comparison between protesting a politician at home and a member of the judiciary at home is inexact. And experts say the latter category of protests is probably illegal regardless of how peaceful the demonstrations are.

At issue is a statute enacted in 1950: Title 18, Section **1507**, of the U.S. Code. The law states that it is illegal, "with the intent of influencing any judge," to:

picket or parade "in or near a building or residence occupied or used by such judge, juror, witness, or court officer"

"or with such intent," to resort "to any other demonstration in or near any such building or residence"

Tabatha Abu El-Haj, an expert on protest rights at Drexel University's law school, said that the current protests at **justices'** homes qualify under the statute and that the statute, if tested, would probably be found constitutional.

"The statute would seem to apply both because ... they appear to be picketing and parading with the relevant intent and at the relevant locations," Abu El-Haj said, "but also because the statute has a catchall 'resorts to any other demonstration in or near any such building or residence.' "

Timothy Zick of the College of William & Mary, who is writing a book on the subject called, "Managed Dissent: The Law of Public Protest," agreed.

"The conduct appears to be within the statute's prohibition," Zick said. "Picketing includes activities such as demonstrating and protesting. The court has upheld properly tailored restrictions on pickets that target a particular home."

While the Supreme Court has rarely dealt with this specific statute, it has upheld similar ones.

In 1988's *Frisby v. Schultz*, the court upheld a local Wisconsin law that banned protesting targeted at a specific home, as long as protesters were allowed to march through a neighborhood.

Two decades earlier, in 1965, the court upheld a Louisiana law that echoed the federal law's prohibition on picketing at a court. The laws were enacted amid an outcry over allies of Communist Party defendants picketing federal courthouses.

"A State may adopt safeguards necessary and appropriate to assure that the administration of **justice** at all stages is free from outside control and influence," the court ruled in *Cox v. Louisiana*. "A narrowly drawn statute such as the one under review is obviously a safeguard both necessary and appropriate to vindicate the State's interest in assuring **justice** under law."

That case didn't deal specifically with banning protests outside the home of a judge or another party to a legal proceeding — but it did uphold a law that would seem to involve less potentially problematic efforts to influence them. And the court has repeatedly suggested protests of legal proceedings should be considered differently, since protests could possibly impact nonpolitical proceedings or even inject merely the appearance of political influence or intimidation into decisions that should be based solely on the law, not public opinion.

"There is no room at any stage of judicial proceedings for such intervention; mob law is the very antithesis of due process," the **justices** wrote in *Cox*.

They added at another point that "entirely different considerations would apply if, for example, the demonstrators were picketing to protest the actions of a mayor or other official of a city completely unrelated to any judicial proceedings."

There are instances in which the Supreme Court has limited restrictions on protesting the judiciary, though they don't appear entirely applicable to the present case.

In 1983, *U.S. v. Grace* restricted a somewhat similar federal law. The law prohibited the display of "any flag, banner, or device designed or adapted to bring into public notice any party, organization, or movement" in the Supreme Court itself or on its grounds.

The court ruled that the law had been improperly applied to public sidewalks on the outer boundaries of the court's grounds and that those public sidewalks represented "public forums" where free-speech rights enjoyed more protection. But it would seem unlikely that a public road outside a **justice's** home would be considered a similar "public forum."

Abu El-Haj said there is one way in which the federal law could conceivably be challenged. In 1988's *Boos v. Barry*, the court struck down a statute prohibiting picketing against embassies "if [the signs tend] to bring that foreign government into 'public odium' or 'public disrepute.'" But in that case, the law was subjected to more scrutiny because it was deemed to be content-based — i.e., prohibiting advocating something specific.

Abu El-Haj said that argument isn't "crazy," but "I doubt the argument would win the day in this context."

The tension reflects an increasing politicization of the court — both due to the court's own actions (in some cases) and how it has been increasingly treated by politicians. The ideal has long been that judges should be insulated from politics. But Americans increasingly view the court as effectively another political branch of government.

The legality of the protests is certainly important. Advocates for abortion rights might argue that, given the stakes and even if illegal, the protests are justified as a form of civil disobedience. (The potential punishments include a fine and up to a year in prison.) But the Biden administration is charged with enforcing federal law. Thus far, the **Justice** Department hasn't weighed in.

There are signs that some Democrats are uncomfortable with their party's posture on this, with Sen. Richard J. Durbin (Ill.) saying Wednesday morning of the protests: "I think it's reprehensible. Stay away from the homes and families of elected officials and members of the court."

But the **Justice** Department isn't the only one to tread lightly around the subject. So too has Virginia Gov. Glenn Youngkin (R). He is facing increasing pressure from his conservative allies to do something about the protests at the homes of **justices** who happen to live in his state, like Samuel A. Alito Jr., the author of the draft opinion overturning Roe that set off the current backlash.

Virginia law states that it is a misdemeanor to picket "before or about the residence or dwelling place of any individual" or "assemble with another person or persons in a manner which disrupts or threatens to disrupt any individual's right to tranquility in his home." Youngkin has said he is "closely monitoring" the situation, and this would be a local law enforcement issue rather than a state police issue. It's also possible Virginia's law is unconstitutional.

But it highlights how there are no easy answers when it comes to potentially policing protests such as these. And as we confront these difficult issues of which protests are okay and which aren't, it's worth establishing what's technically allowed under the actual law.

#### --- Index References ---

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May 10, 2022

'Just because people are passionate does not mean they are violent': Psaki defends non-violent protests but calls out violence and 'vandalism' afte...

Morgan Phillips, Politics Reporter For Dailymail.Com Katelyn Caralle, U.S. Political Reporter

'Just because people are passionate does not mean they are violent': Psaki defends non-violent protests but calls out violence and 'vandalism' after sidewalk chalk message outside Susan Collins' home - and Schumer says he gets protest 4 times a week

Both White House press secretary Jen Psaki and Sen. Majority Leader Chuck Schumer brushed off concerns of protesters making their way to the homes of Supreme Court **justices** who voted to overturn Roe v. Wade in a leaked draft opinion.

'I know that there's an outrage right now, I guess, about protests that have been peaceful to date -- and we certainly continue to encourage that -- outside of judge's homes,' the press secretary said 'No one should resort to violence, of course, your threats or intimidation, nor vandalism,' Psaki added On Monday, Sen. Susan Collins, R-Maine, called the police after protesters left a chalk message on the sidewalk outside her home Schumer was asked in his own daily briefing if he was 'comfortable' with protests outside the homes of Supreme Court **justices** 'If protests are peaceful. yes. My house, there's protests three to four times a week outside my house,' the Democratic leader said

'I know that there's an outrage right now, I guess, about protests that have been peaceful to date -- and we certainly continue to encourage that -- outside of judge's homes,' the press secretary said.

'No one should resort to violence, of course, your threats or intimidation, nor vandalism,' Psaki added.

'What's also important to note here is what I would call the hypocrisy of the silence on the other side, when there have been intimidation, protests, outside of the homes of school board members, the Michigan Secretary of State, there have been countless women who have dealt with and navigated through threats made as they're seeking reproductive reproductive health care, which by the way, has been legal for 50 years and there has been no outcry about that.

'There has been outcry about about protests that have been peaceful outside of judges homes, which again, you know, have been peaceful.'

A reporter reminded the press secretary that the protests were in response to a pending court case, and thus could run up against federal law.

Under a federal law, 18 U.S.C. **1507**, any individual who 'pickets or parades' with the 'intent of interfering with, obstructing, or impeding the administration of **justice**, or with the intent of influencing any judge, juror, witness, or court officer' near a U.S. court or 'near a building or residence occupied or used by such judge, juror, witness, or court officer' will be fined or 'imprisoned not more than one year, or both.'

'This is a pending court case though, that's where the federal law comes into place- this is a pending court case,' the reporter said.

'I think that intimidation and protests and intimidation outside the homes of school board members, the Michigan secretary of state, intimidation and threats against people seeking legal reproductive healthcare and against our Capitol and democracy also warrant some outrage and we haven't really seen that,' Psaki shot back.

On Monday, Sen. Susan Collins, R-Maine, called the police after protesters left a chalk message on the sidewalk outside her home.

'Susie, please, Mainers want WHPA —> vote yes, clean up your mess,' the message read, according to a Bangor police report.

WHPA refers to the Women's Health Protection Act, a bill the Senate will vote on on Wednesday that would codify abortion rights, but Collins has said goes too far.

Schumer was asked in his own daily briefing if he was 'comfortable' with protests outside the homes of Supreme Court **justices**.

'If protests are peaceful. yes. My house, there's protests three to four times a week outside my house,' the Democratic leader said.

But pro-abortion activists aren't just coming for conservative Supreme Court **justices** anymore; on Tuesday evening, the pro-abortion group Ruth Sent Us and other groups are leading demonstrators to Speaker Nancy Pelosi's Pacific Heights mansion to protest the California Democrat's 'careless and cowardly' leadership against Republicans' 'scorched-earth strategy.'

The activists will demand Pelosi 'investigate **justices**' and 'save abortion.'

'When nauseating Kavanaugh was nominated in 2018, Dems knew he was a Bush campaign operative who had perjured himself in previous confirmation hearings. He was also a known alcoholic and gambler. Then his serial sexual assaults came to light. He was still seated on SCOTUS,' the group wrote on Twitter. 'Through Herculean efforts of grassroots volunteers, @SpeakerPelosi was reinstated in 2019. She held ZERO hearings into Kavanaugh's crimes and perjury. Imagine if she had. Would this creep be on the Court, daring to overturn Roe?'

'Ruth Sent Us' doxxed the Washington, D.C.-area addresses of the six conservative Supreme Court **Justices** and organized 'walk-bys' of their residences this week to protest the impending opinion that will overturn Roe v. Wade.

The group announced a so-called 'walk-by Wednesday' for May 11, 2022, saying marches will take place 'at the homes of the six extremist **justices**, three in Virginia and three in Maryland.'

On Monday, protesters rallied outside the home of **Justice** Samuel Alito in Virginia, after dozens of people also gathered over the weekend outside the homes of **Justice** Brett Kavanaugh and Chief **Justice** John Roberts in the Washington and Maryland suburbs.

Roberts has said that he doesn't support a full overturn of Roe v. Wade, but claimed he would be in favor of allowing a Mississippi law that makes abortion illegal at the 15-week point of a pregnancy.



Demonstrators marched up and down Alito's street in Alexandria, chanting 'abort the court' while holding lit candles and shouting slogans like 'Alito is a coward', and 'our bodies, our choice.'

Images of coat hangers were chalked on the street outside the **justices'** homes, an apparent attempt to reinforce the pro-choice argument that overturning Roe v. Wade will not put an end to abortion, but instead will end safe abortions.

'Keep abortion safe and legal,' the pro-abortion protesters chanted while they stood in the streets holding candles and signs.

Others shouted: 'Your life is a lie!' and 'We will not go back!'

Cops stood guard outside the **justices'** homes and, after what appeared to be a clash with demonstrators, ordered the activists to leave. At least one officer threatened to arrest and charge the protesters for violating Maryland law.

The Supreme Court draft opinion, written by **Justice** Samuel Alito and published by POLITICO, was leaked on Monday. The document revealed the court has voted to strike down the landmark 1973 ruling Rove v. Wade, which legalized abortion in the United States.

On Monday the Senate passed a bipartisan bill to beef up security for **justices** and their families.

Last week, law enforcement erected wire fencing outside the Supreme Court and **justices** canceled their public outings after the leaked opinion sent shock waves across the nation.

Protesters also appeared outside churches over the weekend and violence ensued at the office of pro-life groups.

Antifa vandals hurled at least one Molotov cocktail into offices of Wisconsin Family Action in Madison, an anti-abortion group in the state. The group also scrawled a chilling message on the wall that read, 'If abortions aren't safe you aren't either,' as well as the Antifa Symbol – a capital 'A' inside a circle – and the number 1312, which is a code that stands for ACAB, meaning 'All Cops are Bastards.'

The damage was discovered on Mother's Day morning Sunday when a passerby called police and reported seeing smoke coming from the headquarters of the pro-life group.

Julaine Appling, president of the lobbying and advocacy organization, told the Wisconsin State Journal that a window was broken, books were burned, and there was graffiti on the walls, but the full extent of the damage is not yet known.

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**NewsRoom**

## NewsRoom

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May 10, 2022

### Far-Left Agitators Try To Intimidate Supreme Court **Justices**; Hollywood Lawyer Funding Hunter Biden's Lifestyle, Report Says

SEAN HANNITY, FOX NEWS HOST: And welcome to HANNITY.

And tonight, mob rule, left-wing intimidation harassment is once again fashionable inside the modern extreme Democratic socialist party after first ignoring and excusing, and in some cases, even openly being supportive of the 574 violent riots in the summer of 2020, dozens dead, thousands of cops, injured billions in property damage people like Kamala Harris promoting a bail fund to Minnesota praising the LAPD and the defunding efforts there. And then, of course, hypocritically spending every waking moment of every day obsessively condemning the riot on January 6th.

And, of course, ignoring the core issue of why Nancy Pelosi and Mayor Muriel Bowser failed to make use of the up to 20,000 National Guard troops that Donald Trump had authorized as required by law two days prior to keep the peace, as also requested by the Capitol police chief.

Repeatedly, Democrats are now reversing course, once again and they are supporting acts of political violence. As we speak, far left agitators, they're trying to harass, intimidate, U.S. Supreme Court **justices** and coerced them into saving Roe v. Wade. It is a disgusting, repulsive, despicable attempt to destroy the independence of our nation's judiciary. And the silence and the tacit approval from the Biden administration and Joe Biden and Democrats, frankly that's equally repulsive.

This week, **Justice** Alito and his family, they were forced to flee their home after rioters published Alito's address and then made plans to show up at his front door. By the way, they showed up. Coming up our own Sara Carter will join us live from the scene of a so-called demonstration that just took place outside of Alito's home.

But sadly, it's not just **Justice** Alito. Over the weekend multiple Supreme Court **justices** and their families were targeted at their own homes by pro-abortion activists. Let me be clear, this is never okay. All of our public officials, both sides of the aisle, must be safe, must be protected from political violence and intimidation because it's never acceptable.

On this show, we condemned all of the rioting, all 574 riots in the summer of 2020. We condemn violence on January the 6th. I did it real time on my own radio show and that night on this show. And now we condemn the less violence against the Supreme Court and pro-life Americans everywhere. Over the weekend in Wisconsin, the headquarters of a pro-life group was attacked.

A Molotov cocktail was thrown through a window into an office causing considerable damage. And look at your screen, this threatening message was spray painted on the building, quote, if abortions aren't safe, and you aren't either. A church in Colorado also defaced by pro-abortion vandals and in New York, St. Patrick's Cathedral was surrounded by protesters hurling insults at

anyone who went inside. And in Los Angeles, rioters dressed as handmaids stormed into a Catholic church service shouting profanities and pro-abortion rhetoric.

And in Washington, D.C., two Catholic churches on Capitol Hill requested extra police presence after one left-wing group threatened to, quote, burn the Eucharist. Now, naturally, many Democrats, their friends, the media mob, they're applauding this kind of violence. I guess they only are -- condemn violence if they can tie it somehow to something Republican or conservative.

In a statement, the Speaker of the House Nancy Pelosi applauded these so-called protesters for using their righteous anger to march and to mobilize. In front of **justice's** houses? And get this, one reporter explicitly called for more violence tweeting a link to the Wisconsin attack along with the caption, quote, more of this may these people never know a moment of peace or safety until they rot in the ground.

And meanwhile, a wannabe politician in California called for Kavanaugh's home and all of his possessions that they'd be burned in front of him. The rhetoric on TV was even worse. Take a look.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: Violence is always over the line, but the real questions and conversations today about protests outside Supreme Court **justice's** houses, particularly **Justice** Kavanaugh. Where do you think that line is?

UNIDENTIFIED FEMALE: I think for a lot of people, a conversation about civility feels like it misses the mark, when constitutional rights that you believe that you had for over 50 years are about to be overturned.

UNIDENTIFIED FEMALE: I mean I suppose if the **justices** don't like the First Amendment, they could just drive to another state where the legislature has determined that the constitutional right to privacy applies, right? I mean, that is what they're telling women to do if they want to control their own bodies, right?

UNIDENTIFIED FEMALE: All of these things that we you know say might happen if abortion gets banned if abortion becomes illegal, they do happen. This isn't a theory. We don't need to speculate. We have actual facts that can inform what happens.

(END VIDEO CLIP)

HANNITY: If Roe's overturned, abortion's not getting banned and it's not going to be illegal. That is a big lie. We'll get to that in a second.

Now, believe it or not, it actually gets worse. One deranged person over at MSDNC saying, she'd like to make love to the Supreme Court leaker and then joyfully abort the fetus. We'll play that disturbing clip coming up.

But maybe worst of all, for more than a week, the White House completely utterly refused to condemn what is the stalking and the outright intimidation and doxxing of Supreme Court **justices**. Listen to Jen Psaki repeatedly excusing and supporting the protests at the homes of Supreme Court **justices** where they have children and they have friends and loved ones and neighbors, really? You support this Joe?

Take a look.

(BEGIN VIDEO CLIP)

PETER DOOCY, FOX NEWS CORRESPONDENT: Do you think the progressive activists that are now planning protests outside some of the **justices's** houses are extreme?

JEN PSAKI, WHITE HOUSE PRESS SECRETARY: Peaceful protest? No. Peaceful protest is not extreme.

DOOCY: Some of these **justices** have young kids but their neighbors are not all public figures. So would the president think about waving off activists that want to go into residential neighborhoods in Virginia and Maryland?

PSAKI: Peter, look, I think our view here is that peaceful protest, there's a long history in the United States in the country of that. So, he doesn't care if they're protesting outside the Supreme Court or outside someone's private residence I don't have an official U.S. government position on where people protest.

(END VIDEO CLIP)

HANNITY: Imagine if conservatives started giving out the addresses of prominent liberal Democrats and saying go protest in front of their house. Do it peacefully. That'd be okay?

After a weekend of violence, Psaki was forced to issue this tepid statement. The president strongly believes in the constitutional right to protest but that should never include violence threats or vandalism. Judges perform an incredibly important function in our society and they must be able to do their jobs without concern for their personal safety so why don't you tell your supporters Joe to stay away from their private homes.

And, Jen, what about the so-called protesters stalking now Supreme Court **justices** at home. Care to say anything about that? Apparently not.

Take a look. You decide.

(BEGIN VIDEO CLIP)

REPORTER: You've suggested that peacefully protesting outside the homes of judges and Supreme Court **justices** is part of freedom of expression and parts of what we do in the United States. But there's a law Virginia that actually prohibits protests outside private residents even when it's done peacefully. So I'm wondering if any sort of demonstrations outside of private homes might run follow that law and other laws like in other parts of the country.

PSAKI: We're certainly not suggesting anyone break any laws. I would note that the president's view has long been and I tweeted this earlier this morning and repeated and made a number of these comments last week as well, that violence, threats and intimidation have no place in political discourse.

(END VIDEO CLIP)

HANNITY: And I'm sure if something happened, you'd probably call it an insurrection, right, Jen?

Do you really think -- do you really care that Supreme Court **justices** are getting stalked, harassed, intimidated this way? Do you think that you care about churches being vandalized as we witnessed this weekend?

Imagine if we flipped the script, imagine if conservatives were stalking, harassing liberal Supreme Court **justices** which they never should do. Could you imagine the outrage? Imagine the hysteria?

The hypocrisy is off the charts here and, of course, Democrats, they're all hypocrites because they have almost no principles. They were virtually silent with 574 riots in the summer of 2020, but they do want to talk about the one riot because they can use it for political purposes.

And think about this: for several years, Democrats tried to weaponize your government and force all Americans to get vaccinated then boosted and boosted again, even though we had breakthrough cases. Millions of Americans lost their jobs because of that mandate, millions more were turned away from restaurants and stores and shut out. My body, my choice didn't seem to exist to the left when it came to vaccines.

That same principle -- well, we're not going to apply that to abortion? Still, at the end of the day, abortion will be legal across the country. All the hysteria, all the hyperbole is false, even if Roe v. Wade is overturned.

So the idea that Roe -- if Roe is overturned, that it will somehow end abortion in America is now the big Democratic lie. Democrats need a good distraction for the midterms a way to drive out turnout and excite their base and their radical base is lapping it up and I fear this can go bad -- from bad to worse.

Anyway, joining us now live at the site of a pro-abortion demonstration, it was just outside of **Justice** Alito's home, our very own Sara Carter was there.

Sara, they were there. They marched. What happened?

SARA CARTER, FOX NEWS CONTRIBUTOR: I got to tell you, Sean. You could feel the tension in the air here in Alexandria, Virginia. We were in the neighborhood of **Justice** Samuel Alito's home and roughly 50 to about 100 people, I couldn't get an exact estimate on the crowd came marching down the street into the **justices** neighborhood.

You know, some of the neighbors came out. They were looking. There were police on scene from the Fairfax Police Department. They actually gave some speeches there in the middle of the road.

And then I tried to ask some questions. I wanted to know why they were there in the neighborhood. What is the excuse for being so intrusive and standing in front of a **justice's** home? I mean, it's a very dangerous situation.

And this is what I heard.

(BEGIN VIDEO CLIP)

CARTER: I just want to ask you a quick question because I saw your sign. Can you explain why -- why this is not intrusive in your opinion? You have no comment on why this is not intrusive?

Okay, but you're holding a sign that says, oh, sorry, does this feel intrusive, and I'm just curious. Okay.

(END VIDEO CLIP)

CARTER: I got to tell you, Sean, you know, quite a few people at the protest did not want to answer that question, they wanted to continue to move, although a speaker there said that they felt that they had the right to be intrusive and marched down **Justice** Alito's street just because they believed that the **justice** is involved in their choice with their own body. It was very -- it was full attention, the police were there, but in the end, it was peaceful they dispersed after about an hour they came down to a grocery store in the neighborhood. They did one more speech and then they all went on their own ways.

But I can tell you this, it won't be the end of these marches. They are expected to get a lot bigger. They're expected to get a lot more intrusive, and I know that the Fairfax police department, the neighbors and everybody here in Alexandria, Virginia, are grateful that this night has come to a close but are more concerned about what's going to happen next -- Sean.

HANNIY: Well all these **justices** I understand now have been forced out of their homes and brought to unknown locations. I'm not sure if they're going to be able to return to their homes because now their addresses have now been made public. That is a danger to them, their families and their neighbors, no?

SIDNER: Absolutely, Sean.

It is a -- it's a significant danger you could see it in the neighbor's face. I mean, look, the right to privacy has been removed completely they've been doxxed. So, now, I guess it's up to the Fairfax Police Department up to the police departments in the various neighborhoods of the **justices** to ensure the security of their neighborhood and that's not always the case we remember going all the way back to Virginia with the shooting at the baseball field with the Republican congressional members.

There is a lot of concern here in this community about that. They know it can happen. All it takes is one person. One person to turn everything from bad to worse and that is what they are concerned about.

HANNITY: All right. Sarah Carter, thank you.

Here with more is Texas Senator Ted Cruz is with us.

Senator, you know, we go from court-packing to leaking -- you know, draft possible drafts of a decision now to doxxing the homes of Supreme Court **justices** only an effort to harass intimidate, these **justices**. I'm not sure how they're going to be able to move back to the neighborhood and move back home, now that this effort is going full force.

What shocks me even more than anything though is that Joe Biden has basically put a seal of approval on it and saying well people are free to protest anywhere they want, I would think that he'd be a little more prudent and understand the danger of people showing up at the homes of elected officials or judges or anybody that works in government for that matter.

SEN. TED CRUZ (R-TX): Well, Sean, you're exactly right what we're seeing these images are the latest manifestation of just how extreme, just how radical the Democratic Party is getting. This Democratic Party today, Joe Biden has handed the agenda over to the socialists and not just the socialists. This is now the Marxist. This is now the communists.

Today's Democrat Party believes in violence. They believe in mob rule. They believe in intimidation, just like Marxists and communists, they're willing to burn our institutions to the ground to get what they want. This leak from the court is fundamentally destructive to the Supreme Court of the United States, to the rule of law and to our Constitution and none of these Democrats care. Joe Biden won't condemn it. The White House won't condemn the leak.

Instead, they sit back and say, oh, isn't that interesting? You're just passionate, as Nancy Pelosi says, as Jen Psaki said listen these thugs have no business at the private homes of any government officials these Supreme Court **justices** or anyone else these thugs who dox the **justices** should be embarrassed and ashamed.

And, by the way, these are the same thugs that are firebombing pro-life outlets. These are the same thugs that are going into churches, disturbing churches. They hate faith. They hate God. They hate the Catholic Church, and it is disgusting to see Joe Biden and the entirety of the Democratic Party turn a blind eye.

What we're seeing, Sean, is a replay of 2020, a replay of the Black Lives Matter and the Antifa riots and in this instance, once again, they're putting politics above everything else including people's lives and these radicals are inviting violence directed at our judiciary and directed at the rule of law.

HANNITY: So they're bullying trying to intimidate these **justices**. Let's go back to the summer of 2020, where we had over 574 riots. We had dozens of dead Americans, thousands of injured cops, billions of dollars in property damage. Okay, we know that took place.

Not only were they silent, there were many people like Kamala Harris that actually offered moral support for these groups and the bail fund and the defund, dismantle effort.

Then, January 6 happens. Donald Trump says many of you will peacefully patriotically march to the capitol so your voices will be heard. That's the one riot that they only want to focus on.

Now they're okay with sending and allowing or proving of people going to the homes and doxxing the homes of these **justices** why the selective moral outrage and why the silence of people that seem so outraged over the one riot, but ignore the 574 other riots and ignore the doxxing? I'm trying to understand their logic.

CRUZ: Well, it's all politics for them. The ends justify the means and it's complete hypocrisy. You see this in the corporate media. You see this among Democrats. On January 6th of 2021, you had tens of thousands of people peacefully protesting and yet the corporate media and Democrats slandered them with the made-up term "insurrectionists".

And yet, in this instance, they are not willing to call off their goons even now -- even now as this has the potential to escalate and escalate further. And, you know, part of it is the extreme left, they know their ideas are unpopular. When it comes to abortion, today's Democratic Party has gotten so radical.

They support unlimited abortion on demand, up until the moment of birth, with taxpayer funding and no parental consent and no parental notification.

Sean, do you know the latest polling shows that just 6 percent of Americans support unlimited abortion on demand right up until the moment of birth? The reason Democrats are freaking out is they can't actually convince their fellow citizens through the democratic process to adopt their extreme radical views. So, instead they want to use brute force. And in this instance, they want to use violence.

Listen, if these guys want to protest, great. Go to the public square. Go to the mall. Go in front of the Supreme Court. There have been protesters in front of the Supreme Court from the time it was built. All of that is legitimate.

But they're not looking for peaceful speech. They're looking for threats. They're looking for intimidation. They're looking for targeting the kids of the **justices** and that is grotesque.

Every -- and you know just this week, we saw "The Washington Post" do this glowing hagiography of this one protester this woman, who is protesting her neighbor Brett Kavanaugh. I mean, I mean it is shameful and this is where today's Democrat party is.

HANNITY: Let me ask you this.

CRUZ: You know what it is also. They are afraid of November because they know the voters are going to throw them out on their rear ends.

HANNITY: There are states right now -- and this is a big lie, the big myth that if Roe is overturned, that abortion will become illegal in America. No, it will not. So the states will decide because Roe was bad law in my -- from my perspective.



You're the law student, one of Alan Dershowitz's best in his own words, and basically what they did in the case of Roe is they granted a right not granted in the Constitution and so that would I would argue trigger the tenth amendment and then rather than go forward and give that right to individuals they basically send it back to the states.

New York, California, New Jersey, there are a whole bunch of states that allow abortion up until, you know, the hour before birth for crying out loud. That will still continue in some states, won't it? So, abortion's not going anywhere.

CRUZ: Yeah, no, that's right. And if you look at our nation's history, for the first 185 years of our nation's history, abortion was decided by elected legislators primarily at the state level and, listen, we all recognize that abortion is an issue that that is deeply emotional it's personal people feel very strongly and have sharply divided views.

What happened in when Roe versus Wade was handed down was seven unelected lawyers in in black robes said to the American people, you pesky voters, your views don't matter. We know better than you do. We are philosopher kings and we are going to decree the rule.

And I'll tell you, that ruling, it was wrong the day it was issue. It's been wrong every day since then. But that ruling produce enormous anger, enormous division, because when people disagree and feel strongly about it, if the democratic process is available today, and you can go and make the case to your fellow citizens that you can argue for it.

But with Roe, the court said, no, we know better than you do. If Roe is, in fact, overturned and I pray that it is, there result will be it goes to the elected legislatures.

And, by the way, these loons that are harassing the **justices** can go to their state legislature.

HANNITY: And that would be --

CRUZ: And argue n front of the legislature for the rule they want and will let democracy play out.

HANNITY: In other words, there was no right to such -- there was no right enumerated in the Constitution. And therefore, it should constitutionally be in the state's hands if it is overturned and this draft comes down the way we think it probably will, that will be what the law in every state -- every state will make their own law and we will decide from there.

Senator, good to see you. We will watch very closely, this very dangerous time for the institution and the judges all across the country, not just the Supreme Court.

When we come back, the media meltdown over this leaked opinion continues. You're not going to believe what one MSDNC guest said. We'll show you that tape. We'll get reactions, straight ahead.

(COMMERCIAL BREAK)

HANNITY: Now, on that hard-hitting ABC News show "The View" co-host Sunny Hostin signal she's totally okay with intimidation tactics against Supreme Court **justices** because it might lead to a, quote, more moderate approach on the abortion ruling, really? Okay.

(BEGIN VIDEO CLIP)

SUNNY HOSTIN, THE VIEW CO-HOST: And while I think it is terrible that a **justice** would have to go into hiding I think it is really clear to the **justices** now that as Anna mentioned, 64 to 66 percent of Americans believe that the Supreme Court should uphold Roe v. Wade, right?

And so, that being said, maybe these protests and maybe this outcry gives Chief **Justice** Roberts some leverage for a more moderate approach.

(END VIDEO CLIP)

HANNITY: But the media mob, they didn't stop there. One commentator MSDNC saying she wants to make sweet love to the Supreme Court leaker and then joyfully abort the fetus. You can't make this up. Take a look.

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: Here's my feeling about the leaker. I would like to find out who the leaker is, so I could make sweet love to that person, because that person is a hero to me, okay? And if the leaker, a lot of people are saying it could be a conservative, if the leaker is a Republican, and if I get pregnant during our love making, I will joyfully abort our fetus, and let them know. I don't know if that answered, your question I probably didn't.

(END VIDEO CLIP)

HANNITY: Is that funny, joyfully aboard a fetus?

Here with reaction, FOX News contributor Lara Trump, along with former Florida attorney general Pam Bondi.

Lara, let me start with you tonight. Joyfully abort our fetus. It's okay with the Biden administration to dox the homes of Supreme Court **justices**, harass them, intimidate them, run them out of their neighborhoods, run them out of their homes. And what happens when some people do get violent, which often happens in moments like this, like the Molotov cocktail thrown into that facility in Wisconsin this weekend.

LARA TRUMP, FOX NEWS CONTRIBUTOR: Yeah, we're truly, Sean, in a pretty disgraceful time in our history if this is what people are talking about. They're condoning this sort of behavior, that comedian by the way, and I think we should put that in air quotes, comedian is not funny.

There's nothing funny about the abortion issue, you know, but she unfortunately, Sean, kind of encapsulates where I think a lot of Democrat voters are right now in America with that attitude, because it's sort of shocking to see we've gotten there if you look back not too long ago, even people on the left would acknowledge that abortion was a really tough issue, that it was something that was a gut-wrenching decision for a woman to have to make very clearly it impacts two people, the mother and the child, that is never born in ways that are unimaginable.

And if you talk to women who have had abortions, whether it's five years ago or years ago many of them will tell you even the most callous of people that that decision changed their life it haunts them to this day. But the cavalier attitude the joking attitude about it and the way that on the left abortions are sort of championed kind of tells you how far we are degrading as a society if this is where we are in America right now, it is absolutely shameful to see. Shame on that woman.

HANNITY: You know, even Bill Clinton, Pam, said abortion should be legal but rare. But now, the Democratic Party has shifted so far left, so -- they've gotten so extreme, you have states that have laws that allow for abortion up until the moment prior to birth when that child is fully formed and viable which by any definition would be called infanticide.

PAM BONDI, FORMER FLORIDA ATTORNEY GENERAL: That's right. That's right, and, you know, Sean, that foul and vulgar comedian is a zero. She is -- she shouldn't have been on TV. She's trying to -- for shock value -- save a failing career. She's also a woman who had mocked god in a stand-up comedian skit she did.

So she's a zero. The host laughed. He encouraged her. He laughed at what she said.

NBC, they need to come out and say how horrible what she said on TV, on national TV was. This was a news show, an alleged news show, where she came out and said these things.

She's horrible but she's a nothing.

HANNITY: Let me ask you this though --

BONDI: They need to -- they need to apologize.

HANNITY: They've gotten so extreme. Again, you remember Ralph Northam's comments. First of all, deliver the baby and take care of the baby and then the doctor and the mother will have a decision to make whether the baby that is living alone outside of the womb gets the live or die, which is more extreme than anything I've heard.

As Ted Cruz rightly pointed out, most Americans even if they define themselves as pro-choice do not support late-term abortions or partial birth abortion. The question is, is there anything illegal about the doxxing aspect of this, clearly meant to harass and intimidate **justices**. You've got to know that in a -- with an emotional issue like this that you are putting **justice's** lives in potential jeopardy here. Aren't these the very same people that were upset that Donald Trump said, many of you will peacefully, patriotically march to the White House so your voice will be heard?

BONDI: Yeah, yeah, Sean. It is illegal what they're doing. And Merrick Garland, the attorney general of the United States, should be out there arresting them. Here's why: 18 USC **1507**, it is a crime to picket a judge's house with the intent to influence them.

This opinion has not yet been released. They are attempting to influence them, every person out there. And then you've got Sonny Hostin, you know what, she is -- she's a lawyer. She's on TV. She's not only a lawyer, she's their chief legal analyst saying it's okay for what these people are doing.

They are out there committing a crime. This isn't a peaceful protest. The law is very clear, you cannot go to a judge's home with intent to influence them, and the law is there for a very good reason.

And, Sean, that's another reason our United States Supreme Court **justices**, they're lifetime appointments so they cannot be influenced, and you know, I would guarantee you, even the most liberal **justices** are mortified and horrified. It's what's happening in front of their colleagues homes because they all act with civility and camaraderie.

HANNITY: Let's look at the political side of this, Lara, if we can and the conventional wisdom I've been hearing from people is, oh, this is going to help the Democrats in the midterms, in November. I'm not so sure this is going to help them at all because all of this is predicated on a big lie and the big lie that is that if Roe v. Wade, and Casey are overturned, somehow abortion becomes illegal in America. And what Americans are going to learn very quickly if it's so if it is overturned is abortion is not going to be made illegal in a in the country.

There might be different restrictions in different states, but you're going to have all these liberal states like New York and California New Jersey and Illinois, that probably will continue to allow for third trimester abortions, and then people realize pretty much they've been lied to and that they don't need Roe v. Wade because the state is going to ensure that right for them, correct?

L. TRUMP: Yeah. Well, I mean, really all the Democrats have at this point, Sean, are lies that's the only way they can encourage people on their side that's the only way they can drum up support get enthusiasm behind them because they have failed the

American people so epically but you're exactly right if you go back to that clip from the view that you played, you know, the reality is that if you want a democratic process to play out, you're right, you want it to go back to the states.

Supreme Court **justices**, Sunny, do not make decisions based on mob rule and popular opinion. They make decisions based on the United States Constitution. That is exactly what this is all about. You're right. It goes back to the states. It has all been alive from the Democrats from the beginning but it's all they have left, Sean.

HANNITY: I think that is. They're not going to run on -- let's see inflation at a 40-year high, chaos at the border, the worst economy that we've had in 40 years, the highest price of gasoline we've ever had, they're not going to run on Afghanistan. I don't think there's anything they can point to that they've been successful at.

Lara Trump, thank you. Pam Bondi, thank you.

Straight ahead, the left is using the Supreme Court leak as a distraction from Biden's failures.

Plus, breaking news surrounding an Alabama inmate and the prison guard who helped him escape, as the HANNITY continues.

Stay with us.

(COMMERCIAL BREAK)

HANNITY: And this is a FOX's alert. The manhunt for an Alabama prisoner and prison guard is now over. Our very own Trace Gallagher joins us with all the breaking details tonight.

Trace, what's the latest?

TRACE GALLAGHER, FOX NEWS CORRESPONDENT: Sean, the manhunt lasted about days but the escapees only got about 250 miles away. Corrections officer Vicki White and murder suspect Casey White, no relation, were first spotted at a hotel near Evansville, Indiana. They then led police on a high-speed chase that ended a few minutes later when the fugitives wrecked their vehicle.

Six-foot-nine Casey White gave himself up but police say Vicki White died of a self-inflicted gunshot wound to the head. Investigators believe this plan planned escape might have been in the works for years, saying Vicki White would often communicate with Casey White while he was in prison. Then a few months ago, he was sent to the jail that she oversaw to stand trial for a 2015 murder.

Vicki White quickly sold her home for cash, announced her retirement from law enforcement and then helped Casey White walk out of the jail in Florence, Alabama. From there, the two who were thought to be romantically involved ditched a patrol car and fled in a planned getaway car. Now, Casey White will head back to Alabama to face murder and additional charges. Regardless, he will likely spend the rest of his life in prison -- Sean.

HANNITY: All right. Trace Gallagher, thank you.

Tonight, now the Biden economy is continuing to fail on every front tonight. Inflation surging, 40-year high, gas prices now at a record high once again. The stock market continues to tumble, hammering Americans retirement accounts, especially the poor middle income and people on fixed incomes, all while -- all while the Biden White House continues to blame everyone but themselves.

And according to Gallup, Americans are now taking notice with a whopping 52 percent of voters saying they are worried about maintaining their very standard of living. So while the left may try to distract from all of these failures and try to fuel more hysteria and blind rage against the U.S. Supreme Court, Biden's self-inflicted crisis is staring Americans right in the face at the gas pump and in the grocery aisle and pretty much every service, every good you buy at every store you go to.

Here with reaction, South Carolina Senator Lindsey Graham is with us.

Senator, welcome back.

There's not a single thing I can point to that the Democrats can run on and say we've been successful here there or anywhere they seem to have now locked into an extreme position on abortion and even supporting doxxing these Supreme Court **justices**.

Now, Wednesday of this week we are expecting a Chuck Schumer vote to codify Roe.

SEN. LINDSEY GRAHAM (R-SC): Right.

HANNITY: Do we know the language in that bill? How extreme is it?

GRAHAM: Well, it doesn't codify Roe. What it would do is allow abortion to be had right up to the moment of birth. That's not Roe v. Wade. Roe v. Wade says the state can regulate abortion after viability of the fetus is about 23 to 24 weeks. This goes well beyond Roe.

So their answer to Roe v. Wade being potentially repealed is to nationalize a law that allow abortion right up to the moment of birth. That's pretty extreme.

This will be a referendum on Joe Biden's economic and national security policy. It won't be a referendum on Roe v. Wade. The election in 2022 will be decided about, you can't buy a baby formula. I bet of Americans believe that if you have a baby and you bring a baby in the world you should be able to buy formula.

Well, there's a crisis when it comes to baby formula. You can't fill up your gas tank. I spent \$65 filling out my gas tank today and it was three quarters and that was just three quarters. The border is broken. This is going to be a referendum on Biden not Roe v. Wade.

Three things should happen here: Joe Biden should look the camera in the eye and tell every protester, leave the judge's home -- home alone. You're committing a crime. It is illegal to go try to intimidate a judge who's hearing the case at their home like it would be a juror. Joe Biden needs to say that.

We all ask Trump to tell the protesters to leave the Capitol. President Biden, here's what I want you to do. I want you to get on television and tell these people to leave the judges alone because they're committing their crime. I'd like to see Pelosi and Schumer to follow on the same stead.

HANNITY: Senator, the problem with your advice is that ship has sailed. The administration has already said people are free to protest in front of Supreme Court **justices'** homes.

So they've already given their tacit approval.

GRAHAM: Well, number two, I'm going to write a letter tomorrow to the Attorney General Garland and ask him what is his interpretation. There's a law on the books that prevents judges from being harassed and picketed while they're deciding a case.

Same for a juror. They're literally violating the law. They violated the law when they went into the Capitol, trespassing in the Capitol, taking matters in their own hands. Everybody yelled at Trump, tell them to leave.

Well, here's what I'm telling President Biden tell these people to leave the judges alone. Don't go to their home. This is illegal. It's wrong. It's bad for America. It will break the court.

Joe Biden needs to step up and take matters into his own hands and as president of the United States, speak forcefully to these people who are intimidating judges, try to get an outcome in a case, which violates our law. Attorney General Garland, you need to issue an opinion tomorrow, saying that the activity in front of the judge's house violates the law.

HANNITY: I'd like the attorney general the weigh in. I'd like the FBI Director Wray to weigh. I'd like the DHS secretary who said just last week that domestic terrorism was the biggest threat society has.

Don't you think it's a little bit dangerous allowing people to show up in front of the homes of Supreme Court **justices** when they're facing an important decision, isn't that intimidation harassment and the type of thing? I think the law is very clear, it shows is illegal.

GRAHAM: Well, it's illegal to go into the Capitol. We all agree with you. You and I and everybody else with a half a brain said, leave the Capitol, this is not the way to deal with an election. So President Biden, you have an opportunity here to get people to stand down before somebody gets hurt.

What they're doing, President Biden, is a violation of the law. You need to speak up. Attorney General Garland, you need to issue an opinion tomorrow telling these people they're in violation of law. If they keep doing it, they're going to jail. If you don't do that, then you're giving cover to illegal behavior.

HANNITY: I think the president should have been the one to do it and he passed on it multiple times. So I would argue anything that does happen, he's responsible for it. It's amazing. They didn't care about the riots in 2020.

GRAHAM: There you go.

HANNITY: They don't care about this. They only cared about the one riot and because they could bludgeon somebody else, but they forgot the important part. Donald Trump authorized the use of National Guard troops and the people that had the authority to call them up didn't call him up that day.

Senator, thank you.

GRAHAM: Can I add one other thing? He said --

HANNITY: Yes, sir.

GRAHAM: He said -- he said, leave. He told him to leave the Capitol. Will Biden tell him to leave the judges alone at home? Do what Trump did. He told him to leave. You need to tell him to leave.

HANNITY: All right. Senator, thank you.

Coming up, another day another scandal for zero experience Hunter Biden. New reports tonight a Hollywood lawyer just paid millions to cover his delinquent taxes. We have the details, straight ahead.

(COMMERCIAL BREAK)

HANNITY: Now more developments tonight surrounding zero experience Hunter Biden, as a new report says that a Hollywood lawyer named Kevin Morris paid off Hunter's delinquent taxes which amounted to over million bucks. And that's not all, because according to sources cited by "The New York Post", the lawyer is also paying for Hunter's lavish Hollywood lifestyle, including rent and living expenses.

And according to CBS News, this lawyer is also producing a Hunter documentary including an investigation into the laptop from hell. We did reach out to the White House, Hunter Biden, Kevin Morris for comment. You've yet to hear back.

Here with reaction, Outkick founder Clay Travis, along with "Outnumbered" co-host Kayleigh McEnany.

Kayleigh, correct me if I'm wrong, you're an attorney, wouldn't that be considered income under the IRS laws and wouldn't that be something you got to look into if somebody pays off a tax bill, two million dollars and other expenses?

KAYLEIGH MCENANY, OUTNUMBERED CO-HOST: Yeah. I mean, perhaps it'd be different if it was a loan that was being paid back periodically. But you're certainly right, income comes to mind. John Paul Mack Isaac was that MacBook owner of that Mac shop where you had Hunter turn over the laptops. And what's so curious to me about all of this sean is he talks about in "The New York Post" the time Hunter came in, going through his files, stumbling upon a file named income. And he talks about the extraordinary amount that was coming into Hunter, \$880,000 in one year, more than one million the next year, more than 2 million the next year.

And somehow, he didn't save. He didn't do anything appropriate with this money, because he's having to lean on a lawyer for \$2 million allegedly according to "The Post" to pay his taxes, to fund his lifestyle, a lawyer that his friends affectionately call his sugar brother. We know he paid some of Joe Biden's expenses and Joe Biden paid some of his.

This looks like a nefarious web. A lot of questions, Sean.

HANNITY: And you think, Clay, of all the money that Hunter and his firms got from, let's see, Kazakhstan, Ukraine, Russia, China, other countries and you got to wonder where did all that money go and we do know Hunter complained in his laptop in emails that he had to pay half of his income to pops. That would be Joe Biden or the big guy.

CLAY TRAVIS, OUTKICK FOUNDER: Yeah, this is calling and demanding an investigation, guys. And let's just think for a moment how this would be covered by the media if Donald Trump Jr. had been several million dollars in debt, and some random big shot lawyer who undoubtedly is connected to Democrat politicians had suddenly cut a check to pay over \$2 million in back taxes, was allowing him to live a lavish lifestyle in Malibu, outside of L.A., and there were no questions whatsoever being asked about it?

And oh, by the way, "The New York Post" has also reported something that's pretty significant. Joe Biden made \$11 million the first year that he was out of the White House in 11 months. That's a lot of money to make for somebody that has never had any business relationships at all. This is crying out for an investigation, for questions to be answered, and for us to get to the bottom of where this money is coming from.

And also remember, this lawyer is evidently advising Hunter on his career as an artist, have we totally forgotten that this is a guy basically selling finger paintings for a half million dollars out there to Democrat donors --

(CROSSTALK)

TRAVIS: This crisis.

HANNITY: You know, the portraits of a crack addict, you know, apparently was very popular. We just don't know the people who spent the money to buy the portraits of the crack addict.

They seem to get away with it all the time, Kayleigh, why?

MCENANY: They do because they're at the levers of power. I mean I what I find so questionable, Sean, is Joe Biden clearly knew that his son had these problems. Remember, Hunter Biden was under investigation for potential tax issues going back to when President Joe Biden was Vice President Biden, then in 2018, this probe opens into Hunter Biden, his laptop, to perhaps the political influence with his dad, why did Joe Biden run for office knowing his son had all these issues? It's a question I don't know. I hope the DOJ is fair here.

HANNITY: All I know is Joe said repeatedly, he never had a single conversation with any of Hunter's foreign business partners but we got pictures of Joe and Hunter and the foreign business partners and the emails.

All right. Thank you both.

When we come back, we'll have more HANNITY, straight ahead.

(COMMERCIAL BREAK)

HANNITY: All right. Unfortunately, that is all the time we have left this evening. As always, thank you for being with us and thank you for making the show possible. Please set your DVR so you never ever miss an episode of HANNITY.

For the latest news information all you need to know all day long. FOXNews.com, Hannity.com, we've got you covered.

In the meantime, let not your heart be troubled, Laura Ingraham, "THE INGRAHAM ANGLE" is next. Have a great night.

END

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**NewsRoom**

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May 10, 2022

### Biden On Combating Persistent Inflation; Biden Criticizes Republicans Over Scott Proposals; Price Spikes Frustrate Motorists; Pro- Choice Protests...

Biden On Combating Persistent Inflation; Biden Criticizes Republicans Over Scott Proposals; Price Spikes Frustrate Motorists; Pro- Choice Protests Outside Homes; White House Restoring Access To Asylum; Taiwan Increasingly At Risk Amid Ukraine Crisis; Mark Esper Says Donald Trump Asked To Shoot Missiles Into Mexico; Former Trump Administration Defense Secretary Mark Esper Interviewed About U.S. Policy Of Afghanistan Withdraw And Possible Chinese Aggression Against Taiwan; Biden Administration Criticized For Continued Inflation In U.S. Economy; Senate Democrats And Republicans Criticize Protestors Demonstrating At Supreme Court **Justices'** Homes Over Possible Decision To Overturn Roe Versus Wade

DANA PERINO, FOX NEWS CHANNEL HOST (on camera): And I think Max probably got a big steak to thank him for his great work.

JESSE WATTERS, FOX NEWS CHANNEL HOST (on camera): But can Max run a marathon like the duck.

HAROLD FORD J.R., FOX NEWS CHANNEL POLITICAL CONTRIBUTOR (on camera): Yes.

WATTERS: Probably not.

PERINO: Probably not, but I bet he's in your inner ring.

JEANINE PIRRO, FOX NEWS CHANNEL HOST (on camera): I'm the only one who's --

GREG GUTFELD, FOX NEWS CHANNEL HOST (on camera): Or your web.

PIRRO: I ate one too.

WATTERS: Very good, Greg. It cracks me up.

GUTFELD: Stop it.

WATTERS: That's it for us tonight. SPECIAL REPORT is up next. Hey, Trace.

TRACE GALLAGHER, FOX NEWS CHANNEL ANCHOR (on camera): Jesse, I don't know how you're going to do your show without me, but best of luck to you trying tonight.

Happy birthday. Harold, happy belated birthday.

FORD: Thank you, brother. Thank you, brother.

PIRRO: Yes.

GALLAGHER: Dana and Greg, good picture still on the wall.

PERINO: Thank you. Thank you.

WATTERS: Thank you.

PERINO: Bye.

PIRRO: What about me?

GALLAGHER: And good evening everyone watching to Los Angeles. I'm Trace Gallagher, in for Bret Baier.

"BREAKING TONIGHT", President Biden is making an election year appeal to voters as he pushes a plan to fight the massive inflation that threatens to strip his party of congressional control this fall.

The president is also accusing his Republican opponents of planning to raise taxes and accusation that does not add up. Correspondent Alexandria Hoff starts us off tonight from the White House.

Alex, good evening.

ALEXANDRIA HOFF, FOX NEWS CHANNEL WASHINGTON CORRESPONDENT (on camera): Good evening, Trace.

Yes, President Biden had an address today, and this was less about announcing new measures to combat inflation, and more so providing an update on strategies already deployed.

(BEGIN VIDEOTAPE)

JOE BIDEN, PRESIDENT OF THE UNITED STATES: My plan is already in motion.

HOFF: From releasing oil from the strategic reserve to combating food price gouging, President Biden says his efforts to combat inflation are working.

BIDEN: I want every American to know that I'm taking inflation very seriously. And it's my top for domestic priority. And I'm here today to talk about solutions.

HOFF: But the president was also there to talk about an alternative plan, one that he says has been proposed by Republicans.

BIDEN: They don't want to solve inflation by lowering your costs. They want to solve it by raising your taxes and lowering your income.

HOFF: But there is no Republican tax plan. President Biden was referring to an individual proposal by Florida Senator Rick Scott.

BIDEN: I can't believe that the majority of Republicans buy on the Scott's plan.

HOFF: The trouble is a majority of Republicans do not. The Washington Post gave Biden's claim three Pinocchios. "As far as we can tell, not a single other Republican in Congress has embraced Scott's specific tax proposal. Here is Senate Minority Leader Mitch McConnell in March.

SEN. MITCH MCCONNELL (R-KY): We will not have as part of our agenda, a bill that raises taxes on half of the American people.

HOFF: Senator Scott said this today.

SEN. RICK SCOTT (R-FL): Clearly, it's not the platform for the Republican Party, I put out my ideas. I hope everybody will give me their ideas.

HOFF: So, why is the president saying Scott's plan is backed by a majority of Republicans? White House press secretary Jen Psaki explained.

JEN PSAKI, WHITE HOUSE PRESS SECRETARY: There isn't an alternative plan they've put forward. So, it's either this put together by the person who is leading the effort to win back the Senate or nothing.

HOFF: As the president grapples with the economy, parents around the country are struggling with a critical shortage of baby formula.

ALANA COTTRILL, MOTHER OF TWO: As a parent, you just want to provide for your child into your worst nightmare if you're unable to do so.

HOFF: According to the White House, the FDA is working to address the supply.

(END VIDEOTAPE)

HOFF (on camera): And we do know that Senator Mitt Romney has reached out to the USDA and FDA, saying that there has to be a contingency plan for shortages like this.

He's also requesting an update on the large scale formula recall that has compounded this crisis. Trace.

GALLAGHER: Alexandria Hoff, live for us to the White House. Alex, thank you.

Well, if you have put gasoline in your vehicle lately, you may have been surprised to see that fuel prices are back on the rise.

National correspondent William La Jeunesse is here in Los Angeles to show us why.

(BEGIN VIDEOTAPE)

UNIDENTIFIED MALE: I've 75-years-old and I've lived through three of these, and this is the worst in my lifetime.

WILLIAM LA JEUNESSE, FOX NEWS CHANNEL NATIONAL CORRESPONDENT (voice-over): Gas prices hitting a new national high. \$4.37 a gallon.

UNIDENTIFIED FEMALE: I think it's ridiculous. I wish I understood this stuff more.

LA JEUNESSE: Analysts say it could get worse.

PATRICK DE HAAN, SENIOR PETROLEUM ANALYST, GAS BUDDY: Americans want to get out. And we're just starting to see warm weather heat up, demand is still very strong against the backdrop of supply that's been shrinking.

LA JEUNESSE: Who's to blame?

BIDEN: The current spike in gas price is largely the fault of Vladimir Putin.

Putin's price hike.

Putin's price hike in gasoline.

LA JEUNESSE: Again today, the president blame the Russian leader for tight global supplies as more European nations refuse to buy Russian oil. Domestically, however, Biden's policies have not reduced prices.

BIDEN: 1 million barrels per day for the next six months.

LA JEUNESSE: In March, the president tap the Strategic Petroleum Reserve. In April, he added more ethanol to the gas supply.

BIDEN: It gives you a choice at the pump.

LA JEUNESSE: Today, the president again blamed oil companies.

BIDEN: under my plan, they would have to pay taxes, and if they don't use those leases to produce more oil. They just can't sit on it.

LA JEUNESSE: Yet producers see mixed signals.

I'm taking off as Biden slapped a drilling moratorium on federal lands. Then, ask oil companies to pump more. He demanded more production from OPEC, but never befriended the Saudis.

BRIAN MARKS, UNIVERSITY OF NEW HAVEN: Oil producers have been hesitant to increase production significantly or even at all.

(END VIDEOTAPE)

LA JEUNESSE (on camera): So, today, the White House said suspending the federal per gallon gas tax of \$0.18 is on the table. But Trace, other problem for inflation, of course, is diesel, right? It powers the economy, tankers, trucks, and trains.

And at this price almost seven bucks a gallon to fill up some 18 wheelers here will cost you about \$2,000. Trace.

GALLAGHER: Yes, \$6.69 is not to go unnoticed. William La Jeunesse, live for us in Los Angeles. William, thank you.

GALLAGHER (voice-over): Stocks were mixed today. The Dow lost 85. The S&P 500 finished ahead 10. NASDAQ gained 114.

GALLAGHER (on camera): Well, in tonight's midterm spotlight, primary day in Nebraska and West Virginia. We are also a week away from a crucial vote in Pennsylvania to determine the Republican nominee for U.S. Senate.

Our chief Washington correspondent Mike Emanuel takes a look tonight.

MIKE EMANUEL, FOX NEWS CHANNEL CHIEF WASHINGTON CORRESPONDENT (voice-over): A new Fox News poll shows a tight three-way contest in the Pennsylvania GOP Senate race a week before primary day.

Dr. Mehmet Oz and Kathy Barnette appear to be surging while support for David McCormick is slipping. Dr. Oz leads with 22 percent support. McCormick is second at 20 percent. Then, Barnette at 19 percent.

The poll notes the race remains wide open as the top three are within the margin of error.

Oz is fully embracing the endorsement he received from former President Trump.

(BEGIN VIDEOTAPE)

DR. MEHMET OZ (R), SENATORIAL CANDIDATE, PENNSYLVANIA: Do we love President Trump, Pennsylvania? The only thing Joe Biden is Built Back Better is the Republican Party.

McCormick is countering, suggesting Oz isn't a true Pennsylvania conservative.

DAVE MCCORMICK (R), SENATORIAL CANDIDATE, PENNSYLVANIA: He is been liberal. Hollywood liberal for his entire career and taking a set of positions that are very different than primary voters in Pennsylvania.

EMANUEL: McCormick is backed by former Trump Secretary of State Mike Pompeo, who accused Oz of having "close ties to the Turkish government and military."

MIKE POMPEO, FOX NEWS CHANNEL CONTRIBUTOR: We need to get him and his team to explain why he had time and energy and focus to vote in a Turkish election, but not in an American election.

EMANUEL: The Fox poll suggests Barnette has more momentum with support doubling in two months, and her supporters appear more engaged. Among those extremely interested in the Pennsylvania GOP primary, Barnette leads with 25 percent, with Oz at 22 percent, and McCormick at 21 percent.

The Fox poll suggests there could be volatility in the final week, with 18% of those surveyed undecided and uncommitted to a candidate.

(END VIDEOTAPE)

EMANUEL: Pennsylvania Democrats appear to favor Lieutenant Governor John Fetterman for their nomination. Polling suggests he has a large lead over Congressman Connor Lamb. Trace.

GALLAGHER: Mike Emanuel live for us in D.C. Mike, thank you. A federal judge in New York has approved a plan to push back the state's primary elections for the House of Representatives.

The voting is being moved from June to August 23rd because of problems with the redistricting process. Primaries for governor and the state assembly are still scheduled for next month.

New York Republican Congressman Tom Reed is leaving office immediately. He said last year, he would not seek reelection after being accused of sexual misconduct. Reed was accused of inappropriately touching a female lobbyist back in 2017.

The Congressman apologized and said he was getting treatment for alcohol abuse.

Pro-choice demonstrators continue to protest outside the homes of some U.S. Supreme Court **justices**.

There is a federal statute saying that is a crime, but the Biden administration is not enforcing it. Here is correspondent Aishah Hasnie.

(BEGIN VIDEOTAPE)

AMERICA CROWD: We are not your incubator.

AISHAH HASNIE, FOX NEWS CHANNEL CORRESPONDENT (voice-over): Night after night, pro-choice activists protests outside the homes of Supreme Court **justices**. And day after day, the White House supports them.

PSAKI: And we believe, of course, in peaceful protests.

HASNIE: But critics say those demonstrations are illegal. Federal law prohibits anyone from obstructing **justice** by picketing outside of judge's home in order to influence them.

Republicans say the Biden administration is playing politics with protests.

SEN. JOSH HAWLEY (R-MO): hypocrisy from the left is really unbelievable. I mean, here we have the White House, encouraging people to go out and do engage in what amounts to harassment.

HASNIE: Attorney General Merrick Garland remained silent on the issue, when just seven months ago, he directed the FBI to look into threats made against school board members, because as he put it, "Threats against public servants are not only illegal, they run counter to our nation's core values."

JUDGE ESTHER SALAS, DISTRICT JUDGE, UNITED STATES DISTRICT COURT, NEW JERSEY: We stand at the front line for democracy. And we all **justices** and Federal Court judges at all levels need to be protected. Democracy demands this.

HASNIE: The White House only going so far as to say there has been no violence committed against the **justices** yet.

As for the chanting and picketing outside, the White House isn't budging

PSAKI: Protests and intimidation outside of their homes of school board members, the Michigan secretary of state, you know, intimidation and threats against people seeking legal reproductive health care against our capitol and American democracy also warrant some outrage.

(END VIDEOTAPE)

HASNIE (on camera): Trace, Congress is stepping in though. Last evening, senators approved a bipartisan measure to increase security for not only Supreme Court **justices**, but also their immediate family members. Trace.

GALLAGHER: Aishah Hasnie at the White House. Aishah, thank you.

Up next, when COVID related asylum rules expire for the southern border, it could be a disaster for immigration courts. We will take a look at that.

But first, here is what some of our Fox affiliates around the country are covering tonight.

Fox 59 in Indianapolis as an Indiana sheriff says the Alabama murder suspect and his jailer found in Evansville yesterday were heavily armed when captured.

Casey White is now in custody. Vicky White, who has no relation apparently killed herself during a vehicle chase.

Fox Two in San Francisco where a district attorney announces prosecutors will not file charges against Mike Tyson. The former heavyweight champ was seen punching a passenger on a flight out of San Francisco International Airport last month.

And this is a live look at Tampa from Fox 13. One of the big stories there tonight. Tom Brady will join Fox Sports as lead NFL analyst once his playing career is over.

Brady announced his retirement immediately after last season, but later, he said that he would play this year for the Bucs.

That's tonight's live look "OUTSIDE THE BELTWAY" from SPECIAL REPORT and we'll be right back.

(COMMERCIAL BREAK)

TRACE GALLAGHER, FOX NEWS CHANNEL CHIEF BREAKING NEWS CORRESPONDENT: While Elon Musk says he will reverse former President Trump's permanent ban from Twitter if his deal to buy the social network goes through, Mr. Trump was kicked off following the capital riot for allegedly inciting violence. Musk calls the ban a morally bad decision. The former president has said previously he does not intend to return to Twitter.

Celebrity Chef Mario Batali has been found not guilty of sexual misconduct for a 2017 incident in Boston. A woman accused Batali of groping and kissing her when she was taking a selfie. Batali said the woman had financial motives. A judge ultimately decided the accuser had credibility issues.

Tonight, we look at how the expected elimination of COVID related asylum rules at the southern border could further clog already overflowing immigration courts.

Correspondent David Spunt shows us tonight from the **Justice** Department.

(BEGIN VIDEO CLIP)

DAVID SPUNT, FOX NEWS CHANNEL CORRESPONDENT (voice over): Early today, a group of migrants illegally crossed the Rio Grande into Texas moments before stopping to pray.

In two weeks, officials expect an even greater surge in crossings as Title 42 will no longer be enforced. Once Title 42 is lifted, immigration judges are also planning for a surge in courtrooms.

But thanks to a backlog of 1.7 million cases, some migrants won't see a courtroom for three to seven years from now. The backlog includes cases from 200 countries around the globe.

DENISE SLAVIN, FORMER IMMIGRATION JUDGE: It's very frustrating because you feel -- I mean as a judge, it puts pressure on you to be in court, like eight hours a day, five days a week, maybe even longer.



SPUNT: Denise Slavin is a retired immigration judge who spent nearly a quarter century on the bench. She says ending Title 42 spells disaster.

SLAVIN: You're going to have judges, like stop doing the cases that are ready to be heard and finished and move them to these Title 42 cases that are brand new. And so, they won't be ready and so, there'll be just sort of spinning your wheels and wasting time.

SPUNT: Border officials under increasing pressure to get migrants into courtrooms are trying alternatives to detention where migrants are given ankle bracelets and smartphones by the government.

The phones are not for making calls but to check in via a tracking app with border enforcement. In some cases, those phones are thrown away.

(END VIDEO CLIP)

SPUNT (on camera): Title 42 is set to expire on May 23rd. Late last month, a federal judge issued a temporary restraining order to stop the winding down of Title 42. A hearing is scheduled for later this week on Friday, Trace.

GALLAGHER: A court backlog of three to seven years stunning. David Spunt live at the DOJ. David, thank you.

Up next, part two of Bret's interview with former Defense Secretary Mark Esper with a look at some of the international hotspots beside Ukraine.

For some other stories Beyond our Borders tonight, Ferdinand Marcos Jr., the son and namesake of the late dictator appears to win the Philippines' presidential election. Marcos Jr. Campaign primarily on a battle cry of national unity. He would take office June 30th for a single six-year term.

Spain's government fires the director of the country's top intelligence agency following the hacking of the Prime Minister's cell phone. The agency has been under fire for its role in spying on the Catalan separatists and for its delay in discovering that the handsets of leading security officials were infiltrated, possibly by a foreign power.

And this is a live look at London. One of the big stories there tonight, Queen Elizabeth II delegates the formal opening of Parliament to her son and heir Prince Charles. The ceremony is considered an important symbol of the monarch's constitutional role as head of state.

Just some of the other stories Beyond our Borders tonight, and we'll be right back.

(COMMERCIAL BREAK)

GALLAGHER: Russian troops are pounding the vital Ukrainian port of Odesa in an apparent effort to disrupt the supply lines and critical weapons shipments from the west.

Ukrainian officials say around 100 civilians remain trapped at a steel mill in Mariupol despite earlier reports that all had been evacuated.

Authorities have also found the bodies of 44 civilians in the rubble of a Kharkiv building destroyed by Russia back in March.

And Ukraine's Foreign Minister appears to suggest the country could expand its aims beyond merely pushing Russia back to areas it or its allies held on the day of the invasion.

The war on Ukraine is just one of many major foreign policy challenges facing the Biden administration right now.

Senators heard about some of the others today from top intelligence officials. Here's congressional Correspondent Chad Pergram.

(BEGIN VIDEO CLIP)

CHAD PERGRAM, FOX NEWS CHANNEL CONGRESSIONAL CORRESPONDENT (voice over): Two flashpoints, Ukraine and Taiwan. Two of the nation's top intelligence officials warn their fates may be linked.

Director of National Intelligence Avril Haines cautioned that China is willing to seize Taiwan militarily. Haines says Taiwan enters a critical phase between now and 2030.

AVRIL HAINES, DIRECTOR, NATIONAL INTELLIGENCE: Whatever lessons China learns coming out of the Russia Ukraine crisis might affect that timeline.

PERGRAM: President Biden says there is no plan for the U.S. to fight in Ukraine. But there's concern a lingering conflict could draw in the U.S. that has consequences for Taiwan.

LT. GEN. SCOTT BERRIER, DIRECTOR, DEFENSE INTELLIGENCE AGENCY: China would see that as a window to open to take advantage of that.

PERGRAM: Defense Intelligence Agency Director Scott Berrier characterize the Ukraine war as a stalemate. One senator worried the U.S. taunted Russia with visits to Ukraine by House Speaker Nancy Pelosi and First Lady Jill Biden.

SEN. TOMMY TUBERVILLE (R-AL): Were kind of poking the bear here. We're taking way too many chances of sending people over there for a photo op.

PERGRAM: The intelligence community boasted it correctly predicted that Russia would invade Ukraine, but senators say that gloating is misplaced.

SEN. ANGUS KING (R-ME): General, how can you possibly say that when we were told explicitly Kyiv would fall in three days and the Ukraine would fall in two weeks?

PERGRAM: Haines told senators the war is escalating, but said Moscow would only fire a nuclear weapon at Ukraine if it faced what it considered to be an existential threat. However, there's a caveat.

HAINES: Tensions this high, there is always an enhanced potential for miscalculation, unintended escalation.

(END VIDEO CLIP)

PERGRAM (on camera): Ukraine's ambassador to the United States made the case for more aid at Senate lunches today. The House votes on a nearly \$40 billion package for Ukraine tonight, Trace.

GALLAGHER: Chad Pergram live for us on the Hill. Chad, thank you. Tonight, we have the second part of Bret Baier's interview with former Defense Secretary Mark Esper, here's Bret.

BRET BAIER, FOX NEWS CHANNEL HOST: Thanks, Trace. Tonight is the second part of my interview with former Defense Secretary Mark Esper.

And one of the things you talked about in the "60 Minutes" interview, in the book was the possibility of firing missiles to take out drug labs inside Mexico and how you pushed back against that.

What do you say to critics who say what's wrong with using missiles to take out Mexican factories that are making drugs that ultimately kill Americans, opioids, fentanyl number one issue in many districts? And that this would - - that you could have taken out some of that?

MARK ESPER, FORMER DEFENSE SECRETARY: Well, to begin, it's an act of war. It's illegal. It's not what -- how neighbors treat one another, so forth and so on.

BAIER: You said that President Trump suggested that but really wasn't the strategy originally floated by a Senate confirmed cabinet member?

ESPER: I'm not aware of that.

BAIER: You don't know that it was suggested by somebody else?

ESPER: No, not at all. Here's what I would say though --

BAIER: Would you suggest a different strategy?

ESPER: I suggest that we go back to the table and look at other things we have done in the past like cooperating with Mexico. The president's instincts were right, he was serious. I respected this about him about addressing the issue of drugs in America. That's why we came up with the plan to put more Navy ships and do greater interdiction in the Caribbean. And then, the eastern Pacific.

BAIER: Was that your idea?

ESPER: Bill Barr's idea and I thought it was a very good idea.

BAIER: Why would sending troops as necessary to seal the border in a year when fentanyl is killing tens of thousands of people? Be bad or extreme? Did you not want that used in that way?

ESPER: No. We did have troops to the border. I supported troops to the border. I think we should have a secure border. I supported the building of the fence and still do, because what we are seeing today, not just with regard to fentanyl, but illegal immigration is just, it's bad, right. But 250,000 troops, it's a ridiculous number.

BAIER: Did you suggest a different number?

ESPER: I supported the president's plan, but the notion being proposed by one of his aides to send a quarter-million just was absurd.

BAIER: My point is, is that there were other people in the administration besides the president making these suggestions, making these pitches. You portray it like President Trump was off his rocker and you were the sole person pushing back to say don't do this. And I'm saying, is that not true?

ESPER: I didn't say that President Trump proposed 250,000. That was Stephen Miller. It wasn't just me at times. It might have been Secretary of State Mike Pompeo. There were different players at different times in different situations pushing back on what we thought were bad ideas.

BAIER: When chief of staff, former chief of staff Mark Meadows says in his book that the key national security decisions were being considered, it was Vice President Pence, Bill Barr, Mike Pompeo, Robert O'Brien, Steven Mnuchin, Gina Haspel, John Ratcliffe, and even General Milley almost always present in the Oval Office or the Situation Room. But you were rarely around. Why was that?

ESPER: I don't know. What Mark Meadows writes to me is considered historical fiction. I was in every Situation Room meeting. If Milley was there, I was there, unless for some reason I was on overseas trip.

BAIER: Were you at all trying to limit your facetime with the president?

ESPER: No, not at all. I thought it was important to engage with the president to give him my best advice and recommendations.

BAIER: You were very critical to former ambassador to Germany, interim director of national intelligence, Ric Grenell. He tweets that "Mark Esper is one of the most duplicitous people I've met in politics. He comfortably lies. Anyone hiring him should know this. One example, he told me to my face multiple times that moving 10,000 troops out of Germany and putting some in Poland and other places was a good idea." True?

ESPER: I do believe we should put more troops in Poland. But I did not believe in the precipitous withdrawal and the way it was handled in terms of moving troops out of Germany. That's why at the end of the day, as I write in my book, we did move troops in Poland. I proposed to move troops into Romania and Bulgaria.

BAIER: Soleimani. Were you for the effort to take out Soleimani, the Iranian general?

ESPER: Yes, I think the president made a bold decision. Soleimani is a terrorist leader and had the blood of hundreds of Americans on his hands. So I think he made the tough decision. For me it was the judgment call of Gina Haspel and others on the intelligence side who were reporting that he was planning attacks against our embassies and others in the region.

BAIER: Afghanistan, did you agree with President Trump on Afghanistan and his policy?

ESPER: I believed that, yes, we should withdraw. We had been in the country too long. And I supported the plan put forward by the State Department to get there a peace deal, because we had tried the military option and it wasn't -- it didn't work out, right? And the fact is the Taliban weren't living up to their end of the deal. And so I did oppose at the end a precipitous withdrawal of our troops.

BAIER: So obviously the Biden administration is taking a lot of the heat for the Afghanistan situation and how that withdrawal happened. Here is what the president and his people have said about it.

(BEGIN VIDEO TAPE)

JOE BIDEN, (D) PRESIDENT OF THE UNITED STATES: I inherited a diplomatic agreement duly negotiated between the government of the United States and the Taliban.

UNIDENTIFIED MALE: We inherited a deadline. We did not inherit a plan.

UNIDENTIFIED MALE: There was no hand off to me of any plans for withdraw.

(END VIDEO CLIP)

BAIER: No handoff about Afghanistan to the new administration?

ESPER: I would be surprised by that. I personally reached out to them to try and help out within days of being fired. But look, they didn't have to follow that plan. I think the withdrawal from Afghanistan was a mistake by President Biden the way he executed it. The fact that we left Americans behind in Afghanistan, that American servicemembers were killed, and our credibility was ruptured.

BAIER: China, you write about Taiwan, "Beijing is building a modern military capable of seizing Taiwan, isolating it, or compelling it to surrender." Do you think China, in the wake of Ukraine, is looking seriously at taking over Taiwan?

ESPER: I think they have always been looking seriously at taking over Taiwan, and I think they are studying the Russian successes and failures and trying to figure out how they could do better.

I regard China as our number one strategic adversary in this century, and we need to prepare for that. And I don't think we are doing so sufficiently now. The other thing I note, though, is I hope Taipei is taking lessons from Ukraine, seeing the exceptional leadership of President Zelenskyy. And right now Taiwan should be thinking about how do they approve their territorial defenses? How do they up their defense budget? How do they buy the right equipment for the fight they need to fend off the Chinese? I start getting concerned that folks will get wobbly which Taiwan, which is half-a-world away from Europe, will appear to be left in their front yard than it is today.

BAIER: What do Americans not understand about China's military rise?

ESPER: Whether it's diplomatic, economic, their counterintelligence and espionage, their theft of our intellectual property, all these things make clear that we're going to have to deal with China, and we need to orient ourselves. Again, right now, I don't think in all those areas we are in the position we need to be.

BAIER: There's a lot of stuff that you do credit the administration and the Pentagon for doing, but there's a lot of angst and anger in this, too.

ESPER: Look, I'm proud to serve my country. And we could have done more. I think if the president listened more to his cabinet and others and maybe toned down the coarseness in some of his talk, we could have accomplished a whole lot more.

BAIER: And so when you see the former president put out his statement about you, about the book being weak and all of that, what do you say?

ESPER: Look, he has his opinion. I have my opinion. People will believe what they want to believe. We need a new generation of Republican leaders to step forward.

I'm a Reagan Republican. Ronald Reagan inspired me to join the United States military, to go to West Point. And that's the type of leadership not just the party but the country needs. At the end of the day, it comes back to the country.

BAIER: Thank you, Mr. Secretary.

Trace, send it back to you.

TRACE GALLAGHER, FOX NEWS ANCHOR: Bret, nicely done.

Up next, the panel on President Biden's plan to deal with crippling inflation and his claims that Republicans want to get rid of the social safety net.

(BEGIN VIDEO CLIP)

JOE BIDEN, (D) PRESIDENT OF THE UNITED STATES: The MAGA Republicans are counting on you to be as frustrated by the pace of progress which they have done everything they can to slow down.

(END VIDEO CLIP)

(COMMERCIAL BREAK)

UNIDENTIFIED FEMALE: I really doubt that we are going to see an inflationary cycle.

JOE BIDEN, (D) PRESIDENT OF THE UNITED STATES: The overwhelming consensus is it is going to pop up a little bit and then go back down.

JEN PSAKI, WHITE HOUSE PRESS SECRETARY: One of the steps that we have taken as an administration is to provide a range of assistance to the American people.

BIDEN: As our economy has come roaring back, we see some price increases.

PSAKI: When people go to the grocery store and a pound of meat is more expensive than it should be, we agree that's less related to supply chain issues.

BIDEN: The inflation has everything to do with the supply chain.

The first cause of inflation is a once in a century pandemic. This year we have a second cause, a second cause -- Mr. Putin's war in Ukraine.

(END VIDEO CLIP)

GALLAGHER: Let's bring in our panel, Byron York, chief political correspondent of "The Washington Examiner," Leslie Marshall, Democratic strategist, and FOX News media analyst and host of FOX's MEDIA BUZZ, Howard Kurtz. Thank you all for coming on.

Howie, I'm not sure if you were counting there, but I was. You might have been as well. In that time in the soundbite we played, over the course of 11 months President Biden has changed his explanation on inflation four separate times. And when you are changing the messaging that much, Howie, it's really hard to get people to believe what you are saying.

HOWARD KURTZ, FOX NEWS HOST: Some of those soundbites did not age well. This was Joe Biden's first speech of the midterms, almost entirely a rehash. And when the president says we have to raise taxes on corporations and the wealthy, that's a Democratic failure because he doesn't have 50 votes in the Senate to do that.

And I know you are going to talk about Rick Scott's tax proposal. It was misleading in the extreme for the president to suggest that this is the official position of the Republican Party or the MAGA party as much as it would be if Republicans are running against some AOC position and pretended all Democrats agree. And so this was about political blame shifting, Putin price

hike, feeling your pain on inflation. It reminds me when George H.W. Bush running for a second term blurted out the talking points, message -- I care.

GALLAGHER: We will talk about the Rick Scott plan in a moment, but Leslie Marshall to you. Here is the president defending government spending. Watch this and we'll get your thoughts.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: For the inflation in this country, do you take any responsibility, your policies?

JOE BIDEN, (D) PRESIDENT OF THE UNITED STATES: I think our policies have helped, not hurt. Republicans love to attack me as a big spender, as if that's the reason why inflation has gone up.

UNIDENTIFIED FEMALE: The inflation outlook still remains quite uncertain.

SEN. TOMMY TUBERVILLE, (R-AL): It's self-inflicted. They know it. We know it as Republicans. The American people know it, and they are fixing to find out about it in November. At the end of the day, what effects the American people are prices.

(END VIDEO CLIP)

GALLAGHER: And to the former coach Tuberville's point there, Leslie, 44 percent of Americans now being hit very hard by inflation numbers. Your thoughts?

LESLIE MARSHALL, DEMOCRATIC STRATEGIST: Well, first, if we want truth, and you say tell the people the truth, the people know the truth, and it's out there, but they still want somebody to blame. Democrats do it. Republicans do it. And Howie, thank you for reading my mind because I have seen Republicans say that Democrats agree with AOC, and here is one who hasn't agreed on every policy.

Inflation, whether it's in this country or throughout the world, it comes down to three things, and that's why we see what the market has been doing on Wall Street for the past five weeks. You have Ukraine. You have a global energy crisis if you will. And then, of course, you have the risks in this country that the feds are taking.

But for the president to be blamed for all of this is not only unfair, it's untrue, because we know without the American rescue package there would still be inflation, economists whether they are Democrats or Republicans, whether wearing red or blue, agree on that point.

GALLAGHER: We talked about this at the top of show, Byron. Two-and-a-half months into this war, gas prices hit a record today, which kind of shows you the remedies the White House has prescribed so far are not working.

You see the national average price there, \$4.37, \$2.97 a year ago. In California it's over six bucks, seven bucks in some places. I want to play this soundbite from Mitch McConnell followed by the president, Byron, and get your thoughts.

(BEGIN VIDEO CLIP)

SEN. MITCH MCCONNELL, (R-KY) SENATE MINORITY LEADER: Americans are now playing roughly \$4.40 a gallon. That's up about two whole dollars from when President Biden put his hand on the Bible.

JOE BIDEN, (D) PRESIDENT OF THE UNITED STATES: My plan is already in motion. I led the world and other countries to join with us to coordinate the largest release of oil from our stockpiles of all the countries in history, 240 million barrels to boost global supply.

(END VIDEO CLIP)

GALLAGHER: And for context, Byron, 240 million barrels equates to about 12 days worth of gas for the country.

BYRON YORK, CHIEF POLITICAL CORRESPONDENT, "THE WASHINGTON EXAMINER": Well, he did list a bunch of very ineffective measures like the petroleum reserve, like going after oil companies. And he was seeking to blame everybody but himself.

But another thing that's extraordinary about this appearance today was that he would not back off an inch from the environmentalist climate agenda. Part of his prescription for curing inflation is to spend more on subsidies for electric cars, to spend more on subsidies for clean energy, and call this real energy independence. Republicans had pointed out that the U.S. through fossil fuels had reached energy independence under President Trump. And now Biden is saying we are going to reach real energy independence. What this has to do with inflation is just not clear at all.

GALLAGHER: Kind of segues, Byron, into our next subject here, which is this ugly battle now between the president and Rick Scott, the Senator from Florida, over Scott's plan. President Biden calls it the ultra-MAGA plan. You have a lot of Republicans who are not on board. He is saying it is going to cut down some of the social safety nets. What are your thoughts on the plan and the response and the Republican support, Byron?

YORK: The plan, first of all, alienated a number of Scott's colleagues in the Senate who do not, who do not support raising taxes on people whose income is so low that they currently do not pay federal income taxes anyway. So not a single Republican has signed on to this plan. It's Rick Scott idiosyncratic plan.

On the other hand, politically it is a gift to the Democratic Party and to the White House because Rick Scott is, in fact, in charge of the Republican effort to win back the Senate this year. And they can say look, this is what the guy in charge wants to do. It's what Republicans want to do. And Republicans can deny it up and down, but it is a fact that this is what Rick Scott says.

GALLAGHER: What about you, Howie, do you think it's damaging?

KURTZ: I think it gives a big target to the Democrats, as Byron pointed out. I also think it's fair for President Biden to say some of this has to do with the war in Ukraine, some of it with the pandemic and the supply chain. Those are legitimate points, as is pointing out that he created millions of jobs and has lowered the deficit.

But the fact is a reporter asked him why are people are so angry, and why do they blame you? I think Biden gave a candid answer. He said because we are in charge. We control the House and the Senate, at least nominally, and the White House. And that's the way politics works. It may be unfair, but every president gets probably more credit than they deserve on the economy, and less when things are not going well.

GALLAGHER: Leslie, about 30 seconds to wrap us up.

MARSHALL: I agree with both gentlemen. I think it is a gift to my party, thank you, Rick Scott for that. And when you are in charge, absolutely, And Rick Scott, as Byron said, is in charge. All you need is one person, whether it's AOC on the left or Rick Scott on the right or anybody putting something out there, even if your party doesn't agree. And when people say the MAGAs agree with it, I know Senator Mitch McConnell is not thought as a MAGA. But you know polling changes, and the wind blows a certain way. He might be tomorrow, and he might agree.



GALLAGHER: Yes, a lot of people are walking back from this, including Rick Scott, a little bit. Panel right back. Up next, pro-choice demonstrators targeting the homes of Supreme Court **justices**.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

SEN. DICK DURBIN, (D-IL) SENATE MAJORITY WHIP: There is no room for mob action, intimidation, or any personal threats against a public official, period. I don't care for people who do it to my home, and they have. It is demeaning and adolescent and not convincing at all.

SEN. TOM COTTON, (R-AR): Joe Biden should come out today and say that federal law enforcement will put an end to these protests tonight. If any person gets close to a **justice's** home, they should be arrested and charged with a federal crime.

(END VIDEO CLIP)

GALLAGHER: And we are back with our panel. Very interesting because, let's face it, Dick Durbin, Byron York, and Tom Cotton, they can't really agree on which direction the sun is going to set. But it still seems to me like the White House is still very noncommittal. I want to play this soundbite from Jen Psaki. Watch.

(BEGIN VIDEO CLIP)

JEN PSAKI, WHITE HOUSE PRESS SECRETARY: I think, to be very clear, the protests outside of judges' homes have not turned violent. Even as passions are high, even as people are fearful, even as people are scared and frustrated, which is understandable, no one should resort to violence, of course, nor threats, nor intimidation, nor vandalism, that those are not effective means.

(END VIDEO CLIP)

GALLAGHER: I found it interesting, Byron, that not only not condemning these protests but kind of actually giving the protesters credit for not being violent under the circumstances, what do you think?

YORK: I find it absolutely baffling, too. I agree with you about Senators Durbin and Cotton. And now it appears that legally this is an attempt to interfere with a judicial proceeding, but just in common sense terms it's a bad idea. And I do not understand why the White House cannot say just don't go to people's houses. It's not a good idea. Don't do it. Protest at the Supreme Court. Make more noise than they have ever heard down there. But don't go to people's houses. It would be so simple for the White House to say, and they won't say it.

GALLAGHER: They won't say it, Howie. Even some Democrat-friendly publications are now kind of saying, you know what, don't go to the White House. Here is "The Washington Post" quoting here, "To picket a judge's home is especially problematic. It tries to bring direct public pressure to bear on a decision-making process that must be controlled, evidence based, and rational if there is to be any hope of an independent judiciary," which is why it's illegal, Howie.

KURTZ: Yes. Well, about time. And these demonstrations cross a bright red line. It's intimidation pure and simple, an effort to change people's minds by -- imagine the **justices**, they're trapped with their kids inside night after night as people shout and chant and wave signs, and it gets pretty loud.

Now, look, peaceful protest is in America's DNA, and it's fine to protest on something you feel strongly about outside the Supreme Court, at the White House, at your local downtown. But, at least the White House, I think, has walked back a little bit the no comment stance it has taken.

And just briefly with some liberal pundits defending this tactic as a kind of ends justify the means mentality, imagine the tone of the coverage if conservative protesters were screaming outside the home of Sonia Sotomayor or Elena Kagan or Nancy Pelosi, and yet "The Washington Post" ran a long sympathetic profile of the woman leading the Brett Kavanaugh protest.

GALLAGHER: Yes, and that was exactly my next point, but I want to play this, Leslie Marshall. This is a few calls to end the protests, and we'll get your thoughts.

(BEGIN VIDEO CLIP)

JUDGE ESTHER SALAS, UNITED STATES DISTRICT COURT: To only be doing our jobs and to be fear of retribution, retaliation, or death is not part of the deal.

JACK HOOGENDYK, (R) FORMER MICHIGAN STATE REPRESENTATIVE: If we don't see a stronger message coming from law enforcement and from political leaders, you are going to see more of this kind of activity and behavior.

SEN. MARSHA BLACKBURN, (R-TN): This is unsafe. It disrupts the entire community. It is something that does need to be addressed, and the president, the White House should take the responsibility of addressing this.

(END VIDEO CLIP)

GALLAGHER: Three fair points, Leslie, including from a Hispanic federal judge.

MARSHALL: So many points here. Howie, January 6th, that's all I will say to people angry and protesting. Used to live in San Francisco, Pacific Heights, Nancy Pelosi house in plain view. You can Google it, people protesting there morning, noon and night.

KURTZ: I'm not saying it hasn't happened before. I'm not saying it hasn't happened before. But that doesn't justify it happening now.

MARSHALL: No, I don't feel violating the law -- the Constitution is very clear, and there are exceptions for time, manner and place. There is a federal mandate in place, and specifically Section 1507, Title 18 says, quote, with the intent of influencing. And, of course, it could be argued these people are just angry, they are not trying to influence these people if the draft is correct they have already made up their mind, but --

GALLAGHER: What are they trying to do there? If they are not trying to influence anything, what are they doing there? Are they just making a point? If they are not trying to influence anything, why would they be there?

MARSHALL: The same reason anybody protests in the United States --

GALLAGHER: To influence.

MARSHALL: -- whether we agree or disagree with it. No, no, no. Sometimes people do try to influence. Sometimes people are just angry so they take to the streets. We saw that with the women's march. We saw that after Donald Trump was elected. We've seen that with the million man march. The list goes on.

But I am not -- you're misunderstanding. It is wrong because it is a federal mandate. It is breaking the law. But interestingly, guys, if you were to arrest somebody, and if they had counsel that fought this all the way, where would it go? To the Supreme Court.

GALLAGHER: Leslie Marshall, Byron York, Howie Kurtz, thank you all.

And finally, it's a special day. Nearly 300 airmen are back home in Utah after being deployed to Germany in February. Members of the 388th and Reserve 419 Fighter Wings out of Hill Air Force Base were deployed to support NATO amid the Russia-Ukraine war. An emotional evening months in the making, and that is great to see right there.

Tomorrow on SPECIAL REPORT, China rebukes the U.S. for a State Department report about Taiwan.

Thanks for watching SPECIAL REPORT. I'm Trace Gallagher in Los Angeles. Jesse Watters, handing the reins back to you, Jesse, one hour later.

END

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Language: EN

Other Indexing: (Republicans; Trump Administration; U.S. Supreme Court; Biden Administration; FOX NEWS CHANNEL HOST; FOX NEWS CHANNEL NATIONAL CORRESPONDENT; WATTERS; 2022 Fox News Network, LLC; Congress; Republican Party; FDA; Strategic Petroleum Reserve; OPEC; GOP Senate; Hollywood; Turkish government; JUDGE, UNITED STATES DISTRICT COURT, NEW; Philippines'; Spain; Russia; Ukraine; Taiwan; China; AVRIL; Mexico; Taliban;

Beijing; MAGA party; Democratic Party; WASHINGTON EXAMINER; MAGAs; Democrat; FORMER MICHIGAN STATE; Reserve 419 Fighter Wings; DEFENSE INTELLIGENCE AGENCY; 2022 VIQ Media Transcription, Inc.; Pennsylvania Democrats; Pennsylvania GOP; AOC; Bucs; United States military; FBI; SENATE MAJORITY; Moscow; Fox Two; New York Republican; Twitter; NATO; House of Representatives; NFL; Taipei; Washington Post; UNIVERSITY OF NEW HAVEN; U.S. Senate; Fox 13; Fox 59; Fox Sports; Pentagon; R-KY; National Intelligence; DOJ; NASDAQ; Navy; WHITE HOUSE PRESS SECRETARY; USDA; Dow; State Department) (JOE BIDEN; Mark Esper; Donald Trump; Donald John Trump; Roe; Wade; DANA PERINO; Max; JESSE WATTERS; HAROLD FORD J.R.; JEANINE PIRRO; GREG GUTFELD; TRACE GALLAGHER; Trace Gallagher; Bret Baier; Alexandria Hoff; Alex; ALEXANDRIA HOFF; PRESIDENT OF THE UNITED STATES; American; Rick Scott; Rick Scott; Mitch McConnell; MITCH MCCONNELL; RICK SCOTT; Rick Scott; Jen Psaki; JEN PSAKI; ALANA COTTRILL; Mitt Romney; W. Mitt Romney; William La Jeunesse; WILLIAM LA JEUNESSE; PATRICK DE HAAN; Americans; Vladimir Putin; Vladimir Vladimirovich Putin; BRIAN MARKS; Brian K Marks; Mike Emanuel; MIKE EMANUEL; Mehmet Oz; Mehmet Oz; Kathy Barnette; David McCormick; David McCormick; MEHMET OZ; Mehmet Oz; Joe Biden; DAVE MCCORMICK; Mike Pompeo; Mike Pompeo; MIKE POMPEO; Mike Pompeo; Lieutenant; John Fetterman; Connor Lamb; Tom Reed; Aishah Hasnie; AISHAH HASNIE; JOSH HAWLEY; Merrick Garland; ESTHER SALAS; Casey White; Vicky White; Mike Tyson; Mike Tyson; Tom Brady; Tom Brady; Elon Musk; Elon Musk; Mario Batali; David Spunt; DAVID SPUNT; DENISE SLAVIN; Denise Slavin; Ferdinand Marcos Jr.; Queen Elizabeth II; Prince Charles; Chad Pergram; CHAD PERGRAM; Avril Haines; SCOTT BERRIER; Scott Berrier; Nancy Pelosi; Jill Biden; TOMMY TUBERVILLE; ANGUS KING; BRET BAIER; MARK ESPER; Bill Barr; William P. Barr; Stephen Miller; Stephen K. Miller; Mark Meadows; Mark Stepehen Meadows; Pence; Robert O'Brien; Robert S. O'Brien; Steven Mnuchin; Steven T. Mnuchin; Gina Haspel; John Ratcliffe; Ric Grenell; Soleimani; Zelenskyy; Ronald Reagan; Ronald R. Reagan; ANCHOR; Byron York; Leslie Marshall; Leslie Marshall; Howard Kurtz; HOWARD KURTZ; George H.W. Bush; George Bush; LESLIE MARSHALL; Leslie Marshall; SENATE; BYRON YORK; DICK DURBIN; TOM COTTON; Dick Durbin; Tom Cotton; Sonia Sotomayor; Sonia Sotomayor; Elena Kagan; Brett Kavanaugh; JUDGE ESTHER SALAS; JACK HOOGENDYK; MARSHA BLACKBURN; Donald Trump; Donald John Trump; Howie Kurtz; Jesse Watters)

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**NewsRoom**

## NewsRoom

5/10/22 U.S. Cong. News (Pg. Unavail. Online)  
2022 WLNR 14814203

U.S. Congressional News  
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May 10, 2022

Section: U.S. Senate Documents

### Hawley Demands Biden Take Action Following Attacks on Pro-Life Groups, Intimidation of **Justices** Sen. Josh Hawley (R-MO) News Release

Today U.S. Senator Josh Hawley (R-Mo.) sent a letter to U.S. Attorney General Merrick Garland demanding the Department of **Justice** (DOJ) investigate recent violent attacks on pro-life organizations, and intimidation of Supreme Court **Justices**. Senator Hawley writes that, despite devoting substantial resources to investigate parents at school board meetings, the Biden DOJ has failed to take action against radical activists who have committed clear violations of federal law.

"Across the nation, radical pro-abortion activists have begun a campaign of violence, destruction, and intimidation in response to the leak of a draft document from the Supreme Court. You must vigorously investigate and prosecute the crimes committed in recent days. The rule of law demands no less," wrote Senator Hawley.

He continued, "This conduct has only one purpose: intimidation. It is also flagrantly illegal. [...] The First Amendment is no shield to this illegal conduct. Those upset by the leaks have plenty of places to protest that do not involve intimidation and do not place the **Justices** and their families at risk."

Senator Hawley recently published an op-ed encouraging **Justices** to refuse to back down in the face of unlawful protestors.

Read the letter here and below:

May 10, 2022

The Honorable Merrick Garland

Attorney General

United States Department of **Justice**

950 Pennsylvania Avenue, N.W.

Washington, D.C. 20530

Dear Attorney General Garland:

Across the nation, radical pro-abortion activists have begun a campaign of violence, destruction, and intimidation in response to the leak of a draft document from the Supreme Court. You must vigorously investigate and prosecute the crimes committed in recent days. The rule of law demands no less.

Video evidence shows dozens of pro-abortion activists surrounding the homes of Supreme Court **Justices** in an attempt to influence those **Justices** to change their decision in *Dobbs v. Jackson Women's Health Organization*, the case that asks the Court to overturn *Roe v. Wade*. News outlets report that one individual has targeted **Justice** Kavanaugh in this manner at least five times, and has targeted at least one other **Justice**. Neighbors have described her conduct as "dangerous."

This conduct has only one purpose: intimidation. It is also flagrantly illegal. Federal law makes it a crime for a person, "with the intent of influencing any judge, juror, witness, or court officer, in the discharge of his duty," to "picket[] or parade[] ... in or near a building or residence occupied or used by such judge." 18 U.S.C. [Sec.]**1507**. The First Amendment is no shield to this illegal conduct. Those upset by the leaks have plenty of places to protest that do not involve intimidation and do not place the **Justices** and their families at risk. And the Supreme Court already upheld a statute similar to this one, stressing that these laws are critical to democracy. Because "influence or domination by either a hostile or friendly mob ... is the very antithesis of due process," *Cox v. State of La.*, 379 U.S. 559, 562 (1965), the unlawful picketing by these radical activists is nothing less than an attack on the Court itself.

Meanwhile, harrowing reports have arisen in recent days of radical pro-abortion activists attacking pro-life persons and organizations. Over the weekend, criminals firebombed a pro-life organization in Madison, Wisconsin. Along with the arson, they left a threatening note that stated, "If abortions aren't safe, then you aren't either." Luckily, nobody was killed in the violent attack. But next time, the victims might not be so lucky. Your office must investigate and prosecute.

Additionally, radical activists have targeted religious organizations in the past week because those organizations hold pro-life religious beliefs. Those activists vandalized a Catholic church in Boulder, Colorado, with pro-abortion slogans and anti-religion messages. Anti-religion vandalism in recent days also goes well beyond mere spray paint on doors. One radical organization suggested that its members had already stolen from a Catholic church the holiest of its contents--the Eucharist--and intend to destroy it in an act of gross sacrilege. These acts of vandalism are not just hateful; they also clearly violate federal law, which prohibits "intentionally damag[ing] or destroy[ing] the property of a place of religious worship." 18 U.S.C. [Sec.]248(a)(3).

Activists around the country also have prevented religious Americans from participating in religious services and plan to do so in the future. Radicals interfered with religious services in Los Angeles this past weekend. This, too, is brazenly illegal under federal law. 18 U.S.C. [Sec.]248(a)(2).

You must not allow this brazen and unlawful intimidation to go unchecked. Last fall, your Department committed substantial resources to investigating parents at school board meetings. Failure to vigorously investigate and prosecute these crimes would send the message that your Department is only interested in prosecuting the Biden Administration's political opponents--like parents speaking at school board meetings--leaving victims of actual crimes committed by the far left to fend for themselves. Within two weeks, please respond to my office with a full report about whether you have opened investigations into these cases and the status of those investigations.

Sincerely,

Josh Hawley

United States Senator

Read this original document at: <https://www.hawley.senate.gov/hawley-demands-biden-take-action-following-attacks-pro-life-groups-intimidation-justices>

--- Index References ---

Company: CSB BANK LIMITED; THE UNITED STATES DEPARTMENT OF **JUSTICE**

News Subject: (Abortion (1AB77); Government Litigation (1GO18); Judicial Cases & Rulings (1JU36); Legal (1LE33); Social Issues (1SO05))

Industry: (Bioethics (1BI56))

Region: (Americas (1AM92); North America (1NO39); U.S. Midwest Region (1MI19); USA (1US73); Wisconsin (1WI54))

Language: EN

Other Indexing: (U.S.; Supreme Court; Biden DOJ; Jackson Women's Health Organization; Biden Administration; Catholic; United States Department of **Justice**) (Josh Hawley; Merrick Garland; Roe; Justice Kavanaugh; Americans)

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May 10, 2022

Right-Wingers Rage at Youngkin for Not Arresting Abortion Rights Protesters at Alito's Home  
Kent Nishimura Virginia's Republican Gov. Glenn Youngkin has come under  
fire from right-wing media personalities for not arresting abortion rights p...

Zachary Petrizzo

Kent Nishimura Virginia's Republican Gov. Glenn Youngkin has come under fire from right-wing media personalities for not arresting abortion rights protesters who peacefully demonstrated outside of Supreme Court **Justice** Samuel Alito's home on Monday evening. "We have been coordinating with Fairfax County PD, VA State Police, and federal authorities to ensure that there isn't violence," Youngkin tweeted Monday night as activists gathered outside the George W. Bush-appointed **justice's** home in Alexandria in protest of the leaked draft opinion suggesting Alito and the court's conservative majority intend to end the federal right to abortion. "Virginia State Police were closely monitoring, fully coordinated with Fairfax County and near the protests," Youngkin added. But that tweet did not sit well with right-wing activists online, who have taken to attacking Youngkin over the past day. "This activity is expressly prohibited by federal law, violent or not. It is a direct attempt to influence one of the most senior judges in America. And you let it happen," far-right activist Raheem Kassam, formerly the editor of Breitbart UK, fired back at Youngkin on Monday evening. "Shame on you." Others right-wing media personalities joined in. Pizzagate conspiracy theorist Jack Posobiec tweeted that "Antifa just crossed into a Republican-lead state and were allowed to target Alito's family home. Glenn Youngkin did nothing." "Arrest them," demanded right-wing YouTube star Tim Pool of the nonviolent protests. Right-wing personality Will Chamberlain, who also recently targeted a random Supreme Court clerk after the bombshell draft leak, tweeted at Youngkin: "Not good enough. Your job is more than 'ensure that there isn't violence.' It's to enforce the law." Former Trump official Sebastian Gorka wrote: "It's way too early for you to fail Glenn Youngkin." "The Governor and his administration are deeply engaged and in constant coordination with Fairfax County and the state police. We are dedicating substantial resources to assist in the efforts and the Governor's office has spoken with Fairfax County officials and the US Attorney," Youngkin spokesperson Macaulay Porter told The Daily Beast on Tuesday afternoon. "Our priority is to ensure the safety of all Virginians, including the Supreme Court **Justices** at their homes." Pro-Trump personalities have specifically latched onto the argument that the protests were illegal under U.S. code 18 U.S.C. **1507** prohibiting the picketing of a judge's home with the intent of influencing a vote. This is not the first time MAGA conservatives have turned on Youngkin after helping him win a widely watched off-year election back in November: right-wing figures piled on the then-governor-elect over his hiring of an LGBTQ staffer and his decision to not block local vaccine requirements. The Monday evening protests culminated in a brief vigil outside Alito's home, featuring moments of silence and chants including "keep abortion safe and legal" along with some lighthearted ones joking that Alito listens to the much-maligned band Nickelback. Read more at The Daily Beast. Got a tip? Send it to The Daily Beast here

---- Index References ----



Company: MAGA Sp. z o.o.; FAIRFAX COUNTY FEDERAL CREDIT UNION; YoungsinMetalIndustrial; VIRGINIA STATE UNIVERSITY; BREITBART NEWS NETWORK, LLC; YOUTUBE, LLC

News Subject: (Abortion (1AB77); Government (1GO80); Government Institutions (1GO90); Judicial Cases & Rulings (1JU36); Legal (1LE33); National Judiciaries (1NA65); Social Issues (1SO05); U.S. Supreme Court (1US13))

Industry: (Bioethics (1BI56))

Region: (Americas (1AM92); North America (1NO39); U.S. Southeast Region (1SO88); USA (1US73); Virginia (1VI57))

Language: EN

Other Indexing: (Republican; Supreme Court; VA State Police; Beast; Nickelback.Read; MAGA; Fairfax County PD; Youngkin; Virginia State Police; Breitbart UK; YouTube) (Glenn Youngkin; Samuel Alito; George W. Bush; Raheem Kassam; Jack Posobiec; Tim Pool; Will Chamberlain; Trump; Sebastian Gorka; Macaulay Porter; Virginians; governor-elect)

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May 10, 2022

Issue DAILY  
Section: Editorial

Leave the **justices** alone at home

Editorial Board

THE RIGHT to assemble and speak freely is essential to democracy. Erasing any distinction between the public square and private life is essential to totalitarianism. It is crucial, therefore, to protect robust demonstrations of political dissent while preventing them from turning into harassment or intimidation. An issue that illuminates this imperative in sharp relief is residential picketing - protests against the actions or decisions of public officials at their homes, such as the recent noisy abortion rights demonstrations at the Montgomery County dwellings of Supreme Court Chief **Justice** John G. Roberts Jr. and **Justice** Brett M. Kavanaugh. The disruptors wanted to voice opposition to a possible overruling of *Roe v. Wade*, as foreshadowed by a leaked majority draft opinion last week. What they mainly succeeded in doing was to illustrate that their goal - with which we broadly agree - does not justify their tactics.

The protests are part of a disturbing trend in which groups descend on the homes of people they disagree with and attempt to influence their public conduct by making their private lives - and, often, those of their families and neighbors - miserable. Those targeted in recent years include not just the conservative **justices** but also Senate Majority Leader Charles E. Schumer (D-N.Y.); Mayor Ted Wheeler (D) of Portland, Ore.; and exiled Chinese dissident Teng Biao. To be sure, such tactics have a longer history: One of the ugliest manifestations was the antiabortion movement's widespread deployment of pickets at the homes of abortion providers. What begins as peaceful protests can degenerate into violence: The oft-picketed author of *Roe* itself, **Justice** Harry A. Blackmun, was startled one evening in 1985 by the sound of a bullet shattering his Arlington apartment's window.

To picket a judge's home is especially problematic. It tries to bring direct public pressure to bear on a decision-making process that must be controlled, evidence-based and rational if there is to be any hope of an independent judiciary. Critics of reversing *Roe* maintain, defensibly, that to overturn such a long-standing precedent would itself violate core judicial principles. Yet if basic social consensus and the rule of law are to be sustained - and if protesters wish to maximize their own persuasiveness - demonstrations against even what many might regard as illegitimate rulings must respect the rights of others. And they must be lawful.

White House press secretary Jen Psaki said Monday on Twitter that President Biden abhors "violence, threats, or vandalism," and that judges "must be able to do their jobs without concern for their personal safety." This was a welcome clarification of the noncommittal statement Ms. Psaki made Friday. A Montgomery County ordinance permits protest marches in residential areas but bars stationary gatherings, arguably such as those in front of the Roberts and Kavanaugh residences. A federal law - 18 U.S.C. Section **1507** - prohibits "pickets or parades" at any judge's residence, "with the intent of influencing" a jurist "in

the discharge of his duty." These are limited and justifiable restraints on where and how people exercise the right to assembly. Citizens should voluntarily abide by them, in letter and spirit. If not, the relevant governments should take appropriate action.

---- **Index References** ----

Company: TWITTER, INC.

News Subject: (Abortion (1AB77); Civil Rights Law (1CI34); Government (1GO80); Government Institutions (1GO90); Intellectual Freedoms & Civil Liberties (1IN08); Judicial Cases & Rulings (1JU36); Legal (1LE33); National Judiciaries (1NA65); Social Issues (1SO05); U.S. Supreme Court (1US13))

Language: EN

Other Indexing: (Supreme Court; Senate; White House; Twitter) (John G. Roberts Jr.; Gareth John Roberts; Brett M. Kavanaugh; Majority Leader; Charles E. Schumer; Ted Wheeler; Teng Biao; Harry A. Blackmun; Roe; Jen Psaki; Biden)

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## NewsRoom

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2022 WLNR 14619582

Five (Fox News)  
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May 9, 2022

### A Group Of Protesters Show In Front Of The House Of Some Supreme Court **Justices'** House And Expressing Their Outrage Over The Leaked Draft But The...

A Group Of Protesters Show In Front Of The House Of Some Supreme Court **Justices'** House And Expressing Their Outrage Over The Leaked Draft But The White House Has No Say Of The Violence Looming In The Streets; A New Gallup Poll Shows That Majority Of Americans Are Increasingly Disappointed Of Rising Commodity Prices, Including Supply Shortage Of Baby Formula, While The Biden Administration Continue To Tout That The Economy Is Doing Great; Tesla CEO Elon Musk Is Getting A Left And Right Death Threats After He Bought The Social Media Giant Twitter; Russia's Space Agency Also Threaten Musk For Providing An Internet Service To Ukrainians; 'It's Been Nice Knowin Ya': Musk Says He May Die 'Under Mysterious Circumstances;' Holiday Horror: Mystery Surrounding Deaths Of Three Americans In Bahamas; THE FIVE Celebrates Dana's Birthday!

CHARLES PAYNE, FOX BUSINESS HOST: We need to get America working like it used to. Senator, thank you so much. I appreciate your time.

SEN. THOM TILLIS (R-NC): Thank you, Charles.

PAYNE: Folks, Neil will be back tomorrow but you can catch me 2 p.m. every day on FBN. Making Money, believe me you want to check out the show every day this week. In the meantime, THE FIVE starts now.

DANA PERINO, FOX NEWS HOST: Hello, everyone. I'm Dana Perino along with Judge Jeanine Pirro, Harold Ford, Jr., Jesse Watters, and Greg Gutfeld. It's 5 o'clock in New York City, and this is THE FIVE.

It was a weekend of threats, protests and even arson as critics accused the White House of taking way too long to condemn the potential for violence. Far left activists ramping up their rage against the Supreme Court after the leaked draft opinion on Roe versus wade.

Protesters chanting outside the homes of **Justice** Brett Kavanaugh and Chief **Justice** John Roberts on Saturday. Another one is planned for tonight outside the home of **Justice** Samuel Alito. And a pro-life group headquartered in Wisconsin attacked with two Molotov cocktails. Vandals spray-painting graffiti that reads "if abortions aren't safe, then you aren't either."

Police are investigating the incident as arson. The White House question over why it waited to speak out against the violence.

(BEGIN VIDEO CLIP)

UNKNOWN: Does the president plan to condemn the leak of the Supreme Court draft opinion or the doxing of the **justices** now that we've seen violence unfold?

JEN PSAKI, WHITE HOUSE PRESS SECRETARY: Well, I would say that we have been clear and the president's position has long been that we should not see protests that take the form of violence, that takes the form of vandalism. And that threatens anyone.

We have not seen violence or vandalism against Supreme Court **justices**. We have seen it at Catholic churches. That's unacceptable. The president does not support that. We have seen it at some conservative organizations, we don't support that.

(END VIDEO CLIP)

PERINO: Speaker Nancy Pelosi adding her voice to the fight over abortion she's praising protesters using righteous anger to march and mobilize over the end of Roe. And some in the media not concerned about potential threats over Supreme Court **justices**.

(BEGIN VIDEO CLIP)

UNKNOWN: I think for a lot of people the conversation about civility feels like it misses the mark when constitutional rights that you believe that you had for over 50 years are about to be overturned. The **justices** have security.

SUNNY HOSTIN, CO-HOST, ABC: And other **justices** are saying you have no right to stand and freely protest, peacefully protest outside of our homes. We have a right to privacy. Well, women have a right to privacy as well, and women have a right to privacy with their bodies.

(END VIDEO CLIP)

PERINO: OK. So now we have our very Jesse Watters, our very own is back, good to have you here.

JESSE WATTERS, FOX NEWS HOST: Thank you.

PERINO: I mean, people have been anxious to hear what you think about the leaked draft and the aftermath.

WATTERS: Thank you. Well first, I want to thank everybody for their support and everybody around the table, thank you and thank you for the bourbon. I only had a few drinks before the show today.

I know what people are going to say, Watters you went to people's homes. I did. But there's a difference. I went to elucidate not to intimidate. There's one guy with a microphone shows up asks a polite question and then leaves. It's a lot different than having a mob of angry radical activists screaming at the top of their lungs at nighttime while the kids are home. That's different and that's what I want to make clear right now.

I might have had my collar up. That was probably the most flagrant thing I did.

GREG GUTFELD, FOX NEWS CO-HOST: Terrible.

WATTERS: The White House gave license to this. Remember last week didn't really condemn it and now you see it's gone full blown crazy outside. I think Alito had to leave his house. He's in an undisclosed location. This is from the same crowd that bailed out the rioters. This is from mad Maxine Waters, no relation, who said to get up into people's faces and, you know, Pelosi didn't condemn this, she gave license to it.

So they're going to turn the midterms into a referendum on Roe and that's fine because they have nothing else that they've accomplished. And the media is going to bang this drum because they don't want to cover crime or the border or inflation. They have to do this. It has to be a culture war.

And so, just like the rage that they stoke over race in the summer of 2020, they are going to stoke the abortion rage this summer. It's going to be rage versus reason. Because we all know it's going back to the states. States can figure it out themselves, that's fine.

Abortion is sacred to the left. What that means is this is a religious situation. This is a religious war to the left. Nothing means more to them than this abortion situation. So, if you think a Molotov cocktail or graffiti or surrounding some **justice's** home is a big deal. That's nothing. Wait until the thing drops this summer, it is going to get so much worse.

But we all have to remember this, in this country, I know it's a very tender issue, first trimester people are pretty forgiving about abortion, they are, if you look at the polling. After those first couple weeks though, they don't want anything to do with abortion and everybody needs to focus on how the country feels, and that's how it feels.

PERINO: One of the things that they felt, Greg, was this is a quote from administration officials, "tremendous passion," and that, therefore, it was OK and they waited until today to actually say, actually don't commit violence.

GUTFELD: Yes. Well, not only is it illegal, and I believe in all states, you're also a jerk. You know? Imagine if a producer at The Five decided to change the format and didn't tell you, would you go to Megan's house? Knock? I mean, that's just a -- I mean, when you think about it, personalize it, think about how mentally unstable you are going to somebody's house because you're upset at them for something either political or something to do with your job.

No, Greg, this is different, this is about abortion, the Supreme Court. Well, it's exactly the same thing. You go to somebody's house in order to intimidate and threaten them you're a jerk. And any journalist, I don't know who that person was on CNN if she was a journalist not sure or anybody on CNN. How stupid they are.

Because if you condone this, like saying like, you know, talking about civility doesn't work, then you're opening the door for that to visit you, your home. We have this I call it mutually assured civility, MAC, that's kind of understood. It's implied that's what we do in life.

But once you, like the left does this a lot, they open the door for the stuff and then when the stuff happens, they're like, my God. You just did it. Maxine Waters told people to get in people's faces, Chuck Schumer threw out these threats about Kavanaugh, remember that?

And then they -- it has, that's the -- then they blame attacks on like Chris Rock on Donald Trump.

PERINO: Yes.

GUTFELD: It's like they somehow repeat debunked lies like this is going to lead to the banning of interracial marriage which we know is just laughable. It's easily debunked, but they are under the assumption that no one is actually going to (AUDIO) the opinion and find out it is exactly what they did with the fine people hoax.

They want to drum up and rile up people so that they get into a state of a rational fear so they hit the streets and intimidate people. And then you have to spend a couple of years and work backward to go, well, this never happened. This isn't real. This has not happened. It's going back to the states. Abortion isn't being made illegal, blah, blah, blah.

Bill Maher was amazing. Did you see when he was talking about it? He was basically learning in real time, literally about abortion. He's like, going most of the people who are pro-life are women. And, you know, abortion laws are far stricter in Europe than they are here.

PERINO: Yes.

GUTFELD: I don't understand.

PERINO: Judge, what about the intimidation factor at like a **justice's** house. Is that something that one, from the white house, you could say that's wrong, but also from the **Justice** Department you could say we're going to arrest you.

PIRRO: You know, if only the attorney general would act against the people who are violating a federal code the way he tried to act against parents of children and schools calling them domestic terrorists. I mean, we would have some sense of equity here but there is no equity because the left traffics in rage.

But the sad truth is 18USC Section **1507** it says picketing or parading whoever with the intent of interfering whether obstructing or impeding the administration of **justice**. And that's what they're trying to do folks. They're trying to obstruct the administration of **justice**. They don't want this decision to be the final decision.

And with the intent of influencing a decision, the decision with a judge and I'm trying to cut through this, resorts to a demonstration in or near a building or residence, and they're talking about judges, can be fined or imprisoned to not more than one year.

You know, if Psaki and Biden were so anti, you know, this kind of behavior, why didn't they call out the Department of **Justice** or the FBI and say, even with the Molotov cocktail going off in, where was it, in Wisconsin, saying, you know, we're going to send the federal agents out.

But I've got to tell you something. I am a Catholic, OK? And there was something that -- and I'm pretty tough. But there was some, the language that they used that was so incredibly offensive to me. And I respect the First Amendment and free speech. Let me be clear on this. But when they say, keep praying because we will be burning your eucharist, stop your rosary and keep praying. We're going to keep coming after this weekend. And then they're singing thank God for abortions, you know?

And everything they do is hypocritical because one hand they're saying that this decision is a threat to democracy they're so stupid they don't understand that the Supreme Court has said we're going to send it back to in the states so it can be an issue of democracy, so that you can vote depending upon what you believe.

The Supreme Court didn't say it was unconstitutional, they said let the people decide. And, finally, I think the outrage is even worse when they say, you know, they show the hangers and all that, you know, and that this is how people died, this is how people die.

Well, you know, I don't want to get into, you know, when does life begin and all that, although you did reference it, Jesse, and I think most people would agree with the first, second and third trimester the way you analyzed it but you want to know, you want to use a hanger? How about you take a picture of an abortion, of a fetus being pulled apart?

Let's not go there. Let's try to have an intelligent discussion. And when Clarence Thomas says we won't be bullied, their response is bully them more. They've tee themselves up, the anger, the intent is there. Use the law, use the statute. That's all.

PERINO: It's all good, too. Harold, last word to you.

(CROSSTALK)

HAROLD FORD, JR., FOX NEWS CO-HOST: First off, happy birthday --

PERINO: Thank you.

WATTERS: Yes.

FORD: -- on a lighter note here. Two things, one, violence has no place in politics. We have seen anti-abortion activists. We've seen those who are opposed to certain things being taught in schools. We now see this nonsense, and it's no longer nonsense when you can't wake up outside your home as a judge or a justice because people are outside threatening you.

This one upmanship we have in politics, so it has to stop, the White House and others should call this out just like Republicans should call out violence when it happens or when the language is heated on the other side.

Jesse, I happen to think your analysis is right and welcome back.

WATTERS: Thank you.

FORD: I think we have Casey on top of Roe. And I think the -- I hope the conversation can return to the facts and to the law here and whatever the court decides to do, I hope they don't overturn Roe. I frankly don't want them to give it back to the states because I don't want the patch work, but Judge, if they do, I'm in America, I can live with what the court says.

And there's politics behind everything, and that judges and justices and judges are chosen by politicians or by presidents and Democrats, if they're going to want to change this they have to do this at the -- at the ballot box.

But first and foremost, stop the violence, stop the protesting outside of justices and judges' homes much like I wanted people to stop threatening school board members with violence. It has no place in American politics. This is archaic, it's brutal and people who do it should be arrested.

PERINO: All right. Coming up, President Biden set to blame Republicans for inflation as people run out of common items like baby formula.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

JOE BIDEN, PRESIDENT OF THE UNITED STATES OF AMERICA: My top priority is fighting inflation and lowering prices for families on things they need. We're going to keep working to fight inflation and lower costs to all American families for a lot of other things as well.

(END VIDEO CLIP)

GUTFELD: Joe Biden trying to turn the political tide with his presidency in peril over inflation. Biden said to bash Republicans as voters grow increasingly frustrated with higher prices. A new Gallup poll shows 52 percent worry about maintaining their standard of living and 40 percent stress over paying their bills.

The president also facing backlash over a baby formula shortage. Retailers now limiting how many products customers can buy due to a combination of inflation, supply shortages and product recalls.



Jesse, you were heavily medicated during this, a lot of this stuff so I'm interested in where you see this going. He's going to speak tomorrow. Do you have any thoughts?

WATTERS: So, the Putin price hike is not working.

GUTFELD: Yes, let's find out.

WATTERS: And the White House is a new line of attack. They need to sharpen the contrast with Republicans in the midterms so you are going to see Biden getting hyper partisan and just blaming everything on the right. The country is not buying it. We know we printed and spend way too much money. Fauci shut down the economy and we put all of our supply chain in China, so when we opened back up, boom, the dollar got destroyed.

Everybody that has common sense understands that. But Biden could not be in a worse political situation, he can't blame China, he can't blame the Feds, so this is on him right now. He's now having a looming global recession, a stock market that looks like it's kind of shaky, inflation at record high and now there are shortages of not only electricity, Greg, but baby formula.

GUTFELD: Right.

WATTERS: And let me tell you, baby formula is very expensive. The average family spends \$1,500 a year on baby formula. And so you have a baby formula recall happening at the same time as baby formula thievery because you can get a lot of money on the black market. People are making, I think it was like \$4,000 a week just stealing baby formula. They have to lock it up like they do toothpaste now at the Walgreens.

So now they have like operation milk money where the feds have to go and then bust up baby formula rings. It's a really, really sad situation. If you're not breastfeeding, you'll be out of luck.

GUTFELD: Thank God I'm not. Hope Mayor Pete is OK. So, Harold, in the green room you were saying I think it's time that Joe has to resign. I was really surprised you frankly said that. What would be your advice this week before he does resign?

FORD: Well, I didn't say that. I think you might have misheard. Look, inflation is what's going to be the center piece of the debate comes fall time for Democrats and Republicans. I think Republicans are right to raise these issues, but they won't win unless they offer solutions. It's easy to say that prices are up. We all know that. We all know we're paying more for things.

I give the president more credit this week and I've called balls and strikes on him over the last several weeks. I give them credit for at least traveling outside of Washington and trying to find those examples of where investments are working. The fact that we have a Javelin production plant that he went to, you can like him or not, I think that was the right thing to do.

The fact that he's going to Ohio to tout the semiconductor chip plant. These are the things that we have to be producing not only to unclog the supply chain, but to ensure that we're able to produce these things here --

(CROSSTALK)

WATTERS: How about a baby formula plant?

FORD: -- produce (Inaudible) here. And then I would focus on that as well.

WATTERS: Yes.

FORD: Crime, inflation, and the border. That's all I would be focused on if I were in this White House, sending this president and vice-president out to come back with answers and solutions things that we can, not just gun control and I think that has to be part of it.

But Greg, you've been the greatest advocate for mental health issues that needs to be addressed on streets across the country. Judge, you've talked about the need in a very serious way around, we all have, but you about cash bail reform.

These things are out there for Democrats to grab hold to. But we should not kid ourselves. People do not believe economically they're doing better or going to do better. We have to erase that notion or address that notion if we are to win.

GUTFELD: Judge, that does explain why this Roe v. wade thing is because they don't have an answer for this other stuff.

PIRRO: Well, there's no question about it. I mean, the point --

(CROSSTALK)

GUTFELD: The cure for -- but baby formula is more abortion.

PIRRO: Yes, I'm not even going to go there but I agree with Harold. I do. He's trying to do anything he can --

GUTFELD: Yes.

PIRRO: -- to run away from the fact that everybody knows that their money isn't buying them what it bought them last year. People are frightened. They're not afraid -- they're afraid they're not going to keep the same standard of living. They're afraid that they can't do the things that they wanted to do, they don't have enough money and every day they go to the gas station, it's a problem.

And, you know what I think is incredible? I went yesterday, because my daughter brought her baby to the house, and I went yesterday, I had to run to the drugstore which is like a minute away and I looked for baby formula in CVS because Kiki said, my daughter Kiki, I don't call her that anyway. She said they have it in CVS.

So, I'm thinking to myself, CVS, that's where they go and they like, just load up everything they need. I mean, and, of course, they had none at that CVS and so I went to the supermarket they didn't have any. And so now apparently, you know, people are hogging it and then selling it at all kinds of high prices, it's a shame. But you know what, Biden can't get away with it. He can blame -- he can blame the devil, I don't really care, but people know what the problem is.

GUTFELD: I've seen gangs, Dana, of roving babies out on the street just taking the -- just taking the baby formula from other babies. It's like --

PERINO: Are you just eye level with them?

GUTFELD: Yes, I'm eye level. It's disgusting. So, are you changing any of your birthday plans because of inflation, no bouncy castle?

PERINO: No, I had to let that one go, you know, it's too expensive.

GUTFELD: did you notice one thing, though, about how Joe supposedly has a reputation for empathy. However, when it comes to stuff like that, this, it's always like these things will pass.

(CROSSTALK)

PERINO: Yes. It's interesting because we've talked before about how they don't listen to us but they don't have an early warning system at the White House --

GUTFELD: Right.

PERINO: -- of like, this is going to be a problem.

GUTFELD: Yes.

PERINO: I remember when I was the deputy, I had to read all the papers and there was this one story about the Dubai ports thing, and for days it was in the Washington Times like in the back pages. And I was like, I think this is going to be a problem. And everyone blew me off it's not going to be a problem. It became a gigantic problem.

This baby formula problem is not new, it's been going on for a few months. So it seems to me like nobody at the White House is going, excuse me, Mr. President, we're going to have a problem here.

WATTERS: Yes.

PERINO: And because you have moms were so anxious. I don't -- I talked to several moms today, we had actually had one on Newsroom as well. She goes, every family member in three states in Kentucky area looking for baby formula, they're looking everywhere and the White House can close its eyes, it can cover its ears and they can scream Rick Scott a thousand times and it's not going to change this fact. They needed to prepare people. I'm not saying that they can fix it overnight but they had -- all of a sudden, it's like the first time they're talking about it?

GUTFELD: Yes. You know what's so -- I have to say this is so ironic. I mean, the media is more alarmed by an abortion shortage than a baby formula shortage. What does that say?

WATTERS: It's to blame.

GUTFELD: It is kind of interesting. The moment this thing happened everybody exploded but this has been going on for a while, no one gives a damn.

PIRRO: Yes.

GUTFELD: Interesting.

PERINO: They have to follow the moms' groups.

GUTFELD: Yes.

PERINO: I follow them.

GUTFELD: Listen to the kids crying for their baby formula. I don't even know what it is. Up next, soon to be Twitter owner Elon Musk now facing death threats. Find out why next.

(COMMERCIAL BREAK)

PIRRO: Wild times for the world's richest man. Elon Musk setting the internet on fire with a very cryptic tweet hinting that his life could be in danger. Quote, "if I die under mysterious circumstances, it's been nice knowing you."

Musk had been threatened by the head of Russia's space agency over his attempts to provide Ukraine with internet service. And the Washington Post is continuing their crusade against Musk's purchase of Twitter. The latest ridiculous attack claims women and people of color will suffer most from the buy-out.

All right, Harold, what do you think about that? People of color and women will suffer the most if Elon Musk buys Twitter?

FORD: First off, I'm glad he's doing what he's doing in Ukraine. If this allegation by the head of the Russian space agency is true, which I hope it is, I hope it enables and empowers Russian families, sorry, Ukrainian families to counter and even Russian families, for that matter, to counter Putin.

Two, look, we had a story in the New York Times ran a story about the fact that he grew up in South Africa and made I thought some awful presumptions. I read the piece. I couldn't understand where the connections were with him being that way other than growing up there. It sounds like he lived his life and his parents lived their lives very much against apartheid which I was appreciative of --

PERINO: Yes.

FORD: -- and if the allegations were true, I would be upset about it. But this notion it seems like, no, you just say women and people of color disadvantage. I hope that's -- I hope that's explored and investigated by the FTC and DOJ. And once, if it's debunked, I hope that the Washington Post will come out and say that, you know, these allegations or these things that we thought or the headlines that we ran are completely wrong.

But up to this point, I don't know how it disadvantages anyone, but perhaps those who lost out on the bid themselves.

PIRRO: Yes. Dana, what about the threat by another government against someone like Elon Musk? I mean, you obviously take it seriously.

PERINO: Yes.

PIRRO: But what do we do about that?

PERINO: Well, I'm sure that he is a person of means, is willing to spend on his own security, I believe, especially because his mom responded to that tweet and said, that's not at all funny. He said, sorry, mom. But -- so, he is a person that is in charge of so much. So, he has personal security as he should.

You would imagine that if these are threats coming from another government, that that is taken care of, and it shouldn't -- there should be no leaks about it. And there should be sharing of information as needed. What's interesting about Elon Musk is he seems to have made all the right enemies, right?

PIRRO: Yes.

PERINO: So, the media is freaking out. The far left is calling him racist. The Russians are mad at him because he's willing to help the Ukrainians to have freedom. So, I think that when the history of this period is written, he will be seen as somebody who really was willing to take his wealth and try to do what's -- what he hopes will be good.

I think we'll see how it all turns out for Twitter, but I don't -- I just don't think that Twitter could possibly be worse if Elon Musk takes over.

PIRRO: You know, Jesse, they say -- he says that he will quintuple the revenue. Is that possible?

WATTERS: I wouldn't know.

PIRRO: But he --

WATTERS: But yes, he says he wants to cut costs and do some hiring and actually make sure we get paid for some tweets. So, I'm excited about that.

FORD JR.: And he'll charge people. He will charge for you too.

WATTERS: With inflation, we could get paid for these tweets. We could make some of our money back. And getting rid of the bots is a good thing too.

The type of person that claims that they're about to die, it's four types of people. One --

FORD JR.: Let me write this down.

WATTERS: A Smollett. You remember him? He's getting hold off. Oh, I'm not suicidal. You know, those are the drama queens, right? And then there are the people who like in the liberal media that make a living destroying other people's lives, but if you criticize them on one little thing, oh my god, death threats. I'm about to die. Those are your hysterical narcissists.

And then there's people that actually get death threats, legit ones, like Gutfeld, who like actually people hate. Like, I get death threats all the time, but they're not specific. Greg gets really specific ones because as I said, he's so --

GUTFELD: Yes. (INAUDIBLE)

WATTERS: And then you have Musk. And I think Musk is trolling us. And you know, he's just having some fun. He's like the most interesting follow on Twitter since Trump got nuked. So, you know, if you say you're that dangerous, that kind of makes you a dangerous man, and that's good for your brand. But I didn't think the Russians would take him out. I thought the deep state would.

PIRRO: Well, but with deep states -- the deep state does, I mean, they're not going to say anything about it, but Greg, you want to put a final thought on this?

GUTFELD: Yes. If there was a disease that killed all white men, the New York Times would say, women and minorities did harvest. So -- but the point about the bedfellows in this. If you're not on the side of Musk, you end up being on the side of this Russian space agency who is against free speech, it's for the suppression of thought.

So, like you got -- you should probably consider that. But the best part about this story is him telling his staff, plan on working harder because that means you're fired. He's going to -- like, he's going to get rid of, I think 1000.

PIRRO: 1000 people.

GUTFELD: The average, like, it's 200 grand. You know, it's a lot of money. And then if you start -- he's going to start making some serious money, but he's going to get rid of people. And he'll probably get rid of the marketing department because he's

like Trump. He's his own marketer. He'll just tweet, tweet, tweet. So, that's, you know -- but you know, everybody that felt they needed a day of rest at Twitter because they have that, will be gone. You don't need them.

PIRRO: The interesting thing about him is whenever he says he's going to do something, he does it.

GUTFELD: Yes.

PIRRO: Anyway, straight ahead, brand new details in the mysterious deaths of three American tourists at a Bahamas resort.

(COMMERCIAL BREAK)

PIRRO: Why?

FORD JR.: A luxury vacation turning into a nightmare in the Bahamas. A huge mystery surrounding how three Americans ended up dead and another one hospitalized while they were staying at the popular Sandals Emerald Bay Resort. The single survivor had to be airlifted to Miami and reportedly woke up and could not move her body. Investigators are reportedly looking into toxic substances that could have leaked from an air conditioning unit. And authorities say autopsies are being done today.

Jesse, obviously these stories -- this is not a political angle to any of this at all here. How do you -- how do you react to this? Is there something we should do?

WATTERS: I blame Biden.

FORD JR.: Let me write that down too. We blame -- here we blame --

WATTERS: I hope I do not have to launch another fake boycott of the Bahamas like I did with the Dominican Republic. Remember how the D.R. was not answering questions and was being very, very sketchy. And that boycott still is in effect. I have not gone --

GUTFELD: Your fake boycotts --

WATTERS: -- to the D.R. since those people passed -- yes.

(CROSSTALK)

PIRRO: The minibar thing.

WATTERS: Yes. There's a lot of unanswered questions. And there are a lot of unanswered questions here as well. I'm not ruling anything out. And I mean, anything. I don't think investigators are either. I talked to a law enforcement source who told me carbon monoxide poisoning is his thing unless someone plays something in the air conditioning unit.

We have no idea. But we do have a better relationship with the Bahamas that you know, former British colony. Some guy, Adam Stewart, this Jamaican businessman, he's the chairman of Sandals. We expect answers within the next 24 hours and we're going to get the toxicology report, right?

PERINO: Yes.

WATTERS: And they're going to give us all the answers. We'll know everything.

PIRRO: Yes.

FORD JR.: Greg, is this a story that --

GUTFELD: Well, I don't know if I could follow up that in-depth analysis of this story. I will say that thankfully, this is rare. I think we get kind of drawn to this stuff because it happens in luxury vacations and exotic, but I'm sure this -- it's probably more common in the United States. When we say toxic substances, it may not have come from any machinery. I mean, you can -- like, if you ever go somewhere and you buy something and it's not reliable --

WATTERS: Like I said, we're not ruling it not ruling anything out.

GUTFELD: We're not ruling anything out. But I think -- I'm just going to make a suggestion to Fox News that maybe you should send a team. I could go just to do some fact findings for a few days.

WATTERS: Yes, I would agree with that. Can I come too as your deputy?

GUTFELD: Yes, you can -- you can come as long as you bring the painkillers.

WATTERS: Not a toxic substance.

FORD JR.: Dana, have they handled this from a public relations standpoint the right way, Bahamas and the resort.

PERINO: I think -- the first -- from what I can tell, I think as best as they could. I think that first reports are almost always wrong. I turned to the judge who will probably confirm that. Like, I actually am personally very concerned about carbon monoxide poisoning. I have been for a long time.

And I've not had any experience with it. I've had friends that have and it's a very, very scary thing. And that -- it sounds like when you can't move your body, like, that is one of the things that happens.

GUTFELD: Does it? Is that its symptom?

PIRRO: Yes.

GUTFELD: OK.

FORD JR.: Judge, is there -- are there legal issues here that the -- that the resort and the Bahamas have --

PIRRO: Oh, yes. Oh, yes. First -- let me tell you something. Are the bodies here --

FORD JR.: This is the leading question.

PIRRO: Yes, thank you very much. Are the -- are the bodies back in the States? Do we know that? Where is the autopsy being conducted? Who's conducting the autopsies? That's the first thing I want to know. The State Department says it's closely monitoring. Does that mean that they're not allowing the FBI to be a part of the investigation?

FORD JR.: I think they took some samples in Philadelphia for them to be analyzed, but --

PIRRO: They took some samples of them? Does that mean the autopsy was done there or are the bodies are here. Do you know?

FORD JR.: I think autopsy was mad in the Bahamas, but I think the samples were sent back to Philadelphia.

PIRRO: OK. I appreciate that. But the autopsy was done there. That doesn't help me if samples are sent to Philadelphia. I would want the body and the samples in the same place.

FORD JR.: I'm on your side. I'm just giving you the facts here.

PIRRO: I don't believe -- I don't believe in a break in the chain of custody, OK. I don't want to hear the bodies over there and we're sending samples on an airplane somewhere else. But here's the bottom line of whether they're criminally responsible, is an issue.

But there's no question this is a huge civil lawsuit. The civil plaintiff's attorneys are already down there. They've already bought -- their tickets are down there. You think you get down there fast, Greg? They were there two days ago looking to handout whatever they can to get this -- these cases and to talk to the families. It's a big lawsuit.

FORD JR.: Probably right.

PIRRO: Probably.

FORD JR.: I hope for the best for these families. "THE FASTEST" is up next.

(COMMERCIAL BREAK)

WATTERS: Welcome back. It is time for "THE FASTEST." First up, Dana, please hold my hand.

PERINO: Oh boy.

WATTERS: Not because I'm about to say something questionable but because we want to wish you a happy birthday.

PERINO: Oh, thank you.

WATTERS: Dana --

PERINO: Can I just say that part?

WATTERS: OK.

PERINO: Thank you very much.

WATTERS: Happy Birthday, Dana. And we have a little shot-up package that we'd like to play for you.

PIRRO: Oh, boy.

WATTERS: Would you mind if we did do the honors?

PERINO: Well, thank you. Yes, please.

WATTERS: Let's roll it.

PERINO: I'm grateful.



(BEGIN VIDEO CLIP)

MARTHA MACCALLUM, FOX NEWS CHANNEL ANCHOR: Happy Birthday, Dana, my dear friend. I'm so happy that you're 50 because it really annoys me when people are not 50 yet.

JOHN ROBERTS, FOX NEWS CHANNEL ANCHOR: Welcome to the over 50 club. We are happy to have you as a member. And if there's anything we can do, AARP membership, senior discounts, anything like that, just let us know.

SANDRA SMITH, FOX NEWS CHANNEL ANCHOR: So much to celebrate. Happy Birthday, Dana!

NEIL CAVUTO, FOX NEWS CHANNEL ANCHOR: 50 years ago, the Dow was in and out of 941, something like that. Today, even a little of problems, 32,000. So, you came into this planet and people just started buying and never stopped.

TUCKER CARLSON, FOX NEWS CHANNEL HOST: Dana is not 50 years old. That's just ridiculous. She's like 33. I've known her for 20 years. Oh.

LAURA INGRAHAM, FOX NEWS CHANNEL HOST: Think about this. In Percy's world, you're only seven, a little more than seven. It's pretty young to me.

SEAN HANNITY, FOX NEWS CHANNEL HOST: You have made dogs and dog-loving great again singlehandedly. I love animals. And I want to wish you all the best on this wonderful birthday that you're having at celebration.

SHANNON BREAM, FOX NEWS CHANNEL ANCHOR: Happy Birthday, Dana. Biscuit and I wanted to wish you the happiest birthday. And you bring so much encouragement and kindness and care and humor and beauty into everybody's life. And we just wish you the very happiest day.

KAYLEIGH MCENANY, FOX NEWS CHANNEL CONTRIBUTOR: You are an inspiration to so many women, myself included. Have the best day.

EMILY COMPAGNO, FOX NEWS CHANNEL CONTRIBUTOR: We love you. Happy birthday! Celebrate. Take that time out to celebrate.

JESSICA TARLOV, FOX NEWS CHANNEL CONTRIBUTOR: You've been absolutely amazing in a truly insane year and I'm forever grateful. No one I'd rather have tell the world I'm pregnant. That's for sure.

BRET BAIER, FOX NEWS CHANNEL ANCHOR: I love seeing you every night, every day from nine to 11 with Bill. Your smiling face, occasionally we match. You know, every once in a while I listen to you drop a bad word, some kind of bomb or another. Happy birthday to you! Enjoy the big day.

GERALDO RIVERA, FOX NEWS CHANNEL CORRESPONDENT-AT-LARGE: From all the reprobates in Cleveland, happy birthday, Dana.

BILL HEMMER, FOX NEWS CHANNEL ANCHOR: On your birthday, be grateful for everything you have. You wrote that? Thank you for being such a great partner. And enjoy everything that comes your way today. I know you will. And you deserve it.

BRIAN KILMEADE, FOX NEWS CHANNEL CO-HOST: Dana, I'm fully supportive of your birthday. And for once, just have Hemmer be nice to you. And this is really -- Bill, just be nice to her. We know a different Dana than you know.

STEVE DOOCY, FOX NEWS CHANNEL CO-HOST: And by the way, what's the line?

AINSLEY EARHARDT, FOX NEWS CHANNEL CO-HOST: We're so glad you were born. We love you. God bless you.

(END VIDEO CLIP)

PERINO: That is so nice. Thank you, everybody. Thank you. Thank you. Thank you. I was thinking, I turned 40 when we had just started THE FIVE and that was like a big thing.

GUTFELD: I remember that birthday party.

PERINO: Yes. Down -- we're all the way down by the water. Remember the fireworks? They weren't my fireworks, but like another party's fireworks, but it looked like they were for me. It was right by the Statue of Liberty and it was an incredible decade.

GUTFELD: You know, I think -- I don't think I've worked with anybody longer than you in my career.

PERINO: No, same. Hold my hand. Here we are. I think that's true.

GUTFELD: Yes, this is hilarious.

PERINO: It's been wonderful.

WATTERS: That's a really, really sweet package all the shout outs.

PIRRO: Yes.

WATTERS: Geraldo is at the bar, obviously.

PIRRO: Yes. We love you, Dana.

PERINO: And you know --

PIRRO: You're an inspiration to all of us.

PERINO: Thank you.

PIRRO: Even those of us who are older than you.

PERINO: Sean Hannity is really the reason I was able to come up to Fox.

PIRRO: Really?

PERINO: You've heard the story before yet. You had -- they already had Karl Rove here. And I think that they felt like why do you need another Bush administration person. And he apparently told them -- he's like, no, I think she's different. Let me give her a shot. And he brought me up here. And then I did The Great American Panel was that called?

PIRRO: Yes, with Sean.

PERINO: And then I got to come on Red Eye.

GUTFELD: Yes.

PERINO: And then -- and THE FIVE started. So, it's been an amazing decade. I feel a huge amount of gratitude to my new friends as well, relatively new friends.

WATTERS: Any advice? FORD JR.: Look, we should all be taking advice from Dana.

WATTERS: That's true.

FORD JR.: For everything that you've done, the way you -- I've listened to Kayleigh talk about your inspiration to her.

PERINO: That was so nice of her to say that, yes.

FORD JR.: An inspiration to young women and men. I want to thank you for helping me get around this table. And thank you for all that you did for so many people who come behind you at the White House. So, congratulations. Happy 50th.

WATTERS: And we have a best of package.

PERINO: Oh, no.

WATTERS: We're not finished.

GUTFELD: Oh, yes.

WATTERS: Take a listen.

PERINO: Gosh.

(BEGIN VIDEO CLIP)

GUTFELD: She was once a deckhand on a ship in a bottle. She plays volleyball on a ping pong table. She plays hopscotch on a waffle. She once called 911 after falling behind the couch cushion. Dana Perino.

PERINO: That's good for me.

WATTERS: She needs help.

PERINO: This is very heavy.

GUTFELD: The Peloton has not helped you in the arm area.

WATTERS: You skipped arm --

GUTFELD: You're an elf at the mall.

PERINO: I know, but don't -- you and I have so much fun.

GUTFELD: Oh, it's great.

PERINO: I know. And we do it for free.

Former co-chair of the Sanders campaign said that having to vote for Biden is like having to eat a bowl of S-word. I think that that kind of sentiment --

GUTFELD: Say it. Say it.

WATTERS: How many times has Dana cursed on the air? Let's hear.

PERINO: Oh, no.

UNIDENTIFIED MALE: Pacing people around with a reptile, even going into the wall --

PERINO: Oh my gosh. (BLEEP)

And also, as a conservative women, you just are like -- you know you're not going to get the glowing profile, so you just get your (BLEEP) done. Great.

WATTERS: Let's try something new. I'm going to ask Dana to hold my hand. Dana, if you feel like I'm saying something inappropriate. you squeeze it, and I will then move on to another issue.

GUTFELD: Who's watching the kid? You didn't ask me to babysit.

FORD JR.: Nap time.

WATTERS: Greg, you're not legally allowed to do that.

PERINO: I'll watch him?

WATTERS: Yes?

PERINO: Yes.

WATTERS: Dana --

PERINO: Am I allowed?

WATTERS: Well, his bedtime is seven. Isn't that past you --

PERINO: I have something for you to meet.

WATTERS: No way.

PERINO: Yes way. We have a new --

UNIDENTIFIED FEMALE: Oh, my gosh. This is the best surprise ever.

PERINO: Caroline Sherwood bringing in this new little guy. This is Percy.

GUTFELD: Percy.

UNIDENTIFIED FEMALE: Hi, Percy.

PERINO: Percy is seven weeks old. We picked him up in Ohio yesterday.

(END VIDEO CLIP)

WATTERS: And I think we have another.

PIRRO: Oh, how cute he is.

PERINO: You guys, wait, what about "ONE MORE THING? Hi, Percy!

GUTFELD: He is big.

PIRRO: He's beautiful.

WATTERS: Is this the lemon cake?

GUTFELD: Of course it is.

WATTERS: From across the street. Del Frisco's.

PERINO: You guys.

WATTERS: Lemon cake.

PIRRO: Come, Percy. I want to see your beautiful face.

PERINO: You want to go to -- go to the judge.

WATTERS: Hey, Percy.

PIRRO: Hi, Peter!

GUTFELD: He smells the cake.

PERINO: Wow, OK, we haven't had a lemon cake in a while. Wow, you guys, this is a lot. Your birthday is the time to really reflect on all your friends and just a huge amount of gratitude for all of you in THE FIVE. And hi, Percy. Oh, this is your debut. You better make it good.

WATTERS: Would you like to cut the cake or should I?

PERINO: Let's see. Who's having the lemon cake?

WATTERS: I am.

FORD JR.: Peter, come on over.

PERINO: I know. You got to work. I got to work. OK.

PIRRO: You know what, Dana, I have some words of advice.

PERINO: Wait, what about the break?

PIRRO: The words of advice are, everything will be OK.

PERINO: I love that. Hi, Peter.

GUTFELD: Great advice, everybody. Happy birthday, Dana!

PERINO: Thank you.

WATTERS: "ONE MORE THING" is up next.

PIRRO: Percy, Percy, he's looking --

(COMMERCIAL BREAK)

PERINO: It's time now for "ONE MORE THING." Jesse?

WATTERS: I'd like to thank Dr. Marc Siegel for shepherding me through this entire back situation process. He's been phenomenal. Thank you so much. Also to his wife ,Luda, who's also been instrumental in getting me healthy. Also, special shout out to my surgeon Dr. Paul McCormick up at Columbia Presbyterian. He did an excellent job and I'm feeling much better. But mostly, thank you to Emma.

PIRRO: Yes.

WATTERS: Who has been tying my shoes and getting me ready every day. She has been phenomenal. And I love her so much. Thank you so much, Emma.

PERINO: And thank you to everyone who's taking care of him and he's back at the table and my sister Angie is very happy. I'll go quickly. This weekend, I attended a wonderful wedding. Jeff and Kimmy Fritz and Hope and Ron Morgan said -- wonderful congratulations to Kelsey Fritz and Hamilton Morgan. They got married this weekend.

And I knew that Greg would like it because the Fritz had a wedding and I was there and Caroline was there and Layton and Colin and Hudson and Ryan. They did a great job. Greg.

GUTFELD: The Fritz. All right, tonight we got a great show. It's -- I got Bret Baier, Bret Baier. I got Skunk Baxter. The only guy that's worked on NASA and in the Rock and Roll Hall of Fame, former Doobie Brothers. Rob Long, you know him. Kat Timpf, I think you're familiar with that chick. Great show tonight.

PERINO: All right, and Judge?

PERINO: OK. So, I noticed that my poodles were having trouble reading and their eyes were tearing. So, the vet said they can't ride in a convertible because it's not good for their eyes. So I use my own medical degree and came up with his brilliant solution. I put goggles on the dog so now they can ride in a convertible or in the back of a pickup truck.

PERINO: You know what they call those?

PIRRO: You know, goggles.

PERINO: Doggles.

WATTERS: Doggles.

PERINO: There you go. Harold.

FORD JR.: The dog -- the dog theme continues. Ukrainian president Volodymyr Zelenskyy awarded a medal to a bomb sniffing Jack Russell Terrier named Patron. Patron is credited with sniffing out more than 200 explosive devices since Russia invaded Ukraine. Patriot has been celebrated as a national hero and has an army of loyal fans. It makes me want to say animals are great. Animals are great.

PERINO: Animals are great. Yes, they are.

PERINO: Again, thank you. Thank you to all our viewers who put up with me and Greg for almost 11 years now.

WATTERS: Happy birthday, Dana.

PERINO: That's it for us. We'll see you back here tomorrow. "SPECIAL REPORT" is up next.

END

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May 9, 2022

### From Court Packing to Leaking to Doxing: White House Yields to a National Rage Addiction

jonathanturley

May 09, 2022

Below is my column in the Hill on the leak and the refusal of President Joe Biden to denounce such conduct. It is a defining moment for his presidency that, even in the face of such a disgraceful and unethical act, the President cannot muster the courage to condemn it. He then magnified that failure by refusing to condemn the doxing and targeting of **justices** and their families at their homes.

Here is the column:

Nearly 70 years ago, a little-known lawyer named Joseph Welch famously confronted Sen. Joseph McCarthy (D-Wis.) in defense of a young man hounded over alleged un-American views. Welch told McCarthy that "I think I have never really gauged ... your recklessness" before asking: "Have you no sense of decency, sir? At long last, have you left no sense of decency?"

It was a defining moment in American politics as Welch called out a politician who had abandoned any semblance of principle in the pursuit of political advantage. This week, the same scene played out in the White House with one striking difference: This was no Joseph Welch to be found.

After someone in the Supreme Court leaked a draft opinion in the case of Dobbs v. Jackson Women's Health Organization, a virtual flash-mob formed around the court and its members demanding retributive **justice**. This included renewed calls for court "packing," as well as the potential targeting of individual **justices** at their homes. Like the leaking of the opinion itself, the doxing of **justices** and their families is being treated as fair game in our age of rage.

There is more than a license to this rage; there is an addiction to it. That was evident in March 2020 when Senate Majority Leader Chuck Schumer (D-N.Y.) stood in front of the Supreme Court to threaten **Justices** Neil Gorsuch and Brett Kavanaugh by name: "I want to tell you, Gorsuch, I want to tell you, Kavanaugh, you have released the whirlwind and you will pay the price! You won't know what hit you if you go forward with these awful decisions." Schumer's reckless rhetoric was celebrated, not condemned, by many on the left, even after he attempted to walk it back by stating that "I should not have used the words I used ... they did not come out the way I intended to."

What occurred at the White House this week is even more troubling. When asked for a response to the leaking of a **justice's** draft opinion, White House press secretary Jen Psaki declined to condemn the leaker and said the real issue was the opinion itself. Then she was asked about the potential targeting of **justices** and their families at their homes, and whether that might be

considered extreme. It should have been another easy question; few Americans would approve of such doxing, particularly since some of the **justices** have young children at home. Yet Psaki declared that "I don't have an official U.S. government position on where people protest," adding that "peaceful protest is not extreme."

In reality, not having an official position on doxing and harassing Supreme Court **justices** and their families is a policy.

Whether protests are judged to be extreme seems often to depend upon their underlying viewpoints. When Westboro Baptist Church activists protested at the funeral of Beau Biden, it was peaceful — but many critics rightly condemned the demonstration as extreme; some even approved of Westboro activists being physically assaulted. When the church brought its case before the Supreme Court, some of us supported its claims despite our vehement disagreement with their views, but 42 senators filed an amicus brief asking the court to deny free-speech protections for such protests. The court ultimately ruled 8-1 in favor of the church.

In this case, the Biden administration and the **Justice** Department have condemned the court's leaked draft — but not the threatened protests at **justices'** homes, even though those arguably could be treated as a crime. Under 18 U.S.C. **1507**, it is a federal crime to protest near a residence occupied by a judge or jury with the intent to influence their decisions in pending cases, and this case remains pending. (Ironically, prosecution could be difficult if the protesters said they had no intent other than to vent anger.)

Even if protests at **justices'** homes are constitutionally protected, that does not make them right, any more than the lawful Army-McCarthy hearings of 1954 were right.

In 1954, the left was targeted for its political views; today, it is the left which is calling for censorship, blacklisting and doxing. In such moments of reckless rage, presidents often have become calming voices, tempering extremist passions in their own parties. When they have failed to do so, history has judged them harshly, as in the case of President Eisenhower's belated condemnation of Sen. McCarthy, something he reportedly regretted for the rest of his life.

President Biden has repeatedly shown that polls, not principles, guide his presidency. He showed integrity as a senator by denouncing court packing as a "bonehead ... terrible, terrible" idea. However, he has stayed silent as today's Democrats have pushed to pack the court with an instant liberal majority, a demand that increased this week. Biden long supported the Senate's filibuster rule and said efforts to eliminate it would be "disastrous" — but when today's mob formed, he flipped and denounced the filibuster as a "relic" of the Jim Crow era.

Even on abortion, Biden has shifted with the polls. He once opposed *Roe v. Wade* and supported an amendment that would negate the decision. At the time, he declared that "I don't think that a woman has the sole right to say what should happen to her body." Now President Biden has switched his position without really switching his logic. He recently declared that he supported *Roe* because "I'm just a child of God; I exist" and thus can decide what happens to his body. Accordingly, he denounced the Supreme Court's draft opinion as "radical" and affirmed the right of a woman "to abort a child."

Whether it is court leaking, packing, doxing or other tactics, many Democratic politicians and pundits continue to follow the mob rather than risk its ire.

Our national addiction to rage is captured in three indelible images. In June 2020, there was the White House surrounded by security fencing after nights of arson and rioting; in January 2021, Congress was surrounded by the same fencing after rioting that momentarily halted the certification of the presidential election. Now the set is complete with photos of the Supreme Court encased in the same fencing.

All three branches, having to be protected from enraged citizens on the left or the right.

Juan Williams: Biden is right to call out GOP as 'extreme' on abortionFrom Russian rain to Chinese storm

Schumer's 2020 pledge that **justices** would "pay the price" has been realized as they and their families are now bunkered in their homes. Despite the shocking image of a court system under attack, President Biden has not mustered the courage to dissuade these protesters. He appears to be following the lead of French revolutionary Abbe Sieyes, who watched as his 1789-99 revolution spun out of control; asked what he had done during " the Terror ," he replied: "I survived."

President Biden is now in survival mode, too. It seems he does not lack decency, just the courage to defend it.

Jonathan Turley is the Shapiro Professor of Public Interest Law at George Washington University. Follow him on Twitter@JonathanTurley .

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## NewsRoom

## NewsRoom

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May 9, 2022

Section: Politics

### UCLA Law Professor Says Pickets of **Justices'** Homes Are Illegal

Jack Gournell

Protests being held outside Supreme Court **justices'** homes over their apparent plans to overturn the 1973 Roe v. Wade decision allowing abortion are illegal, according to a UCLA law professor.

In recent days, protesters who oppose overturning Roe have picketed at the homes of Chief **Justice** John Roberts and **Justice** Brett Kavanaugh. Protests are planned on May 11 at the homes of Roberts, Kavanaugh, Neil Gorsuch, Clarence Thomas, Amy Coney Barrett and Samuel Alito, Mediaite reported.

Protests began nationwide following a Politico report of a leaked draft opinion written by Alito indicating that the conservative **justices** would vote to overturn the historic decision. Roberts was not part of the majority vote and has reportedly attempted - unsuccessfully - to sway **justices**, most notably Kavanaugh, to the other side.

Eugene Volokh, appearing on a recent edition of "The Dan Abrams Show" on SiriusXM satellite radio, cited the "U.S. Code, Title 18. Crimes and Criminal Procedure § **1507**. Picketing or parading."

"Pickets or parades in or near a residence occupied or used by such judge, juror or witness shall be guilty of misdemeanors," Volokh told Abrams. "That's the statute. It's there. You know, you can argue it's good or bad, but it's there. Now you might ask. Well, is it constitutional?"

Volokh cited a 1965 case in which "the Supreme Court upheld a different part of that statute, which banned picketing or parading near a courthouse."

In that case, the statute was upheld as constitutional, he said.

The statute reads:

Whoever, with the intent of interfering with, obstructing, or impeding the administration of **justice**, or with the intent of influencing any judge, juror, witness, or court officer, in the discharge of his duty, pickets or parades in or near a building housing a court of the United States, or in or near a building or residence occupied or used by such judge, juror, witness, or court officer, or with such intent uses any sound-truck or similar device or resorts to any other demonstration in or near any such building or residence, shall be fined under this title or imprisoned not more than one year, or both.

Nothing in this section shall interfere with or prevent the exercise by any court of the United States of its power to punish for contempt.

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**NewsRoom**

## NewsRoom

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University Wire

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May 9, 2022

### **Justice** Thomas, Sen. Cruz push back against leak of draft opinion, protesting outside of **justices'** homes

Missouri Western State College, St Joseph, MO May 09, 2022 (The Griffon News, provided by UWIRE, a division of Uloop via Comtex) --

(The Center Square) - Supreme Court **Justice** Clarence Thomas and U.S. Sen. Ted Cruz are pushing back against abortion activists' tactics after a Supreme Court draft opinion calling to overturn Roe v. Wade was leaked by someone in the court.

Thomas says the court won't be bullied by those who don't like its opinion, and Cruz, a former Supreme Court clerk, says the president not condemning activists targeting **justices** homes "is literally threatening the lives of these **justices**."

After Chief **Justice** John Roberts said an investigation was underway to identify the source of the leak, protestors assembled outside of his and other **justices'** homes this weekend with more planned "walk bys" for the coming weeks. If such protests and other acts are done to intimidate the **justices**, legal scholar James Hirszen said they violate federal law, obstruct **justice** and, if prosecuted, carry a penalty of one year in jail.

Roberts said the leak wouldn't undermine the integrity of the court's operations or change the draft opinion. Thomas reiterated and expanded on that sentiment at an Eleventh Circuit judicial conference on Friday. He said, as a society "we are becoming addicted to wanting particular outcomes, not living with the outcomes we don't like," according to Reuters. "We can't be an institution that can be bullied into giving you just the outcomes you want. The events from earlier this week are a symptom of that."

Abortion activists published the home addresses of the **justices** who voted to overturn Roe, calling for protests and "walk bys," which began this past weekend. When asked if the president supported such acts, Press Secretary Jen Psaki said at her last press briefing on Friday, "The reason people are protesting is because women across the country are worried about their fundamental rights."

When pressed, she refused to condemn acts of violence, intimidation or the publishing of the **justices'** addresses.

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It's Getting Tougher to Find Spanish-Language Mental Health Services in U.S.

PA: PENN STATE VANDALISM

PA: PENN STATE VANDALISM

In response, Cruz, R-Texas, said, "The Biden White House is openly urging rioters to target the **Justices'** homes and threaten their families. Radical Democrats want to 'burn it all down,' and they are happy to employ violence against anyone who doesn't comply."

He told Fox News' Larry Kudlow that the White House's response "was another example of the Democratic Party being radicalized and taken over by the extreme revolutionary socialist Left. And they're willing to destroy institutions."

By not condemning "violent protestors threatening the families of the Supreme Court," Cruz told Fox News' Maria Bartiromo, "Joe Biden is literally threatening the lives of these **justices**."

If the draft opinion was leaked and the protests were orchestrated to change the outcome of the court's decision, that's illegal, Law scholar James Hirszen said.

"The fact of the matter is interference with the administration of **justice** in the manner in which it has recently been occurring is illegal," Hirszen wrote on his website.

"Federal statute 18 U.S.C. **1507** states that whoever has the intent of 'interfering with, obstructing, or impeding the administration of **justice**,' or 'influencing any judge, juror, witness, or court officer' and 'pickets or parades ... in or near a building or residence occupied or used by such judge, juror, witness, or court officer,' may be fined and/or may receive a prison sentence of up to one year."

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[https://www.thegriffonnews.com/news/nation/justice-thomas-sen-cruz-push-back-against-leak-of-draft-opinion-protesting-outside-of-justices/article\\_9476dfbe-c796-540a-8d60-ac9a77fddef1.html](https://www.thegriffonnews.com/news/nation/justice-thomas-sen-cruz-push-back-against-leak-of-draft-opinion-protesting-outside-of-justices/article_9476dfbe-c796-540a-8d60-ac9a77fddef1.html)

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May 7, 2022

### Media and Biden Gaslight About Right-Wing Violence; Biden's Downward Spiral Is A Tragedy For America; Biden's Food Price Surge Hurts The Most Vul...

Media and Biden Gaslight About Right-Wing Violence; Biden's Downward Spiral Is A Tragedy For America; Biden's Food Price Surge Hurts The Most Vulnerable; Student Expelled After Doctor Advised Against Booster; F.D.A. Limits Use Of J&J Over Blood Clot Risk; F.B.I. Targets Workers Who Did Not Riot On January 6

WILL CAIN, FOX NEWS CHANNEL HOST: There's not many horizontal striped shirts on the market, and I know that's why you got it.

PETE HEGSETH, FOX NEWS CHANNEL HOST: It is.

CAIN: But, hey -- but you did pair it up with every other pattern in the spectrum.

HEGSETH: Okay, it's too much. It's too much.

CAIN: Will and I are going to be on the couch tomorrow morning on "FOX and Friends" with Rachel. Join us.

Tucker Carlson, up right now.

TUCKER CARLSON, FOX NEWS CHANNEL HOST: Good evening and welcome to TUCKER CARLSON TONIGHT.

Happy Friday.

It's pretty hard to argue with people who are passive-aggressive. You may have tried it before. "Why are you so angry?" They scream. "Stop being violent," they snarl as they punch you in the face.

Passive-aggressive people are intent on dominating you, but they're too dishonest to admit it.

Now, it's not an honorable style of attack, but it's very effective, mostly because it's so bewildering. The Democratic Party practices this.

Democrats will never meet you on an open field of battle. Instead, they will sneak up behind you and knock you unconscious with a bag of sanctimony. This is the party of weak men and angry women, so passive aggression is their only mode of communication. If you've ever seen one of Jen Psaki's press conferences, you know exactly what we're talking about.

We watched one of them yesterday, in fact. It was her last. Peter Doocy asked Psaki what the administration thinks of the fact that liberal groups have posted the home addresses of conservative Supreme Court **Justices** on the internet. Now, why are they doing this? Well, it's obvious why they're doing it and no one denies why they're doing it.

They're doing it in order to frighten those **Justices** into changing their votes on Roe v. Wade. Now, that's illegal. It's very clearly a Federal crime. It's also, by the way, the road to chaos and collapse. You can't allow angry mobs to make your country's laws. That's why we banned lynching.

But Jen Psaki did not have a problem with this. People are understandably upset with Sam Alito's views, she said, so you shouldn't be surprised they want to express that concern in person by screaming at Sam Alito and his family.

Quote: "I don't have an official U.S. government position on where people should protest." Really, Jen Psaki? Are those the rules now? How would you feel if angry protesters showed up outside, say, Michelle Obama's house? Of course, they'd be thrown into thumbscrews within minutes and charged with racism and you would applaud as they languished in jail.

But conservative Supreme Court **Justices**? No, that's a different story because conservative Supreme Court **Justices** deserve it. That's Jen Psaki's position, but it is not, in fact, since we've -- speaking of this topic, the official position of the U.S. government. No.

According to 18 U.S., Code **1507**, the official position of the U.S. government is you're not allowed to intimidate Judges, period, quote: "Whoever with the intent of interfering with, obstructing, or impeding the administration of **justice**, or with the intent of influencing any judge, juror, witness or court officer in the discharge of his duty, pickets or parades in or near a building, housing a court of the United States or in or near a building or residence occupied or used by such judge, juror, witness or court officer, or with such intent, uses any sound truck or similar device or resorts to any other demonstration in or near any such building or residence shall be fined or imprisoned."

So, it's very clearly a crime. Jen Psaki either didn't know this or far more likely didn't care because as far as the Biden administration is concerned, **Justice** Alito is responsible for the threats against his family. If you don't want to be targeted by a mob, then don't write opinions, the mob doesn't like, Dumbo. You did this to yourself. It's your fault we're hurting you.

That's always the position of passive-aggressive people and it's the position of the passive-aggressive party. So, we recognized it immediately because we watch this stuff for a living, and then we saw this, and it made us think. This ran on CNN this morning.

Now, for days, we have assumed, based on quite a bit of evidence, that the main threat to Supreme Court **Justices** right now and to our **justice** system itself comes from groups of activist liberals who are enraged by the idea that Roe v. Wade might be repealed. These are the people who are spray-painting churches and are putting Sam Alito's home address on the internet. They're the mob, and they're angry, and we know why they're angry. So, the whole thing made sense to us.

But according to CNN, that's not what's happening. In fact, it's the opposite of what's happening. The real threat, CNN informed us this morning, comes not from people who are angry about Sam Alito's opinion, but from people who are happy about it. So, the ones who are celebrating what Sam Alito wrote are the ones who are the real danger to the Supreme Court. Watch.

(BEGIN VIDEO CLIP)

JIM SCIUTTO, CNN ANCHOR AND NATIONAL SECURITY CORRESPONDENT: This morning, law enforcement officials are preparing for potential violence in the Capitol and nationwide after the leak of that Supreme Court draft opinion that would strike down Roe v. Wade after 50 years.

Capitol police are warning the far right is calling for violence against a religious group planning to rally for abortion rights.

Whitney Wild is live outside the Supreme Court. Listen, seeing fences go up there, it's sort of like post-January 6. What are you seeing and what specific Intelligence is worrying police officials?

WHITNEY WILD, CNN LAW ENFORCEMENT CORRESPONDENT: Well, at this point, law enforcement sources, several of them tell us that they are closely monitoring social media chatter that suggests that there's a potential for violence against abortion clinic providers, abortion clinic staff, members of the judiciary. That would include the **Justices** here, as well as members of the Federal government and what we know after January 6 and what law enforcement knows across the country is that social media chatter can manifest into actual violence. Sometimes people really do say what they're going to do.

(END VIDEO CLIP)

CARLSON: You've got that? Law enforcement sources tell CNN the real threat here is the far right. The far-right? Fences are going up outside the Supreme Court because the far-right poses a threat. The far-right is the one you have to watch out for. They're the ones whose electronic communications you've got to quote, "monitor closely."

And that makes sense. Now that Roe v. Wade may be going away, these people are going to want to bomb as many abortion clinics as they can and hurt as many Supreme Court **Justices** as possible. After all, the Supreme Court may get rid of a law that they have hated for 50 years. So, you can see why they would be moved to violence against the Supreme Court.

Now, our first response to this was to laugh. It seems too absurd to be real. How dumb do they think we are? And then we remembered what the President of the United States and his Attorney General have been telling us for more than a year. They've been telling us that no matter what happens, no matter what it may look like, the people who did it didn't vote for us. Yes. The people who didn't vote for us are the dangerous ones. It's always their fault. Watch.

(BEGIN VIDEO CLIP)

MERRICK GARLAND, ATTORNEY GENERAL OF THE UNITED STATES: I have not seen a more dangerous threat to democracy than the invasion of the Capitol.

ALEJANDRO MAYORKAS, SECRETARY OF HOMELAND SECURITY: The greatest terrorism-related threat that we face in a homeland is the threat of domestic violent extremism.

JOE BIDEN (D), PRESIDENT OF THE UNITED STATES: According to the intelligence community, terrorism from White supremacy is the most lethal threat to the homeland today, not ISIS, not al-Qaeda, White supremacists.

(END VIDEO CLIP)

CARLSON: "Not al-Qaeda, White supremacy." So, when we reviewed those tapes, it started to make sense. Like the Mongols and the Visigoths before them, these dreaded White supremacists have declared war on civilization, these Trump voters, and the evidence of that is all around us. We've just ignored it because in some level, we don't want to know.

But in retrospect, it was always right in front of us. You'll recall when Trump voters looted that Macy's in New York City. They couldn't help themselves. That's who they are. Then they torched a police precinct in Minneapolis, the very symbol of the law, they set it on fire. And then they burned a Federal building in Portland, Oregon.

In case you've forgotten what all of these right-wing attacks look like from White supremacists, here's what they did.

[VIDEO CLIP PLAYS]

CARLSON: So, you can see why they're putting up barriers in front of the Supreme Court. Those people are so happy with Sam Alito's opinion, they might start burning and looting again and of course, that would be consistent with the years-long reign of right-wing terror we've been living through because their thirst for anarchy and chaos is never sated.

At one point, these Trump voters seceded from the United States. They set up their own nation of lawlessness, drugs and squalor and violence within the very city limits of Seattle, just like the Confederates of 1861, but with more weed and spray paint -- right in the middle of Seattle.

Talk about brazen, but that's who they are. That could happen in your town.

No wonder America's abortionist community is cowering in fear tonight, and it gets worse.

These MAGA people have so little respect for law and order, they think nothing of rushing into buildings, department stores, Walgreens, liquor stores, Foot Locker and just taking what they want. They steal armfuls of merchandise off the shelves and walk out the door like it's theirs and then purely to amuse themselves, they push strangers in front of trains and open fire on subway cars. They drive trucks through Christmas parades and beat elderly Asian women on the street.

Now, you can't control these people because they're beyond the reach of logic. They are so primitive and superstitious, they have come to believe they can defeat nature itself with magic amulets like cosmetics and women's clothing. They think they are shapeshifters who can change their physical form at will and just become something different. You're seeing one on your screen right now.

People like this don't believe in history or science. They're barely literate, so they communicate instead in grunts and unintelligible sounds. Here's the leader, the chief of their tribe, speaking in a language only they can understand:

(BEGIN VIDEO CLIP)

BIDEN: So, the best way to get something done, if you, if you hold it near and dear to you that you, like to be able to . anyway .

(END VIDEO CLIP)

CARLSON: What did he just say? We don't know. You'd have to be a White supremacist and MAGA person to understand. It's an esoteric language.

These primitives adorn their bodies with fantastic decorations. They dress in costume. Some even push pieces of metal through their faces in order to look fierce. Look at them in their war paint.

(BEGIN VIDEO CLIP)

OZ, PRESCHOOL TEACHER: Hi. My name is Oz and I'm a preschool teacher. Recently, we started wearing pronoun pins and the kids get to pick a new pronoun pin every (day). We have some that pick like she/her every single day, and we have some the change it up.

MX. GRAY, PRESCHOOL TEACHER: So, I'm a non-binary preschool teacher and my kids know I'm non-binary. They know I'm not a girl or a boy. I use they/them pronouns in the classroom. We work on it.

Not all kids get it. That's okay, and I go by Mx Gray in the classroom, not Miss or Mister.

TEACHER: Man, you all thought me teaching the children about, me being poly who is crazy, but not only that, but they also know that I'm gender- fluid.

TEACHER: I'm going to give you my explanation about what it means to be transgender as well. So, when babies are born, the doctor looks at them and they make a guess about whether the baby is a boy or a girl.

TEACHER: Kids as young as three and four are actually aware of their gender identity, even if they don't have the language for it. To say that pre-K through third grade are not ready for such topics, it is actually internalized homophobia and transphobia.

(END VIDEO CLIP)

CARLSON: Margaret Mead wrote about people like this, antisocial elements. They are a feature of any society, but in our case, the MAGA people number in the millions. You saw just a few on your screen and because there are so many, they threaten the very foundations of our civil society, just like Alejandro Mayorkas and the Attorney General have warned us.

They are so powerful that Courts and legislators bow before their rage. Prosecutors can't even restrain them, but instead do their bidding. Why? Because they're afraid not to.

Do you remember what the MAGA people did to Minneapolis when a jury dared to convict their spiritual leader, Derek Chauvin? The MAGA people stormed the jail, freed Chauvin. They carried him on their shoulders back to their guerrilla camps in the mountains where they danced triumphantly before bonfires made of back issues of "The Atlantic" Magazine, howling into the night sky, and then, as an indelible lesson to the rest of us, they returned to the City of Minneapolis and sacked it because that's what they do when they don't agree with the jury decision, they riot.

That's what the MAGA people are like and that's why they're the greatest threat we face. Do you remember that moment? We saved the tape.

Ladies and gentlemen, here are the MAGA people.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: Everybody out here enjoying the summer.

UNIDENTIFIED MALE: We love being together as a family.

(GROUP singing.)

(END VIDEO CLIP)

CARLSON: We'd play more but it's stomach turning, as Jen Psaki would look like, she's never recovered from it.

Buck Sexton remembers very well. He's the co-host of "The Clay Travis and Buck Sexton Show." He joins us tonight.

Buck Sexton, thanks so much for coming on. So when you watch CNN and they tell you that because a Supreme Court **Justice**, Sam Alito wrote an opinion that the right likes, that the threat of violence comes from the right. What's your first reaction to that?

BUCK SEXTON, FORMER NYPD INTELLIGENCE ANALYST: The Democratic Party is wallowing in its delusions at this point, it doesn't know how to get out of them, quite honestly. I mean, the notion that there might be right-wing violence in response to a decision that the right overwhelmingly likes, makes absolutely no sense.

And beyond that, let's think about who we're really talking about here with the pro-life movement. Those aren't tiny Molotov cocktails they're holding and they hold vigils, they are candles. I mean, these are people who overwhelmingly in the pro-life movement want to protect life and protect people and are orderly.

But the Democratic Party has never actually had a reckoning with the fact that there was a long standing insurrection in the year 2020 and it was BLM and Antifa, and it was egged on by people in the press. There was mass looting and mass hysteria in cities across the country. They've never even had a moment of introspection about this.

And now, they want to lecture us about lawlessness in the aftermath of a decision that actually goes against them. But, Tucker, if you're willing to believe that there's a right to abortion in the Constitution, you're willing to believe absolutely anything and that's where the left is right now.

CARLSON: But it's like this was everything. I mean, this is the way they communicate and it seems to me that people who are not passive-aggressive miss it every time. They say things like "you're violent" as they burn your cities, as you just pointed out. We're not letting your kids into college because of their skin color and you're a racist -- everything is like this.

I can't remember an issue on which liberals flatly declared their intent, and then backed up with evidence.

SEXTON: Well, on this case, I think that there is some degree of political insurance that they're trying to put forward here by making it seem like well, if things do get really ugly, and Tucker I think they probably will, I mean, hopefully that won't happen, but with riots and protests, they'll make it seem like, well, there are provocateurs on both sides of this.

Because I do think that people have started to figure out more and more as the miracle of the unifying Biden presidency and the adults in charge hasn't been really taken the way that they promised that the Democrats the left they are the riot party this is what they do, they are the mob, they're the ones that freak out when they don't get their way, throw childish tantrums. They don't petition the Court, they threatened you or try to burn down the Court.

We all see it. And so by trying to muddy the waters, they make themselves feel better about some of the hysteria that you've already shown. And God forbid something really bad does happen. They'll say, well, it was because of rising temperatures across the board.

Yes, rising temperatures from the Democrat Antifa lunatics trying to burn things down.

CARLSON: It's just so bad forever. I mean, leaving aside the issue, wherever you stand on abortion, it is not good for people to threaten Supreme Court **Justices**. It's not good to spray paint churches or intimidate people out of going to services on Sunday. People are intimidated about going to church this coming Sunday.

Why doesn't the White House just say, you know, don't do that.

SEXTON: The lack of willingness. I mean, this was honestly a little stunning. I watch those press conferences a lot with Jen Psaki. I watch what they say in this White House. The fact that they wouldn't take one moment to establish the most basic principle that our Supreme Court **Justices**, our Supreme Court, their safety is inviolate and we had that as nonpartisan.

This, oh, tensions are really high. Don't say something like that when tensions are rising on the left and among Democrats, but Jen Psaki doesn't want to upset the Democratic base who are enraged and who are effectively melting down before our very

eyes, and so she won't say what's so obvious, so clear, which is if you have any principles about sacred democracy and our institutions, you lay off the Supreme Court. You don't actually threaten people, you don't put up their addresses.

But they are the Polit -- they are the party of the mob and I don't think they're going to be able to turn that off anytime soon. So, there's real reason for concern, unfortunately.

CARLSON: Yes, it seems dangerous for sure.

Buck Sexton appreciate it. Thank you.

SEXTON: Thanks, Tucker.

CARLSON: So every moment that we're talking about stuff like this, we're not talking about the economy, which for most people is that really the core question. There are shortages of basic goods, food prices are skyrocketing, economists are very concerned. Should you be concerned? Details straight ahead.

(COMMERCIAL BREAK)

CARLSON: So for a hundred years, the United States, the world's breadbasket has sent food around the world to help nations suffering with food shortages. Now, in a reversal that none of us saw coming.

Joe Biden, our president is warning that we will soon face our own food shortage. In fact, that shortage is already here. There are many indications of it, but here's one that's particularly distressing. Parents are finding it very hard to find baby formula to feed their children. Watch.

(BEGIN VIDEO CLIP)

ABC NEWS REPORTER: This morning, a terrifying prospect for parents around the country, stores running out of baby formula, unable to restock.

SHAUNA BOWMAN, MOTHER: He has a very specific brand Nutramigen that he has to have due to allergy and intolerance issues.

ABC NEWS REPORTER: Shauna Bowman says she can't find any formula for her 11-month-old son, Jacob.

BOWMAN: We have been having to look pretty heavily for it, I would say for the last four or five months, but this last month, it's just become impossible to find.

(END VIDEO CLIP)

CARLSON: So you don't ever want to make people more afraid and more paranoid, you don't want to do to the public with the Biden administration did with corona for a full year and whip people into a frenzy. But it is worth paying attention to stories like that one and the one we're about to tell you about, indicators that the economy is in trouble and someone in charge better start paying some attention to it.

So truck drivers in many cases are saying they have to quit because they can't afford to drive because diesel fuel is too expensive. Here's one news report on that.

(BEGIN VIDEO CLIP)

WNCN REPORTER: For some truckers, diesel prices are becoming unbearable. This independent trucker says he is losing more money on the road.

UNIDENTIFIED MALE: You know, the prices I get it, you know, is skyrocketing and we still don't get good prices you know, for the loads.

WNCN REPORTER MALE: He says it cost around \$800.00 to fill up each time.

UNIDENTIFIED MALE: If it goes any higher than this, and the prices for the load is not coming up, then maybe we just call it quits.

(END VIDEO CLIP)

CARLSON: So no one in Washington cares about truck drivers because they tend to vote for orange Presidents and therefore they're bad people, but what happens if lots of truck drivers stopped driving their trucks? Well, virtually everything you buy, ever, whether it's online or in a store comes by truck. So that could be a huge problem. In fact, that could be a paralyzing problem for the country, and there are no signs that the price of diesel is going down anytime soon.

(BEGIN VIDEO CLIP)

PATRICK DE HAAN, GASBUDDY: Kind of things at the grocery store will be more expensive because of diesel. You know taking a cruise is going to be more expensive. Getting on a plane is going to be more expensive, filling up is going to be more expensive.

WNCN REPORTER: Patrick De Haan with GasBuddy says the demand is outpacing the supply as trucking, airline, and cruise industries pick up pace.

DE HAAN: I don't really see the situation improving drastically anytime soon.

(END VIDEO CLIP)

CARLSON: "I don't see the situation improving drastically anytime soon." Now, that's just one man's opinion, but it seems to be the trend that we are watching.

Now, the Federal Reserve should be on this, but it was the Federal Reserve that told us that inflation was just going to be transitory. Here's a former Vice Chair of the Fed warning of an imminent recession.

(BEGIN VIDEO CLIP)

ROGER FERGUSON, FORMER FEDERAL RESERVE VICE CHAIR: I think a recession is at this stage almost inevitable, and we also see uncertainty about oil prices up and down et cetera, and so you know as I've said earlier it's a witch's brew and the probability of a recession is, I think, unfortunately, very, very high.

(END VIDEO CLIP)

CARLSON: Okay, recessions are bad, but let's be honest, asset prices have been completely disconnected from reality for some time. So there is of course going to be reset at a certain point.



A lot of things are overvalued. The problem is when the fundamentals seem screwed up. Fertilizer is a fundamental. You need it to eat and the price of fertilizer has reached record levels since Biden took office. If this continues, people are going to have trouble buying food, and that is a problem.

No one in the administration seems to care or even aware of this. Now, there is Samantha Power, who worked for famously Barack Obama. She is now the Biden administration's Administrator for Internal Development and really one of the most ghoulish people in the Federal government ever, the least qualified, most overrated.

Here is her take on potential food shortages. Watch this.

(BEGIN VIDEO CLIP)

SAMANTHA POWER, ADMINISTRATOR FOR INTERNAL DEVELOPMENT: Fertilizer shortages are real now because Russia is a big exporter of fertilizer, and even though fertilizer is not sanctioned, less fertilizer is coming out of Russia. As a result, we're working with countries to think about natural solutions like manure and compost, and this may hasten transitions that would have been in the interest of farmers to make eventually anyway.

So never let a crisis go to waste, but we really do need this financial support from the Congress to be able to meet emergency food needs.

(END VIDEO CLIP)

CARLSON: Hmm. So there's Samantha Power lecturing us on farming. Do you think Samantha Power knows anything about farming? Does she have any idea where food comes from? Has she ever done anything in her life that's real or useful? Productive? No, of course not.

What she does know is how to leverage a crisis. And I'm quoting, "Never let a crisis go to waste." You've got to wonder about the motives of these people and how they're managing our economy.

Charlie Gasparino is a senior correspondent at FOX Business. He has got a fantastic piece out in "The New York Post" on how the Fed is managing inflation today. He joins us tonight.

Charlie Gasparino, thanks so much for coming on. Fantastic piece.

CHARLIE GASPARINO, FOX BUSINESS NETWORK SENIOR CORRESPONDENT: I am still trying to get over the compost comment.

CARLSON: So if you don't understand agriculture or the economy, which is true of a lot of people, maybe you don't talk about it in public like the message they're sending is we just don't care.

GASPARINO: Right. You know, Tucker, I think what we have here is one of the most avoidable, easily avoidable economic crisis in the last sort of 20 years and something that was created pure -- it is pure cynicism.

Cynicism on Biden's part that he kept spending and kept putting all these lefties in regulatory jobs. And it was cynicism, because he wants to be more liberal, more transformational progressive than his buddy, Barack and that's why he did it and everybody knows that's why he did it. Because there was no reason to pile on all the spending this time last year or try to because the economy was improving.

It is cynicism on the Federal Reserve's part, Jerome Powell that he kept printing money at the same time because he wanted to get reappointed to be Fed Chair. And now we are in a real pickle.

Listen, we may get out of this with a mild soft-ish landing, that's what Powell said yesterday, but the chances are we're not. The American people are paying for this, and I know, everybody touts job gains and all this other stuff. But if you're working and inflation eats through your wage increases, which is going on right now, guess what? It's like being in a recession and that happens with a lot, that's what's happening with working class people right now, as you demonstrated earlier before.

CARLSON: So, it's good for profligate governments because it reduces the cost of sovereign debt. It's good for people who deal in debt for a living. It's just so terrible for the fabric of the country, like wage earners. Don't they know that?

GASPARINO: Yes, they should have. I mean, what's baffling about what Powell did and Biden, it's more about -- it's more baffling to Powell, because Powell does have a clue, I thought. You know, Biden has never been the sharpest on the economy, is that Larry Summers, you know, Steve Rattner, all these, you know, liberal economists were saying last year, we're going to have massive inflation if you don't stop spending. We're going to have massive inflation if you don't stop printing money, and then the only cure for massive inflation is to induce a recession that could be deep.

And the reason why you do that is because when you have massive inflation, it destroys the fabric of every society. It's like being in a recession or a depression, so you try to kill it, and it's only -- I hate to put it this way, it like chemotherapy. It's the only thing that works and it hurts and that's what we're going to go through now.

And we're only doing this right now because Joe Biden was so cynical that he wanted to be more progressive than Obama, and Powell wanted his job for another term. It's scary.

CARLSON: It's scary. Nicely put. Charlie Gasparino, thank you so much for coming on tonight.

GASPARINO: Anytime, Tucker.

CARLSON: So for more than a year, they told us that you had to get the coronavirus vax or else they would fire you and banish you from society and any questions about maybe the long term effects -- was there a downside to this at all -- shut up conspiracy, nut, you've been kicked off the internet.

Well, now the numbers are coming in, and there was reason for concern, actually, sorry. True. The F.D.A. has issued a shocking warning about one coronavirus vaccine. We don't want to wreck your night, but it's a new show, so we're going to tell you what it is. Stay tuned.

(COMMERCIAL BREAK)

CARLSON: So every day online, if you're paying attention, you see liberal politicians issuing these little confessionals, "Well, I took the vax and all the boosters and I'm sick in bed with COVID, but I'm still glad I got the vax." Not being mean, just noticing it. So if it works so well, why are they getting COVID and getting sick from it? Some are dying from it?

Well, no one is asking that question, so schools in this country are still forcing kids to take the COVID shot or else. So Ellie Puentes is a former student at Union College in Schenectady, New York, and she was expelled from her college for not getting the vaccine, even though her physician advised her not to get it.

We are happy to have Ellie Puentes join us tonight. Ellie, thanks so much for coming on. So is this story as straightforward as it sounds? They told you to get it, your doctor said don't get it and then they kicked you out?

ELLIE PUENTES, FORMER UNION COLLEGE STUDENT: Yes, hi, Tucker, thank you so much for having me.

CARLSON: Of course.

PUENTES: Yes, you're right. So I'm fully vaccinated. I received my second dose back in September, and I got so sick from it to the point where I ended up being hospitalized and continue to have symptoms to this day. I mean, prior to getting this vaccine, I was healthy.

So when I got a reminder from the school telling me, you know, time to get the booster shot, I sent an e-mail out with my concerns and my request for an exemption was denied. I mean, they denied my hospital paperwork, they denied a letter from my physician, you know, who's known me longer than the administration of Union College, where he said, you know, it's ill-advised for me to get the booster right now.

And I even went to the lengths of calling Pfizer themselves then confirming that other patients have had the same reactions. And for some reason, the expertise of the Union Administration trumps the makes of a vaccine, and it was denied.

I mean, there was nothing I was saying that was going to make them accept that. I mean, their decision was final, I was expelled. I mean, I tried to talk to everyone in the administration, but I was always hit with excuses and told to meet with Angela Stefanatos, the nurse at the health center, who, you know, they didn't even want to treat me when I was sick.

You know, I went in, and she was like, "Are you here because you're truly sick, or because you want to receive the booster?" I even went to the lengths of talking to my President, you know, sending him an e-mail and explaining my concerns and what was going on. And I got a two-sentence response, pretty much saying, you know, we tried to work with you on this, I hope you choose your education.

So there was nothing I was saying that was going to make them, you know, accept me at that school. So for prioritizing my health, they expelled me, they un-enrolled from classes, they kicked me off my on campus housing, gave me 72 hours to leave on top of declining my food card and now I'm not even permitted back on campus. So, it's why I'm choosing to take a stand to it.

CARLSON: It's unbelievable. I mean, I bet money Union College in Schenectady would be out of business in 10 years anyway, along with a lot of these places. But that's -- so it turns out it was not a private medical decision between a young woman and her physician, is that what you're saying?

PUENTES: Yes, pretty much. And, you know, I was on the pre-med track, so I value you know, the doctor-patient relationship, but everything I was saying was just denied.

CARLSON: What are you going to do now?

PUENTES: You know, right now, being expelled, I'm at home, and I'm just, you know, taking this time to focus on my health, recover from the vaccine injury, as well as looking for a job because it's hard not to think about, you know, everything that is going on when something you've worked so hard for your whole life is just taken away so easily. It's just -- you've got to keep busy.

And on top of this, you know, I'm a first generation Mexican student. So my goal has always been get to college, be the first in my family to graduate, you know, with the college degree. And so, I actually love Union College, you know, aside from the administration, the professors there are amazing. The students there are great. You receive a great education.

But I don't know if Union is an option anymore. I haven't heard anything back from the administration. So right now, I'm in the process of looking into other colleges, and I'm hoping I can find one that you know, values me as a person, values my education, and values my freedom of bodily autonomy.

CARLSON: It's actually beyond belief and GoFundMe shut your account down, too. That's one of the worst stories I've heard, and I've heard a lot in a long time.

Ellie Puentes, I appreciate your coming on tonight. Good luck, and I hope they're punished for what they did to you. I mean it, too. Thank you.

PUENTES: Thank you.

CARLSON: So you just heard from a young woman who had a vaccine injury, no one wanted to hear about it. "Shut up, you're expelled. Don't talk about your vaccine injury." Well, she's not the only one. Sorry, that's just true. There are a lot of people like that, actually, and the F.D.A. has just admitted.

The F.D.A. determined that the risk of thrombosis with the J&J vaccine once limiting that vaccine to quote, "Those 18-plus for whom other approved vaccines are not accessible or clinically appropriate." Now more than 19 million people have already taken that vaccine. They were assured that it was completely safe, that does not appear to be true.

Now, lots of medicines have side effects. The vaccine is not the only medicine that has a side effect, they all do. It's the lying about it that is so infuriating, and the fact that it was mandatory.

Pfizer, millions people took Pfizer. We're learning a lot more about Pfizer's vaccine. In a 2021, report to the F.D.A., Pfizer collected adverse reaction reports from the various database and other similar databases from 62 countries. In that report, the number of doses shipped worldwide is redacted. Why would they redact that? Why don't we have a right to know? They made people take it.

But without that number, you can't really put the adverse events into context, which is the point of redacting it. What we do know is that that document lists nearly 20,000 adverse reactions to the vaccine. Twelve hundred of the people who had adverse reactions died. That is a non-trivial number, 1,200 people died, really? Can we learn more?

Another thousand people experienced irregular heartbeat, a case where your heart rate is over a hundred beats per minute, that's dangerous. Fifteen hundred people experienced a nervous system disorder, a thousand people experienced loss of sensation of touch and feeling in the skin.

So again, these are not small things. What do they mean? What's the extent of them? Why can't we have all the numbers?

Dr. Aaron Kheriaty is the Chief of Ethics at the Unity Project and he joins us tonight. Doctor, thanks so much for coming on. So, if you want to reassure people and make them less paranoid and suspicious, maybe just give them all the numbers and let them know what the truth is. Why don't they do that?

DR. AARON KHERIATY, CHIEF OF ETHICS, THE UNITY PROJECT: That's exactly right. Transparency is a basic principle of public health ethics. It was violated over and over with a mass vaccination campaign, and particularly with the vaccine mandates where people were not allowed to exercise informed consent, both because they were under the threat of school expulsion, as we heard in the last segment, or losing their job.

And even if they weren't under a mandate, they still didn't have access to all the relevant information. So we had to file this Freedom of Information Act, myself and some of my colleagues last September just to get the Pfizer data. They wanted to slow walk it, wanted to take 75 years to release data that they were able to review at the F.D.A. in only 108 days.

And now we're starting to get that data after many people have already taken the vaccine. And as you mentioned, some of the safety data in the Pfizer analysis is quite concerning, and we can talk more about that. And, of course, yesterday's announcement about the Johnson & Johnson vaccine.

I'm glad actually the F.D.A. is acknowledging that there is there this concern about thrombosis, about blood clots with the J&J vaccine. But Tucker, I've got to be honest, I'm a little surprised that they're applying that level of scrutiny to the J&J vaccine, but not to the mRNA vaccines, not to the Pfizer, and Moderna vaccine, because actually, if you look at overall safety issues, the J&J vaccine, probably has a better overall safety profile.

Now, it might have higher incidence of thrombosis, but there was another recent very important study on all-cause mortality. And I think last time I was on with you we talked about it. This statistic is a good way to cut through a complex issue and a lot of statistical noise. And it compared all three of the vaccines on all-cause mortality, are you more likely to live or die after you get this vaccine?

And the Johnson & Johnson actually had a modest improvement, whereas the mRNA vaccine showed no improvement in all-cause mortality. So, I'd like to see the same level of scrutiny applied to all of the vaccines.

CARLSON: Yes, and compassion and care for people who are injured by it. I mean, that's the least we can expect from our doctors.

KHERIATY: Absolutely.

CARLSON: They are supposed to help us, not dismiss us or punish us for saying how we've been injured. Dr. Aaron Kheriaty, one of the truly reliable sane voices on this topic. No one is going to call you a kook, and we're glad that you came on tonight. Thank you very much.

KHERIATY: Thanks, Tucker.

CARLSON: So an interesting thing that's happened in the wake of the Supreme Court leak about Roe v. Wade is all of a sudden, women exist again, no more burning persons, women, and they have bodily autonomy and whatever, but no one told the Associated Press, they're still on another track. And they've just issued new guidelines explaining that actually women don't exist. The term is pregnant people. Who is right? We will settle it after the break.

(COMMERCIAL BREAK)

CARLSON: So we learned the other day that anyone who didn't vote for Joe Biden is not only immoral, obviously, but a dangerous extremist. Now, Joe Biden's F.B.I. has begun, of course, a purge of political dissidents from within the Bureau. FOX's Kevin Corke has that story for us tonight.

Hey, Kevin.

KEVIN CORKE, FOX NEWS CHANNEL WHITE HOUSE CORRESPONDENT: Hey, good to be with you, Tucker.

An incredible story, a real stunner of a report that has Congressional lawmakers demanding answers and I mean now.

This is news from Capitol Hill tonight that the F.B.I. has been quietly suspending the security clearances of employees who attended protests before last year's Capitol riot, that according to "The New York Post."

The F.B.I.'s move was described in a letter from the top Republican on the House Judiciary Committee Ohio Congressman Jim Jordan.

Now the Bureau's decision is also drawing pushback from Republican leaders who say the F.B.I. staffers aren't charged with a crime and they're having their First Amendment rights trampled in the process, and while it's still unclear exactly how many employees we are talking about, Jordan's letter said, multiple have been affected.

He also says, by the way, the D.O.J. I.G., that's the Inspector General, is now examining whether the Bureau violated Federal Civil Service Laws in the process.

Now, we did get a letter tonight from the F.B.I. and in a statement, they tell FOX News: "Under no circumstances would we take action against employees for lawfully exercising their First Amendment rights."

But I should also point this out, Tucker, this is a good reminder. We still don't know to what extent if any, the F.B.I. may have played in the days leading up to the protests at the Capitol, or on the day itself, something worth examining -- Tucker.

CARLSON: That's for sure. The Great Kevin Corke for us tonight, thanks so much.

CORKE: You bet.

So as you know, if you're not a woman, shut up, you're not allowed to have an opinion on abortion because women create children all by themselves, men play no role. So that has been kind of the status quo in our conversation for like 50 years, and then all of a sudden, about 20 minutes ago, we started to hear that actually men can get pregnant.

Well, if men can get pregnant, do they have a voice in abortion? And why are there tampon machines in the boys' bathroom? What do you make of all this?

Well, The Associated Press, which not only sets our language guide, but also helps define the way we think, has decided to answer this question in their new guidance on it. Here it is, quote: "Phrasing, like 'pregnant people' should be confined to stories that specifically address the experiences of people who do not identify as women." Okay, so apparently, as long as you're talking about abortion, you can use the word women again, but if not don't.

All right, Chadwick Moore has been a journalist for a long time. He deals in words. He is the editor-in-chief of "Outspoken." Chadwick Moore joins us tonight to unravel this mystery from The Associated Press. What does this mean exactly, Chadwick, do you know?

CHADWICK MOORE, EDITOR-IN-CHIEF, "OUTSPOKEN": Well, I'll tell you what, if you hate women, it's a great time to be alive. You get to laugh at them being humiliated in their sporting events, you get to laugh at them being shocked by men walking around in the buff in their spas and their locker rooms. And you get to demean them by calling them birthing units and uterus-havers and people with cervixes. It's wonderful if you're a misogynist.

But what I really want to know is how do you refer to what's the AP guidance on idiotic liberal journalists who wants to alter reality over the fear that maybe four people might get offended? How should we refer to them? I mean, I have some choice words, but this is a family show, so I won't use them right now.

CARLSON: How do you -- right? I mean, how do you do that without using obscenities? That's actually been a problem for us on the show for quite some time. But I love your point about hating women.

So we had the #MeToo movement three or four years ago that we are going to respect women, then like 20 minutes after that, it was like, "Shut up, ladies. The men are here and they're now women." Oh, I mean, no one noticed that it seemed like.

MOORE: Right. And so many women who were champions of the #MeToo movement are silent about this, or maybe they just don't want to be canceled or too fearful of what might come for them.

But you're also correct to point out that, wow, suddenly women exist again as of Monday with the Roe v. Wade leak. I wonder, what that could be? And I wonder -- and another thing that also that is happening is the timing.

If you remember, around this time last year, it's Mother's Day coming up, we had Joe Biden insert birthing people into his \$6 trillion budget proposal and Cori Bush was talking about birthing people as a big news story then, right around this same time.

So what is it with Mother's Day that want to get these moms too high on their horses, and remind them that, you know, men can get pregnant, too and have babies?

CARLSON: Basically, the message is, "Shh, men are talking." I am glad women are back. I like women and being a woman is not just wearing lipstick and a dress. It's like more than that, I would say, as a man, I've noticed.

MOORE: I agree.

CARLSON: Chadwick Moore, great to see you tonight. Thank you.

MOORE: Thank you. My pleasure.

CARLSON: So we told you about the effort in the name of democracy to prevent voters in Georgia from being allowed to vote for the most popular member of Congress in Georgia, Marjorie Taylor Greene. Well, a Judge has ruled on that and we will tell you the results, next.

(COMMERCIAL BREAK)

CARLSON: So here's a newsflash that you already knew. The people who yell about defending democracy hate democracy and do everything they can to stop democracy, which means prevent people from voting for the candidates of their choice. It happened in Georgia recently.

Democrats in the state filed a legal complaint to keep voters from voting for Congresswoman Marjorie Taylor Greene, the most popular Republican in the State of Georgia. They didn't like her views, so you should not be allowed to vote for her.

Thank God those efforts failed. Today, the Georgia Secretary of State adopted a decision from a Georgia Judge to determine that yes, you're allowed to vote for Marjorie Taylor Greene even if "The Atlantic" Magazine and "The New York Times" don't like her opinions because that's -- wait for it -- democracy.

So there's a victory we should celebrate.

And that's the end of our week. Have a wonderful weekend with the ones you love. Big governor's race coming up in California, a man with a chance to win joins us Monday.

We will see you then.

END

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May 7, 2022

### Federal Statute Bans Picketing Judges' Residences "With The Intent of Influencing [the] Judge"

Eugene Volokh

May 06, 2022

There's been talk of protests outside Supreme Court **Justices'** homes ; but it appears likely that such protests are illegal, under 18 U.S.C. § **1507** (subsection numbers added),

A similar provision focused just on picketing outside courts (equivalent to subsection 3 above) was upheld in Cox v. Louisiana (1965); and the logic of that decision would apply equally to residential picketing (subsection 4 above). [UPDATE: Note that U.S. v. Grace (1983), struck down a total ban on demonstrations near the Supreme Court; but the law there was "not limited to expressive activities that are intended to interfere with, obstruct, or impede the administration of **justice**," as **Justice** Marshall's separate opinion noted.] Here is Cox 's logic, which was set forth in a protest of an impending trial, but which I think would apply to protests of an impending appellate decision as well:

Whoever, with the intent of interfering with, obstructing, or impeding the administration of **justice**, or with the intent of influencing any judge, juror, witness, or court officer, in the discharge of his duty, pickets or parades in or near a building housing a court of the United States, or in or near a building or residence occupied or used by such judge, juror, witness, or court officer, or with such intent uses any sound-truck or similar device or resorts to any other demonstration in or near any such building or residence, shall be fined under this title or imprisoned not more than one year, or both.

There can be no question that a State has a legitimate interest in protecting its judicial system from the pressures which picketing near a courthouse might create. Since we are committed to a government of laws and not of men, it is of the utmost importance that the administration of **justice** be absolutely fair and orderly. This Court has recognized that the unhindered and untrammelled functioning of our courts is part of the very foundation of our constitutional democracy. The constitutional safeguards relating to the integrity of the criminal process attend every stage of a criminal proceeding, starting with arrest and culminating with a trial "in a courtroom presided over by a judge." There can be no doubt that they embrace the fundamental conception of a fair trial, and that they exclude influence or domination by either a hostile or friendly mob.

There is no room at any stage of judicial proceedings for such intervention; mob law is the very antithesis of due process. A State may adopt safeguards necessary and appropriate to assure that the administration of **justice** at all stages is free from outside control and influence. A narrowly drawn statute such as the one under review is obviously a safeguard both necessary and appropriate to vindicate the State's interest in assuring **justice** under law.

Nor does such a statute infringe upon the constitutionally protected rights of free speech and free assembly. The conduct which is the subject of this statute—picketing and parading—is subject to regulation even though intertwined with expression and association.....

Bridges v. California (1941) and Pennekamp v. Florida (1946) do not hold to the contrary. Both these cases dealt with the power of a judge to sentence for contempt persons who published or caused to be published writings commenting on judicial proceedings. They involved newspaper editorials, an editorial cartoon, and a telegram sent by a labor leader to the Secretary of Labor. Here we deal not with the contempt power—a power which is "based on a common law concept of the most general and undefined nature."

Rather, we are reviewing a statute narrowly drawn to punish specific conduct that infringes a substantial state interest in protecting the judicial process. We are not concerned here with such a pure form of expression as newspaper comment or a telegram by a citizen to a public official. We deal in this case not with free speech alone, but with expression mixed with particular conduct....

We hold that this statute on its face is a valid law dealing with conduct subject to regulation so as to vindicate important interests of society and that the fact that free speech is intermingled with such conduct does not bring with it constitutional protection....

Appellant additionally argues that his conviction violated due process as there was no evidence of intent to obstruct **justice** or influence any judicial official as required by the statute.... We have already noted that various witnesses and Cox himself stated that a major purpose of the demonstration was to protest what was considered to be an illegal arrest of 23 students. Thus, the very subject matter of the demonstration was an arrest which is normally the first step in a series of legal proceedings.

The demonstration was held in the vicinity of the courthouse where the students' trials would take place. The courthouse contained the judges who in normal course would be called upon to try the students' cases just as they tried appellant. Ronnie Moore, the student leader of the demonstration, a defense witness, stated, as we understand his testimony, that the demonstration was in part to protest injustice; he felt it was a form of "moral persuasion" and hoped it would have its effects. The fact that the students were not then on trial and had not been arraigned is not controlling in the face of this affirmative evidence manifesting the plain intent of the demonstrators to condemn the arrest and ensuing judicial proceedings against the prisoners as unfair and unwarranted.

The fact that by their lights appellant and the 2,000 students were seeking **justice** and not its obstruction is ... irrelevant .... Louisiana, as we have pointed out supra, has the right to construe its statute to prevent parading and picketing from unduly influencing the administration of **justice** at any point or time in its process, regardless of whether the motives of the demonstrators are good or bad.... [And a]t the very least, a group of demonstrators parading and picketing before a courthouse where a criminal charge is pending, in protest against the arrest of those charged, may be presumed to intend to influence judges, jurors, witnesses or court officials.

Many thanks to commenter TwelveInchPianist for alerting me to the federal statute, as a response to my post about the likely inapplicable Virginia statute. (I had been aware of limits on protests outside courthouses, but I hadn't realized that they also applied to protests outside the homes of judges and others involved in the judicial process.)

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May 6, 2022

### A Group of Radical Protesters Posted a Map with The Home Addresses of the Conservative **Justices** on the Supreme Court and The White House Didn't D...

A Group of Radical Protesters Posted a Map with The Home Addresses of the Conservative **Justices** on the Supreme Court and The White House Didn't Do Anything to Stop a Potential Violence. Hillary Clinton Also Added Fuel to the Growing Outrage in the Streets Over the Leaked Draft and Says That There is More to Come After Roe v. Wade is Overturned; Sunny Hostin of The View Say That She Can't Believe There Are People of Color Who Are on the Republican Side; The Biden Administration and Their Allies in the Media Keep Boasting About How Great the Economy is, But Most Americans Who Feel the Brunt of Inflation and Rising Commodities Believe Otherwise; Dems Boasting About Economy As Inflation Rages; Inflation Nation: U.S. Faces Economic Struggles As Biden Deflects Blame; Backlash Over NYT Piece On Musk 'White Privilege'

NEIL CAVUTO, FOX NEWS ANCHOR: Did you want to beer from the homemade thing, processed meats and cheeses, the gift that keeps giving?

UNKNOWN: Two hundred twenty-five dollars, apparently.

CAVUTO: Come on, \$19.99, just say you know me. Guys, have a great one. We'll see you tomorrow, here comes THE FIVE.

JEANINE PIRRO, FOX NEWS HOST: Hello, everyone. I'm Judge Jeanine Pirro, along with Harold Ford, Jr., Lawrence Jones, Kayleigh McEnany, and Greg Gutfeld. It's 5 o'clock in New York City, and this is THE FIVE.

The White House adding more fuel to the fire as far left lunatics threaten to terrorize the Supreme Court **justices**. A group of radicals posting home addresses of the six conservative leaning **justices** and encouraging protest following the leak of the draft opinion that could overturn Roe v. Wade.

The Supreme Court has a huge fence around it now and there are growing concerns about security threats. And pro-abortion groups that just show up outside of churches this weekend. Like this protest upsetting a Catholic mass with people wearing the red capes of the handmaiden's TV show. But the White House doesn't seem bothered.

(BEGIN VIDEO CLIP)

PETER DOOCY, FOX NEWS CORRESPONDENT: Do you think the progressive that activists that are now claiming protesting outside of some of the **justices'** houses are extreme?

JEN PSAKI, WHITE HOUSE PRESS SECRETARY: Peaceful protests? No. Peaceful protest is not extreme.

DOOCY: But this activist posted a map with the home addresses of the Supreme Court **justices**, is that the kind of thing this president wants to help your side make their point?

PSAKI: Look, I think the president's view is that there is a lot of passion, a lot of fear. A lot of sadness from many, many people across this country about what they saw in that leaked document. We obviously want people's privacy to be respected.

(END VIDEO CLIP)

PIRRO: And Hillary Clinton is also inflaming passions over the end of Roe.

(BEGIN VIDEO CLIP)

HILLARY CLINTON, FORMER UNITED STATES SECRETARY OF STATE: And any American says, look, I'm not a woman, this doesn't affect me, I'm not black, that doesn't affect me. I'm not gay, that doesn't affect me. Once you allow this extreme power to take hold, you have no idea who they will come for next.

(END VIDEO CLIP)

PIRRO: All right, Greg. It appears that the White House, the administration, Jen Psaki has no interest in discouraging the protest outside the Supreme Court **justices'** homes.

GREG GUTFELD FOX NEWS HOST: First, I would like to point out that Kayleigh is making me think of my days in college because you are a big giant highlighter.

KAYLEIGH MCENANY, FOX NEWS HOST: I am. We're still.

GUTFELD: I feel like I have to just take you and highlight my speech.

MCENANY: Got to be bright.

GUTFELD: So basically, this weekend is like an anti-Mother's Day.

PIRRO: Right.

GUTFELD: Isn't it incredible that it's so surreal? But I bet you 100 bucks, Judge, that if and when violence erupts the people who lost their collective minds over January 6, in which the only person who died was a protester, Ashli Babbitt at the scene. They'll justify anything in the name of abortion.

There's a, you know, what did Jen say? There's a lot of passion and fear. But that's been generated by the Dems who are acting as if abortion is being banned outright. It's just being sent back to the state. The New York claims that it's only about 14 percent decline in abortions, and I know that's sad for people who are really working for that quota. But people can get abortions and they probably will, and that's just the way it works.

But the problem is, I mentioned this yesterday, there is a filter of evil that the woke operates on. They, when they disagree with you, it's not that you are wrong, it's that you are evil. And that excuses all of their behavior.

So, you know, if you are against them, then they can do whatever they want. That's how they justify the -- that's how they justify the riots after Floyd. But the Republicans don't do that, they don't see the other side is evil, they see the other side as wrong. So, they are less likely to get physical, of course there are -- there are extreme, you know, there are exceptions.

But the Dems have the memories of goldfish. Don't they know if they normalize this behavior, the right always learns from the left. It wasn't like the tea party just came out of nowhere. I mean, before that you had occupy Wall Street. January 6 actually came after antifa and BLM. Right? And also, the riots.

So, if you normalize violence, you are also normalizing violence for the other side. So, it would be best if your political leaders would condemn this, because I hate to tell you, you know, it's -- it always -- we are in this cyclical thing, and Republicans and activists, conservative activist, they have an internal braking system. They don't lose control or destroy things because they are more prone to process, order and orderliness.

That's why you don't -- that's why these right-for-life marches are so calm and so peaceful and there is no litter, right?

PIRRO: Right.

GUTFELD: I mean, it's like somebody go to climate change protest, there's piles of trash. So, it's like there is -- the right always has a bit more to lose when it comes to the stuff, because you know, they believe in structure. But obviously there's going to be exceptions, but I think that it would behoove the Democrats not to make excuses.

PIRRO: You know, Kayleigh, the --the -- we hear about the rage. And for some reason the left feels not only entitled to rage far more than the right, and I don't know if the right ever does it the way that the left does it, but they feel entitled to act out their rage, that you know, it's OK for them.

Well, then, the administration not saying anything about **justices** or the Supreme Court, their homes with young children. The Catholic mass on Mother's Day. I mean, you know, these people on the right are basically saying, look, since Roe was decided, they're been 63 million abortions. And you know, I said that in a long time period earlier this week, but you know, the people on the right aren't going crazy, but the left feels they are entitled to rage, and there is no sanction, why?

MCENANY: Yes. They are green-lighted by the White House. So, Jen Psaki got a second bite of the apple, she was asked about this again about the violence and the protest at the Supreme Court **justices'** homes. Here's what she said during a gaggle. She was asked specifically does the president want protesters to influence Supreme Court **justices**, so they uphold Roe?

Which basically that question verbatim is a crime if you look at the U.S. Code, to influence a **justice** by protesting at their home? Her response was this. I wouldn't say that the president has a particular view on this. Exact same thing she said about the leak. He doesn't have a particular view on the leak.

So unprecedented leaks, no view, protesting at a Supreme Court **justices'** home, no view. I get Jen Psaki is leaving, I get that she is going to MSNBC, she needs her streak creds there. I get that they say all kinds of outrageous things, Tiffany Cross said let's quote her exactly, "pick up a weapon and get involved." Nicolle Wallace analogized those oppose COVID restrictions to drone strike domestically on U.S. citizens.

So Jen Psaki needs a hot take. She's got a hot take here by literally green lighting a crime, and you can look at the statue 18USC **1507**, there is also a code of Virginia against protesting at a primary residence. She green- lighted a crime from the podium, she green-lighted a crime in a gaggle today.

PIRRO: Harold, what's your take on it?

(CROSSTALK)

GUTFELD: You are a green light.

MCENANY: I am a green light.

PIRRO: What is your take on this?

HAROLD FORD, JR., FOX NEWS HOST: Well, first, glad to be back around the table. I think there are two things here. First off, no one should ever encourage violence to make your points, your political point.

(CROSSTALK)

PIRRO: But isn't -- and I don't mean to interrupt, I think we all agree with that, what about going to Supreme Court **justices'** homes?

FORD: It's wrong, I don't know how much more, but here's what I would caution everyone. This happens across the board. Remember, there were abortion clinics that were blown up by conservatives back years ago, back in the '60s, the '50s and the '60s in the country, Black America in the south were water hosed and violence was by people who had different political views in them.

So, there is a history of this. Dissent is important, it's understandable. In fact, it's indispensable, but what is not is violent. The president, the White House should encourage anyone who wants to protest to protest peacefully. If they cross the line, that person or those people should be prosecuted.

Much like I thought parents had every right to go to every school board meeting and say what they needed to say and want to say, but when you threaten a political official, an elected official, you cross the line. Now, the issue here with the protests and the Roe v. Wade decision I think are two different things.

If you have an opinion on Roe v. Wade, express yourself, the court will make a determination and decision here. Politics is behind a lot of this. I have a strong opinion about this. I think that people should have the right to choose. I think there should be limitations on abortion in the country, but Roe v. Wade I think has worked, but this court will have an opportunity to weigh in on June and the American people will have to live with that decision and we'll have to live with the politics of it.

And hopefully the next election, Democrats will get out and vote for those who share their opinion. And I would encourage no one, please don't cross the line and engage in any violence before any elected official, any judge or any **justice**.

PIRRO: But Lawrence, the problem is that the president didn't say, don't cross the line, don't do anything violent. When they are talking the language of the left is, you know, we've got to rise up? We've got to let them know, what other language that they were using. That's very forceful active language. It was none of that.

LAWRENCE JONES, FOX NEWS HOST: There's nothing forceful from the President of the United States, there's nothing forceful from Jen Psaki. And as you remember during the campaign trail, he often talked about his compassion and his religion and him as a man being of the Catholic faith, yet, they're specifically targeting Catholic churches, they haven't said a damn thing about that.

To Harold's point, the problem is not protest or evil, even peaceful protests or even the violence, obviously that is wrong, it's the fact that the view of the system, the fact that they feel like protesting a judge should change their position on the -- that is



the core of what the Democrats believe, and we are just seeing this at the Supreme Court, but if we remember, this has been happening all across the country.

Protesting judges, telling the judges and the jury that they should not listen to the testimony that has been provided for them or read the brief. They want to tear down the system, and I think at its core what the Democratic Party believe today is wrong.

I mean, we can talk about protests all day, they shouldn't be protesting judges, because judges should not be influenced by protests. And I think that that is the real issue.

FORD: Can I ask Lawrence a question?

PIRRO: Quickly.

FORD: On January 6 the people that have protest at the capital, what were they going to undo there?

JONES: I don't believe with January 6.

PIRRO: Yes. None of us.

(CROSSTALK)

JONES: I don't believe --

FORD: So that's a -- I just want to make sure we're -- I agree with you, I happen to agree with your point about the judge.

PIRRO: OK. Coming up, a huge controversy on The View. A co-host is shock that black people can be conservatives.

(COMMERCIAL BREAK)

MCENANY: Well, move over, Jill Biden, you are not the only one insulting conservative Americans. After the president attacked the MAGA movement and called it the most extreme political organization in recent U.S. history. I can think of several others more extreme nevertheless. The View is taking his cue and insulting millions of Black and Latino conservatives.

(BEGIN VIDEO CLIP)

SUNNY HOSTIN, HOST, ABC: I'm not having ethical order of --

(CROSSTALK)

UNKNOWN: I have many things that I don't stand by that Trump did. Trump has done things that are racist. I'm a Black woman first, so always understand that, but I do say that as have many conservative values that I will talk to you about. And so, if you look at your network that you're standing behind --

(CROSSTALK)

HOSTIN: Are you a Republican?

UNKNOWN: Yes. And when you look at your network that you are standing behind you are saying that you look at Chris Cuomo --

(CROSSTALK)

HOSTIN: I feel like there is an oxymoron, a Black Republican.

UNKNOWN: You feel like it's an oxymoron.

HOSTIN: I do.

UNKNOWN: Why? Your friend right here is a Republican.

HOSTIN: I don't understand how black Republicans and I don't understand Latino Republicans.

UNKNOWN: Well, here what I --people are recoverable flamenco Republicans.

(END VIDEO CLIP)

MCENANY: Sunny Hostin never to disappoint. Greg, add it to the list, oxymoron, Neanderthals, deplorable, irredeemable, groups you can't find the country on the map as Don Lemon cackled at the MAGA crowd.

GUTFELD: I will always say it is better to be an oxymoron than just a moron, Sunny.

MCENANY: Yes.

GUTFELD: It's hard to be the dumbest person on The View. It's like being the smelliest member of antifa, you know. By the way, let's not forget, in terms of the most extreme organizations, Joe Biden went to the funeral of a leader of the most extreme American organization, the KKK.

But it's kind of -- it's kind of weird to say something like that to somebody's face that you really don't exist. You know, she is looking at a Black Republican and she's saying, you know what, I don't even understand who you are or what you are.

I think she is a bigot. She is against diversity of thought. She is guilty of Sunny supremacy. You know, she thinks she is smarter than everybody and that she is so anti-individualist, that like, she can't believe a Black person would think any way different than she does.

She already doesn't like white people. She exposes her own weaknesses as she severely limited life experience that she doesn't know any Black Republicans. She operates in a suffocating bubble and she can't imagine people different than she is, that's kind of sad, but it's also, it's bigotry. It's a -- she is rejecting the diversity of thought which is really the most anti-individual thing you could be. And we are a nation of individuals, we're not a nation of groups, I hate to say it.

MCENANY: Right. Lawrence, perhaps that the root of this is, it's not going to be an oxymoron for long, in her words. Because CNN they have this headline. It's not just Latinos and younger voters, Democrats are sleeping among Black voters too. Noting Joe Biden's drop in 20 percentage points among the Black and Latino community.

JONES: Yes. It is happening in every single group, and the reason why Democrats can get away with this type of language is because you have Republicans that is literally sitting with Ana Navarro that said absolutely nothing when she insulted her right to her face.

But let's talk about oxymorons. Let's talk about the Democrats believing that the government and the country are systemically racist, but they also believe that the solution to that is more government. They say that they care about black lives, but yet they support Planned Parenthood whose founding mission was to exterminate black and brown babies.

PIRRO: Thank you.

JONES: And we are not even going to get into the dead bodies in the street today over their little two-year experiment of defunding the police. They say they care about the kids and believe that young people, black and brown should have a quality education, but when we needed teachers the most, they side with the teacher's union.

I can go list -- they say they are for black businesses and they want to reform and get rid of redlining, make sure regulation is out of their way. Yet they put the policies in the community to hurt black businesses and brown businesses the worse.

I mean, I can go on and on about every single policy position that they hold, that is a total oxymoron, but I won't do that, because I think election day is going to tell us a different story. My only prayer is Republicans do something different this election. I mean, they just serve to you on a silver platter just disgrace. When I go back to my local barbershop, they talk about how the crime and the policies economically is crushing our community. I got to do is talk to these voters and you can win.

MCENANY: Yes. You know, you're exactly right. Lindsey Granger who is the Republican on that panel, Judge Jeanine, shot back at Sunny Hostin and said you want to talk about oxymorons, what about being a Catholic and being pro-choice?

PIRRO: Right. Well, I got to tell you, I was very impressed with her, and I think that she makes it very clear that you know, you can't look at Black Americans, Hispanic Americans with a simplistic color chart. If you are this color, you have to think this way. And it's a very condescending and arrogant way of looking at people, it's basically saying, if you're this color, you have to think this way.

And you know, how about people who are black, Hispanic, I don't care if you are pink, and you have an individual process that is far more intricate than people who look at your skin color. How about a prosecutor who said, you know what, I'm going to pick a juror today, and I'm going to pick a jury a person of this color because I know they are going to vote this way.

That's wrong. That is belittling of that people. And you know, the irony is that these are the people who champion diversity unless, OK, unless it's diversity of thought. If it's diversity of thought, well then you are not allowed in. You are not welcome if you don't agree with us. Shame on them.

MCENANY: Shame on them. Harold, it kind of echoes the language of the White House though, talking about this ultra MAGA agenda, it sounds like something from "The Incredible Hulk," who perhaps I resembled today given my outfit. Nevertheless, I don't think people are going and pumping \$90 gas thinking about the ultra MAGA agenda, or going to the grocery stores empty shelves, the ultra MAGA agenda. I don't think it's effective messaging.

FORD: You are probably right. Look, this is the cancel culture we live in, people hear an idea that they don't like and they want to cancel it. As long as it is something that echoes what they believe they want to hear.

When I was in law school, every Wednesday or Thursday night I got together with a group of friends, a little burger joint on states that went in the university in Michigan. And it was a diverse group of thought and the only rule was you can't hurl a personal insult. We talk about the issues that we've discussed in class and political issues. And it went on for an hour, it went up to three, four, five hours at times when we were really enjoying ourselves in having these debates.

You can't cancel Condi Rice from coming to your graduation because you don't agree with her, you can't cancel John McCain or a Black Republican or a Black Democrat because you don't want to hear them. Our nation is strengthened when we hear these ideas.

To your point we want to have this debate. I may not agree with you on everything or Kayleigh on everything. I agree with Greg on a lot of things and the judge makes me agree with her on things. But at the end of the say, you cannot get to a result unless you are willing to engage.

Sunny is my friend. I don't know if she meant what she said there.

JONES: She meant it.

JONES: But I hope -- I hope she reflects on it and understands. If that young lady she disagrees with, you're not going to -- you're not going to win her over or the people who believe in her argument by saying that she doesn't exist. You can defeat her argument, undermine her argument, but you can't undermine the person. We need to remove the personal insults and get back to the substance, whether it's on economic issues, business issues, social issues, whatever it may be. That's the only way we're going to be best.

JONES: The last thing -- the last thing I'll say is because Harold is a gentleman and he is one that's trying to find common ground, but I think he is under illusion that people like Sunny want common ground. They don't. They want to shame --

(CROSSTALK)

FORD: Well, I know Sunny. I don't -- I disagree with you there, Lawrence.

JONES: And I've known her as well. And I think she's done -- you know them by their fruits, when you are on this panel, she had the same opportunity on national TV to bring people together.

FORD: So, we might --

(CROSSTALK)

JONES: And on the other side, you know what I'm talking about. On her side she takes it to shame black Americans who has a point of view, and by the way, not all of us are on TV as well. There are a lot of conservative black folks at home that either identify as independent or conservative, there's only about 26 percent of Black Americans that identify with liberals, so that's a majority of all of us! That is who she is talking about when she is saying that.

MCENANY: Yes --

(CROSSTALK)

FORD: We should invite her on the show and have a conversation.

JONES: I would love to be --

MCENANY: I don't think she would ever come. I'm just surmising that. I don't think --

PIRRO: Yes, I've been on shows with her.

GUTFELD: We have the lowest rated show if we had her on.

PIRRO: Yes.

MCENANY: Yes. Probably true, Greg. All right. Up next, Biden's cronies and the media think the economy is great. And you are just too stupid to realize it.

(COMMERCIAL BREAK)

JONES: So, the Democrats are boasting about Biden's economy, but average Americans is facing a very different reality. Job gains did above the mark of 428,000 added last month. But soaring inflation continues to rise the cost of everything.

James Carville says upset Americans don't understand just how good the economy is right now. Watch.

(BEGIN VIDEO CLIP)

JAMES CARVILLE, DEMOCRATIC STRATEGIST: I think there's an entire picture of an economy here, and I don't think that the people in America are getting - - understanding completely where it is. There are -- there are some bad things, but if we are making these decisions off of the assumption that no jobs are created, that's just not true.

(END VIDEO CLIP)

JONES: Even CNN they believe the analysis is just baloney. Watch.

(BEGIN VIDEO CLIP)

HARRY ENTEN, SENIOR DATA REPORTER, CNN: On the chyron you see dismal. I was going to use the word awful, essentially if you ask Americans how they view the economy is a poor or good, 77 percent say bad, bad, bad. Just 23 percent say, because you got to go all the way back to 2012 to see numbers that bad, and it's not much of a surprise if you ask folks what's the most important problem facing the country right now? What is the top issue? The economy!

(END VIDEO CLIP)

JONES: Yikes. And if rising costs aren't enough of a headache, now the supply chain hitting parents who say they can't find formulas to feed their babies.

Kayleigh, you're a mom, do you think this is going to swing women voters to the Republican side based on this issue?

MCENANY: No, absolutely not. I mean, that is a real phenomenon, women who can't afford diapers. I have a friend who helps out a charity to provide diapers, that's how bad the economy is right now. But it's a different story if you go on chief of staff Ron Klain's Twitter feed. The last eight hours Ron Klain has retweeted 19 tweets saying how great the economy is. Just to sample, another strong jobs number, one hell of a graph and it's all true, solid jobs report. You know, at a certain point, the lady doth protest too much, to quote Shakespeare, and that is exactly what Ron Klain is doing. Because one number matters, it's the one percent who thinks the economy is excellent.

I don't know who the one percent is, maybe Jeff Bezos, but that's the number that matters is what people feel.

JONES: Do you think, Harold, it is a communication flow or is it just the reality? They got to deal with what they're working with. They can't spin this number.

FORD JR.: No, you never want to try to tell people that they're doing better than they think that they're doing. I think what James was saying was, we have some fundamentals. And we've got to figure out how to frame a message and then tell the American people, share with American people what we're doing to fix that problem.

You touched on one or two of the things. Crime and the border are things we have to get not only a message around, but put a policy in place that the American people are going to have confidence. And I've shared on this show, if I were the president, once a week, I'd be in a city with a DA, Judge. I'd be with the police chief. I'd come back to Washington saying these are the things we have to help cities like the ones I just visited, what they're asking about, what we need cash with, bail reform, more police officers on the street, providing mental health services.

And when it comes to the economy, look, we've got to invest in cities that are going to create new jobs and attract jobs. So, how do you bring more 5G? How do you ensure that we can produce potato chips and semiconductor chips here in America? How do we ensure that we don't fall behind China in producing batteries? If I were the White House, I'd be talking about these things. That's what I interpreted from James.

Remember James Carville gave Democrats the greatest sign we had in the 90s. It's the economy, stupid. The White House had to listen.

JONES: Judge, it seems like the Democrats have a lot on their plate. I mean, when you're a prosecutor, and you're trying to give someone a break, if they got all these charges, there's only so much you can do to work with them, right?

PIRRO: Yes, I don't want to work with them if they have that many charges. But that's another issue. Here's the problem. The problem is an inflation is raging like never before. Inflation has gone up by 8.5 percent, wages have gone up by five percent.

This isn't government that is disincentivizing work and disincentivizing jobs, all right. They're incentivizing people to stay home and to not go to work and dismayed students for their loans for no reason when there are 11 and a half million jobs available, and only six million people looking for a job.

So, it's the incentivizing and the disincentivizing that this this this government is involved in. And what they're done with the oil and gas and everything else, is they basically shut down the growth. We've already got one quarter with a 1.4 percent drop. If we have another quarter with another drop, we're in a recession, all right.

I'm not a genius and I'm not an economist, but I know that. So, don't tell me everything is going great. I don't care how you frame it. The bottom line is people are hurting, people are hungry, people are assessing medicine, jobs, house, rent. It's bad.

JONES: Greg, it just seems like they insult the voters when they have no more argument. Instead of just confessing and said we'll turn it around, they say don't believe your own eyes or your pocketbook.

GUTFELD: Yes. I don't know if they can turn it around. You know, this shortage of baby formula, what is Joe Biden going to have for lunch? You know, thank God, there are no shortages and stuff that I eat and drink. I check the -- it's the great consumer index and the ribs -- and Chinese ribs, fine, red wine, fine.

This baby formula thing, though, I did not know about it until Jessica told me. And it's like, imagine you have -- I mean, it's like, this is something that like, if you're -- I'm getting to a point, I think. If you're disassociated or detached from a problem, you know, sometimes you just don't even know it exists. And it reminds me of how detached people in the media were with the COVID shutdowns, or the effects of the economy or the effects of crime because, you know, you never -- you got security where you work and stuff like that, if that's the food shortages.

And the media could sustain a lot of this stuff, especially the shutdowns, because we just worked our way through it. We didn't -- we just couldn't get studios at home. And so people are hurting, but the same people in the media, they have the means to absorb the pain that others don't. It's the same thing with crime. Their answer to crime is two words. It's you know, gated community.

What scares me in the future is this war and the effects of the war on future food shortages. If we're already having problems right now and we're all in on this thing, man -- and every country is going to feel it, especially the poor ones like Africa. And I think that when you have food shortages, and this is what Dana has explained to me a number of occasions, it usually does lead to more war. A lot of the countries that go to war, go to work because they don't have the food.

So, we're having this conflict going on right now which could create severe food shortages, which will then lead to more war. It might be a good time to start figuring out a negotiated settlement before it gets really, really bad. That's my take.

JONES: I think the biggest story here is the media. And we saw this during COVID. I'm saying that we're all in this together. Americans felt differently and they eventually turned on the media. I think it's going to be the same for this issue as well. Up next, the liberal knives are out for Elon Musk. The latest desperate attack on the world's richest man. That's next on THE FIVE.

(COMMERCIAL BREAK)

FORD JR.: Elon Musk's \$44 billion purchase of Twitter and stance on free speech once again landing him in hot water with the media. The New York Times is being accused of targeting the world's richest man in a new profile "Elon Musk grew up in elite white communities in South Africa, detached from apartheid atrocities and surrounded by anti-Black propaganda. He sees his takeover of Twitter as a free speech win, but in his youth, did nothing -- did not suffer the effects of misinformation."

Greg, a lot there. As we think about his purchase here, the implications for free speech, but what about this New York Times piece?

GUTFELD: It's crazy because most people do not read beyond the headlines. And I put myself in that same thing. So, the headlines suggest that he's racist. And then you go and you break -- go into the article, and you find out that no, he actually fought racist. He left because it was racist. And he also had many black friends, which a lot of people always mock.

But how else do you judge whether somebody is racist or not? It's by who they hang out with. So, it's like, we always go, oh, some of my best friends are black. Well, it sounds really trite, but that's actually a measurement. It's actually a measurement of who you hang out with. If you don't hang out with people who are black, that's might say something.

Musk hasn't even done anything. It's like complaining about heartburn before you eat a Taco Bell. And saying that you will make Twitter worse, it's like saying taking a shower will make your potbelly bigger. There's no connection. Twitter is in a bad state as it is. He -- only he could make it better.

The other point about The Times then I'll shut up, how do you quantify a story like this? Because it's not news but it's also not opinion. It's like a manufactured conclusion based on loose connections. So, they start with the conclusion. We -- he's from South Africa. I bet we could twist this thing into a racial thing. Let's work -- let's start there, and then they work backwards.

I used to do this all the time at Men's Health. I would come up with a cover line and go five steps to flat abs and then I sign it. And then they would just go and they would do it. That's how we built the magazine which come up with the actual headline first and work backwards. That's exactly what the news businesses now. They don't report it, they create it.

FORD JR.: Judge, does all this attention helped him as he is amassing the team and the capital to do this? And he graduated from the same school I went to at Penn, so I admire him in a lot of ways. But does this helped him in some ways?

You know, it's interesting that you asked that question because that's the first thing I thought when they started with the racist thing. We know, if the left wants to demonize you, they call you a racist. There's no word worse than a racist. It could mean a variety of things, but we all know it's bad.

So, when they started with him, and I read part of the article, and it said, you know that he's one of those free speech absolutist. And so, that's -- there's something wrong with one of the pillars upon which this country was started. But I must tell you, this is all an attempt to simply demonize the man. And you know what, my ears are closed. I'm done listening.

And his mother had the greatest answer of all. She said, now you're going to blame children for decisions made by a government? He grew up in South Africa where there was apartheid, but he went to his school with black schoolmates. And he spent time with his black friends. His father said that he was aware that there was something wrong with apartheid. I mean, he was a kid. Give me a break.

I'm done with them. I'm done with the hate. Let him prove himself through Twitter. Let him do what -- give him a chance to run and win or whatever he's going to do. But I'm done with the hate.

FORD JR.: He seems to be two and O. He's got the battery, he's got people in space. What's your thinking, Kayleigh?

MCENANY: Yes, he's two and O. Don't underestimate Elon Musk. Look, the points that you make, Judge and Greg about the New York Times article -- I have it here. They bury those points in paragraph nine, 11, and 13, as they always do. So, the headline in no way reflects the conclusion about Elon.

And the question I would have, it's ironic that this comes on a day where President Biden said, "Even back in the old days when we had real segregationists like James Eastland and Strom Thurmond and all those guys, at least we'd end up eating lunch together." You know, those comments got him in hot water with Kamala Harris on the campaign trail."

So, I look forward to the New York Times expose this weekend on President Biden and the Warren Piece like novel you could do on his past comments on race. It won't happen.

FORD JR.: Sir.

JONES: You know, as the judge says, the worst thing you can call as a person is a racist, but it's also the first thing that progressives use to discredit you. Let's face it, he's a greenie. They loved him before. And all of a sudden, now, this opposition research is really not opposition research, it's coming out to defame him. I wouldn't so much watch Elon, I would watch Jack Dorsey. Do you see him secretly --

GUTFELD: Right, yes.

JONES: -- cheering for Elon Musk. Now, this is a guy who is a devout liberal.

PIRRO: Yes.

JONES: And all of a sudden, you know what that tells me? He just like the rest of my liberal friends. They're all tired of this. A lot of them don't have the money or the guts to stand up for. Look at all these companies with Disney. All of them are all of a sudden, silent. You haven't heard a peep from them because they had been pressured for so long to just get on board.

They disagree with it, but no one wants to be cancelled. So, don't just watch Elon. Watch all the people that are silent are secretly supporting him. I think he speaks not just for conservatives or libertarians, but a lot of the Liberals that are sick of this nonsense.



FORD JR.: Good points. "FAN MAIL FRIDAY" is up next.

GUTFELD: Yes.

(COMMERCIAL BREAK)

GUTFELD: Don't you remember that? The greatest opening sequence of any show. All right, it's "FAN MAIL FRIDAY." First question is -- I have a feeling this is going to end up just all of you making fun of me. But the first question from Scott. What annoying habit do you have? It's do you have, Judge, that you don't think any of your coworkers notice? You first.

PIRRO: I constantly move?

GUTFELD: Do you?

PIRRO: Yes. Sitting here, I constantly move.

GUTFELD: I wouldn't pick that one, but OK.

PIRRO: What would you have picked?

GUTFELD: That, when you go, what are you doing?

PIRRO: No, the viewers disagree. They've never heard me say that. Go ahead. You're next.

GUTFELD: Oh, and you take over my block. Harold, you don't have any --

JONES: (INAUDIBLE)

GUTFELD: What annoying habit?

FORD JR.: I think the fact that I'm a Democrat.

GUTFELD: That's pretty good. Also, I like -- it's not annoying but you always, when you started, it's good to be back here.

JONES: Yes, can I be honest?

GUTFELD: Can I be honest?

PIRRO: No, lie to us.

GUTFELD: I take -- no, I take your point but I have an issue with everything else you said. That just means you're a gentleman like Lawrence says.

JONES: He's a gentleman. I talk with my hands a lot. They move. They got to move because it shows what I'm feeling. I also talk with my face which is a bad thing. Even if I don't say it out of my mouth. you got to see it on my face.

What you do, Greg, is every time -- you always seem scribbling on a pad. Well, he talks when he does it.

GUTFELD: It's so true. That's not the worst of it, though. Kayleigh?

MCENANY: Yes. I mean, I guess you'd have to ask Emily Compagno and Harris Faulkner. But if I had to speak for them, like, everyone has that line that they use. Jen is like, circle back. Mine is That's exactly right. I say it over and over and over.

GUTFELD: Well, Emily, what does Emily say? 1,000 percent.

MCENANY: Yes, she does.

GUTFELD: Hold on, hold on, 1000 percent. To your point, 1,000 percent. That's what she does.

MCENANY: That's exactly right.

GUTFELD: It used to be -- it used to be 100 percent. And then she moved with us. Of course mine is this -- what? Go ahead.

PIRRO: No, I'm listening.

GUTFELD: I kind of moved my foot a little bit. I've been doing that lately. But it's -- I've decided that -- I'm crossing my legs now to stop it. But I don't know what it is, all this amazing energy inside me.

PIRRO: It is. It is.

GUTFELD: All right. Oh, this is interesting. What do you own a ridiculous amount of, Kayleigh?

MCENANY: Oh, gosh.

GUTFELD: Say baby formula.

MCENANY: Noi, baby -- I mean, Disney movies, sadly. I purchased them all before the controversy.

GUTFELD: There you go.

MCENANY: So that's --

GUTFELD: Sell them. Sell them.

JONES: Shoes. I'm a sneakerhead.

GUTFELD: Yes, you're a sneakerhead. How many -- how many pairs?

JONES: 246.

GUTFELD: Wow.

MCENANY: That's a lot.

GUTFELD: That's a lot of feet.

JONES.: I got Air Jordan, man. I got it at the closet.

GUTFELD: All right, Judge.

PIRRO: Shoes.

JONES: Yes.

MCENANY: They're beautiful in your office.

JONES: The price, the price.

GUTFELD: I own a ridiculous amount of love.

MCENANY: That's a good one.

GUTFELD: And records. I own so many records. It's disgusting and I don't know what to do with them. I just keep buying --

FORD JR.: Do you still have the records I gave you for Christmas.

GUTFELD: Yes. Of course, I played them. And I also, I just went across the street to rough trade and bought some today. I buy like five a week. And I listened to it once. Anyway, I'm going to shut up because "ONE MORE THING is next.

MCENANY: It's so nice (INAUDIBLE)

GUTFELD: It is.

(COMMERCIAL BREAK)

PIRRO: It's time now for "ONE MORE THING." Greg goes first.

GUTFELD: Tonight, another great show. I got John Waters, the legend filmmaker. I got Dagen McDowell, Kennedy, Kat Timpf. It's fantastic.

Let's do this. Greg sloth news. We haven't had a birthday in a while but check out this two-toed sloth named Fernando, right, had a birthday party at the Phoenix Zoo. It's hot there. You know what they got him? They gave him roses to munch on and treats made of biscuits, apples, and zucchini. Then, afterwards they went to a strip club, which I don't condone. I don't like objectifying sloths.

PIRRO: OK. All right, well, you know, my "ONE MORE THING," I must say this. As a former speedster myself, I take pity upon those who speed and then get stopped. Take a look.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: Excuse me. I noticed you don't have a license plate. OK. Well, you have 30 days to get it fixed.

(END VIDEO CLIP)

GUTFELD: She's not even listening.

PIRRO: All right, police in Clermont, Florida are using her new series of safe driving videos. She's actually a therapy dog when she's not leading cops on a wild speed chase. She provides therapy in hospitals. She's very cute. Nice car.

GUTFELD: Oh, geez.

FORD JR.: An antiques dealer from Austin, Texas made the find of a lifetime when a sculpture she purchased at a Goodwill store for \$35 turned out to be a 2000-year-old Roman bust. Laura Young purchased a 52-pound marble bust in 2018. And after doing a little research, she discovered at the bust was actually a 2000-year-old depiction of famed Roman commander Nero.

The sculpture which had been looted from a museum in Germany during World War II has now gone on display at the San Antonio Museum of Art.

JONES: Oh, wow.

FORD JR.: Congrats though.

PIRRO: That is amazing.

FORD JR.: Great story.

MCENANY: It is.

PIRRO: All right, Kayleigh.

MCENANY: Yes. So, buy Shannon Breems book, a friend of mine, Mothers And Daughters Of The Bible Speak. It's great. I've read part of it. Also, I meant to play this last time, however, Joe Biden preempted my daughter baby Blake. Not this time. She watches THE FIVE a little too closely. Watch.

(BEGIN VIDEO CLIP)

MCENANY: What did the dolphin say? What did the duck say? What does Greg Gutfeld say?

UNIDENTIFIED FEMALE: Pee.

(END VIDEO CLIP)

MCENANY: You said pee during the commercial break.

GUTFELD: That's true. I did.

PIRRO: That is very -- how old is she?

MCENANY: She was two there. Now, she's two and a half.

PIRRO: Very cute, very cute. All right, Lawrence.

JONES: It's my turn?

PIRRO: Yes, it's your turn. Go right ahead.

JONES: Catch my show tomorrow 10 p.m. Eastern Time. Sean Hannity will be a special guest, the longest-serving person in primetime. Also this. This is the Florida principal. She said, if it was not for the quick actions of a school bus driver, 40 students might have been in grave danger.

The bus driver Janet O'Connell saw smoke coming from the hood of her bus. She jumped into action, pulled over, and safely got everyone off the bus before it just burst into flames. She says, she acted so quickly because she loves the kids. A true hero. Look at that bus.

GUTFELD: Yes, what caused that?

PIRRO: How did that happen?

JONES: They say something was the engine or something like --

PIRRO: Something is with the engine?

GUTFELD: Yes. Maybe she wasn't keeping up with the engine, Lawrence.

JONES: Yes. You got to do the repairs.

PIRRO: You know what, I mean, I've never seen a bus just burst into flames like that. Is she on top of the, you know, mechanics --

(CROSSTALK)

GUTFELD: I think there's more to this story.

PIRRO: Yes, there is more.

GUTFELD: That means, Lawrence, I think it's a terrible "ONE MORE THING."

PIRRO: And excuse me. Let me ask you one more thing. So, how many people -- who's on your -- who's on your show tomorrow night?

JONES: You're going to be on my show too.

PIRRO: Oh, thanks for mentioning it.

PIRRO: Oh, Sean Hannity is going to be on. But that's it for us tonight. We'll see you back here on Monday night. I hope you have a wonderful weekend.

FORD JR.: Happy Mother's Day.

PIRRO: Happy Mother's Day.

END

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**NewsRoom**

# Appendix B

168 Cong. Rec. S2947-07, 2022 WL 2163621  
Congressional Record --- Senate  
Proceedings and Debates of the 117th Congress, Second Session  
Wednesday, June 15, 2022

**\*S2947 LEGISLATIVE SESSION**

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HONORING OUR PROMISE TO ADDRESS COMPREHENSIVE TOXICS ACT OF 2021-Resumed

The ACTING PRESIDENT pro tempore.

Under the previous order, the Senate will resume consideration of H.R. 3967.

The clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 3967) to improve health care and benefits for veterans exposed to toxic substances, and for other purposes.

Pending:

Tester-Moran amendment No. 5051, in the nature of a substitute.

Schumer amendment No. 5065 (to amendment No. 5051), to add an effective date.

Schumer amendment No. 5076 (to the text proposed to be stricken by amendment No. 5051), to add an effective date.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore.

The Republican leader is recognized.

INFLATION

Mr. McCONNELL.

Mr. President, American families are being crushed by a giant backdoor inflation tax, and it has been fueled, in large part, by Democrats' huge mistakes.

Month after month, families pick up the newspaper, flip on the television, and hear that Democrats' inflation is setting new 40-year records.

Month after month, families find themselves shelling out hundreds upon hundreds of extra dollars per month just to actually tread water. Forget about saving and getting ahead.



In this Democrat-run economy, working Americans have to shell out hundreds of extra dollars every month just to remain standing still. Even when you factor in the nominal pay raises that workers have earned, the average American worker got a 3.9 percent pay cut-last year due to Democrats' inflation.

According to the Joint Economic Committee, inflation cost the average American household \$635 last month alone-\$635 in 1 month.

For families in Colorado, combined effects of Democrats' inflation and higher household spending put that number at a staggering \$825. In Arizona, it is \$733 extra per month. In Nevada it is \$731. For New Hampshire families, it is \$653. It is \$599 in Washington State, and \$598 in Georgia.

Everybody knows why this is. Food costs are up more than 10 percent, year on year. Gas is up nearly-listen to this-50 percent. Rent is at a 35-year high, and would-be home buyers are being squeezed between high prices and soaring interest rates.

In my home State, Kentucky, that monthly inflation bill comes out to more than \$500 every month.

Right before Senate Democrats spent \$2 trillion last spring, the Democratic leader said he wasn't worried-wasn't worried-about the possibility of inflation. Now, working families are paying dearly for that incredibly bad judgment.

I hear from hard-working Kentuckians who are falling behind on home payments or late on their utility bills \*S2948 or cutting back at the grocery store, families who are skipping-literally skipping-summer vacation.

Every month, the average Kentucky household now spends over \$500 more than they did before the Biden Presidency.

One of my constituents from Beaver Dam wrote to tell me:

Things are looking pretty grim for me and my family right now. Everything-

Everything.

-is too expensive.

His family was already giving up buying chicken and beef at the grocery store. Next they may have to stop making car payments. They are literally out of slack.

Another constituent from Science Hill told me that his family is maxing out credit cards to stay above water. He is watching as the Democrats who control Congress continue-continue-to advocate for more reckless spending and laments that Washington does not appear to understand what is happening-what is happening-to our heartland.

A third constituent from Paint Lick is struggling because-clarifies that she is not asking for a handout because she doesn't believe it would help. "After all," she writes, "money is not free; taxpayers must pay it back." If only Washington Democrats had that much wisdom. If only our one-party government had exercised that much common sense back last spring.

Three of the most basic duties that any government owes its citizens are stable prices, public safety, and secure borders-stable prices, public safety, and secure borders.

Unfortunately for our country, the Democrats have struck out-struck out-swinging.

## POLITICAL VIOLENCE

Mr. President, now on a completely different matter, yesterday marked 5 years since the attempted assassination of numerous Congressmen on a baseball field across the river.

The perpetrator was a far-left activist who doublechecked that it was Republicans on the field before he started shooting.

Five years on, political violence and threats are again making national headlines. The far left has spent weeks fomenting rage and panic over the possibility that one or more upcoming **Supreme Court** rulings may not deliver the liberal policy outcomes they would prefer.

Last week, the authorities arrested a deranged person who traveled to Washington from California with a premeditated plan to assassinate an Associate Justice for ideological reasons-fruit of a toxic culture that is fueled by the precedent-breaking leak of a draft opinion last month and a torrent of reckless talk from prominent Democrats.

It took that assassination attempt and then another week of wasted-wasted-time for House Democrats to stop slow-walking a bipartisan bill to beef up **Supreme Court** security that passed the Senate unanimously more than a month ago. The same people-the same people-fanning the flames of fear and anger blocked that noncontroversial bill for more than a month-more than a month-before they finally sent it to the President.

Meanwhile, as mobs continue to mount angry demonstrations outside these Justices' private family homes, President Biden's Department of Justice continues to assiduously ignore-ignore-the fact that this is totally illegal now under existing law. Section **1507** of the Criminal Code makes it perfectly clear: It is flat-out illegal to demonstrate at a judge's private family residence to pressure them in a pending case. That is the fact set that we have here. It is not just immoral; it is not just civically toxic; it is literally a Federal crime.

Where is Attorney General Garland? As the former chief judge of the DC Circuit, he should understand the need for judicial security and independence as well as anyone. But the same soft-on-crime ethos that pervades the modern Democratic Party apparently extends even-even-to ignoring illegal pressure campaigns aimed at Federal judges.

Two years ago, a New Jersey judge had a gunman show up to her front door in disguise and murder her son. Just recently, somebody murdered a retired judge in Wisconsin, and then last week's near assassination. But where is President Biden? He won't even denounce the ongoing protests at Justices' private homes, and our supposedly nonpolitical Attorney General will not lift a finger-a finger-to enforce existing Federal law.

Today, every Republican member of the Judiciary Committee and I are sending another-another-letter to Attorney General Garland. His dereliction of duty on this subject must come to an end.

The far-left political violence and intimidation efforts do not stop with judges. In the weeks since the draft opinion suggested the Court may-may-overturn an abortion decision that even Justice Ruth Bader Ginsberg acknowledged was poorly reasoned, a spate of vandalism, threats, and even some arson attacks have been unleashed upon Catholic churches-upon Catholic churches-and pro-life crisis pregnancy centers all around the country. In 2022, simply being a Christian or being pro-life seems to be sufficient cause for angry radicals to call in threats, graffiti your door, or firebomb your office. Once again, President Biden and his Justice Department have been totally silent-not word about any of it; unable to even simply denounce the hatred.

The same Democrats who want to make a national spectacle out of their supposed opposition to political violence will not even call out violence and intimidation from their own side, let alone-let alone-fulfill their oaths and put a stop to it.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore.  
The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER.  
Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore.  
Without objection, it is so ordered.

#### RECOGNITION OF THE MAJORITY LEADER

The majority leader is recognized.

#### H.R. 3967

Mr. SCHUMER.  
Mr. President, we continue a productive week here on the Senate floor.

Today, the Senate will take another step closer to passing the largest veterans' healthcare bill in decades, the Honoring our PACT Act. In a few moments, the Senate will vote to adopt the substitute amendment and then immediately vote on cloture on the bill, bringing us to the brink of passing this long-sought piece of legislation.

Frankly, the Senate should come to an agreement to finish the PACT Act work A-S-A-P. We should pass this bill as soon as we can and finally tell our veterans that the long wait for their well-earned benefits is over.

Let me say it again.

There is no reason not to finish the PACT Act A-S-A-P. Our Nation's veterans have waited long enough for this bill. Since 9/11, nearly 3.5 million veterans have been exposed to toxic burn pits in the line of duty. Scores of Americans went off to serve our country in perfect health only to come back home and get sick from toxic exposure, and when many of these veterans applied to the VA for healthcare benefits, they oftentimes discovered that they didn't qualify.

It is a confounding indignity for our Nation's heroes to sacrifice everything for our country only to come home, get sick, and discover that the VA ain't there for them—they have to fend for themselves.

What kind of message does it send to future veterans when we can't guarantee they will get the healthcare benefits they rightfully deserve and when the VA will not deal with injuries that occurred on the battlefield because of toxic burn pits and other issues? With the PACT Act, we have a chance to answer that question with a resounding yes.

Question: Well, if I enlist, am I going to really be taken care of when my service is complete?

We are going to have a chance to answer that question with a resounding yes. Yes, we will take care of you. Yes, we will make sure you can live healthy and dignified lives. Yes, we will keep our promise to protect our veterans just as they have sacrificed everything for us.

No great nation can dare afford to turn its back on the multitudes who have served our country. No veterans \*S2949 should ever have to carry the burden of treating complications from toxic exposure all by themselves, and we can change that simply with a vote on this bill.

Let us pass the PACT Act with all due haste. We have a moral obligation in the Chamber to get this done.

#### NOMINATIONS

Now, Mr. President, on the nominations front, we are moving ahead with confirming President Biden's critical and well-qualified nominees.

Later today, we will vote on the confirmation of Alan Leventhal to serve as the U.S. Ambassador to Denmark.

Later this week, once we conclude the PACT Act, we will also move forward on the nomination of Mary Boyle for the Consumer Product Safety Commission, whose confirmation would give that Agency a Democratic majority.

We will also soon vote to confirm another historic judicial nominee, Ana Isabel de Alba, to serve as a district judge for the Eastern District of California. Judge de Alba will be the first ever Latina to serve as a Federal judge in California's Eastern District, joining the more than 65 qualified judicial nominees that this majority has confirmed under President Biden.

I am proud of the historic progress this Senate Democratic majority has made in confirming well-qualified and diverse nominees to the executive branch, to independent boards, and to the Federal bench, and we are going to keep going.

#### GUN LEGISLATION

Mr. President, on gun safety, Democrats and Republicans continue negotiations over the legislative text for the first major gun safety bill to pass the Senate in 30 years.

Just a few weeks ago, such an effort would have seemed unimaginable. If there were any issue that encapsulates the gridlock of the past few decades, gun safety would be near the very top of the list. For too long, Americans have gotten used to a frustrating pattern-tragedy strikes; families grieve; but gridlock in the Senate ensues.

Perhaps this time-hopefully, this time-it will be different. Many in this Chamber are working, right now, in the hopes that it will be different. We are not over the finish line yet, but there is a real hunger to finally accomplish what has escaped the Senate for far too long: passing meaningful gun safety reform.

Again, not too long ago, this debate would have been hard to have fathomed, but despite the long odds, we gave negotiators space to do their work. I am glad we did because we now have the best chance in decades to act on gun violence. I spoke to both Senators

Murphy and

Cornyn this morning. They are eager to get the text completed. There will be meetings all day long in the hopes that we can get the text done so we can put it on the floor as soon as possible and get it passed. If we can prevent even one death from gun violence in the future, our efforts at this moment will have been worth it.

Gun safety is near and dear to my heart. As the Acting President pro tempore knows, three decades ago, I was a proud author of the Brady Bill in Congress, which won the support of many Republicans and even law enforcement. Back then, I argued

we had to get something done because the American people were sick and tired of the insanity and inaction of gun violence as much as they are today. After years of trying, we succeeded back then, but it wasn't on the first try. Yet we enacted a bill that, very likely, saved tens of thousands of lives. There are many, many people-thousands or tens of thousands in all likelihood-walking the streets today because we passed the Brady Law.

Today, the American people are similarly sick and tired of the insanity of the gun violence happening every day across the country. Just thinking about all of the shootings we have suffered over the years is exhausting and debilitating: Columbine, Virginia, Sandy Hook, Parkland, Las Vegas, Orlando, El Paso, Charleston, Atlanta, Buffalo, Uvalde. The list keeps going on and growing. The American people have had enough. They want us to move forward.

If the Senate can come up with a bill that embraces the bipartisan framework, we are going to save lives. I promise that, once the text is done, I will put it on the floor as soon as possible, so I encourage my colleagues to keep working. As I mentioned, our Senators on both sides of the aisle will be working diligently all day to try and come up with the final text as soon as possible. We don't know the next time we will have a chance to make meaningful progress on gun violence, so we have every reason in the world to get to yes.

## ELECTIONS

Mr. President, on the elections of last night and election deniers, a year and a half after the 2020 election, Donald Trump's Big Lie is alive and well, unfortunately.

Last night, hard-right candidates who believe the last Presidential election was stolen-it is so incorrect, with no factual basis. But these people with these beliefs were elevated into the general election. Many of these candidates are running in critical swing States and running for offices that will have outsized influence in managing future elections.

The example of Nevada's secretary of state race is especially bone chilling. Jim Marchant-a far-right radical, who openly believes that the 2020 election results were illegitimate, who believes the Big Lie-is now running to be the top elections official in Nevada. Mr. Marchant is someone who openly thinks Donald Trump should be the President right now, and if he wins in November, he will be Nevada's most important election official and would pose a direct threat-a direct threat-to the democratic process in that State.

He must be rejected by the people of every political persuasion. It doesn't matter if you are a Democrat or a Republican or an Independent, a liberal or a conservative or a moderate. Democracy is at risk if we elevate individuals who don't believe in the sanctity of elections. That is the road to authoritarianism, to dictatorship. This isn't a partisan argument. Undermining democracy endangers all of us-Democrats, Republicans, Independents. If the proponents of the Big Lie are elected to office, they pose a direct threat to our democratic way of life.

The January 6 hearings have made it abundantly clear that even Donald Trump's inner circle knew the Big Lie was utter garbage, so it is nothing short of horrifying to see that radicals who profess the Big Lie are gaining strength across the country.

I urge the American people to reject the credo of lies pushed by Donald Trump and his cronies and, whatever your party, to vote this November for men and women who will safeguard our democracy and preserve the sanctity of our elections. Without it, our country could be on the road to ruin.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore.

The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. THUNE.

Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore.

Without objection, it is so ordered.

(The remarks of Mr. Thune pertaining to the introduction of S. 4409 are printed in today's

Record under "Statements on Introduced Bills and Joint Resolutions.")

Mr. THUNE.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore.

The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BOOZMAN.

Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore.

Without objection, it is so ordered.

#### H.R. 3967

Mr. BLUNT.

Mr. President, I rise today to recognize the bipartisan accomplishment by the Senate Veterans' Affairs Committee and the expanded support we are delivering for veterans living with illnesses as a result of toxic exposure due to their service in our Nation's uniform through the Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act of 2022. This legislation ensures veterans who need help now can get it. We are all too familiar with the challenges that exist for veterans as a result of toxic exposure. **\*S2950**

I have been working to improve veteran services and benefits for more than 20 years as a member of both the Senate and the House VA Committees. During that time, I have heard a lot about toxic exposure issues and have come to understand the immediate need to make improvement to benefits and care for post-9/11 veterans who were exposed to toxic substances as a result of burn pits. This exposure is known to cause serious illness, including rare cancers and respiratory ailments. Those suffering deserve to know they have not been forgotten and their voices have been heard.

The promise our Nation made to the men and women who served in these dangerous conditions must be kept. This bill fulfills that promise and delivers immediate access to healthcare for toxic-exposed veterans. It directs the VA to evaluate diseases for presumption of service connection and streamlines the process for toxic-exposed veterans seeking disability compensation for their illnesses without overwhelming the VA system. The Sergeant First Class Heath Robinson PACT Act also invests in the

tools and resources to help the VA process disability claims in a timely manner and deliver quality healthcare to veterans living with toxic exposure illnesses.

With this measure, we continue to correct past failures of the VA to provide healthcare and benefits to previous generations exposed to Agent Orange as well. These challenges have existed for decades, and it is time we fulfill our promise to Vietnam-era veterans once and for all.

The legislation we are poised to approve updates VA policies to provide veterans like Bill Rhodes of Mena, AK—a marine who served in Thailand during the Vietnam war era—provide them access to the care he and the others who served in that area deserve. Mr. Rhodes has been a relentless advocate of toxic exposure benefits.

The VA accepts that herbicides were used along the perimeter of military bases in Thailand but does not recognize the impact of the herbicides inside the perimeter. This current policy makes no sense and is not fair, preventing veterans like Mr. Rhodes from accessing benefits as a result of toxic exposure.

After developing illnesses linked to herbicide exposure, Mr. Rhodes turned to the VA for help, but his claim was denied. I have been working with him for several years to advance a provision that corrects this mistake, and I am pleased that this act eliminates the bureaucratic hurdles that have stood in the way of veterans getting the care they earned.

This legislation is the result of bipartisan cooperation. We can achieve great things for our country when we put partisan politics aside. I appreciate the leadership of Chairman

Tester and Ranking Member

Moran to get this bill to the Senate floor. I am proud to work with them to address these pressing needs that face our veterans and their families.

I would also like to recognize and thank the countless veterans, the families, advocates, and veteran service organizations that continued their persistence to ensure Congress fulfills its promise to the men and the women who served in our Nation's uniform.

This legislation is long overdue. We have heard the struggles of veterans and their families living with toxic exposure-related illnesses. We can end the hurdles they experienced and save lives by passing this landmark legislation. I encourage my colleagues to join me in supporting it.

With that, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORAN.

Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore.

Without objection, it is so ordered.

Mr. MORAN.

Mr. President, I ask unanimous consent that I be allowed to speak for up to 5 minutes, followed by the Senator from Montana, Senator

Tester, for up to 5 minutes, prior to the scheduled rollcall votes.

The ACTING PRESIDENT pro tempore.  
Without objection, it is so ordered.

Mr. MORAN.

Mr. President, thank you for the opportunity to address the U.S. Senate and the American people.

In a few moments, the Senate will vote on the Tester-Moran Sergeant First Class Heath Robinson Honoring our PACT Act.

For far too long-way far too long-our Nation's veterans have been living with chronic illnesses as a result of exposures during their time in uniform. Today, we are continuing to take the steps necessary to right this wrong with our legislation that will provide veterans and their families with the healthcare and benefits that they have earned and that they deserve.

In March, Secretary McDonough testified before our committee, the Senate Committee on Veterans' Affairs, and he stated that the House toxic exposure bill needed additional work before being brought to the full Senate for a vote. Because of the improvements we have made in the House bill, the VA Secretary yesterday told our committee that he can now "certify" this legislation will be implemented without negative operational impacts on existing disability claims and healthcare for veterans.

All along, I have had concern about the consequences of this legislation and the volume of cases that the VA will now encounter, what it may mean for those veterans as well as veterans who need VA care and benefits who are not toxic-exposed. Secretary McDonough yesterday went on to say: "We're ready for it, we've been preparing for this. . . . I think we can do this and do it well and in all cases do it transparently."

While I appreciate the Secretary's assurance, our committee must continue its oversight of the VA and make certain that this bill is implemented correctly and that all those with toxic exposure and all veterans can rely upon the system for benefits and for healthcare. We still have our work cut out as a Congress, as a Senate, to make sure that the promises that are made in this bill are promises that are kept and that the promises that are made to other veterans are kept.

This bill is designed to fix a broken system that has been cobbled together over decades of patchwork fixes. Congress has been trying to solve these problems. The Department of Veterans Affairs has been trying to solve these problems. Finally, we bring together a solution that should make things significantly better for many.

While I continue to insist my GOP colleagues should be allowed to offer and debate and to vote on amendments, it is time to advance the Tester-Moran substitute and bring us one step closer to connecting all generations of toxic-exposed veterans with the care they need and they deserve and to provide veterans with certainty and support.

I yield the floor.

The ACTING PRESIDENT pro tempore.  
The Senator from Montana.

Mr. TESTER.

Mr. President, I want to start my remarks by expressing my appreciation for Ranking Member

Moran's leadership. It has been stellar. If you combine him with Senator



Boozman and Senator

Heinrich, it has been a great team. I just want to thank Senator

Moran for his leadership and his continued desire to do the right thing for the servicemembers who have served this country in the military.

The Senate has a once-in-a-lifetime opportunity today to make history in passing the Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act.

Let me be clear. This bill isn't about Democrats versus Republicans. It is not about political posturing. It is about Americans standing up for those who have served and sacrificed on behalf of this country and the freedoms that we have today. In fact, it is even more than that. It is about righting a wrong that has been ignored for too damn long.

It is about Will Thompson, who served our country for 23 years in the Army on Active Duty as a West Virginia National Guardsman.

After his second tour in Iraq in 2009, Will developed pulmonary fibrosis from the effect of his exposures to burn pits, and he endured two double-lung transplants. He testified in front of our committee, less than a year ago. He lost his battle with his illnesses this last December.

It is about SFC Heath Robinson, who answered the call of duty and was deployed to Kosovo and Iraq with the **\*S2951** Ohio National Guard—a picture of Heath right here and his daughter.

While deployed, he was exposed to potent toxins, and 13 years after his deployment—13 short years after his deployment—he lost his life to a rare autoimmune disease and stage IV lung cancer, conditions absolutely and unequivocally caused by burn pits.

Sadly, it is too late to do right by Will and Heath and so many others for them personally, but today this body has a chance to do the right thing by their families and future generations of our All-Volunteer military by advancing the Sergeant First Class Heath Robinson Honoring our PACT Act.

I want to talk a little bit about this plaque right here, see the picture of Heath in uniform? But you also see what is the most important thing to Heath, and that is his daughter. His daughter was at a press conference that the ranking member and I were at a little over a week ago. And I said this when I first spoke on this bill a little over a week ago, the first words out of her mouth were: "I love my daddy. Daddy's not around anymore." But because of, hopefully, the work that we are going to do here today, she will have a future.

This is not only about our service men and women—the people who served in our military—it is about their families because when folks go to war, it is just not the service person who does it; it is everybody in their family.

And what this bill will do, is it will address decades of inaction and failure by our government, expanding eligibility for VA healthcare to more than 3.5 million combat veterans exposed to burn pits. It supports our post-9/11 and Vietnam-era veterans by removing the burden of proof for 23 presumptive conditions caused by toxins.

These conditions include cancers to lung disease, and it establishes a framework for the establishment of future presumptions and service connections related to toxic exposure, giving the VA the tools it needs to bolster its workforce, establish more healthcare facilities, and improve claims processing.

There is always a cost to war, and that cost is never fully paid when the war ends. Our country didn't live up to its promise to veterans like Will Thompson and Heath Robinson, but if we do what Senator

Moran and I have done, and that is put politics aside, if we put our American men and women's bravest first, if we can begin settling our debts to millions of other veterans and their families by getting this bill across the finish line, we will have done something great.

And I would urge my colleagues to support this final procedural vote and a vote that is critical to moving this bill forward.

#### AMENDMENTS WITHDRAWN

Mr. President, I ask unanimous consent that the remaining pending amendments be withdrawn, with the exception of the substitute amendment No. 5051.

The ACTING PRESIDENT pro tempore.  
Without objection, it is so ordered.

The amendments were withdrawn.

Mr. TESTER.  
I yield the floor.

#### VOTE ON AMENDMENT NO. 5051

The ACTING PRESIDENT pro tempore.  
All postcloture time has expired.

The question now occurs on agreeing to amendment No. 5051.

Mr. TESTER.  
I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore.  
Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE.  
The following Senator is necessarily absent: the Senator from Mississippi (Mr. Wicker).

The result was announced-yeas 84, nays 15, as follows:

<Rollcall Vote No. 226 Leg.>

YEAS-84

Baldwin Barrasso Bennet Blumenthal Blunt Booker Boozman Braun Brown Cantwell Capito Cardin Carper Casey Cassidy Collins Coons Cornyn Cortez Masto Cotton Cramer Crapo Cruz Daines Duckworth Durbin Ernst Feinstein Fischer Gillibrand Graham Grassley Hagerty Hassan Hawley Heinrich Hickenlooper Hirono Hoeven Inhofe Kaine Kelly Kennedy King Klobuchar Leahy Lujan Manchin Markey Marshall McConnell Menendez Merkley Moran Murkowski Murphy Murray Ossoff Padilla Peters Portman Reed Risch Rosen Rounds Rubio Sanders Sasse Schatz Schumer Scott (FL) Shaheen Sinema Smith Stabenow Tester Thune Van Hollen Warner Warnock Warren Whitehouse Wyden Young

NAYS-15

Blackburn Burr Hyde-Smith Johnson Lankford Lee Lummis Paul Romney Scott (SC) Shelby Sullivan Tillis Toomey Tuberville

NOT VOTING-1 Wicker

The amendment (No. 5051) was agreed to.

CLOTURE MOTION

The PRESIDING OFFICER (Mr. Hickenlooper

) Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 388, H.R. 3967, a bill to improve health care and benefits for veterans exposed to toxic substances, and for other purposes.

Charles E. Schumer, Jon Tester, Tammy Duckworth, Robert P. Casey, Jr., Margaret Wood Hassan, Kyrsten Sinema, Mark Kelly, Christopher Murphy, Sherrod Brown, Tina Smith, Jacky Rosen, Benjamin L. Cardin, Jack Reed, Tammy Baldwin, Jeanne Shaheen, Mazie Hirono, Ben Ray Lujan.

The PRESIDING OFFICER.

By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on H.R. 3967, the bill to improve healthcare and benefits for veterans exposed to toxic substances, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE.

The following Senator is necessarily absent: the Senator from Mississippi (Mr. Wicker).

The yeas and nays resulted-yeas 76, nays 23, as follows:

<Rollcall Vote No. 227 Leg.>

YEAS-76

Baldwin Barrasso Bennet Blumenthal Blunt Booker Boozman Braun Brown Cantwell Capito Cardin Carper Casey Cassidy Collins Coons Cornyn Cortez Masto Cotton Cramer Cruz Daines Duckworth Durbin Ernst Feinstein Fischer Gillibrand Graham Grassley Hagerty Hassan Hawley Heinrich Hickenlooper Hirono Hoeven Inhofe Kaine Kelly Kennedy King Klobuchar Leahy Lujan Manchin Markey Marshall Menendez Merkley Moran Murkowski Murphy Murray Ossoff Padilla Peters Reed Rosen Rubio Sanders Schatz Schumer Scott (FL) Shaheen Sinema Smith Stabenow Tester Van Hollen Warner Warnock Warren Whitehouse Wyden

NAYS-23

Blackburn Burr Crapo Hyde-Smith Johnson Lankford Lee Lummis McConnell Paul Portman Risch Romney Rounds Sasse Scott (SC) Shelby Sullivan Thune Tillis Toomey Tuberville Young

NOT VOTING-1 Wicker

The PRESIDING OFFICER.

On this vote, the yeas are 76, the nays are 23.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion was agreed to.

The PRESIDING OFFICER.

The Senator from Massachusetts.

JUNETEENTH

Mr. MARKEY.

Mr. President, on Monday, these Chambers will be empty, but our hearts will be full because we will be joining the American people in commemorating a historic moment in our Nation's story-Juneteenth, the formal end of slavery in the United States.

One year ago today, we stood together, across party lines, to pass this legislation to memorialize this important day as a Federal holiday. Though we celebrate this anniversary today, on **\*S2952** Monday, communities across our Nation have been marking Juneteenth for more than 150 years.

The celebration of Juneteenth dates back to June 19, 1865, when Union soldiers led by Major General Gordon Granger traveled to Galveston, TX, with the announcement that the Civil War had ended and that the enslaved were now free.

This was 21/2 years after the date of President Lincoln's Emancipation Proclamation. Either the news of Lincoln's order had not reached many, including those in Texas, or local officials refused to enforce the Emancipation Proclamation.

Decades later, I introduced, along with my partners in service, Senators

Cory Booker

and

Tina Smith and Representative

Sheila Jackson Lee, the Juneteenth National Independence Day Act to honor the day that these Americans took their first steps into freedom and finally made Juneteenth a Federal holiday.

On June 17, 2021, I was honored to stand with Vice President

Kamala Harris, Senator

Smith, Representative

Jackson Lee, Senator

Cornyn, Senator

Warnock, and Ms. Opal Lee, while President Biden signed the National Juneteenth Independence Day Act into law.

And why do I mention Ms. Opal Lee? Well, because she is the grandmother of the Juneteenth movement, who fought for years to make Juneteenth a Federal holiday, from Fort Worth, TX, an activist, an educator, who walked 21/2 miles every day, fighting for the United States to finally have Juneteenth a Federal holiday. And at the age of 94, she saw that become a reality in the White House.

And in doing so, Juneteenth finally took its rightful place amongst other Federal holidays so that all Americans in all States can celebrate Juneteenth just like they celebrate Memorial Day. The same way they celebrate Martin Luther King Day, they now celebrate Juneteenth.

Juneteenth is a holiday that requires us to remember, reflect, and recommit to the principles that undergird our Nation, liberty and justice for all, but that we have never fully embodied.

We continue to strive to live up to these principles today. Systemic discrimination and mistreatment of Black and Brown Americans still permeates our society—from our criminal justice system to our schools, to our healthcare systems, that is why it is so important that we can learn from our past and honor the heroes in our history who have bent the moral arc of our Nation toward justice.

We face a long road toward justice and equality in the United States, and for us to move forward, that path must be lit with the recognition of our Nation's history.

Juneteenth is our Nation's history. Disparities and injustices reflect the unfulfilled promise of a nation built upon the notion that all people are created equal.

And it has roots in our Nation's original sin—slavery—a crime against humanity that we have for far too long failed to fully acknowledge or to address.

In commemorating Juneteenth as a Federal holiday, we will not fulfill our obligation to right all these wrongs or fix what remains broken, but it is the truth of our history. We must read these missing chapters to understand our national story of freedom and independence.

And right now, in red States across the country, extremists don't want us to learn from our own history. They are burning books and threatening schoolteachers in an attempt to stop our young people from understanding our Nation's past and how it sheds light on our present.

These extremists are afraid that learning about our Nation's history, including many dark chapters as well as the many triumphs, is a threat. And instead of empowering our children to learn from their example, they wish to silence the stories of the brave women and men who have fought for racial equality, and those who continue to fight today follow in that tradition.

Critics say that this discourse will divide us, but that couldn't be less true. More than 150 years since the freeing of the last slaves in America, our Nation stands at a crossroads on our path to racial justice and equality.

We must recognize our wrongs, acknowledge the pain, acknowledge the suffering of generations of slaves and their descendants, and understand the structures of inequity that continue to oppress communities of color and, importantly, learn how the freedom fighters of yesterday and today embody the truest values of our Nation.

We have them to thank for our march toward a more perfect Union, but there is more work to be done. As Ms. Opal Lee said when talking about Juneteenth as a unifier, "I truly believe that we can do so much more together rather than apart."

Together, thanks to the work of this Chamber and so many Americans across our Nation who have fought to tell the full story of our past, Americans will commemorate Juneteenth on Monday.

In doing so, we will join with one another in honoring our past and recommitting to the work which lies ahead.

I yield the floor.

The PRESIDING OFFICER.  
The Senator from Texas.

#### GUN VIOLENCE

Mr. CORNYN.

Mr. President, on Sunday, a bipartisan group of Senators announced principles for addressing the concerns over shootings like occurred in Uvalde, TX, 3 weeks ago, and other places as well.

And I would say we have been making good progress, but we have run into a couple of bumps in the road that have slowed things down a little bit.

One of them is over crisis intervention programs, something we agree is very important. I believe that we ought to put every State in the position of seeking and receiving funds for crisis intervention programs that they have in place already, even if they don't have a red flag law.

"Red flag" has been what has been discussed and discussed many times, but 19 States have red flag laws, but that means 31 States have other crisis intervention initiatives that are designed to address the same problem, which is people who are a danger to themselves and others because of their mental health. It includes things like assisted outpatient treatment programs, drug courts, mental health courts, and veterans courts.

The other issue that we are wrestling with relates to the domestic violence provision and the way nontraditional relationships are handled. We need to define this in a very crystal clear way. It can't be overly broad or open to interpretation. It needs to be something that can actually be applied because we are talking about very serious consequences here.

Of course, with both of these provisions, we must include rigorous due process protections. That is a redline for folks on my side of the aisle.

I know Senator

Schumer, the majority leader, wants to put this bill on the floor next week, but unless we can resolve these differences over these two provisions and do it soon, hopefully today, then we won't have time to prepare the text so Senators can read the bill for themselves, which we would expect them to do. And so that is going to require some continued work and good faith negotiations on all sides.

The details of these provisions are critical for support from my colleagues on this side of the aisle, and I hope that our colleagues across the aisle will understand, if we continue down this path without resolution, that we are jeopardizing the timetable that the majority leader has set out for us, or we are jeopardizing the likelihood we can get to 60 votes for anything, and we know how hard this is.

I am eager to wrap up our negotiations, but we are not going to cut corners or capitulate for the sole purpose of passing something. I am not willing to compromise on some of my basic principles or throw the Constitution out the window so we can have something we can hold up and say: Look what we did.

There is a bipartisan appetite to get this done-that is good-and I am optimistic about how far we have come, but we are not there yet, and we need to continue and do so quickly to reach an agreement on language so we can then write the text and have the vote.

From the outset, I said I wanted to identify targeted reforms that could have prevented the recent tragedies in Uvalde and elsewhere. That includes stronger mental health resources, which could have helped Salvador Ramos before he became so sick that he killed innocent children, and he \*S2953 committed suicide, essentially, in the process. That includes school safety measures, which could have prevented the shooter from actually getting inside Robb Elementary School. It includes reforms to prevent violence by criminals and other dangerous individuals.

The National Instant Criminal Background Check System is one of the most effective tools we have to keep guns out of the hands of criminals and people who suffer from severe mental illness, but it is not a perfect system. It is only as good as the information contained in the system.

For example, in 2017, in the shooting in Sutherland Springs-a little town outside of San Antonio, TX, my hometown-what happened there highlighted the gaping hole in the background check system. Despite the fact that the shooter had a long and disturbing history of violence that should have prohibited him from purchasing a gun, he was able to do so because the Air Force in this instance had not uploaded his felony convictions, his domestic violence conviction, or his mental health commitment.

In response to Sutherland Springs, Senator

Murphy and I introduced the Fix NICS Act to ensure that all Federal Agencies accurately and correctly upload the required conviction records on a timely basis.

Yes, this is the same Senator

Chris Murphy whom I am working with now to try to achieve success here. We have done it before, and I believe we can do it again. Our bill was signed into law in March of 2018, and in the first 3 years, 111/2 million more records were uploaded into the three national databases that the FBI checks. The number of records in one of those databases increased by more than

30 percent alone. So I think I can say with assurance that what we did together in 2018 has saved lives because if it kept a gun out of the hands of somebody who is already prohibited from getting a gun under current law, we will have saved a life—maybe even the life of the shooter. Sixty percent of the gun deaths in America are suicides. But I know we have saved at least those lives and I think many others as well.

But, as the Uvalde shooting demonstrated, there is another hole in the background check system, and that is juvenile records.

Salvador Ramos showed up at the age of 18 and had a clean record as far as the background check system was concerned because it couldn't look back at his troubled history, struggling with mental health and law enforcement problems. So he showed up as if he had been born the day before, and nothing else previously mattered because it wasn't in the background check system.

If there are disqualifying criminal or mental health records, that information should show up in the NICS system. In other words, if there are things in your life that would disqualify you if you were an adult but that happened before you turned 18, I think that is the information we need and would want to have for purposes of determining who should be able to purchase or possess a firearm. So that wall that prevents the lookback into pre-18-year-old records is obviously a problem.

Four years ago, the Uvalde Police Department received information about two male juveniles, 13 and 14 years old, who were plotting a school shooting for their senior year. That was 4 years ago, and they were plotting a school shooting when they graduated in—you guessed it—2022. Now, there is no way for us to know for sure whether one of those individuals was Salvador Ramos because those juvenile records are not available to us. But I am here to say that if it is not Salvador Ramos, then we have even a bigger problem. If there are two additional, young, 13 and 14-year-old boys out there saying they are going to shoot up the school when they become seniors, we have even a bigger problem.

One of the provisions we are discussing would encourage the States to upload similar relevant juvenile records into the NICS. This is standard practice in some but not all States, and it is easy to see why it is important.

If an 18-year-old is convicted of aggravated assault—a felony—the record will show up in his background check and prohibit him from purchasing a gun, but if a 17-year-old is convicted of the same crime, the record will not necessarily be uploaded into the National Instant Criminal Background Check System. If he tries to purchase a gun at 18, the background check is likely to come back clean—again, because the system is only as good as the information in it.

Let me give you another example. An individual can be adjudicated mentally ill on his 17th birthday and actually be civilly committed for multiple months in a mental institution, but that same person could likely purchase a gun at the age of 18 without anything showing up on his record. Existing law prohibits that purchase, but not all the States are sending that information to the National Instant Criminal Background Check System.

Those are examples of why it is so important to be able to get that lookback in the pre-18-year-old history for mental health or criminal justice encounters.

This is not actually an expansion of the background check system because it doesn't add any new restrictions to gun ownership, but it would permit the background check system to actually have access to relevant and material information. It is a commonsense step to ensure that the data in the NICS system is accurate.

That is easy enough to say, but we need to ensure this idea would work in practice, and that is exactly what we are examining now.

No. 1, we need to ensure this provision would protect due process of law. That is a constitutional right that is fundamental. Under current law, anyone who receives a denial has the right to appeal that decision or challenge the accuracy of the record. Of course, those same protections should exist for juvenile records as well.



Secondly, we need to establish an interim plan while these records are being uploaded into the background check system, a process that will take some time.

Now, my colleagues across the aisle suggested a mandatory waiting period for all purchasers under the age of 21, but we didn't agree to that. There is no reason why somebody who passes a background check with all relevant information in the database should be denied the ability to purchase a gun. In fact, we are talking again about a constitutional right. So no mandatory waiting period. But we are looking at extending the investigatory period for juvenile records that are unclear or ambiguous. Let me explain what I am talking about.

Under current law, a person who wants to purchase a gun from their local retailer must complete a background check. We talked about that. In nearly 90 percent of the cases, the background check is resolved almost immediately because these are computerized records. The average processing time is, in fact, less than 2 minutes. In those cases, the seller receives an immediate answer-either the sale can proceed or it cannot.

In the remaining roughly 10 percent of background checks, the system doesn't return a green light or a red light. In short, this happens when there are question marks or other things that need to be inquired about. This could be caused by a number of factors. If the buyer has a common name, the system could pull records on the wrong individual with the same name. It could also be caused by incomplete criminal history records. For example, if somebody was convicted of assault but the record doesn't say whether it was a felony or misdemeanor or in some cases whether the assault was a domestic violence incident, that would have consequences in terms of their ability to purchase a firearm. So further review, further investigation sometimes is necessary to see whether the light should be green or the light should be red.

Under the current law, the FBI has up to 3 business days to complete a background check and give the seller a clean answer on whether the sale can proceed. That is current law, up to 3 days. In many cases, this review that we are talking about adding for persons between 18 and 21-this review can clarify that the sale can proceed, and that is a great thing. That is how we safeguard Second Amendment rights for law-abiding gun owners.

We discussed the idea of extending that investigatory period when there is a question mark surrounding juvenile records. Again, this is the exception to **\*S2954** the rule, where more information is required because the answer that you get is ambiguous or unclear.

Under this enhanced review, an 18-year-old with a clean record would be able to expeditiously purchase a firearm. The extended investigation period would only apply to those rare cases and, again, only for those 18 to 20 for whom the system does not return a clear answer-yes or no, green or red-but, rather, a yellow light.

We believe this is a commonsense and straightforward way to improve the existing background check system without adding new restrictions.

As I said, negotiations are ongoing, but time is of the essence because we need to get to an agreement so we can get text to our colleagues so that the majority leader can bring this bill up on the floor next week after giving everyone a chance to read it and understand it and have their questions answered.

I yield the floor.

The PRESIDING OFFICER.  
The Senator from Pennsylvania.

UNANIMOUS CONSENT REQUEST-EXECUTIVE CALENDAR

Mr. CASEY.

Mr. President, I ask unanimous consent that notwithstanding rule XXII, the Senate proceed to executive session to consider the following nominations en bloc: Calendar Nos. 732 and 735; that the Senate vote on the nominations en bloc without intervening action or debate; that the motions to reconsider be considered made and laid upon the table; that any statements related to the nominations be printed in the RECORD; and that the President be immediately notified of the Senate's action and the Senate resume legislative session.

The PRESIDING OFFICER.

Is there objection?

The Senator from Indiana.

Mr. BRAUN.

Mr. President, reserving the right to object, it has come to my attention recently on a couple of the nominees whom the Federal Mine Safety and Health Review Commission is entertaining-this body has been rife with allegations of abuse of power and a hostile work environment, resulting in several whistleblower complaints. Several of these allegations would have occurred during both Mary Lu Jordan's and Timothy Baker's previous tenures at the Agency.

The Federal Mine Safety and Health Review Commission was created under the Mine Act, which declared that the industry must view the health and safety and consider it the most precious resource of the miner. The Agency does not have its own Office of Inspector General to review these considerations. I think it probably needs one. This has led to ongoing efforts by both House Oversight and Senate Republicans.

It is important to shine a light on Agencies like this, the Federal Mine Safety and Health Review Commission, that have little to no oversight currently.

So, until I am satisfied-and I think others as well-that we look into that, that we vet those concerns, and have some type of interim oversight, I do object.

The PRESIDING OFFICER (Mr. Ossoff).

Objection is heard.

The Senator from Pennsylvania.

Mr. CASEY.

Mr. President, I have some remarks on the nominations.

As the Senator from Indiana noted, the two individuals talked about are Timothy "T.J." Baker and Mary Lu Jordan to serve on the Federal Mine Safety and Health Review Commission. Mr. Baker and Ms. Jordan are highly qualified nominees who were nominated last year.

Mr. Baker currently serves as the associate general counsel of the United Mine Workers of America and previously worked for the Federal Mine Safety and Health Review Commission, first as an attorney-advisor in the Office of Administrative Law Judges in Pittsburgh and then as attorney-advisor in the Office of the Commissioners in Washington, DC. Mr. Baker is also the son of a coal miner.

Ms. Jordan was appointed as a Commissioner on the Federal Mine Safety and Health Review Commission in 1994 and has served in that capacity almost continuously since then. Her most recent term as Commissioner ended in 2020, and she has since served as senior attorney-advisor at the Commission.

Given their expertise and commitment to public service, both Mr. Baker and Ms. Jordan would be assets to the Federal Mine Safety and Health Review Commission. It is past due that the Senate confirm their nominations. Confirming both would give Democrats a majority on the Commission.

Mr. Baker and Ms. Jordan are among the excellent nominees who have been put forward by the Biden-Harris administration. Nominees like Mr. Baker and Ms. Jordan will help us represent our Nation's coal miners, and I hope we can advance their nominations today.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER.  
The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. OSSOFF.  
Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. Rosen).  
Without objection, it is so ordered.

#### H.R. 3967

Mr. OSSOFF.

Madam President, I rise today to urge my colleagues-Democrats, Independents, Republicans-to seize this opportunity that we have to pass bipartisan legislation to look out for the veterans of wars in Iraq and Afghanistan who are suffering the terrible consequences of exposure to burn pits, toxic fumes, and toxic waste.

When we send Americans to war, caring for them when they return is not a favor, it is not a good deed, it is not a choice; it is a sacred obligation of the U.S. Government.

I would observe that many of the same Senators who voted to send our forces into harm's way in Iraq and Afghanistan are still serving in this body today.

We have a sacred obligation to pass this legislation to ensure that those who served in those conflicts and anywhere around the world in service to the United States, suffering from the effects of exposure to toxins, get the care they need through the VA.

This is about folks like COL David McCracken of Tyrone, GA, an Army Reservist deployed in defense of our country after 9/11. Colonel McCracken made it home from those deployments. He served his country. He did his duty with valor and bravery. But at the age of 45, when otherwise healthy, Colonel McCracken was diagnosed with brain cancer-a rare occurrence at his age-and 11 months later, he was dead, taken from a wife and three children.

This is about folks like Army SGT Jeff Danovich, who fought in Mosul in 2004, where he lived just 100 yards from a burn pit. Like Colonel McCracken, Sergeant Danovich did his duty. He served in combat. He came home to his family, but just 2 years ago, Sergeant Danovich was diagnosed with leukemia. And when he filed for disability with the VA because of his exposure to burn pits, his claim was denied.

Let me just state again that when this government sends its forces into harm's way, caring for them when they return is not a good deed. We don't get extra credit for doing this. It is not a favor; it is our job. And let me remind my colleagues once again that many of you in this body voted to send these men and women into combat.

So Senator

Tester and Senator

Moran have presented us with a bipartisan bill to do what is right and look after the veterans who did their jobs for us when we sent them to do those jobs. Let's do our jobs for them and pass this legislation.

I yield the floor.

(Ms. BALDWIN assumed the Chair.)

The PRESIDING OFFICER (Ms. Smith).  
The Senator from Illinois.

#### TENTH ANNIVERSARY OF DACA

Mr. DURBIN.

Madam President, it was 10 years ago today that President Obama walked into the White House Rose Garden and said he had an announcement to make.

He made an announcement which changed the lives of hundreds of thousands of people living in America. He announced the Deferred Action for Childhood Arrivals. Now, we call it DACA.

And with that announcement, I joined with, I guess, thousands of young leaders across this country and breathed a sigh of relief.

Over the past decade, DACA has allowed more than 800,000 Dreamers to remain in the only home they have ever known: America. These young people we call Dreamers came to this **\*S2955** country as children, some as young as a few months old. They grew up studying in our classrooms. They grew up befriending our children and grandchildren. They went to church with us, and when they were kids, every morning they stood up in that classroom and pledged allegiance to that flag. And the reason they did it, of course, is they believed it was their flag.

In the years since DACA was announced, a lot has changed in the world. Presidents have come and gone, wars have ended, and a once-in-a-century pandemic has rocked the world.

But in the face of all these changes and upheavals, one thing remains steady, constant, and predictable: the devotion of Dreamers to America. These young people have demonstrated an unwavering commitment to America. They served as our school teachers, first responders, members of the military, essential workers in the pandemic.

More than 200,000 DACA recipients were classified by our government as "essential critical infrastructure workers" during the pandemic-200,000 of them. And, remember, they don't enjoy the benefit of citizenship yet. Among them are 40,000 healthcare industry workers, doctors, nurses, paramedics.

Over the years, I have come to the floor of the Senate over 125 different times to tell the stories of the Dreamers. These stories show us what is at stake when we consider the fate of DACA and the Dream Act.

Today, I want to tell you the story of Yazmin Ruiz. She is the 130th Dreamer story that I have told on the Senate floor.

This is a photograph of Yazmin.

She arrived in this country at the age of 3, along with her twin sister and her mom. And even though her extended family remained in Mexico, she said she never felt alone growing up in Arizona because "we were surrounded by community."

But when Yazmin was 16, the family suffered a tragedy that ignited her passion for medicine. Her mother had a stroke, and when the family arrived at the hospital, they were shocked to discover that none of the healthcare providers spoke Spanish.

At a young age, Yazmin, who was grappling with the trauma and fear that her mother might die, was forced to play the role of interpreter and translator to save her mother's life.

It was at that moment, even as a terrified 16-year-old, that Yazmin resolved to become a healthcare hero if her mom needed her.

She studied hard in high school. She graduated with honors. She made her way to the University of New Mexico, where she earned a bachelor of science in biology and Spanish.

Yazmin then matriculated to the University of New Mexico School of Medicine, but then she hit a speed bump. She discovered that her immigration status was going to stop her from receiving a professional license to practice medicine. Her dream was interrupted.

What did she do? She said: No way. She wouldn't accept no for an answer.

She joined a coalition of like-minded students and rallied support in the New Mexico Legislature to change the State law on licensure.

Now Yazmin Ruiz is fulfilling her childhood dream. Every day she delivers care and support to families like her own and offers the guidance that she once sought as a teenager lost in our healthcare system.

Yazmin is in the third year of her general surgeon residency at the University of New Mexico. And at the height of the pandemic, she was deep in the trenches of our healthcare system.

Back in the summer of 2020, when COVID was new and basically unknown, Yazmin was working 80 hours a week, providing daily care to COVID-positive patients, performing CPR, and wearing protective gear from head to toe.

Like so many Dreamers, Yazmin's commitment to serving her community was unshakeable. Even when her own family members came down with COVID, she didn't stay home and take care of them. She went to work. Day after day, she put her life on the line to save the lives of others.

And she has continued that journey as a healthcare professional against improbable odds.

Yazmin considers it "a privilege and an honor to serve America in the midst of an unprecedented public health crisis."

I want to thank Yazmin Ruiz for her service on the frontlines of the coronavirus pandemic. She is an immigrant health hero. She is a DACA health hero. She has put herself and her family at risk to protect American lives. She shouldn't also have to worry about whether she is going to be deported tomorrow and whether her family will be deported as well.

Think about that for one moment. This young woman, against all the odds, is pursuing her residency in surgery. She is determined to serve this Nation and to make people's lives better.

And what is our response, our official government response? Sorry. You are not a citizen, and under the current law, you never will be.

So you ask yourself, what are we thinking? If a quality, contributing person like Yazmin Ruiz is willing to defy the odds and to risk everything to be a doctor, why aren't we applauding that, rewarding that, giving her an incentive and others like her to be a generation of service to America?

Basic question we have to ask, would we be a better nation, a better country, if we deported Yazmin Ruiz? I hope the answer is pretty obvious. It is to me.

Over the past 20 years or more, I have had the privilege of sharing more than 100 stories like Yazmin's on the floor of the Senate-the stories of Dreamers who have given everything they can to America and who have more than earned their place in America's story.

Yet these brilliant young people are still waiting on us, on Congress, to finish the job that President Obama started with DACA. This program was always supposed to be a temporary solution. Ten years ago we knew that. The permanent solution was enacting a piece of legislation that I introduced 20 years ago called the DREAM Act. It provides a path to citizenship for Dreamers, including young immigrants eligible for DACA.

Congress has been on the cusp of passing the DREAM Act for years. In 2013, we included it in a larger immigration package that passed the Senate with 68 votes. It was a glorious day. Can you imagine it-68 votes in the Senate for anything?

And that broad bipartisan support reflected America's public opinion; that the Dream Act was the right thing to do. In fact, over the years, "Dreamers" have become a household word. When we came up with the name for this legislation over 20 years ago, and you said the word "Dreamers," people would say: Oh, I know that. That is a rock group, a British rock group, and it might have been Freddie and the Dreamers, but that wasn't the group we were describing at all.

These Dreamers have touched the hearts of America because in the Dreamers we see our own history as a nation of immigrants. We know that they deserve permanent status in this country, their home. They have earned it, but time and again the Senate has failed DACA recipients.

Instead of making these protections permanent, we have left them in doubt. The former President of the United States, Donald Trump, even attempted to terminate the DACA Program to turn people like Yazmin Ruiz away from the country.

Can you imagine what that would have meant to her, to her family, to New Mexico, to America, for all the Americans whose lives have been saved by Dreamers like Yazmin or for the Nation's classrooms and businesses that count on these idealistic, hard-working people who want to be part of our future?

And our failure to protect Dreamers is not only a human disaster, it is an economic disaster. It doesn't add up.

DACA recipients and their households pay more than \$5 billion in Federal taxes, more than \$3 billion in State and local taxes every single year. That is money that funds the construction of roads and bridges, pays Social Security, Medicare, and Medicaid. And the economic upside of enacting the Dream Act is even bigger.

Last year, the House passed the bipartisan Dream and Promise Act. If the Senate just followed their lead and passed that legislation today, we could increase America's GDP by more than \$800 billion over the next decade and create hundreds of thousands of jobs in the process. \*S2956

Our broken immigration system is embarrassing. It is failing America, and it is failing our families. It is also failing our economy. Beyond the Dream Act, Congress on both sides of the political spectrum agree, comprehensive immigration reform would boost our economic growth and help ease inflationary pressures in the United States. The United States Chamber of Commerce even called for doubling the number of legal immigrants in America to address the worker shortage and in turn alleviate inflation. With the Dream Act, we are talking about a bipartisan measure that is very simple in scope. It allows young people who have grown up in America to continue contributing to our economy. For decades now, Dreamers have been stuck in legislative purgatory. Only a subset of them have been able to secure DACA protections, and even for those who do, they have to renew their status every 2 years, which means they can only plan their lives in uncertain 2-year increments. That is unfair. No, it is cruel.

Dreamers are living with the sword of Damocles hanging over their head. In the coming weeks, a Federal judge could strike down DACA and deport these young people to countries they barely remember, if they remember at all. Just last year, a Federal judge in Texas limited the program to only renewing applications. That ruling was wrong. It excluded a whole generation of Dreamers from stepping out of the shadows of a broken immigration system.

If there is one lesson we can learn from the bipartisan gun safety framework that is being debated this week in Washington, it is that the Members of this Senate are not as divided as the American people think. We can come together to support commonsense policies that secure a brighter future for America. That is exactly the opportunity we have with the Dream Act.

I can think of no better way to celebrate the 10-year anniversary of DACA than by finally passing this legislation, offering every one of our amazing Dreamers a path to American citizenship, which they deserve and they have earned. An overwhelming bipartisan majority of voters want Congress to pass the Dream Act. They know it will dramatically grow our economy and strengthen our Nation. Most importantly, it is the right thing to do.

It is time for Congress to step up and meet our responsibility-Democrats, Republicans and Independents alike. Let's get this done.

I yield the floor.

The PRESIDING OFFICER (Mr. Hickenlooper).  
The Senator from Vermont.

#### BUDGET RESOLUTION

Mr. SANDERS.

Mr. President, at 5:15 this afternoon, we will be voting on a budget resolution written by my colleague Senator

Rand Paul from Kentucky. As chairman of the Budget Committee, I urge a very strong "no" vote.

At a time of a massive incline in wealth inequality, at a time when two people in our country own more wealth than the bottom 42 percent of our population, at a time when the top 1 percent owns more wealth than the bottom 92 percent, at a time when we are looking at more income and wealth inequality than at any time in American history, this budget resolution offered by Senator

Paul would move us in exactly the wrong direction and make a bad situation worse.

Senator

Paul's resolution would make the very wealthiest people in this country even wealthier, while at the same time, it would make tens of millions of middle-class Americans-people in the middle class, people in the working class, lower income Americans-even poorer.

We remain, sadly, the only major country on Earth not to guarantee healthcare to all people as a human right. We pay the highest prices by far in the world for prescription drugs. Half of our people are living paycheck to paycheck, and millions are working at 8, 9, 10 bucks an hour because we still have a disastrous, starvation minimum wage of \$7.25 an hour. Many millions of Americans today, as housing prices soar, are spending half or more of their limited incomes on housing. Forty-five million people in our country are struggling with student debt. At a time when half of older Americans have no savings-people have worked their entire lives, and they have no savings to prepare themselves for retirement. The Social Security benefits that they will receive are inadequate to allow them to live out their remaining years in dignity.

What this budget resolution brought forth by Senator

Paul does is exactly the opposite of what we should be doing. Instead of expanding Medicare to make sure that every man, woman, and child in this country has healthcare as a human right, this is a budget that would lead to devastating cuts to Medicare, cuts to Medicaid, and cuts to other public health programs.

Senator

Paul's budget resolution would cut nutrition assistance at a time when there are children in America today who are going hungry. It would cut Federal aid to education at a time when schools are looking for funding to pay the teachers they need adequate wages. But in the midst of this budget that cuts healthcare, that cuts education, that cuts Social Security, that cuts every benefit needed by ordinary Americans, this is a budget that would give massive tax breaks to the wealthiest people in this country.

So you have a situation where, right now, we have a tax system which is broken, which is corrupt, which allows some billionaires in a given year to pay zero in Federal income taxes-zero. Some of the richest people in this country in a given year do not pay a nickel in Federal income tax. We have a tax system which allows dozens of major, profitable corporations making billions of dollars a year in profit to pay in a given year zero in Federal income tax. We have an effective tax rate today in which billionaires pay a lower effective rate than nurses and firefighters. That is what we have today. Senator

Paul's budget-well, you guessed it. You are right. It would give even more tax breaks to the 1 percent and to the billionaire class.

Unfortunately, the vision of America that Senator

Paul's budget puts forward-balancing the budget on the backs of working families, the elderly, the children, the sick, and the poor in order to make the richest people in America even richer-is not just the vision of Senator



Paul. I wish it was just his vision, and I have to applaud his honesty for coming forward and putting his vision on paper. Unfortunately, it is the vision of many, many people in the Republican Party, and this is what they want.

Senator

Paul and many in the Republican Party do not believe that it was good enough to provide over \$1 trillion in tax breaks to the top 1 percent and large corporations, as they did when Trump was President-not good enough. The budget that we are debating today, Senator

Paul's proposal, would make those tax breaks for the wealthy and the powerful permanent-permanent-at a cost of more than \$2 trillion over the next decade, cutting nutrition programs for hungry children, throwing millions of people off of Medicare and Medicaid, but providing \$2 trillion in tax breaks for the very wealthy.

Under Trump, Republicans came within 1 vote of passing a bill that would have thrown up to 32 million Americans off of health insurance and eliminated vital protections for people with preexisting conditions like cancer or diabetes and substantially increased premiums for older workers. That was the bill that the Trump administration tried to get passed. It failed by one vote-the late Senator McCain.

Senator

Paul and many Republicans who support this budget resolution believe that what they tried to do a few years ago in decimating the Affordable Care Act-hey, that didn't go far enough.

So the budget that we are talking about right now, Senator

Paul's proposal, would throw up to 35 million Americans off of Medicaid.

So what do you do in the middle of a pandemic when you have no health insurance? Well, right now, as a nation today, there are estimates that about 60,000 people a year die because they don't get to a doctor on time. Throw 35 million people off Medicaid, that number will escalate. We are talking about tens and tens of thousands of people who would die because they wouldn't have Medicaid, wouldn't be able to go to a doctor when they are sick.

When Donald Trump was in office, he proposed a budget that would have cut Medicare by nearly \$845 billion. Senator

Paul and the Republicans who \*S2957 will support this budget do not believe that those cuts went far enough-only \$845 billion in cuts to Medicare. The budget we are debating today would cut Medicare by up to \$3.9 trillion over the next decade and throw some 29 million senior citizens and persons with disabilities off of Medicare.

At a time when tens of millions of Americans struggle with hunger, Senator

Paul and the Republicans who support this budget want to cut the SNAP program by \$300 billion, throwing some 13 million people off of that program.

I don't know what a nation stands for if we cannot feed the hungry and if we cannot provide healthcare to people who need it, but that is what this budget does. Overall, Senator

Paul's budget would make \$15 trillion in cuts over the next 10 years, slashing the Federal budget by nearly 40 percent by the end of this decade.

So that is where we are today, Mr. President. And, again, I would reiterate that this is not just Senator

Paul's budget. And I applaud him for his honesty. He is an honest guy; he is a straightforward guy; and he comes forward and he says: This is what I believe.

It would be bad enough if this were just the views of one U.S. Senator. Unfortunately, it is not. These are the views of many in the Republican Party.

So, Mr. President, it is absolutely imperative that this budget proposal of Senator

Paul be defeated and that we move this country forward in a very different direction. It is a direction which says that the U.S. Government should be representing the needs of all of the people, not just the wealthy and the powerful and Big Money campaign contributors. It is a vision in opposition to Senator

Paul that says that healthcare is a human right, that we have to stand up to the pharmaceutical industry and cut prescription drug costs in this country in half. It is a vision which says that, no, we should not be cutting Social Security; we should be lifting the cap on taxable income, which today is at \$147,000, meaning that somebody making \$10 million pays the same amount into Social Security as somebody making \$147,000. We should be lifting that cap so that we can increase Social Security benefits for all seniors.

So, Mr. President, this is not just a budget resolution on the part of the Senator from Kentucky, Senator

Paul; this really is a contrasting vision of where we want this country to go. Do we want to move into an oligarchic form of society where a handful of people on top have enormous wealth and enormous political power while, at the same time, the middle class continues to become small and we have more and more people living in poverty?

So these are contrasting visions of the future of America, and I hope very much that Senator

Paul's resolution will be soundly defeated.

With that, I yield the floor.

The PRESIDING OFFICER.  
The Senator from Tennessee.

H.R. 3967

Mrs. BLACKBURN.

Mr. President, I wanted to talk for just a few minutes, if I could, about a bill that is coming to the floor. It is called the PACT Act. And this is something that those of us at the Veterans' Affairs Committee have worked on for quite a period of time.

And we had worked diligently through what we thought was a prescribed and agreed-to process, and we are finding out that the majority leader is pretty much forcing this issue to the floor this week for a vote. And he is calling it "the most ambitious and important expansion of veteran healthcare benefits that we have seen in decades."

Now, Senators Schumer and Tester have, indeed, put forth a bill that when you look at it, when you hear the intent, a first glance at it, you say: Oh, this is exactly what we need to help our servicemembers.

And, indeed, we all are just so grateful for the men and women who have served in this country, who have worn that uniform. But there is a lot to be said for bringing measures to the floor for passage when they are ready, when there has been agreement on critical importance. As the majority leader said, the biggest expansion of benefits that we have seen in decades.

Now, many of us have worked for quite a period of time on the issue of toxic exposure and have worked on how best to make certain that when we address this, that you are going to get care to the veteran in a timely manner—they are not going to have to wait; they are going to receive the care that they need.

So it is frustrating to me, as it is to many of my colleagues, to think about what could have been accomplished had the majority leader just done what he had promised to do and had allowed a thorough amendment process. We should all share the goal of making certain that legislation we pass that deals with our veterans, that deals with our men and women in uniform, is going to be a promise fulfilled and not a false promise or not a frustration.

Yesterday, at Veterans' Affairs Committee, we had a hearing with our VA Secretary. We have had a terrible problem with case backloads on benefits in health services. Currently, the case backload is about 188,000. That is the backlog. That is what needs to be worked through. And in passing this bill that is before us today, the estimate is that we are going to add about a million cases to that.

Now, I want you to put yourself in the shoes of a veteran who has suffered and is suffering with toxic exposure and has a rare cancer, has a respiratory disease, a cardiovascular disease, and is needing access to care.

What you want is to be able to get that care. What you don't want to do is have to wait for that care. And that is why we needed to go through this amendment process: to address this issue of how a veteran is going to be able to access that care in a timely manner when they need the care because with some of these rare diseases, days and weeks and months become a life-or-death issue. So the access is important. The amendments that we proposed were as noncontroversial as you can get in these days.

Now, the amendment that I had, which was one of the two amendments that we were to have on the Republican side-by-the-way, I said that, two amendments. That is what we were going to be allowed. It wasn't an open amendment process—two amendments, two things that would have improved the bill. I proposed an amendment that would have eliminated arbitrary bureaucratic hurdles for toxic exposed veterans, would have eliminated this from the long wait times at their local VA hospitals and clinics. Basically, it would have been that express pass that they need because it would have allowed them to seek care in the community if they could get it there faster than they could through the VA.

Now, the reason for this is because I spend a lot of time talking with veterans in Tennessee. I have veterans who are a part of our team. They talk to me about the issues that many of their friends and their neighbors are experiencing or people who served in their unit or their battalion and how they need this care.

Right now, if you are in the Nashville area, which is where many of our retirees from Fort Campbell and the 101st go for their care—if you are there and you are going to go to the VA over at Vanderbilt there in Nashville and request an appointment, your wait is 72 days. What if you are a veteran and you have a rare respiratory condition that is caused from a burn pit or from toxic exposure or you have developed a cancer and you are needing care, do you really want to have to wait 2 1/2 months to be able to see a general practitioner for an appointment that will refer you to a specialist?

Do we think that is fair to our veterans? Is that the way to treat them—to say, pick up the phone and call and then we will get you an appointment? By the way, it is going to be 72 days on the wait time, and then we will start the clock to try to get you into community care to get you to a specialist.

My amendment would basically have said veterans can take that card out of their wallet, their VA card—they can show it at a care facility in their community, and they can get the care they need then. You are eliminating wait times for them. You are

eliminating long lines. You are eliminating the frustration and the fear and the anxiety that comes as every day you think this cancer is growing, and I am being denied care because of the bureaucratic process. Our veterans ought not to have to deal with that bureaucratic process. They have waited a long time. \*S2958

So this amendment would have improved the bill. And I have it right here in my hands. It is really very simple. Section 121, "Subtitle C-Other Health Care Matters"-that is what is underneath-"REQUIREMENT TO PROVIDE CARE UNDER VETERANS COMMUNITY CARE PROGRAM FOR TOXIC-EXPOSED VETERANS." And then it goes through, it strikes an "or," inserts a semicolon, strikes the period at the end of the sentence and inserting "or" and adds "the covered veteran is a toxic-exposed veteran."

Pretty specific. It elevates the care that they need so that they do not have to wait because they have waited long enough. And they don't want to have to wait until the VA hires enough people to do this. Right now, if the VA is going to hire new nurses or doctors, do you know how long it takes them to get them hired? Ninety-seven days. Do they have what they need to meet this load? No, they do not.

Now, in the private sector they can make these hires in about 16 days. And they do. And we have discussed these hiring process changes that need to be made in order to facilitate this care.

Now, some have said: Well, you know, if we allow community care, in essence, that is privatizing-privatizing-the VA. No, it is not. It is not privatizing. What it is doing is saying the VA is seeking a better way to deliver a service in a timely manner to the people who have been promised the service. That is what the amendment would do. It would allow them to avoid that bureaucratic process to take that VA card to go get the care they need that day. But, no, because we have some who are so fearful that the VA or the Federal Government might lose some of their power, some of their control over your life, they will not agree to that.

Now, the fiscal year 2021 NDAA included my K2 Veterans Toxic Exposure Accountability Act, requiring a 180-day study by DOD on toxic exposures at K2 to demonstrate more clearly the associations between exposure to toxic substances and negative health consequence experienced by K2 veterans. That is something that had a tremendous effect on many of our military men and women at Fort Campbell and there with the 160th, with the 101st.

And I have worked with Senator

Tillis on the Toxic Exposure in the Military Act, the TEAM Act, which was largely included in the PACT Act. And I worked with Senator

Sullivan on the Veterans Burn Pits Exposure Recognition Act, which would concede exposure to a list of toxic substances, hazards, and chemicals common to burn pits for veterans who deployed to certain covered locations within certain corresponding periods.

So I thank my colleagues who have put the effort in on this. I will say that I am very disappointed that my colleagues from New York and Montana decided no amendments. Senator

Moran's amendment would have adjusted how that wait time is calculated to be more fair to our veterans. My amendment would have allowed them to immediately get the care they need, lifesaving care-lifesaving care. It would have allowed that immediate access. But we have chosen, it appears-or the majority leader and the chairman have chosen-to move forward without an amendment process that would be more fair and more responsive to our veterans. And at the same time, they are daring us to vote no on this bill. I would challenge them.

Take a moment and let's return to the agreed-to amendment process and improve this for the sake-for the sake-and the livelihood of many of our veterans who are experiencing the effects of toxic exposure.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER.

The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. PAUL.

Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER.

Without objection, it is so ordered.

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Congressional Record --- Senate  
Proceedings and Debates of the 117th Congress, Second Session  
Thursday, June 9, 2022

**\*S2875 HONORING OUR PROMISE TO ADDRESS  
COMPREHENSIVE TOXICS ACT OF 2021-RESUMED**

The ACTING PRESIDENT pro tempore.

Under the previous order, the Senate will resume consideration of H.R. 3967, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 3967), to improve health care and benefits for veterans exposed to toxic substances, and for other purposes.

Pending:

Tester/Moran amendment No. 5051, in the nature of a substitute.

Schumer amendment No. 5065 (to amendment No. 5051), to add an effective date.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore.

The majority leader is recognized.

GUN VIOLENCE

Mr. SCHUMER.

Madam President, this year we have already seen more mass shootings in America than we have had days in the year—more than one a day on average. The prevalence of guns, their ease of access, and the hateful motivations of mass shooters have all mixed into a toxic brew that is tearing America apart. People are asking, what is going on, and why can't Congress protect us?

Yesterday, our House colleagues heard from those affected most: the parents of a young girl murdered in Uvalde, a student who played dead by covering herself in her friend's blood, and the mom of a Buffalo survivor who painted the gruesome picture of the bullet holes on her son's neck, back, and leg.

These were harrowing, gut-wrenching testimonies. That Congress has not acted in decades in response to these acts of violence is shameful. It used to be different. About 30 years ago, I was the author of the Brady bill and worked with Republicans and law enforcement to get strong gun safety laws passed. That was a different era. But the lesson from back then remains clear today: The right laws can make a real difference in reducing gun deaths. Because those laws were on the books, it is very likely that tens of thousands of people are alive and healthy who would not have been.

Right now, the Senate is trying to break that streak of inaction—the 30-year streak of inaction since we were able to pass Brady and the assault weapons ban—by working toward meaningful legislation on gun violence.

Yesterday, a bipartisan group of Democrats and Republicans met again to continue working toward a bipartisan compromise. This morning, my colleague Senator

Murphy reported that the group is making good progress, and they hope to get something real done very soon. As soon as the bipartisan group comes to agreement, I want to bring a measure to the floor for a vote as quickly as possible.

The overwhelming consensus of our caucus, of gun safety advocates, and of the American people is that getting something real done on gun violence is worth pursuing, even if we cannot get everything that we know we need.

The work of curing our Nation of mass shootings will continue well after \*S2876 this debate concludes. But at this moment, we have a moral obligation to try for real progress because taking tangible steps to reduce gun violence is critically important.

Americans are sick and tired of going through the same grieving cycle over and over again, only for Congress to do nothing. They are enraged that even after shootings in Sandy Hook, Parkland, San Bernardino, El Paso, Boulder, Pittsburgh, Atlanta, and so many others, that nothing-nothing-has changed.

We hope this time around something will change at last. I hope that very soon we can see a deal come together. I encourage my colleagues to keep their talks going so we can act on it very quickly.

#### JANUARY 6 HEARINGS

Madam President, on the January 6 hearings, tonight, the Nation will tune in to the House Select Committee on January 6 as they begin their first public hearings on the Capitol insurrection. Tonight's hearings will be a watershed moment in the fight to protect our democracy from the Big Lie of the hard right.

The committee will lay bare the truth that the American people must know; first, that there was tremendous violence. There are still many out there who say there wasn't violence. There was. The pictures show it. The eyewitnesses testify to it.

And the committee will lay bare the truth that the American people must know; that Donald Trump was at the heart of a coordinated effort to overturn the 2020 elections, to overturn our constitutional order, and inflict permanent damage upon our democracy. It will be essential viewing.

But in one of the most cowardly journalistic decisions in modern memory, FOX News-one of the biggest amplifiers of the Big Lie about January 6, about Donald Trump, and about the election-will not broadcast tonight's hearing.

FOX News's decision not to air the biggest hearing in modern history should end any debate that they are not a real news organization. FOX News is rapidly becoming a propaganda machine of the hard right, and it is as plain as day that they are scared of their viewers learning the truth about January 6.

FOX News's decision not to air the January 6 hearings is dangerous, cowardly, and shameful, given that they have spent more than a year spreading the Big Lie and misinforming their viewers.

Instead of telling the truth, they have isolated their viewers in an alternative reality of conspiracy theories that is immensely damaging to our democracy. Even the so-called liberal media which FOX News regularly attacks tries to tell both sides.

FOX News is afraid of telling both sides because they are afraid of the truth, and they are afraid their viewers may learn that FOX News has lied to them.

I urge FOX News to change course very soon. The press has an obligation-always has had that obligation-not to hide the truth from the American people, no matter how painful or inconvenient.

And as a nation, we have a duty to never forget what happened on January 6. The direct assault on our democracy and the dangers of that day, sadly, remain still with us.

#### HONORING OUR PACT ACT OF 2021

Madam President, now, on the PACT Act, a happier note, today, the Senate will continue consideration of the most important veteran healthcare expansion in decades, the PACT Act, authored by my colleagues Senators

Tester and

Moran-bipartisan.

We want to get this bill done as soon as we can. We can't have dilatory or destructive amendments to this bill because it is too important for our veterans' well-being to delay or destroy it.

For years, I have worked extensively with veterans, veterans service organizations, and advocates, including Jon Stewart and John Deal, who all say that the VA rules must be changed to ensure sick veterans get the care they need.

They volunteered, went off to war, and were exposed to toxins. That is a cost of war, and the American people cannot let them down.

The bill, which could benefit 3.5 million veterans who have been exposed to toxic chemicals in the line of duty, represents that change. For the sake of our veterans, there is no reason-no reason-not to pass this bill A-S-A-P, and I hope that is precisely what we can do.

#### SHIPPING

Madam President, on shipping, next week, the House is to vote on a much needed bill, passed unanimously by the Senate in April, to lower costs and relieve supply chains by reforming unfair shipping practices that hurt exporters and consumers alike.

Rising costs are top of the mind right now for the American people, and one of the more flummoxing causes of inflation is the crushing backlog that we are seeing at our ports. We have all seen the pictures of scores of ships lining up in ports, from Los Angeles to Savannah, to Seattle, to my home port of New York and New Jersey.

These backlogs have created serious price hikes. According to one study from earlier this year, the price to transport a container from China to the west coast of the United States costs 12 times-12 times-as much as it did 2 years ago, and the American consumer is paying the price. And it hurts both ways when shipping costs go up: It affects exports that we send overseas and imports that come back. It is a double whammy, whacking the American people's pocketbooks and wallets. At the end of the day, the American consumer ends up paying the higher price.

So I am very glad that the House will finally act on the Senate-passed shipping bill next week. The shipping reform bill will help us lower costs. It will clear our ports, relieve our supply chains, and American families will feel the benefit.

I want to thank my colleagues Senators



Klobuchar and

Thune, the authors of the legislation, as well as the fine work of Senator

Cantwell, for leading this legislation earlier this year out of committee, onto the floor, and passing here in the Senate.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore.

The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL.

Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore.

Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

#### U.S. SUPREME COURT

Mr. McCONNELL.

Madam President, 2 years ago, the Senate Democratic leader stood on the steps of the **Supreme Court** and threatened two Justices by name. "You will pay the price," he shouted. "You won't know what hit you." A month ago, after the precedent-breaking leak of a draft opinion, top Democrats intensified the reckless talk. Hillary Clinton said the Court was poised to "kill and subjugate women." Leader

Schumer and Speaker

Pelosi said the Court would be "ripp<ing> up the Constitution." Some of the most powerful people in the country pushing total hysteria over the possibility that Justices may-may-overturn a decision that even Justice Ruth Bader Ginsburg said was badly reasoned.

Far-left activists publicized Justices' private addresses and encouraged angry people to flock to their homes. President Biden and his White House were asked to condemn these intimidation tactics, and they refused. I wrote to Attorney General Garland about a month ago, asking why he wasn't enforcing the laws on the books already against judicial intimidation.

Look, everybody saw where this climate might lead. So, yesterday morning, U.S. marshals arrested a deranged person who traveled to Washington from California in order to assassinate a **Supreme Court** Justice at his house. He has reportedly been charged with attempted murder. The FBI says the would-be assassin was armed and equipped for a break-in. He told authorities that he was trying to think about how to give his life a purpose. Apparently, it was only when he came across the Justice's

address posted online that it occurred to him to attempt a murder-suicide. He explained that his problem with this Justice was ideological, citing abortion and the Second Amendment.

While this would-be assassin was making his plan and traveling across \*S2877 the country, House Democrats have spent weeks-weeks-blocking bipartisan legislation to strengthen security for the Justices and their families.

This bipartisan bill passed the Senate unanimously in early May. Chairman

Durbin is a strong supporter. But inexplicably-inexplicably-this urgent and uncontroversial bill has been sitting on Speaker

Pelosi's desk ever since. The same House Democrats whose irresponsible rhetoric has contributed to this dangerous climate are themselves blocking added security for the Justices and their spouses and their children. Even last night-last night-even after this arrest was made, even after a leftwing group published an ominous social media post concerning a school that a Justice's children attend, when Leader

McCarthy asked consent to pass the uncontroversial bill, House Democrats objected to it.

Meanwhile, the Biden Department of Justice, under Attorney General Garland, continues to flatly ignore section 1507 of the Criminal Code, which would appear to make it a Federal crime to protest at the homes of Federal judges to influence them over a pending case. That is the law right now.

So this has been a shameful and disturbing two-step from Washington Democrats. First they use reckless rhetoric that helps fuel the dangerous climate, and then they refuse to do their jobs and address the problem. The same far left that has spent years trying to improperly pressure the Court is now aiding and abetting this illegal intimidation campaign through total inaction.

So why won't President Biden call on his supporters to leave the Justices alone?

President Biden, call on your supporters to leave the Justices alone.

Why won't the Attorney General of the United States enforce existing law? Why won't the Speaker stop blocking a bipartisan security bill that passed the Senate unanimously?

So it is hard to avoid concluding that perhaps some Democrats may want this dangerous climate hanging over the Justices' heads as they finish up this term-a disgraceful-disgraceful-dereliction of duty. This is antithetical to the rule of law. The Speaker of the House and the Attorney General must honor their oaths to the Constitution and do their jobs.

I understand Democrats want to stage a big spectacle this week about what they claim is their opposition to political violence, but in reality, they are going out of their way to block concrete steps to prevent political violence.

#### FOREIGN POLICY

Madam President, now on an entirely separate matter, 1 year ago yesterday, the Biden administration announced its withdrawal from Afghanistan had reached a halfway point.

Analysis after analysis has confirmed what was clear to many of us in real time: The President's shoddy plans for a reckless pullout were doomed to disaster from the start.

Back in February, an Army investigation found that in the run-up to President Biden's botched retreat, his senior national security and diplomatic advisers were "not seriously planning for an evacuation" and not paying attention to "what was happening on the ground." That is an Army investigation of the withdrawal.

Last month, the Special Inspector General for Afghanistan Reconstruction blasted the administration's bad judgment before Congress. He explained that removing U.S. military and contractor support to our Afghan partners was "the single most important factor" in the collapse-the collapse-of Afghanistan's resistance to the Taliban.

It is not just that this giant policy failure should have been foreseeable to the Biden administration; it was, in fact, foreseen. Experts spent months warning that the President's policies would create chaos. I spent months saying the very same thing.

Now many of the worst predictions about the aftermath are coming true before our eyes. Our country and our partners are facing needlessly heightened risk from terrorists because of how the Biden administration botched Afghanistan. Yet the administration is still in denial.

In a letter to Congress just yesterday, the Commander in Chief claimed the United States "remains postured to address threats" to both our homeland and our interests "that may arise from inside Afghanistan." But the reality is that Pentagon leaders have been clear about the dramatic ways the withdrawal has limited our ability to identify, to target, and to strike terrorists in Afghanistan.

The former commander of U.S. Central Command says that forcing U.S. air assets to travel longer distances to reach Afghan airspace means severely limiting the time they can spend actually performing counterterrorism missions-just as we predicted.

A brandnew report from the lead inspector general for our ongoing counterterrorism operations further confirms that the Biden administration's mistakes have put us way, way behind the curve. Without human intelligence or bases in the country, the United States is already suffering from less insight into emerging terror threats. Our sources are drying up just as we predicted.

We haven't conducted a single strike against a military target in Afghanistan since the last military personnel left Kabul, and that isn't because there aren't any terrorists there. As the IG report confirms, it is because of "logistical challenges and limited intelligence."

The Taliban-Haqqani government in Kabul is not just a state sponsor of terrorism, it is literally a government made up of terrorists and kidnappers with deep ties to Al Qaeda.

Even as the Biden team continues to pretend that over-the-horizon operations are not inadequate in Afghanistan, they are implicitly acknowledging that same insufficiency in other theaters. Last month, President Biden redeployed U.S. troops to Somalia, reestablishing a limited but real presence intended to help local partners prevent their country from becoming a terrorist haven. So President Biden's own actions in Somalia give rise to the false claims in Afghanistan. In point of fact, the longest term vision about counterterrorism this White House has managed to lay out is their obsession-obsession-with someday shutting down the Guantanamo Bay detention center entirely.

I have yet to hear any coherent plans for what the Biden administration intends to do with the dangerous killers currently held there. Will they continue to rely on third countries to detain terrorists? That is the strategy that made possible the Taliban's massive jailbreak of thousands of hardened terrorists from Bagram after this administration fled Afghanistan.

Does the administration intend to send terrorists to Syria to be held indefinitely by a nongovernmental entity like the Syrian Defense Forces? In that case, how long is the Biden administration prepared to remain in Syria to make sure that ISIS, Hezbollah, or the Assad regime can't facilitate another giant jailbreak?

The American people and our coalition partners deserve a clear, coherent counterterrorism strategy that leaves our homeland safer and our partnerships stronger.

The Biden administration is providing, unfortunately, exactly the opposite.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore.  
The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. THUNE.  
Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore.  
Without objection, it is so ordered.

#### U.S. SUPREME COURT

Mr. THUNE.  
Madam President, before I begin, I would like to express my dismay at House Democrats' decision last night to block legislation to provide enhanced security for **Supreme Court** Justices and their families.

Due to the unprecedented leak of an early draft of the **Supreme Court's** Dobbs decision and the resulting hysteria from members of the pro-abortion left, the **Supreme Court** asked Congress for additional authorities to protect Justices' families. This happened 4 weeks ago. And yesterday's arrest of an armed man near Justice Kavanaugh's home—a man who told police that he intended to kill a **Supreme Court** Justice and has been charged with attempted murder—made clear just how needed that protection is. \*S2878

The **Supreme Court** security legislation in question passed the Senate unanimously 4 weeks ago but has faced inexplicable delays in the House of Representatives.

This should not be a partisan issue. The Senate Democratic Whip said just yesterday that the House should pass this legislation.

And I really thought that yesterday's arrest of an individual bent on assassinating a **Supreme Court** Justice would have forced House Democrats to abandon political gains and provide this urgently needed protection.

There is no excuse for further delay. One press report suggests that Democrats may be rethinking their opposition. I hope that is true. House Democrats should abandon the political games today and pass this legislation.

#### STUDENT LOANS

Madam President, recent reporting suggests that President Biden may be contemplating forgiving \$10,000 in Federal student loan debt per borrower. That is a bad idea for many reasons. It is difficult really to know where to start, but let me begin by pointing out the obvious: that forgiving \$10,000 in Federal student loan debt will do absolutely nothing to address the underlying problem and, in fact, would likely make things much worse.

The price of higher education has risen stratospherically in recent decades. The cost of 1 year of attendance at some colleges-just 1 year-is more than many Americans' yearly salaries. And that is a problem. But forgiving \$10,000 of student loan debt would do absolutely nothing to fix the problem of soaring tuition costs. As I said, it would very likely make things worse.

What incentive would colleges have to rein in costs if they could be confident that part of their students' bill would eventually be picked up by the Federal Government; because, of course, no one should be deceived into thinking that student loan forgiveness would be a one-time thing?

One estimate suggests that the student loan burden in this country would return to its current amount within 4 years-4 years-of \$10,000 in debt being forgiven, and calls to forgive more debt would undoubtedly come much sooner.

Future graduates are very likely to want the same deal that would be offered to graduates today-the wiping away of \$10,000 in debt-which brings us to another problem: some students opting to take on unrealistic levels of debt to finance their educations.

How much greater is that problem going to be if students think that the Government is likely to step in and forgive some of the debt that they have agreed to repay? It is very easy to imagine a student feeling free to take on more debt than he or she otherwise would, believing that the Government is likely to reduce the resulting debt burden.

Another massive problem with President Biden's plan is, of course, its complete unfairness. Under President Biden's plan, an individual who just finished paying his or her student loans after years of work would not receive a penny. Meanwhile, a student who graduated a month ago and hasn't yet paid a dime on his or her loans could see a substantial part of his or her debt wiped away.

The President's plan is also incredibly unfair to the tens of millions of Americans without any student loan debt who would be asked to subsidize a student loan debt of a small percentage of Americans. Somewhere around two-thirds of millennials have no student debt, either because they didn't attend college or didn't take out any loans to attend college. The president's plan is unfair to those who avoided loans by working their way through school or choosing a lower-cost college option. It is unfair to parents who worked for years to ensure that they could finance their kids' education. And it is unfair to those who chose not to attend a traditional 4-year college and, instead, trained in one of the many essential trades we depend on, from plumbing to air conditioning to broadband installation, at a significantly lower-cost community college or technical school.

Another problem with the President's plan is what it would teach about the sanctity of contracts. While it may, at times, be ill-advised, students freely enter into the agreements when they take out a loan. Should we really be teaching that agreements and contracts mean nothing, that people can incur debt and then not have to pay it off?

Another important point to make here is that the average debt for undergraduate education in this country is not as crippling as it might be portrayed. Now, there is no question that there are students out there who were encouraged to take on unrealistic levels of debt and are currently struggling with huge debt burdens made up of private as well as Federal loans, but the average debt, the average debt for an undergraduate education is somewhere around \$29,000. That is not chump change, for sure, but it is also not an unmanageable level of debt for the average college graduate-especially with the availability of extended repayment plans and income-driven repayment programs.

Average student loan debt rises substantially for those with advanced degrees, and there are certainly those who take on far too much debt for graduate education, but it is also important to know that those with advanced degrees have higher-and in some cases much higher-earning potential.

Doctors, for example, take on medical debt north of \$190,000 on average, but once they have completed their education and training they can expect to make a robust-sometimes a very robust-six figures per year, making repaying debt of that size a very feasible proposition.

There is no question that the cost of higher education is out of control and that students sometimes take on unrealistic levels of debt to pay for it. But forgiving student loan debt is not the answer for the reasons I have mentioned, among others. Instead, we should be exploring ways to drive down education costs.

We should be also highlighting affordable education options like our Nation's community colleges and technical schools. These institutions, like the outstanding tech schools we have in South Dakota, provide students with associate's degrees, certificates, apprenticeships, opportunities to learn a trade, and more.

There are also things we can do to help students pay off loans without forcing taxpayers to shoulder the burden. In December of 2020, Congress passed a 5-year version of legislation that I introduced with Senator

Warner to allow employers to help employees repay their loans. Our Employer Participation in Repayment Act amends the Educational Assistance Program to permit employers to make tax-free payments on their employees' student loans. It is a win for employees, who get help paying off their student loans. And it is a win for employers who have a new option for attracting and retaining talented workers.

Our bill isn't a cure-all, but it will certainly help ease the pain of paying back student loans for a number of Americans. I am pleased that it was enacted into law for a 5-year period, and I hope at some point Congress will act to make it permanent.

Another big thing we can do, of course, is to make sure that graduates have access to good-paying jobs. This is key to enabling people to pay off their debt, and we should resolve to build on the economic progress that we had made prepandemic and focus on policies that will allow our economy to thrive.

Republicans are not alone in thinking that forgiving \$10,000 in student loan debt is fraught with problems. As one Democrat Senator said:

An across-the-board cancellation of college debt does nothing to address the absurd cost of college or fix our broken student loan program. It offers nothing to Americans who paid off their college debts or those who chose a lower-priced college to go to as a way of avoiding going into debt or taking on debt. . . . <R>really importantly, it ignores the majority of Americans who never went to college, some of whom have debts just as staggering . . .

That is from one of our Democrat colleagues here in the Senate.

The New York Times editorial board, not exactly known for toeing the Republican line, noted:

Canceling this debt, even in the limited amounts the White House is considering, would set a bad precedent and do nothing to change the fact that future students will graduate with yet more debt-along with the blind hope of another, future amnesty. Such a move is legally dubious, economically unsound, politically fraught and educationally problematic.

That was from the New York Times editorial board. \*S2879

With inflation near a 40-year high, with the President's approval rating hitting a new low, and with Democrats' prospects for November looking less rosy, it is not exactly surprising that the President would look toward student loan forgiveness as a way of distracting voters or that some Democrats are reportedly pushing for student loan forgiveness as a way to boost their

chances in November; but I very much hope that the President will decide that temporary political gain is not a good reason to put American taxpayers on the hook for billions of dollars in student loan debt that is not their own.

As the New York Times noted, the President's plan is "legally dubious, economically unsound, politically fraught, and educationally problematic."

I strongly, strongly encourage the President to abandon a plan that even the Democratic Speaker of the House has suggested he doesn't have the authority to implement.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. Booker).

The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. DURBIN.

Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER.

Without objection, it is so ordered.

#### ORDER OF BUSINESS

Mr. DURBIN.

Mr. President, I ask unanimous consent that, at 11:45 a.m. today, the Senate proceed to executive session and vote on the confirmation of Executive Calendar No. 856, the nomination of Robert Steven Huie, as provided under the previous order, and that, following the vote, the Senate resume legislative session.

The PRESIDING OFFICER.

Without objection, it is so ordered.

#### JANUARY 6 HEARINGS

Mr. DURBIN.

Mr. President, this evening, the Select Committee to investigate the January 6 attack on the U.S. Capitol will hold its first public hearing.

For more than 10 months, the January 6 Select Committee has labored diligently to discover and document the truth about the day we nearly lost our democracy. This evening, the committee will begin to lay out publicly, for the first time, the coordinated plan in place to overturn the results of the 2020 Presidential election and prevent the peaceful transition of power to a new administration in America. Those are incredible words that I have just spoken, but they reflect the reality of January 6, 2021.

Among the witnesses will be Capitol Police Officer Caroline Edwards, one of the more than 140 Capitol and Metropolitan police officers who was injured when the mob attacked the Capitol.

To Officer Edwards and all of the police officers who defended American democracy that day and who continue to protect this Capitol every day, we owe more than our thanks.

January 6 revealed to the world how fragile democracy can be, even in America. Keeping our democracy requires vigilance and truth. Often, it requires sacrifice, and there must be a willingness to accept that truth. It is regrettable-no, it is shameful-that our Republican colleagues in the Senate filibustered the creation of an independent, bipartisan commission to investigate what happened on January 6.

I recall that moment, and I am sure the Presiding Officer does as well. It was slightly after 2 o'clock, just a few minutes after 2 o'clock. Vice President Pence was presiding over the U.S. Senate as we went through the orderly, constitutional process of counting the electoral votes. I looked up from my chair to see the Secret Service come in and physically remove-quickly remove-the Vice President from that chair. The events that unfolded in the next few minutes were hard to imagine could ever occur in the United States of America. We were told to sit safely in our chairs, in that this was a secure Chamber, and be prepared for other staffers from around the Capitol to join us. Not 10 minutes later, a member of the Capitol Police stood before us and said: As quickly as possible, evacuate this Chamber.

It is hard to imagine this in the United States of America. We have seen the videos. We know what happened. There is no doubt as to what happened that day and what an impression it must have left on the rest of the world. What would we think, at this moment in time, if a mob with battering rams beat down the doors of Parliament and entered the House of Commons and the House of Lords? Would we not say on this side of the ocean, my God, what has happened to the United Kingdom? Can this government survive? Can that country survive? The same questions were being asked about America because of that insurrectionist mob on January 6.

The proposal was made-and it was a legitimate, thoughtful, good-faith proposal-to establish a bipartisan commission to get to the bottom of it-who was behind it?-and to ask the hard questions. What role did President Donald Trump play in what unfolded after his rally on January 6, 2021? Some people don't even want to raise the question, let alone hear the answer.

History demands the truth, unless we have reached the point that we saw in the times of the Soviet Union when they refused to print in their daily newspapers plane crashes. It was bad news, and they didn't want to peddle any bad news in the official partisan organ, Izvestia. No. That was the reality of the Soviet Union-deny the truth, rewrite history. We see the same thing occurring today, but the American people are going to learn the truth.

All three major broadcast networks and all but one cable news network will carry this evening's hearing live. What cable news network might not require the broadcast of this? I am going to guess FOX News, and I am right. Think about that for a second. Clearly, to FOX News, which profits off the Big Lie of Donald Trump, it matters more to continue that relationship than to tell the truth to their viewers.

The members of the Select Committee have undertaken their duty with uncommon courage, and I want to single out, in particular, Congressman

Adam Kinzinger from the State of Illinois. We are not close friends, but we have worked on a few things together. I have the highest regard and admiration for the courage that he has shown throughout this travail; and the fact that he would volunteer, against the wishes of the Republican House leadership, to make this committee bipartisan is a tribute to his citizenship and to his commitment to this Nation.

The same thing, of course, is true for Representative

Liz Cheney. She has a lot at stake. Representative



Kinzinger has announced his retirement. She continues to represent Wyoming, and I hope she will for many years to come. I may disagree with her on virtually every other issue, but I have respect for her courage in serving on this bipartisan committee.

#### FEDERAL BUREAU OF PRISONS

Mr. President, on another topic, it is no secret that the Federal Bureau of Prisons has been plagued by misconduct. One investigation after another has revealed a culture of abuse, mismanagement, corruption, torture, and death that reaches all the way to the top.

One of the most troubling investigations was published last week by National Public Radio and the Marshall Project. The title of the report reads: "How the Newest Federal Prison Became One of the Deadliest"-the facility in question I know well: U.S. Penitentiary Thomson. It is located in my home State of Illinois. In fact, it is a facility that I officially and originally encouraged the Federal Government to purchase in order to reduce overcrowding in high security prisons. The opening of U.S. Penitentiary Thomson was supposed to improve safety within the Bureau of Prisons, but the reality, sadly, has been the exact opposite.

According to this report, seven inmates at U.S. Penitentiary Thomson have died in just 2 years. Five of them were reportedly murdered by other inmates; two died by suicide. And those deaths are just a snapshot of the grim reality of this facility-the deadly, grim reality. The investigation paints a picture of rampant abuse by prison staff. This alleged abuse includes the excessive use of two kinds of painful restraints-ambulatory restraints and four-point restraints. The "four" refers to each of a person's limbs, which, under this technique, are chained to a concrete bed, rendering the individual immobile.

This is an American penitentiary. The Bureau of Prisons' protocol says **\*S2880** that these restraints should be used sparingly and only to momentarily-momentarily-restrain an inmate who presents an active danger to himself or others.

According to this report, some guards at U.S. Penitentiary Thomson have, apparently, made a habit of regularly using these restraints on inmates-not momentarily but regularly. In some cases, inmates have reportedly been left chained for hours and days.

A lawyer who has spoken with U.S. Penitentiary Thomson inmates said:

<The inmates> are denied food. They are denied water. Many of them report being left in their own waste. It's really akin to a torture chamber.

This is an American prison in my State.

The use of restraints and shackles has become so common, inmates have coined a term to describe the scars they leave on their arms and legs. It is known as the "Thomson tattoo."

The report also alleges that the staff at U.S. Penitentiary Thomson have gained a reputation for stoking tensions between cellmates. Make no mistake, this is a special management unit. These are inmates who can be very dangerous, and I understand that. I understood it when the penitentiary was opened.

One example that was highlighted in this report is indicative of the challenge. It was the murder of Matthew Phillips, a U.S. Penitentiary Thomson inmate who died in 2020. Mr. Phillips was a Jewish man with a visible Star of David tattoo. The corrections officers at U.S. Penitentiary Thomson reportedly locked Mr. Phillips in a recreation cage with two known White supremacists. These inmates beat Mr. Phillips until he was unconscious, and he died from his injuries 3 days later. Both men have since been indicted by the Justice Department on murder and hate crime charges.

Following the publication of this shocking report, I joined Senator

Duckworth, my colleague from Illinois, and Illinois Congresswoman

Cheri Bustos, sending a letter to the Justice Department's Inspector General Michael Horowitz. In it, we urged him to launch a full-scale, immediate investigation into the failures at Thomson prison.

I spoke with General Horowitz yesterday. He confirmed that his office is investigating the deaths at Thomson, along with many other abuses in the Bureau of Prisons.

But this report about U.S. Penitentiary Thomson is only the most recent look into the house of horrors that is the Bureau of Prisons, the Federal Bureau of Prisons. We already have ample evidence of a pattern of neglect and abuse that has been embedded in their bureaucracy.

Consider, for instance, the Bureau's overuse of restricted housing—the practice of separating inmates from the general prison population, isolating them alone or with one other person for 24 hours at a time. The practice can cause severe mental anguish for inmates and can severely harm the prospects for ever reentering society.

Much like the use of four-point restraints, restricted housing should, as the Justice Department noted in 2016, “be used rarely, applied fairly, and subjected to reasonable constraints.” That is the standard, the published standard, of the Bureau of Prisons.

During the Obama administration, I held two hearings, which are still fresh on my mind they were so gripping, on the issue of solitary confinement. Following those hearings, the Justice Department took steps to reduce and reform the Bureau of Prisons' use of restricted housing. We started to make real progress.

Unfortunately, the progress was erased during the Trump administration. And since the former President left office, the Biden Department of Justice has had plenty of time to change course and leadership. And I have urged them to do so.

A year and a half into this administration, nearly 8 percent of BOP inmates are still being held in restricted housing. That is the same level it was under President Trump. That is just plain unacceptable. The continued overuse of restricted housing and the alleged abuses at Thomson are among the many instances of misconduct and mismanagement that have occurred under the failed leadership of Bureau of Prisons' Director Michael Carvajal.

In light of those earlier reports detailing similar failures, I called for Mr. Carvajal's resignation last November. So it was welcome news when, about 6 weeks after I asked for his resignation, he announced it. Mr. Carvajal said he was going to resign.

But that was January. Now we are in June, and the Justice Department has shown little progress or urgency in naming Carvajal's replacement. As a result, he is still running and mismanaging the Bureau of Prisons.

This recent investigation at Thomson makes it clear there are no excuses for further delay. So today I am calling on President Biden, Attorney General Garland, and Deputy Attorney General Monaco to do one of two things; either name a new reform-minded Director to replace Carvajal immediately or appoint an Acting Director until a permanent selection is made. This cannot wait. We need to act before another inmate dies in the custody and care of this Federal Government.

In the coming weeks, the Senate Judiciary Committee, which I chair, will be holding a hearing on the Bureau of Prisons. We will examine these allegations of abuse at Thomson and other facilities. We need answers from the Biden administration on the failure to reduce the use of restricted housing, and we will discuss what BOP must do to address the staffing crisis that has contributed to this disastrous situation.

The crisis demands the attention of the highest ranking officials within the Department of Justice. It has been long overdue. It is time for us to have competent, principled leadership at the Bureau of Prisons.

I am not condemning every person who works at that Agency, for sure. I have met many of them and respect them. But those who are guilty of this misconduct need to be held accountable, and new leadership is imperative.

It has been a long time since we have had that kind of competent, principled leadership. I believe that Attorney General Garland and Deputy Attorney General Monaco will choose the right leader to clear out the bureaucratic rot and improve with significant reforms. But we need to act quickly. Lives are at stake.

I yield the floor.

The PRESIDING OFFICER.  
The Senator from Texas.

#### GUN VIOLENCE

Mr. CORNYN.

Mr. President, over the last couple of weeks, many of us have spent a lot of time thinking about the horrific shootings in Uvalde, Philadelphia, Buffalo, and elsewhere.

Unfortunately, these are familiar scenes that we have seen before, and we would like to try to find a way to reduce the likelihood of their reoccurrence in the future if there is anything we can do here in the Senate to make that possible. So I have been working particularly with Senator

Murphy, who was my partner on the Fix NICS bill that we passed in 2018.

Senator

Murphy comes from a blue State, Connecticut; I come from a red State, Texas. Yet, in that example, we were able to take the horrible events of Sutherland Springs, where innocent parishioners were gunned down at a small Baptist church outside of San Antonio, and take out of that tragedy something good, which is a bill we call Fix NICS, the National Instant Criminal Background Check System.

Since that was signed into law, 111/2 million new records have been uploaded into the background check system, and I believe that has saved lives.

You will recall, in that case, the shooter was a veteran of the U.S. Air Force, but, unfortunately, he had a troubled history: felony convictions, domestic violence, mental health adjudications. None of that was in the background check system. It should have been, and it would have disqualified him had it been known. But he did what so often happens; he lied, and then he bought-the lie and buy-and tragedy ensued. We were all sickened by these shootings, and we are hyperaware of the public interest.

The most common refrain I hear is: Do something. Do something. Unfortunately, it gets a little less specific after that what exactly should be done, and that is where the hard work begins.

But, as before, I am optimistic that we can find something that protects the rights of law-abiding citizens under our Constitution, under the Second Amendment, who, I believe, are not a **\*S2881** threat to public safety, and focus on people with criminal records, people with mental health challenges, like young Salvador Ramos in Uvalde, TX; like Adam Lanza at Sandy Hook.

The profile is pretty well established-young, alienated, disaffected, mentally challenged boys who lack access to treatment which will help them manage their mental illness and who descend into a pit of despair, ultimately resulting in their desire not only to harm themselves but to take other people with them. That profile is well established in the scientific literature. And the New York Times did an excellent piece a couple of weeks ago on that profile. So I think that gives us a little bit of a roadmap for the sorts of things we might do to deal with that.

What makes this more challenging than, for example, the Fix NICS bill after Sutherland Springs is that was a singular point of failure. Here, we see multiple points of failure, and I think we need to address as many as we can.

So as I mentioned, the mental health issue looms large. We know that during the 2 years, where many students were isolated at home, trying to keep up with their studies virtually, many of them have languished, many of them have fallen behind. And because they have been isolated from their peers at a time when their social development is the most important, many of them have fallen into despair, exacerbating underlying problems that they may have in the first place. So trying to figure out how to support our schools and our communities with resources needed to address the mental and emotional health of people who are struggling, particularly young students, that seems like an obvious area that we can work on together.

Obviously, school security is important. The initial reports in Uvalde were that the door was propped open that Salvador Ramos entered. Later, we found out that, no, it wasn't propped open, but the lock didn't work. He just walked right in.

There are a lot of studies and best practices when it comes to what is necessary to secure our schools. If we can secure our airports post-9/11, we can secure our schools to make sure that people who should come in and out of those schools can do so relatively easily but that outsiders cannot and particularly those who are a threat to the safety of those students.

I think all of us want to try to find ways to reduce the likelihood of something like this happening again, and school districts across the country are eager to get our help and guidance to harden their infrastructure to provide for the personnel, resource officers-that is the local police officer on the school campus. Those are things that I think would diminish the likelihood of another Uvalde.

Mental health and school safety seem to me as kind of no-brainers, in a sense, where I don't think there is a lot of division between that side of the aisle and this side of the aisle.

But we are also looking at ways to keep guns out of the hands of people who already, by law, are prohibited from having them. I am not talking necessarily about expanding the background check system; I want to make sure the background check system works.

What makes this challenging is Salvador Ramos showed up after his 18th birthday as if he were born yesterday. For purposes of the background check system, there was no insight into his many mental health challenges or terroristic threats of fellow students, potentially drug use, and other things that if he were an adult, he could not pass a background check. But because of the fact that juvenile records are typically sealed and are not part of the NICS review, the merchant who sold him the firearms he used didn't know anything about his track record.

But we know how, as I said earlier, that he fits a familiar profile. He shot his own grandmother because she wanted him to go back to school after being out of school for the last 2 years. He engaged in self-mutilation, self-cutting, tortured animals, made threats against his fellow students, threatened sexual assault against his fellow female students, and made threats that he would, in fact, do what he ultimately did online. He was a ticking timebomb.

So if there is some way for us to look back into the sorts of records that would disqualify an adult if they had occurred post-18-because they would have been public records available to the National Instant Criminal Background Check System-if

there is a way to look back and identify people like Salvador Ramos, who, by virtue of his mental health and other problems, we would know he should not be able to purchase a firearm legally.

A couple of States-I think it is South Carolina and Virginia-voluntarily upload mental health adjudications for 17-year-olds. We can't compel other States to do that, but we can sure provide-we can facilitate other States doing so and incentivize their populating the NICS background check system with this necessary information for juveniles, who ultimately will end up-they will turn of age and be able to buy a firearm, and we need to know ahead of time, for purposes of the background check system, what those records look like.

So there are a number of things that we could do. One suggestion is, for example, to take a look at the background check process itself for 18to 21-year-olds in particular since that is the population we are focusing on based on this profile.

Under current law, if you go in and buy a firearm and you have a clean record, you can pass your background check pretty quickly. In 90 percent of cases, that is actually what happens. The average processing time is 2 minutes. In most cases, the system returns a binary result: You either pass or you don't pass, you fail. When you fail, that means you can't purchase a firearm.

Now, the Congress, the Senate-in particular, Senator

Coons from Delaware and I sponsored a bill that would notify local police when somebody goes in to take a background check and fails because they don't qualify. Many times, the local law enforcement knows more about these people and would be interested to know that they tried to illegally purchase a firearm and were denied.

But in about 10 percent of the gun purchases, the background check is not resolved immediately. The system returns a yellow light, which means additional review is required. For example, if you have a common name like John Smith, the search may pull records for somebody else, for the wrong person with the same name who is prohibited from purchasing a gun. It could also be caused by incomplete criminal history-for example, if somebody is convicted of assault but on further examination, you find out it was domestic violence, which is a prohibited category. You would also learn whether it was a felony or a misdemeanor.

In those cases, the FBI, under current law, already has 3 days in which to complete the background check. The problem is, under current law, there are no finish-the seller still sells the gun, and we have an incomplete record.

Dylann Roof, I believe, was the name of the shooter at the Mother Emanuel Church in Charleston, SC. As it turned out, he had a misdemeanor drug offense that was not uploaded into the background check system.

Now, it is a disqualifying condition if you are addicted to or a frequent user of illegal drugs, but because the background check system did not allow enough time to include that information-maybe, just maybe, he would have been denied the purchase of the firearms that he ultimately used to kill those innocent people that day.

So what we are looking at is the possibility of-in those cases where there is what I will call a yellow flag or an indication that further review is necessary-an extended period of time, for this class of purchasers between 18 and 21, for the background check system to complete their review.

Well, I have said it before, and I will say it again: I don't believe law-abiding, mentally well gun owners are going to commit mass shootings or are a threat to public safety. I know within the Senate, we have a number of people who are sportsmen; who enjoy target shooting, let's say; who believe that they need to exercise their Second Amendment rights in order to protect their family and their homes. They are not a threat. So blanket limitations or prohibitions on those law-abiding citizens who are not a threat to public safety and never will be, to me, strikes as overreach.

We are not talking about a discretionary right; we are talking about a \*S2882 constitutional right. But I do believe that the Second Amendment and sound public policy are not mutually exclusive here, and that is the needle we are trying to thread here. So adding juvenile records to the NICS system is a commonsense way to ensure we have a complete picture of the buyer's history.

Then, of course, there is the scandal of our mental health delivery system in the United States today. Back in the sixties, when people who had mental health challenges were institutionalized, we finally figured out that that didn't work very well; it was inhumane. The theory was that there would be created some safety net in communities across the country where people could turn; where the police, if they answered a 9-1-1 call and they realized that this isn't a criminal, that this is somebody going through a mental health crisis-where the police could take people where they could actually get help, get treated, get counseling, and get better. That doesn't exist today in many communities-in the major cities perhaps, even in suburban areas, but Uvalde, TX, population 15,000, not so much.

So we are looking at ways to expand the community-based mental health system. Senator

Stabenow and Senator

Blunt have a great proposal that would extend the current eight-State pilot program nationwide. Now, is that solely related to what happened at Uvalde or what happened in Buffalo or what happened in Philadelphia? No, but it would address the larger underlying challenge of more and more Americans falling through the cracks.

While we know most people in a mental health crisis are not going to commit acts of violence, we also know that 60 percent of the gun-related deaths are suicides. And as it occurred to me like a light went off in my head, Salvador Ramos, Adam Lanza, and others of this profile of young men, in addition to the multiple homicides they commit, they commit suicide. They know they are not going to make it out alive.

So addressing this mental health crisis that affects our country and particularly where we fail these young men who feel like they have nowhere else to turn, who become increasingly isolated, become increasingly desensitized to the idea of taking someone's life because they are sitting in their room playing video games, killing people virtually all the time, and then, in their bizarre fantasies, decide to extend those fantasies to taking not only their own life but the lives of other innocent people.

So this is challenging, Mr. President, and there is no doubt about it, but we can do this. We can do this. Sometimes politics is called the art of the possible, and I think this is possible. Is it going to be perfect? Are we going to not have to revisit some other scenario where people have fallen through the cracks or where vulnerabilities are exposed? No, we can't be sure that this is one and done. But I do believe there is a sense of urgency, not only here in the Congress but in the White House and across the country. We have all heard from our constituents, who are in anguish over what has happened in Uvalde and elsewhere. The cry is to do something. Like I said, that is not very specific. And I understand, but it is up to us to try to find what is the right set of policies that would respect the rights of law-abiding citizens under the Constitution but at the same time address what we know is a huge mental health crisis in this country and make sure that the systems that are in place work, like the National Instant Criminal Background Check System.

We need to populate that system with the relevant information that would disqualify somebody, if they were an adult, if it occurred while they were a juvenile. There are ways we can do that. We can incentivize that. We can take a look back in some cases. We can allow the National Instant Criminal Background Check System, in those limited cases where they need to do further review, to see that the information is complete.

We can figure this out, and I think, on a bipartisan basis, there is a will to do so. Around here, if there is a will, there is a way, and I believe we do have the will and we will find a way.

I suggest the absence of a quorum.

The PRESIDING OFFICER.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MORAN.

Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER.

Without objection, it is so ordered.

Mr. MORAN.

Mr. President, secondly, I would ask unanimous consent that I be allowed to speak even though it may go a moment or two longer and that the vote be delayed to allow me to complete my remarks.

The PRESIDING OFFICER.

Without objection, it is so ordered.

#### HONORING OUR PACT ACT OF 2021

Mr. MORAN.

Mr. President, I want to speak this morning really to America's veterans and provide an update on our work to get our toxic exposure legislation across the finish line.

The Senate is in the midst of considering the Sergeant First Class Heath Robinson Honoring Our PACT Act. This is historic. It is bipartisan.

I hope that we can keep it becoming, when something is bipartisan, that it is historic because we ought to be able to solve these problems for veterans and really for Americans in a way that brings us together and not pulls us apart, and this is an effort to show that that can be done. This legislation will deliver on a promise we made as a country to take care of our service men and women, both when they deploy and when they come home.

The Heath Robinson Act will provide access to healthcare and benefits for millions of veterans who are sick from illnesses connected with toxic exposures.

When we send our warfighters into harm's way, it is with the understanding that we will have their back. When they come home bearing physical, mental, or invisible wounds of war, we care for those wounds. Toxic wounds should not be treated differently.

John Buckley, a retired U.S. Army colonel from Andover, KS, told me:

Our Soldiers were put into dangerous situations in Iraq and Afghanistan. And many who suffered from their wounds or made the ultimate sacrifice have been cared for by our nation. Unfortunately, many too have been overlooked and ignored. Especially those who are suffering from injuries after having recurring and prolonged exposure to toxic fumes, burn pits and other environmental hazards.

This legislation is designed to address what the retired colonel told me.

Another Army colonel, this one from Leavenworth, KS, Pat Proctor, who served in Iraq and Afghanistan, shared that many of the men and women he served with are facing health challenges from being exposed to toxins while deployed. He said:

There is no telling-<there is no telling>-how many of us will be impacted as we get older.

I know many of our veterans live with the lingering fear, will the toxic exposures from their service catch up with them and leave them with a debilitating disease? And if that happens, will the VA be there? Will Americans be there for them with the healthcare and benefits they need?

William Turner, the former deputy commander general of support for Kansas's own Fort Riley First Infantry Division, told me:

Our Veterans have served in multiple locations where they have been exposed to a number of toxins that have resulted in them developing serious illnesses, and they often struggle to gain access to health care and benefits that help alleviate some of the pain and suffering they are experiencing.

Sometimes we think these issues are something people in Washington, DC, are talking about, but what we are trying to address is the real circumstances of real Americans who have served our Nation and who are deserving of our attention.

The former deputy commanding general went on to say-to note this:

It is absolutely imperative that we pass this bill to guarantee exposed veterans receive permanent access to health care.

Moving legislation through Congress can be a slow and frustrating process. However, this week, when the Senate began debate on our bill, I was encouraged by the resounding show of confidence. This bill-to move forward on this bill, that vote was 86 Senators in favor.

We are now focused on an amendment process and will continue working as quickly as the Senate will allow to get this bill to the House and back on its way to the President's desk.

Whether Democrat or Republican, every Member of this Chamber represents veterans at home, and I firmly **\*S2883** believe that every Member in this Chamber cares about those veterans. Issues related to veterans often have a way of bringing us together to find consensus, and that is what we have been attempting to do and we will continue to do as we sort out what amendments could be considered.

We were able to deliver veterans choice through the MISSION Act, landmark mental health legislation through the John Scott Hannon Mental Health Improvement Act, and I believe we can do that again on this legislation to deliver care and benefits to all generations of toxic-exposed veterans.

This country is good at recognizing the physical wounds of war, and we are getting better at recognizing the mental wounds of war, but no longer can we ignore the wounds of war from toxic exposure-the wounds, like Agent Orange before it, that may not arrive until years later.

Throughout the remaining procedural votes on the Heath Robinson Act, I urge my colleagues with remaining questions or concerns to reach out so we can all, together, deliver on this promise to those who have borne the battle. I look forward to working with my colleagues to see that this bill crosses the finish line soon.

I yield the floor.



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Congressional Record --- Senate  
Proceedings and Debates of the 117th Congress, Second Session  
Wednesday, May 18, 2022

**\*S2560 EXECUTIVE CALENDAR-(CONTINUED)**

The PRESIDING OFFICER.  
The Senator from California.

JUDICIAL NOMINATIONS

Mr. PADILLA.

Mr. President, for many people-not just here in and around the Capitol but across the country-the past few weeks have been a wake-up call-a wake-up call to see the stakes of our fight for a fair judiciary.

From abortion rights to free speech to gun violence, Federal judges make countless decisions that impact our daily lives. We have been reminded of that in a very significant way. But our current Federal bench is not representative of the diversity of our country and our democracy. We have a lot of work to do to rebuild the judiciary in a way that deserves the faith of the American people, to build a judiciary that reflects and represents the diverse Nation that it serves.

I know we have talked about it before. We have been chipping away at it, not just through the Judiciary Committee but through a number of circuit court judges and district court judges across the country, including in California.

I am certainly proud of the significant step that we took recently with the confirmation of soon-to-be Justice Ketanji Brown Jackson. But for all the progress we have made this last year, we still have a lot of work to do, especially at the lower court level, where almost all Federal cases are heard. Many are decided there, and that is it.

That is why I continue to work closely with the Biden administration to recommend and support talented nominees for California's district courts-nominees who will bring a wide range of professional and lived experiences to the Federal bench.

So, today, I rise to highlight three outstanding nominees to California's district courts.

First, the Senate will soon vote on the confirmation of Judge Trina Thompson to become a judge for the Northern District of California.

Judge Thompson has deep roots serving the community of Alameda County. After earning her undergraduate degree and her JD from UC Berkeley, she began her legal career with the Alameda County Public Defender's Office; and, eventually, she built a successful solo practice in criminal defense.

Over the next decade, she handled dozens of criminal trials, and she continued to work with the county public defender's office to take on pro bono clients in the community. A legal trailblazer, Judge Thompson became the first Black woman to win election to serve as a judge in Alameda County. She has continuously demonstrated her sense of fairness, her commitment to justice, and her dedication to the rule of law. I know that Judge Thompson will continue to pave the road for equal justice on the Northern District bench.

I urge my colleagues to support her nomination.

Second, the Senate will also soon vote on Judge Sunshine Sykes' confirmation to become a judge for the Central District of California.

A member of the Coyote Pass Clan of the Navajo Nation, Judge Sykes is devoted to pursuing justice, especially for those who have too often been left behind by the legal system.

Judge Sykes earned her undergraduate degree and her JD from Stanford University. After law school, she chose to begin her legal career working for the California Indian Legal Services. There, she built a tremendous reputation as a skillful adviser and advocate for Tribes on a wide range of legal matters, from addressing domestic violence to developing Tribal courts and preserving cultural resources. She also developed an important expertise in juvenile dependency cases under the Indian Child Welfare Act.

Recognizing Judge Sykes' outstanding work, then Governor Jerry Brown appointed her to the California Superior Court in 2013. Over the past 9 years, she has presided over nearly 100 cases.

She will bring an impressive legal record, work ethic, and an appropriate sense of empathy to her judgeship in the central district.

If confirmed, Judge Sykes will also be the first Native American to ever serve on a Federal court in California. I will remind us that California is home to more federally recognized Native American Tribes than any State in the Nation.

I look forward to her distinguished service in the central district.

Finally, I would like to speak for a moment, as well, about Judge Sherilyn \*S2561 Peace Garnett, who was confirmed last month to serve on the U.S. District Court for the Central District of California.

Judge Garnett brings an outstanding record as a lawyer, as a jurist, and a public servant committed to equal justice.

Judge Garnett earned her undergraduate degree from UC Riverside and her JD from Harvard Law School. After starting her career in private practice, Judge Garnett became an assistant U.S. attorney for the Central District of California. She spent 13 years serving that office, earning numerous awards and rising to a number of leadership positions.

Recognizing her hard work and record of excellence as a litigator, Governor Brown appointed Judge Garnett to the Los Angeles Superior Court in 2014.

For 8 years, she served with distinction as a superior court judge and a justice pro tem on the California Court of Appeal. She now brings this experience to the Federal bench as a judge for the central district.

Voices like hers-and the voices like that of Judge Thompson and Judge Sykes-have been left out of the judiciary for far too long. All three of these nominations of outstanding women, women of color, represent important progress. So I celebrate each of these jurists, and I thank them for their willingness to serve.

With each of their confirmations, we take another important step closer to the fair judiciary that this Nation deserves, toward the justice system that our democracy deserves.

Mr. President, I am so proud of the progress we have made in California. I look forward to working with you and our colleagues and with the Biden administration to continue this important work.

With that, I yield the floor.

The PRESIDING OFFICER.  
The Senator from North Carolina.

#### NATIONAL POLICE WEEK

Mr. TILLIS.

Mr. President, I rise today to honor our brave, hard-working men and women in law enforcement as we celebrate their service during National Police Week.

This week, thousands of law enforcement officers and their families will visit our Nation's Capitol to honor those who serve and those who have made the ultimate sacrifice to keep our community safe.

Over the past year, North Carolina has tragically lost three law enforcement officers in the line of duty. This doesn't include the numerous law enforcement officers who have also lost their lives over the last year due to other causes, including some due to COVID-19.

But I would like to take a moment to honor the three officers who lost their lives while protecting those they served.

Last October, we lost Ryan Hayworth of the Knightdale Police Department after his patrol vehicle was hit by a drunk driver.

Officer Hayworth was only 23 years old, and he had already established a distinguished record of service. He was in the U.S. Army and the National Guard.

He answered the call again by becoming a police officer, following in the footsteps of his father, who was a longtime chief of the Zebulon Police Department, and his brother, who is a firefighter.

Last December, only 2 days before Christmas, in my home county of Mecklenburg, we grieved the loss of CMPD Officer Mia Danielle Figueroa-Goodwin.

Officer Figueroa-Goodwin, only 33, tragically was killed when a tractor trailer hit her patrol car as she was working to keep drivers safe following a previous crash.

Officer Figueroa-Goodwin had served CMPD for 6 years. She had a beautiful family, survived by her husband and three young children, including a four-month-old baby.

In January, we lost North Carolina State Trooper John Horton in a tragic accident with another patrol vehicle as the area was faced with icy and dangerous driving conditions. The accident also tragically took the life of another driver.

Trooper Horton had served for 15 years, and he is survived by his wife and 6 children.

The incredible sacrifice of our brave men and women in blue can take many forms. Last month, an act of incredible bravery by North Carolina State Patrol Trooper Cody Thao captivated North Carolinians. When a suspected drunk driver's car was barreling the wrong way down a highway exit ramp, Trooper Thao bravely put himself and his patrol car in the way to stop the driver from hurting or possibly killing others. Instead of speeding the wrong way on the highway, the suspect was stopped by Trooper Thao's split-second decision to angle his car and let the car hit his patrol car.

This act was filmed by Trooper Thao's dashboard camera, and his bravery has been broadcast literally to the world.

Trooper Thao's selfless decision undoubtedly saved lives and serves as a reminder of the danger our law enforcement community faces each and every day to keep us safe.

I am deeply encouraged by the outpouring of support from North Carolina communities for our brave, hard-working law enforcement officers. And I should say that I am happy to see the same across all States in the Nation.

But there are some folks who want to talk about anti-police policies. I don't think people back home in North Carolina or across the United States are buying it. I believe most people back home and across this beautiful country respect and support law enforcement.

The American people understand that law enforcement officers make our communities safer and stronger. They understand that proposals to abolish and defund the police are out of touch with reality. The reality is that rhetorical attacks on law enforcement only serve to encourage physical attacks on law enforcement.

FBI Director Chris Wray raised the alarm just a few weeks ago when he told the American people that "Violence against law enforcement in this country is one of the biggest phenomenon that I think doesn't get enough attention." I agree with Director Wray.

While attacks on our brave men and women in blue may not get enough attention in the national press, our local communities recognize the tremendous sacrifice given by those who protect and serve.

We must stop the tide of violence against law enforcement in this country. That is why I am proud to have introduced the Protect and Serve Act. This commonsense legislation would make it a Federal crime to intentionally assault a law enforcement officer. This bill has also received bipartisan support in the past and, I believe, would make a strong statement to criminals that assaulting law enforcement is inexcusable.

With the Protect and Serve Act, criminals would be on notice that an assault on law enforcement is an assault on all Americans.

Each year, we take this week to celebrate those who serve and protect public safety.

These heroes deserve our gratitude 24/7, 365. I hope my colleagues will help me fight for the men and women in blue. They need us more than ever.

As I often say when I am back in the State of North Carolina, if you get an opportunity to see a law enforcement officer today, thank them for their sacrifice.

The PRESIDING OFFICER.  
The Senator from Iowa.

#### ISSUES FACING AMERICA

Ms. ERNST.

Mr. President, etched in marble above the chair you are sitting in is the Latin phrase "E Pluribus Unum," meaning "out of many, one."

Despite our differences, the union among our respective States as a single nation expressed by this motto has endured for nearly 250 years. The principles of liberty and equality upon which our Nation was conceived have not only survived but continued to flourish and expand from one generation to the next.

Many of us who are Members of this body would not have been eligible to cast a vote, much less serve in Congress, not so long ago. We stand here as real, live proof that the American experiment in self-determination has been a success unlike any other in history. This triumph has been made possible by the institutions established by our Founders to serve as guardrails to ensure liberty and maintain order while preventing tyranny.

Today more than ever, those institutions are under attack by the intrusion \*S2562 of a woke counterculture that has taken over the Democratic Party. They condemn America as culpable rather than exceptional and embrace socialism, a system in which government controls everything.

Under the spell of these radical elements, the Democrats have unleashed a strange multiverse of madness in which reality no longer has meaning and the foundations upon which our Nation was built are being turned upside down and inside out or destroyed altogether.

The left tells us to trust the science and to believe all women-yet they can't even define what a woman is-and that criminals are victims and the law enforcement officers who risk their own lives every day to protect us are somehow the real perpetrators of injustice. Now they want Washington to be the arbiter of truth. That is right, folks. The Department of Homeland Security, which should be focused on securing our borders, is now trying to police what the Biden administration deems disinformation. It sounds like a novel idea, and by that, I mean George Orwell's novel "1984" in which the Ministry of Truth pushed state propaganda which was the exact opposite of truth.

This attempt to control what you can and cannot say is not only an attack on our First Amendment, which guarantees freedom of speech and the press, but an assault on truth itself. We don't need anyone in Washington-especially Joe Biden, who is factually challenged himself-telling us how to think or what to say. That may be how things are run in socialist countries like Russia and China but not in America, the land of the free.

The Senate itself is a prime target of this effort to undermine America's institutions by silencing opposing views. The Democrats are determined to end the Senate's long tradition of unlimited debate that has long guaranteed all voices can be heard. Senator

Schumer once said that eliminating the filibuster would be "a doomsday for democracy." He then ignored his own apocalyptic warning by voting to nuke the filibuster for executive and judicial nominations. In doing so, the Democrats, minus

Joe Manchin, threw away the only leverage the minority party in the Senate has to influence Presidential appointments, including lifelong terms on the Court.

You would think they would have learned their lesson about how shortsighted that decision was, but they haven't. Now Senator

Schumer is determined to do away with the legislative filibuster so he can push through the Democrats' radical plan to remake America by giving Washington control of how voters select their representatives and stacking the **Supreme Court** with liberal Justices who will legislate from the Bench rather than interpret the law through the lens of the Constitution.

Democrats have long been working to discredit and undermine the independence and legitimacy of the **Supreme Court**. The Senate majority leader himself has publicly issued personal threats against specific Justices, warning that if they do not rule as he desired, they will "pay the price."

Earlier this month, for the first time ever, a draft opinion of a pending case before the **Supreme Court** was leaked to the media. Chief Justice John Roberts called the unprecedented breach of the Court's confidential deliberations a "betrayal of the confidences of the Court . . . intended to undermine the integrity of our operations."

Following the cues from the majority leader, radical activists are harassing **Supreme Court** Justices in an effort to intimidate and influence their verdict.

Folks, this madness has got to end. This woke crowd is living in an alternate universe that is devoid of reality where our Nation and those who founded it are now the enemy. It is all very strange because no serious study of history can look at the impact made by our great Nation, especially in the last century, and conclude that the world is not considerably better off as a result of the American Revolution.

America led the world to end fascism, defeat communism, and counter terrorism. At home, we expanded the right to vote and ended segregation. And there are countless brave men and women from all walks of life who have answered the call of our Nation, who are stationed around the globe at this very moment, ready to sacrifice all to defend freedom and stop tyranny.

Our system of self-government has lived up to and surpassed the promise of our Founders to form a more perfect Union, establish justice, ensure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity.

All of this will be lost if we give in to the demands of the angry woke mob, which seeks to destroy the foundations that have long guided us and held us together as one Nation, indivisible, with liberty and justice for all.

I yield the floor.

The PRESIDING OFFICER (Mr. Padilla).  
The Senator from Utah.

U.S. **SUPREME COURT**

Mr. LEE.

Mr. President, the basic purpose and function of the U.S. Constitution is to protect the American people from the dangerous accumulation of power at the hands of the few. You see, that kind of protection is necessary to make us free. In that respect, it is the structure of our government, set forth in the Constitution, that truly makes us free. It is the bulwark against what would rob us of our freedom.

The Framers spent those hot summer days of 1787 in Philadelphia principally debating the structure and role of the Federal Government. Through the centuries of this great American experiment, it has been the structure of our government, not simply the Bill of Rights or other substantive provisions-it has been the structure that has been the most effective protection from waves of oppression and the whims of dictatorship.

Tragically, under the auspices of CRT, unrestrained progressivism, and a false sense of national destiny, the modern left has embarked on a campaign of sorts to condemn the Founders, to tarnish the Constitution itself, and deface the structure and institutions that protect our liberty. Progressives have been astoundingly, shockingly, effective.

Unfortunately, this effort to seize power to enact a radical agenda, no matter the cost, is not a new tactic of the Democratic Party. President Franklin D. Roosevelt engaged in an institution-shaking campaign to pressure the **Supreme Court** to consent to and accept with constitutional infirmities his radical New Deal agenda.

He wanted to pack the **Supreme Court** by increasing the number of Justices to appoint his own political loyalists who would then do his bidding. His threats to the structural Constitution of the United States led to the infamous "switch in time that saved nine."

Now, Roosevelt's plan to pack the **Supreme Court** failed as a legislative matter. When it got to this body, when it reached the Senate floor, it didn't go anywhere, but it left a lasting mark, and it has not been a favorable one.

Legal scholars, historians, politicians, and people of every stripe and political persuasion have since then condemned this. For example, this Court-packing campaign has been called a "bad idea" just in the last few years by the late Justice Ruth Bader-Ginsburg. It was likewise called "a bonehead idea" by then-Senator Joe Biden. And yet today many Democrats are returning to that rejected notion and, like a dog to its vomit, going back to a bad idea that was bad then and remains bad now.

The **Supreme Court** has consisted of nine Justices since 1869, over 150 years. It is a settled number that most Americans agree should stay. Not one person has argued that we need to increase the number of Justices because of a human resources problem or a workforce problem. No, it is not that; it is rather that they want to influence the outcome of decisions. They want to politicize the Court.

Tragically, the independence of the judiciary is thus being threatened, and it is being threatened, I would add, on several fronts. You have got misguided groups like Ruth Sent Us, along with others, that have attempted to pressure conservative Justices by protesting at those Justices' homes and places of worship.

When you show up to someone's home, the home of a public official, especially if that person is a judge or Justice, it is unlawful; 18 U.S.C. section 1507 plainly prohibits that because you are trying to influence them. You can't do that. It is unlawful. In fact, that is a Federal felony, a serious one in fact. \*S2563

It is a serious offense because when you show up at the home of a public official like that, regardless of whatever else you might say or what the signs you are carrying might have printed on them, the lasting message, whether these words are spoken or not, is, "We know where you sleep." That is an implicit threat of physical violence.

On other fronts, you have got certain Members of Congress, including some Members of this body, who are willing to place the Court's independence at risk. You have got some Members of this body, including the senior Senator from Massachusetts, who went out and screamed with some of the same protesters in front of the **Supreme Court** and has written an op-ed for a local paper stating her intent and her desire to pack the **Supreme Court**, while pioneering the hashtag "ExpandTheCourt." I would venture that the Court is much more popular nationally than is her agenda.

But popular acclaim and the support of the constitutional structure of the United States is, of course, not the goal of the modern left. Their goal is power. Fittingly enough, the ambition of individuals is precisely what the Constitution is designed to restrain.

It is working as intended. James Madison wrote of the Constitution in Federalist 51:

If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and <then> in the next place, oblige it to control itself.

I pray that my colleagues supporting this dangerous effort will exercise the self-control of our constitutional form that our constitutional form of government requires. We have all sworn an oath to that, and that oath requires us to take into account the form and the role that it plays in protecting our freedom.



The current efforts to undermine and delegitimize the Court are multifaceted and have included the unprecedented treatment of Republican-nominated nominees to the Court, including the public high-tech condemnation of Clarence Thomas and the similarly unfounded attacks on Brett Kavanaugh, on Sam Alito, and on other Republican nominees to the Court; Senator

Schumer's very public attempt to intimidate the Court by standing in front of the **Supreme Court** Building during oral arguments in a Louisiana abortion case, June Medical, shouting: "I want to tell you Gorsuch, I want to tell you Kavanaugh, you have released the whirlwind and you will pay the price. You won't know what hit you if you go forward with these awful decisions."

The Constitution is a structure. It is a process and an organization. When Democrats threaten another branch of government for political ends, they threaten that structure itself. It is dangerous. It is wrong. And I pray for the sake of our Nation that it never succeeds.

To that end, every Member of this body should be condemning these efforts and condemning the efforts of those described in the Axios article that ran today explaining that the Department of Homeland Security is now having to investigate serious credible threats of people wanting to burn down the **Supreme Court** of the United States, people wanting to assassinate **Supreme Court** Justices and law clerks.

We must all condemn them. And I hereby do so in the strongest terms I am capable of communicating.

The PRESIDING OFFICER.  
The Senator from Missouri.

Mr. BLUNT.

Mr. President, in late 2016, soon after the Presidential election of that year, there was a significant portion of the political left that began referring to itself as "the resistance."

Apparently, these people were bent on fighting whatever the new President might try to do, only because of who the new President was. There were signs in yards. There were people who painted their garage door with "the resistance" on the garage door.

They weren't arguing against specific policies; they weren't making a rational effort to win support for their side; they were just trying to throw sand in the gears of the executive branch and interfere with how the government serves the people. One Senator on the floor of the Senate said: "The resistance starts here."

Now, they did it while trying to cloak themselves in maybe the compelling language of "the resistance," as if in their minds they were starring in the World War II movie "Casablanca," where the resistance was the heroes as they were all over World War II.

The damage "the resistance" was willing to do to the executive branch of our government was bad enough. On the floor of the Senate, at virtually every nominee the President nominated, the minority insisted on 30 hours of debate. We finally had to change that rule to 2 hours of debate, which those in the majority now know is a big enough challenge without 30 hours of debate. And I think the average time used was closer to 20 minutes, during that 30 hours, than 30 hours.

But 30 hours still had to be set aside. No other business could occur. People were nominated early on for Ambassadors to countries, for instance, that they eventually got to serve 1 year in because that "resistance" element appeared right here as well.

Then the group of political activists began to insist that we degrade the legislative branch as well, trying to change the Senate to get rid of the motion to proceed. And, frankly, ever since Democrats got control of the Senate, by the smallest margin possible, there has been a constant discussion of why we should change that rule.

Of course, many of us understand the so-called filibuster rule is what makes the Senate. President Biden said, when he was a Senator:

<A>t its core, the filibuster is not about stopping a nominee or a bill, it is about compromise and moderation.

End the quote that he made at the time that I agree with now.

Many of the people who have been calling to end the filibuster changed their tune, not because something changed in America but because they are now in charge. And without the filibuster, we would see wild swings in policy when different parties would take control of the majority of the Senate, and we see that constantly in the House now. A lot of bills pass, and very few of them get to the President's desk. When the other party gets in control, they pass bills that reverse what the earlier majority passes, and, frankly, very few of them get to the President's desk either because the Senate has to take a little more time to think about what direction the country really wants to go in.

In the last 20 years or so, complete control has happened four times, alternating between Democrats and Republicans. That is a lot of time for the pendulum to swing and the potential for bad ideas to become law without something to make us think about that before we head in that direction.

At a time of razor-thin margins in the House and Senate, activists should be extra careful about getting rid of institutional guardrails. Their efforts have failed so far because there aren't enough Senators from both parties who are willing to make that change, but that doesn't mean they won't keep trying.

In fact, I am confident we will continue to hear that, and I am also confident their position will change as soon as they are in the minority and don't get what they want.

This brings us to the disappointing effort we have seen to damage the third branch of government: the judiciary. For more than a year, we have seen some people on the left try to apply political pressure on the Court to rule in a particular way.

The Senator from Utah just gave us an example of that. I am going to repeat it. It is probably worth repeating. In March of 2020, the Democratic leader of the Senate spoke to a crowd in front of the **Supreme Court** Building, and he said:

I want to tell you Gorsuch, I want to tell you Kavanaugh, you have released the whirlwind and you will pay the price.

Now, what would that possibly mean? If you are in the **Supreme Court** you have got a lifetime job, so the price clearly was not losing your job. What price was the Democratic leader suggesting and saying on the steps of the **Supreme Court** you would have to pay? And this is while the Court was inside hearing arguments on the case.

And the Leader added:

You won't know what hit you if you go forward with these awful decisions.

That kind of language has no place and really no legitimate purpose.

**\*S2564** This is not the kind of language that we need to use.

Our colleagues on the other side of the aisle have talked about introduced legislation to add new Justices to the Court to pack the Court.

Judges should rule based on the law, not on their partisan allegiance. That is not a new idea, but countries rarely manage to put it into practice.

The American judicial system became the envy of the world precisely because of its independence. Renowned historian of the American Revolution Gordon Wood has described it as the creation of judges who are "agents of the sovereign people somehow equal in authority with the legislators and executives."

An independent judiciary is a critical element of the unique balance of power the Constitution created. Justices have frequently ruled against Presidents and parties that put them on the Court. Some of the most prominent, politically sensitive **Supreme Court** cases in history have involved Justices ruling against the parties that put them in power, including *United States v. Nixon* in 1974. And Harry Truman, who put his name on the desk that I am speaking from, would certainly have preferred not to lose the so-called steel seizure case of *Youngstown Sheet and Tube v. Sawyer*, but he accepted it without threatening any of the Justices, without plotting to increase the size of the Court, even though the vote against it by, for instance, Fred Vinson, the Chief Justice who had been his Secretary of the Treasury and lifelong-in terms of Senate service-friend and his nominee to be the Chief Justice, voted the other way.

The supporters of these changes are calling very loudly, but, just like the damage that they sought with their resistance of the executive branch, their efforts to break the Senate, they could do lasting, even permanent damage to the judiciary. Once the Court has been clearly politicized, it would be hard to ever bring it back.

I am concerned about the anti-institutional fervor we see going on today. I hope it does not produce the stated results and goals.

I yield the floor.

The PRESIDING OFFICER.  
The Senator from Iowa.

Mr. GRASSLEY.  
Mr. President, I ask unanimous that Senator

Fischer and I be permitted to speak for up to 5 minutes each before the vote.

The PRESIDING OFFICER.  
Without objection, it is so ordered.

Mr. GRASSLEY.

Mr. President, when Democrats blew up the filibuster for nominees some 8 years ago, Republicans warned then that they would regret that move when the tables were turned. It seemed like such short-term thinking on the Democrats' part, but I have said before that progressive ideology has many Democrats convinced that they are, so to speak, on the side of history in the long run.

If you believe history is heading only in one direction and that direction is your way, you don't worry about the pendulum swinging back. That explains why they broke from 200 years of precedent to filibuster conservative judges nominated by President George W. Bush and then expressed shock and outrage when their own precedent was used against them under President Obama. That ideology also explains why Democrats can passionately defend the filibuster one day as a vital protection

for the minority and then just months later, after taking control of a 50-50 Senate thanks only to the Vice President's tie-breaking vote, call the filibuster racist.

The phrase "demography is destiny" as applied to politics today is another version of progressive ideology. The assumption with "demography is destiny" is that ethnic minorities who tend to vote Democrat are bound to vote that way forever, so they support an open-border policy, with a push for amnesty, even if it green-lights human trafficking and lets the lethal fentanyl pour into the bloodstreams of young Americans, driving down life expectancy in our country.

Progressive Democrats assume more Hispanic citizens means more votes for them and then, somehow, a permanent majority.

Let me remind you that Republicans thought that, after the elections of 1994 and 2010, that we would have a permanent majority. It didn't work out that way. Just like the Irish and Italians of the late 1800s and early 1900s, Hispanic citizens who have assimilated into the fabric of our Nation do not vote as a bloc.

So, just maybe, that is why the left seems increasingly desperate to stoke identity politics and racial division. Such thinking leads to counterproductive calls to, as an example, defund the police, followed by a desperate attempt to do a 180-degree turn when crime spikes and the very communities they sought to pander then end up suffering.

Remember how so many prominent Democrats felt compelled to defend and justify rioters they deemed to be on their side? Now Democrats insist not just on prosecuting January 6 rioters, as we should with all rioters, but on weaponizing that horrible day for political purposes.

They decry disinformation. They decry conspiracy theories on the right about the election while perpetuating conspiracy theories on the left. Remember the absurd claim that because the Postmaster General supported President Trump, absentee ballots wouldn't be delivered in the 2020 election? It caused a lot of unnecessary worry for many Iowans who vote absentee.

Democrats call for supporting our elections while at the same time touting false claims of systemic voter suppression, deeply undermining faith in our democracy.

Democrats do not seem to support America's democratic institutions for those democratic institutions' own sake. But if the Democrats are convinced that they are not just right but on the right side of history, institutions are only worth preserving so long as they can be used to advance their own agenda. You cannot have respectful disagreement with someone on the wrong side of history. In fact, you demonize those people.

This kind of thinking pits neighbor against neighbor and drives wedges within our communities. This sense of division comes up in every one of my 99 county meetings in Iowa. I sense Iowans are fed up with this poison.

I yield the floor.

The PRESIDING OFFICER.  
The Senator from Nebraska.

Mrs. FISCHER.

Mr. President, I rise today to voice my concern about attempts to undermine American institutions.

There is a difference between constructive efforts to ensure public institutions are accountable and trying to cut down these foundational institutions at their core.

Recently, our country commemorated National Police Week, and it was an opportunity to show our gratitude and appreciation to the men and women who put their lives on the line to keep our people and our communities safe. Yet we continue to see those on the left trying to villainize all law enforcement in this country.

President Biden and Speaker

Pelosi, scared about their party's dropping poll numbers, can keep trying to muffle their colleagues' destructive comments, but what the Democrats have already said has harmed our Nation's law enforcement.

We heard "defund the police" from many-too many-Democratic elected officials.

During a CNN interview in June 2021, a Massachusetts Congresswoman said:

I support a radical re-imagining of community safety and public safety, which means reallocating and not further investing in a carceral state.

A New York Congresswoman has called for the Federal Government to apply pressure to disrupt the system in reference to police departments.

Others have said time and time again that we must "completely re-imagine what policing looks like in our country."

What affect is this antipolice rhetoric having on those who swear to serve and protect? Not surprisingly, we are seeing a drain on law enforcement agencies. Numbers of law enforcement officers rose from 2014 to 2020; however, over the past 2 years, retirements and resignations are climbing while recruitment numbers are down. Many of our law enforcement agencies are receiving far fewer applications.

This is something that I directly discussed with Sergeant Tony Conner, the president of the Omaha Police Officer's Association, when we met recently. Application numbers for some Nebraska law enforcement agencies are down 75 **\*S2565** percent or more compared to just a few years ago.

Contributing to these challenges, police officers' jobs have also become increasingly dangerous. Last year, we saw surges in violence and aggression towards officers. Three hundred and forty-six police officers were shot in the line of duty, and 130 of them were targeted and shot in ambush-style attacks. In a recent CBS "60 Minutes" interview, FBI Director Christopher Wray said there had been a 59-percent increase in the murders of police officers, with 73-73-officers killed in 2021. That is a rate of about one officer killed every 5 days.

Without a doubt, Democrats' antipolice rhetoric has diminished morale and eroded public trust in law enforcement. Maybe that was the goal.

But dwindling application numbers to join the force also are contributing to rising crime all across this country. A report by the Council on Criminal Justice found that the national violent crime rate increased 44 percent from 2019 to 2021.

A recent Wall Street Journal editorial discussed efforts to address rising crime in one of our Nation's cities-Seattle. According to the editorial, Seattle city attorney Ann Davison's office found that 118 individuals were responsible for more than 2,400 crimes in Seattle over the past 5 years. Yet, her efforts to hold repeat offenders accountable are being stymied by some.

Because of a 2019 agreement signed by Davison's predecessor, certain classes of misdemeanors in that community go to the community court, and this court releases the accused after referring them to certain support services.

The editorial states:

Seattle criminals get four tries in the Community Court before they flunk out. Each can encompass multiple charges. Repeat offenders see the lack of consequences as an invitation to commit more crimes.

Davison is currently trying to renegotiate that deeply flawed 2019 agreement, but despite the rise in crime in Seattle, these negotiations are at an impasse.

Problems like these aren't confined to the Emerald City. In L.A., Minneapolis, Chicago, Washington, DC, and other cities, liberal prosecutors often fail to hold violent criminals accountable.

The impact on public safety is clear. CNN reports the following about the increase in carjackings: In New York City, the number of carjackings has quadrupled in the last 4 years. In Chicago, more than 1,800 carjackings were reported in 2021. Here in the Nation's Capitol, Metropolitan Police confirmed that carjackings have tripled since 2019.

The administration's efforts to address the rise in this violent crime are weak. I am supporting a resolution led by the senior Senator from Louisiana that actually gets at what we should be doing. It demands that the President work with Congress on a comprehensive strategy that encourages the Department of Justice, the Department of Homeland Security, as well as State and local law enforcement officers to counter the rise in violent crime by reinforcing strong criminal justice policies. The Senate should pass this.

Our law enforcement officers who wear the badge deserve our gratitude and our support. The sacrifices they make and the sacrifices their families make, keep us safe. We stand with our men and women in blue.

I yield the floor.

#### VOTE ON LEAF NOMINATION

The PRESIDING OFFICER (Ms. Baldwin).

The question is, Will the Senate advise and consent to the Leaf nomination?

Mrs. MURRAY.

I ask for the yeas and nays.

The PRESIDING OFFICER.

Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN.

I announce that the Senator from Nevada (Ms. ROSEN) and the Senator from Maryland (Mr. VAN HOLLEN) are necessarily absent.

The PRESIDING OFFICER.

Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 54, nays 44, as follows:

<Rollcall Vote No. 184 Ex.>

YEAS-54

Baldwin Bennet Blumenthal Booker Brown Cantwell Cardin Carper Casey Collins Coons Cortez Masto Duckworth Durbin  
Feinstein Gillibrand Hassan Heinrich Hickenlooper Hirono Kaine Kelly King Klobuchar Leahy Lujan Manchin Markey  
McConnell Menendez Merkley Murkowski Murphy Murray Ossoff Padilla Paul Peters Portman Reed Romney Sanders Schatz  
Schumer Shaheen Sinema Smith Stabenow Tester Warner Warnock Warren Whitehouse Wyden

NAYS-44

Barrasso Blackburn Blunt Boozman Braun Burr Capito Cassidy Cornyn Cotton Cramer Crapo Cruz Daines Ernst Fischer  
Graham Grassley Hagerty Hawley Hoeven Hyde-Smith Inhofe Johnson Kennedy Lankford Lee Lummis Marshall Moran Risch  
Rounds Rubio Sasse Scott (FL) Scott (SC) Shelby Sullivan Thune Tillis Toomey Tuberville Wicker Young

NOT VOTING-2

Rosen Van Hollen

The nomination was confirmed.

The PRESIDING OFFICER.

Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

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Congressional Record --- Senate  
Proceedings and Debates of the 117th Congress, Second Session  
Thursday, May 12, 2022

**\*S2465 EXECUTIVE SESSION**

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MOTION TO DISCHARGE-Resumed

The PRESIDENT pro tempore.

Under the previous order, the Senate will proceed to executive session to resume consideration of the motion to discharge, which the clerk will report.

The senior assistant legislative clerk read as follows:

A motion to discharge Mary T. Boyle, of Maryland, to be a Commissioner of the Consumer Product Safety Commission for a term of seven years from October 27, 2018, from the Committee on Commerce, Science, and Transportation.

The PRESIDENT pro tempore.

The Senator from Nevada.

Ms. ROSEN.

Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore.

The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER.

Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. ROSEN)

Without objection, it is so ordered.

RECOGNITION OF THE MAJORITY LEADER

The majority leader is recognized.

WOMEN'S HEALTH PROTECTION ACT OF 2022

Mr. SCHUMER.

Madam President, yesterday, the American people saw for themselves the glaring contrast between Democrats, who will fight to protect women's rights to make decisions about their own bodies, and MAGA Republicans pushing to send mothers and doctors to jail and institute nationwide abortion bans.



With Roe on the brink of elimination, this issue will not go away. As Americans vote later this year, they will choose between radical MAGA Republicans, who want to get rid of Roe, push national bans on abortion, and even throw doctors and women in jail, or pro-choice Democrats, who will protect a woman's right to make her own decisions when it comes to her body.

Let me say that again.

The contrast facing the American people is now simple: Either elect more MAGA Republicans, who want to push for sweeping national bans on abortion, or support pro-choice Democrats, who will protect a woman's rights to make her own decisions about her body.

Either elect more MAGA Republicans, who want forced pregnancies and who champion bans without exceptions even for rape or incest, or support pro-choice Democrats, who will protect a woman's right to make her own decisions.

Either elect more MAGA Republicans, who want to prosecute and even imprison women and doctors for carrying out abortions-and mere friends who give rides to clinics-or support pro-choice Democrats, who will protect a woman's rights.

Americans are going to see that contrast again and again and again as Democrats keep highlighting this very important and vital issue.

And as much as Republicans will try to deflect, distort, or distract, the unbendable truth is that their anti-women views are wildly out of step with the American people. Just look at what is happening across the country. Democrats across the country are confidently highlighting their support for a woman's right to make her own choices; and while the MAGA Republicans may want to brag about their plans for a nationwide abortion ban and sending women and doctors to jail, the clear majority of Americans disagrees with that extremist position. That is why Republican campaign committees are urging their candidates to avoid the subject of abortion-because they know their views are out of step. \*S2466

Again, Democrats across the country are now talking about this issue, even doing campaign ads about this issue. The Republican spinmeisters are telling their colleagues to avoid the issue. So it is obvious to everyone who is on what side.

Republicans can run but can't hide from the horror they have created. Yesterday's vote was only one step, not the end, of our fight to protect women's rights. This issue will keep coming back up again and again and again between now and when voters go to the polls later this year.

#### UKRAINE

Madam President, on Ukraine, in the immediate future, Republicans need to work with Democrats to pass another round of critical emergency funding for the people of Ukraine. We have a moral obligation to act and to act swiftly.

The House already passed a Ukraine package with overwhelming bipartisan support. It should be no different here in the Senate. Both of our caucuses heard loud and clear from the Ukrainian Ambassador earlier this week that time is of the essence.

I urge my Republican colleagues to work with Democrats to get a funding package done as soon as possible-ASAP. Republicans shouldn't block this bill. There is no reason-no reason whatsoever-not to get Ukraine funding approved fast.

I also call on my colleagues to swiftly pass additional legislation to arm the Federal Government with the tools needed to liquidate assets seized from Russian oligarchs-yachts, mansions, private jets, art collections, and more. It should be a no-brainer to provide the tools necessary to go after crooked Russian oligarchs, but, nevertheless, House Republicans bewilderingly

opposed adding these tools in the House package. The Senate should do better. Both parties should work quickly and decisively to get this done through regular order. This issue can certainly be-it should certainly be-a bipartisan issue.

As the war in Ukraine enters its third bloody month, we must leave no stone unturned in making Putin and his cronies pay a price and in helping the Ukrainian people. Their fight against Russian aggression is a struggle between democracy and authoritarianism itself, so there should be no question-no question-about which side America stands on.

Again, I urge my Republican colleagues not to block this legislation but to work with us to quickly get this passed through the Chamber. Everyone can have their own idea, but if everyone has their own idea, we will get nothing done. We have to come together on a bill that has gotten broad bipartisan support in the House and in the Senate.

#### NOMINATIONS

Madam President, on nominations, it has been a productive week on the Senate floor when it comes to nominations. Earlier this week, the Senate finally confirmed a highly qualified and historic nominee to serve on the Federal Reserve Board of Governors: Lisa Cook.

Coming from humble beginnings in rural Georgia, where her family fought segregation, Ms. Cook will be the first Black woman to ever sit on the Federal Reserve Board of Governors. She is a professor of economics at Michigan State, a member of the Federal Reserve Bank of Chicago's Advisory Board, and she served as a senior economist on President Obama's Council of Economic Advisers. She absolutely belongs on the Board, and I am glad she was finally confirmed.

Yesterday, we also confirmed Alvaro Bedoya as a Commissioner on the Federal Trade Commission, breaking a 2-to-2 deadlock that has kept the FTC from full strength for over a year.

Mr. Bedoya's nomination is fantastic news for the American people. The FTC will be empowered to fight against price gougers, market manipulators, and go after bad actors using anti-competitive practices to drive up prices. We have been urging the FTC, for instance, to look at market manipulation and price gouging when it comes to gasoline, and now they will have the ability to do so because the Republican Commissioners refuse to move forward, but now we have a majority of Democrats on that Commission.

This week, the Senate also confirmed another Fed nominee, Philip Jefferson, and secured Democratic majorities on important labor-focused Agencies, including the Federal Labor Relations Authority. Next week, we will also start the process to confirm more Democrats to the Consumer Product Safety Commission.

Finally, later today, the Senate will vote on Jerome Powell to serve another term as Chairman of the Federal Reserve. Few institutions are more important to help steer our economy in the right direction-and to fight inflation-than the Fed. Chairman Powell presided as Fed Chair during some of the most challenging moments in modern American history. I thank all of my colleagues-particularly Senator

Brown, chairman of our Banking Committee-who have worked to move forward with this important nomination.

#### U.S. INNOVATION AND COMPETITION ACT

Madam President, finally on USICA, today, our bipartisan jobs and competition bill will take another step forward when the conference committee holds its first public meeting.

The jobs and competition legislation is just what the doctor ordered to boost our economy, bring manufacturing jobs back home, and lower costs for American families. Many across the country want to see this bill done. A recent letter from over 240 State and local chambers of commerce called on Congress to act, citing its importance for critical technologies like semiconductors.

One economic analysis also found that enacting this bill would help add or preserve as many as 3 million jobs to the U.S. economy-3 million jobs. And it could be more as new innovations and new markets unlock new opportunities yet unknown.

There is still a lot of work to do before we send this jobs bill to the President's desk, and not everyone is going to get what they want. But even so, today's first public meeting is a great step forward. The bill is the most worthy and important effort, one that will pay dividends for years to come.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER.  
The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL.  
Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER.  
Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

#### UKRAINE

Mr. McCONNELL.

Madam President, for months, the brave people of Ukraine have been fighting valiantly in a war they did not ask for. Their defense of their homeland from the Russian invasion has already far surpassed the expectations of all the skeptics.

Ukraine is not asking anybody else to do their fighting for them. They ask only for the resources they need to defend themselves against this lawless aggression.

I strongly support the next package of lethal military assistance which the House has passed with an overwhelming bipartisan majority. I hope the Senate can reach an agreement to consider and pass this legislation today. The Ukrainians need it. We need to do it today.

Helping Ukraine is not an instance of mere philanthropy. It bears directly on America's national security and vital interests that Russia's naked aggression not succeed and carries significant costs. If Ukraine fails to repel Russian aggression, there is no question that the threat to America and European security will actually grow.

Our Nation's history is packed-packed-with painful reminders that America cannot wish away global problems that affect us and our allies simply by burying our head in the sand.

I applaud the strong Republican vote for this crucial assistance over in the House and urge my Senate colleagues on both sides to help us pass this urgent funding bill today.

### U.S. SUPREME COURT

Madam President, now on another matter, 2 years ago, the Democratic leader addressed a crowd on the steps of the Supreme Court and threatened Justices if they didn't rule the way he wanted. Now far-left crowds are surrounding Justices' private family homes. They want to use intimidation to influence the outcome in a pending case. It should be easy for leaders to condemn. All Americans should agree \*S2467 that judges and juries ought not to be subjected to threats or intimidation campaigns.

Admirably, some on the political left have spoken out against this fringe element. The Washington Post editorial board has condemned this. The No. 2 Senate Democrat, our colleague from Illinois, said:

I think it's reprehensible. Stay away from homes and families.

His counterpart across the Capitol, the No. 2 House Democrat, Leader

Hoyer, said:

We need to protect Supreme Court Justices and their families, period. We're a nation of laws, not of violence, not of intimidation . . . laws.

That was

Steny Hoyer.

But Leader

Schumer and the White House will not follow suit. They won't condemn the harassment. They have basically endorsed it. And top Democrats are standing in the way of concrete action.

A few days ago, the Senate unanimously passed legislation to give the Supreme Court's in-house police force some additional authorities they need to do their jobs. This isn't controversial stuff. It cleared this Chamber unanimously. But House Democrats have been unwilling to promptly pass it.

Congressman

Jeffries suggested yesterday this uncontroversial bill might be shunted into a lengthy committee process. Why in the world would that be done? These are essentially clerical fixes. They breezed through the Senate without objection. But House Democratic leadership wants to drag this out with hearings and markups, while mobs assemble at people's houses?

I hope this is some misunderstanding. I hope Democrats are not intentionally stalling these security measures until after the Court has issued its rulings. This would be reprehensible.

At the end of Pennsylvania Avenue, either President Biden or Attorney General Garland has apparently decided not to enforce Federal law. Like I explained on Monday, section 1507 of the Criminal Code makes it a crime right now to picket or

parade with the intent of influencing a judge at locations that include a judge's residence. That is the law right now. People have been doing exactly that for days and days right now. But the Garland Justice Department is nowhere in sight.

One would think a DOJ, run by the former chief judge of the DC Circuit, would need no prodding-no prodding-to protect judicial safety and judicial independence. But at least so far, the Attorney General was quicker to pounce on concerned parents at school board meetings.

The Governors of Maryland and Virginia have had to write a joint letter to the Attorney General begging him to make his U.S. attorneys do their job and uphold the law.

So, yesterday, I sent the DOJ my own letter asking the very same question. The Senate needs answers right now, and the Court needs security right now.

#### NATIONAL POLICE WEEK

Madam President, on a related matter, yesterday, we observed the beginning of ceremonies honoring National Police Week. Soon we will mark Peace Officers Memorial Day.

Tens of thousands of law enforcement personnel from across the country will gather here in our Nation's Capital to honor the service and the sacrifice of their fallen brothers and sisters.

I would like to extend a warm welcome to the Kentuckians who have traveled here for the ceremonies. I am meeting with several of these law enforcement leaders this week to express my gratitude for their service.

The Commonwealth is home to every type of law enforcement officer you can imagine, from big city beat cops to smalltown sheriffs. They take a great risk every day to protect and to serve.

This week, I am thinking especially about the law enforcement officers Kentucky lost in the past year whose names will be added to the National Law Enforcement Officers Memorial tomorrow-heroes like Graves County jailer Robert T. Daniel, who sacrificed his own life to save endangered inmates as a tornado bore down on their workplace in which he was employed; community pillars like Jefferson County Deputy Sheriff Brandon Shirley, who was shot and killed while working a second job in his uniform; role models like Louisville Police Officer Zachary Cottongim, who was struck and killed by a car while attending to an abandoned vehicle on the side of the road.

Yesterday, I met with Officer Cottongim's widow and former partner who are here in Washington for tomorrow's memorial. We are all praying for them as they mourn this tragic loss.

I am proud to cosponsor the resolution that officially designated National Police Week this year. America's law enforcement personnel are always there when we need them most. The least-the least-Congress can do is have their backs.

#### INFLATION

Madam President, now on one final matter, parents across the country are struggling to get their hands on the infant formula their babies need. Here are just a few of the letters I have received from parents and grandparents in my State:

We have been struggling to get formula for our granddaughter for months now. The situation has turned dire.

My 6-month-old Ezekiel has had to switch what he needs twice since his birth due to the shortages.

Another:

We traveled from Lexington, Kentucky through West Virginia and Virginia into Washington D.C. <but> every place we stopped . . . had empty shelves of baby formula.

This outrageous, unacceptable situation has been unfolding in slow motion over several months. Much of it stems from a recall that resulted in a plant being shut down. But it seems that while President Biden's administration and the FDA knew all about this problem as it developed, they have been asleep at the switch in terms of getting production back online as fast as possible.

Both Republican and Democratic Senators have asked the White House and FDA for answers and gotten very few. The administration has got to be more proactive and forward-leaning. But yesterday, I understand that a White House spokeswoman wasn't even sure if they had a point person for this problem or, if they had such a person, who it might be.

Even before the acute shortages, soaring costs were also squeezing families. The inflation figures show the price of baby food has skyrocketed 13 percent in just 12 months. Overall food inflation is 9.4 percent year-over-year. That is the worst year for food inflation in 41 years.

It should not be this hard for Americans to feed their families. Parents need President Biden and his team to step up to the plate.

I suggest the absence of a quorum.

The PRESIDING OFFICER.  
The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. DURBIN.  
Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER.  
Without objection, it is so ordered.

#### CORONAVIRUS

Mr. DURBIN.

Madam President, 1 million deaths-unbelievable. But this week, it became very, very real. One million of our fellow Americans now have died from COVID, 1 million parents, grandparents, siblings, children, friends, neighbors. That is more Americans who lost their lives than the casualties in World War I, World War II, or the Civil War. That is the size of San Jose, CA, the 10th largest city in our Nation.

But behind those 7 stark figures are real people, including more than 33,600 in my home State of Illinois. One of those was a woman named Maria Elena Sifuentes. Maria lived in Chicago, where she worked at Communities United and organized for housing and education equity in her community. She had received her first COVID shot when she contracted the virus last summer. She passed away on June 10 at the age of 57 and left behind five children.

We also grieve the loss of Sergeant Ken Thurman and Officer Brian Shields, two 51-year-old veteran police officers who worked in Aurora at the police department. They succumbed to COVID infections last year, both within the same week.

When the pandemic first hit, this degree of loss was unimaginable. Some people dismissed COVID-19 and said that it was just like the ordinary flu \*S2468 and that it would go away and mysteriously disappear. But now that we have crossed this tragic threshold, we must take stock of where we are and where we are headed.

More than 2 years into this pandemic, COVID is still a threat to America and the world. In fact, infections nationwide are up 50 percent over the past 2 weeks. Hospitalizations are up 20 percent. That is the case in Illinois as well as our neighbors in the region. The Commonwealth of Kentucky, home of Minority Leader

McConnell, had the highest COVID death rate in the country over the past week.

The one thing worse than being swamped with another wave of COVID cases is being caught unprepared. Right now, we are sleepwalking into the next potentially deadly wave, and we know the virus will continue to mutate and pose threats. We need to learn from our 2 years of experience with Delta and Omicron and act now and be ready, be prepared.

Over the weekend, the Biden administration warned that new subvariants could fuel a wave that is forecast to infect 100 million Americans-almost a third of our population-over this fall and winter. Yet last week, Health and Human Services Secretary Becerra testified to the Senate Appropriations Committee: "< B>ut in order to be ready for that, we have to start purchasing today." That is what Secretary Becerra said. If we wait for the surge to hit, it is too late.

Last week, it also was reported that the administration will run out of COVID vaccines by September 1 if the FDA authorizes second boosters for all adults. How can America be caught in this situation again-even with vaccines-unprepared?

Because Federal funding has dried up to reimburse hospitals and health centers for testing, we don't have a complete picture of how many new infections are actually showing up. The University of Washington estimates the true number of infections is five times higher than official reports.

So the alarm bells are ringing, and a looming vaccine crisis is right around the corner. Other countries in the world get it. They understand it. They are racing ahead of us to secure supplies of vaccines, but because of resistance from Republicans in Washington, we are not doing that.

So why won't the Senate act to pass this COVID legislation-obviously necessary legislation-right now? It was more than a month ago that Senators Schumer and Romney, together with half-a-dozen bipartisan Senators, announced a \$10 billion emergency COVID package. It is not everything we want; it is not everything we need; but it is an urgent measure that seeks to address the crisis.

Instead of just getting this done, politics were inserted. There were demands for amendments or else. The process broke down. Instead of getting the job done, Republicans are playing politics. They are demanding poison pill riders on issues unrelated, like immigration.

With summer approaching, Americans are eager to keep the face masks off for good and move past the pandemic. I get it. Everybody wants the kids back in school. They want them home for vacation. They want to take family vacations. They want to go out to dinner-all things that are part of the joy of life. I share the sentiment, but we have to deal with the reality of this virus. It is changing every day, and it has surprised us so many times before.

Even the most persuasive political speech isn't going to change the course of this virus. Rather than reacting to whatever deadly curve ball gets thrown at us next, we must be ready beforehand with the right tools to keep us moving in the right direction. I don't want to come to the floor to mark 11/2 million dead Americans or 2 million dead Americans due to the virus.

The time to provide additional funding is not now; it was weeks ago. It is incredible to me that, after what this Nation has gone through-1 million dead Americans-we are still debating over whether we should be prepared for the next stage of the virus. Shame on the politicians who are inserting politics into a life-and-death debate.

Without this funding, we could very well lose the progress we have made in containing COVID. We cannot tolerate that sort of setback, especially at this pivotal moment where continued progress puts us on the cusp of what we dreamed of 2 years ago: finally putting an end to this pandemic, finally returning to normal.

While Senate Democrats and the Biden administration have taken tremendous strides with getting shots in arms, supporting local businesses, and getting our kids back in school, we still have a lot to do.

To my Republican colleagues: Drop the political antics. Join us in making this responsible investment to save lives and prevent the pandemic from once again spinning out of control. We know a new wave could be coming, and we need to sit down and face this public health issue for the reality that it is.

Let's not waste time with irrelevant, anti-immigrant rhetoric. Let's do something that helps the American people and work together to drive America's recovery forward.

## PROTESTS

Madam President, we had a meeting of the Senate Judiciary Committee this morning, and the committee discussed at the outset threats that have been reported against judges, Justices, their families, and their homes. This committee has responded with a bill-a bipartisan bill-by Senators Cornyn and Coons to provide more security protection for the **Supreme Court**. I fully endorse it, and I am glad that it passed unanimously. It should have.

There have been complaints this week about demonstrations in front of the homes of Justices and others. I have made my position clear. I think that such demonstrations are totally unnecessary, unwise, and should be discouraged. In some cases, they are reprehensible.

The pressure that is trying to be applied on these officials by protesters, whether they are for or against a certain issue, are just unacceptable. I stand by that position, and I believe that Democrats and Republicans agree that we have to be serious about protecting those who are elected to public office at every level from harassment, intimidation, and, above all, from any violence.

I condemn those attacks on anti-abortion organizations in two States: Wisconsin and Oregon. The fire-bombing that took place in one-that is unacceptable. Violence is never acceptable in a democracy.

Having said that, I beg my Republican colleagues to show some consistency. I was here January 6, 2021, when this insurrectionist mob, inspired by President Trump, came up, crashed down the windows and floors into this Capitol, and marched on this Chamber. I was on the floor of the U.S. Senate when we were advised by the Capitol Police to evacuate as quickly as possible to save our own lives. I was in this building when several of the Capitol Police stepped up and showed dramatic heroism. Some of them lost their lives as a result of it.

Five to seven people died on January 6, 2021, as a result of what happened that day. A hundred and fifty law enforcement officials were attacked. And how did the Republicans respond to that? Senator



McConnell personally stopped any effort at a bipartisan commission to determine what caused that attack and how to avoid it in the future. He personally came to the floor and objected. I heard him do it.

The only investigation that has taken place is in the Democratic House of Representatives and, thank goodness, several Republican Congressmen and women have stepped forward.

I want to salute from my own State Republican Congressman

Adam Kinzinger. He joined this bipartisan effort to investigate January 6, 2021. He is retiring now. He paid a heavy price for his decision, but it was a principled decision. I respect him for it.

The same with Congresswoman

Liz Cheney. We probably don't agree on half a dozen issues, but I have to tell you, I admire her and respect her courage for stepping up and saying she wanted the investigation in the House to be bipartisan and, therefore, she was going to be part of the panel. I respect her very much for that.

Next month, we are going to have public hearings in the House of Representatives on this issue. We should have had a bipartisan commission looking at January 6, 2021, but Senator

McConnell and Republicans stopped it.

What did the Republican National Committee say in the official release \*S2469 about the January 6, 2021, insurrectionist mob that crashed through the Capitol here, desecrating it, endangering the lives of innocent people-what did they say about it? They called it "legitimate political discourse"-legitimate political discourse-with five to seven people dead and 150 police officers assaulted. That is illegitimate; that is unacceptable, whether the intended victims were Members of Congress or the victims today are members of the **Supreme Court**.

Have the good sense, I say to my Republican colleagues, to be consistent. If you are opposed to violence and believe it is unacceptable in a democratic society, make that standard apply whether the victims are in one branch of the government or another. It is absolutely unacceptable in both.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER.

The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. THUNE.

Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER.

Without objection, it is so ordered.

DEMOCRATIC PARTY

Mr. THUNE.

Madam President, if Democrats have made one thing clear over the past 16 months, it is that they think that the Federal Government-or maybe just Democrats-knows best. It is evident in just about everything they do. And there is pretty much no end to the things they think the Federal Government should be in charge of-healthcare, childcare, education, elections, and the list goes on.

Take the current debate over abortion. There is one thing Democrats are clearly terrified of is putting this issue in the hands of the American people. Overturning Roe v. Wade would return the issue of abortion back to the people and their elected representatives. Democrats are keen to make sure that doesn't happen, probably because they know the American people are not in agreement with Democrats' extreme abortion agenda.

And so the news that the **Supreme Court** might overturn Roe and return the issue of abortion to people has been met with hysteria from Democrats. More than one has responded by calling for packing the **Supreme Court** so the Democrats can ensure they get the abortion decisions they desire.

Of course, yesterday, Democrats responded to the **Supreme Court's** pending decision by holding a vote on what has to be the most extreme abortion legislation ever considered by the U.S. Congress-a bill that would rip away even the smallest protections for the unborn and make abortion-on-demand, at any time, for essentially any reason, the law of the land.

Meanwhile, today, the Senate Budget Committee is holding a hearing on a favorite Democratic proposal-putting the Democrats in charge of Americans' healthcare. Under Medicare for All, Americans can look forward to a future in which the government decides what healthcare Americans can access and what medications and procedures will be covered.

Never mind the nearly 180 million Americans who have access to health insurance through their jobs, many of whom are satisfied with their coverage. No, that coverage would be decimated in favor of Democrats' preferred "one size fits all" approach. I am not sure what Democrats have seen that makes them think government can efficiently run healthcare. Maybe they never had to deal with the IRS.

Oh, and let's not forget about the part where it has been projected that this government-run system could cost taxpayers more than \$30 trillion. So what is the problem with that attitude the Democrats have? Why should all of us be concerned by the fact Democrats think the Federal Government-or maybe just the Democratic Party-knows best?

For starters, it is clearly apparent that government does not always know best. Take our current inflation crisis. A big reason we are currently dealing with the worst inflation in 40 years is the Democrats' decision to flood the economy with unnecessary government money with their American Rescue Plan spending spree.

This legislation was billed as critical COVID relief that was going to help families and our economy recover. Instead, it helped plunge our economy into a massive inflation crisis that has left individuals and families struggling to afford necessities like gas and food.

To give another example, the President's Department of Homeland Security recently created a so-called Disinformation Governance Board. And the individual who has been chosen to head up this disinformation board is someone who, herself, has been a purveyor of online disinformation, as well as being hostile to what she apparently considers excessive free speech. Yet, apparently, the Biden administration thinks we should trust her to rule on disinformation.

Of course, this is not to say that we should distrust every move the government makes or whether the government can never do anything good. Assuming the government always knows best is to vastly overestimate the government's abilities. The Federal Government, like society, is made up of flawed human beings. Being a Member of Congress or a Presidential administration does not come anywhere close to conferring infallibility.

Another big problem with "Democrats' knows best" attitude is it usually involves a plan for government to take over ever-greater areas of American life. More government control usually involves less individual freedom.

Take the childcare plan Democrats included in their Build Back Better legislation. First, of course, Democrats take the opportunity to add a lot of new childcare mandates and regulations. But more than that, Democrats' government subsidy program is set up to favor certain kinds of childcare and childcare providers. It is set to favor institutional childcare rather than home care or other models, like neighborhood co-ops. And it is set up to place religious providers at a disadvantage. That is right. Despite the fact that more than half of working families who use center-based care opt for faith-based centers, Democrats' program is set up to put these providers at a disadvantage.

Democrats obviously think childcare is better conducted in secular, institutional settings, so they set up their legislation to favor that kind of childcare, no matter-no matter-what parents actually prefer.

That is pretty much par for the course for Democrats, of course, who have made it very clear that they have their doubts as to whether parents are the best decisionmakers for their children.

Who can forget the Democrat candidate for Governor of Virginia who memorably said:

I'm not going to let parents come into schools and actually take books out and make their own decision . . . I don't think parents should be telling schools what they should teach.

This is a view that President Biden seemed to echo just days ago. I would love to hear the reasons why Democrats think government can make better decisions for children than parents who know their children as individuals and raise them and love them.

But to get back to my main point here. The childcare program in Democrats' tax-and-spending spree is a perfect example of what happens when government starts taking over. The government, instead of the individual, starts making decisions. The more substantial the government involvement, the larger the government's role in decision making is likely to be.

Again, that is not to say that the government has no role to play in American life. We need the Federal Government. Our national defense, for example, is most practically handled at the Federal level. But the Federal Government should be and is meant to be limited.

And allowing the government to take over ever-larger aspects of American life-whether it is childcare, healthcare, or anything else-is a recipe for the loss of individual liberty.

Finally, Democrats' "government knows best" attitude is a problem because, as we have clearly seen, it quickly leads to an attitude of "Democrats know best," which quickly leads to pushing for special privileges for Democrats.

Take recent conflicts involving the **Supreme Court**. Democrats have made it abundantly clear that they believe the only legitimate **Supreme Court** is a **Supreme Court** that hands down decisions in line with Democrats' policy **\*S2470** preferences. And they haven't just implied this. More than one Democrat has actually straight-out called this **Supreme Court** illegitimate, despite the fact that every single Justice on the **Supreme Court** was duly nominated and confirmed in accordance with the Constitution of the United States.

And the Senate, despite having the slimmest possible majority, in fact-a merely technical majority and absolutely no mandate for radical change-Democrats have pushed to abolish the legislative filibuster so they can steamroll through far-left Democratic

legislation, including a partisan takeover of election law and, of course, the most extreme abortion legislation ever considered in Congress.

Just imagine the howls that would have resulted if Republicans had announced that we were going to abolish the legislative filibuster to institute a 20-week abortion ban—a ban that is much more in line with the sentiments of the majority of Americans than Democrats' far-left abortion legislation.

Or take the protests that have been going on at the **Supreme Court** Justices' homes. The President and other Democrats have made it clear they are perfectly fine with demonstrators congregating at the private homes of **Supreme Court** Justices to try and intimidate them into changing their vote.

I have to ask, would Democrats be fine with pro-life activists appearing at the homes of Justice Breyer, Justice Kagan, and Justice Sotomayor to try to intimidate them into changing their votes? I think we all know the answer to that. But because abortion is one of Democrats' pet issues, clearly, the usual rules don't apply. "Government knows best" quickly becomes "Democrats know best," which leads to one rule for Democrats and one rule for everyone else.

"Government knows best" is not a vision Republicans share. We believe that individuals, not Washington bureaucrats, are the best judges of what they and their family and children need. The government should be a backstop, not Big Brother.

We also know the more government expands, the more individual liberty shrinks, which is why we are firmly committed to a philosophy of limited government. Our country is founded to safeguard individual liberty and preserving that liberty is a sacred trust, which is why Republicans will continue to oppose Democrats' "Washington knows best," Big Government philosophy, and why we will continue to fight to make sure that Americans' right to run their own lives and shape their own destinies is protected.

I yield the floor.

The PRESIDING OFFICER.  
The Senator from Mississippi.

#### NOMINATION OF MARY T. BOYLE

Mr. WICKER.

Madam President, in a few moments, the Senate will vote on the confirmation of Mary Boyle to be a Commissioner of the Consumer Product Safety Commission, CPSC. It appears that the Democratic leader, Senator

Schumer, finally has the votes lined up for confirmation of Ms. Boyle and that she will be elevated to this position. I think this is a decision that Members of the Democratic Party and the administration will come to regret and Americans, in general, will come to regret.

Recently, the Commerce Committee failed to report Ms. Boyle's nomination favorably. All Democrats voted aye; all Republicans voted no.

I think Members should understand this. CPSC plays a vital role in ensuring the safety of American consumers. For this reason, I have significant concerns about major administrative failures at the agency during Ms. Boyle's tenure as Executive Director there, including the improper disclosure of unredacted manufacturer and consumer data.

An investigation I led as chairman of the Commerce Committee last Congress determined that the unauthorized release of this data, which violated section 6(b) of the Consumer Product Safety Act, was the result of insufficient training, ineffective management, and poor information technology implementation.

All of these failings at the CPSC were under Mary Boyle's watch as the primary career official charged with the day-to-day administration of the Agency's business, and yet today we are being asked to elevate her to an even more important and responsible position at CPSC.

I am also deeply troubled by the CPSC's curtailing of port inspections for several months beginning with the pandemic and Ms. Boyle's involvement in this decision. In addition, she presided over the deficient and prolonged process of fully returning CPSC staff to work at these ports. So the inspections were not getting done. There are now hundreds, if not thousands, of unsafe products that entered the country under Ms. Boyle's watch, and we still lack a clear plan from the CPSC on how those dangerous products will be removed from the market.

This nominee has failed to demonstrate strong and effective leadership in her current position as executive director of the CPSC. Yet the administration and, apparently, the majority leader of the Senate are inexplicably trying to promote her to a higher position of trust and authority.

In light of these many problems at the Agency associated with Ms. Boyle's leadership, I think her confirmation will be a mistake, and I think my Democratic colleagues and the administration will come to regret this decision.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. Cortez Masto).  
The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BOOKER.

Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER.  
Without objection, it is so ordered.

#### ARTISTS

Mr. BOOKER.

I rise not expecting to give a speech today, but I want to, first and foremost, recognize the Chair, who is my "mother" Senator, and I want to thank her for her incredible service to this institution.

I want to thank, which I rarely do, the staff who works here and runs the Senate every day, but I rise today to talk for a moment about groups that we don't talk about enough on this floor. We usually talk about everybody from law enforcement to our military, but we don't talk about artists.

We are a nation that even from our founding during Revolutionary times, there were extraordinary artists who expanded the moral imagination of this country and helped us to see a nation that could be free from British rule and domination.

In every point of American history, from protest movements to battles for suffrage, we have had artists who have painted these pictures of an America, a vision for what could be, but even more than that, they have healed us during difficult times. They have pulled us together with their inspiration. They have called out injustices. They have brought light to the dark places of our country.

You know, Picasso talked about art being something that helps to shake the dust off the soul of humanity, but I think it does more than that. As an African American, I have seen art in the tradition of healing, of providing hope, of even calling out with specificity the instructions on how to be free.

We remember the song that Harriet Tubman pointed to:

Wade in the water, wade in the water, God is going to trouble the water.

That is the tradition that sourced my family. From enduring the pain of a nation that was unequal and divided, often in church with gospel songs, there was healing; there was hope. And even the poetry in the Harlem Renaissance spoke to an America that could possibly be if we just never stop believing.

As the great poet Langston Hughes said:

America never was America to me,

<But> I swear this oath-

America will be!

Who made America,

Whose sweat and blood, whose faith and pain,

Whose hand at the foundry, whose plow in the rain,

Must <make> our . . . dream <live> again.

O, yes, I say it plain,

America never was America to me,

And yet I swear this oath-

America will be!

I lean on poetry and song today just to get myself up in the morning. I have seen how artists have come to visit us here in the Capitol and Senators from \*S2471 all backgrounds thanking them for providing for them the soundtrack of their lives. And God, humor, the comedians of old, I remember sneaking into balconies-in my house-and watching over the balcony my dad, quietly not thinking his children were listening, put on records by Richard Pryor, whose humor helped to heal his troubled heart, make him laugh at the absurdities of a nation that still had not fully fulfilled itself.

And so I bring this thought and this heart to say thank you to artists, thank you to this institution for what we did in a bipartisan way to make sure we were funding the venues of this country, the stages where so many artists were able to continue to work during the pandemic. We fund the arts. It is funding that often has to be pushed or fought for, but I say it is the funding that in many ways helps to sustain and source the soul of a nation because without art, we would have lost our way a long time ago.

Now, this week I had this moment where you have just got to pinch yourself, and I know that the Presiding Officer has had this moment, too, where you get this call from White House staff, and they say: Hey, we have got some extra seats in the President of the United States' box at the Kennedy Center to come see a performance by a group called Freestyle Love Supreme.

And I said no immediately. I am so busy. I have got so much work. I had a night that was ending relatively early. But my staff said to me, you know, a guy, Chris Jackson-he was George Washington in "Hamilton"-is going to be there as well, and I had gotten to know him because he was so generous. I saw him in "In The Heights." He invited me backstage, gave me such love. I saw him in "Hamilton." Even when I had someone I was trying to date with me, he made me seem special in her eyes. I will never forget that. He was a good wingman.

So I went to go see them perform, and I was just blown away by the performance. I hope that while they are here, people get a chance to go. But what blew me away was how they reaffirmed that message to me. At a time that I am troubled with what is happening in our life, with decisions in the **Supreme Court**, with challenges, with the economy, they touched on a lot of those issues with humor and artistic genius, and I found my spirit being lifted. I found camaraderie with strangers.

You see a whole crowd of people being pulled together around ideals of empathy and love and affirmation of our most core, cherished values as a nation, like freedom and protest.

I am honored that this group is visiting the U.S. Senate right now-for many, their first time being in this sacred space, this hallowed Hall-to get a chance to witness what we do every day.

And I just want to say thank you to them, and I want to give tribute to all of the artists in America who do so much for the soul of this Nation and inspire us every day not to stop believing in tomorrows that can be better than what we have in the present.

I yield the floor.

The PRESIDING OFFICER.  
The Senator from Minnesota.

#### NOMINATION OF MARY T. BOYLE

Ms. KLOBUCHAR.

Madam President, I rise in support today of Mary Boyle, the nominee to serve as Commissioner at the U.S. Consumer Product Safety Commission.

Mary will bring to this role more than a decade of experience on the Consumer Product Safety Commission, where she previously served as general counsel and currently serves as the Executive Director. She is deeply knowledgeable about consumer product safety and the functioning of the CPSC. I have every confidence that she will be ready to lead on day one.

But it is not just her professional background that makes her perfect for this role. As a mom who raised three kids, she knows firsthand how important it is for parents to be able to trust the products they use every day. She understands the stakes and the devastating consequences of unsafe products.

Just yesterday, the Commerce Committee took an important step forward toward protecting kids and infants by passing the STURDY Act, which will prevent harmful and ultimately heartbreaking furniture tip-overs. Senators

Casey and

Blumenthal and I have been working on this for quite a while. It resulted in the largest furniture recall ever in the history of America with IKEA. But we need standards in place across the board. I know that we can count on Mary to be another critical partner in preventing unsafe products from hurting our kids.

Mary is clear-eyed about the responsibility of the CPSC. In her words, it provides a safety net for the public, and in order to carry out that crucial task, it needs a full roster of Commissioners. Currently, four of the five slots are filled. To truly address pressing product safety issues, we have to fill that fifth seat. We can't afford to play politics here. This is about everything from the hazards posed by crib bumper pads to the use of toxic chemicals in everyday consumer products.

I got involved in this way, way back before I was a Senator, when we had a young child swallow a charm that he got with a pair of tennis shoes. It was a giveaway. He didn't die because he choked on that charm; he died over a period of days because the lead in that charm, which was from a foreign country, got into his system, and he died in just a few days. That is how I got involved in the lead standards on foreign toys, that is how I started working with the Consumer Product Safety Commission, and that is when I saw the difference it can make.

We passed a bipartisan bill named after Jim Baker's granddaughter-the Virginia Graeme Baker pool safety bill-after a young kid named Abigail Taylor in Minnesota was in a kiddie swimming pool and her intestines were ripped out just sitting in the pool because there were so many faulty drains in this country.

I went and visited her in the hospital, and she said: I don't want this to happen to any other kid.

She lived for a year, and during that time, we worked together.

Then Ted Stevens and I passed a much stronger pool safety bill. And I know that the last time I heard testimony from the Consumer Product Safety Commission, over a period of a decade, after we lost a number of kids every year, not one kid had died because of a simple change to how the pool drains worked. That is what the Consumer Product Safety Commission can do at its best-make sure it doesn't happen to any other kid again.

The American people are counting on us to get this right, and with Mary, we have the opportunity to do just that.

As Mary said in her testimony, consumers need to be able to go about their daily lives without worrying that products they interact with every day-washing machines, cell phones, batteries, toys, and treadmills, to name just a few-do not injure, maim, or kill them. Throughout her impressive career, Mary Boyle has shown that she is wholeheartedly dedicated to that mission.

I am voting in support of her, and I urge my colleagues to do the same.

I yield the floor.

The PRESIDING OFFICER.  
The Senator from Utah.

UNANIMOUS CONSENT REQUEST-S. 1787.

Mr. LEE.

Madam President, the State Antitrust Enforcement Venue Act is a much needed reform that would put State attorneys general bringing antitrust suits under the Federal antitrust law on equal footing alongside Federal antitrust enforcement personnel by allowing them to avoid consolidation with private antitrust suits.



This would shield these important antitrust actions from the inefficiencies of coordinating their litigation with their slower moving counterparts brought by private litigants, and it would also respect our federalist system of government and recognize the unique and essential role that States play specifically in enforcing our antitrust laws.

No doubt, this is exactly why this bill is supported by 45 State attorneys general, including Utah, Minnesota, Illinois, Iowa, Texas, California, Vermont, South Carolina, Rhode Island, Delaware, Nebraska, Connecticut, Missouri, Hawaii, New Jersey, Arkansas, Louisiana, and North Carolina, representing the home States of almost every member of the Senate Judiciary Committee.

My own reasons for introducing the legislation are simple. States are sovereign entities, and they are entitled to \*S2472 pursue law enforcement actions in defense of their citizens in the venue and in the manner they think best, period.

Allowing State antitrust enforcement actions to be consolidated with private lawsuits not only impinges upon State sovereignty, it also needlessly delays consumer redress for antitrust harm.

For example, the case brought by 16 States in the Commonwealth of Puerto Rico alleging that Google's conduct in digital advertising has violated Federal antitrust laws was transferred from Texas, where that lawsuit was originally filed, to the Southern District of New York to be consolidated with other cases. The transfer was ordered in August of last year. Some 9 months later, discovery is still stayed, and no progress has been made. Had the case just remained in Texas, discovery would be well underway, and the trial was scheduled for next summer. Instead, the case is languishing, and potential remedies to consumer harm are being postponed. Google's delay tactics have been successful.

We must eliminate this loophole—a loophole that allows monopolists to delay antitrust enforcement actions brought by State attorneys general. I therefore urge my colleagues to support this legislation.

So, as in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 261, S. 1787. I further ask that the Lee amendment at the desk be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER.

Is there objection?

The Senator from Minnesota.

Ms. KLOBUCHAR.

Madam President, reserving the right to object, my friend and colleague Senator

Lee is well aware that I am supportive of this bill. We worked together. I am a lead Democrat on this bill to get it through the committee.

I simply believe that this bill must go hand in hand with another bill that would look at this issue in a much bigger way; that, yes, this is about allowing State attorneys general to do their jobs and enforce the law, and that is why he and I have joined forces on this bill. But it is also about putting some rules of the road in place on a Federal basis.

We are very close to having a vote on Senator

Grassley's and my bill, with a broad range of authors and support, which would be the only and first Federal competition response to tech monopolies since the advent of the internet.

I have been watching this movie for way too long. We have hearings, we throw popcorn at CEOs, we get sound bites on TV, but we don't do anything on a Federal basis. We had the Facebook whistleblower come forward, tell of the horror, the American people are with us, and we dither and do nothing. This is actually the first time that we have a coalition across the aisle of people who are ready to move forward on a Federal response.

So my view of this is that, as we work to get our enforcers more funds-that is a part of it; Senator

Grassley and I have a merger fee bill that is moving as part of the competition bill, which is currently in conference committee-and as we work on Senator

Lee's very worthy legislation to focus on allowing the State attorneys general to keep their cases in their own jurisdictions, we simply cannot pretend that we don't have some role in this.

If Members don't know about it, maybe they have talked to one of the 2,700 lobbyists whom the tech companies have hired or maybe they have been subject to the \$70 million effort on the Federal level. And this is not Senator

Lee that I am talking about; he is a true maverick and is willing to take on special interests. But what I believe is going on in this building is that there are a lot of people trying to wait this one out and hope we don't have a vote on this bill.

I appreciate Senator

Schumer working with me and leadership on the Democratic and Republican sides of the Judiciary Committee to make sure that we get this vote.

So Senator

Lee will have a vote on this bill. I would certainly not concede at this moment giving tech something they want in this bill when we can't even have a vote on the Federal legislation, but we will have a vote on Senator

Lee's bill. I just believe they have to go hand in hand.

I think he is well aware of Senators doing all kinds of things procedurally to be able to get votes, but I think it is really important that we don't have a State-only approach when it comes to what is going on with tech.

To again remind my colleagues and those watching this, what our bill-this big, bipartisan, important bill-does, it doesn't tear apart the company. It doesn't even take on the fact that they are all monopolies-and they are monopolies. Google has a 90-percent market share. Apple and Google basically, when it comes to app stores, are duopolies in dominating the market.

While Europe is set to vote on their own digital market bill on Monday and move this ahead-I was just speaking with them-while Australia has taken on the issue of the news organizations, while Great Britain is moving ahead, we sit back. It is time to at least take on one issue.

As the Justice Department looks at what is a monopoly, is it a monopoly when you have 90 percent market share? The very least we can do is put some rules of the road in place.

What Senator

Grassley's and my bill does-and we have taken several comments from Members and made changes to that bill-what the bill simply does is it says: Hey, monopolies or gatekeeper companies, if you own your own companies-which they are increasingly doing-you can't use your monopoly status to self-preference your own products in front of other products.

No. 2, you can't copy nonpublic data that you have because of the virtue of the fact that you are the gatekeeper and then rip it off and make your own products. That is exactly what Amazon did, as the Wall Street Journal reported, with a four-employee luggage organizer firm when they gave them the data. The next thing you know, it shows up on Amazon Basics.

The third thing you can't do is make companies, small businesses, buy a bunch of stuff just to put yourself at the top of the platform.

The American people are with us on this, poll after poll, including a poll that Google accidentally-accidentally-put out there before they were able to pull it back that showed 68 percent of people want to use the antitrust laws-68 percent of people in their own polling-to be able to rein in this problem.

This is a uniquely American approach, but it must be done hand in hand with State enforcement.

So, all I am asking my friend and colleague to do here-and we wouldn't be here if we could have reached an agreement on this-is, I will assure him that we will have a vote on his bill; but we must also have a vote and finally move ahead on what is only a slice of what we could be doing.

We are not doing some of the things I would want to do, which is look back at some of these mergers, which is actually take that email that Mark Zuckerberg wrote that said I'd rather "buy than compete" and look at what they bought in their zest to be able to avoid competition. Right now, that is going on with the Justice Department and the FTC. But we are simply trying to set some rules of the road, and it is more than overdue after an 8-month investigation in the House of Representatives-an 8-month investigation.

What Federal bills have we passed that would put any checks and balances on these companies? They just keep getting bigger and bigger and bigger. And I am so pleased that some of the State attorneys general are taking this on.

I am eager to get Senator

Lee's bill and my bill up for a vote, but it will come close to when the vote on the actual Federal rules takes place. For these reasons, I object.

The PRESIDING OFFICER.

The objection is heard.

The Senator from Utah.

Mr. LEE.

Madam President, I appreciate the insight and the enthusiasm for antitrust law and even for this legislation that has been expressed by my friend and distinguished colleague, the Senator from Minnesota. She and I have been partners on a number of things, including the fact that we have alternated back and forth as the chair \*S2473 and ranking member of the Antitrust Subcommittee in the Senate for over a decade now.

As she mentioned, she is the lead cosponsor with me on this bill. We have worked together on it.

Look: I agree completely that we need to hold Big Tech accountable under antitrust laws. If you want to hold Big Tech accountable, pass this bill. Pass this bill today. There is not a reason to delay.

No, I understand and appreciate her desire to pass the Klobuchar-Grassley bill. I get that. It is a different proposal. It is not inconsistent with this one. There is no reason why this one couldn't pass and still allow the other one to move forward, nor is there any reason why this measure becoming law would, in any way, undermine that legislation or that legislative proposal.

As to reaching a deal or not reaching a deal, we have been in conversations with the office of Senator

Klobuchar for months-literally, months-about it. We talked about different strategies for making sure that we could get it passed-what might have to change. We both discussed the fact that we preferred to keep the bill intact with the retroactivity provisions in there, but, if necessary, we could remove the retroactivity provisions if, by so doing, we could get it past the hotline. All of that has been done in consultation with the office of the Senator from Minnesota for months-literally months. So none of this is a surprise. This was done in tandem with Senator

Klobuchar's office.

Finally, I feel the need to push back against the notion that whenever something bigger could happen, nothing smaller in that area may be allowed to pass prior to that. This is a discreet, very specific fix to antitrust law that is desperately needed-urgently needed in order to hold Big Tech accountable under our antitrust laws. There is no good reason to delay this, and it is unfortunate today that we can't do that. I least expected it from the lead cosponsor of the legislation.

The PRESIDING OFFICER.  
The Senator from Minnesota.

Ms. KLOBUCHAR.  
Again, I look forward to working with Senator

Lee to pass this bill, and I also look forward to passing a bill on the Federal basis and not just deciding that this should be in the province of 50 different States, and I thoroughly plan to work with him to pass this bill, and I hope it will be soon.

I suggest the absence of a quorum.

The PRESIDING OFFICER.  
The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PAUL.  
Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER.  
Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST-S. RES. 631

Mr. PAUL.  
Madam President, I rise today out of a desire to protect the rights and the health of the young men and women who serve the Senate as pages.

I think we could all agree that the Senate wouldn't function well without pages. The very first Senate page was a 9-year-old boy named Grafton Hanson. He was appointed by Daniel Webster in 1829. In those days, the pages' jobs were to refill the inkwells and clean out spittoons. Fortunately, things have improved a bit for the pages. The work isn't quite as messy anymore, but it is still a high-pressure job for a high school student.

When I was here on the floor voting last week, I noticed that the pages were all wearing masks, but none of my colleagues were. I threatened to come to the floor to seek unanimous consent to end the mask mandate, and the next day, the mandate ended. Coincidence? Perhaps.

The new policy states, though, that the mask-wearing will become optional for pages who test negative. But once again, we see the masks on the floor.

I urge my colleagues to look around. The pages are still wearing masks. The COVID policy for the Senate pages requires the reinstatement of a mask mandate if they have supposedly been exposed.

Apparently, there are rules for the pages of the Senate, but not for the President of the Senate, KAMALA HARRIS. When Vice President

Harris was deemed potentially exposed to COVID, she not only presided over the Senate's confirmation vote of Justice Ketanji Brown Jackson, but was also seen at the White House with the President, the First Lady, and the Justice without a mask. Rules for thee but not for me.

Jen Psaki justified the Vice President's violation of the COVID guidelines by stating that it was an emotional day. I guess if you are feeling like it is an emotional day then you can do what you please, unless you are a page. The impressive thing about that absurd defense was that Psaki was able to say it with a straight-and maskless-face.

But an unseasoned mask mandate is not all that is required of the pages. According to the guidelines: "All pages are required to be fully vaccinated; if their initial vaccination series was completed at least five months ago, pages are required to obtain <a> booster <shot>" to participate in the Page Program.

From day one, our country's response to this pandemic has made the comfortable more comfortable, while the working class or kids or people with no power have to keep on working but have to obey rules that the adults don't have to themselves.

Now in the halls of Congress we have created a privileged class that can choose whether to get vaccinated and an underclass that has to abide by dictate. It makes absolutely no sense to mandate COVID vaccinations for teenagers who are healthy. It makes even less sense to mandate a booster. There is no scientific evidence that boosters are valuable, and there is scientific evidence that boosters increase the risk of a heart inflammation for young adolescent males.

A study published last month in the Journal of the American Medical Association Cardiology examined over 23 million people ages 12 and up across Denmark, Finland, Norway, and Sweden. It concluded that the risk of myocarditis, an inflation of the heart, "was more pronounced" after a second mRNA vaccine dose, "and the risk was highest among males aged 16 to 24 years."

This is exactly why several European countries, including Germany, France, Finland, Sweden, Denmark, and Norway, all restrict the use of mRNA vaccines for COVID-particularly for adolescents, particularly for adolescent males. The policy of our pages does not address this issue at all and blindly commands boosters.

In fact, if you read the policy, you could imagine an endless stream of boosters. Every 5 months that you haven't had another vaccine you would be required to get a booster.

Last fall, the director and deputy director at the FDA's Office of Vaccines Research and Review both resigned. Realize who these people are. They are on the vaccine committee. They are pro-vaccine. Both of them are actually pro-vaccine mandate. Yet, they resigned from the Government, as reported, "citing White House pressure to approve third doses for all adults and writing damning op-ed's critical of the FDA's subsequent decision to do so."

It became a political decision. The committee voted against extending boosters to kids, and then it was overruled by politicians at the White House. These two researchers, long esteemed, who have been on this committee for years, resigned in protest.

One of the op-eds that ran in the Washington Post was coauthored by Dr. Paul Offitt, a professor of pediatrics and director of the Vaccine Education Center at Children's Hospital of Philadelphia.

Once again-not an opponent of vaccines; a proponent of vaccines, a guy who has been on the vaccine committee for decades.

As a Member of the FDA's advisory committee, Dr. Offitt, though, did not support widespread boosting when the committee met to consider boosters for all adults in September and October. He and the two former FDA officials wrote: "A healthy young person with two mRNA doses is extremely unlikely to be hospitalized with COVID, so the case for risking any side effects," the case for forcing them to take a third vaccine when their risk of COVID after two vaccines is nearly, if not virtually, zero, he says-or they said that the case for risking any side effects-such as myocarditis-diminishes substantially. \*S2474

What happens is myocarditis is a rare event for vaccines, more common with young adolescent males. But you have to compare the risk of getting myocarditis with the vaccine to the risk of the disease. Young people who have been vaccinated twice-even without vaccines, young people, the death rate under 15 is 1 in 2.32 million. With the vaccine it is probably zero. We have studies of millions of people. We can't find kids that are dying or going to the hospital with two vaccines. And yet the policy for pages in this body is a booster-a mandated booster. It is actually malpractice. It is malpractice to give a booster, a third vaccine, to an adolescent male and probably to an adolescent female. There is no evidence it helps them.

Then the other argument goes like this: Oh, we don't want them to transmit it to people. Guess what? We have done a study on that, too. Vaccinated versus unvaccinated: 25 percent of the household will transmit it. It is the same for both groups. The vaccine protects you from hospitalization and death. It does not prevent transmission.

So we are going to vaccinate these kids to take care of the old folks in the Senate. It is not true. And they have already been vaccinated twice. The third vaccine-there is no scientific evidence. There is, however, evidence that it is a danger to them. And to ignore that danger, to be supportive of force I think is without question the wrong way to go.

In January, a piece in The Atlantic cited Dr. Offitt-once again, a vaccine supporter who has been part of the vaccine committee with the FDA for decades-as saying this:

Getting boosted would not be worth the risk for the average healthy 17-year-old boy.

This is coming from an advocate of vaccines-not a denier, not someone who hasn't been vaccinated. His son has been vaccinated, I believe, twice. But he said he wouldn't do it for a 17-year-old. In fact, he advised his son publicly, who is in his early 20s, not to get the third dose.

What if I am wrong? What if Dr. Offitt is wrong? I don't know. What if it is a controversy? Wouldn't we allow it, maybe, in a free society, up to free individuals consulting with their parents whether you want to get them? But, no. Everything is

about force. Everything is about mandates. Do as I am told, even when the science doesn't support it-even when the science is arguable. Do it or we will fire you. Do it or we will send you home. I think it is a terrible example and, coming from the Senate, an awful precedent.

The Chicago Thinker is a paper for the University of Chicago, and the students there put it in a January 11 editorial. These are the kids who are being forced to do boosters as well:

If being "boosted" becomes a prerequisite for participation in normal life, the vaccine's diminishing efficacy means the booster campaign will never end.

See, we know this. This is the truth of the matter. While the vaccine does help you to prevent hospitalization and death, we know it has diminishing efficacy, meaning that it wears off, so you have to keep getting boosted and boosted and boosted. But shouldn't we at least study it? Shouldn't we be honest with these kids in that their death rate is virtually zero with nothing? If you vaccinate them, it is zero, and then we have just got to keep vaccinating them. Just do as you are told. Submit to the State. Do whatever people tell you despite the science; despite three scientists from the FDA's vaccine committee saying it is not warranted; despite people arguing that it is actually malpractice and puts these young people at risk to make them get a third vaccine.

In December, Dr. Marty Makary, a professor at the Johns Hopkins School of Medicine, wrote in the Wall Street Journal:

The U.S. government is pushing Covid-19 vaccine boosters for 16 and 17-year-olds without supporting clinical data. A large Israeli population study, published in the New England Journal of Medicine earlier this month, found that the risk of COVID death in people under 30 with two vaccine shots was zero.

The risk of death is zero, and we are forcing them to get a third shot for which we know, from large, million-person studies, there is a side effect of heart inflammation.

Even World Health Organization Chief Scientist Dr. Soumya Swaminathan said in January that there is no evidence right now that suggests healthy children and adolescents need booster shots.

So most of Europe has actually said don't take it because of the risk of myocarditis, and the head of the WHO says there is no health reason for which to do it. Yet the Senate thinks it is smart enough to mandate these kids. God forbid one of them dies. God forbid one of them gets myocarditis.

Dr. Martin Kulldorff, an epidemiologist from Harvard Medical School, says that mandating people who have already had COVID to still get vaccinated "makes zero sense from a scientific point of view, and it makes zero sense from a public health point of view."

Furthermore, we now know the CDC released that, under age 11, 75 percent of the kids have already had it. So, in the age category of the pages and a little older than that, we are looking at a 70 to 75-percent chance they have already had it; they have already been vaccinated; their chance of death is zero. Yet it is not enough. They must submit-submit to the man; submit to the woman; submit to the State.

The science isn't there. It is all about submission.

Then we have weak lapdogs who just say: Go ahead and force them. We don't care. It is not very likely they will die. It is only a few out of 100,000 we may lose.

A study in The Lancet last September supported this view, stating:

Current evidence does not . . . appear to show a need for boosting in the general population.

This is not just in kids. This is in The Lancet, saying there isn't evidence for boosting in the general population.

What has been accepted by most people is that boosting for those at risk-those of age, those with obesity, those with, you know, other risk factors-is not an unreasonable thing. For most of the people our age and older, the vaccine, without question, is safer than the disease, but the disease is so rare, so uneventful, and the death rate so low in children that you need a near-perfect vaccine to say: Take the vaccine versus the disease.

Even then, wouldn't you want to know if they had had it? Wouldn't we want the CDC to release, if you have had COVID or if you have had COVID and have been vaccinated, what your chances are of going to the hospital?

They actually did look at this for a large population study, and they found that, if you were vaccinated versus unvaccinated, you were 20 times less likely to go to the hospital. I still believe that to be true, and I think it is for the overall population. It is probably not measurable for kids because kids aren't largely affected by this.

Do you know what they also measured? They measured unvaccinated versus the unvaccinated who have had COVID-and guess what. You were 55 times less likely to go to the hospital. The disease is an incredibly potent source of immunity. If you have been vaccinated and had the disease, I think you would calculate that in.

Do you just blindly submit and just take 100 vaccines and take it every 6 months or would you want to talk to your doctor and say: Well, I had COVID in January, and I have had two vaccines. I am relatively thin and relatively healthy. What do you think?

Wouldn't there be a decision-making process?

When we are talking to children-the young men and women at the ages of 15 and 16 years old, many of whom have had COVID already and have already had vaccines-wouldn't we want them to be part of the decision making?

Wouldn't we say: What do your parents think?

Wouldn't we ask for parental consent?

This is insane what we are doing. We have taken off on a tangent where things that were once private decisions are now the realm of the State.

In the study in The Lancet, they stated that the "current evidence does not . . . appear to show a need for boosting in the general population, in which efficacy against severe disease remains high," and "currently available evidence"-this is also from The Lancet-"does not show the need for widespread use of booster vaccination in populations that have received an effective primary regimen." \*S2475

So here we have a not insubstantial journal, The Lancet. Now, you can disagree. You can disagree with the New England Journal of Medicine. You can disagree with The Lancet, but for goodness' sake, wouldn't you at least admit that it is an argument and that when there is an argument that has valid facts on both sides of it that maybe the individual ought to get to decide?

The Lancet says:

Currently available evidence does not show the need for widespread booster vaccination in populations that have received an effective primary vaccination regimen.



There is absolutely no clinical data to support other than a bunch of bureaucrats who want to command you. There is no clinical data to say that 15 and 16-year-olds ought to get a booster-zero.

When we consider the rules for pages, we ought to ask: Will these policies be expected to continue indefinitely? And, if so, to what end? based on what data? When will they change?

We have got them in here wearing masks. The Vice President doesn't wear a mask when she is exposed. Look across all the pages of the news. Everybody has been exposed. I think we have had 8 to 10 Senators who have had COVID in the last couple of weeks. Do you think everybody who ran into them wore a mask for 2 weeks? No, nobody is doing it. Nobody is paying any attention to these people, but the pages are stuck under the thumb of these public health czars.

When we consider the rules, we ought to ask: When will this end?

When it comes to vaccines, though, they can benefit the vaccinated person, but it doesn't stop transmission. The best data we have comes from Denmark, where vaccines were not shown to have any impact on household viral transmission or the secondary attack rate. In other words, whether vaccinated or unvaccinated, they both transmitted the disease equally.

It is no coincidence that the Scandinavian countries have moved on to a targeted testing and treatment regime. They are no longer just saying for everybody to submit and for everybody to do the same thing. They are targeting the disease and those who are at risk. They don't expect people to live in a state of constant fear under an endless public health emergency. Instead, public health officials issue recommendations about how those at risk can protect themselves. They give advice.

There was a time in the history of our country when public health officials gave advice, not dictates or mandates. Realize the policy we are adhering to is the same policy that Dr. Fauci espouses, and you know what his response was.

When the court struck down the mask mandate on planes, do you know what Dr. Fauci had the audacity to say? He said: How dare the courts involve themselves in public health. We are not smart enough. Nobody outside the realm of Dr. Fauci is smart enough, but how dare the courts or the Constitution adjudicate what is individual liberty, what is the responsibility of government, and whether the CDC has the power to have mask mandates-none of this.

How dare they? That was his response.

Some offered a different approach. Some offered a more targeted approach to this. It is what Dr. Scott Atlas called for when he was at the White House in the last administration, but his voice was deliberately drowned out by Dr. Fauci and others who attempted to govern by stick rather than carrot.

Public health measures should be backed up with proof that the benefits outweigh the burdens. There is no evidence of that when it comes to vaccination mandates, especially for teenagers, who as a group are less vulnerable to this virus than any Senator. That is why I am asking unanimous consent that the Senate pass my resolution to end all COVID mandates for pages and respect their privacy, their rights, their medical freedom, and their health for the young men and women who serve in this Chamber.

Madam President, as in legislative session, I ask unanimous consent the Senate proceed to the consideration of S. Res. 631, which is at the desk. I further ask that the resolution be agreed to and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER.  
Is there objection?

The Senator from Missouri.

Mr. BLUNT.

Madam President, in reserving the right to object, my colleague Senator

Paul is well-intended in this recommendation, and I listened to it carefully, as I am sure others did.

The Page Program, which has been in effect since 1829, has become a program of both opportunity and education and is a program that the Page Board, the Senate Page Board, has responsibility for.

I would say, in looking at the immediate future, the pages who are here now, the pages who have agreed to be pages in the summer, and the pages, I think, who are in line to be pages in the fall-and their families-have all looked at these recommendations. They have all decided they are recommendations they would be able to meet. Maybe more importantly, they also have decided to make that family decision for their children to be here and be pages as high school juniors, perhaps, because of the standards that have been set that they are well aware of.

I would hope that Senator

Paul would continue to talk to the Page Board. I think the Page Board has a very important job to do. They accept an incredible responsibility of the relationships that they have decided to enter into between the pages, their families, and the Page Board in representing the Senate.

That Board has some oversight from the Rules Committee, and I yield to the chairman of the Rules Committee.

The PRESIDING OFFICER.  
The Senator from Minnesota.

Ms. KLOBUCHAR.  
Madam President, I thank Senator

Blunt for his statement.

I join him in opposing this resolution.

As chair of the Rules Committee, with oversight of the Sergeant at Arms who helps manage the Senate Page Program, I know, like Senator

Blunt does and everyone here does-I see Senator

Leahy is here, the Presiding Officer, and Senator

Paul-how hard the dedicated pages, who come from States across the country, work to help us do our jobs here on the Senate floor. We are so excited when we have someone from our States come and join us as a page. They are, too, as are their families.

As we continue to reopen the Capitol, which I strongly support, we must also take into account the health and safety of everyone who works and visits here, including our pages. This resolution would reverse the Page Program's-as Senator

Blunt noted-current policy and prohibit any requirement for pages to be vaccinated against COVID-19.

It would also prohibit requiring pages to undergo COVID testing or wear a mask regardless of guidance from the Office of the Attending Physician or the CDC. This includes reversing the policy that all pages must wear a mask if one tests positive—a commonplace rule to protect healthy pages, who all live in the same dormitory, which, I think, is the defining part of this.

In light of recent events, we know that staff, Senators, as well as pages, have tested positive in the past few weeks. In light of these recent events, the Attending Physician, Dr. Monahan, has recommended that all pages wear masks. I believe in science. I believe we should listen to Dr. Monahan. Local public health officials have also decided, by the way, to require vaccines for certain eligible students in Washington, DC, including those attending our page school here in the Senate.

I agree with Senator

Blunt in that the Page Program needs flexibility to set its own policies to protect the health and safety of pages. We should not put these young people who have come here to work in the heart of our democracy at risk unnecessarily.

We all know that the vaccine helps greatly if someone gets sick. I know that because my husband got really sick before there was a vaccine. He is healthy, and he ended up in the hospital for a week on oxygen. That might shape my response here, but I believe that if he had had the vaccine, we wouldn't have come that close to losing him.

I believe in science. And so I join Senator

Blunt in this objection. And we look forward to seeing these pages and many pages serve us well in the coming years; therefore, I object. \*S2476

Thank you.

I yield the floor.

The PRESIDING OFFICER.  
Objection is heard.

#### VOTE ON MOTION TO DISCHARGE

The PRESIDING OFFICER.  
The question is on agreeing to the motion to discharge.

Mr. LEAHY.  
I ask for the yeas and nays.

The PRESIDING OFFICER.  
Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 50, nays 50, as follows:

<Rollcall Vote No. 174 Ex.>

YEAS-50

Baldwin Bennet Blumenthal Booker Brown Cantwell Cardin Carper Casey Coons Cortez Masto Duckworth Durbin Feinstein Gillibrand Hassan Heinrich Hickenlooper Hirono Kaine Kelly King Klobuchar Leahy Lujan Manchin Markey Menendez Merkley Murphy Murray Ossoff Padilla Peters Reed Rosen Sanders Schatz Schumer Shaheen Sinema Smith Stabenow Tester Van Hollen Warner Warnock Warren Whitehouse Wyden

NAYS-50

Barrasso Blackburn Blunt Boozman Braun Burr Capito Cassidy Collins Cornyn Cotton Cramer Crapo Cruz Daines Ernst Fischer Graham Grassley Hagerty Hawley Hoeven Hyde-Smith Inhofe Johnson Kennedy Lankford Lee Lummis Marshall McConnell Moran Murkowski Paul Portman Risch Romney Rounds Rubio Sasse Scott (FL) Scott (SC) Shelby Sullivan Thune Tillis Toomey Tuberville Wicker Young

(Mr. SCHATZ assumed the Chair.)

The VICE PRESIDENT. On this vote, the yeas are 50 and the nays are 50.

The Senate being equally divided, the Vice President votes in the affirmative, and the motion is agreed to.

The nomination is discharged and will be placed on the calendar.

#### ORDER OF PROCEDURE

Mrs. MURRAY.

Madam President, I ask unanimous consent that the Senate now vote on confirmation of Executive Calendar No. 718, the nomination of Susan Grundmann, as provided under the previous order, and that following disposition of that nomination, the Senate proceed to the consideration of the Powell nomination and at 1:45 p.m., vote on confirmation of the nomination.

The PRESIDING OFFICER (Mr. Schatz).

Is there objection?

Without objection, it is so ordered.

168 Cong. Rec. S2395-01, 2022 WL 1486635  
Congressional Record --- Senate  
Proceedings and Debates of the 117th Congress, Second Session  
Tuesday, May 10, 2022

**\*S2395 EXECUTIVE CALENDAR**

The PRESIDING OFFICER.

The clerk will report the nomination.

The legislative clerk read the nomination of Lisa DeNell Cook, of Michigan, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2010.

The PRESIDING OFFICER.

The Senator from Massachusetts.

WOMEN'S HEALTH PROTECTION ACT

Ms. WARREN.

Madam President, I rise today to urge the Senate to take action to protect abortion rights and defend our constitutional rights.

A far-right, extremist **Supreme Court** wants to force their views on every American. Roe v. Wade has protected the right to a safe, legal abortion for nearly 50 years. Though Republicans have tried to challenge it in court many times, the **Supreme Court** has reaffirmed Roe over and over and over again-until now.

So what changed? Why is something that is repeatedly referred to as "settled law" on the threshold of being swept away like so much dust? Why is a law that literally tens of millions of people have depended on to protect access to a safe, legal abortion suddenly about to evaporate?

We don't arrive here accidentally. We are here because Republican politicians have spent decades plotting for this moment. They have cultivated extremist judges. Groups like the Federalist Society have screened possible candidates and drawn up lists of which possible candidates could and could not be counted on. Extremist donors spent billions in dark money so that their preferred ideologues could chip away at people's fundamental rights and do it from the Bench. Republican candidates for office pledged to support Justices who would get rid of Roe v. Wade. And, finally, when all of that still wasn't enough, Republicans stole two seats on the **Supreme Court**, all to force their unpopular minority agenda on the rest of America.

I am here to sound a warning. Republican extremism has been carefully nurtured for years. Now Republican extremism is spreading, and now it is obvious that Republican extremism knows no bounds.

Let's talk about the facts-the facts of Republican extremism-and let's begin with who pays the price for Republican extremism. Changes in abortion laws will have terrible consequences, but those consequences will not fall equally on everyone. No, those with money will always have the option to leave the State or leave the country to travel where abortion is safe and legal. No, the people who will pay the biggest price will be the most vulnerable among us-the mama already working two jobs to help make ends meet to support the children she has; the women working jobs who have no paid leave and who can't take 3 days off work to go to another State; the women in South Dakota scrambling to make an appointment at the only abortion clinic in the entire State; the 12-year-old who has been molested; the person who has been raped; the women in Texas who need lifesaving care

their doctors can't provide; and the women all across the country, especially women of color, already facing shamefully high maternal mortality rates-because in America, carrying a pregnancy to term is 43 times riskier than a legal abortion.

These are the facts about overturning Roe v. Wade, and these are the people-disproportionately low-income women, women of color, and women in rural communities-who will pay the price for Republican extremism.

Overturning Roe is just the beginning. Republican State legislatures all across the country have already been emboldened by this **Supreme Court**, introducing hundreds of anti-abortion bills this year alone. States are now introducing bills to declare it a crime for someone to obtain an abortion, for someone to provide an abortion, or for someone just to help someone locate where they might get an abortion.

And where will the Republican extremists turn next? Will they investigate every miscarriage? Will they put every obstetrician and gynecologist on the watch list? Will they monitor location data for every person who pulls into the parking lot of a Planned Parenthood clinic?

Let's be absolutely clear about what will happen if this decision stands. Republicans want to do more than criminalize abortion; they want to criminalize women for making decisions about their pregnancies and their own health. This isn't theoretical. It is already coming to pass.

In Texas, where abortion has been virtually inaccessible to millions of Texans for the last 8 months, a young woman has been charged with murder for an alleged self-induced abortion.

An Oklahoma law has passed that would outlaw abortion even in the case of rape or incest. But what Republicans are really after is criminalizing women's very bodies.

In Louisiana, Republicans are pushing for the most extreme bill yet, legislation that would classify abortion as a homicide. If enacted, this bill could criminalize women for using certain forms of birth control or even for having a miscarriage that she had no control over.

And we know who will be the most affected by the overcriminalization of women's bodies. It will be women of color who are already overpoliced and face the greatest barriers to accessing healthcare.

The intrusiveness of these State laws is vile. Efforts to give fertilized eggs "personhood" rights and to criminalize abortion could make IVF procedures criminal, depriving someone who wants to get pregnant the only option available to her.

As some States get more and more aggressive about intruding into the private lives of millions of women, just this weekend, the Republican leader,

Mitch McConnell

, signaled he is open to even more extremism. He said that a nationwide abortion ban was "possible" if Republicans retake the majority-a nationwide abortion ban applicable in every State, including those States that are currently working overtime to protect access to abortion; a nationwide abortion ban applicable to girls who have been molested and to people who have been raped and to women who are already working three jobs to support the women they have. Republican extremism is spreading. Republican extremism knows no bounds.

For me, this isn't about politics; this is personal. I have lived in a world where abortion was illegal. I learned early on that when the law bans abortions, only safe and legal abortions will actually be banned. I lived in a world in which women bled to death from back-ally abortions, a world in which infections and other complications destroyed women's futures, a world in

which women's educations and lives were derailed by an unplanned pregnancy, a world in which some women took their own lives rather than continuing with a pregnancy they could not bear.

I have also lived in a world where abortion is legal. For decades, expanded access to abortion has allowed people to make decisions about their own bodies and lives, promoting access to life-changing opportunities and careers that have previously seemed out of reach. But the Republican extremists and the extremist Justices they have put on the **Supreme Court** just don't care. They want to send us back to the days when women's rights to control their own bodies and their own futures simply did not exist. \*S2396

American freedoms are under attack. The liberty of more than half our population is under attack. Republicans have planned long and hard for this day, and now that it is here, we must stand and fight.

Tomorrow, the Senate will vote on the Women's Health Protection Act to enshrine the right to an abortion in Federal law. We need the Women's Health Protection Act to prevent radical rightwing State legislatures from ever enacting extreme bills like Texas's SB 8 or Mississippi's 15-week ban. With WHPA, we will take the steps necessary to protect our human rights. It is just that simple.

And for everyone who says we don't have the votes in the Senate to get this done, I say, then get in the fight and give us the Senators who will get it done. Don't tell us what we can't do to stop Republican extremism; get in the fight to help us beat these abortion restrictions into the dirt. Get in the fight to recognize the dignity and liberty of every American.

After this vote, there will be no ambiguity. Every American will know exactly where their elected representatives in Congress stand, and every Senator will have to explain whether they defend the right of every person to have control over their own bodies and their own futures or whether they will stand by as women's constitutional rights are brazenly stripped away.

Whenever this Court strikes down freedoms and rights guaranteed by the Constitution, Congress must defend Americans every single time. I am angry that a group of unelected ideologues on the **Supreme Court** think that they can turn current law upside down and dictate to tens of millions of people across this country the terms of their pregnancies and their lives.

But the **Supreme Court** does not get the last word on the right to a safe and legal abortion. The American people, through their leaders right here in Congress, can take action. And that is why I will vote to support the Women's Health Protection Act. That is why I will fiercely oppose any threat to our liberty. And that is why I will continue to fight with every bone in my body to protect the right of every woman to control her own future.

Republican extremism is spreading. Republican extremism knows no bounds. Tomorrow, we have a chance to fight back, and we will fight back.

I have lived in a world where abortion is illegal, and we are not going back-never.

I yield the floor.

The PRESIDING OFFICER (Mr. Murphy).  
The Senator from Connecticut.

Mr. BLUMENTHAL.

Mr. President, when I introduced the Women's Health Protection Act in 2013--yes, in 2013, almost 10 years ago--the idea that *Roe v. Wade* would be overturned by the U.S. **Supreme Court** was virtually unthinkable. We accepted 50 years of established precedent, long-accepted law in this country--as something that was virtually unimaginable.

Women relied on it. Our society took it as a core principle of our constitutional law, much as *Brown v. Board of Education*, *Marbury v. Madison*, *Roe v. Wade*, tenets and pillars of constitutional law in this country. And when we asked nominees to the U.S. **Supreme Court**, the three most recent of them-and I personally asked this question-is *Roe v. Wade* established law, they said to us that they would rely on *stare decisis*, which for everyday Americans is, basically, we will follow established precedent as articulated year after year by the U.S. **Supreme Court**.

The now well-reported Alito draft of an opinion overturning *Roe v. Wade* came like a thunderbolt, an earthquake, a seismic blow that constitutional scholars thought was unthinkable.

The draft itself is strident and brash. It is disrespectful in a way that **Supreme Court** opinions never are. It is unprecedented in its tone and approach, saying that *Roe v. Wade* was egregiously wrong, failing to accurately portray what it held and the reasons for its holding.

There is no question in my mind that the Court, in its final opinion, will smooth the edges of that draft. It will try to tone down the rhetoric. It will dress it up. But the result will be the same. No matter how the Court may try to dress it up, it will have the same impact on millions of Americans and their families because the U.S. **Supreme Court** is poised to issue the most radical ruling in recent history-perhaps in the entire history of the United States-the most extreme contraction of fundamental constitutional rights in the history of the United States.

Let's indulge ourselves for a moment in a belief in the American dream and the exceptionalism of America, which is to expand rights and liberties. The story of America is expanding freedoms and liberties for all of us, not reducing it, restricting it. But this **Supreme Court** is poised to eradicate a fundamental right that millions of Americans have relied on for half a century. The Court has signaled that it will inflict an enormous leap backwards, with incalculable costs and chaos for countless women and their families. If the Court indeed overturns *Roe*, 23 States have laws that would immediately go into effect to be used to restrict the legal status of abortion.

Today, 90 percent of American counties already lack a single abortion provider-not one in 90 percent of American counties-and 27 cities have become so-called abortion deserts because people who live there have to travel 100 miles or more to reach a provider. Without the protections of *Roe*, this situation will become even worse for millions of Americans. Women in Louisiana, just to take one example, will be 630 miles from the nearest abortion clinic. Women in Florida, Texas, Mississippi, Utah, and many other States would be in a similar position. Access to reproductive freedom will depend on a woman's ZIP Code, not on her personal choices or her needs.

Abortion bans without *Roe* will disproportionately impact low-income women in those 23 States poised to ban abortion.

Justice Alito-perhaps not surprisingly-fails to address the ways that the Court's ruling will disproportionately impact communities of color all around the United States. There is an issue here of racial justice because these restrictions disproportionately affect Black women and other racial minority communities. Today, fewer than 1 in 10 abortion providers are located in neighborhoods where the majority of residents are Black. That is a simple, straightforward fact of life. And the closure of clinics will make it only worse.

The simple fact is that *Dobbs* will turn back the clock. It will roll back protections relating to fundamental rights.

May I say that the same people who argue that mask requirements designed to protect public health infringe on their fundamental liberties are perfectly happy sending the government into a hospital room as a couple makes an incredibly difficult, personal life decision. The same people who see masks as an infringement on bodily autonomy are perfectly happy with the government telling a woman who comes to a hospital, possibly in mortal danger of internal bleeding from an ectopic pregnancy: You will have to die. No doctor can help you.



That is not bodily autonomy; that is not liberty.

After the Court's final decision in Dobbs, today's young women, the young women of 2022, will have fewer rights than their grandmothers. Young women today will have fewer rights than two generations ago. To someone who recalls the seminal decision in Roe v. Wade in 1973 and the promise of that moment, it is unacceptable.

I was a law clerk to the author of Roe v. Wade in the term after he wrote the opinion. Justice Blackmun and the Court decided by a 7-to-2 majority-7 to 2; Justice Blackmun was appointed by a Republican President-that this right is fundamental. Whether you criticize the decision-and there have been plenty of people who criticized that opinion-it has been established law, relied on, incorporated in precedent after precedent. And now, in the Women's Health Protection Act, we ask that it be incorporated in statute, that the Roe v. Wade standard be enshrined and embodied in a statute, just as Connecticut did in its State statute in 1990-a law that I championed when I was in our Connecticut State Senate.

In lieu of well-established **Supreme Court** precedent, Justice Alito relies on a 17th-century English jurist who advocated for marital rape and who tried women for witchcraft. This isn't just judicial activism; this is extremism. This is fringe history cloaked in a judge's robe. \*S2397

And do you know what is conspicuously absent from Justice Alito's radical draft opinion? What is absent is women. Justice Alito gives absolutely no credence to the empirical evidence before the Court-evidence offered by health experts and economists who demonstrate the ways in which women have relied upon abortion access to make decisions about their health, their lives, their careers, and their future. Instead, he gestures at the fact that women have the right to vote as evidence they don't need the right to control their lives and their own bodies. I am sorry, but the right to vote is where rights begin; it is not where they end.

And we know the truth, whether or not Justice Alito acknowledges it: The Court's world without Roe would not just impact one segment of society, one demographic, one geographic area; it will affect all of us. One in four American women will undergo an abortion in her lifetime-one in four.

To the men of America, all of you love someone, you know someone, you treasure someone who has had an abortion, who has needed an abortion. You can't sit this one out.

It is all of us, men as well as women. We all have a stake in this radical decision that will affect all of America and make us a lesser nation with fewer rights and liberties.

The Court's draft opinion in Dobbs is just the next step in a multidecade fight which the Court has waged on abortion access. It has already shown willingness to dramatically curtail the right of a pregnant person to decide whether and when to have a child. Just ask women in the State of Texas. They are living in a State without the protections of Roe v. Wade, with a dangerous anti-abortion law, SB 8, which contains a 6-week abortion ban. Six weeks is far before many women even know they are pregnant, as all of us in this Chamber know.

Texas's dangerous law deputizes private citizens to enforce the State's onerous abortion law. In Texas, a rapist can sue a doctor if they provide an abortion to a rape survivor. Someone who drove their sister to a healthcare clinic where she has an abortion could be sued, again, by anyone in the United States-anybody-with a \$10,000 government prize money waiting for that bounty hunter. This is extremism-extremism-in a judge's robes.

I am proud to say that the State of Connecticut today has a law-literally, the Governor signed this law today-making sure that people are protected in Connecticut against those kinds of bounty hunters. My hope is that other States will follow Connecticut in providing that kind of basic protection.

It has never been more urgent for the Congress at the Federal level to pass the Women's Health Protection Act. The Women's Health Protection Act would protect rights established by 50 years of Court precedent, protecting the right to an abortion prior to fetal viability. It would put an end to laws like the 15-week ban on abortion that is now before the Court in the Dobbs case.

Importantly, as well, the Women's Health Protection Act would put an end to medically unnecessary restrictions posing as health restrictions that single out abortion care with one goal in mind: to block and impede access to safe, needed healthcare—laws like the so-called TRAP law, or targeted regulation of abortion providers; such as minimum measurements for room size or hallway width that have no rationale other than the transparent desire to curtail access; laws that require providers to offer medically inaccurate information when providing abortion care, like in Alaska, Kansas, Mississippi, Texas, and West Virginia, where healthcare professionals are forced to tell women—give them medically inaccurate information about links between abortion and breast cancer. It would put an end to a reality where our doctors are required by law to lie and mislead about the risks of a safe medical procedure, and it would restore an evidence-based approach to informed consent.

In short, it would essentially guarantee the right that exists now, and it will exist until the **Supreme Court** rules that you can decide whether and when to have children.

Let us be very clear about what the Women's Health Protection Act does and what it doesn't do. It does not force any unwilling medical provider to perform abortions if they wish not to do so. It says that doctors, nurses, and hospitals may provide abortion care, not that they must do so.

This measure is an evidence-based, scientific approach to the protection of women's healthcare, and it restores a future where all of us are free to make personal decisions that shape our lives, our futures, and our families with dignity and respect, without political interference in a decision made between a patient and a doctor, much as all healthcare decisions should be.

The implications of the Court's draft decision in Dobbs and what we are expecting from the Court in coming weeks simply can't be overstated or exaggerated, but it would be foolish to believe that the Court's conservative supermajority will stop even at Roe.

Justice Alito's draft opinion, even if it is never issued by the Court, is the road map where this Court will go in the future. It is permeated with support for the notion that "fetal personhood," a dangerous theory furthered by States like Louisiana that seek to make abortion a crime of homicide from the moment of fertilization, if adopted, the Court's novel, invented theory of personhood could and may well lead to nationwide prohibitions on abortion. And most recently, just over the weekend, the minority leader of the Senate has made clear that in a post-Roe world, a Federal ban on abortion is on the table; so did State officials who spoke over the weekend.

It is more than a cloud on the horizon; it is an impending, real, imminent storm upon us. A ban nationwide on abortion, that would override even the States like Connecticut that are seeking to legislate protections for women that will make us a safe harbor and haven.

The draft opinion also invites challenges to a host of fundamental rights that were also not widely recognized in 1868, the moment in which Justice Alito freezes us in time. He literally freezes constitutional rights regarding reproductive liberties in that long-gone moment.

The draft opinion cast invites challenges to a host of fundamental rights, including contraception, *Griswold v. Connecticut*; interracial marriage, *Loving v. Virginia*; same sex marriage, *Obergefell v. Hodges*; and sexual intimacy between consenting adults, *Lawrence v. Texas*.

You don't need to be a constitutional scholar to understand the clear and present danger to American democracy in this draft opinion.

This Court may dress it up, but the results and the reasoning will be the same: radical extreme fringe-and directly contrary to what three nominees testified in their confirmation hearing. Oh, we respect established precedent, of course, stare decisis, fundamental principle.

The legitimacy and credibility of this Court is deeply in peril at this moment, and our democracy really depends on the credibility and respect that the American people accord the **Supreme Court** of the United States. It has no armies or police force. It has no power of the purse. Its authority depends directly on trust and credibility, the sense of legitimacy that the American people accord it.

In the United States, public support for legal access to abortion is at the highest it has been in two decades, a cruel irony for this Court. And today the overwhelming majority of voters believe that everyone should have access to the full range of reproductive healthcare, including annual screening, birth control, pregnancy tests, and abortion. It is a matter of health.

And at the same time, millions of Americans across this country are absolutely terrified. They are angry and horrified about what the **Supreme Court** is poised to do because they depend on accessible women's healthcare. If the **Supreme Court** overturns Roe and we have taken no legislative action, we will find ourselves in a nation where young women of this country, not only have fewer rights than their grandmothers, they have fewer rights than any of them thought possible.

We have to resolve that we are not backing down, we are not going away, we are not going back in time. It has never been more urgent to elect people, Members of this body, who will protect fundamental rights. And I guarantee that in elections to come, reproductive rights will be on the ballot. The women **\*S2398** and men of America will mobilize. They will be galvanized on this issue because the Women's Health Protection Act will be on the ballot, and we will have more votes in this body so that Members will be held accountable for what they do or fail to do. And, ultimately, the American people and the world are watching.

I yield the floor.

The PRESIDING OFFICER.  
The Senator from Montana.

Mr. DAINES.

Mr. President, at the National Prayer Breakfast in 1994, Mother Teresa famously said:

I feel that the greatest destroyer of peace today is abortion, because it is a war against the child, a direct killing of the innocent child.

She went on to say:

Any country that accepts abortion is not teaching the people to love but to use any violence to get what they want. That is why the greatest destroyer of love and peace is abortion.

That was Mother Teresa at the National Prayer Breakfast here in DC in 1994. I agree with those words. Frankly, it is shameful that the Democrats and pro-abortion activists have resorted to despicable tactics-some even illegal, some violent-in a last-ditch effort to intimidate the Justices in the Dobbs case to get the outcome that they want.

What began with the unprecedented leak of the majority draft opinion last Monday has quickly devolved into protesting at the Justices' homes, threatening and disrupting church services, vandalizing pregnancy resource centers that offer support services to pregnant moms, and even throwing Molotov cocktails at the offices of a pro-life organization. Frankly, it is chilling.

It is unacceptable. We cannot let the far left's outrageous behavior obscure the fact that the Dobbs draft opinion authored by Justice Alito is a triumph of the Constitution and the rule of law.

There is no right to abortion in the text, in history or structure of our Nation's founding document, and the draft opinion masterfully marshals 98 pages of argument and evidence to demonstrate that very fact.

This watershed decision would be a tremendous victory for the fight for life and turn the page on a dark chapter of our Nation's history in which more than 62 million unborn children have been tragically killed. If the draft opinion stands-and I pray that it does-it transfers that power from unelected judges and gives it back to the American people, back to legislatures and elected representatives to enact compassionate laws that protect unborn babies and their mothers.

If the Democrats exploiting the unprecedented leak of the majority draft opinion, if it is to stir up the far left base and intimidate Justices, that is not bad enough, they are now trying to pass a radical bill to impose abortion on demand without limits across the entire country, even up to the moment of birth. Leader

Schumer has once again scheduled a vote for tomorrow on the "Abortion on Demand Until Birth Act."

Now, my distinguished colleague from Connecticut used the words "radical" and "extreme" a number of times in his remarks. Let me tell you what is radical and extreme about what is going to be voted on tomorrow. This is barbaric. It is a radical abortion bill that would mandate that every single State be a late-term abortion State like California or New York, where unborn children can be brutally aborted up to the very moment of birth.

Let me say that again, the Democrats would allow abortion up until the very moment of birth itself. The Democrats' radical abortion bill would confer special benefits on the predatory abortion industry and eliminate popular State laws that protect both pre-born children and their mothers.

Commonsense laws requiring parental involvement in abortions for minors, health and safety standards for abortion facilities, informed consent laws, late-term abortion limits, bans on sex-selective or Down syndrome selective abortions, and conscience protections for doctors who don't want to perform abortions would be eliminated. That is how radical this bill is that will be voted on tomorrow.

Under this radical abortion bill, an unhatched sea turtle would have more protections than an unborn human baby. If you look at Federal law, if you were to take or destroy the eggs of a sea turtle-now, I said the eggs, not the hatchlings, that is also a penalty, but the eggs-the criminal penalties are severe, up to a hundred thousand dollar fine and a year in prison.

Now, why? Why do we have laws in place to protect the eggs of a sea turtle or the eggs of eagles? Because when you destroy an egg, you are killing a pre-born baby sea turtle or a pre-born baby eagle. Yet when it comes to a pre-born human baby, rather than a sea turtle, that baby would be stripped of all protections, in all 50 States, under the Democrats' bill that we will be voting on tomorrow.

Is that the America the left wants? I would ask my Democratic colleagues if the pre-born child in the womb is not a living human being, then what is it? Unborn babies feel pain, unborn babies have a heartbeat, they smile, they yawn, in fact, just last week in a telling slip of the tongue, President Biden himself admitted that abortion involves a child. A child. That is correct.

This is, in fact, the truth and the brutal reality of abortion that every abortion kills a precious child, the Democrats have tried for decades to avoid admitting this. And the science is clear, it has come a long way since 1973. It is time for the law to catch up with great advances that have been made in science and technology, in medicine, that indisputably show the humanity of an unborn child.

Instead, however, the Democrats' radical abortion bill denies the science. It would completely erase pre-born children from the law. That is chilling. Under the Democrats' bill, a pre-born child simply for the crime of being unwanted, inconvenient, or unplanned could be subjected to brutal dismemberment procedures in which the unborn child bleeds and feels excruciating pain as she dies from being pulled apart limb from limb.

The Democrats' abortion bill would codify an extreme abortion regime that is aligned with seven Nations that would have the most brutal-the most brutal laws that relates to abortion, also includes China and North Korea. That puts the United States in that category if this were passed.

It would impose abortion up until the moment of birth, without any limits, in all 50 States. In a nutshell, this radical bill would make the United States of America one of the most dangerous places in the world to be a pre-born child.

As I asked my colleagues in the hallway on the Democrats' side, give us just one restriction you might put in place for abortion, you just don't hear a response for that.

In tomorrow's vote, I pray that my colleagues will reject this horrific and barbaric legislation and take a stand for the most vulnerable among us. As the Justices continue to deliberate in the Dobbs case, I pray the Court will resist the intimidation tactics of the far left. By sticking to the Constitution, and repudiating the unprincipled and abominable Roe and Casey decisions, the Court has the opportunity to make history and strike a blow for justice for the most defenseless among us. The American people, those born, and millions yet unborn, deserve nothing less.

I yield the floor.

The PRESIDING OFFICER.

The Senator from Kansas.

Mr. MARSHALL.

Mr. President, late last Monday, an unprecedented leak of a draft **Supreme Court** document opinion in the case of Dobbs v. Jackson Women's Health was published.

In reaction, SCOTUSblog, a leading **Supreme Court** blog stated:

This leak is the gravest, most unforgivable sin.

Chief Justice Roberts called the leak "absolutely appalling." Yet the White House is mute on this point.

And folks back home in Kansas? Well, they are aghast as well. They all agree-at least every Kansan I have talked to-this leak is a blow to the integrity of the Court and a blow to our faith in this hallowed institution.

In the days since the leak, we have also seen Democrats and their activists utilize another frequent strategy they deploy when things don't go their way: violence and disruption.

We have all seen the disgusting multitude of images of pro-life offices being vandalized and bombed, and we all bear witness of Catholic masses disrupted on Mother's Day-on Mother's Day, of all days. Is nothing sacred in **\*S2399** this country anymore? We have seen the threatening violence at the personal homes of **Supreme Court** Justices. Yet, for days, the White House was quiet. And just like the riots of the summer of 2020 and the looting that continues today, the White House turns a deaf ear to violence, and they swallow their tongue when the violence supports their own agenda.

Listen, these threatening so-called protests at the Justices' homes are a violation of the law of this land. They are not valid protests. These are attempts to intimidate and influence the Court to destroy the independence of this judiciary.

This violence is wrong. It is evil. It is an attack on Christianity. It is an attack on the faith and values that this Nation were founded upon. Americans know it. We all feel the hatred.

I have to note, Americans understand the majority leader has provided no such condemnation but, rather, has decided to once again bring back his "Abortion on Demand Act" to the Senate floor. This bill is the most egregious, the most horrific attack on the lives of unborn children and the health of moms in American history. If Democrats had their way, these babies-these twin babies I delivered more than a decade ago-could have been aborted the moment prior to the C-section.

The overturning of Roe v. Wade simply returns this emotional issue back to the States, to the elected voices of the people-no more, no less.

The Mississippi Dobbs case simply protects life after 15 weeks, when a baby can feel pain, when a baby can recognize its mom's voice, when a baby can recognize the voice of its sibling. But let me tell you exactly what the Democrats' extreme "Abortion on Demand Act" would do. It goes far beyond Roe v. Wade.

This bill invalidates any and all State laws that protect not just the unborn child but the health and well-being of the mom as well.

It likely leads to American taxpayer dollars funding abortions at home and around the world.

Next, it is truly an attack on our faith. This bill will tie up faith-based hospitals in courts for not offering abortion services.

This bill allows sex-based abortions.

It eliminates the requirement for informed consent of the patient or parental consent.

This bill eliminates conscience protections. As an obstetrician myself, this hits near and dear to my heart. This bill is an attack on my faith and an attack on the faith of many doctors and nurses who refuse to take part in abortions. They would be forced out of their professions. They would be forced out of medical schools, out of residency programs. So many aspiring students would decide not to go into medicine.

This bill is a total disregard to the mother's health by placing no value on the mom's life and well-being. This radical bill eliminates the health standards of a surgery center for this procedure to be performed in a surgery center. In fact, this bill would allow these services to be offered in a garage or a back-room apartment.

Shockingly, it provides the right to provide abortions to any healthcare provider-not necessarily a physician but to certified nurse-midwives, nurse practitioners, a physician assistant. This bill will lead to the death and infertility of many, many women. This procedure is not a simple procedure. It should not be placed in the hands of inexperienced people. This type of procedure is only done after 4 years of undergraduate, 4 years of medical school, and probably 2 or 3 years of residency. In the most skilled of hands, this type of procedure can lead to serious loss of life.

Finally and more specifically, this bill strikes down State laws that restrict telehealth abortions. These are chemical abortions, and they would become a common means of birth control-again, leading to many, many more visits to the emergency rooms for these women who are taking medicines unsupervised.

Finally, I have to correct something one of my friends across the aisle said. He stated that we from the pro-life community would not treat women with ectopic pregnancies. Nothing is further from the truth. This case of Roe v. Wade has nothing to do with treating ectopic pregnancies. I personally have treated hundreds of women with ectopic pregnancies. I believe that life begins at conception, but treating an ectopic pregnancy is a life-threatening situation for the mom. And the Catholic Church supports the treatment of ectopic pregnancies. But that is the type of scare tactic my colleagues across the aisle want to use.

Finally, let me just conclude with this: I never imagined I would be fighting harder to save the lives of moms and babies on the floor of the Senate than I did in the emergency room or the delivery room in my obstetrics practice for some 30 years.

I yield the floor.

The PRESIDING OFFICER.

The Senator from Utah.

Mr. LEE.

Mr. President, my colleagues and I are here today to highlight the fact that our Democratic colleagues have shown the American people how truly radical they are when it comes to abortion.

The Women's Health Protection Act-what I believe should be better known as the "Abortion on Demand Until the Moment of Birth Act"-casts a vision of abortion in America, one utterly without limitation.

Federalism is one of the truly genius ideas behind the U.S. Constitution. Federalism means that we make the majority of our decisions at a more local level rather than at the national level. When we rely on the principle of federalism, more people across the country have more reason to be content with the laws they have. People have a greater say in the legislative process at the local level, which means they get more of the kind of government they want and less of the kind of government they don't want.

For nearly the last half-century, the decisions in Roe v. Wade and Planned Parenthood v. Casey have abused the Constitution by reading into the Constitution a right that exists nowhere in the Constitution.

These wrongly decided cases have wreaked havoc on public trust in government, on the republican nature of our government, on the public's understanding of the Constitution. More gravely, these decisions have permitted the euphemistically described "termination" of 63 million American lives. That is more than 45 times the number of American lives lost in war since the founding of our Nation-every war combined. Forty-five times that. Let that sink in for a minute.

Abortion is a tragedy. It is one that is scarring our Nation's history because of what it says about how we respect human life. Those scores of millions of lives represent-each and every one of them-unique and unrepeatable genetic makeups and identities and potentials. They represent the loss of Americans of all races, varying physical and mental abilities, all political affiliations and professions, with many targeted because of their race, sex, or disability. Their termination is a loss of ideas, of innovation, and of compassion. Those abortions erase all potential families and communities. Those abortions represent the loss of infinite potential, connection, and love. Abortion is a tragedy that scars our history.

So when I read Justice Alito's draft opinion in Dobbs v. Jackson Women's Health Organization, I was elated-elated-because it relies on federalism and a sound reading of the Constitution to reassert that there is no constitutional right to an abortion. Just because a combination of lawyers wearing robes 48 years ago decided that would be the case does not make it so. Our Constitution is difficult to amend, and it is deliberately that way. They didn't follow this procedure; they tried to circumvent it, and they were wrong.

Regulating abortion is a matter reserved for the American people and their elected representatives, not nine unelected Justices. For that very reason, a number of people have turned against it, and because they can't characterize it the way that it actually is, they mischaracterize it.

Then they go so far as to encourage people to show up to the homes, the private residences, of the **Supreme Court** Justices in question. There is no reason to do this that doesn't involve an implicit threat of violence. When you show up at someone's home, you are sending an unmistakable message: We know where you sleep. That is why this is expressly prohibited under Federal law. There is a Federal criminal law prohibiting this under **18 U.S.C. section 1507**. \*S2400

Now, stunningly, the White House-the White House-the President's personal spokesperson, Jen Psaki, just in the last few hours, has repeated this charge, has encouraged people to do this, saying:

We certainly continue to encourage protests outside of judge's homes.

This is wrong, and I call on the President of the United States personally to undo this. He is encouraging unlawful behavior that is inherently dangerous and is inherently threatening.

This radical bill that has emerged in the days immediately following the leak of the Dobbs draft opinion is shrouded in the lie of protecting women's health while allowing for killing babies by any means, however gruesome, violent, atrocious, heinous, or cruel, right up until the moment of birth, preempting any State laws that might choose to protect life. Those late-term abortions not only kill viable babies, but they are unreasonably needlessly cruel, and they are extremely dangerous procedures for the mothers themselves.

Unlimited abortion is also widely unpopular. Only 17 percent of Americans believe that is the right policy. Among medical professionals, the feelings are similar. Research shows that over one-third of OB-GYNs in America would not even refer a patient for an abortion. But this bill as written would require those same doctors not only to refer but also to provide abortions or risk their employment, notwithstanding any ethical objection they may have to it, notwithstanding any religious objection they may have to it.

By waiving the Religious Freedom Restoration Act, carving it out-the Religious Freedom Restoration Act, or RFRA, as it is known, a religious liberty protection enacted by an overwhelming supermajority of Democrats and Republicans-this bill would require hospitals and healthcare workers to perform abortions in violation of their own religious convictions.

With this bill, Democrats in the House and the Senate are attempting to take this issue away from the people, away from the States, and force their radical abortion agenda on the American people as a whole. Now, make no mistake, this is their vision for America, fully funded by the abortion industry. It also perpetuates the tragedy of abortion-one that is a scar on our country's history.

I hope and pray that State legislatures across the country will follow the example of the State of Utah and pass laws to protect the lives of preborn babies and their mothers.

The PRESIDING OFFICER.  
The Senator from Indiana.

Mr. YOUNG.

Mr. President, every year in schools around our country, students are taught about the Declaration of Independence. This remarkable document outlines the ideals on which the United States was founded and the principles on which our government and our very identity as Americans are based.



Perhaps the best known and most quoted line from the Declaration is that line about all being endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness.

From our earliest days-when such a concept truly was revolutionary-to the present day, as Americans, we believe in the dignity and value of every human person. This is an ideal that we should always aspire to. And in the spirit of that conviction, I believe that our Nation has a moral responsibility to protect unborn children-to protect life.

Through amazing advances in science, families and medical professionals now know that at 15 weeks, a baby can feel pain; a baby can move fully formed fingers and toes; a baby has a fully developed heart, pumping 26 quarts of blood per day.

Despite what these advances in modern science tell us, the current abortion policy in the United States is more in line with communist China and North Korea. We are only one of seven countries around the world that allow abortion to take place past the point at which a baby can feel pain in the womb-one of seven countries in the world. Some Americans might be surprised to learn that even in progressive Europe, 47 out of 50 countries have limits on abortion after 15 weeks.

Yet the legislation before the U.S. Senate would block States from protecting the unborn and enshrine late-term abortion into our Federal law. Going beyond codifying Roe v. Wade, this sweeping legislation would strike down commonsense, broadly supported laws that many States have adopted since that decision, including laws meant to protect the health and safety of mothers. This bill does nothing to protect the health and safety of women, and it would certainly not protect the unborn. And it would make these sweeping changes contrary to the wishes of the majority of Americans.

In fact, recent polling found that 61 percent of Americans say abortion should be either illegal or that the policy decisions associated with abortion should be left up to the States.

So I would urge my colleagues to vote against this bill, given our increased knowledge and understanding of how babies develop, given our understanding of the science. This is simply the wrong direction to take public policy.

I also want to take a moment and acknowledge that the issue of abortion is a very tough one for so many Americans, and, given recent developments, this is a topic on the minds of many Hoosiers and many Americans. I understand that. I want to reiterate my commitment to helping mothers and families choose life and supporting them in that choice. We must ensure mothers and unborn children are cared for, loved, and supported, and this includes increasing the resources available to help women facing unexpected pregnancies. We must support America's 2,700 pregnancy centers that provide vital services to millions of people each year at virtually no cost as well as provide more support for adoptive services.

These steps are vital as we seek to further promote a culture that promotes values and protects life. Now, let's remember and live up to that founding American ideal. We believe in the dignity and value of every human person.

The PRESIDING OFFICER (Mr. Markey).  
The Senator from Mississippi.

Mr. WICKER.

I commend the Senator from Indiana and join him and my other colleagues in decrying the legislation that we will be asked to move to the floor tomorrow. But before I speak on the substance of the bill, it needs to be reiterated why this bill is even before us.

The only reason we are debating this bill today is because of the extreme and unprecedented breach of protocol that took place at the **Supreme Court**. The leaked draft in the Dobbs case was a full-blown assault on the U.S. **Supreme Court** and on the independence of our judiciary. It was an attempt to incite mob pressure against the Justices, which has, in part, succeeded by inciting pressure against the Justices in an attempt to bully them into changing their final votes.

And I do trust, based on the information that we have about the nine Justices, that that attempt will not be successful.

We saw over the weekend disturbing videos of protesters outside the homes of **Supreme Court** Justices. There is growing concern for the safety of our **Supreme Court** Justices and the safety of their families.

This is shameful. A **Supreme Court** Justice should never have to fear for his or her safety or the safety of their families for doing their jobs. We, as elected Members of the Congress, are subject to public opinion. The **Supreme Court** is not supposed to be subject to public opinion and should never have to fear for their safety.

The leak and the mob reaction should be condemned by both parties in the strongest possible terms, and yet there have been very few voices on the other side of the aisle addressing this matter. Certainly, the majority leader of the Senate has not said a word about the outrage of the leak or the mob protests, nor has the President of the United States.

What happened to respect and care for our institutions?

Instead of protecting the Court, our Democratic friends seem to be, whether inadvertently or not, legitimizing this attack on the Court by moving to consider extreme legislation which is out of touch with the mainstream of Americans.

So now let me speak briefly about the legislation. It has been said that **\*S2401** this is a mere codification of the Court's holding in Roe v. Wade. That is, in fact, not the case. Instead, the bill that we will be asked to move to the floor tomorrow is an attempt to expand abortion dramatically across this country, to expand abortion in a way that only a small handful of the most repressive governments on the face of the Earth permit.

The bill would eliminate even the most modest protections for unborn children across all 50 States. It would force all 50 States to allow gruesome late-term abortions that even the political left all over Europe have long ago outlawed.

As my friend from Indiana said earlier, some 47 European countries generally ban abortion after the first 15 weeks. Banning abortion after 14 weeks are our allies of France and Spain; banning abortion after 13 weeks, Finland; banning abortion after 12 weeks, Germany, Belgium, Italy, Switzerland-certainly not governments that are thought of as prisoners of the extreme right. The nation of Portugal generally bans abortion after 10 weeks.

Of course, as we know, the Mississippi law that brought this case to the **Supreme Court**, the Dobbs case, has a slightly more permissive provision than even these friends that I just mentioned from Western Europe. It would be a 15-week ban.

But this bill that we are asked to vote on tomorrow, which certainly will fail, would push America further outside of the global mainstream than we already are-and we already are way outside this mainstream.

Because of scientific advances, we know that an unborn child's heartbeat begins at 6 weeks. We know a child can feel pain as early as 20 weeks. Many of us, including my wife and I, have put the sonograms of our grandchildren, have displayed them on our refrigerators in our homes. What we know about the development of children-their faces, their eyelashes-has brought about a change in the minds of many Americans.

In 1996, 56 percent of Americans called themselves pro-choice. Only 33 percent said they were pro-life. But because of science and because of those sonograms and because of what we know about their ability to feel pain-their movements, their eyes blinking, their eyelashes-today the two sides are just about evenly split, pro-choice and pro-life. But even those who identify themselves as pro-choice are deeply opposed to late-term abortions. And make no mistake about it, if somehow the Schumer bill tomorrow were to pass, late-term abortions would be legal in all 50 States.

Eighty-one percent of Americans think that late-term abortions should be illegal. Our friends on the Democratic side should think about that. This bill goes against 81 percent of American public opinion in that regard. Sixty-five percent say abortions should be illegal in the second trimester-not the third trimester, in the second trimester-65 percent of Americans.

I hope our Democratic friends across the aisle think about that before they vote for this extreme piece of legislation brought by the Democratic leader, which would put us in league with the People's Republic of China with all of their respect for life, with North Korea with its deplorable record of respecting human life. With those two countries and five others on the extreme left, it would put us in league with them. That is not where the American people want us to be.

If a State has a 24-hour waiting period, for example, the Schumer bill tomorrow would outlaw that. Taxpayer funding of abortion, the Hyde amendment, which prohibits this and has done so for decades and decades, would be abolished. The parental rights of teenage girls to have a say and to be able to counsel their daughters on the pivotal decision about having an abortion would be eliminated by this.

Religious exemptions. A practicing Catholic, who deep in their soul understands this to be infanticide, would be required, if they are a physician, to perform an abortion with no religious exemption.

Is that what my colleagues on the other side of the aisle are hoping for? It is what they would get if the Schumer bill were to pass.

This is not a serious attempt at consensus building. This bill simply reflects, regrettably, the iron grip that Planned Parenthood has on one of our major political parties in this country.

We will reject this effort tomorrow. I commend my colleagues who intend to stand with the American people and vote no on this attempt to rank us with the worst regimes on the face of the globe and impose late-term abortions on the entire country.

I yield the floor.

The PRESIDING OFFICER.  
The Senator from Wisconsin.

Ms. BALDWIN.

Mr. President, I am on the floor here today to address the same topic as my colleague who just spoke. And before I jump into prepared remarks, I wanted to offer just a few points of rebuttal because on this topic it seems so frequently that we all talk past each other and don't generally listen to one another.

The Women's Health Protection Act of 2022, which I lead with Senator

Blumenthal, would, indeed, codify Roe v. Wade, but it would additionally give clarity to the States about what further restrictions they could put in place.

I hail from the State of Wisconsin, where our State legislature, over many, many years, has brought forth all sorts of measures-some of which have been signed into law, many of which have been challenged in court, and some of which have been vetoed-but these are restrictions on access to comprehensive reproductive healthcare, including abortion care, that limit access, that make it much more difficult, which is what Roe v. Wade intended to prevent. They have nothing to do with the health or the life of the mother. In fact, in some cases, they actually do harm to maternal life and health.

There are measures in places across the United States that deal with the corridor width of clinics-the corridor width. It would force, if these laws were to go into effect, many clinics to have to either reconstruct themselves or move. This is clearly something meant to limit access.

There are laws and bills that relate to admitting privileges at local hospitals, which are absolutely not medically necessary and will allow all the area hospitals to team up to deny those privileges, and then the clinic won't have a physician able to work there. There are 24-hour waiting periods.

I listened to what my colleague had to say about the blanket overturning of Roe v. Wade. It would mean, when a woman's life is in jeopardy at some point in her pregnancy, she wouldn't have the ability to save her life and her reproductive health because she wouldn't have access to abortion care.

Then to characterize this bill as extreme, in my mind, is so opposite the truth because, to me, what is extreme is forcing, say, a teen to bring a rapist's child to term or forcing a young woman to give birth to her sibling in cases of incest.

My colleague talked about the polls. I don't know what he was looking at. He was talking about pro-choice versus anti-choice. Everything I have seen shows that the overwhelming majority of Americans believes that Roe v. Wade is settled law and should remain in place and that only a small percentage believes it should be overturned in its entirety.

In going on to my prepared remarks, I rise today to join my colleague Senator

Richard Blumenthal in support of the Women's Health Protection Act of 2022-a bill that would protect a woman's right to access safe abortion care throughout the United States, no matter where she lives, without unnecessary and unwanted political interference.

Congress is responsible for enforcing every American's fundamental rights guaranteed by our Constitution. Throughout history, when States have passed laws that make it harder or even impossible to exercise those rights, Congress has taken action to put in place Federal protections.

I want to remind my colleagues of this responsibility. I also want to share a story from one of my constituents.

Angela and Abby, her wife, knew they wanted to start a family, so they sought treatment at a fertility clinic in Wisconsin. In 2019, after years of trying, Angela became pregnant. It was a pregnancy they had wanted more than anything, but Angela soon found out that she had what is called a molar pregnancy. This occurs when a tumor **\*S2402** forms instead of a healthy placenta. Her pregnancy was not viable. Her doctors moved quickly, and Angela had a safe and legal abortion.

She wrote to me earlier this week:

Had abortion been illegal, I would have died.

Access to a safe abortion saved Angela's life. For others, an abortion kept a family out of poverty or allowed them to complete their educations or start careers. Abortions have protected women from being tied to their rapists and have spared them of the emotional and physical trauma of carrying an unviable pregnancy to term.

I was only 10 years old when Roe v. Wade was decided. For 50 years, just about, this decision has stood. In the words of Justice Kavanaugh, it is "settled as a precedent of the **Supreme Court**," but, apparently, precedent means nothing. Access to safe and legal abortion is under direct attack as an activist **Supreme Court** appears poised to legislate from the bench and take a constitutionally protected right away from tens of millions of Americans.

For women like Angela, the gravity of this draft decision from the **Supreme Court** cannot be overstated. Americans can remember when back alley abortions killed and sterilized women across the country. This decision, if finalized, will not stop abortions from happening; it will only prevent safe abortions from happening. It will disproportionately impact poor women and women of color, who will not have the privilege of making their own healthcare decisions. If Roe is overturned, 13 States would immediately ban abortions, and others, of course, would move to do so.

If Roe is overturned and we don't pass the Women's Health Protection Act, Wisconsin women will be taken back to the mid-1800s. What do I mean by that? We have a law on our books in Wisconsin which criminalizes abortion procedures. If Roe is overturned, doctors in Wisconsin would be charged with felonies for performing abortions and face up to 6 years in prison and \$10,000 in fines. The rights of victims of rape and incest would be taken away. The right for women to choose for themselves and their families would be taken away.

I sure am not taking women in Wisconsin back to 1849, and we cannot allow an activist **Supreme Court** to leave this generation of women behind with fewer rights than their mothers and their grandmothers enjoyed.

The Women's Health Protection Act is the only bill that can put an end to the restrictive State laws that have already put thousands of women in jeopardy. The legislation meets the urgent need to protect the provider, patient relationship; to protect the healthcare professionals who provide care; and to protect the freedom and constitutional rights of women to access this care.

I believe a woman's right to choose is protected under the Constitution, and so does a clear majority of Americans want Roe v. Wade to be upheld. It is our responsibility to take action for women like Angela and on behalf of the American people.

I urge my colleagues to vote yes on the motion to proceed to the Women's Health Protection Act of 2022.

I yield the floor.

The PRESIDING OFFICER.  
The Senator from Minnesota.

Ms. SMITH.  
I thank Senator

Baldwin for her thoughtful remarks.

Mr. President, I rise today in support of the Women's Health Protection Act, and I urge my colleagues to join us in standing up for fundamental rights to freedom, autonomy, and self-determination.

Make no mistake: That is what this vote is about—who has the power; who has the freedom to decide when your own health, livelihood, and life are on the line.

There is nothing more American than the values of freedom and individual autonomy; yet the U.S. **Supreme Court** is about to declare that women in this country are not guaranteed the freedom to make their own private decisions about abortion.

Justice Alito,

Mitch McConnell, Senate Republicans, and radical Republican State legislators around the country believe that they should have the power—that they know better than American women, whose lives and stories they will never know.

To that, I say: How dare they?

When I worked at Planned Parenthood, I saw firsthand the capacity of women to make good decisions about their health, their bodies, and their lives. To suggest otherwise is insulting to the dignity of women as full, adult human beings and as equal citizens of this Nation, but that is where we are. Justice Alito's draft opinion is a wake-up call and a call to action. Reading his opinion was like a gut punch, but it was not a surprise, and it didn't just happen.

This is the result of a decades' long campaign by Republicans and their dark money donors to put anti-choice Justices on the **Supreme Court**, to overturn Roe, and to strip women of their constitutional rights. This is why this vote is so important. For the first time in my living memory, the **Supreme Court** is about to take away a fundamental constitutional right, and it is important that Americans see who is on their side and who is responsible for this.

Extremist Republicans have been working for this goal for decades; yet, now that this moment is almost here, they keep trying to change the subject. In fact, they want to talk about anything but, including when they spread misleading information about what the Women's Health Protection Act would really do, which is to put the protections of Roe into statute.

So why are Republicans running from this issue after having campaigned on it for years?

Well, it is because Americans don't want to overturn Roe, and anti-choice Republicans know this. They know that they are on the wrong side of history and on the wrong side of public opinion and of over half the American electorate. That is why this vote is so important. We will not let them dodge their responsibility for this outrageous attack on women's freedom.

Now, some Republicans are saying that this is all a bit of a tempest in a teapot. They say: Don't worry. All the **Supreme Court** is about to do is to hand power back for the States to decide on abortion.

Colleagues, do not believe this. The American people deserve to know where this goes next.

Today, we are fighting on the Senate floor to preserve in law the basic protections of Roe v. Wade, but extremist Republicans have been clear. Their end goal is to secure a nationwide ban on abortion. As Senator

McConnell said this weekend: It is not a secret that the Senate Republican caucus is opposed to reproductive rights and that, if Senate Republicans win the majority, a nationwide ban is "worthy of debate."

That is the post-Roe future if Republicans are in charge.

Even though a majority of Americans in all States believes that abortion should be legal, Republicans have been clear that a nationwide ban is their goal. At the same time, Republican State legislators are brazenly moving forward. They are moving forward with extremist policies that go way beyond depriving women of their essential freedoms—they punish and criminalize women.

Take, for example, a Missouri mother of two, facing a high-risk pregnancy, who travels to Illinois for an abortion because she is worried about being there for her existing children. Missouri Republicans want her to be labeled as a felon when she returns home.

Take a woman in Louisiana who has an abortion after her IUD failed and she had an unexpected pregnancy. Louisiana Republicans want her convicted of homicide.

Take the Texas woman, who hoped and prayed for years for a baby, only to have her doctor find a fatal fetal anomaly at 22 weeks. Texas Republicans want her to carry that pregnancy for another 18 weeks, no matter the risk to her life and no matter the trauma she faces as people congratulate her on her upcoming baby when she knows she will never know that child.

So I say again, how dare these Republicans think that they know better than the women who live these stories.

This is the post-Roe world that Republicans want, and we won't stand for it. If you think this struggle doesn't affect you or someone you care about, think again.

One in four American women will have an abortion-women who are Democrats, Republicans, Independents, women from all places and all religious faiths. For these women, abortion isn't \*S2403 about politics; it is about healthcare. Most of them never expected to be part of this statistic, but life doesn't always go as we plan. Every day, women deal with situations they never imagined, and they deserve the freedom and the autonomy to decide for themselves what to do and what is best for them.

With this vote to pass the Women's Health Protection Act, we are showing whom we stand with and what we believe-the fundamental freedom of people to make the best decisions for their health, their families, and their futures.

Thank you.

I yield the floor.

The PRESIDING OFFICER.  
The Senator from Washington.

Ms. CANTWELL.

Mr. President, I ask unanimous consent for the following Senators to be permitted to speak prior to the scheduled vote: myself for 20 minutes, Senator

Toomey for 5 minutes, and Senator

Brown for 5 minutes.

The PRESIDING OFFICER.  
Without objection, it is so ordered.

Ms. CANTWELL.

Mr. President, I am not sure I will use all 20 minutes, but you never know on a subject this important and this vital to women and families across the America. It may take a little more than a few minutes to talk about this issue, and that is that 70 percent of Americans believe that we should not overturn Roe v. Wade or a woman's right to her own reproductive choice.

This is so critical that 70 percent of Americans are in agreement. This was part of a Pew Research report. Twenty-five percent don't agree, and about 5 percent are not sure what they think. But anybody who thinks this isn't about settled law or about mainstream views in America is wrong because it is about almost 50 years of settled law, and it is about what mainstream Americans believe are their constitutional rights. That is why it is so important for us to listen to those Americans and their long-held beliefs, starting with the laws that we got from England and baked into our Constitution, the right to privacy.

Yes, people are right. The word "privacy" isn't mentioned, but it is in various amendments believed to be rights within the Constitution. But we have a **Supreme Court** made up of men and Ivy League institutions who now discuss in a decision-we don't really know exactly where it came from-this notion that privacy and a woman's right to her own reproductive choice somehow doesn't deserve stare decisis-that is, predicated on previous law-and somehow isn't in the Constitution.

Well, I have got news for a lot of people. If you have a **Supreme Court** that is going to take a run and run from privacy in the Constitution, as this decision does-as this decision does-it barely mentions the case law predicated that made decisions about a woman's right to privacy based on those issues. It is barely mentioned.

Now, I am sure it is because those Justices decided, if they had to agree that privacy was really there as a right, which we as Americans believe it is-against the government's unwarranted search and seizure on you, the government spying on you, the government taking action against you that has not been followed in law-you know, I spent 2 years on the Judiciary Committee, and I really couldn't believe this.

Somebody told me-actually, a conservative judge passed this information on. If you ask them whether they believe in *Roe v. Wade* or settled law, they will tell you: Oh, yeah, it has been there. But if you ask them whether they believe in rights to privacy enumerated in the Constitution and do they believe in the penumbra of rights that basically give us this right that *Griswold v. Connecticut*, that *Casey v. Planned Parenthood* was decided on, a true, true conservative who wasn't going to uphold the law will tell you they didn't believe in that.

So that is the conundrum. We had a bunch of the smartest guys in the room from Ivy League schools who came here and hoodwinked the Senate, saying things like: Oh, I will follow or I think *stare decisis* is very important. Yet the same people are about to put their name on a document that says we don't really think there is any strong holding here. We don't think there is any strong case. Well, there is a case. There is a case for privacy.

I remember my first days on the Judiciary Committee, when John Ashcroft, then-Attorney General, tried to come before the committee and make light of the fact that the government was spying on Americans. When I said to him: Mr. Ashcroft, this is a serious issue of the FBI and others using software technology to spy on the lives of Americans, he said: You remind me of a joke.

I couldn't believe it. I remind him of a joke? And he went on to tell the story about how a little boy sat on Santa Claus's lap, and he said: I know whether you have been bad or good. And he says: Oh, you are not a Santa Claus; you are John Ashcroft. He thought this was hilarious, and I reminded him that not everybody in America was laughing.

Now look at where we are, 20-some years later, fast-forwarding on the rights to privacy that we have in the United States and how every day we have to fight for those rights to privacy.

I know the Presiding Officer knows this because he has joined me on these issues, particularly as it relates to children's online privacy issues and so many other issues that this body and this institution are going to have to decide on, but Americans know-70 percent of them agree that this is a mainstream, settled issue and now are shocked to find that, somehow, somebody is proposing something to overturn it.

I am not even sure people understand. I just had a conversation with somebody who said: Oh, you mean they are going to give some rights to men in determining the pregnancy and some rights for women?

I said: No. They are talking about making abortion illegal. They are talking about passing a law that takes the reproductive rights and choices of women and turns them back into the dark ages.

This person got it right away. They said: Who do you want caring for women-someone in a back alley or a trained healthcare professional?

That is really what we are talking about here. American healthcare technology has come to the point that women who do not want an unwanted pregnancy can have the choice of a morning after pill. There are lots of different ways for them to deal with planned and unplanned pregnancies. Yet this institution wants to tell them, by the **Supreme Court**, that they don't have



a privacy right; that it doesn't exist; that Connecticut v. Griswold, which, if you think about it, was about contraception-it was really about whether women at the time had the right to have contraception and plan pregnancies.

I know the Presiding Officer knows about this time period. We both come from big families. We know all about big families.

All of a sudden, in that decision, in Connecticut v. Griswold, the right to privacy-the penumbra of rights within the Constitution-was determined to say that women have the right to control their bodies and have contraception. The fact that this is not the basis of upholding the law after almost 50 years-I can't even explain how unbelievable it is that somebody would not fully discuss and cite it. And if they don't believe in the penumbra-but I am guessing the reason they don't want to even discuss the penumbra of rights is because they know darn well we live in an age and time in which privacy needs utmost protection, and individuals need people like us to be voting for things that are going to protect individuals' rights of privacy in the era of big government, of big corporations, of undue intrusions in, yes, even our own healthcare. We need protection.

We are now here talking, though, about overturning these rights that affect the healthcare lives of women. We are not talking about the healthcare of men. We are not sitting here-I can't tell you how many times in the last 15 years that I have been here that every budget decision, every major almost-going-over-the-fiscal-cliff when John Boehner was the Speaker-oh, if we don't have a vote to get rid of a woman's right to choose-every budget issue down to the last wire is always about whether you are going to get rid of a woman's right to choose. It has been the fight of the other side of the aisle all along to try to say they are going to control women's bodies and women's healthcare choices.

We know that you are not going to get rid of abortions if you pass this **\*S2404** law. You are not going to get rid of them. When we passed Connecticut v. Griswold and Casey, that is when we basically went down the road of making sure that women weren't killed in back alley abortions. We actually saved lives of women, and we started getting people to take care of planned pregnancies and make progress of having people on contraception.

We are not going to get rid of abortions by listening to the **Supreme Court** or passing something. They will happen. It will go back to any back alley approach or other issues to try to deal with it.

So I ask my colleagues: What are you thinking when you are advocating for a return to pre-Roe? What exactly do you think is going to happen in the United States of America? I can tell you, you are going to leave women without the ability to control their own bodies, without the ability for them and their doctor to make decisions.

So many of these issues are about that woman and her doctor making a decision. You know, we make laws to deal with the parameters and the exceptions to the rule. This is a process by which we have laid out what we think is reproductive healthcare choice and then directed people to deal with their physician on these issues. But the other side would like to take these issues to the extreme and say that women have gone too far on their own healthcare choices.

I guarantee you, there are many times where it is a decision between the life of the mother and the life of a child. Do we really want government making that decision, or do we want the physician and the individual woman making that decision?

I ask my colleagues: Do you believe the right to privacy exists within the Constitution or are you like the **Supreme Court**? You don't believe in the decisions of previous **Supreme Court** Justices? You don't think they have solid standing because you don't believe that privacy is a long-held view of the United States? I guarantee you, it is fundamental to who we are as a country, and it is fundamental to who we are today and why individual women should have that right and have that protection.

But people aren't even thinking about the broader impacts. Secretary Yellen testified today:

Eliminating the right of women to make decisions about when and whether to have children would have very damaging effects on the economy and would set women back decades. Roe v. Wade . . . enabled many women to finish school and increase their earning potential.

No one has even talked about exactly how this would work. I am confused about how it would work State by State. I will also tell you, this **Supreme Court** really-I don't even know what to say about it except for when I interviewed one of the **Supreme Court** Justices, who I am pretty sure is making this decision-I said: This is very important to the State of Washington because the people of the State of Washington have voted to make Roe v. Wade the law of our State.

And he said: Oh, Senator, Senator, you are mistaken.

I said: I am mistaken about my State, about what happened?

He said: You mean your legislature voted.

I said: No, sir, the people in my State voted by initiative in the nineties to codify these rights into our State law because that is what the people of my State believe.

So the arrogance of this Court, you can see, continues not to listen to the views of 70 percent of Americans.

I believe that you should be able to ask Justices what their judicial opinion and philosophy is. They should tell you. If these Justices did not believe that this was the law of the land and should be upheld, if they didn't believe in these rights of privacy, they should have told everybody clearly.

But it is hardly in the mainstream view of Americans.

Tomorrow we will have a chance to say whether we believe in these privacy rights, whether we believe in a woman's reproductive choices, whether we believe that 50 years-just about 50 years-and 70 percent of the American people are worth listening to. I would listen and pass this legislation tomorrow because I guarantee you, if it is not just this privacy right, why are you going to trust them on any other privacy decision in the future if they are not going to be fighting to uphold your privacy rights on women's reproductive health?

I yield the floor.

The PRESIDING OFFICER.  
The Senator from Pennsylvania.

#### NOMINATION OF LISA DENELL COOK

Mr. TOOMEY.

Mr. President, I rise today to speak on the nomination of Professor Lisa Cook to serve as a Governor of the Federal Reserve Board.

Two weeks ago, Senate Democrats tried to cancel the vote that was scheduled on Professor Cook's nomination.

In his floor remarks, the chairman of the Banking Committee stated that Senate Republicans have been "AWOL in the fight against inflation for months." The irony of that, of course, is that it was Democrats who wanted to cancel the vote. Republicans were ready to vote and not just on Professor Cook, mind you. We wanted to vote on the other Fed nominees as well. I objected to canceling the vote because we were ready to vote, and we wanted to vote, so the vote took place.

Professor Cook's nomination failed that day on a procedural vote by a margin 47 to 51. Then, immediately after that, I asked consent to vote on the two remaining Fed nominees who have been processed in the committee but haven't been voted on. Those would be Chairman Jerome Powell, who has been nominated to be Chairman again, and Professor Philip Jefferson, who both could have been confirmed to the Fed that day, as they could have been confirmed months ago.

But the Democrats objected to us having a vote a couple of weeks ago. It is really pretty amazing. Let me just be clear for the record. The Democrats hold the majority. The Democrats control the schedule on the Senate floor. And our Democratic colleagues have tied up for months the nominations of multiple nominees, including two-two-Fed nominees who have either unanimous or very nearly unanimous support. That is Jerome Powell and Philip Jefferson.

So if confirming Fed nominees is so important to our Democratic colleagues in the fight against inflation, it makes you wonder about this strategy of canceling votes and not holding votes when Republicans have been trying to confirm the nominees.

But I have a theory as to why this is, and I think it is because our Democratic colleagues know that Professor Cook is simply unqualified to serve as a Governor of the Federal Reserve Board. They don't want to leave her stranded as the final Fed nominee after all the other nominees get confirmed, so they are holding the nominations of Chairman Powell and Professor Jefferson hostage in order to push through their preferred candidate, their top priority.

I want to address this specific point that the chairman has made in the past because he has made this several times. He has suggested that somehow Republicans oppose Professor Cook's nomination because she is a Black woman. Let me just be as clear as I can. That is a very offensive charge to make. It is actually outrageous. It is also blatantly and demonstrably false.

In this Congress alone-a little over 1 year-Banking Republicans have unanimously supported eight Black nominees, six of whom were women: Cecilia Rouse, the first Black woman to serve as Chair of the CEA; Nuria Fernandez; Alexia Latortue; Adrienne Todman; Alanna McCargo; Ventris Gibson, the first Black woman to serve as Director of the U.S. Mint. Republican Banking Committee members voted unanimously in favor of confirming each of those six Black women, but we still hear this absurd and outrageous charge.

Philip Jefferson-if our Democratic colleagues ever allow us to have a vote on him-will be the fourth Black man to serve as a Fed Governor. He was voted out of the committee 24 to 0.

Let me just be very clear. Banking Committee Republicans didn't support these nominees because of the color of their skin; that is not the criteria by which we evaluate candidates. We supported them because each of them was qualified for the roles to which they were nominated. Frankly, that ought to be the criteria for evaluating any nominee, if you ask me, including Professor Cook.

So let me address some of the arguments you are likely to hear regarding Professor Cook's qualifications. **\*S2405**

First of all, my Democratic colleagues like to point to Professor Cook's extensive educational attainments as evidence of her qualifications. She was a Marshall Scholar and a Truman Scholar, she was. She attended Spelman College, Oxford, and obtained a Ph.D. in economics from UC Berkeley.

There is no question, these are impressive credentials, but they do not, by themselves, qualify her-or anyone else for that matter-to serve as the governor of the Fed, especially at a time when we need a Fed that is able and willing to tackle 40-year-high inflation that is devastating American families every single day.

Now, our Democratic colleagues have claimed that Professor Cook is "a leading economist" with years of experience in "monetary policy, banking, and financial crises." But those claims are simply untrue.

First of all, 75 percent of Professor Cook's assignment at Michigan State, including her tenure, is in the international relations department; it is not even in economics. Second, her experience in monetary policy is literally nonexistent. Not a single one of her publications concerns monetary economics.

When asked to highlight for the banking committee her top works on monetary policy, she provided one, a book chapter on Nigerian bank reforms published 11 years ago. According to the White House, her main qualification on monetary policy is her service as a member of the Chicago Fed's Board of Directors.

She joined the Chicago Fed's Board 2 weeks before President Biden nominated her to serve as a Fed governor.

Third, her experience handling financial crisis has basically been limited to writing a cursory overview of the Eurozone crisis during a brief stint working in the Obama White House and working in Africa over 20 years ago.

Now, you don't need to be a trained economist to serve on the Fed Board, necessarily; but if you are going to serve on the Fed Board, you do need to have some views on monetary policy. You would think that would be especially the case for someone who is an economist. Given Professor Cook's glaring lack of experience in monetary policy, it perhaps is not surprising that Professor Cook has been unable to articulate any opinion at all on how the Fed should tackle inflation.

Throughout the nomination process, she repeatedly refused to endorse the Fed decision to pull back its ultra-easy money policy. She also refused to suggest any alternative policy. And only on the actual day, while at her hearing, did she finally begrudgingly say that she agreed with the "Fed's path right now as we are speaking."

Professor Cook's answers to very basic questions about what the Fed should do to tame inflation-to paraphrase the late Justice Scalia-amount to nothing more than logical applesauce. Professor Cook has continued to insist she would need to be confirmed to the Fed Board before she can have a view on inflation, because in her words: "We don't have access to all the data that the Fed has." And she also said: "We don't have access to the deliberations at the time they are being made."

Now, these things are just bewildering for someone who has been nominated to address the most pressing inflationary threat in nearly two generations. And let's be clear, the Fed has no secret data as Professor Cook seems to believe.

In fact, monetary policy, including the recent 41 percent increase in the money supply is extremely transparent. Anyone who wants to know has all the data available to him or herself.

Just about every economist in the country right now has an opinion about inflation. Every other nominee to the Federal Reserve has an opinion about inflation, including what to do about it.

And since we know very little about her views on inflation, my grave concern is that Professor Cook will serve as an inflation dove on the Fed at a time when American families continue to be ravaged by these price increases.

But you don't have to take it from me, Bloomberg Economics expressed concern with Professor Cook's wishy-washy answers also, and they wrote:

Asked if she would endorse the current rates trajectory, she did not provide a straight answer but said she would look at data once the decision point arrives.

Another quote from their analysis:

When asked how she would get inflation under control, she answered: By eliminating the risk of financial crisis.

The American people deserve better than this. They deserve a serious nominee who understands monetary economics, has a firm grasp on how to combat inflation and restore stable prices, and will serve without a political agenda.

So if Lisa Cook doesn't have any expertise in monetary policy, then why would Democrats want her on the Fed Board? Well, that brings me to my second point: Professor Cook's history of extreme leftwing political advocacy and hostility to opposing viewpoints, which I think make her unfit to serve on the Fed.

It is exceptionally important to keep politics out of monetary policy, but unfortunately, we have seen the encroachment of politics at the historically independent Federal Reserve.

There are people on the left, including in the Biden administration, who openly advocate that the Fed use its supervisory powers to resolve complex political issues, like what to do about global warming and social justice, even education policy.

These are all very important issues, but they are wholly unrelated to the Fed's limited statutory mandates and expertise. Professor Cook's record indicates that she is likely to inject further political bias into the Fed Board at a time when we need the Fed to be focused on fighting inflation.

In her statements or tweets, retweets, Professor Cook has supported race-based reparations, promoted conspiracies about Georgia voter laws, and sought to cancel those who disagree with her, with her views. She specifically and publicly called for the firing of an economist and colleague who dared to tweet that he was opposed to the idea of defunding the Chicago police.

The fact is the Fed is already suffering from a credibility problem because of its involvement in politics and its departure from its statutorily proscribed role and its failure to keep inflation under control. I am concerned that Professor Cook will further politicize an institution that really needs to get back to being apolitical.

I urge my colleagues to vote against the nomination of Lisa Cook.

The PRESIDING OFFICER (Mr. Peters).  
The Senator from Ohio.

Mr. BROWN.

Mr. President, I have kind of heard it all today. I am not going to engage with the ranking member when he calls her unqualified. We know this is about a history of this committee's Republicans voting against very qualified African-American women. We have won that debate; we have won it with the American people.

And I was just handed-because I remembered this. I remembered hundreds, literally hundreds, of prominent people in the economics field and outside the economics field that supported Lisa Cook, they wrote letters. We got more letters, I believe, for Lisa Cook than any nominee for the Fed.

The ranking member knows, and he has voted for some pretty unqualified people, and that he would decide this is one he is voting against is just kind of sad. Let me give you some examples, 35 Marshall and Truman Scholars are supporting her-35; the National Bankers Association; Ben Bernanke, a Bush nominee who was chair of the Federal Reserve; all kinds of organizations, some political, some not political, many of them bank-based.

I will send these to the ranking member so he can get a look at them. I know he has already seen them before, but they seem to have slipped his mind.

I urge my colleagues to support Dr. Cook. She teaches at Michigan State, the presiding officer's proud institution. She would be a historic confirmation to the Board of Governors, we know that. She understands how economic policy affects all kinds of different people in different parts of the country, from the rural south where she grew up to the industrial Midwest where she built her career. One of the things I like about her, the Federal Reserve-I mean, I understand that economic conservatives in this body-and I think the ranking member would probably define himself that way; I admire his courage in voting against- \*S2406 voting for the removal of President Trump, so I admired his courage. I just think he is wrong on these kind of nominees. But I just-I look at her, and I see how-what I like-one of the things I like about her is the Fed, for years, has just practiced this top-down economic policy. The people that sit on the Fed, they almost all look like me, historically.

In fact, Lisa Cook will be the first Black woman in 109 years ever to sit on the Fed, seven members of the Fed at any one time, and the terms are-usually they stay 5 to 10 years-so you can see how many people cycle in and out. But they almost all believe in this trickle-down economics that you give tax cuts to rich people and it will trickle down and the economy will be better.

Well, Lisa Cook is different. She doesn't come from the coast. She comes from what some people on the coast would call "flyover country," Michigan or Ohio. She grew up in a small town in Georgia.

She went to college at Spelman, one of the best schools in the country. She was a Marshall and a Truman Scholar in England. She got her Ph.D. at Berkeley, and now she is teaching at Michigan State. And that tells me she has a sense of this country.

And he criticized her because of her emphasis on international relations. I like it that we have somebody at the Fed that not only knows the country, knows the great industrial Midwest in Michigan or Ohio-sort of the same in some ways. I like it that she studied on the west coast. I like it that she studied abroad. I like it that she spent time overseas learning about banking in economics and other countries, instead of the cookie-cutter people we always get on the Federal Reserve. Someone very important, speaks very seriously, has a good Ivy League education, but they don't know real people. And Lisa Cook knows real people.

She has years of research and international experience with monetary policy, banking, and financial crises. She has served as an economist under administrations to both parties, and as I said, she has support from across the political spectrum. All kinds of people endorsed her. They sent more letters supporting her than any Fed nom that I remember in front of this Banking Committee, and I have been on the Banking Committee a decade and a half.

She has demonstrated her commitment to Fed independence, the importance of making decisions based on fact. She agrees with Chair Powell that the Fed's most important task right now is to tackle inflation. She believes:

A strong and resilient financial system supports American families, businesses, and our economy.

Those are her words.

Take a moment again and let me go back to why this is historical: the first Black woman in 109 years to serve in the Federal Reserve. Think about that. Think about that: the first Black woman in 109 years. This country is 12 percent Black. We have had dozens and dozens and dozens of Fed noms, yet we are going to need-probably need the Vice President to come in here and cast the tie-breaking vote because every single Republican, everybody on this side of the aisle, sitting behind every one of these desks is voting against the first African-American woman ever on the Federal Reserve. Spelman College, Truman Scholar, Marshall Scholar, Ph.D. at Berkeley, tenure at one of America's great universities, Michigan State University-and they say she is not qualified? And Judy Shelton was? Really.

She will protect the Fed's independence. She knows that workers drive our economic growth. She, like this President, understands you focus on workers, you put workers at the center of our economy. That is the kind of Fed governor she is going to be. She understands when everyone participates in our economy, it grows faster and stronger for all Americans.

We need her on the job today. I would add the other Senator from Michigan is here who has been a strong, strong supporter of Professor Cook. I join my two colleagues from Michigan and everybody on this side of the aisle to support Lisa Cook for the Federal Reserve.

VOTE ON COOK NOMINATION

The PRESIDING OFFICER.  
All postcloture time has expired.

The question is, Will the Senate advise and consent to the Cook nomination?

Mr. BROWN.  
I ask for the yeas and nays.

The PRESIDING OFFICER.  
Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The result was announced-yeas 50, nays 50, as follows:

<Rollcall Vote No. 166 Ex.>

YEAS-50

Baldwin Bennet Blumenthal Booker Brown Cantwell Cardin Carper Casey Coons Cortez Masto Duckworth Durbin Feinstein Gillibrand Hassan Heinrich Hickenlooper Hirono Kaine Kelly King Klobuchar Leahy Lujan Manchin Markey Menendez Merkley Murphy Murray Ossoff Padilla Peters Reed Rosen Sanders Schatz Schumer Shaheen Sinema Smith Stabenow Tester Van Hollen Warner Warnock Warren Whitehouse Wyden

NAYS-50

Barrasso Blackburn Blunt Boozman Braun Burr Capito Cassidy Collins Cornyn Cotton Cramer Crapo Cruz Daines Ernst Fischer Graham Grassley Hagerty Hawley Hoeven Hyde-Smith Inhofe Johnson Kennedy Lankford Lee Lummis Marshall McConnell Moran Murkowski Paul Portman Risch Romney Rounds Rubio Sasse Scott (FL) Scott (SC) Shelby Sullivan Thune Tillis Toomey Tuberville Wicker Young

(Ms. HASSAN assumed the Chair.)

The VICE PRESIDENT. On this vote, the yeas are 50, the nays are 50.

The Senate being equally divided, the Vice President votes in the affirmative, and the nomination is confirmed.

Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

The PRESIDING OFFICER (Ms. Hassan).

The majority whip.

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# Appendix C

168 Cong. Rec. H5828-01, 2022 WL 2281005  
Congressional Record --- House of Representatives  
Proceedings and Debates of the 117th Congress, Second Session  
Thursday, June 23, 2022

**\*H5828 CORRECTING AN EGREGIOUS MISTAKE**

The SPEAKER pro tempore.

The Chair recognizes the gentleman from Tennessee (Mr. Rose) for 5 minutes.

Mr. ROSE.

Mr. Speaker, almost 50 years ago, the **Supreme Court** incorrectly decided that the right to end an unborn child's life existed in the U.S. Constitution. On that day, the United States became one of only six countries that allow abortion on demand throughout the entirety of pregnancy, putting us in the same category as Communist China and North Korea.

Now, almost 50 years later, we might be on the precipice of the Court correcting their egregious mistake. Unfortunately, due to the actions of a rogue actor with no regard for the laws or institutions of our country, Justices must withstand attempts to dissuade them from changing that ruling. Inexcusably, those attempts to intimidate the High Court's opinion have even turned violent.

In fact, since that rogue actor, who I believe broke the law and should be held accountable to the full extent of the law, leaked Justice Alito's draft opinion on *Dobbs v. Jackson*, a fence had to be constructed outside the Court to prevent attempts from leftwing agitators to "burn it down."

There was also a reported attempt to assassinate Justice Kavanaugh, which was thankfully foiled by our brave law enforcement officers.

As we are all surely aware, anti-life demonstrators have held protests for weeks outside the homes of Justice Clarence Thomas, Amy Coney Barrett, and Brett Kavanaugh, which is a direct violation of **18 U.S.C. 1507**.

Instead of breaking up these illegal demonstrations and putting an end to the intimidation and mob rule so prevalent on the left these days, President Biden's Justice Department has allowed them to proceed unabated.

This, in my mind, sounds like an endorsement of lawlessness or at least a two-tiered justice system. This administration doesn't seem interested in enforcing laws that aren't politically expedient, whether it is at the southern border or elsewhere.

Mr. Speaker, it is no secret that I am 100 percent pro-life. I signed an amicus brief in support of overturning *Roe v. Wade*, and I remain hopeful that the **Supreme Court** will, indeed, finally overturn it. The number of lives lost since *Roe v. Wade* was wrongly decided is truly unfathomable. Countless lives have been lost that will never be granted the privilege to walk on God's Earth with those listening to this speech today.

For years, we have prayed. Finally, those prayers may potentially be answered.

10:30 a.m.

If so, that does not mean our work is done. While the power to legislate with regard to abortion policy will be returned to the legislative bodies where our Founders intended such power to reside, much work remains at every level of government-

State, local, and Federal-to ensure Progressives don't pass legislation that provides for taxpayer-funded abortions, something that polls show 58 percent of Americans do not support.

I promise to work day in and day out to ensure that every child is guaranteed the same right to life we all enjoy today. I will be a voice for the voiceless throughout the remaining time I have in Congress and even well after, much like my time before I arrived here in Washington. Because after all, if there is no life, there is no liberty or pursuit of happiness.

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168 Cong. Rec. H5632-04, 2022 WL 2182059  
Congressional Record --- House of Representatives  
Proceedings and Debates of the 117th Congress, Second Session  
Thursday, June 16, 2022

**\*H5632 LEGISLATIVE PROGRAM**

(Mr. SCALISE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCALISE.

Madam Speaker, I am happy to yield to the gentleman from Maryland (Mr. Hoyer), my friend and the House majority leader.

Mr. HOYER.

Madam Speaker, before I start on the colloquy and go through the schedule, I was just talking to the Republican whip, my friend, Mr. Scalise. We were talking about a friend of ours, his name is John Bresnahan; he is **\*H5633** a reporter. He has covered Capitol Hill since 1994, I believe, is the note I had. He is an excellent reporter.

He reports the facts. He reports the truth. As I know Mr. Scalise agrees, reporters who do that not only serve us, but more importantly, their major purpose is to serve the American people because we know that a free press telling the facts and the truth to the American people give them the opportunity to make solid decisions for our democracy.

I wish John Bresnahan a happy 60th birthday, and hope that he has many, many more. I have had 23 more than that, so I appreciate the fact that he is still going strong.

Mr. SCALISE.

Madam Speaker, I thank the gentleman for the confession about how many 60th birthdays he has shared. Here is to many more for you, but also for Bres.

As the gentleman points out, a fair and free press is vital to democracy. It is the First Amendment to our Constitution: freedom of speech and freedom of the press. While they might not report our press releases verbatim all the time-as we might like them to-they serve a vital purpose. Bres is one of those that we see in the halls, like the press that is around here making sure that the country knows what is happening here in the greatest democracy of the history of the world.

As a 60th birthday gift to him, I promise not to sing "Happy Birthday" to him. I wish Bres a happy birthday, and I yield to the gentleman from Maryland.

Mr. HOYER.

Madam Speaker, I want to tell Mr. Bresnahan that he made the same promise to me, which is why we did this. If he was going to sing it, I was a little reluctant to do this, and he didn't. I join the whip in wishing John Bresnahan, a friend, a very careful and honest reporter, the very best 60th birthday and many more to come.

Madam Speaker, on Tuesday, the House will meet at 12 p.m. for morning hour and 2 p.m. for legislative business, with votes postponed until 6:30 p.m.

On Wednesday and Thursday, the House will meet at 10 a.m. for morning hour and 12 p.m. for legislative business.

Madam Speaker, on Friday, the House will meet at 9 a.m. for legislative business.

On Monday, we will be celebrating Juneteenth as a Federal holiday for the second time in American history. Juneteenth is the day on which the last slaves who were in Texas learned of their new status as free Americans, an extraordinary day in the history of our country, eliminating one of the great blights on the history of America. As de Tocqueville pointed out, we tried to heal our wounds and tried to heal our wrongs, and we are still working on that.

Last year, the Congress took the historic step of enacting legislation to recognize Juneteenth as a Federal holiday, at long last. I look forward to celebrating as we pay tribute to freedom to all men and women being created equal in the image of God. We celebrate the history of the African-American perseverance and triumph over injustice and adversity.

I say triumph-it has been a triumph-but there are battles yet to be won. Juneteenth not only looks back but it looks forward to winning those battles.

Madam Speaker, I see Mr. Green on the floor, who has a resolution on the recognition of the blight of slavery. I thank him for that resolution and look forward to having that considered.

On Monday, we will be celebrating that holiday, but we will be celebrating it as we do Martin Luther King's birthday, as we ought to be in celebrating Washington and Lincoln's birthday, and committing ourselves to the realization of the principles for which they stood.

Madam Speaker, the House will consider bills under suspension of the rules. The complete list of those suspension bills will be announced at the close of business tomorrow.

Next week, Madam Speaker, the House will consider H.R. 7666, which is titled Restoring Hope for Mental Health and Well-Being Act, a bipartisan package of bills led by Chairman

Pallone and Ranking Member McMorris Rodgers, to address the mental health and opioid abuse crisis.

The legislation expands access to treatment for opioid use disorders, promotes behavioral health integration, and reauthorizes critical programs to support mental health and substance use disorder, prevention, treatment, and recovery, including in our children.

Madam Speaker, the House will also consider legislation under suspension from Chairman

Bobby Scott and members of the Education and Labor Committee to address the mental health, addiction, and suicide on college campuses, which is far, far too prevalent.

Our young people have faced stresses by the pandemic, stresses within our Nation, the divisions on which prey on their minds, so this is a very important piece of legislation. I hope it will be-and I believe it is going to be-bipartisan.

The House will also take up H.R. 6411, the Veterans Affairs' Committee Chairman

Mark Takano's STRONG Veterans Act, again, bipartisan legislation to combat veterans' suicide and address mental health, and help our Nation meet its commitment to those who risk their lives and safety for our country.

Additionally, Madam Speaker, the House will consider H.R. 5585, Representatives Eshoo's ARPA-H Act. This legislation would establish the Advanced Research Project Agency for Health, an independent agency tasked with accelerating biomedical innovation and making transformative breakthroughs in the fight against the most challenging diseases confronting our people.

This agency will oversee the next steps in the Cancer Moonshot program and help meet the President's goal of cutting the cancer death rate by at least 50 percent over the next 25 years, and hopefully sooner.

Madam Speaker, as we celebrate Pride Month, the House will consider H.R. 4176, the LGBTQ Data Inclusion Act.

Madam Speaker, I anticipate that the House will vote on a compromised, bipartisan Sergeant First Class Heath Robinson Honoring Our PACT Act, after the Senate takes action on the version agreed upon in May. As the whip knows, that Act was a bipartisan act that dealt with those who were exposed to burn pits and other toxic substances of which they did not know while they were serving on bases, both here and around the world.

This bill, we believe the Senate will take action on, a version agreed upon in May, which preserves much of the House-passed legislation to care for veterans exposed to burn pits and other toxic chemicals during their service.

In addition, the House will consider other bills under suspension of the rules, the complete list of suspension bills will be announced by the close of business tomorrow. Additional legislative items are possible.

12:15 p.m.

Mr. SCALISE.

Madam Speaker, I thank the gentleman for that update. As we celebrate Juneteenth next week, also right here in this House Chamber over 150 years ago is where the 13th Amendment to the Constitution was debated and passed. So history is made here on a regular basis. And then we celebrate the freedoms that result and continue as our Founders talked about to aspire towards a more perfect Nation so we will do that next week.

I do want to thank the gentleman because last week during this colloquy I know I asked my friend if we could bring the **Supreme Court** protection bill, the bill to make sure that **Supreme Court** Justices and their families get proper protection, as we were watching and saw a man arrested for trying to murder a **Supreme Court** Justice. Leader

McCarthy, I know, urged that as well. So I appreciate that we got to bring that bill up, debate it, and quickly pass it to President Biden's desk where we can get that in place.

I would hope that the Attorney General, Merrick Garland, would start enforcing **18 U.S. Code 1507** to give protection properly as Federal laws dictate, but it is not being enforced at the homes of those Justices. But, again, I appreciate that we got a very overwhelming bipartisan vote on that bill this week.

Does the gentleman have anything to add before we talk about the schedule for next week?

Madam Speaker, I yield to the gentleman.

Mr. HOYER.

Madam Speaker, I thank the gentleman for yielding. \*H5634

I would simply observe, as I observed the other day, that we all want to make sure that our Justices are safe.

Let me say, Madam Speaker, there is a very important reason for that. We want to keep all our people safe. But nine Justices of our **Supreme Court** represent that we are a nation of laws. They are one of the three branches of our government. Just as I was extraordinarily and remain extraordinarily concerned about the attack on this institution, the Congress of the United States, as we were preparing to elect a President of the United States, an attack on the **Supreme Court** and the lives of the

**Supreme Court** Justices are an attack on our democracy, on a separate branch of government that is charged with continuing to make us a nation of laws.

So, very frankly, the **Supreme Court** Justices, under existing law, were protected. There were security people there. Luckily, there were security people there. But the gentleman is absolutely right. We want to make sure whether we agree or disagree with the individuals, whether we agree or disagree with the opinions or the judgements that Congress makes, we are a nation of laws, and the way to resolve our differences is not through violence but through the democratic process.

I thank the gentleman for his observation.

Mr. SCALISE.

I share those comments by the gentleman from Maryland.

As we look towards next week-we have had this conversation a number of times-one of the items I don't see on the agenda is an item to address the problem of high gas prices, and, of course, we have now crossed an average of more than \$5 a gallon. It is a major burden for families, especially lower-income families who are being forced more and more to make those tough decisions of can they even afford to drive to work, and can they even afford to drive to see their doctor or to drive to the grocery store where they are paying maybe 20 percent more for some of the food items.

We have had a bill for over a month now, H.R. 6858, that would address these problems and allow us to actually have more control over our own energy production in America, to be able to drill in America for energy to lower the cost of gasoline, by confronting so many of the problems that this Biden administration has imposed that are making it hard for us to produce more energy in America to the point where you now have President Biden announcing that he is going to go to Saudi Arabia to beg them to produce more oil.

As we try to confront this challenge-and again, H.R. 6858 would allow us to do that-if you look at President Biden's proposed trip to Saudi Arabia, the President likes talking a lot about carbon footprints, carbon emissions, and global warming.

Why would the President get on Air Force One and fly 5,700 miles to Saudi Arabia to beg them to do something that we can do right here in America?

In fact, he could go less than 1,000 miles to Port Fourchon, Louisiana, in my district where they can produce hundreds of thousands of barrels a day in America which, by the way, because America has the best standards in the world, would emit less carbon than the oil produced in Saudi Arabia.

While the President will be flying over to Saudi Arabia, he won't know the answer he is going to get. They are an OPEC nation. They typically support a limited supply of oil because they want a higher price. So he doesn't know what the answer is going to be. He is going to fly 5,700 miles over and another 5,700 miles back to the United States. There are no solar panels on Air Force One, so that is going to be a lot of jet fuel and a lot of carbon emissions to do something that he could pick up the phone and call Port Fourchon. We would love to see him down there, but he can call them. I can tell you, Madam Speaker, the answer would be "yes."

They would say: Yes, we will produce more energy here in America.

But they are not allowed to right now because of limitations put in place by the Biden administration. So while we push to get this bill, H.R. 6858, brought forward, it really begs the question of first: What is the carbon footprint of President Biden's trip to Saudi Arabia?

But why even do this trip? Why go to Saudi Arabia and ask them to produce oil when we have it right here?

It is President Biden's policies that are stopping that oil from being produced, and, by the way, at a much lower carbon footprint than anything that Saudi Arabia, Russia, Venezuela, or any of those countries would produce if it were their countries meeting the demands of our Nation and so many others.

Madam Speaker, I yield to the gentleman, hopefully, to see if we can get the bill scheduled for next week.

Mr. HOYER.

Madam Speaker, I thank the gentleman for yielding.

We continue to talk about this as if this were the President's fault. First of all, in a much wider range, this is a result of the pandemic.

Why is it the result of the pandemic?

Not solely the pandemic but let me take the pandemic first. Everybody stayed home-this body and businesses across America.

What did that mean that they stayed home?

They stopped buying gas.

What did the oil companies do?

They shut down some of their production, a very substantial reduction in production. But then as the prices went up, they were making as much money or much more money. So in making much more money, they didn't increase production, as the gentleman says will be an answer to the question, in a country that does, in fact, have regulations and does have rules, and because of those regulations and rules the production of our energy is, in fact, as the gentleman asserts, more efficient and more environmentally considerate.

The oil companies-acting from what they thought was good business practice, demand was down, but prices were going up-were making profits. They bought back stock, which, of course, increased the value of the stock that remained. They increased dividends, which, of course, encouraged people to invest in them. It made people happy about their investments.

But they didn't increase production. They didn't have to increase production. They were making good profits and making, from their standpoint, good business decisions.

As I indicated in the last colloquy that we dealt with this problem, there were millions of leases put on the market by this administration, as I recall, some 80 million acres. Approximately 2 percent of the leases were bid on, and then the Court said that this was not a legal process.

But it is interesting how small was the interest in additional production at that time irrespective of what happened subsequently.

The gentleman mentions a bill, as he has done in the past, H.R. 6858, the American Energy Independence from Russia Act.

But before I say that, let me say, I hope the President is going to Saudi Arabia to talk privately, not publicly trying to embarrass or harangue, and certainly not to beg. The United States of America doesn't need to beg any nation in the world, and this President is not begging anybody.



This President should say, however, Madam Speaker: Saudis, stop controlling the supply unreasonably and driving the prices up of your product.

Yes, they are making more money, and they have a cartel. That is called a monopoly. That cartel has made sure that the lack of supply drove up the international market price. And then Russia went to war.

Now, Russia going to war has affected to some degree the supply of oil, but, very frankly, buying Russian oil supports their criminal war effort, their vicious and murderous war effort. We are all against that. So we agreed that we would not take any oil, and we urged our European allies not to rely on it either.

Now, what did that create?

It created a lack of confidence in the stability of the market.

What happens when you have lack of confidence in the stability of a market?

Prices go up because it is a bet on what is going to happen with the price of that product in the future that the market really reflects.

Now, the reason I say it that way is because these are not Biden prices. Even if tomorrow we snapped a finger and said: "Okay, go ahead," nothing would happen tomorrow, nothing would \*H5635 happen next week, and nothing would happen next month. It would take a substantial period of time because the oil companies, based upon the lack of demand, shut down, nor did they pursue further production.

Now, let me say something about the price of oil. The national price of oil now does not reflect the increase as part of the market response to what is called the West Texas Intermediary, which I am sure the gentleman from Louisiana, an oil-producing State, knows much more about than I do.

But let me say this: In 2008, that benchmark for crude oil peaked at \$147.02 in July of 2008. Adjusted for inflation, that is \$199.57 today.

In that time, 2008, the average U.S. gasoline peaked at \$4.14 per gallon. Adjusted for inflation, that would be \$5.62 today.

So, in other words, in 2008, otherwise known as the last year of the Bush administration, gasoline prices were higher than they are today notwithstanding the fact that the world price was \$31 less.

Excuse me, yesterday, June 15, that West Texas Intermediary oil-the benchmark for crude oil prices-was \$116 a barrel, \$31 less, without accounting for inflation, which would make it greater than it was in 2008. That wasn't George Bush's fault. It was the international market's fault and also this cartel that controls a large part of the supply of the oil in our country.

Now, my point-I still have to deal with H.R. 6858. One of its tenets is to approve the Keystone pipeline. The problem with that is, for whatever reason-and I understand my friend will have a response, Madam Speaker, as to well, because you disapproved it, meaning the Obama administration. They want to open the Keystone pipeline. The problem is the company that had the Keystone pipeline has abandoned it. Even if it were approved, they would have to get back in business and we would be well over a year-well over a year.

Now, I happen to have agreed that we should have approved that pipeline. I have said that publicly. I said that to the press. That didn't happen. But it would not solve the problem. And particularly, when you look at the figures that I just gave with respect to the world market price, we are paying a lot more now than we did in 2008 when it was higher.

So I would say to my friend, he also had a provision that expedites the LNG facility approval process. One of the problems we had is 20 percent of the LNG export capacity is now shut down.

12:30 p.m.

It was shut down because the regulations that the gentleman speaks of, correctly, were not followed, and the LNG plant had an explosion. It shut down because it violated regulations that were imposed upon it.

What I would say to my friend-I have talked to the committee about his bill. The LNG process is working. As I told him, I have an LNG export plant in my district, which has changed from substantial exports to the Pacific region, and now, 80 percent is going to Europe to try to bridge that gap as the Europeans retreat from being dependent upon Russian oil.

I tell my friend, with all due respect-and I am not going to plead with him, but I am going to suggest to him-we are going to Saudi Arabia, I hope, to tell them in private: Look, this is not a game you want to be playing. You are making our consumers pay far more.

We have acted. We acted, and we passed, some time ago, a bill that said you cannot have gas prices that are set at unreasonable levels, which we know as gouging. It is like you have a flood in your city and 80 percent of the grocery stores are wiped out, and the grocery stores that remain triple their prices. That is called gouging. We passed that bill.

We also passed a bill today which, unfortunately, most Republicans voted against-"most," I say, not all-which will, again, seek to bring the price down at the pump. How? By utilizing American products to supplement and expand the supply of gas and, we believe, bring the price of a gallon down some 40 cents-that is what the experts say-if we continue to use a mix of fuel.

But let me say in closing, on these remarks, which I know have been relatively lengthy, we are in this together, Republicans and Democrats.

FOX News criticized me for saying we are at war. We just sent a billion dollars for a war we are not in because we believe in freedom. We believe in international law.

We believe that we have a dictator, a dangerous dictator, who is committing war crimes through his men and women in eastern Ukraine in particular and did it in western Ukraine as they came into Kyiv.

We are in this together, one Nation, one America, on behalf of freedom. We have taken tough action. As part of that, we are paying the price at the pump because of that invasion.

The pandemic shut down production and shut down the purchase of gasoline by people because they didn't go to work. They didn't need to get in their cars. They didn't need to commute.

I would simply say to my friend that we are on the same team. Our President is leading our effort to defeat this despot, to stop this war, to ensure the freedom not only of the Ukrainian people but of all people, and to ensure that we respect international law.

I looked at the gentleman's bill. I would be glad to talk about other ways, including maybe some of the things that are in his bill. But I will tell the gentleman, the first couple that I looked at, the Keystone pipeline is not going to be reopened. The gentleman and I may lament that as a policy because I was publicly, during the Obama administration, for the approval of that pipeline. So, I am prepared to work with the gentleman to see what we can do.

But we have done today's bill. It may not be perfect. It may not work. But it is certainly worth a try, to try to bring these awful prices down at the pump because I know all of our constituents, whether they live in Louisiana or Maryland, are struggling because they have to use their cars. They have to use that gasoline. They don't have an alternative. And they don't have an alternative to buying food.

Both of those are tough, and we need to act together to try to see if we can solve that problem in the context of an extraordinary pandemic, a historic pandemic that shut down the world, and we are just trying to get back.

We are trying to get supply chains going, including gasoline pipelines, which is why the President is going to Saudi Arabia, not to beg, but to assert the economic fact of the ramifications of the cartels stifling supply.

Mr. SCALISE.

Madam Speaker, if there is common ground we can find on the components of H.R. 6858, I would be happy to help facilitate that negotiation because there are a number of very specific items in that bill that address the shortfalls, the deficiencies, the inability to produce energy in America. The Keystone pipeline might be one of the more well known.

President Biden, on his first day in office, canceled the Keystone pipeline.

Of course, it is not moving forward because he canceled it. It would provide a vital supply of oil from our friends in Canada that we wouldn't need from other people.

But there are a number of other pipeline issues. No new pipelines have been approved in the country. You have to have an ability to move energy around the country if we are going to be able to produce our own.

If a conscious decision was made in the White House that they don't want any pipelines, because that impedes the ability to produce energy in America, it just means we have to import more of it from other countries. Whether it is Saudi Arabia, Russia, any of them that I would not want us to have to get it from, it is going to come in some form. It might be a tanker. It is going to get here, and it is going to have to be put on rail or an 18-wheeler if it can't be put in a pipeline.

Let's get more pipelines produced, LNG export facilities. There are multiple, at least four, LNG export facilities that are sitting on the desk over at the Department of Energy ready to go. These are multibillion-dollar, privately funded projects that can't move forward because they won't move, yes or no, on those requests that have been pending for over a year.

Obviously, you look at leases, not being able to develop your lease. If you are a farmer and you own land, you could talk about all the thousands of acres of land, but if you need a permit **\*H5636** from the Federal Government to plant food and the Federal Government won't give you a permit to plant the food, then you can't use the land. The land is worthless.

You own leases on Federal or State lands, but the Federal Government, through President Biden, said you can't get permits to go and exercise that lease. Then the lease is worthless.

There has been a lot of talk by the White House about who to blame. By the way, I have never heard of President Biden pointing the finger at himself or looking in the mirror and going, is there something I can do? We have a list for him that he can do, and he won't.

But Joe Biden, as a candidate for President, has said things like this multiple times since being President: "No more drilling on Federal lands. No more drilling, including offshore. No ability for the oil industry to continue to drill, period." That was Joe Biden.

Then, Joe Biden continued to carry out policies that followed through on those promises to kill drilling in America, and each step of the way, the price kept going up.

Prior to Putin's invasion-I know the President loves trying to blame Putin. Well in advance of Putin's invasion, the price of oil was going up. In fact, the President was-whatever terminology you want to use-pleading with, begging, asking Putin to produce more oil prior to the invasion of Ukraine. That was who Joe Biden was asking back then as he was carrying out his promise, "No ability for the oil industry to continue to drill, period."

He only applied that, by the way, to America. He was asking other countries to drill. He was just saying you can't do it here. Putin said no, by the way.

In the meantime, Putin was making \$700 million a day selling his oil to America and Europe during that period when President Biden was carrying out all the steps to stop drilling in America.

Then you fast forward. The price keeps going up. President Biden, again, doesn't look in the mirror.

The gentleman mentioned they blamed the pandemic. That didn't fly because that wasn't the case because people started getting out again, started going again.

Energy companies asked to start producing again and filed permit after permit application and got denied and denied and denied, so then the President blamed the oil and gas companies. They had hearings up here, brought in all the oil and gas companies.

Do you know what the oil and gas companies said under oath? They want to drill more, and they can't drill because of President Biden's policies. It is President Biden's policies stopping them from drilling.

Again, if the oil and gas companies or Putin were the reason that there was this inability, and President Biden, as he has done multiple times, blamed them, if they were the reason that they had this shortfall, he would continue to be blaming them. But he knew the public wasn't buying it because it wasn't them, so he just blames more people.

Then, he goes to price gouging. As the gentleman pointed out, there was a bill here on the House floor a few weeks ago to try to shift the blame over to price gouging, and the answer was to allow you to sue your local gas station if you didn't like the price of gas.

Well, none of us like the price of gas. Suing your gas station is only going to make the price higher. Obviously, that had no impact because that wasn't the reason. But that was the answer and the attempt to try to blame somebody else.

Then we moved forward, and it is all of these other issues-refineries. This week, the White House started blaming refineries.

While the White House keeps throwing spaghetti at the wall, trying to figure out if somebody else will take the blame, he is going to go to Saudi and ask them to help us lower the price. Saudi's ability to produce is irrelevant to the price if we produce in America because we have the ability to drive down that price because we are not an OPEC nation. We are not a monopoly. We are a free-market economy when the free market is allowed to operate.

But President Biden, through his promises-"No ability for the oil industry to continue to drill, period"-in essence, he took the free market ability for America to produce energy off the table, which means he gave that leverage to monopolies, to cartels. They are taking advantage of it because President Biden gave them that.

Instead of asking them to produce more when they are fine with the high price of oil, whether it is Brent, West Texas, it doesn't matter what it is. He has taken it off in America so that they can limit the supply.

Let's not limit the supply. Again, if it is about saving the planet, if it is about carbon emissions, why not produce more here? There is no country in the world that produces oil that does it cleaner or better than us.

If you take America off the table, as President Biden has done—"No more drilling on Federal lands. No more drilling, including offshore." That was Joe Biden. He took it off the table here. That means you are going to need oil from countries that emit more carbon to produce the same oil, so you get higher carbon emissions.

Again, that doesn't even count the carbon emissions that will occur when President Biden gets on Air Force One and flies over 5,700 miles to go have this conversation that he doesn't need to have because he can have that conversation right here in America at a place like Port Fourchon, where the answer would be yes, and it would be cleaner. And by the way, it would bring billions more dollars into America's Treasury. It would lower the price of gasoline. It would create more jobs in America.

Every answer says yes, except President Biden keeps saying no. We want to address it through this legislation, which would counter some of those many things that President Biden has done to turn off the spigots in America.

If we can work on ways to confront this, I would be more than happy to have that negotiation, and we could go through, offline, how to do that. That is why I continue to bring up this bill.

Madam Speaker, I yield to the gentleman from Maryland.

Mr. HOYER.

Madam Speaker, I thank the gentleman for all of that information.

It continues to befuddle me why our Republican friends would much prefer to blame President Biden and so avoid placing blame on Mr. Trump's friend, Mr. Putin. I don't understand that, Madam Speaker. It is not a nation indivisible.

Now, Madam Speaker, I used a statistic some weeks ago that I have heard not at all disputed. The Biden administration has approved more drilling permits on public land in 2021, in 1 year, than the Trump administration did each year during its first 3 years in office.

12:45 p.m.

Not compared to the combined 3 years, just compared to each individual year. Number one.

Number two: Domestic oil production is greater today than it was under Trump. Not a whole big difference, 10,968 versus 11,185, but nevertheless, it speaks to the fact that the representation that somehow Biden has shut down the industry, and therefore, he is to blame.

We don't want to talk about the pandemic that shut down oil production. In Trump's last year-in Trump's last year-refineries in the U.S. reduced their capacity by more than 800,000 barrels. So, under the Trump administration, production was decreased.

Maybe they will look at the records and see whether or not that representation is accurate, and if it is not, I stand to be corrected. But those are the figures I have.

I notice that my friend did not respond to my representation that prices were higher under George Bush in 2008 than they are today. Now, because of inflation, the number is different, and compared to the world price, prices are higher.

So, I will say to my friend, we had at least 80 million acres, 2.5 million taken. As the gentleman pointed out before, the court said, No, that wasn't legal, so it was never effected. But we have those 800,000 that are not back online.

Don't blame them, though. Don't blame Putin. Don't blame the pandemic. Politically, let's blame Biden.

Now, I'm not sure why Bush had the higher price. Maybe it was that he was shutting down the oil business, the President from Texas. Maybe. \*H5637

But there is more today being produced. Not by enough. Still, there are 800,000 barrels shut down. That is per day, by the way; not just 800,000-per day.

So we can argue back and forth on this. We are passing legislation. Our Republican friends, for the most part, voted against it. It won't work. It won't do.

I don't know whether they are right or wrong, but it is worth trying. It is worth trying because our consumers are hurting.

People at the grocery store-I go to the grocery store every weekend, Madam Speaker. I live alone. I don't buy a lot of groceries because they will go bad, so I go every weekend.

I see the shelves that are empty. I see the price of bacon has gone up now over \$10. I see the price of the eggs I get, the price of the half and half I buy, or the orange juice I buy. It is going up.

I am in the fortunate position where I can pay for it without it binding me someplace else. But I know that a whole lot of people that I see shopping, they have got that list out, and they are very worried about their costs.

I don't know whether this bill we just passed is going to solve that-certainly, not overnight. I don't know whether a month from now it will help somewhat, 5 cents or 10 cents on a pound of bacon or a dozen eggs.

I don't know that, but it was worth a try, and we passed this bill. We got some Republican support, including, I think, the ranking member of the committee that reported the bill out.

We are not technically at war, but we are spending a lot of money on behalf of freedom, and we ought to be together. We ought not to be carping about our President who is doing everything he can think of to try to get a handle on this, both on inflation, on the cost to consumers, and on the supply of a product that we all need.

So, I would simply make a request that let's work together to try to get this problem solved. Saudi Arabia is not the answer, but it is part of the answer. The cartel is part of the answer. The Russians are part of the answer.

Maybe none of them are the entire answer. But when you understand that this administration has given more leases on public land than the prior administration did in its first 3 years, it is hard to say that this administration is the reason for this. Other than politically, it is a very salient argument, but that is all it is.

Mr. SCALISE.

Just for clarification, the ranking member voted "no" on the bill.

Mr. HOYER.

Oh, okay. Sorry.

Mr. SCALISE.

The 800,000 leases-and I know we talked about this before. You can have 800,000 leases, but when you need, then, permits to actually utilize the lease-so you have a lease to go and develop oil, but you need to drill. You need to do seismic. You need to build pipelines, infrastructure to move it. If you don't get those permits to actually utilize the leases, the leases are worthless. That is what H.R. 6858 addresses. We have been raising that issue for a long time. The lease is no good if you can't, then, use the lease.

Mr. HOYER.

Would the gentleman yield?

Mr. SCALISE.

I yield to the gentleman.

Mr. HOYER.

What I said was, in Trump's last year, refineries in the U.S. reduced their capacity by more than 800,000 barrels. That didn't have anything to do about leases.

That had to do with an economic decision, which probably made sense because what happened is the economy was contracting.

Madam Speaker, 2.8 million net jobs were lost during the 4 years of Trump, and 8.7 million have been gained.

As they have been gaining, people are getting back in their cars. They are getting back and driving. They are spending on the economy. But what happened?

The pandemic had shut down supply lines. And the oil companies, rationally, when demand went down, they reduced capacity. They don't need a new lease to go back up to the 800,000. They were doing it under the present authorization that they have.

That was my point. It continues to be my point. The companies have made a decision and they are not moving ahead rapidly to try to get more production.

One of the reasons is-I get it-they are making a lot of money. Some oil companies have got 300 percent greater profits now than they had some years ago. 300 percent.

So, why do we need to do more product? We are making great money. Chevron says it had the most successful year in 2021 than it has ever had. It may be another oil company. I may be wrong on that.

Was it Chevron? I am asking somebody who probably knows the answer better than me. One of the oil companies reported that.

I am not criticizing them for that. What I am saying is, this is a multifaceted challenge that confronts us, and we ought to address it in a way that it deserves, and that is in a bipartisan way that will have effect.

I am going to work with the gentleman. As I said, I was for Keystone. I was not for shutting Keystone down. I was approving it to go ahead. I thought it made sense. Our friends in Canada have an extraordinary supply.

As the gentleman observes, though-interestingly, because I think many of your colleagues oppose those rules and regulations-it is cleaner. It is better for the environment to produce it here.

Why? Because we adopted regulations—either the administration adopted or we passed them in legislation, and very frankly, I think that many of those were opposed by—I don't know whether you, but many in your party, so it is better to do it here.

So I don't want to dispute that, but it is also necessary to have production, particularly among the cartel countries, and Russia has no interest—Russia has an interest in additional production.

Why? Because that is how they are funding this war. But we ought to spend time on criticizing Putin and his war and the crimes that are being committed in his name in Ukraine, and our determination to make sure the Ukrainian people who have displayed extraordinary courage, and Zelenskyy, who has displayed extraordinary leadership, make sure they know that we are focused on them. And we are focused against Putin, not our own President, any more than I did when, you know, George Bush was President.

Very frankly, I supported, as the gentleman probably knows, the trade bills. I thought it was good to do business. A lot of our people didn't support him on that. I supported him on that.

So I think we need to be not so critical of our President. We have one President at a time. We had a pandemic. It wasn't on his watch we got a pandemic. It was on his watch that we got a handle on the pandemic.

On his watch, he has been giving more access to public lands than his predecessor did. We can debate the nuances of differences, but we ought to focus on why we have this crisis.

The gentleman knows these prices in many ways reflect the confidence and the stability, or the lack of confidence and the lack of stability in the market, and the war directly relates to that issue.

Mr. SCALISE.

Obviously, we will continue to debate this. Hopefully, we will debate it over H.R. 6858 where we can actually be talking about how we work together to solve the problem.

Of course, as the gentleman knows, Congress did come together, Republicans and Democrats, to give our friends in Ukraine the tools to go and push Putin out of much of Ukraine and, hopefully, all of Ukraine.

We will continue to stand with the incredibly strong, resilient people of Ukraine in standing up to Vladimir Putin.

We will, hopefully, have this debate further as we are talking about the legislation that we would like to bring.

Unless the gentleman has anything else—Madam Speaker, I yield back the balance of my time.



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Wednesday, June 15, 2022

**\*H5598 INFLATION AND OUR ECONOMY**

The SPEAKER pro tempore.

Under the Speaker's announced policy of January 4, 2021, the gentleman from Louisiana (Mr. Johnson) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mr. JOHNSON of Louisiana.

Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on the subject of my Special Order.

The SPEAKER pro tempore.

Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. JOHNSON of Louisiana.

Madam Speaker, Democrats have enjoyed unilateral control of Washington for the last 17 months, and we all know the results: record inflation, soaring gas prices, unhinged crime in our cities, and uninhibited illegal immigration.

In the midst of all this, what issue gets their prime-time billing? Very simple. They are displaying their seething hatred for Donald Trump and anybody who ever supported him.

For nearly a year now, they have invested thousands of hours, millions upon millions of taxpayer dollars. They have interviewed hundreds and hundreds of witnesses. They compiled 100,000 pages of documents. They hired lawyers, consultants, and even big network TV producers. And all for what?

They are doing this production, this rehash, this replay of a moment-by-moment dissection of a terrible event that took place here a year and a half ago. They thought the American people would be riveted by their production, but the ratings have proven what everybody already knew. The American people have lived through all this, and they have moved on.

In fact, we thought it was interesting, according to one report, CBS' decision to bump a "Young Sheldon" rerun from its prime-time slot in favor of Thursday's January 6 hearing resulted in fewer viewers than the identical time slot the prior week. Reruns of "Young Sheldon" played better than the January 6 drama.

The American people have moved on. They have moved on to caring about things that actually affect their daily lives.

Look, the criminals involved in January 6 are being prosecuted. Lessons about Capitol security were learned here. We will never know the true facts about all that, of course, because Speaker

Pelosi's partisan committee will not look into why we didn't have adequate security here.

But the Senate produced a bipartisan report on all these events a year ago. The truth is the Democrats could hire an army of broadcast media executives and specialists to try to boost their ratings, but it will not change the simple facts.

The election this fall is going to be about three things. It is going to be about inflation, immigration, and incompetence, the staggering levels of incompetence that the Democrats in charge of Washington put on display here every single day.

If the Democrats want to reverse their political fortunes, they need to reverse their policies. But we all know, of course, they refuse to do that. So hardworking American families will continue, very sadly, to struggle as our country becomes less safe, less secure, and less stable by the hour.

I am grateful to my colleagues for joining me tonight to discuss the myriad crises facing our country. They are all taking a back seat to the Democrats' reality show, but we think it is important to point out to the American people the realities here, the true realities of what is happening and what we are facing as a country, these unprecedented challenges.

Madam Speaker, I yield first to the fine gentleman from the State of Pennsylvania (Mr. Keller).

Mr. KELLER.

Madam Speaker, I thank the gentleman from Louisiana for hosting this Special Order.

Madam Speaker, this week, President Biden visited Philadelphia and attempted to spin a narrative fully detached from the reality Americans face every day. Speaking to a group of labor unions, the President professed to be advancing a pro-worker agenda. He proclaimed, "We are changing people's lives."

Well, he is right, only not for the better. Inflation is at a 40-year high, costing Pennsylvania families an additional \$517 more per month.

Gas prices are above \$5 a gallon, forcing families to spend \$2,800 more at the pump than last year.

Pennsylvanians are smart, hardworking people. They know that they are not better off today than they were just 18 short months ago.

While the President continues to blame Republicans in Congress for the economic disaster he has created, the fact remains that Democrats control the House, the Senate, and the White House. If the President truly cared about stopping skyrocketing inflation, he would stop calling for more out-of-control spending, stop shutting down American energy production, and stop blaming others for his failures.

It is time that he has faith in the American people and gets out of the way. **\*H5599**

Mr. JOHNSON of Louisiana.

Madam Speaker, I thank my friend. That is so well said. Just get out of the way. Let the American people do it.

Madam Speaker, I yield next to another great gentleman from the State of Pennsylvania (Mr. Meuser).

Mr. MEUSER.

Madam Speaker, I thank the gentleman from Louisiana (Mr. Johnson) for his leadership.

Madam Speaker, President Biden's plan to tame escalating inflation passes the buck to Americans once again. Costs for driving to work, feeding families, housing, and utilities are under unimaginable increases and strain on my constituents, thanks to the disastrous policies.

President Biden largely puts responsibility on the Federal Reserve to stabilize inflation. However, the shocks that the Biden administration has brought to our economy are out of the Fed's control. Sure, they play a role here. A majority of the inflation, however, has been caused by the assault on domestic energy, excessive government spending, and incentivizing a lack of American productivity.

President Biden then wonders why we don't embrace his plan to reduce inflation by tapping the emergency energy reserves. Somehow that is going to lower gas prices. Well, it hasn't. It is a bad idea, and it hasn't made a dent.

Shockingly, against every fundamental of economics that we are even taught back in the seventh grade, Madam Speaker, he wants to raise taxes on American businesses, which, according to the Biden administration, will reduce the deficit, slow inflation, and create jobs. I am surprised it wouldn't put food on the table as well.

Americans, in their opinion, need relief right now, not in some far off, far out way. Small businesses are rightfully concerned about surviving after having to absorb huge new costs since the Biden administration came into office. And this is factual. The data is there, and the graphs are there.

Bidenomics has greatly worsened what was and is a challenging time for our economy. But digging a hole much deeper than necessary and exacerbating pain for Americans who are struggling to cope with one economic hardship after another is certainly not the answer.

There is no doubt the Federal Reserve's delay in acting did make inflation worse, and America's overreliance on goods made in China also contributed to inflation, along with the COVID supply chain setbacks. However, we would be nowhere near the position we are in now if it were not for the terrible Bidenomics that they put in place. These reckless actions have turned economic challenges into a full-blown, as some describe, hurricane of an economic crisis.

These policies have spearheaded an assault, an absolute assault, on our domestic energy-this is unforgivable-over the last 18 months.

President Biden canceled the Keystone pipeline. That was just the start of it. He halted issuance of other pipeline and drilling permits-far less were issued than were ever issued during the Obama years; mitigated LNG exports; threatened domestic banks and investment companies against investing in carbon fuels.

Our domestic energy went from a state of independence and surplus to a high level of dependency. After these Biden administration policies kicked in, the U.S. became at the mercy, once again, to the energy players like OPEC and Russia, meaning any geopolitical disruption would spike gas prices, leading to cascades of issues for Americans, consumers, and businesses.

Madam Speaker, we have seen this before. This is a rerun. This is why U.S. domestic energy independence is so crucial.

However, the administration, and many in this Chamber, have a "go green now or else" mentality, which has generated \$5-plus gasoline prices and caused natural gas to go so far high up in price that fertilizer costs have caused farmers' prices and costs to skyrocket. Of course, food on everybody's table soon followed.

5:15 p.m.

Biden and the Democrats-and it is far too many Democrats, frankly-in Congress continued spending trillions which exacerbated inflation, leading to predictable inflation where even Democrats such as Larry Summers, an economist, stated, look out for a rapid rise and a sustained inflationary period.

Many others said, Oh, no, Larry's wrong this time. Well, Larry was not wrong. Now, with the threat of tax increases and a laundry list of every regulatory antigrowth measure imaginable, this woke, go-broke economy is going to continue to fail American families.

Madam Speaker, we must encourage responsible domestic energy production. We must lower taxes to rev up our economy. The United States must have the most competitive economy in the world, job creation machine and perhaps a job creation tax credit.

We must support production of items made in America. We must do our very best to buy American, and we need to pivot from this awful path that we continue to be on.

I will wrap up by simply stating that we must recognize where the problem started, what the problem is, have a plan for solutions, and that means having the courage to change course now.

Mr. JOHNSON of Louisiana.

Thank you for that expertise. You sound like a former Secretary of Revenue or something from the State of Pennsylvania.

As you pointed out, my friend, you don't have to be an economist to figure this out. Every freshman economics student knows if you keep printing money and dropping it into the economy, you are going to cause inflation. This is not rocket science, but you know what? The President of the United States apparently doesn't get it.

Madam Speaker, I am delighted next to yield to the good doctor from Texas (Mr. Babin).

Mr. BABIN.

Madam Speaker, I thank my friend from Louisiana, the gentleman, for his leadership. I really appreciate it.

If Joe Biden valued America, if he valued our freedoms, our prosperity, our success, our influence on the world, he would value the security of our economy. He would value a balanced budget, and he would value your financial future.

But, of course, we know he doesn't. Your financial stability gets in the way of his agenda. The money that Biden asked for and that Democrats in this Chamber incessantly spend is not only just random dollars and cents from who knows where, but also money that you have earned from your hard work, money that should have been used to ensure you and your family see a stable and prosperous future.

Plain and simple, these antigrowth and pro-tax policies have us hurtling toward a recession and will destroy your ability to build the future that you want to have. It is no wonder that consumer confidence and the Democrats' agenda is reeling nationwide.

Last month, inflation increased at the quickest pace since December of 1981-8.6 percent over the past year. Those aren't just words. Inflation means that everything costs you more.

Inflation this high, rising that quickly, means that American families are now facing the very harsh reality that they could be on the brink of financial ruin which many respected economists now are fearing that the wheels may come off of our economy.

Commonsense solutions could have prevented most of this. Reckless socialist spending sparked the fire and paying workers to stay home fanned that flame.

The irresponsible policies coming out of the Democrat party spurred on a manufacturing and supply chain disaster like we have never seen before in our history-all for the sake of a woke socialist agenda.

I hope that they are proud of themselves. I hope that they are proud that they have caused energy prices to rise by more than 30 percent. I hope they are proud that gasoline is \$5 a gallon across the country, nearly a 100 percent increase.

I hope they are proud that we still don't have baby formula on the shelves and that people cannot put food on the table because prices are way up, over 12 percent now, and that wages are shrinking, and that fewer women and minorities are in the workforce, and that the stock market is volatile and has lost trillions of Americans' wealth. I could go on and on.

My colleagues on the other side of the aisle are responsible for this, and it is time that they take responsibility and shift course before it is too late. Our very future hangs in the balance. \***H5600**

Mr. JOHNSON of Louisiana.  
Madam Speaker, that was so well said.

Dr. Babin, that woke socialist policy has brought some real pain to the American people. I think they have had enough.

Mr. BABIN.  
Amen.

Mr. JOHNSON of Louisiana.  
November can't get here soon enough.

Madam Speaker, I am happy to yield next to the gentleman from Wisconsin (Mr. Grothman).

Mr. GROTHMAN.  
Madam Speaker, we will talk a little bit about the border again and what I think is kind of an inappropriate way to handle some recent events that happened down there.

First of all, we have got to give the backdrop, right. We are all familiar with the most recent statistics available. For April of 2022, 184,000 people crossed in the country that were not appropriately vetted and we do not particularly want here.

A year ago, that 184,000 number was at 66,000. Two years ago, under the prior administration, it was 5,700. So, first of all, the American public should kind of let that sink in: 5,700 a month to 66,000 a month to 184,000 a month. Horrific.

Part of monitoring the border is showing respect for the Border Patrol. I have been on the border eight times over the last 2 years, and I think they are the most professional of law enforcement agencies I have run into.

Last September, when potential Haitian immigrants tried to cross the Rio Grande and get up on shore, agents on horses used reins to protect the Haitians from the horses' hooves.

Every agent I have talked to felt this was an entirely appropriate way to protect the Haitians who were trying to come into our country. But President Biden, the new expert on horsemanship, felt that the new immigrants were strapped, whatever that meant, and said that they would have to pay.

Now, the Department of Homeland Security claims that the Border Patrol agents should be disciplined for protecting the Haitians from the horses' hooves.

Since then, President Biden's budget, the last budget which he signed, the last appropriation bill, provided millions of dollars for monitoring and disciplining the Border Patrol.

This is kind of a mental problem we have seen before in Washington. It reminds me when we had record murders in our big cities, and Washington responded by saying that we had to pass a bill making it easier to sue the police. In other words, all these people dying, records in the last 2 years in Milwaukee—which is adjacent to my district, and they think the problem is the police.

In any event, that is what the Biden administration did. They claimed the police were racist, making it easier to sue police. Obviously, that is inappropriate.

The other thing I think is inappropriate is we hired a new Border Patrol head who used to be a police chief. When he was a police chief, he wouldn't cooperate with ICE when they had problems with people who they were trying to deport or people who were here illegally.

I mean, can you imagine what type of effect that has on the Border Patrol agents when the person who is supposed to be the boss doesn't seem to be on board with the underlying mission?

I believe he also had a problem in which he was accused of some harassment in his prior job. Now, we have got to hire some more Border Patrol agents here, and the way to do it is to not have the administration treat these brave, honorable people inappropriately.

So I call upon Congress to try to weigh in with the President. If you have taken a trip down to the border, tell him how great the Border Patrol agents are.

Make that an attractive job because we need top-flight agents to save our country from people who don't belong here and also to save our country from the sea of fentanyl that is flowing in here and that apparently is not something that concerns Congress a whole lot.

Mr. JOHNSON of Louisiana.

Thank you, my friend. That border crisis continues to grow by the hour. Right now as we speak, there is the largest caravan we think that has ever been spotted currently headed to our southern border.

It was incentivized, of course, by the Biden administration's open border agenda. The caravan has as many as maybe 15,000 people, most from Venezuela, Nicaragua, and Cuba.

Here is the key point. One of the migrants is reported to have told FOX News that he hopes President Biden will keep his amnesty promise to the caravan. You know, that is exactly why people from more than 160 countries have been flooding over that border since right after Joe Biden took office.

Madam Speaker, I yield to the gentleman from Tennessee (Mr. Burchett).

Mr. BURCHETT.

Thank you, Vice Chairman

Johnson, for yielding valuable time out of your very busy schedule. Madam Speaker, thank you, ma'am.

The Biden administration's response to the baby formula crisis has been a joke. President Biden has tried to deflect the blame by claiming he wasn't aware of the severity of the shortage until April of 2022.

To me, Madam Speaker, Mr. Chairman, this claim just shows he either has no idea about what is going on in his administration or in this country, or he is a liar, or maybe both.

The FDA received a whistleblower's report, as you well know, in October of 2021 about the sanitation issues at the Abbott manufacturing plant, but they didn't do anything about it. They didn't have any intention to do anything about it.

They only closed the facility in February of 2022 when two precious little babies died after drinking formula from that plant, and to me, that is criminal.

Unfortunately, the Biden administration's signature move, as always, is see a problem, don't do anything, then blame others when things go wrong.

I always remember the words of Harry Truman, "The buck stops here." This President has repeated those, and he has yet to follow his own advice, and I believe things have certainly gone wrong.

The out-of-stock rate for baby formula was recently 70 percent across our great country-70 percent. This means that parents across this Nation are going to be unable to feed their little ones.

This disproportionately affects our low-income families because folks with money generally are going to find something. They are going to find it on the internet, find a friend or somewhere else.

Of course, House Democrats' solution was to give \$28 million to a bloated bureaucracy at the FDA to address the shortage. But, of course, \$23 million of it was for staff salaries and the administration.

Of course, the bill that passed that was bipartisan cleared up some of the bureaucracy, but that was completely ignored by the media.

It is mainly because the media, by and large, except for a few exceptions, is totally in the tank for this administration. They have so much invested in him that they can't stand to see him fail, which he is-horribly.

I believe throwing money at a problem is not going to make it go away. You need a plan to go with it. You need to cut some of this red tape and bureaucracy. It gets in the way of enacting real solutions.

We still likely won't see any formula hitting the shelves until mid-July-mid-July. I think that is unacceptable, Mr. Chairman. We need to feed our babies today.

Mr. Chairman, thank you for your leadership, and as you have told me many times when I was a freshman, that when you are sitting at the table, there will be time enough for counting when the dealing is done. You, sir, are the gambler.

Mr. JOHNSON of Louisiana.

And you have got to know when to fold.

Madam Speaker, Tennessee is going so well, I may as well yield to another good friend, another gentleman from the State of Tennessee (Mr. Rose), one that is even more reputable than the last speaker.

Mr. ROSE.

So true. Thank you, Vice-Chairman

Johnson. I appreciate that.

Madam Speaker, the average cost of a gallon of gas in this country just passed \$5 per gallon for the very first time. I repeat: The average cost of a **\*H5601** gallon of gas in this country just passed \$5 per gallon for the very first time.

I would like to remind Americans, especially those on the other side of the aisle who may not be affected because they drive electric vehicles, that prices at the pump started to go up well before Vladimir Putin's disgraceful invasion of Ukraine.

In fact, they started climbing shortly after President Biden took office. It is not a coincidence. It is not an unintended consequence. It was the President's intended outcome.

The President doesn't beat around the bush on the topic of fossil fuels. On the campaign trail, he pledged to get rid of them. I would say he is well on his way to keeping that promise.

Remember, this country was a net exporter of oil. Now we are stuck hoping the President has a good meeting with the Crown Prince of Saudi Arabia, the same country he called a pariah, one that we hope results in them producing more oil and, hopefully, lowering global prices.

This administration has taken many steps to make it next to impossible to expand drilling here at home. We all remember how quickly the President killed the Keystone XL pipeline with no regard for the impact that would have on those jobs or how dependent it would make us on foreign oil suppliers.

This administration has also proposed more than \$80 billion in tax increases on energy producers in the first two budget cycles since being in office.

5:30 p.m.

We know the war in Ukraine has impacted fuel prices, but we Republicans argue that we didn't have to be reliant on foreign countries. If we just used the oil we have here at home, we probably could have kept prices down. Now, we are asking OPEC to produce more. It makes no sense.

The President calls this moment an incredible transition. I see nothing incredible about it. In fact, the only transition I see is the American people going from being able to provide for their families to being stuck at home because of record inflation and gas prices that have more than doubled.

We are not going to go from oil to electric consumption overnight. The grid isn't ready for an all-electric future. We should pursue an all-of-the-above approach that includes oil. The Tennessee Valley Authority uses 39 percent nuclear, 19 percent coal, 26 percent natural gas, 11 percent hydro, and 3 percent wind and solar to power millions of homes across the Tennessee valley. That is how you make sure you are not just energy independent, but you are energy dominant.

The answer isn't raiding our Strategic Petroleum Reserve. The answer certainly isn't relying on foreign countries for supply. The answer is tapping into the resources with which our Nation happens to be abundantly blessed.

Mr. JOHNSON of Louisiana.

Madam Speaker, my friend is correct. That energy crisis haunts every American. We see no end in sight because the White House will not reverse its policies.

Madam Speaker, I yield next to the gentleman from Florida (Mr. Bilirakis).



Mr. BILIRAKIS.

Madam Speaker, I rise today to discuss the misguided priorities of this Chamber.

At a time when Americans are facing extreme hardship-grappling with the highest rates of inflation in more than 40 years; \$5 per gallon, at least, gas; workforce and food shortages; and unprecedented crime and illegal border crossings-House Democrats continue to ignore urgent matters and, instead, engage in deflection.

For example, the majority scheduled three irrelevant bills for consideration on the House floor.

The first allocated \$1.3 billion in annual mandatory spending, Madam Speaker, for a new regulatory agency to protect endangered species. This is the type of tone-deaf policy proposals that show Democrats are out of touch with the American people, unfortunately.

The second bill brought up for consideration targets the Federal Reserve at a crucial time. The Federal Reserve is supposed to be an independent, nonpolitical, agency tasked with managing our Nation's monetary policy, yet House Democrats want to divert the Fed's attention away from addressing an impending recession and instead impose its woke agenda. Out of touch, Madam Speaker.

This truly defies common sense, in my opinion. Inflation hurts all Americans, regardless of race, and turning the Federal Reserve into a social justice warrior will only serve to compound the hurt for everyone, unfortunately, Madam Speaker.

The third measure brought to the floor this week is more deflection. In essence, it adds more costs to U.S. producers. That is no way to do it. This will only serve to increase the cost of doing business. Those increased costs will get passed along to the consumer, like you and me.

Another attempted distraction is the sham January 6 hearings hosted during prime-time TV in a gross display of partisan gamesmanship. These are not fact checking.

It is no secret I voted against the creation of this panel. It was clear from the onset that Democrat leaders had no interest in an open and unbiased review of what occurred that day when they denied all Republican-named nominees to the panel.

Any doubt that this would be anything more than a bogus, made-for-TV drama was put to rest when footage surfaced that the committee was relying on teleprompters, and when ratings weren't good, they canceled or postponed hearings. My goodness.

Madam Speaker, I will not be distracted from the real problems facing American families. I will keep fighting to do the right thing by my constituents. If House Democrats had any sense of urgency, they would put aside the political charade and join me and my Republican colleagues to get the hard stuff done.

Time is of the essence. The American people cannot wait any longer.

Mr. JOHNSON of Louisiana.

Madam Speaker, my friend said it well. He is right, time is of the essence. Every day that we belabor and continue these radical leftist policies, the American people feel more and more pain.

Madam Speaker, I yield next to my good friend from Georgia (Mr. Clyde).

Mr. CLYDE.

Madam Speaker, I thank Vice Chairman

Johnson for hosting this Special Order tonight and for allowing us to highlight the various crises that are affecting our Nation today.

Last week, inflation hit a whopping 8.6 percent, the highest since 1981, and gas prices have soared to \$5 a gallon nationwide for the first time in history. In fact, just last week, for the first time in my life, I paid more than \$100 just to fill up the gas tank of my pickup truck. As the good Speaker knows, if our own home State had not temporarily suspended the gas tax in Georgia, it would have been \$110 to fill up my pickup truck.

Consumer confidence has plunged to a record low, and I don't blame them. Gas, groceries, utilities, common goods, they are all going up. Month after month, the sticker shock continues to burden American workers and families, with no end in sight.

Yet President Biden comically claims he is, and I quote, changing people's lives. Well, I think he really is, but it is not changing for the better. Dare I say the President's policies are actually ruining people's lives, destroying the middle class, and dismantling our economy. Our Nation is in full buyer's remorse.

The American people are increasingly fearful of a recession. What are the Democrats here in Congress doing about it right now? As of late, their focus has been prime time political hearings, aimed at smearing President Trump and his supporters, as well as infringing on Americans' constitutional right to keep and bear arms.

Not to mention, earlier this afternoon, the Subcommittee on Economic and Consumer Policy of the Committee on Oversight and Reform held our very first hearing in 2022. The subject? Investigating tick and flea collars. I just can't make this stuff up. It was not Jimmy Carter-era inflation. It didn't make the cut.

And then we have the news reports from this morning that suggest some of my Democrat colleagues are focused on instituting gender-neutral bathrooms throughout Capitol Hill.

What in the world is going on? I can assure my Democrat colleagues that my constituents in Georgia's Ninth District are far more concerned about putting food on the table and filling their gas tanks than any of the liberal nonsense that this body is so fixated on. \*H5602

Democrats' severely misguided priorities are a disgrace, but maybe they are actually intended to be a distraction because tackling inflation head-on would require Democrats and President Biden to face the undeniable reality that their Big Government, socialist agenda caused this mess in the first place.

The American people deserve better, period. Congress must refocus its attention on implementing effective solutions in order to get our economy and our country back on track, just like it was under President Trump's leadership.

Mr. JOHNSON of Louisiana.

Madam Speaker, my friend from Georgia made a great summary of the crisis that we are in. I thank him for bringing that.

Madam Speaker, I yield next to the gentlewoman from Tennessee (Mrs. Harshbarger), my dear friend, and the third speaker from the good State of Tennessee, can't have enough of those Vols.

Mrs. HARSHBARGER.

Madam Speaker, I had a lot of problems to choose from tonight, but I rise today to talk about the border crisis.

I remind the American people that our national security is still in jeopardy as our southern border remains wide open. Since Joe Biden took office, over 2.6 million illegal immigrants have been apprehended at the southern border.

Because of President Biden's failed open border policies, more drugs have been smuggled into our neighborhoods than ever before. CBP estimates that nearly 5,300 pounds of deadly fentanyl analogues have been apprehended, and that is enough to kill 2.4 billion people. I don't know of a person that I talk to or that I see that hasn't been touched by the loss of somebody concerning overdoses.

As a pharmacist, I know this all too well, that the illegal fentanyl analogues flowing through Joe's open border have caused unthinkable harm by poisoning our communities.

According to the Metro Public Health Department in Nashville last year, 74 percent of overdose-related toxicology reports detected fatal fentanyl analogues.

Wondering how all that fentanyl is getting into a State like mine? I am not even a border State.

It is no coincidence that Border Patrol agents reported a 1,066 percent increase in fentanyl seizures at just one stretch of the U.S.-Mexico border last year.

The influx of dangerous, illegal drugs is making its way through all our neighborhoods, and this is no longer a geographically tied tragedy. As I said before, Tennessee isn't a border State, but we are all border States. The Biden administration's failure has had deadly consequences, and my home State has not been immune.

As I stand here today, the largest caravan of people intending to illegally reside in the United States is heading to our southern border. Word has gotten around that Joe Biden is soft on crime and that he has opened his arms and our border to anyone and everyone.

This caravan could total up to 15,000 people, and that far outnumbers our Border Patrol agents who are already struggling to protect our borders. These thousands are just crumbs compared to the millions who have entered our country illegally in the last year.

I have been to the border more times now in my first term in the House of Representatives than Joe Biden has in nearly half a century in public service. What I saw there at both Eagle Pass and the Rio Grande Valley Sector was heartbreaking and infuriating.

I had the opportunity to speak with our Border Patrol agents who just want to do their job and keep our Nation safe, but they are struggling under the conditions this administration has boxed them into. They don't have enough resources, manpower, or support to turn away the hordes of invaders that come through the border every single day, and the illicit and illegal criminals that are coming, the got-aways, we don't know who they are, where they came from, or where they are going. That is of even more concern.

In fact, they have been encouraged to help transport these individuals to every corner of the Nation without a way of knowing who they are or where they are going. What we do know is who is paying for all this, and that is a simple answer. It is the American taxpayer.

This year, Secretary Mayorkas admitted that Americans are out \$72 million just from President Biden's order to halt the border wall construction. We are paying not to build the border wall. Plainly speaking, the American people are being charged to ensure they are less safe. This crisis greatly benefits the cartels and gravely threatens Americans.

Every State is a border State as Joe Biden's border crisis damages our national security. This crisis has gone on long enough. Americans deserve better, and they deserve a closed border.

Mr. JOHNSON of Louisiana.

Madam Speaker, I have another colleague or two on the way. How much time is remaining on the clock in this Special Order?

The SPEAKER pro tempore.

The gentleman has 21 minutes remaining.

Mr. JOHNSON of Louisiana.

Thank you so much, Madam Speaker. I will read a quote here that is very familiar to everyone now because it has been repeated over and over in the last several days. It is from

Chuck Schumer. Of course, he is the Democrat leader on the Senate side. He stood on the steps of the United States **Supreme Court**, and he exclaimed to a crowd, to their applause, and to all the television cameras, what is now a quote that lives in infamy, "I want to tell you, Gorsuch; I want to tell you, Kavanaugh: You have released the whirlwind, and you will pay the price. You won't know what hit you if you go forward with these awful decisions."

5:45 p.m.

The leader of the Democrats in the Senate stood on the steps of the United States **Supreme Court** and threatened the Justices by name.

Now, what is happening? What is happening now? Well, people are heeding that advice. There was a leaked opinion, an unprecedented, terribly tragic event there that will harm the institution permanently, the **Supreme Court**. Some clerk, we suspect-I think it is one of the liberal law clerks for one of the liberal Justices, the three Justices on that Court committed to that ideology. Somebody leaked the draft opinion, and it has caused a whirlwind.

All of these protesters are criminals. They are not really protesters. They are criminals because this is blatantly against the black letter of the Federal law. 18 U.S.C. **1507** openly makes this a crime. You can't protest at the home of a judge to try to influence their opinion. Yet, that is exactly what is happening.

As we speak right now, there are liberal activists on the lawns of the Justices of the **Supreme Court**, the conservative Justices.

Do you know what? Their lives are in danger because we now know, just a few days ago, a would-be assassin was apprehended on the lawn of Justice Kavanaugh. He was home with his wife and his two young daughters.

This is a dangerous thing, and this is what is wrought when so-called leaders tell the American people to get in the faces of their political opponents, to release the whirlwind, you won't know what hit you, and all the rest. That is what is happening right now.

What are Republicans doing about it? What is Congress doing about it? Nothing at all. The Democrat majority won't even acknowledge that this is a problem. In fact, on this floor last night, we had 27 progressives, 27 of the Democrats in this House, vote against a simple bill, a measure that would provide security and protection for the innocent children of these Justices. They voted against that. It is unbelievable.

People back home ask me, my constituents, say: What are they thinking? What in the world is going on? Do they want people to be harmed?

Look, I think the motive is that they want to send a message to the radical left that we like you violating the law. We want you on the lawns of conservative judges. We want you to try to intimidate them into changing their opinions because they may overturn Roe, or they may interpret the Constitution in a way that the radical left disagrees with.

This is a tinderbox. This is a dangerous time in the country. The so-called leaders here are encouraging and inflaming this. Heaven forbid if someone actually gets hurt. \*H5603

We filed a resolution here within a few days of that leak last month. Forty-five Members joined me in that resolution. We called upon the Department of Justice to enforce 18 U.S.C. 1507, to enforce the law that makes it a crime to picket or parade to influence a judge. Do you know what? Crickets. The Department of Justice hasn't done anything.

Can you imagine if a threat was made to one of the liberal Justices? Can you imagine the outcry? The mainstream media and the Democrats here, the radical left, they would be demanding action. But if it is a conservative judge, hey, fair game, apparently. It is open season on conservative judges. That is what we have now.

We also filed, last month, the Leaker Accountability Act that would make it a crime to knowingly share confidential information from the Supreme Court. I authored that legislation. I think it ought to be punishable by a fine or up to 5 years imprisonment.

We have to send a message. This behavior, the leak, the violence that has ensued because of it, is unacceptable. The idea, again, that our colleagues would vote against protection for the children of these judges is, to me, unconscionable and an unforgivable vote.

Madam Speaker, I yield to the gentleman from California (Mr. LaMalfa), my good friend.

Mr. LaMALFA.

Madam Speaker, I thank my colleague from Louisiana for leading these important topics here.

There is such a broad range of things we can be talking about, but one of the key issues that finally we got action on was the issue with the crazy radicals that have illegally protested outside of the Supreme Court Justices' homes, threatening them, going so far as even implicating that they are going to have an assassination attempt on a Supreme Court Justice.

What kind of system of government will we have if they have to worry about whether they are going to be assaulted or even killed over doing their job?

After weeks of twiddling their thumbs as this violence escalated, finally, we were able to pass the Supreme Court Police Parity Act.

Meanwhile, inflation rates have skyrocketed for months, and prices on everything are going up dramatically because of supply chain issues that could be fixed if the administration and this Congress were focused on the American people instead of pie-in-the-sky things like the Green New Deal or others.

We have seen little action from the left on these issues. It looks like we will be too busy to bring to the floor these solutions that we have been working on in the Committee on Agriculture and others. Instead, we get the soap opera, complete with prime time and production from ABC News executives, otherwise known as the January 6th Select Committee. Select what?

The hearings are being broadcasted in prime time, although the ratings are actually going in the toilet for that, as reruns from other programs are outstripping them, including the TV show called "Young Sheldon," which is actually kind of entertaining, I guess. What it really shows is that viewers would rather watch paint dry than watch a bunch of lawmakers using teleprompters in their made-for-TV drama.

We didn't need a whole partisan production when

Bennie Thompson objected to the 2004 Presidential election, and we had a Senator join in on that, to bring that to a vote. I guess that all is different when it is a Republican coming in.

We need to look into the security failures of the day, on January 6, and ask the real questions that need to be asked. The select committee is, instead, doctoring evidence, texts, and other things to make it look like a one-sided deal. If we had balance on the committee, we would actually be getting to ask the real questions and get down to real solutions.

With many reviews conducted of the security vulnerabilities in the Capitol, we have a lot to do in order to make it more secure and something that people can have confidence in, in the process we are supposed to have here, including on that day, January 6, when we were supposed to constitutionally complete our work, though I had colleagues saying: "Are we going to actually go back in there and complete it?" Yes, we have to do our job. We have those duties on January 6 following each Presidential election.

Is it politics or is it solutions? Soaring gas prices; baby formula shortages, for crying out loud; sky-high inflation; rising crime rates; illegal aliens flooding across our border.

The only thing the Dems really want to run on is bashing President Trump. Well, he is not President anymore. Even though he is living rent-free inside their heads, we need to move on to something else, getting the work done, the job done, for the American people, who are suffering right now because of the policies and the inattention to the details that would help them.

Let's get to work on the real things.

Madam Speaker, I thank the gentleman for yielding.

Mr. JOHNSON of Louisiana.

Madam Speaker, I thank my friend for faithfully coming to this floor and speaking to his constituents and the American people about these very serious issues that face us as a country. His voice is an important one.

I am grateful to him and our many colleagues for joining us tonight to discuss all of these crises facing our country that are taking a back seat to the Democrat reality show and the most radical set of domestic and foreign policies that America has ever seen.

As we close, I remind everybody-we heard it last night-the President exclaimed in his now infamous speech, he said: "We are changing people's lives." You saw that?

Mr. LaMALFA. Yes.

Mr. JOHNSON of Louisiana.

There is zero doubt about that, Mr. President. Lives are being devastated under your policies.

I will just say this, as we conclude: November cannot get here soon enough.

Madam Speaker, I yield back the balance of my time.

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Congressional Record --- House of Representatives  
Proceedings and Debates of the 117th Congress, Second Session  
Tuesday, June 14, 2022

**\*H5495 SUPREME COURT POLICE PARITY ACT OF 2022**

Mr. LIEU.

Madam Speaker, I move to suspend the rules and pass the bill (S. 4160) to amend title 40, United States Code, to grant the **Supreme Court** of the United States security-related authorities equivalent to the legislative and executive branches.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 4160

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "**Supreme Court** Police Parity Act of 2022".

SEC. 2. AUTHORITY TO PROTECT FAMILY MEMBERS.

Section 6121(a)(2) of title 40, United States Code, is amended-

- (1) in subparagraph (A), by striking "and" at the end;
- (2) in subparagraph (B), by adding "and" after the semicolon; and
- (3) by adding at the end the following:

"(C) any member of the immediate family of the Chief Justice, any Associate Justice, or any officer of the **Supreme Court** if the Marshal determines such protection is necessary."

The SPEAKER pro tempore.

Pursuant to the rule, the gentleman from California (Mr. Lieu) and the gentleman from Ohio (Mr. Jordan) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. LIEU.

Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on S. 4160.

The SPEAKER pro tempore.

Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LIEU.

Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of S. 4160, the **Supreme Court** Police Parity Act of 2022.

While the **Supreme Court** police force is currently authorized to provide protection to the Justices of the **Supreme Court**, this bill would unequivocally extend their authority to provide protection to family members of Justices if there is reason to believe they are at risk.

It is imperative that the Justices are free from fear of violence or physical intimidation to make decisions based on the Constitution and law as applied to the facts of the cases before them. This is essential to the rule of law. Assailants like the man arrested recently for allegedly plotting against the life of one of our Justices are a threat to our democracy, but with the right security, they can also be stopped before they inflict harm.

I thank Senators

Coons and

Cornyn for their work on this issue in the Senate, and Representatives

Stanton, Correa, and

Issa for their work in the House, likewise introducing bills that would extend protection to the families of Justices. I also thank Congresswoman

Sheila Jackson Lee as well.

I further note that Mr. Stanton's bill would have also extended protection to the families of Court employees. We understand that there was Republican opposition to that aspect of the bill, and in the interest of protecting the Justices' families, we could no longer delay in passing the only version of the bill they would apparently agree to. But I hope we will swiftly move another bill to extend protection to families of employees as well.

I hope my colleagues will join me in passing this straightforward measure to ensure that the families of **Supreme Court** Justices have the necessary protection from any threats they may face.

Madam Speaker, I reserve the balance of my time.

Mr. JORDAN.

Madam Speaker, I yield myself such time as I may consume.



Madam Speaker, why did it take so long? Why did it take so long to bring this legislation to the floor? It has been over a month since the leak of the draft opinion, over a month of threats on **Supreme Court** Justices and their families, over a month of protests at their homes. Why did it take so long? I mean, the protests at their homes are a direct violation of the law, 18 U.S.C. section 1507. Over a month.

It has been over a week, or actually a week, since an assassination attempt on a **Supreme Court** Justice, on Justice \*H5496 Kavanaugh. Think about that for a second. An assassination attempt on a sitting United States **Supreme Court** Justice.

And what did the Speaker of the House say last week? No one is in danger. No rush on this legislation. No concern here.

The Senate passed this bill a month ago. Why hasn't the House? Why did it take so long? I think the answer is obvious. Because they have always wanted to intimidate the Court. That has been their goal since the get-go. Their goal was to intimidate the Court. That has been their objective all along.

Think about the history first. We had the Kavanaugh confirmation mess where the left has made up things about Justice Kavanaugh and his family. Then we had the leader of the Senate, the Democrat leader of the Senate on the **Supreme Court** steps say to two Justices, Mr. Kavanaugh and Mr. Gorsuch: You have released the whirlwind, and you will pay the price.

Last April, the Democrat chair of the Judiciary Committee introduced legislation to do what? To pack the Court, to add four Associate Justices to the United States **Supreme Court**. Why four? Why not one? Why not two? Why not three? Why four? Because four would give them a majority on the Court.

Then there was the sustained attack on Justice Thomas and his wife over the last several weeks. The Democrats on the Judiciary Committee even had hearings about Justice Thomas.

Then, of course, there was the leak of the draft opinion itself, something that has never happened. And then there were the protests at **Supreme Court** Justices' homes, again in direct violation of the statute.

And then, finally, there was the hearing the Democrats had in the Judiciary Committee about the abortion issue while the Dobbs decision is pending in front of the Court. You remember that hearing. That was the one where the Democrat witness said men could get pregnant. That is the history here.

And then, of course, last week, we had an assassination attempt on Justice Kavanaugh. Intimidation is their goal. It is the same reason the Department of Homeland Security stood up the Disinformation Governance Board. It is the same reason the Department of Justice is targeting parents who have the nerve to show up at a school board meeting and speak up for their kids. It is all about intimidation. That is how the left operates, and we have seen it play out now against the **Supreme Court**.

But the good news is, finally, this bill is going to pass and give the Justices of the highest Court in our land the protection they and their families deserve. I say better late than never. We support this legislation. It should have passed a darn long time ago.

Madam Speaker, I reserve the balance of my time.

Mr. LIEU.

Madam Speaker, let me tell you why it took us a few weeks rather than just 1 week to pass this legislation. It is because Republicans refused to protect the families of **Supreme Court** employees who are at risk. Shame on you for not doing that.

And, by the way, there are threats to Justices across the board. I support this legislation. I just note that recently there was an article on CNN titled "Justice Sonia Sotomayor was targeted by gunman, Federal judge tells '60 Minutes,'" dated February 19, 2021. Intimidation goes on both sides.

Madam Speaker, I support this legislation, and I reserve the balance of my time.

Mr. JORDAN.

Madam Speaker, that is why Republicans have condemned violence every single time it happened. We condemned it when it happened on January 6. But guess what? We also condemned it when it happened in the summer of 2020.

It hasn't been a few weeks since the leak of the draft opinion. It has been 6 weeks. The Senate passed this legislation unanimously, and they wouldn't bring it up. They wouldn't bring it up. In fact, the Speaker of the House, as I said before, the Speaker of the House said last week there was no need to bring it up, but now we are going to. Thank goodness for that.

Madam Speaker, I yield 4 minutes to the gentleman from California (Mr. Issa), my friend.

Mr. ISSA.

Madam Speaker, listening to the initial debate here, you would believe that there was a legitimate difference of opinion here on the floor about protecting the Justices. Clearly, there was no such difference in the U.S. Senate. What there is, though, is a story that I think needs to be told.

12:30 p.m.

When I authored this legislation a month ago, I knew that we had support in the Senate, and I knew that we would have support in the House. The first thing I did was I called up the most senior member of the Judiciary Committee on the other side of the aisle and said to him that I believe we should do this. He agreed. Not checking with staff, he agreed to this simple bill of protecting those who would be intimidated and those who would be threatened and those whose lives could not be replaced in a timely fashion without changing the outcome of the Court. And that was it; I had my cosponsor.

A day later, mysteriously, another bill, very different, was dropped in the hopper by the Speaker's staff. It was done so without a Republican cosponsor, without a call to the ranking member who stands here today. That was done because they wanted to play message with it. They wanted to delay, and the Speaker has delayed for a month.

Madam Speaker, 18 U.S.C. 1507 is not a suggestion that you prevent intimidation of the Court. It is a law. It is a law that the President of the United States has sworn to uphold and, through his Attorney General, has not, has negated the responsibility.

This legislation is not only essential to protect against another assassination attempt of a Justice or their family, but it is even more important because this administration, as we speak, is not obeying the law that they have sworn to obey, one that the Attorney General is required to. So, it is a double-edged sword that I come with today.

Democrats took 30 days and waited a week after the attempted assassination of a Supreme Court Justice before they would bring a commonsense, noncontroversial piece of legislation to the floor. I applaud all of those who will vote for it today, and I suspect that it will be voted for unanimously here on the floor.

But justice delayed, or protection of our Justice delayed, could have led to the death of a Justice and, even as we speak, still could.

Let's pass it. Let's pass it without further controversy. And let's never again do something as shameful as ignore the law and delay protection of people who are being intimidated.

Mr. LIEU.

Madam Speaker, I yield myself such time as I may consume.

The Republicans are misleading you. **Supreme Court** Justices already have protection. Let me say that again. **Supreme Court** Justices already have protection.

This is about families of **Supreme Court** Justices, which I support them having protection, and Democrats are fighting for families of law clerks and employees of the **Supreme Court**. They should have protection, too.

Let me tell you the threats to employees of the **Supreme Court**. Soon after the draft decision leaked, a rightwing activist posted the personal details of a law clerk who he baselessly claimed had leaked Justice Alito's draft opinion overturning Roe v. Wade. This rightwing activist even posted the clerk's wedding announcement and singled out the clerk's spouse. Republicans don't want to protect that person or their family.

After another Republican strategist claimed a different law clerk had leaked the opinion, an extremist anti-abortion rights group issued a press release targeting that clerk and the Justice the clerk worked for. The author of the press release had served years in prison for conspiring to blow up an abortion clinic. Referring to the people in the Justice's office, the group's leader said that he could smell their fear.

Republicans don't want to protect the families of **Supreme Court** employees. Shame on them.

Recently, a news outlet obtained a DHS intelligence report identifying threats to murder Justices and their clerks. Why don't Republicans want to protect the families of **Supreme Court** employees?

Madam Speaker, I reserve the balance of my time.

Mr. JORDAN.

Madam Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. Hice). \*H5497

Mr. HICE of Georgia.

Madam Speaker, unfortunately, this bill is necessary because we have a radical and unhinged leftwing activist group of individuals that also have been encouraged by the slow-walking Democratic Party in hopes of intimidation being used to influence the courts. That is why we are here today.

We have assassination attempts on Judge Kavanaugh. We have fire bombings of women's resource centers and healthcare facilities. We have U.S. Senators, sitting U.S. Senators, encouraging violence against the children and families of **Supreme Court** Justices.

Ever since the leak took place some 6 weeks ago, there have been at least 14 coordinated attacks on women's pregnancy care facilities, and Democratic leadership has endorsed and encouraged physical threats to their political opposition. This is totally unacceptable. It is un-American.

The unhinged left is not the party that empowers women. If that were true, they would not be trying to destroy women's resource centers, nor would they be trying to attack and intimidate those who work there. They would not be threatening the life of and encouraging violence toward the children of the fourth woman to serve on the United States **Supreme Court**.

The protests that have been taking place outside the Justices' homes this past month are unacceptable, and Democratic leadership has refused to condemn the threats of violence.

One great example of this is, despite the law and the prohibition against such protests, Jen Psaki, while she was White House press secretary, stated: "... we certainly continue to encourage that outside of judges' homes, and that is the President's position."

This is the position of the Democratic Party: intimidation and fear. Now it is getting out of control. It is about time the Democrats are coming to admit it. I encourage my colleagues to support this legislation.

The SPEAKER pro tempore.

Members are reminded to refrain from engaging in personalities toward the Senate or its Members.

Mr. LIEU.

Madam Speaker, I reserve the balance of my time.

Mr. JORDAN.

Madam Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. Perry).

Mr. PERRY.

Madam Speaker, **Supreme Court** Justices are already protected. Really? Really? They are already protected?

The Speaker said no one is in danger, no one is in danger after an assassination attempt. I don't know if I would feel very protected. On the very day of the assassination attempt, in violation of the law, protesters are at the very house of the **Supreme Court** Justice being intimidated by protesters.

The Speaker says that no one is in danger. I don't want to engage in personalities, so I might say a high-ranking official on the other side of the Capitol here said: You have released the whirlwind; you don't know what will hit you. And then down the street, Pennsylvania Avenue, a high-ranking official said there might be a mini-revolution.

Does that not sound like intimidation to you? It sure sounds like it to me. I don't know what my friends on the other side of the aisle want to happen. I don't know. I am not in their heads, and I am not in their hearts. But I listen to what they say, and I watch what they do. We should have passed this much longer ago when it was available to us, and the fact that we didn't might be the cause for people to come to assassinate a United States **Supreme Court** Justice.

This is not a third-world country. If you don't get your way, you don't blow up the Court and kill the Justices. But, apparently, that is what some people in America think is appropriate. It is not appropriate. I urge my colleagues to support this legislation.

Mr. LIEU.

Madam Speaker, I reserve the balance of my time.

Mr. JORDAN.

Madam Speaker, I yield myself such time as I may consume.

Let me say this. Reading from a headline here, this group, Ruth Sent Us, ". . . hinted at targeting **Supreme Court** Justice Barrett's children, church." Let me read the headline here. "Group gave details on Barrett's routine, her children's school, and family's spiritual life."

In plain English, this group was saying where Justice Coney Barrett goes each day, where her kids go to school, and where her family goes to church. They gave those details.

Last week, the Democrats said no one is in danger. After an assassination attempt on Justice Barrett's colleague, Justice Kavanaugh, they said not to worry. Everything is fine. We don't need to pass this legislation after the Senate had done it unanimously. That is the position of the Democrats in this body.

That is why we are saying: Why did it take so long? Six weeks ago was when the draft leak happened, and the protests started at Justices' homes almost immediately after the leak of that draft, that unprecedented leak of that draft opinion. They have been doing it now for weeks and weeks and weeks.

Here is the email from this organization, this Ruth Sent Us organization. Here is one of the messages: "If you are in the D.C. metro area, join us. Our protests at Barrett's home moved the needle to this coverage. Falls Church is a People of Praise stronghold. She sends her seven kids to a People of Praise school that she sat on the board of directors for. She attends church daily," as if that is bad to go to church daily. I think that is a good thing. But this is what they are saying, this group, giving the details of where her kids go to school, where they go to church, and her daily routine.

And the Democrats said: Nothing to worry about.

That is our concern. So thank goodness this bill is here.

Madam Speaker, I reserve the balance of my time.

Mr. LIEU.

Madam Speaker, I yield myself such time as I may consume.

I am going to respond to that because what he just said is a lie. The fact that he is saying Democrats think there is nothing wrong, there is no danger to **Supreme Court** Justices, is a lie. Why? Because we are the majority party, and we just put this bill up, and we are about to vote on it. We clearly care about **Supreme Court** Justices.

But we also care about the families and employees of the **Supreme Court**, and that is what we are talking about today. Again, I just want to remind you, Republicans are misleading you. **Supreme Court** Justices right now have law enforcement protection details. They are protected by law enforcement. This bill has to do with the families of **Supreme Court** Justices. I support protecting them. I also support protecting the employees and their families of the **Supreme Court**.

That is the dispute. The Democrats want to also protect the employees and families who are getting threats from rightwing activists, intimidation from the far right.

Do you want to talk about intimidation? I will tell you what intimidation is. It is Trump supporters assaulting the Capitol on January 6, brutalizing 140 police officers. That is intimidation.

Madam Speaker, I reserve the balance of my time.

Mr. JORDAN.

Madam Speaker, I yield myself such time as I may consume.

We condemned what took place on January 6. It would have been nice if Democrats would have done the same thing in the summer of 2020 or passed this legislation 6 weeks ago or a month ago when the Senate passed it.

Let me just recite a few things here that have been said by our colleagues on the other side.

Former Attorney General Eric Holder said in 2018, at a campaign event in Georgia, to kick Republicans. "No. No. When they go low, we kick them." That is what this new Democratic Party is about.

It sure is. It is all about intimidation: intimidating the court, intimidating parents who have the nerve to show up at school board meetings, setting up a Disinformation Governance Board to intimidate free speech rights of all Americans. That is what the new Democratic Party is about.

We have seen it time and time again. In the summer of 2018, we saw one of our colleagues from California, a Democrat Member, say: Let's make sure we show up wherever we have to show up. And if you see anybody from the Trump Cabinet in a restaurant, in a department store, at a gasoline station, out in a crowd, you create a crowd and push back on them, and you tell them-think about this. This is a Member of Congress saying this to a Cabinet member-you tell them they are \*H5498 not welcome anymore, anywhere. A Cabinet member of the administration not welcome in their own darn country? That is what a Member of Congress said on the Democrat side.

We had another Member of Congress on the Democrat side say this: There needs to be "unrest on the streets," calling for unrest on the streets while there was unrest on the streets in the summer of 2020.

That is why this legislation is so darn important and why we cannot figure out-the gentleman just said something that wasn't accurate. The Speaker of the House last week said no one is in danger. I just read you what they are posting about Justice Coney Barrett and her family and where they go to church and where her seven kids go to school. Of course, this is in the context of everything they have done to intimidate the Court and an assassination attempt on another Justice, Justice Kavanaugh.

Madam Speaker, I yield such time as he may consume to the gentleman from North Carolina (Mr. Bishop).

12:45 p.m.

Mr. BISHOP of North Carolina.

Madam Speaker, I thank the gentleman from Ohio for yielding.

I have missed most of the debate on the floor. Mr. Jordan just made reference to an item that bowls me over. You wonder after you have been in Washington for a little while whether anything will surprise you. Yes, Madam Speaker, that tweet by the pro-abortion group, Ruth Sent Us, that identified Justice Barrett's church and identified the school that her children attend and encouraged protestors to "voice your anger" by demonstrating there, is a new low.

Not just the identification of Justices' home addresses, which I never thought we would see, not just the crowds materializing there, which I never thought we would see, not just the appearance of an assassin at the home of a Justice, which we have never seen, and yet, the response is: What about January 6?

As the gentleman from Ohio made the point, I have never encountered any Republican who declined to condemn the violence and rioting at the Capitol that day. I have never found one. I have never heard one. And yet, I never hear condemnation of such conduct as I have described from Democrats. I might be missing it. I am not hearing it now. I am hearing this, What about January 6?

I condemn the rioting and the violence at the Capitol on January 6.

I condemn the Democrat leader of the Senate standing in front of the **Supreme Court** to say to two specific Justices that, You have released the whirlwind. You will suffer the result. I don't remember the exact words. And then what I do remember, the phrase that sticks in my mind: "You won't know what hit you if you go forward with these awful decisions." I never hear condemnation for that. I don't know why.

I do think I know why this bill had to be delayed from last week when we were here and could have passed it. That is because you want to protect the leaker. That implies that although this has been pending for a month and a half and the Nation

doesn't know who the leaker is, somebody knows who the leaker is; and that is who you want to protect, amazing as that is, unprecedented as that is.

We certainly ought to pass this legislation and protect the Justices of the United States **Supreme Court** from assassins, assassins responding to the unprecedented advocacy on the left.

Mr. LIEU.

Madam Speaker, I yield myself such time as I may consume.

I condemn violence whether it is from rightwing groups or leftwing groups or white supremacist groups or any other group. Democrats say this all the time.

I will tell you why Republicans don't hear it. Because they are in their bubble watching just Fox News, who won't even show the January 6 hearings. That is why they don't hear any of this stuff because it is never played to them or their base. Democrats condemn violence all the time.

By the way, last year-I am just going to tell you the headline of this article again: "Justice Sonia Sotomayor was targeted by gunmen . . ." Did Republicans jump up in outrage? No, no, they didn't.

So let's just be clear here what we are talking about today, once again: **Supreme Court** Justices get law enforcement protection right now, as we speak.

This is actually a dispute about employees. So I am going to ask Republicans a question, and I bet you they will not answer it: Why do they not want to protect the employees and their families of the **Supreme Court**?

Madam Speaker, I reserve the balance of my time.

Mr. JORDAN.

Madam Speaker, the employees of the **Supreme Court** are already protected. This is about protecting the Justices' families, and we know that is needed based on the headline I read and the email that Mr. Bishop just talked about.

The gentleman said that Democrats condemn violence. No, they don't. No, they don't. They called rioters and looters the entire summer of 2020, they called them "peaceful protestors." And that same summer, then-Senator now-Vice President

Harris raised money to bail those rioters and looters and people who went after the police out of jail. So you have got to stick with the facts here, and that is just not accurate what was stated earlier.

For all the reasons we have highlighted, Madam Speaker, we are glad this bill is finally going to pass. We just wish it would have happened when it should have, weeks and weeks ago when this threat was first present for **Supreme Court** Justices.

Madam Speaker, I reserve the balance of my time.

Mr. LIEU.

Madam Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. Escobar).

Ms. ESCOBAR.

Madam Speaker, it is incredible to stand here and listen to our Republican colleagues talk about the risks and the dangers that exist to the **Supreme Court**.

I want to know where they were when the risks and the dangers existed for my community, El Paso, Texas, where 23 innocent people were slaughtered by a white supremacist with an AK-47? Where were they then? How about Uvalde? Where were they then? How about every other mass shooting? Buffalo? You name it.

Last week, we brought to the floor legislation intended to protect millions of Americans, especially and including children. The vast majority of our Republican colleagues voted against those protections for vulnerable people who don't have access to 24-hour, round-the-clock U.S. Marshal protection. They don't have access to round-the-clock, 24/7 Capitol Police protection, which **Supreme Court** Justices have today. **Supreme Court** Justices have far more protections than Members of Congress do, but more importantly they have more than those innocent lives that were taken in innumerable cities across America.

And as they rail about and clutch their pearls over the fact that it took House Democrats some time to get this bill to the floor, the reason it took that much time is because it was House Democrats that at least wanted to get one itty-bitty concession out of this bill to protect the staff of that institution, the United States **Supreme Court**. But they refused.

The SPEAKER pro tempore.  
The time of the gentlewoman has expired.

Mr. LIEU.  
Madam Speaker, I yield an additional 30 seconds to the gentlewoman from Texas.

Ms. ESCOBAR.  
Madam Speaker, I remind the American public why they brought this bill to the floor, both in the Senate and here; it is a talking point. It is not because it really does anything, it is simply a talking point. It came as a result of a leaked decision on the Justices' desire to take away women's reproductive care.

Guess who else doesn't get protections in America the way that they would like to protect others? It is those healthcare providers and patients and staff who are vulnerable every day, especially because of the actions of the **Supreme Court**.

Mr. JORDAN.  
Madam Speaker, a talking point? The left is telling people where Justice Barrett's kids go to school. That is not a talking point, that is a fact. That is one of the craziest things I have heard said on this floor.

A talking point? Every single Senator voted for this package. That includes Democrats. Every single one.

A talking point? You have got to be kidding me. \*H5499

They are reporting where a **Supreme Court** Justice's kids go to school, where her family goes to church, her daily routine, and the left calls it a talking point?

Madam Speaker, I urge a "yes" vote on this bill, and I yield back the balance of my time.

Mr. LIEU.  
Madam Speaker, S. 4160 is a straightforward bill that will protect the families of the Justices. Democrats also fought to try to protect the families of **Supreme Court** employees. Republicans objected and won't do that, so this is the best we can get.

Madam Speaker, I urge my colleagues to support the bill, and I yield back the balance of my time.

The SPEAKER pro tempore.



The question is on the motion offered by the gentleman from California (Mr. Lieu) that the House suspend the rules and pass the bill, S. 4160.

The question was taken.

The SPEAKER pro tempore.

In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. LIEU.

Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore.

Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

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Proceedings and Debates of the 117th Congress, Second Session  
Thursday, May 12, 2022

**\*H4919 PUBLIC BILLS AND RESOLUTIONS**

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LYNCH:

H.R. 7732. A bill to amend the Securities Exchange Act of 1934 with respect to the Office of the Investor Advocate, and for other purposes; to the Committee on Financial Services.

By Mr. CLEAVER:

H.R. 7733. A bill to amend the Community Development Banking and Financial Institutions Act of 1994 to reauthorize and improve the community development financial institutions bond guarantee program, and for other purposes; to the Committee on Financial Services.

By Ms. WATERS:

H.R. 7734. A bill to amend title 31, United States Code, to require the timely production of reports to Congress under the Bank Secrecy Act, and for other purposes; to the Committee on Financial Services.

By Mr. BOST:

H.R. 7735. A bill to direct the Secretary of Veterans Affairs to update the appraisal requirements for certain loans guaranteed by Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. SCHAKOWSKY (for herself, Mr. NADLER, Mr. CICILLINE, Mrs. DEMINGS, Ms. PORTER, Mr. KHANNA, Mr. RUSH, and Mr. BOWMAN):

H.R. 7736. A bill to make price gouging unlawful, to expand the ability of the Federal Trade Commission to seek permanent injunctions and equitable relief, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BANKS:

H.R. 7737. A bill to direct the Secretary of State to add questions to visa application forms related to membership and affiliation with Communist or other totalitarian parties, and for other purposes; to the Committee on the Judiciary.

By Mrs. BICE of Oklahoma (for herself, Ms. SLOTKIN, and Mr. TURNER):

H.R. 7738. A bill to direct the Secretary of Defense to make certain improvements relating to security clearances for recently separated members of the Armed Forces and retired civilian employees of Department of Defense, and for other purposes; to the Committee on Armed Services.

By Ms. CLARKE of New York (for herself, Mr. JOHNSON of Georgia, Ms. LEE of California, Ms. OCASIO-CORTEZ, Ms. NORTON, Mr. BOWMAN, Mr. TORRES of New York, Mrs. WATSON COLEMAN, Mr. EVANS, Mr. BROWN of Maryland, Mr. JEFFRIES, Mr. NADLER, Mr. RUSH, Mr. LIEU, Mr. JONES, Ms. MENG, Ms. TITUS, Mr. CARSON, Mr. GRIJALVA, Mrs. CHERFILUS-MCCORMICK, Ms. PRESSLEY, Ms. SCHAKOWSKY, Mr. VEASEY, Mr. ESPAILLAT, Mr. CARTER of Louisiana, Ms. KELLY of Illinois, Mr. MEEKS, Mrs. CAROLYN B. MALONEY of New York, Ms. VELAZQUEZ, Mr. BUTTERFIELD, Mrs. BEATTY, Mrs. LAWRENCE, Mr. DANNY K. DAVIS of Illinois, Ms. BASS, Mr. GARCIA of Illinois, and Mr. PERLMUTTER):

H.R. 7739. A bill to increase the supply of, and lower rents for, affordable housing and to assess calculations of area median income for purposes of Federal low-income housing assistance, and for other purposes; to the Committee on Financial Services.

By Mr. DESAULNIER:

H.R. 7740. A bill to amend the Employee Retirement Income Security Act of 1974 to provide that any mandatory predispute or coerced postdispute arbitration clause, class action waiver, representation waiver, or discretionary clause with respect to a plan is unenforceable, to prohibit any such clause or waiver from being included in a plan document or other agreement with plan participants, and for other purposes; to the Committee on Education and Labor.

By Mr. DONALDS (for himself, Ms. HERRELL, Mr. TIFFANY, Mr. VAN DREW, Mrs. BOEBERT, Mr. CLYDE, Mr. LAMBORN, Mr. NORMAN, Mr. BIGGS, Mr. HICE of Georgia, Mrs. FISCHBACH, and Mr. BISHOP of North Carolina):

H.R. 7741. A bill to prevent the Federal Government from using taxpayer funds to distribute cellular devices to individuals who unlawfully cross the southern border, and for other purposes; to the Committee on the Judiciary.

By Mr. FOSTER:

H.R. 7742. A bill to amend the Financial Stability Act of 2010 to preserve the independent funding in the Office of Financial Research, to establish minimum staffing levels for the Financial Stability Oversight Council, to establish minimum funding levels for such staff, and for other purposes; to the Committee on Financial Services.

By Mr. GOOD of Virginia (for himself, Mrs. MILLER of Illinois, Mr. HARRIS, Mr. WEBER of Texas, Mr. TIFFANY, Mr. GOHMERT, Mr. NORMAN, Mr. HIGGINS of Louisiana, Mr. MOOLENAAR, Mr. DUNCAN, and Mr. PERRY):

H.R. 7743. A bill to amend the National Labor Relations Act to adjust the dollar thresholds for National Labor Relations Board jurisdiction over certain labor disputes, and for other purposes; to the Committee on Education and Labor.

By Mr. GUTHRIE (for himself, Ms. DEAN, and Mr. MCKINLEY):

H.R. 7744. A bill to amend title XI of the Social Security Act to extend beyond the COVID-19 emergency period, with certain modifications, the Emergency Declaration Blanket Waiver relating to training and certification of nurse aides to alleviate

burdens imposed on staff of skilled nursing facilities and nursing facilities; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACOBS of California (for herself and Mrs. SPARTZ):

H.R. 7745. A bill to support and allow funding for the investigation of the International Criminal Court with respect to the Situation in Ukraine, and for other purposes; to the Committee on Foreign Affairs.

By Mr. JOYCE of Ohio (for himself, Mr. BOST, and Ms. SLOTKIN):

H.R. 7746. A bill to amend title 38, United States Code, to provide for the eligibility for educational assistance under the Department of Veterans Affairs Post-9/11 Educational Assistance Program of certain individuals who receive sole survivorship discharges, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. KIM of California (for herself and Mr. WALTZ):

H.R. 7747. A bill to direct the National Science Foundation to commission a study on inflation; to the Committee on Science, Space, and Technology.

By Mrs. LEE of Nevada (for herself and Ms. BONAMICI):

H.R. 7748. A bill to amend the Workforce Innovation and Opportunity Act to award grants to States to develop, convene, or expand industry or sector partnerships, and for other purposes; to the Committee on Education and Labor.

By Mr. MOOLENAAR:

H.R. 7749. A bill to amend the Fair Labor Standards Act of 1938 to provide that services performed by certain individuals in postsecondary vocational institutions not be treated as employment; to the Committee on Education and Labor.

By Mr. MURPHY of North Carolina (for himself and Mr. RUSH):

H.R. 7750. A bill to amend the Public Health Service Act to establish a Prostate Cancer Coordinating Committee, and for other purposes; to the Committee on Energy and Commerce.

By Mr. NORCROSS:

H.R. 7751. A bill to amend the Internal Revenue Code of 1986 to provide for a gasoline tax holiday, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PANETTA (for himself and Mr. BAIRD):

H.R. 7752. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to provide for a consistent definition for plant biostimulants; to the Committee on Agriculture.

By Mr. PAPPAS:

H.R. 7753. A bill to amend title 38, United States Code, to extend authority for supportive services for very low-income veteran families in permanent housing; to the Committee on Veterans' Affairs.

By Miss RICE of New York (for herself, Mr. SUOZZI, Mr. ZELDIN, Mr. GARBARINO, and Mr. MEEKS):

H.R. 7754. A bill to allow for one-time distributions from certain transportation fringe **\*H4920** benefit accounts; to the Committee on Ways and Means.

By Ms. SEWELL (for herself, Mr. DOGGETT, Mr. EVANS, Mr. GOMEZ, Mr. SUOZZI, and Ms. STRICKLAND):

H.R. 7755. A bill to amend title XI of the Social Security Act to improve access to care for all Medicare and Medicaid beneficiaries through models tested under the Center for Medicare and Medicaid Innovation, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SLOTKIN (for herself and Mr. TONY GONZALES of Texas):

H.R. 7756. A bill to establish a Department of Homeland Security integrated border intelligence analytical cell and Joint Task Force to combat transnational criminal organizations exploiting migration surges, strengthen cross-border partnerships, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on the Judiciary, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SLOTKIN (for herself and Mr. TONY GONZALES of Texas):

H.R. 7757. A bill to provide for an emergency response by the Department of Homeland Security to migration surges, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on Ways and Means, Transportation and Infrastructure, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. STEFANIK (for herself, Ms. SPANBERGER, Mr. MOULTON, Mr. WITTMAN, Ms. SALAZAR, Mr. JOHNSON of Louisiana, Mr. SMITH of New Jersey, Mr. LAMBORN, and Mr. WILSON of South Carolina):

H.R. 7758. A bill to improve the intelligence received by the Secretary of State to identify, prevent, and respond to atrocities; to the Committee on Foreign Affairs.

By Ms. STEFANIK (for herself and Mr. BROWN of Maryland):

H.R. 7759. A bill to award a Congressional Gold Medal, collectively, to the brave women who served in World War II as members of the U.S. Army Nurse Corps and U.S. Navy Nurse Corps; to the Committee on Financial Services, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WENSTRUP (for himself, Mr. BURGESS, and Mr. HARRIS):

H.R. 7760. A bill to establish a procedure for terminating a determination by the Secretary of Health and Human Services to suspend the introduction of persons into the United States from designated places, and for other purposes; to the Committee on Energy and Commerce.

By Ms. WILLIAMS of Georgia (for herself, Ms. ADAMS, Ms. DEGETTE, Ms. ESCOBAR, Ms. LOIS FRANKEL of Florida, Ms. GARCIA of Texas, Ms. JACOBS of California, Mrs. LAWRENCE, Ms. LEE of California, Ms. PRESSLEY, Ms. SPEIER, Mr. CONNOLLY, Ms. VELAZQUEZ, Ms. WILSON of Florida, Ms. NORTON, Ms. CHU, Mrs. CAROLYN B. MALONEY of New York, Mrs. WATSON COLEMAN, Ms. SCHAKOWSKY, Ms. JACKSON LEE, Ms. BUSH, Mr. BLUMENAUER, Mr. JOHNSON of Georgia, Mr. JONES, Ms. WASSERMAN SCHULTZ, Ms. NEWMAN, Ms. SEWELL, Ms. TLAIB, Mr. HORSFORD, Ms. CLARKE of New York, Ms. MOORE of Wisconsin, Mr. AUCHINCLOSS, Mr. KHANNA, Mr. CARDENAS, Mrs. FLETCHER, Mr. DOGGETT, Ms. BASS, Mr. ESPAILLAT, Mr. TORRES of New York, Mr. GRIJALVA, Mr. TRONE, Mr. LAWSON of Florida, Mr. CARSON, Mr. TAKANO, Mr. CLEAVER, Mr. CARBAJAL, Ms. TITUS, Mr. DANNY K. DAVIS of Illinois, Ms. ROSS, Ms. LOFGREN, Mr. MORELLE, Ms. BARRAGAN, Ms. OMAR, Ms. BONAMICI, Ms. DELBENE, Mr. PETERS, Mr. POCAN, Mr. CASE, Ms. BROWNLEY, Mr. CROW, Ms. MENG, Mr. MCGOVERN, Mr. PAYNE, Ms. PORTER, Mrs. TRAHAN, Mr. RASKIN, Mrs. TORRES of California, Mr. COHEN, Mr. GREEN of Texas, Mr. BOWMAN, Mr. SWALWELL, Mr. LOWENTHAL, Mr. MCEACHIN, Mr. LEVIN of Michigan, Mr. CASTEN, Mrs. NAPOLITANO, Mr. KILMER, Mr. LARSON of Connecticut, Mr. SOTO, Mr. MOULTON, Ms. MCCOLLUM, Ms. MANNING, Mr. EVANS, Mr. DEUTCH, Mrs. MCBATH, Mrs. LEE of Nevada, Ms. JOHNSON of Texas, Mr. CICILLINE, Ms. MATSUI, Mr. SHERMAN, Ms. DEAN, Mr. RYAN, Mr. SCHNEIDER, Ms. BOURDEAUX, Mr. VEASEY, Mr. DEFAZIO, Ms. KELLY of Illinois, Mr. GARCIA of Illinois, Mr. DESAULNIER, Ms. SCANLON, Ms. STEVENS, Mr. CARTER of Louisiana, Ms. CRAIG, Ms. STANSBURY, Ms. SANCHEZ, Mr. WELCH, Mr. QUIGLEY, Mr. BROWN of Maryland, Mr. GALLEGO, Ms. JAYAPAL, Ms. CLARK of Massachusetts, Mrs. CHERFILUS-MCCORMICK, Mr. SCOTT of Virginia, Mr. PRICE of North Carolina, Mr. NADLER, Mr. CARTWRIGHT, Mrs. BEATTY, and Mr. PHILLIPS):

H. Con. Res. 89. Concurrent resolution expressing opposition to the criminalization of essential health care, including the full range of sexual and reproductive health care such as abortion, gender-affirming care, and contraceptive care, and disapproving of the criminalization of pregnancy outcomes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. GREENE of Georgia:

H. Res. 1108. A resolution honoring the life and legacy of Corporal Christopher Jackson Dye for his service and devotion to his community; to the Committee on the Judiciary.

By Mr. BACON (for himself, Mrs. SPARTZ, Ms. SPANBERGER, and Mr. SCHNEIDER):

H. Res. 1109. A resolution expressing the sense of the House of Representatives that the Ukrainian famine of 1932-1933, known as the Holodomor, is recognized as a genocide and should serve as a reminder of repressive Soviet policies against the people of Ukraine; to the Committee on Foreign Affairs.

By Ms. ESHOO (for herself, Mr. RUSH, Mr. WELCH, Ms. MATSUI, Ms. MCCOLLUM, Mr. THOMPSON of California, Mrs. CAROLYN B. MALONEY of New York, Mr. VARGAS, Mrs. BUSTOS, Mr. RUPPERSBERGER, Mrs. CHERFILUS-

MCCORMICK, Mr. AUCHINCLOSS, Mr. LAWSON of Florida, Mr. SOTO, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. DESAULNIER, Ms. MANNING, and Mr. CASE):

H. Res. 1110. A resolution honoring one million deaths from COVID-19 in the United States; to the Committee on Oversight and Reform.

By Mr. JOHNSON of Louisiana (for himself, Ms. STEFANIK, Mr. CARTER of Georgia, Mr. MURPHY of North Carolina, Mrs. RODGERS of Washington, Mr. MOOLENAAR, Mr. HICE of Georgia, Mr. TIMMONS, Mr. NORMAN, Mr. PALAZZO, Mrs. MILLER of Illinois, Mr. DAVIDSON, Mr. GRAVES of Louisiana, Mr. ISSA, Mr. GOSAR, Mrs. MCCLAIN, Mr. DUNN, Mr. GIBBS, Mr. GOHMERT, Mr. MCKINLEY, Mr. BUCHANAN, Ms. VAN DUYN, Mr. WALTZ, Mr. OWENS, Mr. BISHOP of North Carolina, Mr. GOOD of Virginia, Mr. JOHNSON of Ohio, Mr. SMITH of Nebraska, Mr. WENSTRUP, Mr. PFLUGER, Mr. STEWART, Mr. ARRINGTON, Mr. GUEST, Mr. BERGMAN, Mr. POSEY, Mr. COLE, Mr. LONG, Mr. GUTHRIE, Mr. MCCLINTOCK, Mr. MULLIN, and Mr. ZELDIN):

H. Res. 1111. A resolution expressing support for the enforcement of [section 1507 of title 18, United States Code](#), with respect to protests outside of the homes of sitting [Supreme Court](#) Justices; to the Committee on the Judiciary.

By Mr. MALINOWSKI (for himself, Ms. SPANBERGER, Mr. ALLRED, Mr. KIM of New Jersey, Mr. LIEU, and Ms. WILD):

H. Res. 1112. A resolution urging the Kingdom of Saudi Arabia and the United Arab Emirates to honor their partnership with the United States; to the Committee on Foreign Affairs.

By Mr. WILSON of South Carolina (for himself and Mr. LIEU):

H. Res. 1113. A resolution calling on the Secretary of State to designate the Russian Federation as a state sponsor of terrorism; to the Committee on Foreign Affairs.

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Proceedings and Debates of the 117th Congress, Second Session  
Thursday, May 12, 2022

**\*H4915 SUPREME COURT'S IMPENDING DECISION**

The SPEAKER pro tempore.

Under the Speaker's announced policy of January 4, 2021, the Chair recognizes the gentleman from Pennsylvania (Mr. Perry) for 30 minutes.

Mr. PERRY.

Madam Speaker, I am joined by my friends here this evening to talk about the impending decision of the **Supreme Court** and, of course, the things surrounding it, including the unfortunate, unprecedented leak of the information from the Court, as well as the, I think, heretofore unprecedented protesting at the homes of the Justices that can only legitimately be described as an attempt to influence and change their decision. We are going to get into all that.

Madam Speaker, I yield to the gentleman from North Carolina (Mr. Bishop), for some comments on this subject.

Mr. BISHOP of North Carolina.

Madam Speaker, I thank the gentleman from Pennsylvania (Mr. Perry) for yielding.

The gentleman is right. You can't help but notice and perhaps be distracted in an unseemly way by the stream of insidious attacks on the institution of the United States **Supreme Court**. It began with ideas about packing the Court, the well-known threat by the majority leader in the Senate that, "You won't know what hit you" to the Justices of the **Supreme Court**, followed by that unprecedented leak-unprecedented in the history of the United States **Supreme Court** for a draft opinion to leak to the public.

But we weren't done then, because in the ensuing two weeks, there was the online publishing of information about the residences of the Justices of the **Supreme Court** and the appearance of mobs outside their houses to intimidate them.

And we were not done then. Last night, in the Committee on the Judiciary of the House of Representatives, there were the most unseemly attacks on the institution of the Court.

We can look forward and we are still not done, because that committee, the Democratic majority of that committee, has scheduled for next week a hearing on the Dobbs case as it pends for decision on the calendar of the Court, another unprecedented trampling of institutional norms by a majority who reminds us constantly of their desire to protect democracy.

But as I say, all of that threatens to cover over what should be a hopeful moment for this Nation in which we may, for the first time in 49 years, set aside a regime that has resulted in the loss of 61 million innocents.

We may soon see in this Nation that no longer will tiny babies at the instant of their formation and their first weeks of growth when their formative heart begins to beat and they can sense pain, be forcibly ripped, limb from limb, as they are extracted from their mother's womb by an abortionist.

We can aspire now, given the hope that emerges from what was intended for evil, but God may use for good, this opinion that says no longer will the deficient logic and willful action of a **Supreme Court** majority in 1973 dictate the course of this Nation and commit us to a continuing abomination against the most innocent.



The aspiration that it may come to pass that the abomination of Roe v. Wade will join Dred Scott and Plessy v. Ferguson and Korematsu on the ash heap of history, a stain upon the history of the United States, to be sure, but one that the Nation and those who have the good fortune to live within her confines may yet live to see redeemed.

Aspiration, hope, faith that this Nation may yet indeed see the living out of its creed. That is what I aspire to tonight.

Mr. PERRY.

Madam Speaker, I thank the gentleman, and those are indeed inspiring and hopeful words as we stand ready to hear the Court's final decision, not trying to leak it, not trying to persuade it unduly, doing the work of democracy, of the representative Republic, speaking on behalf of the people that we represent, our bosses, so that they can decide, not just a few folks across the street here in robes, making decisions for the whole country.

Madam Speaker, I yield to the good gentleman from South Carolina (Mr. Norman).

6:45 p.m.

Mr. NORMAN.

Mr. Speaker, I thank Congressman

Perry for getting this colloquy together.

Dan Bishop put it well. America is getting a front-row seat to a left, unhinged group that, on an opinion that was leaked—that is illegal on its face—can inspire people, before the decision is even rendered, to go to the homes of the **Supreme Court** Justices and attempt to change their minds. It is illegal.

It is in Federal statute. It is punishable by a year in prison. Merrick Garland, we call on him to enforce the law, to start arresting people.

When is it going to end, folks? When is it going to end when a decision that the left doesn't like, in anticipation, is going to the houses of the **Supreme Court** Justices and all the neighbors, disrupting a complete neighborhood and disrupting the lives of Justices who are not political figures? They are elected for life.

When will we see fences stop being put up around the **Supreme Court**? Who would imagine? The Founders would have never guessed that this would have been coming to effect.

Do you know what is so appalling? The comments from this administration and from its supporters. A quote by one person who is on the abortionist side: "If abortions aren't safe, then you aren't either."

Another quote: "The time for civility is over, man. Being polite doesn't get you anywhere."

This is just a replay of the vandalism that took place all across this country—over 537 cities torn up—and a decision has not even been rendered.

Folks, it is time for a change. It is time for this to stop. It is time for all Americans to voice their opinion and displeasure over this, the killing of a child.

When you follow the money, that is where you know where the priorities are. For Title X funding, in the '23 budget, this administration is putting **\*H4916** forth \$400 million, a \$113 million increase to fund abortions that goes to Planned Parenthood.

In the United Nations Population Fund going to countries overseas, over \$56 million of the taxpayers' dollars are going overseas when we can't get baby formula. We can't get supplies that Americans need. The inability of a parent to tell a child that is crying into the middle of the night "I can't get you formula" falls directly on this administration.

I commend the gentleman for doing this. This voice has to get louder. Americans are simply tired of it. To do this at this time in history has to be stopped. I think it is.

Mr. PERRY.

Mr. Speaker, I am being joined by some of my other colleagues here. Mr. Norman, Congressman

Norman, mentioned the baby formula. We are here to talk about the stain of abortion on our country. But we are watching what is happening, talking about children that need their formula.

Mothers need to feed their babies. They can't get it at the store, yet we see the shelves are full down on the southern border, full of baby formula.

What about America's babies, ladies and gentlemen? What about America's babies?

Look, you don't have to take our word for it. We are here to talk about the stain of all the lost lives of the innocent over these 49 years. But don't take our word for it. Don't take Republicans' word for it.

How about Democrats? How about Governor Bob Casey in the Abortion Control Act of 1982, where he had to go to the **Supreme Court** and fight against Planned Parenthood for things like parental consent prior to a minor undergoing an abortion? What a novel concept. Oh, so striking.

How about, just yesterday, The Washington Post, not known as a bastion of conservatism, saying that yes, experts say protests at SCOTUS Justice homes appear to be illegal, appear to be illegal because **title 18, section 1507 of the U.S. Code**, says it is: cannot try and influence the decision of the Court.

But the left doesn't care. Every single day when you wake up, you say to yourself, I don't know how it could get much worse. I can't believe what is happening, and I don't know what else could get worse than it is. But then, every single day, something else unprecedented happens. Today, that is occurring yet again.

If you don't believe me or The Washington Post or Bob Casey, Governor Bob Casey v. Planned Parenthood-by the way, I am not sure how Governor Casey would feel about his son's actions in the U.S. Senate when they voted for the most extreme position, which would make abortion legal at any point during the pregnancy, including up until the minute of birth-voted for that. His father fought the good fight.

But what about Ruth Bader Ginsburg, celebrated leftist on the Court, celebrated believer in abortion and protector of abortion, who said that the 1973 law did too much too fast, said that "doctrinal limbs too swiftly shaped . . . may prove unstable." She knew this was a stain on our humanity. She knew.

Mr. Speaker, I yield to the gentleman from Georgia (Mr. Hice).

Mr. HICE of Georgia.

Mr. Speaker, I am grateful to the gentleman for chairing the Freedom Caucus, and we are grateful for his leadership and for having this Special Order tonight.

I want to take a moment in my opening remarks to say thank you to those **Supreme Court** Justices who, right now, are experiencing tremendous and unjust treatment and intimidation from a radical left mob that is absolutely out of control.

Many of us have been in the battle for life for decades. We are grateful, finally, that this horrendous stain on America's history is potentially coming to an end, and those who have stood for our Constitution, **Supreme Court** Justices Alito, Coney Barrett, Gorsuch, Kavanaugh, and Thomas, we all take a moment to say a huge thank you to them for standing up for the Constitution, for standing up for the unborn, and doing the right thing.

We want them to know that we and millions of other Americans are standing with them in deep gratitude this evening. Never should anyone in this country but, at this point, our **Supreme Court** Justices never, ever, ever should they be afraid of the leftist mob because they are doing their jobs as **Supreme Court** Justices to stand for the Constitution and to correct unconstitutional law in this case as it comes their way. Yet, now, they are facing great intimidation by the radical left agenda.

We, millions of Americans, are absolutely disgusted by what we are watching on television as a result of what has already been described tonight, an unprecedented and I believe to be probably an intentional leak of Justice Alito's decision, the majority decision in this case, *Dobbs v. Jackson*. How in the world does that leak happen? We fully will get to the bottom of that with some investigations in the future.

The behavior now of the left is unacceptable. It is illegal. It needs to be dealt with. There needs to be accountability. This is absolutely bringing out the worst of the radical left in this country, and I hope every American sees it. I hope they see it for what it is.

Here is the **Supreme Court** Justices doing their job. There are three branches, equal branches, separate branches. This branch, the judicial branch, and, in this case, the **Supreme Court** are doing their job and facing the wrath of radical leftists simply because they don't like the decision.

We have fallen so far as a country. We have come to the point that now we are willing to end innocent life and rip little baby boys or girls from their mothers' wombs.

I mean, here we have 5 weeks, the child has a heartbeat; 10 weeks, arms, legs, fingers, toes; 15 weeks, a fully developed heart, capable of feeling pain. It is a child in the womb. It is absolutely amazing.

Enough is enough. It is time that we hold these people accountable. It is time that we come behind our **Supreme Court** Justices. Whether anyone agrees with the decision or not, they are doing their job. We obviously agree with the decision. But they are doing their job, and they need to be protected.

We cannot allow the highest court of our land and our Constitution to be put in jeopardy as it is now.

Again, Mr. Speaker, I thank the gentleman for leading this time, this Special Order, giving each of us an opportunity to stand for our Constitution, to stand for our **Supreme Court**, and to stand for life.

Mr. PERRY.

Mr. Speaker, the good gentleman from Georgia reminded me, as I said, you don't have to believe us Republicans. He reminded me that President Biden said this is a child, what we have known all our lives. But don't believe us if you don't want to. Believe your President. He said it is a child. So we know, right? And we are so grateful.

As people who love life, love the protection of life guaranteed in the Constitution, we have suffered and prayed for 49 years. We didn't like the decision 49 years ago, in 1973. We didn't like it, but we didn't do the wrong thing. We used the system

appropriately, as it was designed by the Founders and the Framers of our great country, to remove the stain of the loss of innocent life from our laws. We are on the edge of that.

But the point is that there is a right way to do things. Even though we disagree on occasion, we are a country of laws. If it is going to be okay to break the law just because you disagree with a decision, well, that is not a country that is going to endure very long.

Mr. Speaker, I yield to the gentleman from Montana (Mr. Rosendale).

Mr. ROSENDALE.

Mr. Speaker, I thank the tremendous chairman of the Freedom Caucus, the tip of the spear for this body, the conscience of the conservative movement here in Washington, D.C. I am proud to stand here with him to be a voice for life today.

It is painfully ironic to me as I look back that, in 1973, the same year that the Endangered Species Act was passed to protect endangered plants and animals, our **Supreme Court** made that terrible, flawed decision in Roe v. Wade, allowing abortions to take place.

Now, I don't know how many wolves or how many bears have been saved since 1973, but I can tell you that 63 million children have been killed. Sixty-three million children have been killed since that day.

Roe v. Wade created abortions on the basis of a supposed right to privacy under the 14th Amendment, but they \*H4917 forget about the guarantees in our Constitution to life, liberty, and the pursuit of happiness. The very first promise that we have from our creator is life.

The Dobbs decision would suspend the Federal protection of abortions and finally return this question back to the States.

When we leave here, after this decision is finally released, and we are all are very optimistic that it is going to overturn Roe v. Wade, let us not rest, folks. Let us not rest. We are still going to have to go back to our respective State legislatures and give them the support and give them the guidance that they are going to need to make sure that they protect the lives of the unborn.

Let's be very clear about this. Democrats, not Republicans, are the ones who are out of step with the American public. The rest of the world, they are out of step with them. Today, they continue to push for taxpayer-funded death on demand. Let's call it what it is. We are no longer talking about yanking an unborn child from a mother's womb.

The Democrats are so out of step they are literally having discussions about whether they will kill a child once it is outside of its mother. Taxpayer-funded death on demand is what they are trying to push forward, and I am so proud that all the Members are standing here to fight against that today.

Roe v. Wade was outdated and was made before scientific advances helped us understand the clear humanity of the unborn child. An unborn life is a separate, unique individual with its own DNA.

Let's follow the science. That is what they always say. Let's follow the science, our friends to the left. Well, let's follow the science. That child has separate and unique DNA. It is a new person.

Let's protect it.

7:00 p.m.

I have always been a staunch supporter and defender of the most vulnerable, especially the children. My wife and I have participated in pro-life marches across the State of Montana in many, many different cities and municipalities. This is the first year that we were able to join many people here in Washington, D.C., our Nation's Capital-the encouragement and the enthusiasm amongst the tens of thousands of people to protect life was overwhelming.

Madam Speaker, I have three children; I have three sons. I can remember the first time that I held my children, each and every one of them. I looked at their faces to see if they matched mine, to see if they had that little dimple in their chin. I looked to see if they had all 10 of their fingers and 10 of their toes.

I will tell you that I thanked God that each one of them was a healthy human being that he had gifted to my wife and I and gave us the responsibility to nurture that child.

I now have the experience of doing the exact same thing with a granddaughter; to look into her face and see this precious individual. I look at my son and my daughter-in-law and know that this child is dependent upon them for safety, food, and protection, and know that they are going to do the exact same thing that I have been blessed to do with them.

Every life is precious, not perfect. Every life is precious. That is what we need to remember today. We have an obligation to protect each one, healthy, imperfect, or infirm.

I pledge to you, God as my judge, that I will do that just as long as I am able to take in air and breathe.

Mr. PERRY.

Madam Speaker, I thank the gentleman. Indeed, life is precious. It is a blessing. It is a gift. As a parent there is nothing like it. We have lamented these last 49 years in the loss of these innocent lives, and that our country could stand for that and support that; not only just support it, but go out and campaign for it with our tax dollars, with our rhetoric, with our policies around the globe.

Ladies and gentlemen, this is the United States of America where you are guaranteed by our Creator, and ordained in the Constitution, the gift of life, the blessing of life, the first gift, the first blessing.

Madam Speaker, I yield to the gentleman from Georgia (Mr. Clyde).

Mr. CLYDE.

Mr. Speaker, I thank Chairman

Perry for leading the House Freedom Caucus and for leading this Special Order.

The Declaration of Independence-what an incredible document that was-that was truly the birth certificate, I believe, of our Nation. It was the promise, I would call it, and the Constitution was the fulfillment of that promise.

In the Declaration of Independence, it says-and you have heard this mentioned tonight, but I echo it: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness."

The very first among those unalienable rights is life. "That to secure these rights, governments are instituted among men."

So who is responsible for securing that right of life? Well, that is the government-"deriving their just powers from the consent of the governed." That is us. That is the American people. That is who consents to the government.

That right of life is endowed by our Creator-by God. God gives you a right. Who can take it away? I don't think anyone can take it away. Our Declaration recognizes that some people will try, and so our government is supposed to protect that right.

I am so thankful that our **Supreme Court**, which is one of our coequal branches of government, that they actually stood up after 49 years to defend that right to life.

I echo my friend, Congressman

Jody Hice from the great State of Georgia-Georgia's 10th District, just a little bit below mine-I echo his sentiments in thanking the Justices that stood for life: Justice Samuel Alito, who actually had to be moved from his residence because of the threats; Justice Clarence Thomas; Neil Gorsuch; Brett Kavanaugh; and Amy Coney Barrett.

I think we as a nation should be telling these Justices: Thank you, thank you, and thank you. How many millions more lives will be saved because of this decision that-though it is not final-we believe will be final and will come out in a month? We need to encourage them for standing up and defending life.

I think that is so very important because what we have seen so far has been absolutely despicable when it comes from the radical left and their threats to the **Supreme Court**.

There is a reason that the **Supreme Court** Justices are confirmed for life on the bench, and that is so they are not intimidated. Here we have someone in the **Supreme Court** that leaked a draft decision with what I believe was the intent to intimidate, so maybe one of those Justices would change their mind. I am praying that they don't. From what we see, they will not. Thank God for that.

Mr. PERRY.

Madam Speaker, I thank the good gentleman and all my colleagues. Our time is almost over, but I just want to reiterate that we-these Members here and many others on this side of the aisle, in particular-stand for life.

We stand for the Constitution which guarantees that life. We stand for the rights enumerated in the Constitution that are given to us by God-granted to us by God. As my friend said: Can't be taken away-even though some will try. When God gives them to you, they can't be taken away. That is all by design.

We stand for the rule of law enshrined in the Constitution that folks that would wish to subvert the rule of law-try and color the Court's decision-they should be held accountable. All men are created equal under the law. Apparently, under this administration some are more equal than others.

Madam Speaker, that is the recipe for anarchy. We are thankful for this opportunity to speak to our bosses, our employers, the ones who rule over us, the good Lord, and our constituents this evening.

Madam Speaker, we are thankful for the time to speak on this very important issue, stand for the Constitution, stand for the law, and importantly, stand for life.

Madam Speaker, I yield back the balance of my time. \*H4918

# Appendix D

TED CRUZ  
TEXAS

## United States Senate

COMMITTEES:  
FOREIGN RELATIONS  
COMMERCE  
JUDICIARY  
RULES AND ADMINISTRATION  
JOINT ECONOMIC COMMITTEE

July 7, 2022

The Honorable Richard J. Durbin  
Chairman, Committee on the Judiciary  
United States Senate  
Washington, D.C. 20510

Dear Chairman Durbin,

I write to you today to request the attendance of Attorney General Merrick Garland at next week's hearing regarding the legal consequences of *Dobbs v. Jackson Women's Health Organization*. I am requesting his attendance so he may detail the steps the Department of Justice is taking to protect our Supreme Court Justices in the wake of an unprecedented harassment and intimidation campaign.

18 U.S.C. § 1507 criminalizes any attempt to influence a judge in the exercise of his or her duties by picketing them at their home. Congress passed this law to allow judges at every level of the judiciary the freedom to exercise their judicial power free from outside influence or intimidation. Article III of the Constitution guarantees judicial independence by granting judges life tenure and salary protection so they are not influenced by anything but the law and facts in the case before them. Unfortunately, despite clear evidence that federal law was violated by mobs of protestors at the Justices' homes, the head of the Department of Justice, and chief law enforcement officer of the United States, flatly refused to enforce federal law.

A few days ago, the Supreme Court Marshal asked Maryland and Virginia officials to enforce laws that prohibit picketing outside the homes of the Justices who live in the two states.<sup>1</sup> Further, the governors of Virginia and Maryland called upon Attorney General Garland to "enforce the law as it is written."<sup>2</sup> Attorney General Garland, however, has ignored such calls, doing so with near-tragic results.

On June 8, 2022, a would-be assassin, armed with a pistol and a knife, was arrested outside the home of Justice Brett Kavanaugh. He later admitted he intended to kill the Justice. Intimidation attempts have also occurred at the homes of Justice Alito, Justice Thomas, Justice Barrett and Chief Justice Roberts. In response to these threats, Attorney General Garland merely stated, "The Justice Department will not tolerate violence or threats of violence against judges or any other

<sup>1</sup> Andrew M. Miller & Shannon Bream, *Maryland, Virginia gov's respond to letter from Supreme Court marshal calling on them to protect justices*, FOX NEWS (July 2, 2022), <https://www.foxnews.com/us/maryland-virginia-respond-supreme-court-letter>.

<sup>2</sup> Myah Ward, *GOP governors call on DOJ to 'enforce the law' as protesters gather outside justices' homes*, POLITICO (May 11, 2022), <https://www.politico.com/news/2022/05/11/gop-governors-doj-protesters-outside-justices-homes-00031909>.

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public servants at work, home, or any other location.”<sup>3</sup> Attorney General Garland’s refusal to act, however, calls into question the sincerity of this statement.

Attorney General Garland was quick to condemn parents who attended school board meetings to protest radical policies pushed by some board members. Yet he has shown little urgency to protect Supreme Court Justices despite calls from the Supreme Court Marshal and multiple governors to do so. Attorney General Garland should be asked, under oath, why he refused to act in this instance, as well as detail his plans to uphold judicial independence and the rule of law in the face of future such intimidation campaigns.

Sincerely,



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Ted Cruz  
Ranking Member  
Subcommittee on the Constitution  
United States Senate Committee on the Judiciary

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<sup>3</sup> Press Release, Merrick Garland, Attorney General, Department of Justice, Attorney General Merrick B. Garland Meets with Supreme Court Officials regarding Judicial Security (May 18, 2022), <https://www.justice.gov/opa/pr/attorney-general-merrick-b-garland-meets-supreme-court-officials-regarding-judicial-security>.

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## United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

June 27, 2022

### VIA ELECTRONIC TRANSMISSION

Christopher A. Wray  
 Director  
 Federal Bureau of Investigation  
 935 Pennsylvania Avenue, NW  
 Washington, D.C. 20535-0001

Director Wray:

I write to express concern with a recent wave of violence perpetrated by pro-abortion extremist individuals and groups across the country. These attacks have become prevalent since the leak of the Supreme Court's draft decision in *Dobbs v. Jackson Women's Health Organization*, later issued on June 24, 2022, that returns the regulation of abortion to the states. As we discussed previously, I want to ensure that these violent attacks are recognized by the FBI and are being properly investigated for what they are – cases of abortion-related violent extremism.

In the wake of the leaked opinion on May 2, 2022, the Department of Homeland Security released a bulletin which predicted that “the volume of violent threats targeting Supreme Court Justices, members of Congress, other public officials, clergy, healthcare officials and providers... may increase leading up to and following the issuing of the Court's official ruling.”<sup>1</sup> Unfortunately, this prediction has proved strikingly true. There have been at least 40 violent attacks on crisis pregnancy centers, religious institutions, and other pro-life entities since the *Dobbs* leak and before the Court even issued its final opinion.<sup>2</sup> This violence continues to cause injury, damage to property, and interruption of constitutionally protected worship services all across the nation. In fact, it substantially accelerated last weekend, after the opinion was issued.

Perhaps most concerning are organized violent groups like *Jane's Revenge* and *Ruth Sent Us*. *Jane's Revenge* has distributed flyers around the Washington, D.C. area calling for riots after the Court overturns *Roe v. Wade*. The flyers explicitly call for a “night of rage” and encourage supporters of *Jane's Revenge* to “hit the streets” and “riot.”<sup>3</sup> It also makes threats to “oppressors” – stating that “if abortions aren't safe, you're not either.”<sup>4</sup> Their words have matched their actions. They've taken credit for fire bombings of crisis pregnancy centers in Madison, WI; Amherst, NY; Buffalo, NY; and Gresham, OR.<sup>5</sup>

<sup>1</sup> Luke Barr, *Domestic violent extremists infiltrating abortion debate: DHS official*, ABC NEWS (May 17, 2022), <https://abcnews.go.com/Politics/domestic-violent-extremists-infiltrating-abortion-debate-dhs-official/story?id=84785471>.

<sup>2</sup> SUSAN B. ANTHONY PRO-LIFE AMERICA, *Pro-Abortion Vandalism, Violence, and Interruptions of Worship*, (May 2022), <https://s27319.pcdn.co/wp-content/uploads/2022/06/6.15.22-Pro-Abortion-Vandalism-Violence-Interruptions-Of-Worship.pdf>.

<sup>3</sup> The Editorial Board, *A 'Night of Rage' on Abortion*, WALL ST. J. (June 20, 2022), [https://www.wsj.com/articles/a-night-of-rage-on-abortion-janes-revenge-fbi-merrick-garland-roe-v-wade-dobbs-v-jackson-11655664242?mod=hp\\_opin\\_pos\\_3#cxrecs\\_s](https://www.wsj.com/articles/a-night-of-rage-on-abortion-janes-revenge-fbi-merrick-garland-roe-v-wade-dobbs-v-jackson-11655664242?mod=hp_opin_pos_3#cxrecs_s).

<sup>4</sup> *Id.*

<sup>5</sup> Judith Levine, *Beyond Revenge, What Does Jane's Revenge Want?*, THE INTERCEPT (June 16, 2022), <https://theintercept.com/2022/06/16/janes-revenge-abortion-rights/>. **APP D 003**

Director Christopher A. Wray

June 27, 2022

Page 2

These attacks have also been perpetrated in my home state of Iowa,<sup>6</sup> which I addressed with you in a recent phone call. In conjunction with their destruction, the group has frequently spray painted phrases like “revenge” and other threatening statements on the remaining structures.<sup>7</sup> In addition to the violence against crisis pregnancy centers and religious institutions, *Ruth Sent Us* has organized illegal<sup>8</sup> protests outside the homes of Supreme Court Justices Barrett, Alito, Kavanaugh, and Roberts.<sup>9</sup> Moreover, the group has made calls to religious organizations to “stuff your rosaries and your weaponized prayer” because “we’ll be burning the Eucharist to show our disgust...”<sup>10</sup>

Instances of abortion-extremist violence have been directed towards our democratic institutions as well. A suspect was recently arrested outside Justice Brett Kavanaugh’s home in Maryland.<sup>11</sup> The suspect traveled from California with burglary tools, a knife, a firearm with two magazines of ammunition, a pair of boots designed to remain quiet when walking on hard surfaces, zip ties, and duct tape.<sup>12</sup> Thankfully, the assailant called the police on his own after spotting two federal marshals patrolling the home. He admitted he intended to kill Justice Kavanaugh, and was charged with attempted murder.

In this past weekend since the Court’s final ruling, violence has increased. There was an arson at a Colorado pregnancy center.<sup>13</sup> Another arson occurred at a Catholic Church in Reston, Virginia.<sup>14</sup> Both were also vandalized with pro-abortion graffiti. Some were arrested for violence and disorderly conduct at protests, including ten in Eugene, Oregon. A crowd of 75 in the familiar “black bloc” of Antifa—black clothes, hoods, masks, and umbrellas—threw smoke bombs and fought with officers.<sup>15</sup> A concerning early feature of these protests has been the observable presence of black-bloc clad groups. These are a familiar sight from the 2020 riots including those surrounding the Portland courthouse, where rioters relied on similar clothing to evade detection and arrest. Also concerning is the use of violence against law enforcement officers. A small violent group within a pro-abortion protest in Los Angeles began throwing makeshift weapons at police, with one subject even being arrested for the attempted murder of a police officer.<sup>16</sup>

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<sup>6</sup> Todd Magel, *Group claims responsibility for vandalism at Des Moines pregnancy counseling center*, KCCI DES MOINES (June 14, 2022), <https://www.kcci.com/article/des-moines-iowa-agape-pregnancy-counseling-center-vandalized/40278284#>.

<sup>7</sup> *Id.*

<sup>8</sup> See 18 U.S.C. § 1507.

<sup>9</sup> Ruth Sent Us (@RuthSentUs), Twitter, (May 12, 2022, 9:14 AM), <https://twitter.com/RuthSentUs/status/1524739745670172676?cxt=HHwWiMC4uYyu-6gqAAAA>.

<sup>10</sup> Ruth Sent Us (@RuthSentUs), Twitter, (May 7, 2022, 10:13 AM), <https://twitter.com/RuthSentUs/status/1522942814895546370>.

<sup>11</sup> Kaelan Deese and Jerry Dunleavy, *911 records show a man accused in plot to kill Kavanaugh called police on himself*, WASHINGTON EXAMINER (June 10, 2022), <https://www.washingtonexaminer.com/news/crime/911-man-accused-plot-to-kill-kavanaugh-called-police-himself>.

<sup>12</sup> *Id.*

<sup>13</sup> Brad, Dress, *Colorado pregnancy center fire investigated as arson*, HILL (June 26, 2022), <https://thehill.com/policy/healthcare/3537343-colorado-pregnancy-center-fire-investigated-as-arson/>.

<sup>14</sup> *Roe v. Wade-related arson, graffiti investigation underway at Reston church*, INSIDE NOVA (June 26, 2022), [https://www.insidenova.com/headlines/roe-v-wade-related-arson-graffiti-investigation-underway-at-reston-church/article\\_d8f38d72-f590-11ec-8f61-f3da0d569785.html](https://www.insidenova.com/headlines/roe-v-wade-related-arson-graffiti-investigation-underway-at-reston-church/article_d8f38d72-f590-11ec-8f61-f3da0d569785.html).

<sup>15</sup> AP, *Eugene police arrest 10 in protest after Roe v. Wade overturned*, OREGON LIVE (June 25, 2022), <https://www.oregonlive.com/pacific-northwest-news/2022/06/eugene-police-arrest-10-in-protest-after-roe-v-wade-overturned.html>.

<sup>16</sup> Lawrence Richard, *Supreme Court abortion protests: LAPD arrests suspect for attempted murder of police officer*, FOX NEWS (June 26, 2022), <https://www.foxnews.com/us/supreme-court-abortion-protests-lapd-attempted-murder-police>.

Director Christopher A. Wray

June 27, 2022

Page 3

I understand that the FBI specifically tracks a form of extremism known as pro-abortion violent extremism. I understand from a recent FBI bulletin shared with my office that the FBI is investigating many of the instances I have described above as instances of domestic violent extremism. As such, you are evaluating numerous available federal charges, including hate crimes against religious pro-life institutions. I encourage the FBI's efforts to bring accountability to those who would terrorize places of worship, judges in courts of law, pregnancy centers that assist mothers in need, and our very streets. Our law enforcement officers are obliged to duly enforce the laws of our country – not just those that are politically suitable to the current administration. I will remain steadfast in ensuring that the law is being enforced equally across the ideological spectrum. Current threats from abortion extremists are impending, serious, and dangerous.

Unfortunately, it is likely that this wave of violence will continue. I am concerned we may even see a recurrence of the violence of the summer of 2020, in which the FBI opened over 800 domestic terrorism cases. The FBI was not prepared for the torrent of leftwing violence that was unleashed the summer before last. Responding to the current threat of pro-abortion violent extremism will require the FBI to continue its efforts to identify and investigate cases of abortion-related violence across our country at a high rate. I request a briefing from the FBI on your preparedness to counter another potential summer of riots and your efforts thus far to combat this wave of abortion-related violence. Please reach out to my staff as soon as possible to arrange this briefing.

Sincerely,



Charles E. Grassley  
Ranking Member  
Committee on the Judiciary

United States Senate  
WASHINGTON, DC 20510

June 15, 2022

Attorney General Merrick Garland  
U.S. Department of Justice  
950 Pennsylvania Ave., NW  
Washington, DC 20530

Dear Judge Garland:

We continue to be baffled over the lack of prosecutions under Title 18, Section 1507 of the U.S. Code. We understand it is the policy of the Justice Department not to discuss any pending or potential investigations, but this is an urgent matter of national importance.

As you know, Section 1507 is an act of Congress that criminalizes parading or picketing in front of the homes of judges with the intent to influence pending litigation. The reasons for this are obvious. While judges serve a public office, the principle of judicial independence means that their deliberations should be free from influence outside the courtroom. You know this as well as anyone. This means especially that their deliberations should be free from harassment and intimidation, nowhere more than in their homes where their families reside.

We, as Senators, write the laws according to our understanding of the will of our constituents and the needs of the Nation. You, as Attorney General, enforce the laws according to the policies enunciated by your President who is, in turn, responsible to the People who elected him. There are many ways that you or we may be petitioned by citizens, consistent with their constitutional rights, in order to properly influence how we write the laws or how you enforce them. Letters, phone calls, meetings, and even protest are well-established means by which citizens can express their concerns with actions you or we take in an effort to influence our behavior as members of political branches of government.

Not so with judges. The responsibility of a judge—or justice—is to follow and apply the law *according to his or her judgment*. It is not to do so according to the judgment of their community, or the desires of their political party, or the will of the mob. It is only *their judgment* that counts. This is why they are given life tenure, so that external considerations—such as politics or public opinion—will not influence their constitutional duties.

Given these important distinctions it is only fitting that Congress prohibited the parading and picketing of judges' houses in order to influence their decisions. It is a measure that preserves judicial independence.

As we have just learned, it's also a measure that preserves the safety of judges. Just last week *The Washington Post* reported that the attempted *assassin* of your former colleague, Justice Kavanaugh, found out where the Justice lived by watching videos of the protests in front of his house. These unprosecuted, illegal protests allowed a deranged young man to figure out where Justice Kavanaugh lived with enough precision that he showed up in front of his house at 1 a.m. with a Glock, a crowbar, zip ties, and silent boots.

This toxic and dangerous climate was not just foreseeable, it was foreseen. Several of us wrote your office on this subject a month ago. Our letters went unanswered for weeks until Senators received a frantic flurry of perfunctory non-answers only after the arrest of Justice Kavanaugh's would-be assassin had taken place and become a national news story. Why did it take an assassination attempt to get your and the Department's attention? Is this reflective of the care and attention your Department has for judicial safety?

Somehow, the situation is only escalating. Not only did the illegal picketing resume mere hours after the assassination attempt on Justice Kavanaugh, but reports are that those seeking to intimidate the Justices at their homes plan to expand their campaign of harassment to their children's schools. Enough.

We want to know why you aren't prosecuting these Section 1507 violations. We are aware that President Biden has endorsed home protests for Justices, but as you told us repeatedly, your decisions whom to prosecute would not be decided by the White House. Is White House policy keeping you from bringing charges? If not, tell us. Or tell our staff. You can respond by letter or you can schedule a phone call or even a briefing. If there is a good reason why you aren't charging these obvious crimes, explain it to us. We want to understand. The situation is too dire and too important for more meaningless boilerplate about Justice Department policies.

We can assure you, Judge Garland, that we will continue to press for answers to these questions. We suggest you do it now, while you can do so in a manner of your choosing.

Sincerely,



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Larry Hsu

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John Cornyn

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Albin J. E.

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Tom Cotton

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Ben Sasse

---

John H. H.

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Jul S

---

John Kennedy

---

Tom Tillis

---

Marsha Blackburn

---

JOSH HAWLEY  
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## United States Senate

WASHINGTON, DC 20510-2509

COMMITTEES  
JUDICIARY  
ARMED SERVICES  
HOMELAND SECURITY  
AND GOVERNMENTAL AFFAIRS  
SMALL BUSINESS  
AND ENTREPRENEURSHIP

June 14, 2022

The Honorable Merrick Garland  
Attorney General  
United States Department of Justice  
950 Pennsylvania Avenue, N.W.  
Washington, D.C. 20530

Dear Attorney General Garland:

Just hours after a man tried to assassinate Justice Kavanaugh, far-left agitators flocked outside his house in brazen violation of federal law. Meanwhile, there is an epidemic of pro-abortion attacks on pregnancy resource centers across the country, and there have been few, if any, arrests. To tamp down on this wave of violence, you must immediately stand up and enforce the law, prosecute those who break it, and condemn the violent rhetoric coming from the left.

The assassination attempt on Justice Kavanaugh's life on June 8 by a man armed with a gun, a knife, and burglary tools did not happen in a vacuum. Activists and even elected officials have openly threatened the Justices. Two years ago, when the Supreme Court last was ruling on a case about abortion, Senator Chuck Schumer took to the steps of the Supreme Court and threatened Justice Kavanaugh by name. He said, "I want to tell you, Kavanaugh. You have released the whirlwind, and you will pay the price. You won't know what hit you if you go forward with these awful decisions." Other politicians have unfortunately followed this example. After the draft Supreme Court opinion was leaked last month, Chicago Mayor Lori Lightfoot said, "This moment has to be a call to arms."<sup>1</sup>

In addition to explicit threats by the left, Democratic officials have encouraged other illegal activity against Justices. As you know from my previous letter dated May 10, 2022, federal law makes it a crime to picket or parade in front of a Justice's home. 18 U.S.C. §1507. And the Supreme Court has already upheld statutes like this one. *Cox v. State of La.*, 379 U.S. 559 (1965). Yet on May 10, then-White House Press Secretary Jen Psaki noted the picketing occurring at Justice's homes and said, "We certainly continue to encourage that outside of judges' homes."<sup>2</sup> Senate Majority Leader Schumer similarly told reporters that demonstrations outside the homes of Supreme Court Justices are "OK with me"<sup>3</sup>—even though they are a federal crime.

All of this rhetoric emboldens not only the man who tried to take the life of Justice Kavanaugh, but also the radicals who have attacked pregnancy resource centers across the country. According to a recent report, "attacks against crisis pregnancy centers, some of

<sup>1</sup> <https://twitter.com/LoriLightfoot/status/1523844510735908864>

<sup>2</sup> <https://nypost.com/2022/05/10/psaki-defends-peaceful-abortion-rallies-at-justices-homes/>

<sup>3</sup> <https://news.bloomberglaw.com/us-law-week/garland-orders-supreme-court-security-amid-abortion-protests>



them faith-based, have risen steadily since the leak of a draft opinion” last month but that “police have made few arrests, if any.”<sup>4</sup> The report identifies at least 13 attacks in the last month, including arson and firebombing attacks. This is a disgrace.

When Democratic officials openly say that it is fine to flout the law and commit crimes, radicals take note. That is why it was so outrageous that, hours after the assassination attempt, your office did not immediately arrest illegal picketers who surrounded Justice Kavanaugh’s house in a renewed attempt to intimidate.<sup>5</sup> Dangerous persons see the failure to enforce the law, and they grow bold.

You wrote in a letter to me on June 8, 2022, that you are taking measures to increase judicial safety. But taking safety seriously requires that you immediately move to counter all illegal activity directed at Supreme Court Justices, as well as all other crimes committed by radical leftists. Please respond to this letter with a full account of why your office did not immediately arrest those who illegally flocked around Justice Kavanaugh’s home on June 8, in violation of §1507, hours after the assassination attempt and also why you are dragging your feet on arresting criminals for the firebombing of pregnancy resource centers across the country.

Sincerely,

A handwritten signature in black ink, appearing to read "Josh Hawley". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

Josh Hawley  
United States Senator

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<sup>4</sup> <https://www.washingtonexaminer.com/restoring-america/community-family/violence-against-anti-abortion-movement-increases-ahead-of-dobbs-decision>

<sup>5</sup> <https://twitter.com/disclosetv/status/1534681522665570309>

# United States Senate

WASHINGTON, DC 20510

May 13, 2022

The Honorable Merrick Garland  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, N.W.  
Washington, D.C. 20530

The Honorable Christopher A. Wray  
Director  
Federal Bureau of Investigation  
935 Pennsylvania Avenue, N.W.  
Washington, D.C. 20535

The Honorable Alejandro Mayorkas  
Secretary  
U.S. Department of Homeland Security  
245 Murray Lane, S.W.  
Washington D.C. 20528

Dear Attorney General Garland, Director Wray and Secretary Mayorkas:

I write to you regarding the recent politically-motivated attack on the Wisconsin Family Action office in Madison, Wisconsin. According to news reports, the attackers threw a Molotov cocktail into the Wisconsin Family Action Madison office and painted “if abortions aren’t safe then you aren’t either” on the building.<sup>1</sup> A pro-abortion group called “Jane’s Revenge” claimed responsibility for the attack, stating “This was only a warning... next time the infrastructure of the enslavers will not survive. . . Wisconsin is the first flashpoint, but we are all over the US, and we will issue no further warnings.”<sup>2</sup> However, to date, President Biden has made no public remarks, and neither the Department of Justice (DOJ), the Federal Bureau of Investigation (FBI), nor the Department of Homeland Security (DHS) have issued a statement condemning this attack.

I am unfortunately compelled to write to you about this matter because DOJ has a track record of not prosecuting left-wing violence as we have seen with the summer of 2020 riots that

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<sup>1</sup> Danielle Wallace, *Wisconsin Anti-Abortion Group Targeted in Molotov Cocktail Arson Attack: Police*, Fox News, May 8, 2022, available at <https://www.foxnews.com/us/wisconsin-anti-abortion-group-molotov-cocktail-arson-attack>.

<sup>2</sup> Chris Rickert, *Group Claims Responsibility for Attack on Anti-Abortion Organization in Madison, Warns of More Violence*, Wisconsin State Journal, May 10, 2022, available at [https://madison.com/news/local/crime-and-courts/group-claims-responsibility-for-attack-on-anti-abortion-organization-promises-more-violence/article\\_c56741e2-05fe-551f-ada9-078bf58db076.html](https://madison.com/news/local/crime-and-courts/group-claims-responsibility-for-attack-on-anti-abortion-organization-promises-more-violence/article_c56741e2-05fe-551f-ada9-078bf58db076.html).

occurred nationwide.<sup>3</sup> In 2020, extremists exploited demonstrations across the country to incite riots that resulted in the loss of life, more than 2,000 injuries to law enforcement officers, and over \$1 billion in property damage.<sup>4</sup> There are currently mobs outside of the residences of the Supreme Court Justices appointed by Presidents George W. Bush and Donald Trump. The intimidation of sitting Supreme Court Justices is a clear violation of federal law,<sup>5</sup> and, once again, DOJ, FBI, and DHS have yet to condemn these activities. Compare your silence on these events to your robust actions against parents attending public school board meetings to voice their concerns about far-left ideologies being integrated into school curriculums.<sup>6</sup>

Based on the attack on the Madison pro-life organization, Jane's Revenge fits federal agencies' definitions of "domestic violent extremists" and the attack as a "domestic terrorism incident." The FBI defines a 'domestic terrorism incident' as an "ideologically-driven criminal act, including threats or acts of violence made to specific victims, made in furtherance of a domestic ideological goal that has occurred and can be confirmed."<sup>7</sup> Additionally, the FBI and DHS define a 'domestic violent extremist' as an individual "who seeks to further their ideological goals wholly or in part through unlawful acts of force or violence."<sup>8</sup> Attacking a pro-life organization in a manner that could have injured or killed the office's occupants due to differing political ideologies fits these definitions. It seems, however, that DOJ and DHS reserve those definitions for parents attending school board meetings or individuals who disagree with the policies of this Administration.<sup>9</sup>

I want to reemphasize that your silence on this abhorrent attack against a pro-life organization is deafening and your continued silence could be construed as a tacit endorsement

<sup>3</sup> Aruna Viswanatha, Sadie Gurman, *Almost Half of Federal Cases Against Portland Rioters Have Been Dismissed*, The Wall Street Journal, April 15, 2021, available at <https://www.wsj.com/articles/almost-half-of-federal-cases-against-portland-rioters-have-been-dismissed-11618501979>; C. Douglas Golden, *In Stunning Decision, DOJ Dismisses 31 of 90 Portland Riot Cases, Some Violent*, The Western Journal, March 6, 2021, available at <https://www.westernjournal.com/stunning-decision-doj-dismisses-31-90-portland-riot-cases-violent/>; James Varney, *Prosecutors Dismiss Looting, Rioting Charges Against Hundreds of Protesters Across U.S.*, The Washington Times, June 4, 2020, available at <https://www.washingtontimes.com/news/2020/jun/4/prosecutors-dismiss-looting-rioting-charges-again/>.

<sup>4</sup> Louis Casiano, *Police Chief Association Releases Number of Officers Injured During Violent Riots*, Fox News, December 1, 2020, available at <https://www.foxnews.com/us/police-chief-officers-injured-riots>; Jennifer Kingson, *Exclusive: \$1 billion-plus riot damage is most expensive in insurance history*, Axios, September 2020, available at <https://www.axios.com/2020/09/16/riots-cost-property-damage>.

<sup>5</sup> See 18 U.S.C. § 1507.

<sup>6</sup> Attorney General Merrick Garland, Department of Justice, *Partnership Among Federal, State, Local, Tribal, and Territorial Law Enforcement to Address Threats Against School Administrators, Board Members, Teachers, and Staff*, Memorandum, October 4, 2021, available at <https://www.justice.gov/ag/page/file/1438986/download>; DHS National Terrorism Advisory Bulletin, November 10, 2021, available at <https://www.dhs.gov/ntas/advisory/national-terrorism-advisory-system-bulletin-november-10-2021>; Letter from House Judiciary Committee Republicans to Hon. Merrick Garland, Department of Justice, May 11, 2022, available at <https://twitter.com/JudiciaryGOP/status/1524531031851909120/photo/1>.

<sup>7</sup> Department of Justice, *Domestic Terrorism: Definitions, Terminology, and Methodology*, November 2020, available at <https://www.fbi.gov/file-repository/fbi-dhs-domestic-terrorism-definitions-terminology-methodology.pdf/view>.

<sup>8</sup> *Id.*

<sup>9</sup> Attorney General Merrick Garland, Department of Justice, *Partnership Among Federal, State, Local, Tribal, and Territorial Law Enforcement to Address Threats Against School Administrators, Board Members, Teachers, and Staff*, Memorandum, October 4, 2021, available at <https://www.justice.gov/ag/page/file/1438986/download>.

of such attacks against those who hold different or opposing political beliefs from those of this Administration. I respectfully request the following information to learn more about your positions and actions to address this attack in light of your silence.

1. Has DHS or FBI designated the group, “Jane’s Revenge,” as a domestic violent extremist organization? If not, please provide your reasoning.
2. Will DOJ provide resources to identify and prosecute those responsible for the attack to the Madison Police Department?
3. What actions are DOJ, FBI, and DHS taking to assist state and local law enforcement regarding incidents of harassment, intimidation, and potential domestic threats against pro-life organizations?

Please provide this information as soon as possible but no later than 5:00 p.m. on May 27, 2022. Thank you for your attention to this important matter.

Sincerely,

A handwritten signature in blue ink that reads "Ron Johnson". The signature is written in a cursive style with a long, sweeping underline.

Ron Johnson  
United States Senator

MARCO RUBIO  
FLORIDA

United States Senate  
WASHINGTON, DC 20510-0908

COMMITTEES:  
APPROPRIATIONS  
FOREIGN RELATIONS  
SELECT COMMITTEE ON INTELLIGENCE  
SMALL BUSINESS AND ENTREPRENEURSHIP  
SPECIAL COMMITTEE ON AGING

May 11, 2022

The Honorable Merrick Garland  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue NW  
Washington, D.C. 20530

Dear Attorney General Garland:

I write with great concern to ask that the Department of Justice (DOJ) publicly condemn the ongoing and unlawful efforts to intimidate Supreme Court Justices. This includes disturbing and dangerous threats made toward the justices, and their families, outside of their homes. This behavior, and lack of DOJ enforcement against those who are violating federal law, is unacceptable.

In the past, you have opined on similar incidents, including in the October 4, 2021 DOJ memorandum, “Partnership among federal, state, local, tribal, and territorial law enforcement to address threats against school administrators, board members, teachers, and staff.” In that memo, you promised to address the “disturbing spike in harassment, intimidation, and threats of violence” against school-board administrators. You also state that the Constitution does not protect “threats of violence or efforts to intimidate individuals,” and that “threats against public servants are not only illegal, they run counter to our nation’s core values.” You also pledged to use the DOJ’s authority to identify and pursue criminal charges against bad actors who commit such crimes. Of course, Supreme Court Justices are also public servants who deserve protection. So why have you remained silent while evidence mounts of a coordinated campaign to intimidate them as they consider *Dobbs v. Jackson*?

As you know, there is an ongoing, coordinated campaign of intimidation against the majority of the justices on the Supreme Court. It first took the form of an unprecedented leak of a draft opinion, and now, disguised as protestors, vigilantes have taken “justice” into their own hands. One group, “Ruth Sent Us,” has posted the home addresses of the justices’ online. Following the posting, streets in front of the justices’ homes have been filled by mobs of angry picketers, shouting threatening speech in scenes similar to the unhinged riots during the summer of 2020. Some have drawn hangers, symbolizing abortion, on the street pavement in front of the justices’ homes, while others have threatened, “if you take away our choices, we will riot.” Standing before the Supreme Court, one person yelled, “F\*\*\* it! Let’s burn this place down.” That call was amplified thousands of times on social media.

Worse yet, the Biden Administration is actively encouraging this behavior. This week, White House Press Secretary Jen Psaki stated, “I know that there’s an outrage right now, I guess, about protests that have been peaceful to date” and “we certainly continue to encourage that,

APP D 014

outside of judges' homes, and that's the President's position." Similarly, Chicago Mayor Lori Lightfoot tweeted that the news surrounding *Roe*'s potential reversal "has to be a call to arms." The comments made by the president's staff and members of the Democratic Party threaten the safety of members of the Court. Those who act at their behest should be held to account as violating federal law, which is clearly laid out in 18 U.S.C. § 1507 and prohibits the picketing or parading outside of a residence occupied by "any judge, juror, witness or court officer" with the intent of influencing the "discharge of his duty." These woke actors are not engaged in protected speech but instead attempting to intimidate Supreme Court Justices into submission.

The DOJ can no longer remain silent on this issue if it hopes to protect the integrity of the Supreme Court. As such, I ask for responses to the following questions:

1. Is the DOJ investigating the doxing of U.S. Supreme Court Justices and how the locations of their homes were obtained?
2. Will the DOJ commit to identifying and pursuing criminal charges against those who violate 18 U.S.C. § 1507? If not, why?
3. Will the DOJ publicly condemn the activities outside of the Justices' homes?

Thank you for your attention to this urgent matter.

Sincerely,



Marco Rubio  
U.S. Senator

Congress of the United States  
House of Representatives  
Washington, DC 20515

May 11, 2022

The Honorable Merrick B. Garland  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue NW  
Washington, D.C. 20530

Dear Attorney General Garland:

We watch with profound concern and deep dismay as the rule of law in the United States is completely eroded under your leadership. As you should know, 18 U.S.C. § 1507 makes it a crime to picket or parade outside of a judge's home, particularly if the intent of such actions are to influence them in the discharge of their official duties. We therefore ask a simple question: as Supreme Court Justices are being illegally targeted at their homes, do you intend to enforce the law? Your failure to act is a shameless and implicit endorsement of mob rule in America.

The right to peaceful assembly is among the most sacred rights we hold as Americans, which is why our forbearers demanded it be enshrined in the First Amendment to the United States Constitution. This right has been exercised responsibly and respectfully by generations of Americans, who have relied on First Amendment protections to protest injustices, fight for change, and make their voices heard. We should zealously guard our First Amendment rights.

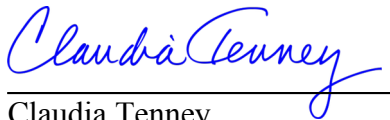
Yet our sacred right to peacefully assemble has never permitted Americans to intimidate judges, jurors, or officers of the court with the expressed objective of swaying the outcome of an independent judicial proceeding. This is not justice – it is mob rule. 18 U.S.C. § 1507 reflects the vitally important interest of safeguarding not only the independence and fairness of the judiciary but also in protecting our constitutionally protected right to due process under the Fourteenth Amendment. We have included the statute in its entirety below for your reference:

Whoever, with the intent of interfering with, obstructing, or impeding the administration of justice, or with the intent of influencing any judge, juror, witness, or court officer, in the discharge of his duty, pickets or parades in or near a building housing a court of the United States, or in or near a building or residence occupied or used by such judge, juror, witness, or court officer, or with such intent uses any sound-truck or similar device or resorts to any other demonstration in or near any such building or residence, shall be fined under this title or imprisoned not more than one year, or both. Nothing in this section shall interfere with or prevent the exercise by any court of the United States of its power to punish for contempt.

Importantly, enforcing 18 U.S.C. § 1507 in no way deprives protestors of their constitutional right to assembly. Protestors have ample opportunity to gather in one of a million other places, including on sidewalks outside of the U.S. Supreme Court, as was upheld by *United States v. Grace* (1983). There is therefore no compelling justification for your failure to act other than to permit protestors to unlawfully intimidate justices of the United States Supreme Court.

We urge you to enforce the laws of the United States and stop the mob. You should send the clear and unmistakable message to all Americans – regardless of party or political affiliation – that the intimidation of justices and the judicial process will not stand. Will you act? We look forward to your response to this urgent question no later than Monday, May 16, 2022.

Sincerely,



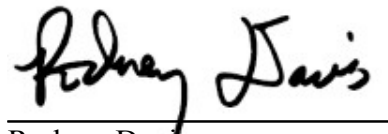
Claudia Tenney  
Member of Congress



Elise M. Stefanik  
Member of Congress



Tom Cole  
Member of Congress



Rodney Davis  
Member of Congress



Bruce Westerman  
Member of Congress



Mike Johnson  
Member of Congress

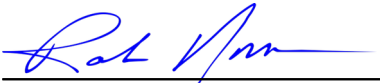




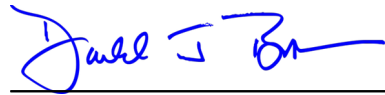
Lee Zeldin  
Member of Congress



Andrew R. Garbarino  
Member of Congress



Ralph Norman  
Member of Congress



Don Bacon  
Member of Congress



Ken Buck  
Member of Congress



Vicky Hartzler  
Member of Congress



John Rose  
Member of Congress



Charles J. "Chuck"  
Fleischmann  
Member of Congress



Lisa C. McClain  
Member of Congress



Ted Budd  
Member of Congress



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Jefferson Van Drew  
Member of Congress



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Markwayne Mullin  
Member of Congress



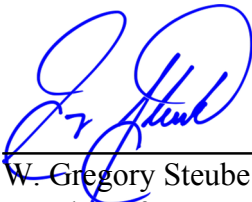
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Gregory F. Murphy, M.D.  
Member of Congress



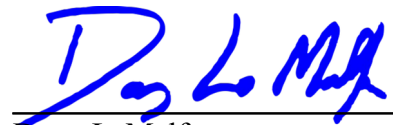
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Burgess Owens  
Member of Congress



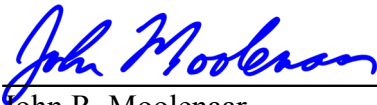
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W. Gregory Steube  
Member of Congress



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Doug LaMalfa  
Member of Congress



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John R. Moolenaar  
Member of Congress



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Andy Biggs  
Member of Congress



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Tracey Mann  
Member of Congress



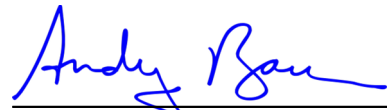
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Eric A. "Rick" Crawford  
Member of Congress



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Tom Rice  
Member of Congress



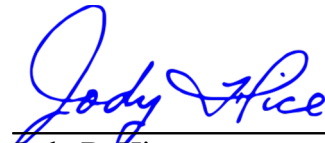
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Andy Barr  
Member of Congress



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Brian Babin, D.D.S.  
Member of Congress



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Jody B. Hice  
Member of Congress



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Warren Davidson  
Member of Congress



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Diana Harshbarger  
Member of Congress



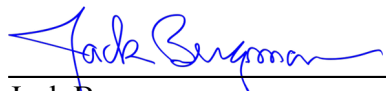
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Louie Gohmert  
Member of Congress



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Glenn Grothman  
Member of Congress



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Jack Bergman  
Member of Congress




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John H. Rutherford  
Member of Congress



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Vern Buchanan  
Member of Congress



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Dan Bishop  
Member of Congress



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Bill Posey  
Member of Congress



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Bob Gibbs  
Member of Congress



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Madison Cawthorn  
Member of Congress



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Steven M. Palazzo  
Member of Congress



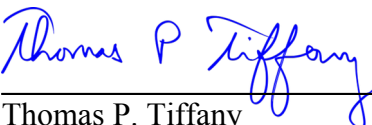
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Byron Donalds  
Member of Congress



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Barry Loudermilk  
Member of Congress



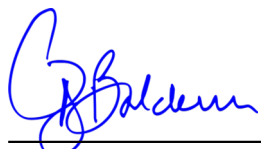
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Thomas P. Tiffany  
Member of Congress



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Michael Cloud  
Member of Congress



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Troy Balderson  
Member of Congress



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Jodey C. Arrington  
Member of Congress

RICHARD J. DURBIN, ILLINOIS, CHAIR

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JOSHUA D. HAWLEY, MISSOURI  
TOM COTTON, ARKANSAS  
JOHN KENNEDY, LOUISIANA  
THOM TILLIS, NORTH CAROLINA  
MARSHA BLACKBURN, TENNESSEE

United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

May 11, 2022

**VIA ELECTRONIC TRANSMISSION**

The Honorable Merrick Garland  
Attorney General of the United States  
950 Pennsylvania Avenue NW  
Washington, DC, 20530

Dear Attorney General Garland:

Since the unprecedented leak of a draft of the Supreme Court’s opinion in *Dobbs v. Jackson Women’s Health Organization*, I’ve watched this administration’s refusal to condemn the efforts to threaten and intimidate the justices with grave disappointment. I’ve waited for this administration to commit to protecting the justices from violence and to denounce the effort by far-left activists to undermine the independence of the judiciary and influence judges through protests at their homes. As the Ranking Member on the Senate Judiciary Committee, I have serious concerns about the safety of the justices and the attacks on our judiciary. I urge you to publicly commit to protecting the justices, and to condemn and prosecute anyone seeking to threaten and intimidate the Court into changing its decision.

Protesting and rioting near the Supreme Court or the justices’ homes to influence their decisions is illegal. 18 U.S.C. § 1507 states that anyone who “pickets or parades in or near a building housing a court of the United States, or in or near a building or residence occupied or used by [a] judge” “with the intent of influencing any judge . . . in the discharge of his duty . . . shall be fined under this title or imprisoned not more than one year, or both.”

It is beyond dispute that far-left activists have launched a concerted and coordinated effort to intimidate the Court into changing the draft *Dobbs* decision. As the *Washington Post* recently reported, “[p]rotestors outside Brett M. Kavanaugh’s house warned the Supreme Court justice this weekend, ‘If you take away our choices, we will riot.’”<sup>1</sup> Demonstrators outside Justice Samuel A. Alito’s home chanted “Abort the court!”<sup>2</sup> These are plainly efforts to bully the Court in response to the leaked *Dobbs* opinion.

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<sup>1</sup> Marc A. Thiessen, *Protesting at Justices’ Homes is Illegal. What is Biden Doing About It?*, Wash. Post, May 10, 2022, <https://www.washingtonpost.com/opinions/2022/05/10/abortion-protest-supreme-court-justice-homes-brett-kavanaugh-samuel-alito-john-roberts-illegal/>; see also Rafael Sanchez-Cruz, *Pro-Choice Protests Outside Maryland Homes of Justices Roberts and Kavanaugh*, WUSA 9, May 8, 2022, <https://www.wusa9.com/article/news/local/protests/pro-choice-protests-outside-the-homes-of-justices-roberts-and-kavanaugh/65-eebbc2e2-7593-4eaa-9992-f34383a6544f>.

<sup>2</sup> See *id.*

But instead of investigating and prosecuting this illegal activity, the administration has been sadly dismissive of the threats and danger to both the justices and our judicial system writ large. The White House Press Secretary refused to characterize progressive activists targeting justices' homes with protests as "extreme."<sup>3</sup> Instead, she explained that "the President's view is that there's a lot of passion, a lot of fear, a lot of sadness."<sup>4</sup> Confusingly, she went on to say, "I don't have an official U.S. government position on where people protest."<sup>5</sup>

The Press Secretary's unwillingness to condemn threats of violence and intimidation does not change the law or what the official U.S. government position ought to be: protesting outside the homes of the justices to intimidate them into deciding a case a certain way is illegal.

The President may choose to characterize protests, riots, and incitements of violence as mere passion. But these attempts to influence and intimidate members of the federal judiciary are an affront to judicial independence. No fair-minded person can question that "such conduct inherently threatens the judicial process."<sup>6</sup>

The consequences of this administration's unwillingness to act have been predictable. Activists published the justices' home locations and announced plans to continue protesting outside of those justices' residences. The justices are limiting public appearances.<sup>7</sup> Eight-foot fencing has been erected around the Supreme Court.<sup>8</sup> According to news reports, "the nine Supreme Court justices have been given extra security since general threats of violence against the justices have increased." Targeted personal threats have increased too.<sup>9</sup>

As you yourself have said, "[t]hreats against public servants are not only illegal, they run counter to our nation's core values."<sup>10</sup> Unfortunately, the American public has heard little from the Justice Department about threats against the public servants serving on the Supreme Court. After this administration chose to publicly and vigorously marshal the Justice Department's resources in response to a letter from the administration's allies on school boards, the tepid response to the demonstrations against the justices has been deeply concerning. It took this administration just five days to forcefully respond to a letter concerning the supposedly grave risk

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<sup>3</sup> *White House Daily Briefing*, C-Span, May 5, 2022, <https://www.c-span.org/video/?520018-1/jen-psaki-congratulates-incoming-white-house-press-secretary>.

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *See Cox v. Louisiana*, 379 U.S. 559, 566, 85 S. Ct. 476, 481, 13 L. Ed. 2d 487 (1965) (discussing crowds demonstrating near a courthouse and upholding the constitutionality of a state law based on 18 U.S.C. § 1507).

<sup>7</sup> *See, e.g.,* Nate Raymond, *Exclusive: U.S. Supreme Court's Alito cancels conference appearance after abortion ruling leak*, Reuters, May 5, 2022, <https://www.reuters.com/legal/government/us-supreme-courts-alito-cancels-conference-appearance-after-abortion-ruling-leak-2022-05-04/>.

<sup>8</sup> Ed O'Keefe, *Supreme Court justices get increased security after Roe v. Wade leak: "The risk is real"*, CBS News, May 6, 2022, <https://www.cbsnews.com/news/supreme-court-justices-security-roe-v-wade-abortion/>.

<sup>9</sup> *Id.*

<sup>10</sup> *Cf.* Attorney General Merrick Garland, Justice Department Addresses Violent Threats Against School Officials and Teachers, Oct. 4, 2021, <https://www.justice.gov/opa/pr/justice-department-addresses-violent-threats-against-school-officials-and-teachers>; <https://www.justice.gov/ag/page/file/1438986/download>.

posed by parents seeking to have a say in how their children are taught in schools.<sup>11</sup> The serious threats to the Supreme Court demand no less of a robust response.

This administration's response also fails to recognize the foundational interests protected by 18 U.S.C. § 1507. First, the law addresses real concerns about the increased threats of physical harm to a judge and the risks that the judicial process could be influenced by protests and demonstrations. Second, it is directed at countering the pernicious effect that the public could believe that one side in a dispute has resorted to mob tactics to win a case that they could not through the legal process.

A fair and just judicial system cannot abide "influence or domination by either a hostile or friendly mob. There is no room at any stage of judicial proceedings for such intervention; mob law is the very antithesis of due process."<sup>12</sup> It should surprise no one, then, that the government is authorized to take measures to assure that judicial proceedings are not influenced by outside forces. Such protections are "obviously a safeguard both necessary and appropriate" to meet that goal.<sup>13</sup>

The Justice Department has been charged with protecting the integrity of the judicial process through this criminal statute. "[U]nhindered and untrammled" courts are "part of the very foundation of our constitutional democracy."<sup>14</sup> After all, as you have said, there cannot be "one rule for Democrats and another for Republicans; One rule for friends and another for foes; One rule for the powerful and another for the powerless; One rule for the rich and another for the poor; Or different rules depending upon one's race or ethnicity."<sup>15</sup> "The success of the Department of Justice depends upon the trust of the American people. That trust must be earned every day."<sup>16</sup> You need to take prompt and decisive action to earn that trust by committing to protecting the justices and the integrity and independence of the Court.

Sincerely,



Chuck Grassley  
Ranking Member  
Judiciary Committee

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<sup>11</sup> Letter from the National School Boards Association to President Joseph R. Biden (Sept. 29, 2021), available at <https://s3.documentcloud.org/documents/21094557/national-school-boards-association-letter-to-biden.pdf>.

<sup>12</sup> *Cox*, 379 U.S. at 562 (citing *Frank v. Mangum*, 237 U.S. 309, 347 (1915) (Holmes, J., dissenting)).

<sup>13</sup> *Id.*

<sup>14</sup> *Id.* at 562.

<sup>15</sup> Merrick Garland, Remarks to DOJ Employees on His First Day, (Mar. 11, 2021), available at <https://www.justice.gov/opa/speech/attorney-general-merrick-garland-addresses-115000-employees-department-justice-his-first>.

<sup>16</sup> Memorandum from the Attorney General to All Department Personnel (July 21, 2021), available at <https://www.justice.gov/ag/page/file/1413766/download>.



CC: U.S. Attorney for the District of Columbia  
U.S. Attorney for the Eastern District of Virginia  
U.S. Attorney for the District of Maryland

# United States Senate

WASHINGTON, DC 20510

May 10, 2022

The Honorable Merrick Garland  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Dear Attorney General Garland,

Please explain why you have refused to enforce the federal law against picketing and protesting at the homes of Supreme Court Justices. Left-wing mobs have recently targeted the homes of Justices Roberts, Alito, Thomas, Gorsuch, Barrett, and Kavanaugh, a blatant and obvious violation of 18 USC § 1507. These unlawful protestors widely publicized their plans, yet it appears that no federal law-enforcement officers were present to arrest the lawbreakers and no investigation is ongoing. Further, President Biden's own press secretary announced this week that the Biden administration "certainly continue[s] to encourage [protests] outside of judges' homes, and that's the president's position." This is in stark contrast to when you sicced federal agents on parents who attended public meetings of school boards in public buildings. Without an adequate explanation, one can only assume that you have weaponized federal law-enforcement against your party's political opponents.

When you last testified at the Senate Judiciary Committee, I recommended that you resign in disgrace. Unfortunately, I see you haven't taken my advice. If you don't take immediate action to enforce the law even-handedly against your party's political opponents, perhaps the next Congress should take matters into its own hands with impeachment proceedings.

Sincerely,



---

Tom Cotton  
United States Senator

LINDSEY O. GRAHAM  
SOUTH CAROLINA



290 RUSSELL SENATE OFFICE BUILDING  
WASHINGTON, DC 20510  
(202) 224-5972

## UNITED STATES SENATE

May 10, 2022

The Honorable Merrick Garland  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue  
Washington, D.C. 20530

Dear Attorney General Garland,

I write to you regarding the ongoing protests targeting several Supreme Court justices at their homes following the unprecedented leak of a draft opinion in the case *Dobbs v. Jackson Women's Health Organization*.<sup>1</sup> While every American enjoys the right to peaceably assemble and to express their opinion, these protests appear to go beyond lawful exercise by impeding the orderly administration of justice, and have no doubt disrupted the lives of these justices and their families. I urge you to take any action necessary, including consideration of 18 U.S.C § 1507, to protect the justices, their families, and the independence of the federal judiciary. You have both the duty and the jurisdiction to do so.

Intervention to protect the lawful functioning of the Supreme Court is warranted under federal statutory law. In 1950, Congress passed into law 18 U.S.C. § 1507, which prohibits picketing, parades or any other demonstrations outside federal courts or the homes of federal judges and justices that are conducted “with the intent of influencing any judge, juror, witness or court officer, in the discharge of his duty.”<sup>2</sup>

Non-violent protests in front of the Supreme Court building are one thing, but protesting at the home of a justice is beyond the pale. Protests at a person’s home carry with them the implicit threat of violence and can be designed to stoke fear for their personal and their families’ safety. In the words of the *Washington Post* editorial board “[t]o picket a judge’s home is especially problematic. It tries to bring direct public pressure to bear on a decision-making process that must be controlled, evidence-based and rational if there is to be any hope of an independent judiciary.”<sup>3</sup> The *Washington Post* is right. The angry protests in front of the homes of Justices Alito, Roberts, and Kavanaugh have been part of an immense public pressure campaign, directed at the Supreme Court, with the goal of influencing its final decision in the *Dobbs* case.

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<sup>1</sup> Josh Gerstein & Alexander Ward, *Supreme Court Has Voted to Overturn Abortion Rights, Draft Opinion Shows*, POLITICO, May 2, 2022, <https://www.politico.com/news/2022/05/02/supreme-court-abortion-draft-opinion-00029473>.

<sup>2</sup> 18 U.S.C. § 1507.

<sup>3</sup> Editorial, *Leave the Justices Alone*, WASH. POST, May 10, 2022, <https://www.washingtonpost.com/opinions/2022/05/09/stop-protesting-outside-supreme-court-justice-houses/>.

This public pressure campaign has been orchestrated by groups like Ruth Sent Us, which published a map on its website identifying where Justices Kavanaugh, Alito, Roberts, Barrett, Gorsuch and Thomas live.<sup>4</sup> The website for Ruth Sent Us says “our 6-3 extremist Supreme Court routinely issues rulings that hurt women...we must rise up to force accountability using a diversity of tactics.”<sup>5</sup> It seems to be no secret that the group organizing these protests are hoping doing so will cause a shift in the Supreme Court’s rulings. At protests in front of justices’ homes in the past week, the protestors have engaged in conduct like the following:

- Protestors yelling “F\*\*\* Brett Kavanaugh, F\*\*\* Samuel Alito,” “abort the court,” “Alito is a coward” and “we’ll be back” in front of Justice Alito’s home.<sup>6</sup>
- Antifa and black bloc protestors marching on the street where Justice Alito lives.<sup>7</sup>
- Protestors yelling “we will not go back” outside Justice Kavanaugh’s home.<sup>8</sup>
- Protestors yelling “You don’t care if people die” outside Justice Roberts’ home.<sup>9</sup>
- One protester, before marching to the homes of Justice Roberts and Kavanaugh, said “You don’t get to take away our bodily autonomy and enjoy your Saturday night at home. You get to do one or the other.”<sup>10</sup>

These protests are ongoing – more are planned for later this week. Meanwhile, the Supreme Court continues to deliberate in the *Dobbs* case. It is those deliberations that are under attack in these protests.

The Department of Justice should bring its resources to bear and enforce the statute that Congress passed to address circumstances like the ones playing out right now. Supreme Court justices must be able to rule independently, without fear or favor. Their ability to do so is undermined by these protests. It is incumbent upon you to act and protect the integrity of the Supreme Court and the justices who serve on it. Please take that charge seriously.

Sincerely,



Lindsey O. Graham  
United States Senator

<sup>4</sup> Editorial, *Who’s a Threat to Democracy?*, WALL ST. J., May 6, 2022, <https://www.wsj.com/articles/whos-a-threat-to-democracy-supreme-court-abortion-roe-v-wade-ruth-sent-us-11651875512>.

<sup>5</sup> RUTH SENT US, <https://www.ruthsent.us/> (last visited May 10, 2022).

<sup>6</sup> The Columbia Bugle (@ColumbiaBugle), TWITTER (May 10, 2022, 12:30 AM),

<https://twitter.com/ColumbiaBugle/status/1523883130553352193>; Jerry Dunleavy (@JerryDunleavy), TWITTER (May 9, 2022, 8:27 PM),

<https://twitter.com/JerryDunleavy/status/1523822026229792768>; Ford Fischer, (@FordFischer), TWITTER (May 9, 2022, 11:18 PM),

<https://twitter.com/FordFischer/status/1523865028520288257>.

<sup>7</sup> Douglas Blair (@DouglasKBlair), TWITTER (May 9, 2022, 7:53 PM), <https://twitter.com/DouglasKBlair/status/1523813504997810176>.

<sup>8</sup> Douglas Blair (@DouglasKBlair), TWITTER (May 7, 2022, 8:20 PM), <https://twitter.com/DouglasKBlair/status/1523095574156742657>.

<sup>9</sup> News Wire (@NewsWire\_US), TWITTER (May 7, 2022, 9:33 PM), [https://twitter.com/NewsWire\\_US/status/1523113859594473472](https://twitter.com/NewsWire_US/status/1523113859594473472).

<sup>10</sup> Douglas Blair (@DouglasKBlair), TWITTER (May 7, 2022, 8:02 PM), <https://twitter.com/DouglasKBlair/status/1523091036616245248>.

JOSH HAWLEY  
MISSOURI

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## United States Senate

WASHINGTON, DC 20510-2509

COMMITTEES  
JUDICIARY  
ARMED SERVICES  
HOMELAND SECURITY  
AND GOVERNMENTAL AFFAIRS  
SMALL BUSINESS  
AND ENTREPRENEURSHIP

May 10, 2022

The Honorable Merrick Garland  
Attorney General  
United States Department of Justice  
950 Pennsylvania Avenue, N.W.  
Washington, D.C. 20530

Dear Attorney General Garland:

Across the nation, radical pro-abortion activists have begun a campaign of violence, destruction, and intimidation in response to the leak of a draft document from the Supreme Court. You must vigorously investigate and prosecute the crimes committed in recent days. The rule of law demands no less.

Video evidence shows dozens of pro-abortion activists surrounding the homes of Supreme Court Justices in an attempt to influence those Justices to change their decision in *Dobbs v. Jackson Women's Health Organization*, the case that asks the Court to overturn *Roe v. Wade*. News outlets report that one individual has targeted Justice Kavanaugh in this manner at least five times, and has targeted at least one other Justice. Neighbors have described her conduct as “dangerous.”<sup>1</sup>

This conduct has only one purpose: intimidation. It is also flagrantly illegal. Federal law makes it a crime for a person, “with the intent of influencing any judge, juror, witness, or court officer, in the discharge of his duty,” to “picket[] or parade[] ... in or near a building or residence occupied or used by such judge.” 18 U.S.C. §1507. The First Amendment is no shield to this illegal conduct. Those upset by the leaks have plenty of places to protest that do not involve intimidation and do not place the Justices and their families at risk. And the Supreme Court already upheld a statute similar to this one, stressing that these laws are critical to democracy. Because “influence or domination by either a hostile or friendly mob ... is the very antithesis of due process,” *Cox v. State of La.*, 379 U.S. 559, 562 (1965), the unlawful picketing by these radical activists is nothing less than an attack on the Court itself.

Meanwhile, harrowing reports have arisen in recent days of radical pro-abortion activists attacking pro-life persons and organizations. Over the weekend, criminals firebombed a pro-life organization in Madison, Wisconsin. Along with the arson, they left a threatening note that stated, “If abortions aren’t safe, then you aren’t either.”<sup>2</sup> Luckily, nobody was

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<sup>1</sup> <https://www.washingtonpost.com/dc-md-va/2022/05/07/wooten-holway-protest-justice-kavanaugh-neighbor>

<sup>2</sup> <https://www.nytimes.com/2022/05/08/us/madison-anti-abortion-center-vandalized.html>

killed in the violent attack. But next time, the victims might not be so lucky. Your office must investigate and prosecute.

Additionally, radical activists have targeted religious organizations in the past week because those organizations hold pro-life religious beliefs. Those activists vandalized a Catholic church in Boulder, Colorado, with pro-abortion slogans and anti-religion messages.<sup>3</sup> Anti-religion vandalism in recent days also goes well beyond mere spray paint on doors. One radical organization suggested that its members had already stolen from a Catholic church the holiest of its contents—the Eucharist—and intend to destroy it in an act of gross sacrilege.<sup>4</sup> These acts of vandalism are not just hateful; they also clearly violate federal law, which prohibits “intentionally damag[ing] or destroy[ing] the property of a place of religious worship.” 18 U.S.C. §248(a)(3).

Activists around the country also have prevented religious Americans from participating in religious services and plan to do so in the future. Radicals interfered with religious services in Los Angeles this past weekend.<sup>5</sup> This, too, is brazenly illegal under federal law. 18 U.S.C. §248(a)(2).

You must not allow this brazen and unlawful intimidation to go unchecked. Last fall, your Department committed substantial resources to investigating parents at school board meetings. Failure to vigorously investigate and prosecute these crimes would send the message that your Department is only interested in prosecuting the Biden Administration’s political opponents—like parents speaking at school board meetings—leaving victims of actual crimes committed by the far left to fend for themselves. Within two weeks, please respond to my office with a full report about whether you have opened investigations into these cases and the status of those investigations.

Sincerely,

A handwritten signature in black ink, appearing to read "Josh Hawley". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

Josh Hawley  
United States Senator

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<sup>3</sup> <https://denver.cbslocal.com/2022/05/04/sacred-heart-mary-catholic-church-boulder-vandalism/>

<sup>4</sup> <https://twitter.com/RuthSentUs/status/1522942814895546370>; <https://www.foxnews.com/us/activist-group-threatens-burn-eucharist-display-disgust-catholics>

<sup>5</sup> <https://www.washingtontimes.com/news/2022/may/9/costumed-protesters-disrupt-mass-los-angeles-catho>

# Appendix E



STATE OF ALABAMA  
OFFICE OF THE ATTORNEY GENERAL

STEVE MARSHALL  
ATTORNEY GENERAL

501 WASHINGTON AVENUE  
MONTGOMERY, AL 36130  
(334) 242-7300  
WWW.AGO.ALABAMA.GOV

May 11, 2022

The Honorable Merrick Garland  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue NW  
Washington, DC 20530

Re: Recent Efforts To Intimidate Supreme Court Justices

Dear Attorney General Garland,

Following last week's leak of a draft opinion in *Dobbs v. Jackson Women's Health Organization*, pro-abortion activists have begun protesting not just outside the Supreme Court, but outside the Justices' homes, in the hope of pressuring the Justices to change their votes. As a former federal judge and the current head of the Department of Justice, you must surely appreciate the unique risks to both judges and the rule of law when judges are targeted at their homes. That is why Congress has long barred "picket[ing] or parad[ing]" near a judge's home "with the intent of interfering with, obstructing, or impeding the administration of justice."<sup>1</sup> We the undersigned Attorneys General act daily to uphold the rule of law. These remarkable recent events provide you an opportunity to do the same.

A group calling itself "Ruth Sent Us" declares that "[o]ur 6-3 extremist Supreme Court routinely issues rulings that hurt women, racial minorities, LGBTQ+ and immigrant rights," and has called on its supporters to "rise up to force accountability using a diversity of tactics."<sup>2</sup> One of these "tactics" is publishing the Justices' personal addresses and organizing a "walk-by" to take place "[a]t the homes of

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<sup>1</sup> See 18 U.S.C. § 1507.

<sup>2</sup> See Ruth Sent Us, <https://www.ruthsent.us/home>.



the six extremist Justices.”<sup>3</sup> Their strategy is already in full swing, with protestors yelling “You don’t care if people die” while picketing outside the homes of Chief Justice Roberts and Justice Kavanaugh this past weekend.<sup>4</sup>

The same group has called for and carried out protests at Catholic Masses, based on the religious faith of several of the Justices,<sup>5</sup> and the group’s general condemnation of “Catholic Churches.”<sup>6</sup> The group has further threatened to “burn[] the Eucharist.”<sup>7</sup>

Others, it appears, have taken to burning buildings. This past weekend, a Molotov cocktail was thrown into the Madison-based headquarters of a pro-life group called Wisconsin Family Action.<sup>8</sup> Graffitied on the building’s walls was the message: “If abortions aren’t safe then you aren’t either.”<sup>9</sup> Likewise earlier this week, the office of an Oregon-based pro-life group was the target of another attack using Molotov cocktails.<sup>10</sup> There are those who would seek to legitimize such acts of violence as “Fiery But Mostly Peaceful Protests.”<sup>11</sup> You should not be so cavalier. As the Wall Street Journal recently suggested, “[a]

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<sup>3</sup> *Id.*

<sup>4</sup> Greg Stohr, *Abortion-Rights Protest Targets Homes of Kavanaugh, Roberts, Bloomberg* (May 7, 2022), <https://www.bloomberg.com/news/articles/2022-05-08/abortion-rights-protest-targets-homes-of-kavanaugh-roberts>.

<sup>5</sup> Joshua Rhett Miller, *Pro-choice Abortion Activists Call for Mother’s Day Protests at Churches*, New York Post (May 6, 2022), <https://nypost.com/2022/05/06/abortion-activists-call-on-americans-to-protest-at-churches/>; Joe Bukuras, *Costumed protesters disrupt Mother’s Day Mass in Los Angeles*, Catholic News Agency (May 8, 2022), <https://www.catholicnewsagency.com/news/251176/costumed-protesters-disrupt-los-angeles-mass>.

<sup>6</sup> Jon Brown, *DC Police Aware of ‘First Amendment demonstrations’ Meant to Disrupt Sunday Mass*, Fox News, May 8, 2022, <https://www.foxnews.com/us/dc-police-aware-first-amendment-demonstrations-disrupt-sunday-mass>.

<sup>7</sup> *Id.*

<sup>8</sup> Luke Vander Ploeg & Addison Lathers, *Anti-Abortion Group in Wisconsin Is Hit by Arson, Authorities Say*, The New York Times (May 8, 2022), <https://www.nytimes.com/2022/05/08/us/madison-anti-abortion-center-vandalized.html>.

<sup>9</sup> *Id.*

<sup>10</sup> *Oregon Right to Life building in Keizer hit with Molotov cocktails*, KGW (May 9, 2022), <https://www.kgw.com/article/news/crime/molotov-cocktails-oregon-right-to-life-keizer/283-84ffd04a-41ba-47fd-99d9-7af4a61ddfde>.

<sup>11</sup> Joe Concha (@JoeConchaTV), Twitter (Aug. 27, 2020, 1:03 AM), <https://twitter.com/JoeConchaTV/status/1298863702272344064>.

violent act by a fanatic can't be ruled out, and this warrants the attention of Attorney General Merrick Garland.”<sup>12</sup>

You were quick to respond to the purported “threat” of parents speaking out at local school board meetings<sup>13</sup> (though the basis for your threat assessment was shaky to say the least).<sup>14</sup> Here, in the face of escalating extremism directed at the judicial branch, you have an obvious role to play. Congress recognized that pressuring judges to change their votes by protesting outside their homes directly threatens the rule of law.<sup>15</sup> You profess to share those concerns, having unequivocally stated that attacking a courthouse “to prevent judges from actually deciding cases” plainly constitutes “domestic extremism, domestic terrorism.”<sup>16</sup> You can and should act accordingly by faithfully executing federal law to prevent protestors from attempting to intimidate the Justices of the Supreme Court, both to protect the Justices and to safeguard the rule of law.

Sincerely,



Steve Marshall  
Attorney General of Alabama

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<sup>12</sup> *Who's a Threat to Democracy*, The Wall Street Journal (May 6, 2022), <https://www.wsj.com/articles/whos-a-threat-to-democracy-supreme-court-abortion-roe-v-wade-ruth-sent-us-11651875512>.

<sup>13</sup> Memorandum from the Office of the Attorney General, *Re: Partnership Among Federal, State, Local, Tribal, and Territorial Law Enforcement to Address Threats Against School Administrators, Board Members, Teachers, and Staff*, (October 4, 2021), <https://www.justice.gov/ag/page/file/1438986/download>.

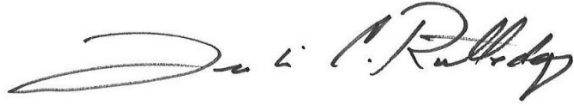
<sup>14</sup> See Peter Hasson, *NSBA Chief Had Advance Notice of DOJ's Controversial School Board Memo: Email*, Fox News (Feb. 14, 2022), <https://www.foxnews.com/politics/nsba-advance-notice-doj-controversial-school-board-memo-email>.

<sup>15</sup> See 18 U.S.C. § 1507.

<sup>16</sup> *LIVE COVERAGE: Senate Set to Consider Garland for AG*, The Hill (Feb. 22, 2021), <https://thehill.com/homenews/senate/539824-live-coverage-senate-set-to-consider-garland-for-ag/>.



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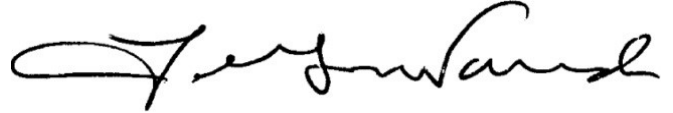
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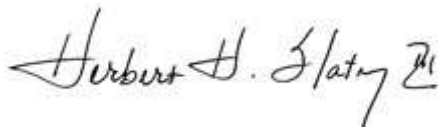
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Attorney General of West Virginia



BRIDGET HILL  
Attorney General of Wyoming

# Appendix F

Office of the Marshal  
Supreme Court of the United States  
Washington, D. C. 20543

202-479-3333

July 1, 2022

FAX  
202-479-2971

The Honorable Larry Hogan  
Governor of Maryland  
100 State Circle  
Annapolis, Maryland 21401-1925

Dear Governor Hogan:

I am writing to request that the Maryland State Police, in conjunction with local authorities as appropriate, enforce laws that prohibit picketing outside of the homes of Supreme Court Justices who live in Maryland.

Maryland law provides that “[a] person may not intentionally assemble with another in a manner that disrupts a person’s right to tranquility in the person’s home.” Md. Crim. Code § 3-904(c). The statute provides for imprisonment for up to 90 days or a \$100 fine or both, and states that a court may enjoin prohibited conduct and award damages. *Id.* § 3-904(d), (e).

Montgomery County law states that “[a] person or group of persons must not picket in front of or adjacent to any private residence.” Montgomery Cnty. Code § 32-23(a). “Picketing” means “to post a person or persons at a particular place to convey a message.” *Id.* § 32-23(c)(1). The ordinance permits a group to march in a residential area “without stopping at any particular private residence.” *Id.* § 32-23(b)(1). The ordinance may be enforced civilly or criminally: violations of a civil offense are subject to a \$100 fine, while violations of a criminal offense are subject to imprisonment for up to 30 days and a fine of \$200 or both. *Id.* §§ 32-23(d), 1-19.<sup>1</sup>

You recently stated that you were “deeply concerned” that “hundreds of demonstrators have recently chosen to picket Supreme Court Justices at their homes in . . . Maryland,” while using “threatening language” – jeopardizing “the integrity of our American judicial system and the safety of our citizens.” Gov. Hogan-Gov. Youngkin Letter (May 11, 2022). Since then, protest activity at Justices’ homes, as well as threatening activity, has only increased. For weeks on end, large groups of protesters chanting slogans, using bullhorns, and banging drums have picketed Justices’ homes in Maryland. Earlier this week, for example, 75 protesters loudly picketed at one Justice’s home in Maryland for 20-30 minutes in the evening, then proceeded to picket at another Justice’s home for 30 minutes, where the crowd grew to 100, and finally returned to the first Justice’s home to picket for another 20 minutes. This is exactly the kind of

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<sup>1</sup> See *Frisby v. Schultz*, 487 U.S. 474, 484-85 (1988) (upholding ordinance prohibiting residential picketing, stating: “a special benefit of the privacy all citizens enjoy within their own walls, which the State may legislate to protect, is an ability to avoid intrusions. . . . There is simply no right to force speech into the home of an unwilling listener.”).

conduct that the Maryland and Montgomery County laws prohibit. As you noted in response to an attempt on a Justice's life last month, "[i]t is vital to our constitutional system that the justices be able to carry out their duties without fear of violence against them and their families." Press Release, Gov. Hogan (June 8, 2022). You stated: "We will continue to partner with both federal and local law enforcement officials to help ensure these residential areas are secure." *Id.* Maryland and Montgomery County laws provide the tools to prevent picketing activity at the Justices' homes, and they should be enforced without delay.

I would respectfully request that you direct the Maryland State Police to enforce Maryland and Montgomery County laws that squarely prohibit picketing at the homes of Supreme Court Justices who reside in Maryland.

Thank you very much for your consideration.

Very truly yours,



Gail A. Curley  
Marshal of the Court

# Appendix G



117TH CONGRESS  
2D SESSION

# H. RES. 1111

Expressing support for the enforcement of section 1507 of title 18, United States Code, with respect to protests outside of the homes of sitting Supreme Court Justices.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 12, 2022

Mr. JOHNSON of Louisiana (for himself, Ms. STEFANIK, Mr. CARTER of Georgia, Mr. MURPHY of North Carolina, Mrs. RODGERS of Washington, Mr. MOOLENAAR, Mr. HICE of Georgia, Mr. TIMMONS, Mr. NORMAN, Mr. PALAZZO, Mrs. MILLER of Illinois, Mr. DAVIDSON, Mr. GRAVES of Louisiana, Mr. ISSA, Mr. GOSAR, Mrs. McCLAIN, Mr. DUNN, Mr. GIBBS, Mr. GOHMERT, Mr. MCKINLEY, Mr. BUCHANAN, Ms. VAN DUYNÉ, Mr. WALTZ, Mr. OWENS, Mr. BISHOP of North Carolina, Mr. GOOD of Virginia, Mr. JOHNSON of Ohio, Mr. SMITH of Nebraska, Mr. WENSTRUP, Mr. PFLUGER, Mr. STEWART, Mr. ARRINGTON, Mr. GUEST, Mr. BERGMAN, Mr. POSEY, Mr. COLE, Mr. LONG, Mr. GUTHRIE, Mr. McCLINTOCK, Mr. MULLIN, and Mr. ZELDIN) submitted the following resolution; which was referred to the Committee on the Judiciary

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## RESOLUTION

Expressing support for the enforcement of section 1507 of title 18, United States Code, with respect to protests outside of the homes of sitting Supreme Court Justices.

Whereas the Supreme Court of the United States is charged with guarding, interpreting, and applying the Constitution and ensuring the American people are afforded equal and impartial justice under the law;

Whereas the Court’s power of judicial review is a necessary check to ensure that each branch of government does not exceed its authority under the Constitution;

Whereas our constitutional system and the rule of law rely upon the independence of judges who are not subject to the whims of public opinion or the political process;

Whereas the recent leak of a draft opinion in *Dobbs v. Jackson Women’s Health Organization* constitutes a grave breach of judicial ethics and a blatant attack on the independence of the Court;

Whereas following the leak of the draft opinion in *Dobbs v. Jackson Women’s Health Organization*, churches and the headquarters of a pro-life organization were firebombed and vandalized, and activists sought to intimidate Justices of the Supreme Court by protesting outside their homes; and

Whereas Federal law (18 U.S.C. 1507) provides: “Whoever, with the intent of interfering with, obstructing, or impeding the administration of justice, or with the intent of influencing any judge, juror, witness, or court officer, in the discharge of his duty, pickets or parades in or near a building housing a court of the United States, or in or near a building or residence occupied or used by such judge, juror, witness, or court officer, or with such intent uses any sound-truck or similar device or resorts to any other demonstration in or near any such building or residence, shall be fined under this title or imprisoned not more than one year, or both.”: Now, therefore, be it

1       *Resolved*, That the House of Representatives—

2               (1) condemns the unauthorized leak of the draft

3       opinion in *Dobbs v. Jackson Women’s Health Orga-*

1 nization and the ensuing violence, damage to prop-  
2 erty, and attempted intimidation of Justices of the  
3 Supreme Court by proabortion activists;

4 (2) expresses deep concern regarding the ero-  
5 sion of Americans' faith in our institutions;

6 (3) unwaveringly supports the notion that the  
7 judiciary must remain free from political inter-  
8 ference and insulated from public opinion so that it  
9 may ensure every American is afforded equal and  
10 impartial justice under the law; and

11 (4) calls upon the Department of Justice to en-  
12 force section 1507 of title 18, United States Code,  
13 with respect to protests outside of the homes of sit-  
14 ting Supreme Court Justices.

○

# CONGRESS.GOV

## H.Res.1111 - Expressing support for the enforcement of section 1507 of title 18, United States Code, with respect to protests outside of the homes of sitting Supreme Court Justices.

117th Congress (2021-2022) | [Get alerts](#)

**Sponsor:** [Rep. Johnson, Mike \[R-LA-4\]](#) (Introduced 05/12/2022)  
**Committees:** House - Judiciary  
**Latest Action:** House - 05/12/2022 Referred to the House Committee on the Judiciary. ([All Actions](#))  
**Tracker:** **Introduced** Agreed to in House

Summary(0) Text(1) Actions(2) Titles(1) Amendments(0) **Cosponsors(70)** Committees(1) Related Bills(0)

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<a href="#">Rep. Murphy, Gregory [R-NC-3]*</a>	05/12/2022
<a href="#">Rep. McMorris Rodgers, Cathy [R-WA-5]*</a>	05/12/2022
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<a href="#">Rep. Norman, Ralph [R-SC-5]*</a>	05/12/2022
<a href="#">Rep. Palazzo, Steven M. [R-MS-4]*</a>	05/12/2022
<a href="#">Rep. Miller, Mary E. [R-IL-15]*</a>	05/12/2022
<a href="#">Rep. Davidson, Warren [R-OH-8]*</a>	05/12/2022
<a href="#">Rep. Graves, Garret [R-LA-6]*</a>	05/12/2022
<a href="#">Rep. Issa, Darrell E. [R-CA-50]*</a>	05/12/2022
<a href="#">Rep. Gosar, Paul A. [R-AZ-4]*</a>	05/12/2022
<a href="#">Rep. McClain, Lisa C. [R-MI-10]*</a>	05/12/2022
<a href="#">Rep. Dunn, Neal P. [R-FL-2]*</a>	05/12/2022
<a href="#">Rep. Gibbs, Bob [R-OH-7]*</a>	05/12/2022
<a href="#">Rep. Gohmert, Louie [R-TX-1]*</a>	05/12/2022
<a href="#">Rep. McKinley, David B. [R-WV-1]*</a>	05/12/2022
<a href="#">Rep. Buchanan, Vern [R-FL-16]*</a>	05/12/2022
<a href="#">Rep. Van Duyne, Beth [R-TX-24]*</a>	05/12/2022
<a href="#">Rep. Waltz, Michael [R-FL-6]*</a>	05/12/2022

Cosponsor	Date Cosponsored
<a href="#">Rep. Owens, Burgess [R-UT-4]*</a>	05/12/2022
<a href="#">Rep. Bishop, Dan [R-NC-9]*</a>	05/12/2022
<a href="#">Rep. Good, Bob [R-VA-5]*</a>	05/12/2022
<a href="#">Rep. Johnson, Bill [R-OH-6]*</a>	05/12/2022
<a href="#">Rep. Smith, Adrian [R-NE-3]*</a>	05/12/2022
<a href="#">Rep. Wenstrup, Brad R. [R-OH-2]*</a>	05/12/2022
<a href="#">Rep. Pfluger, August [R-TX-11]*</a>	05/12/2022
<a href="#">Rep. Stewart, Chris [R-UT-2]*</a>	05/12/2022
<a href="#">Rep. Arrington, Jodey C. [R-TX-19]*</a>	05/12/2022
<a href="#">Rep. Guest, Michael [R-MS-3]*</a>	05/12/2022
<a href="#">Rep. Bergman, Jack [R-MI-1]*</a>	05/12/2022
<a href="#">Rep. Posey, Bill [R-FL-8]*</a>	05/12/2022
<a href="#">Rep. Cole, Tom [R-OK-4]*</a>	05/12/2022
<a href="#">Rep. Long, Billy [R-MO-7]*</a>	05/12/2022
<a href="#">Rep. Guthrie, Brett [R-KY-2]*</a>	05/12/2022
<a href="#">Rep. McClintock, Tom [R-CA-4]*</a>	05/12/2022
<a href="#">Rep. Mullin, Markwayne [R-OK-2]*</a>	05/12/2022
<a href="#">Rep. Zeldin, Lee M. [R-NY-1]*</a>	05/12/2022
<a href="#">Rep. Balderson, Troy [R-OH-12]</a>	05/13/2022
<a href="#">Rep. Cloud, Michael [R-TX-27]</a>	05/13/2022
<a href="#">Rep. Babin, Brian [R-TX-36]</a>	05/13/2022
<a href="#">Rep. Mace, Nancy [R-SC-1]</a>	05/13/2022
<a href="#">Rep. Kelly, Mike [R-PA-16]</a>	05/13/2022
<a href="#">Rep. Mooney, Alexander X. [R-WV-2]</a>	05/13/2022
<a href="#">Rep. Tenney, Claudia [R-NY-22]</a>	05/13/2022
<a href="#">Rep. Schweikert, David [R-AZ-6]</a>	05/17/2022
<a href="#">Rep. Latta, Robert E. [R-OH-5]</a>	05/17/2022
<a href="#">Rep. Harshbarger, Diana [R-TN-1]</a>	05/17/2022
<a href="#">Rep. Jackson, Ronny [R-TX-13]</a>	05/17/2022
<a href="#">Rep. Biggs, Andy [R-AZ-5]</a>	05/17/2022
<a href="#">Rep. Davis, Rodney [R-IL-13]</a>	05/17/2022
<a href="#">Rep. Clyde, Andrew S. [R-GA-9]</a>	05/17/2022
<a href="#">Rep. Reschenthaler, Guy [R-PA-14]</a>	05/17/2022
<a href="#">Rep. Wittman, Robert J. [R-VA-1]</a>	05/17/2022
<a href="#">Rep. Grothman, Glenn [R-WI-6]</a>	05/17/2022
<a href="#">Rep. Huizenga, Bill [R-MI-2]</a>	05/17/2022
<a href="#">Rep. Letlow, Julia [R-LA-5]</a>	05/17/2022
<a href="#">Rep. Hudson, Richard [R-NC-8]</a>	05/19/2022
<a href="#">Rep. Hartzler, Vicky [R-MO-4]</a>	05/19/2022
<a href="#">Rep. Ellzey, Jake [R-TX-6]</a>	05/19/2022
<a href="#">Rep. Steube, W. Gregory [R-FL-17]</a>	05/20/2022

Cosponsor	Date Cosponsored
<a href="#">Rep. Lesko, Debbie [R-AZ-8]</a>	05/31/2022
<a href="#">Rep. LaHood, Darin [R-IL-18]</a>	05/31/2022
<a href="#">Rep. Bilirakis, Gus M. [R-FL-12]</a>	05/31/2022
<a href="#">Rep. Garbarino, Andrew R. [R-NY-2]</a>	05/31/2022
<a href="#">Rep. Emmer, Tom [R-MN-6]</a>	06/07/2022
<a href="#">Rep. Boebert, Lauren [R-CO-3]</a>	06/07/2022
<a href="#">Rep. Weber, Randy K., Sr. [R-TX-14]</a>	07/19/2022

# **EXHIBIT 4**



214 Massachusetts Avenue, NE  
Washington, DC 20002  
(202) 546-4400  
heritage.org

**SENT VIA: DOJ.OIP.FOIA@usdoj.gov**

August 20, 2022

Director of Public Affairs  
Office of Public Affairs  
Department of Justice  
950 Pennsylvania Ave., N.W.  
Washington, D.C. 20530-0001

Dear FOIA Officer,

I write in reference to my FOIA Request FOIA-2022-1595. It was filed electronically on July 28, 2022. It appears to have been received that date. It sought expedited processing because it concerned: “A matter of widespread and exceptional media interest in which there exists possible questions about the government’s integrity which affect public confidence.” Request at 7. By statute, the Department was required to respond to the request for expedited processing within 10 calendar days. 5 U.S.C. § 552(a)(6)(E)(ii)(I). That time has come and gone—I have waited 21 calendar days—twice the statutory period response.

The Request concerns matters of high and ongoing public importance that go directly to the integrity of the Department and have several undermined public confidence in the Department’s impartial administration of Justice. This showing more than met and continues to meet the applicable standard for expedition as is detailed in the 8 pages of detailed argument for expedition in the Request and the factual record comprised of 7 appendices covering 921 pages. Since the Dobbs leak and through this day the Justices of the Supreme Court have been subject to unprecedented campaigns of harassment at their personal residences which are facially designed to influence the Court’s abortion jurisprudence. This conduct is illegal under 18 U.S.C. § 1507 (“Section 1507”). But the Department has refused to enforce this provision despite public plea from numerous federal and state officials and media outlets. Many of these officials and media figures have stated that the Department’s failure to act represents an improper political decision. Some has gone so far as to explicitly state that the Department’s failure to enforce Section 1507 should undermine public confidence in the Department and cause the electorate to vote against the Democratic party in the mid-term elections. All of this has been widely covered and condemned in the press. The Request seeks records concerning these matters. Expedition is warranted.

Just last week, Attorney General Merrick Garland stated that: Faithful adherence to the rule of law is the bedrock principle of the Justice Department and of our democracy. Upholding the rule of law means applying the law evenly, without fear or favor. Under my watch, that is precisely what the Justice Department is doing.





214 Massachusetts Avenue, NE  
Washington, DC 20002

(202) 546-4400  
heritage.org

All Americans are entitled to the evenhanded application of the law, to due process of the law, and to the presumption of innocence. Attorney General Garland Delivers Remarks (Aug. 11, 2022), <https://www.justice.gov/opa/speech/attorney-general-merrick-garland-delivers-remarks> (last visited Aug. 18, 2022). FOIA is a law the Department must follow. And as regards my request for expedition they have not done so.

If I do not receive a decision on my expedition request by the close of business August 23, 2022, I will be compelled to file an action and seek a preliminary injunction to order expedition. By this letter I hope to prevent such motions practice.

If you have any questions, or feel you need clarification of this request please contact me at [oversightproject@heritage.org](mailto:oversightproject@heritage.org).

Sincerely,

Mike Howell  
Senior Advisor and Author at The Daily Signal  
The Heritage Foundation  
214 Massachusetts Ave, NE  
Washington, D.C. 20002

# **EXHIBIT 5**

**From:** [Villanueva, Valeree A \(OIP\)](#)  
**To:** [Jankowski, Roman](#)  
**Subject:** RE: Expedited Processing Follow-up Regarding FOIA Request FOIA-2022-1595  
**Date:** Tuesday, August 23, 2022 7:15:35 PM  
**Attachments:** [02. Acknowledgment Letter \(8.16.22\).pdf](#)  
[03. Email Sending Acknowledgement \(8.17.22\).pdf](#)

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Good evening,

This communication is in response to the letter attached to the email below concerning FOIA-2022-01595. Please be advised, about a week ago this Office signed and sent out a letter acknowledging the FOIA request and providing the expedition determination for FOIA-2022-01595. I am not sure why you did not receive the letter as it was sent to the email address provided in your organization's FOIA submission. To be of assistance, I am attaching a copy of the signed letter and a copy of the email transmission. I hope this is helpful.

Thank you,  
Valeree Villanueva

-----  
**Valeree Villanueva**  
Supervisory Government Information Specialist &  
FOIA Public Liaison  
Office of Information Policy  
U.S. Department of Justice  
Main: (202) 514-3642

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**From:** DOJ.OIP.FOIA (SMO) <DOJ.OIP.FOIA@usdoj.gov>  
**Sent:** Monday, August 22, 2022 10:38 AM  
**To:** OIP.Consult.Referrals <OIP.Consult.Referrals@usdoj.gov>  
**Subject:** FW: Expedited Processing Follow-up Regarding FOIA Request FOIA-2022-1595

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**From:** Jankowski, Roman <[Roman.Jankowski@heritage.org](mailto:Roman.Jankowski@heritage.org)>  
**Sent:** Saturday, August 20, 2022 2:54 PM  
**To:** DOJ.OIP.FOIA (SMO) <[DOJ.OIP.FOIA@usdoj.gov](mailto:DOJ.OIP.FOIA@usdoj.gov)>  
**Cc:** [samueledewey@sedchambers.com](mailto:samueledewey@sedchambers.com); OversightProject <[OversightProject@heritage.org](mailto:OversightProject@heritage.org)>  
**Subject:** [EXTERNAL] Expedited Processing Follow-up Regarding FOIA Request FOIA-2022-1595

Good afternoon,

Please see my letter regarding expedited processing follow-up regarding FOIA Request FOIA-2022-1595.

---

Roman Jankowski

*Senior Investigative Counsel, Oversight Project, Government Relations*

The Heritage Foundation

214 Massachusetts Avenue, NE

Washington, DC 20002

202-608-1503

[heritage.org](https://www.heritage.org)

# **EXHIBIT 6**



**U.S. Department of Justice**  
Office of Information Policy  
*Sixth Floor*  
*441 G Street, NW*  
*Washington, DC 20530-0001*

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Telephone: (202) 514-3642

August 16, 2022

Mike Howell  
The Heritage Foundation  
214 Massachusetts Avenue, NE  
Washington, DC 20002  
[oversightproject@heritage.org](mailto:oversightproject@heritage.org)

Re: FOIA-2020-01595  
DRH:MSH

Dear Mike Howell:

This is to acknowledge receipt of your Freedom of Information Act (FOIA) request dated and received in this Office on July 28, 2022, in which you requested records concerning protests at the residences of Supreme Court Justices since January 20, 2021.

You have requested expedited processing of your request pursuant to the Department's standard involving "[a] matter of widespread and exceptional media interest in which there exist possible questions about the government's integrity which affect public confidence." See 28 C.F.R. § 16.5(e)(1)(iv) (2018). Pursuant to Department policy, we directed your request to the Director of Public Affairs, who makes the decision whether to grant or deny expedited processing under this standard. See *id.* § 16.5(e)(2). The Director has determined that your request for expedited processing should be granted. Accordingly, your request has been assigned to an analyst in this Office and our processing of it has been initiated.

Although your request has been granted expedited processing, we are required to advise you that the records you seek require a search in and/or consultation with another Office, and so your request falls within "unusual circumstances." See 5 U.S.C. 552 § (a)(6)(B)(i)-(iii) (2018). Accordingly, we have not yet completed a search to determine whether there are records within the scope of your request. The time needed to process your request will necessarily depend on the complexity of our records search and on the volume and complexity of any records located. Any decision with regard to the application of fees will be made only after we determine whether fees will be implicated for this request. Your request has been assigned to the expedited track and will be processed as soon as practicable.

If you have any questions or wish to discuss reformulation or an alternative time frame for the processing of your request, you may contact the analyst handing your request, Monique Hill, by telephone at the above number or you may write to her at the above address. You may contact our FOIA Public Liaison, Valeree Villanueva, for any further assistance and to discuss any aspect of your request at: Office of Information Policy, United States Department of Justice, Sixth Floor, 441 G Street, NW, Washington, DC 20530-0001; telephone at 202-514-3642, or by e-mail at: [doj.oip.foia@usdoj.gov](mailto:doj.oip.foia@usdoj.gov).

-2-

To the extent that you are seeking records from the Office of the Solicitor General, Office of Legal Counsel, Criminal Division, Civil Division, Civil Rights Division, Executive Office for United States Attorneys, Federal Bureau of Investigation, and United States Marshals Service, you would need to direct your request to those Department components if you have not already done so. Contact information for these Department components can be found on [www.foia.gov](http://www.foia.gov).

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, MD 20740-6001; e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with my response to this request for expedited processing, you may administratively appeal by writing to the Director, Office of Information Policy, United States Department of Justice, Sixth Floor, 441 G Street, NW, Washington, DC 20530-0001, or you may submit an appeal through OIP's FOIA STAR portal by creating an account following the instructions on OIP's website: <https://www.justice.gov/oip/submit-and-track-request-or-appeal>. Your appeal must be postmarked or electronically submitted within ninety days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,

A handwritten signature in blue ink, appearing to read "Douglas R. Hibbard", with a small "DR" monogram at the end.

Douglas R. Hibbard  
Chief, Initial Request Staff

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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

\_\_\_\_\_)  
          *Plaintiff*          )  
                          )  
          v.                  )          Civil Action No.  
                          )  
\_\_\_\_\_)  
          *Defendant*      )

**SUMMONS IN A CIVIL ACTION**

To:    *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 30 days after service of this summons on you (not counting the day you received it) you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default may be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

*ANGELA D. CAESAR, CLERK OF COURT*

Date: \_\_\_\_\_

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*



Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I returned the summons unexecuted because \_\_\_\_\_; or

Other *(specify):* \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

_____	)	
<i>Plaintiff</i>	)	
	)	
v.	)	Civil Action No.
	)	
_____	)	
<i>Defendant</i>	)	

**SUMMONS IN A CIVIL ACTION**

To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 30 days after service of this summons on you (not counting the day you received it) you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default may be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

*ANGELA D. CAESAR, CLERK OF COURT*

Date: \_\_\_\_\_

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I returned the summons unexecuted because \_\_\_\_\_; or

Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

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---

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

\_\_\_\_\_)  
          *Plaintiff*          )  
                          )  
          v.                  )          Civil Action No.  
                          )  
\_\_\_\_\_)  
          *Defendant*      )

**SUMMONS IN A CIVIL ACTION**

To:    *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 30 days after service of this summons on you (not counting the day you received it) you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default may be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

*ANGELA D. CAESAR, CLERK OF COURT*

Date: \_\_\_\_\_

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I returned the summons unexecuted because \_\_\_\_\_; or

Other *(specify):* \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc: