



214 Massachusetts Avenue, NE
Washington, DC 20002
(202) 546-4400
heritage.org

January 10, 2023

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) regarding the discovery of classified records at the Penn Biden Center (to be known as the “Obama-Biden era classified records”) from the following offices: 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, National Security Division, U.S. Attorney’s Office for the District of Columbia, and the Special Counsel’s Office for John L. Smith, the office of the US Attorney for Northern District of Illinois, John Lausch.

Specifically, I am requesting from the DOJ:

- 1) All communications with White House Counsel’s Office regarding these Obama-Biden era classified records.
- 2) All communications with the National Archives (NARA) regarding these Obama-Biden era classified records.
- 3) All communications with President Joseph R. Biden’s personal attorneys regarding these Obama-Biden era classified records.
- 4) All internal DOJ communications regarding these Obama-Biden era records.
- 5) All calendars for DOJ political appointees concerning these Obama-Biden era records.
- 6) Any records that include the following: [“Penn Biden Center” OR “PennGlobal”].
- 7) Any records or communications that include the following: “@pbc.upenn.edu”.

Please limit the search for this request from October 25, 2022, to November 16, 2022.

The term “record” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or a 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, 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), graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), electronic or mechanical 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.

“Communications with,” “communications from,” and “communications between” means any communication involving the related parties, regardless of whether other persons were involved in the communication, and includes, but is not limited to, communications where one party is cc’d or bcc’d, both parties are cc’d or bcc’d, or some combination thereof.

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”



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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.

Please consider all members of a document “family” to be responsive to the Request if any single “member” of that “family” is responsive, regardless of whether the “family member” in question is “parent” or “child.”

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 takes longer than twenty (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 email address below.

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 the Agency believes 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,¹ broadcast media² (traditional and nontraditional), and

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

² Fox News. (Accessed: 2022, February 18). Heritage Foundation launches Conservative Oversight

press releases.³ The requested information is in the public interest because Attorney General Merrick Garland appointed the Justice Department's former Public Integrity Chief Jack Smith to oversee the Justice Department's criminal investigations involving former President Donald Trump's possible mishandling of classified documents and presidential records at Trump's Mar-A-Lago estate⁴ and how this is analogous to the possible mishandling of classified documents and presidential records by President Biden at that the Biden Penn Center in D.C..⁵

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 Signal⁵ (a major news outlet⁶), I actively gather information of potential interest to our Daily Signal audience, I use my editorial skills to turn raw materials into a distinct work, and I distribute that work to our Daily Signal audience through podcasts⁷ and articles. Therefore, 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.

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 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.*

Project aimed at 'exposing' Biden admin, leftist policies. <https://www.foxnews.com/politics/heritage-conservative-oversight-project-biden-admin-leftist-policies>

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

⁴NPR. (Accessed 2023, January 10). DOJ names Jack Smith as special counsel to oversee Trump criminal investigations. <https://www.npr.org/2022/11/18/1137736663/special-counsel-trump-justice-department-jan-6-mar-a-lago>

⁵ Fox News. (Accessed 2023, January 10). Classified documents from Biden's time as vice president discovered at Penn Biden Center, White House says. <https://www.foxnews.com/politics/classified-documents-bidens-time-vice-president-discovered-penn-biden-center-white-house-says>

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).⁶

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).⁷ 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 (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

⁶ *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.”).

⁷ 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).

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”).⁸

2. On November 2, President Biden’s Personal Attorneys provided Obama-Biden era classified records that were stored in the Penn Biden Center in D.C., as reported by CBS News on Monday⁹ and later reported by other outlets.¹⁰ These records were transmitted to the National Archives on November 2, six days before the midterm election. It has been reported that the National Archives referred the matter to the Department of Justice and that the Department of Justice is now investigating the matter. As Attachment 1 demonstrates, the press interest in these revelations is

⁸ 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).

⁹ CBS News. (Accessed: 2023, January 10). U.S. attorney reviewing documents marked classified from Joe Biden's vice presidency found at Biden think tank. <https://www.cbsnews.com/news/biden-center-classified-documents/>

¹⁰ CNN. (Accessed: 2023, January 10). Classified documents from Biden’s time as VP discovered in private office. <https://www.cnn.com/2023/01/09/politics/joe-biden-classified-documents-upenn/index.html>; NPR. (Accessed: 2023, January 10). Classified documents found at Penn Biden Center in Washington are under DOJ review. <https://www.npr.org/2023/01/09/1147977922/classified-documents-biden-doj-archives>; PBS. (Accessed: 2023, January 10). Justice Department reviewing potentially classified documents at Penn Biden Center; <https://www.pbs.org/newshour/politics/justice-department-reviewing-potentially-classified-documents-at-penn-biden-center>; the Daily Beast. DOJ Reviewing Classified Docs Discovered at Biden’s Former Think Tank. <https://www.thedailybeast.com/classified-documents-from-joe-bidens-vice-presidency-found-at-penn-biden-center>; Yahoo News. . (Accessed: 2023, January 10). Classified documents from Biden's vice-presidential office discovered at Penn Biden Center. <https://news.yahoo.com/classified-documents-bidens-vice-presidential-223200886.html>

immense and on-going.

As the articles cited in the margin and in Attachment 1 demonstrate, this press coverage has repeatedly surfaced “possible questions about the government’s integrity which affect public confidence.” On the most basic level the revelations that apparently classified records were found in an unsecured public facility raise questions about handling of classified information by the current President and his closest advisors. This plainly raises “*possible* questions about the government’s integrity which affect public confidence.” But these revelations take on a whole new dimension when contrasted against the decision by the President and Attorney General Merrick Garland to raid Mar-A-Lago as part of an inquiry into the former President’s alleged mishandling of putatively classified information. National news reporters have *repeatedly* raised the question of whether President Biden is being treated differently than President Trump. Many such reports have gone further and stated that the available evidence strongly supports a conclusion that President Biden received preferential treatment. Moreover, as many press reports have noted, the *timing* of the revelations that classified records were found at the Biden-Penn Center raises “possible questions about the government’s integrity which affect public confidence.” As reports note, the classified files were discovered prior the election and it appears that at a minimum NARA was notified that the files were located prior to the election. As coverage has asked, why was this information not made public prior the election? It likely would have had substantial electoral salience.¹¹ Coverage has also noted that NARA repeatedly put out public statements concerning President Trump, and asked why did they not do so here? Clearly, such coverage surfaces “possible questions about the government’s integrity which affect public confidence.”

¹¹ Cf. The Trafalgar Group. (Accessed: 2023, January 10). Nationwide Issues Survey Aug 2022. (Conducted 08/09/22 - 08/10/22) <https://www.thetrafalgargroup.org/wp-content/uploads/2022/08/COSA-FBI-Raid-Motivation-Full-Report-0810.pdf>



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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.

Sincerely,

Mike Howell
Director of the Oversight Project and
Author at The Daily Signal
The Heritage Foundation
214 Massachusetts Ave, NE
Washington, D.C. 20002



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APPENDIX 1

AP News Digest 7 am

The Associated Press | AP National News

Search Details

Search Query: biden and "classified records" or "classified documents"
Jurisdiction: FE

Delivery Details

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AP National News

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January 10, 2023

AP News Digest 7 am

The Associated Press

Here are the AP's latest coverage plans, top stories and promotable content. All times EST. For up-to-the minute information on AP's coverage, visit Coverage Plan at <https://newsroom.ap.org> .

TOP STORIES

CALIFORNIA STORMS — The latest in a relentless string of storms slammed California, swamping roads, battering coastlines with high surf, turning rivers into gushing flood zones and forcing the evacuation of thousands in towns with a history of deadly mudslides. By Christopher Weber and Stefanie Dazio. SENT: 1,010 words, photos, videos.

BRAZIL-CAPITAL UPRISING — Thousands of protesters in Rio de Janeiro and Sao Paolo demanded "No amnesty!" following a riot that invaded the heart of Brazil's capital Sunday in an effort to reinstall former President Jair Bolsonaro. The words evoke memories of an amnesty law that for decades has protected military members accused of abuse and murder during the country's 1964-85 dictatorship. By David Biller and Felipe Mello. SENT: 1,050 words, photos, videos. With **BRAZIL-UPRISING-EXPLAINER** — Roots of the Brazilian capital's chaotic uprising.

NORTH AMERICA SUMMIT — President Joe **Biden**, Mexican President Andres Manuel López Obrador and Canadian Prime Minister Justin Trudeau are meeting for a series of talks on migration, trade and climate change as they try to mend tensions that have divided the continent. By Colleen Long and Chris Sherman. SENT: 790 words, photos. UPCOMING: 990 words after meetings begin at 11:30 a.m.

VIRUS OUTBREAK-CHINA — China suspended issuing visas for South Koreans to come to the country for tourism or business in apparent retaliation for COVID-19 testing requirements imposed by South Korea on Chinese travelers, according to a notice posted by the Chinese Embassy in Seoul. By Ken Moritsugu. SENT: 1,020 words, photos. With **VIRUS OUTBREAK-CHINA-ROCKY RECOVERY** — China economy recovering but hampered by virus outbreaks; **VIRUS OUTBREAK-CHINA-EUROPE** — WHO Europe: no immediate COVID-19 threat from China.

RUSSIA-UKRAINE-WAR — Russian forces are escalating their onslaught against Ukrainian positions around the wrecked city of Bakhmut, Ukrainian officials said, bringing new levels of death and devastation in the grinding, monthslong battle for control of eastern Ukraine that is part of Moscow's wider war. By Andrew Meldrum. SENT: 800 words, photos.

CFP-CHAMPIONSHIP — Stetson Bennett threw two touchdown passes and ran for two scores in the first half as No. 1 Georgia demolished No. 3 TCU 65-7 to become the first team to win consecutive College Football Playoff national championships. By College Football Writer Ralph D. Russo. SENT: 1,060 words, photos. With **T25-COLLEGE FOOTBALL POLL** — Georgia becomes 12th back-to-back champ in AP Top 25 history.

TRENDING

BILLS-HAMLIN — Buffalo Bills safety Damar Hamlin back in Buffalo to continue recovery. SENT: 880 words, photos, video.

BRITAIN-PRINCE HARRY — Prince Harry accuses Camilla of "dangerous" leaks to media. SENT: 1,140 words, photos.

HALL OF FAME — USC's Reggie Bush, Tebow make College Football Hall of Fame. SENT: 540 words, photos.

PUERTO RICO-JOWELL & RANDY — Puerto Rico reggaeton singer accused of domestic violence. SENT: 110 words.

WASHINGTON

BIDEN-CLASSIFIED DOCUMENTS — The Justice Department is reviewing a batch of potentially **classified documents** found in the Washington office space of **Biden's** former institute, the White House said. By White House Correspondent Zeke Miller. SENT: 840 words, photo.

BIDEN-STUDENT LOANS — The White House is moving forward with a proposal that would lower student debt payments for millions of Americans now and in the future, offering a new route to repay federal loans under far more generous terms. By Education Writer Collin Binkley. SENT: 770 words, photo.

CONGRESS-HOUSE — Electing the House speaker may have been the easy part. Now House Republicans will try to govern. By Congressional Correspondent Lisa Mascaro. SENT: 1,070 words, photos. With **CONGRESS-IRS HOUSE** — GOP kicks off majority with vote to slash IRS funding.

GEORGIA ELECTION INVESTIGATION — The special grand jury in Atlanta that has been investigating whether then-President Donald Trump and his allies committed any crimes while trying to overturn his 2020 election loss in Georgia has finished its work, bringing the case closer to possible criminal charges against Trump and others. SENT: 780 words, photos.

NATIONAL

TRUMP-LEGAL TROUBLES-WEISSELBERG — Allen Weisselberg, a longtime executive for Trump's real estate empire whose testimony helped convict the former president's company of tax fraud, is set to be sentenced for dodging taxes on \$1.7 million in job perks. SENT: 770 words, photo. UPCOMING: Sentencing scheduled for 2:15 p.m.

SARAH HUCKABEE SANDERS-INAUGURATION — Former White House press secretary Sarah Huckabee Sanders takes the oath of office as Arkansas governor. SENT: 320 words, photos.

TEXAS EXECUTION — A former suburban Houston police officer was set to be executed for hiring two hit men to kill his estranged wife nearly 30 years ago. SENT: 640 words, photos. UPCOMING: Execution scheduled for after 7 p.m.

SQUEEGEE KIDS-ENFORCEMENT — Baltimore officials are rolling out a new plan to address squeegee kids that combines enforcing anti-panhandling at certain busy intersections with robust outreach aimed at connecting disadvantaged youth with jobs and other resources. SENT: 960 words, photos.

INTERNATIONAL

SAUDI ARABIA-HAJJ — Islam's annual hajj pilgrimage in Saudi Arabia will return to pre-pandemic levels this year after restrictions saw the annual religious commemoration curtailed over concerns about the coronavirus, authorities say. SENT: 540 words, photos.

ROMANIA-ANDREW-TATE — The divisive social media personality Andrew Tate arrived at a court in Romania in handcuffs to appeal against a judge's earlier decision to extend his arrest period from 24 hours to 30 days on charges of being part of an organized crime group, human trafficking and rape. SENT: 480 words, photos.

ITALY-POMPEII-RESTORED HOUSE — The newly restored remains of an opulent ancient house in Pompeii offer visitors an exceptional peek at details of domestic life in the doomed Roman city. SENT: 700 words, photos.

LEBANON-FRANCE — Lebanon's militant Hezbollah group condemned the cartoons published recently by the French satirical magazine Charlie Hebdo that mocked Iran's ruling clerics and urged France to punish the publication. SENT: 300 words, photo.

HEALTH/SCIENCE

MENTAL HEALTH-988 — The 988 mental health and suicide helpline has quickly expanded its reach in the six months since it launched. It has received just over 2 million calls, texts and chat message since July. SENT: 910 words, photos.

BRITAIN-SPACE-SATELLITE LAUNCH — British officials and scientists said they were disappointed but not deterred after the first attempt to launch satellites into orbit from the U.K. ended in failure. SENT: 380 words, photos.

BUSINESS/ECONOMY

FINANCIAL MARKETS — Asian stocks were mixed and European markets opened lower ahead of a U.S. inflation update that traders hope will encourage the Federal Reserve to ease off plans for more interest rate hikes. By Business Writer Joe McDonald. SENT: 460 words, photos.

ARTS/ENTERTAINMENT

GOLDEN GLOBE AWARDS — Comedian Jerrod Carmichael hosts the Golden Globe Awards, featuring movie and TV stars returning to a Beverly Hills ballroom after a series of controversies for the event's organizers, the Hollywood Foreign Press Association. By Film Writer Jake Coyle. SENT: 750 words, photos, video. UPCOMING: Ceremony begins at 8 p.m. With GOLDEN GLOBE AWARDS-LIST — Running list of winners.

HOW TO REACH US

At the Nerve Center, Richard A. Somma can be reached at 800-845-8450 (ext. 1600). For photos, Donald E. King (ext. 1900). For graphics and interactives, ext. 7636. Expanded AP content can be obtained from <http://newsroom.ap.org> . For access to AP Newsroom and other technical issues, contact apcustomersupport@ap.org or call 844-777-2006.

---- Index References ----

Company: Internal Revenue Service; Federal Reserve Board; Hollywood Foreign Press Association; BUFFALO BILLS INC.

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Industry: (Celebrities (1CE65); Coronavirus (1CV19); Entertainment (1EN08); Healthcare (1HE06); Infectious Diseases (1IN99); Viral (1VI15))

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End of Document

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NewsRoom

AP Top News at 12:38 p.m. EST

The Associated Press | AP Online

Search Details

Search Query: biden and "classified records" or "classified documents"
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Delivery Details

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1/10/23 Associated Press (AP) Newswires 05:00:00

AP Online

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January 10, 2023

AP Top News at 12:38 p.m. EST

The Associated Press

DENVER (AP) — Costly weather disasters kept raining down on America last year, pounding the nation with 18 climate extremes that caused at least \$1 billion in damage each, totaling more than \$165 billion, federal climate scientists calculated Tuesday. Even though 2022 wasn't near record hot for the United States, it was the third wildest year nationally both in number of extremes that cost \$1 billion and overall damage from those weather catastrophes, the National Oceanic and Atmospheric Administration said in a report issued at the American Meteorological Society's conference. The amount, cost and death toll of billion-dollar weather disasters make up a key measurement, adjusted for inflation, that NOAA uses to see how bad human-caused climate change is getting.

LOS ANGELES (AP) — California saw little relief from drenching rains Tuesday as the latest in a relentless string of storms swamped roads, turned rivers into gushing flood zones and forced thousands of people to flee from towns with histories of deadly mudslides. At least 14 people have died since last week. The storm prompted a few tornado warnings early Tuesday and brought heavy snow to the Sierra Nevada a day after dumping up to 14 inches (36 centimeters) of rain at higher elevations in central and Southern California. Miles of Sierra highways were subject to chain requirements and closures due to whiteout conditions, and avalanche warnings were posted in the backcountry.

NOAA: Ian, drought supercharged US weather extremes in 2022

California storms persist with deluges, mudslide threats

'What madness looks like': Russia intensifies Bakhmut attack

KYIV, Ukraine (AP) — Russian forces are escalating their onslaught against Ukrainian positions around the wrecked city of Bakhmut, Ukrainian officials said, bringing new levels of death and devastation in the grinding, monthslong battle for control of eastern Ukraine that is part of Moscow's wider war. "Everything is completely destroyed. There is almost no life left," Ukrainian President Volodymyr Zelenskyy said late Monday of the scene around Bakhmut and the nearby Donetsk province city of Soledar. "The whole land near Soledar is covered with the corpses of the occupiers and scars from the strikes," Zelenskyy said. "This is what madness looks like." The Kremlin, whose invasion of its neighbor 10 1/2 months ago has suffered numerous reversals, is hungry for victories.

GOP requests intel 'damage assessment' of Biden documents

WASHINGTON (AP) — The top Republican on the House Intelligence Committee has requested that the U.S. intelligence community conduct a "damage assessment" of potentially **classified documents** found in the Washington office space of President Joe **Biden's** former institute, Rep. Mike Turner sent the request Tuesday to Director of National Intelligence Avril Haines, saying that **Biden's** retention of the documents put him in "potential violation of laws protecting national security, including the Espionage Act and Presidential Records Act." Irrespective of a federal review, the revelation that **Biden** potentially mishandled **classified** or presidential **records** could prove to be a political headache for the president, who called former

President Donald Trump's decision to keep hundreds of such records at his private club in Florida "irresponsible." **Biden** ignored shouted questions about the matter Tuesday during a bilateral meeting with Canadian Prime Minister Justin Trudeau in Mexico.

'No amnesty!': Brazilian protests demand jail for rioters

RIO DE JANEIRO (AP) — "No amnesty! No amnesty! No amnesty!" The chant reverberated off the walls of the jam-packed hall at the University of Sao Paulo's law college on Monday afternoon. Hours later, it was the rallying cry for thousands of Brazilians who streamed into the streets of Rio de Janeiro and Sao Paulo, penned on protest posters and banners. The words are a demand for retribution against supporters of former President Jair Bolsonaro who stormed Brazil's capital Sunday, and those who enabled the rampage. "These people need to be punished, the people who ordered it need to be punished, those who gave money for it need to be punished," Bety Amin, a 61-year-old therapist, said on Sao Paulo's main boulevard.

Birth control ruling to see fresh scrutiny at Texas Capitol

AUSTIN, Texas (AP) — Samantha Sorsby-Jones watched friends at her Texas high school go to great lengths to get birth control: Secretly arranging rides to clinics that didn't require parental consent and hiding phones in bushes in case parents were tracking them. Starting Tuesday, access to reproductive health care is likely to command fresh scrutiny before the Republican-controlled Texas Capitol, where new restrictions are on the table in the first session since a stringent statewide abortion ban took effect. Texas' abortion ban is one of the nation's strictest, allowing no exceptions in cases of rape or incest, and Republican leaders have been noncommittal about adding carveouts over the next five months.

'Diamond,' of pro-Trump duo Diamond and Silk, dies at 51

RALEIGH, N.C. (AP) — Lynette Hardaway, known by the moniker "Diamond" of the conservative political commentary duo Diamond and Silk, has died, former President Donald Trump and the pair's official Twitter account announced. She was 51. Hardaway and her sister, Rochelle "Silk" Richardson, rose to prominence during the 2016 presidential campaign cycle when they appeared on stage in support of Trump, who embraced the two Black women amid widespread accusations of racism and sexism. Hardaway's cause of death hasn't been released. Trump, who called her death "really bad news for Republicans" in a Monday night post on his Truth Social platform, said it was "totally unexpected." "Our beautiful Diamond of Diamond and Silk has just passed away at her home in the State she loved so much, North Carolina," Trump wrote.

Rep. Katie Porter seeking Feinstein's Senate seat in 2024

LOS ANGELES (AP) — Democratic Rep. Katie Porter of California said Tuesday she will seek the U.S. Senate seat currently held by Sen. Dianne Feinstein, a fellow Democrat and the oldest member of the chamber. "Especially in times like these, California needs a warrior in Washington," Porter said in a video posted on Twitter. "That's exactly why I'm announcing my candidacy for the United States Senate in 2024." Porter was first elected to Congress in 2018 and won a tight race for reelection to her newly redrawn Southern California district in November. She said in the video that she has "challenged the status quo" in Washington, taking on "big banks," Wall Street and the pharmaceutical industry.

Cries for help pour into 988 mental health, suicide line

HYATTSVILLE, Md. (AP) — When Jamieson Brill answers a crisis call from a Spanish speaker on the newly launched national 988 mental health helpline, he rarely mentions the word suicide, or "suicidio" Brill, whose family hails from Puerto Rico, knows that just discussing the term in some Spanish-speaking cultures is so frowned upon that many callers are too scared to even admit that they're calling for themselves. "However strong stigma around mental health concerns is in English-speaking cultures, in Spanish-speaking cultures it is triple that," said Brill, who helps people navigate mental health crises from a tiny brick building tucked away in Hyattsville, Maryland.

After hype, readers get hands on Prince Harry's 'Spare'

LONDON (AP) — After weeks of hype and days of leaks, readers got a chance to judge Prince Harry's book for themselves when it went on sale around the world on Tuesday. The book's publisher said "Spare" sold 400,000 copies in the U.K. in all formats — hardback, e-book and audio — on its first day. "As far as we know, the only books to have sold more in their first day are those starring the other Harry (Potter)," said Larry Finlay, managing director of Transworld Penguin Random House. A few stores in Britain opened at midnight to sell copies to diehard royal devotees and the merely curious.

---- Index References ----

Company: National Oceanic and Atmospheric Administration; UNITED STATES SENATE; AMERICAN METEOROLOGICAL SOCIETY, INC.

News Subject: (Emerging Market Countries (1EM65); Floods (1FL85); Natural Disasters (1NA67); Precipitation (1PR03); Weather & Climate (1WE93))

Industry: (Earth Science (1EA85); Healthcare (1HE06); Healthcare Practice Specialties (1HE49); Healthcare Services (1HE13); Meteorology (1ME62); Psychiatric Services (1PS61); Science (1SC89); Science & Engineering (1SC33))

Region: (Americas (1AM92); Brazil (1BR84); California (1CA98); Canada (1CA33); Latin America (1LA15); North America (1NO39); North Carolina (1NO26); South America (1SO03); Texas (1TE14); U.S. Southeast Region (1SO88); U.S. Southwest Region (1SO89); U.S. West Region (1WE46); USA (1US73))

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NewsRoom

GOP requests intel 'damage assessment' of Biden documents

The Associated Press | AP Washington Report

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January 10, 2023

GOP requests intel 'damage assessment' of Biden documents

The Associated Press

WASHINGTON

WASHINGTON (AP) — The top Republican on the House Intelligence Committee has requested that the U.S. intelligence community conduct a "damage assessment" of potentially **classified documents** found in the Washington office space of President Joe **Biden's** former institute,

Rep. Mike Turner sent the request Tuesday to Director of National Intelligence Avril Haines, saying that **Biden's** retention of the documents put him in "potential violation of laws protecting national security, including the Espionage Act and Presidential Records Act."

Irrespective of a federal review, the revelation that **Biden** potentially mishandled **classified** or presidential **records** could prove to be a political headache for the president, who called former President Donald Trump's decision to keep hundreds of such records at his private club in Florida "irresponsible."

Biden ignored shouted questions about the matter Tuesday during a bilateral meeting with Canadian Prime Minister Justin Trudeau in Mexico.

Turner's request came a day after the White House confirmed that the Department of Justice was reviewing "a small number of **documents** with **classified** markings." The **documents** were discovered as **Biden's** personal attorneys were clearing out the offices of the Penn **Biden** Center, where the president kept an office after he left the vice presidency in 2017 until shortly before he launched his presidential campaign in 2019, the White House said.

"Those entrusted with access to classified information have a duty and an obligation to protect it," said Turner in a letter to Haines. "This issue demands a full and thorough review."

The documents were found on Nov. 2, 2022, in a "locked closet" in the office, according to special counsel to the president Richard Sauber.

Sauber said the attorneys immediately alerted the White House Counsel's office, which notified the National Archives and Records Administration — which took custody of the documents the next day.

"Since that discovery, the President's personal attorneys have cooperated with the Archives and the Department of Justice in a process to ensure that any Obama-Biden Administration records are appropriately in the possession of the Archives," Sauber said.

A person who is familiar with the matter but not authorized to discuss it publicly said Attorney General Merrick Garland asked U.S. Attorney for the Northern District of Illinois John Lausch to review the matter after the Archives referred the issue to the department. Lausch is one of the few U.S. attorneys to be held over from Trump's administration.

Trump weighed in Monday on his social media site, asking, "When is the FBI going to raid the many homes of Joe **Biden**, perhaps even the White House?"

Republicans have just taken control of the House of Representatives and are promising to launch widespread investigations of **Biden's** administration.

The revelation also may complicate the Justice Department's consideration of whether to bring charges against Trump, who is trying to win back the White House in 2024 and has repeatedly claimed the department's inquiry into of his own conduct amounted to "corruption."

The National Archives did not immediately respond to a request for comment Monday. Spokespeople for Garland and Lausch declined to comment.

Rep. James Comer, the new GOP chairman of the House Oversight Committee, said Monday that the revelation raised questions about the Justice Department's handling of the Trump probe.

"Is the White House going to be raided tonight? Are they going to raid the Bidens?" he asked reporters. "This is further concern that there's a two-tier justice system within the DOJ with how they treat Republicans versus Democrats, certainly how they treat the former president versus the current president."

His Democratic counterpart, Rep. Jamie Raskin, said **Biden's** attorneys "appear to have taken immediate and proper action."

"I have confidence that the attorney general took the appropriate steps to ensure the careful review of the circumstances surrounding the possession and discovery of these documents and make an impartial decision about any further action that may be needed," he added.

Rep. Jim Jordan, R-Ohio, chair of the powerful House Judiciary Committee, said Monday that the American public deserved to know earlier about the classified documents.

"They knew about this a week before the election, maybe the American people should have known that," Jordan told reporters. "They certainly knew about the the raid on Mar-a-Lago 91 days before this election, but nice if on November 2, the country would have known that there were classified documents at the Biden Center."

Jordan is among House Republicans pushing for the creation of a "select subcommittee on the Weaponization of the Federal government" within the Judiciary Committee.

It wasn't immediately clear why the White House didn't disclose the discovery of the documents or the DOJ review sooner. CBS was first to report Monday on the discovery of the potentially classified documents.

The Justice Department for months has been investigating the retention of roughly 300 documents that were marked as classified and were recovered from the Trump's Florida estate. In that instance, prosecutors say, representatives of Trump resisted requests to give back the full stash of classified documents and failed to fully comply with a subpoena that sought their return.

FBI agents in August served a search warrant at the Mar-a-Lago property, removing 33 boxes and containers.

That investigation is being led by special counsel Jack Smith. Prosecutors have interviewed an array of Trump associates and have been using a grand jury to hear evidence.

Democrats made a similar request of the director of national intelligence in August following the search of Mar-a-Lago. Reps. Carolyn Maloney and Adam Schiff, who then led the House Oversight and Intelligence committees, asked Haines for an "immediate review and damage assessment," alleging that Trump "has potentially put our national security at grave risk."

Haines agreed in September to conduct a "risk assessment" instead, different from a formal "damage assessment" that carries specific requirements under intelligence regulations.

The risk assessment was to examine the documents seized at Mar-a-Lago for classification as well as "the potential risk to national security that would result from the disclosure of the relevant documents."

Intelligence officials are not believed to have briefed Congress on their assessment in the four months since, according to public statements from lawmakers. Haines noted in her letter that any risk assessment would not "unduly interfere" with the Justice Department's criminal investigation into the documents seized at Mar-a-Lago.

Associated Press writers Nomaan Merchant, Eric Tucker and Farnoush Amiri in Washington, Colleen Long in Mexico City and Michael Tarm in Chicago contributed.

This story was first published on Jan. 9, 2023.

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Company: Federal Bureau of Investigation; National Archives and Records Administration; INTEL CORPORATION

News Subject: (Government (1GO80); Government Litigation (1GO18); Legal (1LE33); Legislation (1LE97))

Industry: (Security (1SE29); Security Agencies (1SE35))

Region: (Americas (1AM92); Canada (1CA33); Florida (1FL79); Illinois (1IL01); North America (1NO39); U.S. Midwest Region (1MI19); U.S. Southeast Region (1SO88); USA (1US73))

Language: EN

Other Indexing: (GOP; House Intelligence Committee; White House; Department of Justice; Penn **Biden** Center; Obama-**Biden** Administration; House Republicans; House of Representatives; Justice Department; House Oversight Committee; DOJ; House Judiciary Committee; CBS; Congress; FBI; National Archives and Records Administration; intel)

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NewsRoom

Classified docs from Biden's VP days found in private office

Shawna Chen | Axios

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January 10, 2023

Classified docs from **Biden's** VP days found in private office

Shawna Chen

Jan 09, 2023

President **Biden's** special counsel confirmed Monday that **classified documents** from his time as vice president were discovered in a private office space and turned over to the National Archives in November.

Driving the news: The documents were found while **Biden's** personal attorneys were packing files housed in a locked closet at the Penn **Biden** Center, which **Biden** periodically used from mid-2017 until the start of his 2020 campaign, according to special counsel Richard Sauber. The White House is cooperating with the National Archives and Department of Justice, Sauber noted.

"On the day of this discovery, November 2, 2022, the White House Counsel's Office notified the National Archives. The Archives took possession of the materials the following morning." "The discovery of these documents was made by the President's attorneys, Sauber added in the statement. "The documents were not the subject of any previous request or inquiry by the Archives." "Since that discovery, the President's personal attorneys have cooperated with the Archives and the Department of Justice in a process to ensure that any Obama-**Biden** Administration **records** are appropriately in the possession of the Archives." CBS News first reported the story.

The big picture: **Classified documents** were similarly found outside the National Archives last summer when the FBI seized boxes of **records** from former President Trump's Mar-a-Lago estate.

The Department of Justice is investigating Trump for his handling of **classified** information, though Trump has claimed that presidents can declassify documents " even by thinking about it ." It's unclear if any investigation will be launched based on the discovery of **records** in the private office **Biden** used. The National Archives and the Department of Justice did not immediately return requests for comment.

What they're saying: "President **Biden** has stated that taking **classified documents** from the White House is 'irresponsible,'" House Committee on Oversight and Accountability chair James Comer (R-Ky.) said in a statement.

"Under the **Biden** Administration, the Department of Justice and National Archives have made compliance with the Presidential **Records** Act a top priority. We expect the same treatment for President **Biden**, who has apparently inappropriately maintained **classified documents** in an insecure setting for several years."

This is a breaking news story and will be updated with more information.

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News Subject: (Conventions, Conferences & Trade Shows (1CO42))

Industry: (Accounting (1AC78); Accounting, Consulting & Legal Services (1AC73); Blockchain (1BC01); I.T. (1IT96); Security (1SE29); Security Agencies (1SE35))

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US reviewing classified papers tied to Biden center

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US reviewing classified papers tied to Biden center

WASHINGTON - The Justice Department is reviewing a batch of **classified documents** that were found in President **Biden's** former office at a Washington think tank last fall, the White House said Monday.

The documents, which date to **Biden's** time as vice president, were found by his personal lawyers on Nov. 2 when they were packing files at an office at the Penn **Biden** Center for Diplomacy and Global Engagement, according to the White House. Officials did not describe what kind of information the documents included or their level of **classification**.

The White House said in a statement that the White House Counsel's Office notified the National Archives and **Records** Administration on the same day the documents were found and that they were turned over the following day. The discovery was not in response to any request from the archives, nor is there any indication that **Biden** or his team resisted efforts to recover these or any other sensitive documents.

Senior Justice Department officials have assigned John R. Lausch Jr., the US attorney in Chicago who was appointed by former president Donald Trump, to look into the matter, according to two people familiar with the decision, confirming a CBS News report. The White House statement said that it "is cooperating" with the department.

Trump, who is under criminal investigation for taking hundreds of classified documents when he left the White House and failing to return all of them even after being subpoenaed by the government, jumped on the news. "When is the FBI going to raid the many houses of Joe Biden, perhaps even the White House?" he wrote on his social media platform Truth Social. "These documents were definitely not declassified."

The latter line in Trump's statement appeared to refer to his disputed claim in public that before leaving office, he declassified all the documents the FBI found at his Mar-a-Lago estate in Florida. No credible evidence has emerged to support that claim, and his lawyers have resisted repeating it in court, where there are professional consequences for lying. In any case, the potential charges the FBI cited in the search warrant affidavit do not depend on whether intentionally mishandled **documents** were **classified**.

But while Trump tried to suggest a parallel, the circumstances of the **Biden** discovery as described so far are significantly different. Unlike Trump, **Biden** was not under review for his handling of documents nor did he refuse to turn them over, according to the White House statement. By promptly revealing the discovery to the archives and returning them within a day, **Biden** made no known effort to resist the proper disposition of the papers.

Still, whatever the legal questions, as a matter of political reality, the discovery will make the optics of the Justice Department potentially charging Trump over his handling of the documents more difficult. Attorney General Merrick Garland has assigned that investigation, along with one into Trump's efforts to overturn the 2020 election results and the Jan. 6 attack on Congress, to Jack Smith, serving as a special counsel.

New York Times

Santos broke campaign finance laws, watchdog says

A complaint filed Monday with the Federal Election Commission accused Representative George Santos, Republican from New York, who has admitted to fabricating key details of his biography, of wide-ranging campaign finance violations.

The alleged wrongdoing includes masking the true source of his campaign's funding, misrepresenting his campaign's spending, and using campaign resources to cover personal expenses.

The complaint, filed by the nonpartisan Campaign Legal Center, could propel a formal investigation into Santos by the federal regulator, the latest chapter in a saga testing the boundaries of political falsehood.

Santos has been revealed to have lied about his heritage, education, and professional qualifications during his campaign for Congress last year.

The complaint names Santos and his primary campaign committee, along with his company, the Devolder Organization, and his treasurer, Nancy Marks.

Santos, whose election to Congress on Long Island last year helped the GOP secure its narrow majority, did not immediately respond to a request for comment. Marks has not responded to phone calls in recent days.

Washington Post

Jury chosen in trial of Proud Boys leader, four others

WASHINGTON - A jury was chosen on Monday for the seditious conspiracy trial of former Proud Boys leader Enrique Tarrío and four other far-right extremist group members charged with plotting to stop the transfer of presidential power by attacking the US Capitol after the 2020 election.

Jurors are expected to hear attorneys' opening statements in Washington's federal court on Wednesday after the panel is sworn in, defense attorney Carmen Hernandez said. It's one of the most serious cases to emerge from the insurrection that halted Congress' certification of Joe **Biden's** victory.

Jury selection took 10 days of questioning as many potential jurors expressed negative views about the Proud Boys. The panel ultimately chosen includes seven men and nine women, WUSA-TV reported.

Tarrío and his co-defendants could face up to 20 years behind bars if convicted of seditious conspiracy. Opening statements will begin more than a month after a jury convicted two leaders of another extremist group, the Oath Keepers, of seditious conspiracy for what prosecutors said was a separate plot to stop the transfer of presidential power.

The Nov. 29 guilty verdicts for Oath Keepers founder Stewart Rhodes and Florida chapter leader Kelly Meggs were the first seditious conspiracy trial convictions in decades.

A trial for four other Oath Keepers charged with seditious conspiracy started earlier this month in Washington.

Tarrio, of Miami, was the national chairman of the Proud Boys when a mob that included several of its members stormed the Capitol on Jan. 6.

Defense attorneys have said there was never any plan to go into the Capitol or stop Congress' certification of the vote.

The others on trial - Ethan Nordean, Zachary Rehl, Dominic Pezzola, and Joseph Biggs - also are charged with other riot-related crimes besides seditious conspiracy. The sedition charge carries a maximum sentence of 20 years in prison.

Associated Press

Postal Service says it delivered during '22 election

WASHINGTON - The Postal Service delivered more than 54 million ballots for the midterm election, with nearly 99 percent of ballots delivered to election officials within three days, officials said Monday.

The Postal Service's postelection analysis showed that on average it took under two days to deliver completed ballots.

By the end of the Dec. 6 Georgia Senate runoff, the Postal Service had delivered 54.4 million ballots to and from voters, officials said.

They added that the number could be even higher because the report doesn't take into account ballots that were diverted from the normal flow to accelerate delivery and ballots that were not properly identified.

The Postal Service was dogged by backlogs and questions ahead of the 2020 presidential election in which a record-setting number of ballots were cast.

Associated Press

A DIPLOMATIC WELCOME - Vice President Kamala Harris ceremonially swears in Elizabeth Bagley as ambassador to Brazil Monday at the Eisenhower Executive Office Building on the White House complex in Washington. Also pictured are Bagley's son Conor, and daughter, Vaughan.

---- **Index References** ----

Company: POSTAL SERVICES HOLDING COMPANY LIMITED; Federal Election Commission; The Campaign Legal Center, Inc.; National Archives and Records Administration; THE NEW YORK TIMES COMPANY

News Subject: (Campaigns & Elections (1CA25); Global Politics (1GL73); Government (1GO80); Government Litigation (1GO18); Legal (1LE33); Public Affairs (1PU31); World Elections (1WO93))

Industry: (Postal Services (1PO50))

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Language: EN

Other Indexing: (White House Counsel's Office; Penn **Biden** Center for Diplomacy and Global Engagement; Congress; Devolder Organization; GOP; Proud Boys; Postal Service; Federal Election Commission; Campaign Legal Center; National Archives and Records Administration; New York Times) (Washington, District of Columbia)

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Deadly Storms Slam the West Coast; Tracking Severe Weather; Dangerous Storms Moving East; Classified Documents Found at Penn Biden Center; New De...

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Deadly Storms Slam the West Coast; Tracking Severe Weather; Dangerous Storms Moving East; Classified Documents Found at Penn Biden Center; New De...

Deadly Storms Slam the West Coast; Tracking Severe Weather; Dangerous Storms Moving East; Classified Documents Found at Penn Biden Center; New Details in Virginia Teacher Shooting; Damar Hamlin Released from Hospital; College Football Blowout; Santos Finances Under Scrutiny; Bolsonaro Faces New Scrutiny; Reaction to Harry's Royal Revelations; Gayle Hits High Notes; Books for New Year Goals; Deion Sanders Live; CBS MORNINGS Deals. CBS

GAYLE KING: Welcome, welcome to CBS MORNINGS on this Tuesday, I'm Gayle King.

NATE BURLESON: I'm Nate Burleson.

VLADIMIR DUTHIERS: And I'm Vladimir Duthiers.

GAYLE KING: Vlad is here. Tony is off today. We're in good hands. We're all here. Let's go to today's "Eye opener." It's your world in 90 seconds.

A wave of deadly storms knocks out power and forces evacuations in California, we are there tracking the damage.

MAN: In California, more heavy rain is on the way. It is round after round after round of rain.

NATE BURLESON: **Documents** marked **classified** are found in an office used by President **Biden** before he was elected.

REP. JAMES COMER (R-KY): What's the difference in what President Trump did versus what we now know President **Biden** did?

MAN: President **Biden** is attending the North American Leaders Summit today in Mexico City where he is going to address trade, drug smuggling and immigration.

VLADIMIR DUTHIERS: And Republican Congressman George Santos faces new allegations about where he got the money to run.

SCOTT MACFARLANE: Mr. Santos, there are some campaign finance concerns. There are questions about your finances --

WOMAN: Growing calls for the Biden administration to expel former Brazilian President Bolsonaro after his supporters stormed the country's capital.

MAN: A snowboarder fighting to stay alive during an avalanche in the Utah mountains.

MAN: Damar Hamlin is back in Buffalo after suffering cardiac arrest where doctors say he is doing well.

DR. TIMOTHY PRITTS (University of Cincinnati Medical Center): When the opening kickoff was run back, he jumped up and down. He set, I think, every alarm off in the ICU in the process.

JIMMY KIMMEL ("Jimmy Kimmel Live" host): We're all hoping that you're well and back on the field as soon as possible, maybe watch golf for a little bit.

MAN: Dogs versus Frogs may for a lopsided national championship.

MAN: One handed catch for a touchdown. And the highlight reel continues.

MAN: Georgia wins 65 to seven.

MAN: The most emphatic dominant championship performance in the modern era college football and once again, the Georgia Bulldogs are national champions.

(ANNOUNCEMENTS)

GAYLE KING: They are celebrating in Georgia. Here, it was quite the blowout.

NATE BURLESON: Yes. Bulldogs were hunting frogs.

GAYLE KING: Yes, and came out on top. Again, two years in a row. Congratulations, Georgia. Congratulations.

NATE BURLESON: That's right. Congratulations.

GAYLE KING: We welcome you to CBS MORNINGS. No congratulations for us here about what we're going to do today because we're taking a little step outside our comfort zone. It's a new -- thank you Vlad -- Hercules, Hercules, Hercules.

We've got a new series, it is called "Never Too Late." So what happens here? Each of us is doing something we've always wanted to try, but never did. So in my particular case, it's about using my voice.

(Begin VT)

STEVIE MACKEY (Vocal coach): Loud as you can, give it to me.

GAYLE KING: Oh yes. See that's --

STEVIE MACKEY: Okay, yes, it is a little rough right there. It is a little rough right there.

GAYLE KING: Yes.

(End VT)

GAYLE KING: You can see this little dog. I love that shot. Yep, I'm taking voice lessons. There you go and getting some big help from a super duper talented couple, Grammy-winning producer, that's David Foster. He's a legend and singer Katharine McPhee, she is very good. She also happens to be David's wife.

David Foster has worked with Whitney and with Celine and now, it's not he's working with me, I should say I get to work with him.

NATE BURLESON: That was the real deal coaching. It's a little rough right there. A little rough right there.

All right, plus, it's never too early for primetime. We're talking to NFL, Hall of Famer Deion Sanders about his big new coaching gig at Colorado and his new docuseries about his amazing run at Texas State.

VLADIMIR DUTHIERS: And this morning, we are also following a story first reported by CBS News. Documents marked classified were found inside an office used by Joe Biden before he was President of the United States.

We will have our original reporting on that in just a minute, but we begin with a series of deadly storms hammering the West Coast, causing massive flooding and widespread power outages affecting tens of thousands of people.

Around 90 percent of the State's residents are under flood watches this morning. Carter Evans is in Santa Cruz County in the northern part of the state.

Carter, good morning.

CARTER EVANS: Good morning.

We're seeing a break in the rain right now in this Santa Cruz area, but this neighborhood, as you can see is just inundated with flood water.

Over the last couple of weeks, California has seen quadruple its normal rainfall. And right now, thousands of people up and down the coast are facing mandatory evacuation orders.

(Begin VT)

CARTER EVANS: California needs water, but not like this.

Besieged by weeks of powerful storms, the ground here is saturated that's leading to landslides and debris flow. In Los Angeles County, torrential downpours opened up this sinkhole overnight, it swallowed two occupied cars. Firefighters had used ladders to rescue the driver and a teenager from the 15-foot pit.

In San Luis Obispo County, at least one person died when their car was overtaken. And a five-year-old boy went missing during a rescue, believed to have been swept away.

In Santa Cruz County, the San Lorenzo River quickly climbed to a major flood stage.

SUMMER MANGRUM (Santa Cruz County resident): We've been out of power. We just got it back on for only one day to lose it again.

CARTER EVANS: Mud soaked hillsides are sliding down; this one blocked the highway into town.

WOMAN: It's like a like a rat trying to get out of a maze trying to find the different little route to get through.

ELLEN DEGENERES (Talk show host): This is crazy.

CARTER EVANS: Ellen DeGeneres is one of thousands of Santa Barbara County residents facing mandatory evacuation orders.

ELLEN DEGENERES: This creek next door our house never flows ever.

CARTER EVANS: Our Elise Preston is there.

ELISE PRESTON: Here in Montecito, families spent Monday evacuating the coastal city as incessant rain pounded the area. The 101, a major highway here in California is shut down because of flooding like this.

Shelters are open for families to stay safe.

CARTER EVANS: Back in Northern California, high surf slammed waterfront businesses in Capitola.

So this restaurant has been in the family for decades. Have you ever seen damage like this before?

JOSH WHITBY (Kitchen manager): I have not.

CARTER EVANS: Kitchen manager, Josh Whitby (sp?) says it'll take months to rebuild.

(End VT)

CARTER EVANS: Right now, they are hoping to be back in business by Memorial Day. In the meantime, coastal neighborhoods like this one in Central California are facing a high surf warning with the potential for waves, get this, up to 25 feet today -- Gayle.

GAYLE KING: Boy, Carter, California having a very tough time. Thank you so much.

For more on what's still to come, let's bring in meteorologist, Stephanie Abrams from our partners at The Weather Channel. Stephanie, good morning, those pictures are not looking good.

STEPHANIE ABRAMS (The Weather Channel meteorologist): No, and we could see more of that especially in Southern California, where there's a potential we could see more river and also street flooding.

But we're also concerned about rock slides and mudslides, especially in those burn areas and those that are downhill from all those burn scars.

Today is just a recipe for disaster. We have more rain coming in. We've got the steep terrain and burned soil. Did you know that burned soil can be as water repellent as pavement, and of course, we have the loss of trees, which holds all that soil in place.

Now this energy coming into the west coast on Tuesday, gets into the mountains on Wednesday, and we're going to see snow coming down. Then it expands into the middle of the country for our Thursday and reaches the East Coast as we head into our Friday and you see some snow on the backside of that.

On the southern side of this, we actually have the potential for severe weather as we head into our Wednesday and then into our Thursday, there is a better chance for storms from Georgia on into Alabama.

For more in depth coverage, you can watch The Weather Channel on cable or live on your favorite TV streaming devices and Gayle, behind the system, we do have some cooler temperatures, but the warmth will come back strong next week.

GAYLE KING: All right, looking forward to that. And Stephanie, can I just tell you this? I never knew anything at all about burned soil. So thank you. We'll see you next time.

STEPHANIE ABRAMS: There you go. You're welcome.

NATE BURLESON: As Vlad mentioned earlier, we have a developing story concerning the possible mishandling of **classified** information first reported by CBS News.

The Justice Department is overseeing a review of roughly 10 **documents** marked **classified**. They were found in an office space that President **Biden** used before he was elected. The documents come from Mr. **Biden's** time as vice president and their exact nature and level of **classification** is unclear.

Adriana Diaz was first to report this story.

Adriana, good morning.

ADRIANA DIAZ: Good morning.

Three sources confirmed this story to our CBS News team. Now, a preliminary inquiry by the Justice Department is nearing its conclusion. But as soon as we broke this news, it set off a political firestorm with Republicans who now control the House of Representatives and they are asking for answers.

(Begin VT)

ADRIANA DIAZ: CBS News learned roughly 10 **documents** marked **classified** were found inside this former office of President **Biden** right across from the US Capitol. Sources told CBS News, the Justice Department launched the review into the matter after the President's personal lawyers found a small number of **documents** with **classified** markings in a locked closet, according to a White House lawyer.

The documents were discovered in early November while the attorneys were packing up the office at the Penn **Biden** Center, a foreign policy research institute that the White House said Mr. **Biden** used as an office periodically from 2017 until the start of the 2020 campaign.

The White House Counsel's Office says the documents were not the subject of any previous request by the Archives, and that it immediately reported the discovery to the National Archives which took possession of the documents the following day.

Then, Attorney General Merrick Garland asked the US Attorney in Chicago, John Lausch, a Trump appointee to review the matter and report back. The FBI is also involved in the preliminary inquiry.

According to a source, the documents did not contain nuclear secrets, but their exact nature and classification level are unclear. The new Republican Speaker of the House called the discovery --

REP. KEVIN MCCARTHY (R-CA): I am very concerned.

ADRIANA DIAZ: As other GOP lawmakers demanded answers.

REP. JIM JORDAN (R-OH): Maybe the American people should have a right to know about it as well. But we'll have to see what these 10 documents are.

ADRIANA DIAZ: It is illegal to keep classified material in an unsecured location, but sources say it is not clear whether any crime occurred or if anyone will face charges.

JAVED ALI (Former FBI official): If there was some other nefarious purpose or criminal intent behind that that remains to be seen, but this just could be a case of sloppy record keeping.

ADRIANA DIAZ: The classified documents and Mr. Biden's former office were discovered on November 2nd, about three months after the FBI executed a search warrant at former President Trump's Florida home and office.

That's after he refused to comply with repeated requests to return the materials. FBI agents laid out on the floor some of the more than 100 seized **documents** marked **classified**.

President **Biden** was critical when he spoke to Scott Pelley in September for "60 Minutes."

JOE **BIDEN** (President of the United States): How that could possibly happen -- how one -- anyone could be that irresponsible.

ADRIANA DIAZ: There's former Federal prosecutor Scott Fredericksen says there are key differences between the **Biden** inquiry and that involving former President Trump.

How significant is it that these documents were self-reported and voluntarily turned over?

SCOTT FREDERICKSEN (Former Federal prosecutor): I think the self-reporting here is probably the single most important part of this situation. It indicates a lack of intentional conduct. It's completely different from the Mar-a-Lago case, which tends based on reporting to indicate there was intentionally activity to take those documents.

ADRIANA DIAZ: But Monday night in a post, Trump asked: "When is the FBI going to raid the many homes of Joe Biden, perhaps even the White House?"

(End VT)

ADRIANA DIAZ: A source familiar with the review tells CBS News the documents are currently located in a secured government facility known as a SCIF here in Washington.

Once the Attorney General reviews the inquiry, he will then decide whether there should be a criminal investigation by the FBI or even a special counsel -- Gayle.

GAYLE KING: Oh, boy, Adriana, I'm so wondering if anything is marked classified, how it leaves the White House to begin with. But that's a whole another story I'm sure.

But as you just pointed out, there is a difference between the former President's situation and this one. But are there any pieces that we're still missing?

ADRIANA DIAZ: There are, Gayle. We still don't know what the information was in those documents. How sensitive are they? What is their level of classification? And also how they got to the Penn Biden Center, whether or not that was intentional will be key in determining any potential criminality.

GAYLE KING: 'All right, more to come on this for sure.

Adriana, thank you.

VLADIMIR DUTHIERS: Now to Virginia where police say the six-year-old student who allegedly shot his teacher Friday used a gun that was legally bought by his mother.

Authorities say the shooting of 25-year-old Abby Zwirner in the Newport News school was intentional. They also say she was able to evacuate students from the classroom even after she was shot in the chest. She is hospitalized in stable condition and last night, community members gathered for a vigil to support her.

In Virginia, no child under 11 years old can be put in juvenile detention. Police say the alleged shooter in this case is being treated at a medical facility.

GAYLE KING: We turn now to some good news about Bills' safety, Damar Hamlin. Don't you want good news? Yes.

The 24-year-old was transferred to a facility in Buffalo yesterday to continuous recovery at home. He had been hospitalized in his hometown. He had been hospitalized in Cincinnati since suffering a cardiac arrest midgame a week ago.

Hamlin tweeted on Sunday that he was watching as his Bills beat the New England Patriots. Here is how his doctors describe that experience.

(Begin VT)

DR. TIMOTHY PRITTS: When the opening kickoff was run back, he jumped up and down, got out of his chair and set, I think every alarm off in the ICU in the process. But he was fine. It was just an appropriate reaction to a very exciting play.

(End VT)

GAYLE KING: That was a good time when the alarms go off in this particular case.

Following word of his transfer, Hamlin posted a tweet that read in part: "Watching the world come together around me on Sunday was truly an amazing feeling. The same love you all have shown me is the same love that I plan to put back into the world and more."

Everybody, Nate is still cheering for him.

NATE BURLESON: Of course.

GAYLE KING: It is such, such great news.

NATE BURLESON: You know his uncle made a statement, I'm paraphrasing, he said before the game he was my nephew. After the incident he was America's nephew.

GAYLE KING: That's right.

NATE BURLESON: That's how we all feel.

GAYLE KING: That's a good way to describe it.

VLADIMIR DUTHIERS: I love that. I love to see everybody that come together, put aside differences and just root for this young man and he is off.

GAYLE KING: Me, too.

NATE BURLESON: As exciting as the game was, though I was concerned for him in the hospital.

GAYLE KING: When all the alarms went off. Yes.

NATE BURLESON: I know he is in there cheering. No doubt about it. But we are glad that he is doing all right.

GAYLE KING: Yes, yes, yes.

NATE BURLESON: That's for sure.

All right, the Georgia Bulldogs are college football's national champions for the second year in a row, and they made it easy, and I mean, very easy.

Georgia rolled over Texas Christian University by 58 points in last night's title game outside Los Angeles.

As national correspondent, Jericka Duncan reports, the undefeated champions ran away with the title.

(Begin VT)

MAN: The Georgia Bulldogs bludgeoned their way to back-to-back.

JERICKA DUNCAN: And it wasn't even close.

MAN: Leaving no doubt.

JERICKA DUNCAN: Possibly the most dominant win in championship history, Georgia sealed the deal with a 65 to seven victory over the TCU Horned Frogs.

MAN: Keeper, Bennett gets a block. Georgia draws first blood.

JERICKA DUNCAN: From the opening drive, it was clear which team had the explosive edge on offense, though TCU answered back in the first quarter.

MAN: Caper scores.

JERICKA DUNCAN: It would be the only time they would see the endzone.

MAN: And TCU fights back.

JERICKA DUNCAN: TCU's offense would struggle the rest of the game.

MAN: But it's picked off.

JERICKA DUNCAN: Heisman runner up, Max Duggan gave up three turnovers. But on the other side, a much different story.

MAN: One handed catch for a touchdown.

JERICKA DUNCAN: For Georgia quarterback, Stetson Bennett, it was a storybook finish. The walk-on turn Heisman finalist, led the Bulldogs to victory with a staggering six touchdowns.

MAN: And Bennett continues to dazzle.

JERICKA DUNCAN: The 25-year-old Georgia native put on an all-time championship performance, adding an exclamation point to an already spectacular college career.

STETSON BENNETT (Georgia Bulldogs quarterback): I am trying not to cry. You know --

JERICKA DUNCAN: The two-time MVP paid homage to his home state during an emotional postgame interview.

STETSON BENNETT: But it's God's country. It made me who I was today.

JERICKA DUNCAN: The Bulldogs are the first team in more than a decade to win back-to-back titles and the first team ever to do it in the college football playoff era.

Georgia head coach, Kirby Smart is now two for two in championship games and this college football's undisputed top dog.

MAN: It looks like he's enjoying this one.

KIRBY SMART (Georgia head coach): We wanted our kids to play without fear, and all year I told them, I said we ain't getting hunted guys. We're doing the hunting.

JERICKA DUNCAN: For CBS MORNINGS, I'm Jericka Duncan.

(End VT)

GAYLE KING: Wow.

So Nate, I'm curious when the game is that lopsided, how do you stay motivated as the other team?

NATE BURLESON: It's tough.

GAYLE KING: Yes.

NATE BURLESON: You know, there were reports that in the TCU locker room, the guys were wide-eyed, which means they were caught off guard by the size and the speed.

But credit to Georgia though, I mean, of course, they are the best. We ain't getting hunted, we're doing the hunting. That's his is exact words.

GAYLE KING: And the name Stetson Bennett has got to be one of the coolest names I've heard.

NATE BURLESON: And hats off to him.

VLADIMIR DUTHIERS: Oh, I see what you did there again. I see what both you all did there.

GAYLE KING: I love that name. Congrats again.

Coming up. "Spare" is finally on sale today. We'll find out what is left to say from Prince Harry's long-awaited memoir and hear from a former tabloid editor who says Harry needs to "get over it."

But first it is 7:17. Times check your local weather.

(LOCAL WEATHER)

(ANNOUNCEMENTS)

VLADIMIR DUTHIERS: Coming up: The growing fallout from the attack on Brazil's capital by a mob supporting the country's former President, but some Democrats in Washington want Bolsonaro thrown out of the United States.

Plus, new allegations against Congressman George Santos who admits to lying about his life story.

This is CBS MORNINGS.

(ANNOUNCEMENTS)

NATE BURLESON: What do Whitney Houston, Celine Dion, and Gayle King have in common?

VLADIMIR DUTHIERS: What?

NATE BURLESON: They have all recorded a song with Grammy-winning producer, David Foster.

For our new series, "Never Too Late," we sent Gayle to try something she's always wanted to do. That's learn to sing.

(Begin VT)

GAYLE KING: David, before we get started, I want to quote David Foster: "My goal when I go into the studio with a singer is, I believe in my head that I'm going to get a better vocal out of this singer than he or she has ever done before --

DAVID FOSTER (Music producer): Or ever will again.

GAYLE KING: Yes, yes. That's what David Foster says.

DAVID FOSTER: True, but I don't know about today.

(End VT)

NATE BURLESON: Coming up, Gayle takes us behind the scenes in the studio where she sings her little heart out.

VLADIMIR DUTHIERS: He is like, "Did I say that?"

GAYLE KING: I know.

VLADIMIR DUTHIERS: I meant for some people.

GAYLE KING: I meant for other people, not you, Gayle.

NATE BURLESON: Oh, man.

Your local news, coming up next.

GAYLE KING: Call me grateful.

(LOCAL NEWS)

(LOCAL WEATHER)

(ANNOUNCEMENTS)

***** ** (07:30 AM, EDT)

NATE BURLESON: Welcome back to CBS MORNINGS.

Now that a new Congress has been sworn in, the focus on Capitol Hill is shifting back to New York Congressman George Santos. The Republican lawmaker has admitted making up much of his resume before he was elected to his first term in November. Now, a formal complaint filed with the Federal Election Commission accuses him of campaign finance violations. Scott MacFarlane has more.

(Begin VT)

SCOTT MACFARLANE: Beginning his third full day as a Congressman, George Santos is facing a lot of questions, but he is giving no answers.

Mr. Santos, there are some campaign finance concerns and questions about your finances. Can you answer the campaign finance concerns?

REP. GEORGE SANTOS (R-NY): . personal space, please. A little personal space.

SCOTT MACFARLANE: Congressman, you seem to be dodging questions about your finances.

Santos has already been accused of lying about key parts of his life story, including his education, work history, and claiming his grandparents survived the Holocaust is now the subject of a formal civil complaint to the Federal Election Commission.

A nonpartisan DC watchdog group, the Campaign Legal Center filed the complaint questioning how Santos made a \$700,000.00 contribution to his campaign, considering he previously reported earning about \$50,000.00 a year.

Your complaints is something pretty bold. If there's a possibility, there was a foreign actor that was funding this campaign.

SAURAV GHOSH (Campaign Legal Center director): I think it's always a possibility when someone appears to be going to great lengths to mask the true sources of their campaigns funds. That possibility is doubly the case here because as we know, Mr. Santos is wanted by Brazilian authority so he has some connection overseas.

SCOTT MACFARLANE: Meanwhile, Santos is one of the needed yes votes in the US House last night to approve new rules to govern the House now under Republican control.

MAN: In this vote, the yeas are 220, the nays are 213. The resolution is agreed to.

SCOTT MACFARLANE: Another narrow margin victory for New House Speaker Kevin McCarthy on his first order of business as Speaker.

REP. KEVIN MCCARTHY (R-CA): The House will be an order.

(End VT)

SCOTT MACFARLANE: The new rules approved last night give more members key Committee positions to members of the House Freedom Caucus, the conservative members of the Republican conference, it also makes it easier to potentially oust Speaker McCarthy.

Regarding that criminal investigation in Brazil of Congressman Santos, it is tied to an alleged incident of check fraud in 2008 -- Vlad.

VLADIMIR DUTHIERS: Scott, I suspect that Mr. Santos -- Congressman Santos has not seen the last of you or the other Capitol Hill reporters. Thank you very much for your reporting. We appreciate it.

Turning now to Brazil where there is new scrutiny on former President Jair Bolsonaro after thousands of his supporters stormed the country's democratic institutions on Sunday in scenes eerily similar to January 6th right here in this country.

Bolsonaro is currently in Florida and his advisers have met with people close to former President Trump.

Christina Ruffini is following all of this for us in Washington.

Christina, good morning.

CHRISTINA RUFFINI: Good morning, Vlad. Well, some US lawmakers are already calling for Bolsonaro to be expelled from the US, but on Monday, the former President tweeted a picture of himself in a hospital gown in a hospital bed in Orlando saying he is being treated for injuries to do with an old stabbing and it doesn't look like he's going anywhere anytime soon.

(Begin VT)

CHRISTINA RUFFINI: To an American audience, what happened in Brazil Sunday might seem eerily familiar. An angry mob, false accusations of a stolen election, and incalculable damage to national institutions as well as the government they represent.

The protests in the capital, Brasilia were in support a former right-wing populist President, Jair Bolsonaro, who lost the presidential election last year to leftist, Lula da Silva.

DONALD TRUMP (Former President of the United States): Terrific man. He has done a fantastic job.

CHRISTINA RUFFINI: Sometimes called the Trump of the tropics, Bolsonaro was an acolyte of the former US President, both in manner and strategy, making false accusations of election fraud and calling his opponents criminals.

STEVE BANNON (Former Donald Trump adviser): In Brazil, it is gone beyond the Bolsonaro's.

CHRISTINA RUFFINI: He's also received strong support and as "The Washington Post" reports, even advice from Trump ally, Steve Bannon.

STEVE BANNON: Use these machines, use the judiciary to shut us down in the media and we're not going to tolerate it.

CHRISTINA RUFFINI: Bolsonaro is currently in Florida, having left Brazil for a gated Orlando vacation home just two days before President Lula's inauguration.

As events unfolded, he denied encouraging the attacks, tweeting that while peaceful protests are part of the democratic process, destruction and invasion of public buildings are not.

MICHAEL MCKINLEY (Former US Ambassador to Brazil): There is no question, extremism is a factor in Brazilian politics just as it is here.

CHRISTINA RUFFINI: Mike McKinley was a career diplomat and served as Ambassador to Brazil in the Trump administration.

MICHAEL MCKINLEY: There is a strong foundation for Bolsonarismo as they are calling it to have a second life across the coming years.

CHRISTINA RUFFINI: Is Bolsonarismo the Brazilian equivalent of Trumpism?

MICHAEL MCKINLEY: It absolutely is.

CHRISTINA RUFFINI: As for Bolsonaro himself, the US State Department says it has not received any requests for action from Brazil.

NED PRICE (US State Department spokesperson): Brazil's democratic institutions have our full support.

CHRISTINA RUFFINI: But Members of Congress, including Texas Representative Joaquin Castro, are already objecting to Bolsonaro's US stay.

REP. JOAQUIN CASTRO (D-TX): The United States should not be a refuge for this authoritarian who was inspired domestic terrorism in Brazil.

(End VT)

CHRISTINA RUFFINI: Now, the State Department wouldn't comment directly on Bolsonaro's case, but said in general, diplomats are here under a 30-day visa and after that time period, he would have to reapply to DHS in order to stay in the country -- Vlad.

VLADIMIR DUTHIERS: To be continued. Christina, thank you very much.

NATE BURLESON: Hey, Christina, before you go, you went to TCU.

CHRISTINA RUFFINI: Nate, don't you dare. Don't you dare.

NATE BURLESON: I am just -- I'm just curious. What happened to your Horned Frogs?

CHRISTINA RUFFINI: You know what, they are champions in my heart, so Horned Frogs all the way and I don't want to talk about it.

GAYLE KING: There you go. There you go.

NATE BURLESON: And that's all that matters. In your heart, they are champions.

GAYLE KING: There you go.

NATE BURLESON: Just not last night. Christina --

VLADIMIR DUTHIERS: I am sure they want to really be champions.

NATE BURLESON: We appreciate you.

GAYLE KING: We support you, Christina.

NATE BURLESON: We support you.

GAYLE KING: We support you.

CHRISTINA RUFFINI: Thank you, Gayle.

NATE BURLESON: You are the champion.

CHRISTINA RUFFINI: Gayle, you're the one I'm talking to you this morning. Thank you.

NATE BURLESON: All right, coming up, the stories you haven't heard yet from Prince Harry's memoir, now on sale.

And if you're headed out the door, there is no need to miss the show. You can now catch the best interviews and stories on our podcast. Just search for CBS MORNINGS on-the-go on your favorite podcast app or scan the QR code on your screen right now and start following us.

It's our show on the go. You're going to love it.

We will be right back.

GAYLE KING: Why did you do that to Christina? Why did you do that, Nate.

NATE BURLESON: I had to ask, Gayle. I had to --

VLADIMIR DUTHIERS: I love that she also is just like I have no words for you.

NATE BURLESON: She knew I was coming.

GAYLE KING: She did know it was coming.

(ANNOUNCEMENTS)

GAYLE KING: This morning, it is the day. Prince Harry's new memoir is officially on sale all around the world. Now many readers in his native Britain lined up at midnight just to buy it. "Spare" is a book -- look at that line -- "Spare" is a blistering indictment of the Royal family.

Repeating a series of accusations that Harry made in interviews with "60 Minutes" and other outlets over the last 48 hours. His charges have not been independently confirmed.

Holly Williams has more on the books that we've been waiting to see for months.

(Begin VT)

HOLLY WILLIAMS: Prince Harry describes his family as very large, very ancient and very dysfunctional. His father, King Charles had trouble communicating, trouble listening, trouble being intimate face-to-face writes Harry and claims he didn't hug him even when Harry's mother Princess Diana was killed in a car crash.

His brother, Prince William is portrayed as angry and during an argument about Harry's wife Meghan, even violent. An accusation repeated on "60 Minutes."

PRINCE HARRY (Duke of Sussex): He was shouting me, I was shouting back at him. It wasn't nice. It wasn't pleasant at all. And he snapped and he pushed me to the floor.

ANDERSON COOPER ("60 Minutes" correspondent): He knocked you over.

PRINCE HARRY: He knocked me over. I landed on the dog bowl.

HOLLY WILLIAMS: But what makes this different to other troubled upbringings is Harry's claim that members of his own family or their staff were enabling, if not outright collaborating with the press, including in a vicious campaign to cast Meghan as a bully.

ANDERSON COOPER: It's hard, I think for anybody to imagine a family dynamic that is so "Game of Thrones" without dragons.

PRINCE HARRY: I don't watch "Game of Thrones," but there's definitely dragons. And that's again, the third party which is the British press.

HOLLY WILLIAMS: The same papers implicated in that allegation are again criticizing Harry this morning.

KELVIN MACKENZIE ("The Sun" newspaper former editor): It's absolutely ridiculous going on about the press all the time. Some are on your side, some are against you. Get over it. He can't get over it, so he's gone to Southern California.

Goodbye. Thanks very much.

HOLLY WILLIAMS: Kelvin MacKenzie is a former editor of one of the UK's biggest circulation tabloid newspapers.

KELVIN MACKENZIE: And my colleagues knew everything. They knew everything before anybody else and we used to publish it, and a lot of it came by the backstairs.

HOLLY WILLIAMS: Harry and Meghan are unpopular in this country according to polls, but he points out that it was his uncle, Prince Andrew, who was embroiled in a shameful scandal sexual assault, which Andrews denied.

"Whatever grievances people had against us," writes Harry, "Sex crimes weren't on the list."

(End VT)

HOLLY WILLIAMS: There's still been no official response from anybody here at the Palace and there may never be one. A British newspaper, however, has quoted an unnamed friend of Prince William saying he is burning inside, but will not retaliate -- Gayle.

GAYLE KING: All right, Holly Williams, thank you very much. Listen, that book comes out today. I can't wait to read it. Even though I know we've heard a lot about it, I'm very curious. It'll be interesting to see people's reaction.

Harry and Meghan have always said they wanted to tell their story in their way and they've certainly done that. I think the tabloid editor said some people are against you, some people are for you and that is how it is.

NATE BURLESON: It is a very true statement.

GAYLE KING: Well, we'll see.

VLADIMIR DUTHIERS: I'm interested -- I am interested to hear how the Royal family reacts, if they will react, if they will release a statement because as you heard from Holly's source there, William is burning inside. I'm sure he has a story to tell as well, as does the King and the Queen Consort.

GAYLE KING: That is a parlor game. Will they respond? Will Harry and Megan attend the coronation in May? Will they be invited? I think they've been invited. We will see.

NATE BURLESON: And how will this book be received in the court of public opinion?

GAYLE KING: Yes.

VLADIMIR DUTHIERS: That's right.

NATE BURLESON: Here in the States, and of course, there where they are.

GAYLE KING: Everybody got an opinion about it.

Prince Harry, we should tell you will be a guest tonight on "The Late Show" with Stephen Colbert right here on CBS. I can't wait to see that interview, too.

VLADIMIR DUTHIERS: It's going to be good.

NATE BURLESON: Up next, Vlad has the stories that you'll be talking about today. But first, it is 7:45, time to check your local weather.

(LOCAL WEATHER)

(ANNOUNCEMENTS)

NATE BURLESON: Time now "What to Watch" with Vlad.

VLADIMIR DUTHIERS: Peaches & Herb, I mean.

NATE BURLESON: We love it when you dance around here.

GAYLE KING: I know, when you were doing that, Nate went --

NATE BURLESON: There you go.

GAYLE KING: It's just, Vlad, you do have very signature moves.

VLADIMIR DUTHIERS: Do I?

GAYLE KING: Nobody can do but you.

VLADIMIR DUTHIERS: They are very nerdy, that's why. They are very geeky.

Let me begin here with an exclusive announcement about a popular teaching tool in the medical field now featuring diverse new faces.

Check out Complete Anatomy 2023. It is billed as the world's first and most expensive 3D human anatomy model with different skin tones and facial features.

Its creator, Elsevier says it is committed to increasing inclusion in medical education. Anatomy has been usually taught with light-skinned bodies as models. Complete Anatomy is used by students and educators around the world and has been downloaded more than 20 million times.

GAYLE KING: I like this.

VLADIMIR DUTHIERS: Well, I'm sort of two minds here. On one hand, I think it's important if you are a Medical student, for example, in Africa or in Asia, and you want to teach Medicine to young students, you want to be able to show representation for the people that are learning about Medicine, but I don't know if in the United States we necessarily because the point is always, you rip off the skin and everything inside here is the same, right? It doesn't matter.

NATE BURLESON: True.

VLADIMIR DUTHIERS: So I feel that way about it.

NATE BURLESON: But the exterior matters, though.

GAYLE KING: Yes.

NATE BURLESON: Being able to see that representation.

VLADIMIR DUTHIERS: That's true.

GAYLE KING: Look at us sitting here right now.

NATE BURLESON: Yes.

GAYLE KING: It is all different skin tone.

VLADIMIR DUTHIERS: But imagine us without our skins.

NATE BURLESON: We've got chocolate, caramel and butterscotch.

VLADIMIR DUTHIERS: Just leave you with that picture.

What was I? Butterscotch.

NATE BURLESON: Chocolate, caramel, butterscotch.

All right, what have you got?

VLADIMIR DUTHIERS: All right. All right. Let's talk about the women's gymnastics team.

GAYLE KING: What have you got, butterscotch? I like that, Nate.

VLADIMIR DUTHIERS: All right, the women's gymnastics team at Fisk University has vaulted into the record books. Last week, Fisk University became the first HBCU, Historically Black College or University to compete in an NCAA women's gymnastics meet.

The team put on quite a show and Fisk University, which is in Nashville is the first and only HBCU with a gymnastics team and get this, the gymnastics program started only last spring.

GAYLE KING: Wow.

VLADIMIR DUTHIERS: I know, but the women held their hone against much more established schools. Watch this.

(Begin VT)

WOMAN: This vault is huge.

(End VT)

VLADIMIR DUTHIERS: Seventeen-year-old, Morgan Price springing on earned the meets highest scoring on vault, 9.9. The team from Fisk finished in an impressive fourth place.

GAYLE KING: Go Morgan Price.

NATE BURLESON: You go, girl.

VLADIMIR DUTHIERS: Morgan Price. All right.

NATE BURLESON: Stick around, we'll be right back.

GAYLE KING: Be right back.

(ANNOUNCEMENTS)

(LOCAL NEWS)

(LOCAL WEATHER)

(ANNOUNCEMENTS)

***** (08:00AM, EDT) *****

GAYLE KING: Welcome back to CBS MORNINGS. I'm Gayle King.

Coming up in this eight o'clock hour, taking a big leap into the unknown for our series. It's called "Never Too Late." So I'm taking singing lessons, and we got it all on tape. Yikes.

NATE BURLESON: I'm Nate Burleson. We're talking to one of football's greatest players. Deion Sanders, aka Prime Time about the next steps in his highly successful coaching career, plus a new docuseries all about his life.

VLADIMIR DUTHIERS: I'm Vladimir Duthiers. We've also got some CBS MORNINGS Deals for you this Tuesday, including something for you chefs out there. You want to stick around for that.

GAYLE KING: I'm not a chef, but I'm going to stick around.

But first, here is today's "Eye Opener at Eight."

Another deadly storm batters California causing raging floodwaters.

STEPHANIE ABRAMS: We have more rain coming in. We've got the steep terrain and burned soil.

NATE BURLESON: CBS News learns the Justice Department is overseeing a review of documents with classified markings found in an office formerly used by President Biden.

ADRIANA DIAZ: As soon as we broke this news, it set off a political firestorm with Republicans.

MAN: Bennett looks down on --

MAN: Touchdown, Dogs.

VLADIMIR DUTHIERS: The University of Georgia repeats as national champions.

JIMMY KIMMEL ("Jimmy Kimmel Live" host): They see this cold front is so big.

ELI MANNING: Oh, here we go. Here we go. Looks like Kimmel is dropping back. He's going to make an analogy.

GAYLE KING: And the Manning brothers, you know these guys try their hand at a little late night commentary.

JIMMY KIMMEL: Where was I? Oh, this cold front. Oh, the cold front is bigger and wider than Peyton Manning's forehead.

PEYTON MANNING: Let's just blow your audio here.

JIMMY KIMMEL: You can't -- that does not -- you can't just lower my volume.

NATE BURLESON: Shots fired right there.

Well, thank you for joining us this hour. Gayle, Vlad, and we'll have Tony in just a bit but we begin this hour with our new series, "Never Too Late," Setting out to prove that it's never too late for anyone to try something new. That's what we say around here at CBS MORNINGS.

Viewers at home, you guys know that Gayle loves to sing, right? She sings on and off camera all the time.

GAYLE KING: Yes. She does.

NATE BURLESON: Take a look.

(Begin VT)

(GAYLE KING and TINA TURNER singing "What's Love Got to Do With It")

(GAYLE KING singing "All I Wanna Do.")

GAYLE KING: I love that song.

You were with me all the while.

"Do you believe in rock and roll" -- go ahead.

(GAYLE KING VLADIMIR DUTHIERS sings "Bye, Bye Miss American Pie.")

(End VT)

GAYLE KING: I really do. I love music.

NATE BURLESON: So, Gayle, you decided, it wasn't too late to take professional voice lessons, right?

GAYLE KING: I decided that -- I thought --

VLADIMIR DUTHIERS: I like Oprah in the car though. She's just like --

GAYLE KING: I know. She was not appreciative of my take, but that's one of the great things about this job. It allows you to do stuff like this. I got to get into the studio with the legendary producer and legend is the word, the superstar singer, superstar is the word, to record a song.

But before that, I went to the home of celebrity vocal coach, Stevie Mackey for some very much needed lessons.

(Begin VT)

(STEVIE MACKEY singing.)

GAYLE KING: You have your work cut out for you today, Mr. Mackey.

STEVIE MACKEY: It is Queen Gayle.

GAYLE KING: Stevie Mackey has sung with the best of the best.

STEVIE MACKEY: My first real background singing gig, I sang background for Whitney Houston in a Christmas album and I couldn't believe it was happening.

GAYLE KING: Now, the vocal coach to superstars like Jennifer Lopez, Selena Gomez, and Kelly Rowland is a singing sensation in his own right.

(STEVIE MACKEY singing.)

GAYLE KING: Before we got to my lesson, we talked about our mutual obsession with song.

And I want you to know, I'm under no illusion today because I really know that I cannot sing, but I still love music.

STEVIE MACKEY: I think there's a song for every situation.

GAYLE KING: Do you?

STEVIE MACKEY: I do. And I think music is the most powerful thing in the world, probably besides prayer.

GAYLE KING: Why? Oh, besides prayer, oh.

STEVIE MACKEY: Look, I think music is able to change hearts and that makes it the most powerful thing.

GAYLE KING: All right, you say you like a challenge. Let's go.

STEVIE MACKEY: I'm ready.

GAYLE KING: Will we still be friends when this is over?

STEVIE MACKEY: Absolutely. I'll be very honest with you and I think you appreciate that.

GAYLE KING: And I appreciate -- I appreciate honesty. I really do.

STEVIE MACKEY: Good.

GAYLE KING: But you can be kind.

STEVIE MACKEY: I am kind first.

GAYLE KING: Okay, let's go.

STEVIE MACKEY: Right now, Gayle, we are going to do a warm up and I'm going to find out your range.

GAYLE KING: Okay.

STEVIE MACKEY: So -- but it'll be a fun warm up.

GAYLE KING: Do I have a range?

STEVIE MACKEY: Everyone has a range.

GAYLE KING: Everybody has a range, okay.

STEVIE MACKEY: But some ranges are just -- but we'll see what you've got.

Oh, yes, do that.

GAYLE KING: Oh yes.

STEVIE MACKEY: Right on pitch. Right on pitch. All right, that's a good start.

GAYLE KING: Really?

STEVIE MACKEY: That's important.

Oh, yes.

Not bad.

Loud as you can. Give it to me.

GAYLE KING: Oh, yes. See that's --

STEVIE MACKEY: Okay, it's a little rough right there. It's a little rough right there.

GAYLE KING: Yes.

STEVIE MACKEY: No imagine going up real high. I want to see something. Oh.

I think the high and low is fine, but that middle area is a little --

GAYLE KING: Okay.

STEVIE MACKEY: There are some spider webs in there.

GAYLE KING: Okay.

STEVIE MACKEY: It can improve, it can improve.

GAYLE KING: Okay.

STEVIE MACKEY: If you need me, call me.

GAYLE KING: Oh, here we go.

STEVIE MACKEY: Try,

GAYLE KING: If you need me, call me.

STEVIE MACKEY: I see some light at the end of this tunnel.

GAYLE KING: Do you?

STEVIE MACKEY: I do. Let me bring it out a little bit.

(GAYLE KING singing "Ain't No Mountain High Enough.")

STEVIE MACKEY: Okay, all right, all right. Runaway train. We are getting there. All right. I actually loved how that started.

GAYLE KING: Do you think I could sing "Natural Woman?" Is that too much?

STEVIE MACKEY: Oh, don't get me started, Aretha, let's see. We have a couple of minutes. Let's see. Let's see what we got here.

(GAYLE KING and STEVIE MACKEY singing "Natural Woman.")

GAYLE KING: Now it was time to head to the studio where we asked for help from some very familiar faces in the industry. David Foster, 16-time Grammy Award winning producer and songwriter. And Katharine McPhee, "American Idol" runner up turned, chart topping TV star, and oh, yes, the pair also happens to be husband and wife.

Real singer.

You and Katharine met through music.

DAVID FOSTER: We sure did.

GAYLE KING: Music brought you guys together.

KATHARINE MCPHEE (Singer): I was a little contestant on "American Idol." He was a guest mentor.

DAVID FOSTER: I know how much --

GAYLE KING: But I know you're brutally honest. I know that.

DAVID FOSTER: Well, no, not today, I won't be.

GAYLE KING: Okay.

DAVID FOSTER: I'll be very encouraging today.

GAYLE KING: No, no.

DAVID FOSTER: I have a question for you.

GAYLE KING: Okay. Okay.

DAVID FOSTER: Do you mind if I ask you a question?

GAYLE KING: Yes, yes.

DAVID FOSTER: Is it frustrating for you as much as you love music to not have the voice that you would want to have?

GAYLE KING: Yes. Yes.

DAVID FOSTER: It must be.

GAYLE KING: Yes, it is.

DAVID FOSTER: Because you sing in the --

GAYLE KING: But you know what, David? It's not like I'm trying to be on a stage.

DAVID FOSTER: No, no, but you --

GAYLE KING: Or to have people, "Ah, Gayle, I love you." It's not that.

KATHARINE MCPHEE: You know, Stevie knows this too as an amazing singer himself and an amazing teacher. My mom is a voice teacher as well, and so she has all different types of people come in who just like want to sing for fun, and you can --

GAYLE KING: Sing for fun. That's what I want you to do.

KATHARINE MCPHEE: Yes, you can get better.

DAVID FOSTER: And you can --

STEVIE MACKEY: You can get better.

KATHARINE MCPHEE: You can get better.

GAYLE KING: I do.

STEVIE MACKEY: Now, Dave, I want you to try a little bit of "Natural Woman."

DAVID FOSTER: Yes, and what key was she doing that?

STEVIE MACKEY: A flat.

(GAYLE KING, KATHARINE MCPHEE, STEVIE MACKEY singing "Natural Woman.")

DAVID FOSTER: Let's do that again in three part.

STEVIE MACKEY: Okay. Got it.

KATHARINE MCPHEE: Okay.

(GAYLE KING, KATHARINE MCPHEE, STEVIE MACKEY singing "Natural Woman.")

DAVID FOSTER: I think that's our winner.

STEVIE MACKEY: There is hope.

DAVID FOSTER: I mean, that's our winner.

STEVIE MACKEY: Come on, that's the winner.

DAVID FOSTER: That's the winner.

GAYLE KING: After a few more takes, some strings, and a little -- make that a lot of fine tuning. Here's our finished product.

(GAYLE KING, KATHARINE MCPHEE, STEVIE MACKEY singing "Natural Woman.")

DAVID FOSTER: Wow. You are fearless.

GAYLE KING: Thank you, guys.

KATHARINE MCPHEE: You did it.

DAVID FOSTER: How good did that sound, huh?

GAYLE KING: Thank you.

STEVIE MACKEY: I am ready for a tour.

GAYLE KING: Stevie, thank you.

STEVIE MACKEY: You're welcome. Oh, man.

DAVID FOSTER: Great.

GAYLE KING: So, my people will call your people to work out a deal.

DAVID FOSTER: That's great.

GAYLE KING: Thank you. Thank you.

(End VT)

VLADIMIR DUTHIERS: Wow.

NATE BURLESON: All right, let's bring in Tony Dokoupil right now.

GAYLE KING: Hi, Tony.

NATE BURLESON: What's up, Tony?

GAYLE KING: I think that was hilarious. I have to thank my people, Gisela (sp?), Alicia, Alice and Katie -- that was so much fun to watch.

VLADIMIR DUTHIERS: That was amazing.

NATE BURLESON: Great job.

VLADIMIR DUTHIERS: That was awesome.

NATE BURLESON: Tony, what did you think, Tony?

VLADIMIR DUTHIERS: Tony.

GAYLE KING: Hi, Tony Dokoupil. I want to see that piece again.

TONY DOKOUPIL: Gayle King, I don't have a picture, I only have audio here in my basement playroom, and I kid you not, what I was thinking as I was listening to your voices is that Carole King or Gayle King, because your --

VLADIMIR DUTHIERS: Oh, okay.

NATE BURLESON: Oh.

TONY DOKOUPIL: I feel like Simon Cowell here on "America's Got Talent." Your voice went from here to here and I will now say I will declare it to "Stepbrothers." You have the voice of an angel. It's a combination.

NATE BURLESON: Of an angel?

TONY DOKOUPIL: . at this point between --

VLADIMIR DUTHIERS: It's true. And Gayle --

GAYLE KING: And it is funny what he said about Carole King, because Tony, did you know Carole King actually wrote that song?

VLADIMIR DUTHIERS: Yes.

NATE BURLESON: Ah.

GAYLE KING: Carole King. King wrote that. Oh, you did know.

VLADIMIR DUTHIERS: I know. Yes, yes.

GAYLE KING: Carole King wrote that song.

VLADIMIR DUTHIERS: I love that you tackled -- "Natural Woman" is probably one of the most difficult songs ever recorded, Aretha Franklin and Carole also --

GAYLE KING: Who is probably spinning in her grave right now.

VLADIMIR DUTHIERS: No, I think --

GAYLE KING: Aretha Franklin. Sorry, Aretha.

VLADIMIR DUTHIERS: I thought you would have picked something like, you know, on top of old spaghetti or something, but you went for like, you went for -- you know.

GAYLE KING: It is just that I so love that song. I love the words to it. I love how Aretha sang it.

NATE BURLESON: You did awesome, Gayle.

GAYLE KING: And do think it is difficult, but I think I cannot thank Katharine enough, and David enough, and Stevie enough because that was a Saturday. They took a big chunk of their Saturday, their days off to come and play with us. And I'm forever grateful. And Vincent Ruiz, who is a genius when it comes to editing, I love --

Because Nate said, oh, that was a phony shot with the dog. The dog actually did that.

NATE BURLESON: Yes, , you went from the dog going -- to loving it.

GAYLE KING: Yes, she did that. That was so funny about it.

NATE BURLESON: All right, Tony. So what do you have coming up for us?

GAYLE KING: Yes, Tony, you're up tomorrow.

TONY DOKOUPIL: Yes, I'm up tomorrow. So in Gayle's case, she always had the confidence to be a singer. Now, she's got the pitch and the resonance. In my case when it came to dancing, I never had the confidence not from Middle School on up.

So, we hired a fantastic choreographer and dancer named Jessica Castro, who did her absolute best over many, many hours to get me onto the dance floor, nothing special, just feeling comfortable enough to cut a rug at a wedding at a bar and have a good time.

And I think by the end, much like yourself, Gayle, I went from here to here but we have to -- you have to evaluate me. The tables will be turned tomorrow.

NATE BURLESON: No doubt.

GAYLE KING: Yes. I can't wait. I know we're so bummed. Tony has a little case of the 'rona, but Tony, you're fine, we keep hearing.

NATE BURLESON: You're fine.

VLADIMIR DUTHIERS: You sound and look good, man.

GAYLE KING: Because we are so bummed you're not here in the studio, but you're okay.

TONY DOKOUPIL: Oh, my gosh. I was so upset to miss it. But I do feel great, and I'll be back tomorrow to introduce my journey through rhythm and dance.

NATE BURLESON: There it is.

GAYLE KING: All right. Can't wait.

NATE BURLESON: From Tony learning to dance to a guy who used to dance in the endzone all of the time. We will talk with football Hall of Famer, Deion Sanders about his new coaching gig.

But first, it is 8:12. Time to check your local weather.

(LOCAL WEATHER)

(ANNOUNCEMENTS)

VLADIMIR DUTHIERS: Ahead, we are going to help you keep your New Year's resolutions. Amazon Books editor, Sarah Gelman is here were their top picks for books to help you stay on task. Hey, Sarah.

This is CBS MORNINGS.

(ANNOUNCEMENTS)

GAYLE KING: We are 10 days into 2023 and this year, many people are already setting goals to improve their health and their wellbeing. Amazon Books editorial director, Sarah Gelman hears you and she's here with her top picks to help with very different goals that you may have for the New Year.

Good morning, Sarah. Good to see you.

SARAH GELMAN (Amazon Books editorial director): Good morning. Nice to see you.

GAYLE KING: I like starting with the first book because it's about the study of happiness and I love the title, "The Good Life." We should say it's a division of Simon & Schuster published by them. But that's not why this is on your list.

SARAH GELMAN: No. I love this book so much. I feel like I need to apologize to every person I've talked to you since I read this because I am dropping it into every conversation. It just blew me away.

It basically takes data and science and puts it behind something that we think is unquantifiable which is how to live a good life. This is based on one of the most ambitious studies of all time, which for 80 years, and counting has been getting firsthand accounts from a group of people and their generations to come all about what makes them happy, taking things like their heart rate, looking at their blood.

And what you find in this book is that actually, what makes you happiest is having fulfilling relationships. So this book gives you tips on how to do that. And it also says that no matter your age, it's not too late, you can still have great relationships in your life.

NATE BURLESON: Sarah, speaking of --

GAYLE KING: Vlad, pass me that book. I am taking that. I am taking that.

SARAH GELMAN: It is so good. So good.

NATE BURLESON: Well, Sarah, speaking of relationships, there's a book about setting healthy --

SARAH GELMAN: Boundaries.

NATE BURLESON: Boundaries in a relationship.

SARAH GELMAN: Right. I definitely needed this book. This is by Melissa Urban. She is the co-creator of the Whole 30 Program and she says that people, especially women feel like putting their own needs and desires first is selfish. And she really feels like we need to have boundaries in our life.

So she walks through all these different situations, including giving you a specific language on how to do everything, like tell your colleagues that you're not going to be working on this vacation, setting some boundaries with your in-laws, which I know we all need.

NATE BURLESON: Yes.

SARAH GELMAN: And also personal boundaries, like how to set a budget and stick to it.

VLADIMIR DUTHIERS: I want to ask you, because I know we're running out of time, but you're recommending a book about the feeling of awe.

SARAH GELMAN: Yes.

VLADIMIR DUTHIERS: Tell us about that. Because that's my life.

SARAH GELMAN: Yes.

VLADIMIR DUTHIERS: Everything is like ah.

SARAH GELMAN: That's perfect. Well, it turns out that awe is actually very good for you. Having that feeling will give mental and physical health benefits for you. So you are in the right place. And this book is all about the study of awe. That emotion that is so misunderstood.

It's by someone who studies the science of emotions, and he was actually a consultant on the Pixar movie, "Inside Out."

GAYLE KING: I hope you never lose the feeling of awe. I really do.

SARAH GELMAN: You're going to get it a lot when you have a baby.

VLADIMIR DUTHIERS: I know, but I've always been like that, everything sort of like blows my mind.

GAYLE KING: You have a book about drinking alcohol or rather not drinking alcohol.

SARAH GELMAN: Right. So a lot of people are doing dry January. I am one of them.

NATE BURLESON: Yes, me too.

SARAH GELMAN: And this book -- well, oh good.

VLADIMIR DUTHIERS: You signed up, huh?

SARAH GELMAN: This book --

VLADIMIR DUTHIERS: Okay, Nate.

SARAH GELMAN: Nice. Let's talk after.

SARAH GELMAN: This book radically changes the way that you will think about alcohol. Basically, it talks about how our current culture markets alcohol, specifically to women, things like Yes Way Rose or Mommy Juice.

And it talks through the actual effects of alcohol on your body, which is really, really sobering. And the author weaves in her own personal story of abstaining from alcohol, as well as talking about the scientific effects of alcohol and giving you tips on how to stop drinking.

GAYLE KING: And the last one about the impact of interior design on your mental health. I did not know how to put those two together.

SARAH GELMAN: Yes. Home therapy -- the author is actually a family therapist, and she is an interior designer. And this is all about how your exterior space can infect your inner health.

GAYLE KING: You've nailed it again with no notes. I don't know how you do this.

VLADIMIR DUTHIERS: I love it.

SARAH GELMAN: I was sweating this time.

GAYLE KING: If you know your stuff, you know your stuff.

NATE BURLESON: That's right.

SARAH GELMAN: It is the no alcohol, I think. It's really good.

VLADIMIR DUTHIERS: Clarity from Sarah Gelman.

SARAH GELMAN: I am so focused and healthy.

VLADIMIR DUTHIERS: Coming up, we're going to have "Talk of the Table" -- we'll be right back.

(ANNOUNCEMENTS)

NATE BURLESON: Ahead, football great, Deion Sanders had a historic season coaching HBCU Jackson State. He is standing by to talk with us about his new Amazon docuseries showing us how he did it.

Prime Time coming up next.

(LOCAL NEWS)

(LOCAL WEATHER)

(ANNOUNCEMENTS)

***** ** (08:30 AM, EDT)

GAYLE KING: You never go wrong with little Harry Styles. Welcome back to CBS MORNINGS. It is time to bring in some of the stories that we call "Talk of the Table" because it's a table and we be talking, Vlad, you're in pole position.

NATE BURLESON: That's right.

VLADIMIR DUTHIERS: I am in pole position. All right, my "Talk of the Table" is a touching video of a high school senior from Connecticut who has already gone the extra mile and now has a chance to go really far.

Matthew Myslenski has cerebral palsy. His mother took this video of him last month flanked by his twin sister, Magdalena, logging on to find out if he made it into Harvard University. Take a look.

(Begin VT)

MATTHEW MYSLENSKI: Here we go. Here we go.

MAGDALENA MYSLENSKI: New update. It's been updated.

WOMAN: It is updated.

(MATTHEW AND MAGDALENA MYSLENSKI screaming.)

MAGDALENA MYSLENSKI: No way. No way.

(End VT)

VLADIMIR DUTHIERS: Yes, way. Way. Matthew plans to major in Biology at Harvard. And of course, you can see that his sister could not be happier for him.

GAYLE KING: I love that.

VLADIMIR DUTHIERS: Isn't it a wonderful moment.

NATE BURLESON: That is awesome.

VLADIMIR DUTHIERS: He is top student in his class. He says his teacher says he's never given up. He was taught from a young age, if you want to succeed, you have to overcome and not give up. That's the biggest message here.

GAYLE KING: I love the sister's reaction, too.

NATE BURLESON: That's what it is all about. I love that celebration.

GAYLE KING: Congrats.

NATE BURLESON: Congrats, indeed.

VLADIMIR DUTHIERS: What have you got, Nate.

NATE BURLESON: I got one for you. All right, my "Talk of the Table" is longtime NBA player who is still winning games, even though he's retired from the league.

Jared Jeffries was a contestant on "The Price is Right" right here on CBS yesterday and here is what happened after they said "Come on down."

(Begin VT)

DREW CAREY ("The Price is Right" host): If this is a red seven coming up. You won.

JARED JEFFRIES (Former NBA player): Oh man.

DREW CAREY: Because you changed the very last number.

Let's see a red seven, please. Yes.

(End VT)

NATE BURLESON: So there he is. By the way, he is six foot 11 and that is a red Toyota. Look at the size of him and look at the size of the car. Even though he might have to rip out that front seat, like Schwarzenegger in "Commando." He still won.

VLADIMIR DUTHIERS: Like a little clown car.

NATE BURLESON: No doubt. Congratulations to him.

GAYLE KING: Congrats. That's good, too.

I also have a family from Connecticut who it turns out --

VLADIMIR DUTHIERS: Okay, yes.

GAYLE KING: Who also is doing a great thing. I love this story, too.

So they've been through a lot the family, the Lewis family, and now they have a lot to look forward to.

Johnny Lewis was diagnosed with leukemia in August of 2020. He was two years old at the time. This past October, Johnny and his family celebrated his last dose of chemotherapy. I love how they did this and little Johnny is now cancer free.

(Begin VT)

MAN: Ladies and gentleman, please direct your attention to the family room. After 794 days of chemotherapy, stepping up to the plate for his last dose, single kicking leukemia's ass, ladies and gentlemen, Johnny Lewis.

(Cheering)

(End VT)

VLADIMIR DUTHIERS: Oh.

GAYLE KING: How cute is that?

NATE BURLESON: That is so cute.

GAYLE KING: That's little Johnny with his dad. That's Ralph. The mom is Brittany. Big brothers, Ralphie, Eddie, Harry, and Charlie. Dad says they stepped up to the Big Brother game to Hall of Fame level.

Little sister, Goldie who has just turned one didn't know what was happening, but one day she will. I just love this family so much. I've been holding on to this video.

VLADIMIR DUTHIERS: This is so great.

GAYLE KING: Because it just melts your -- and then they do the confetti. There is Johnny.

So, Johnny, you are a super kid.

NATE BURLESON: He really is.

VLADIMIR DUTHIERS: Yes.

GAYLE KING: He really is.

NATE BURLESON: He really is.

GAYLE KING: Look at the family shot of the Lewis family, but I love the love and intention that they put into this little boy.

NATE BURLESON: Look at that family.

GAYLE KING: And just what it means as a family. So shout out to the Ralph Lewis family. You guys are awesome, awesome.

VLADIMIR DUTHIERS: Fantastic. What a great story, Gayle.

GAYLE KING: I love this story. I thought so, too.

NATE BURLESON: That kid is as tough as it gets.

GAYLE KING: Yes, yes, yes.

NATE BURLESON: That is awesome. Well done, Gayle.

All right, I'm excited, we are excited about our next guest. Deion Sanders is a member of both the Pro and College Football Halls of Fame. Prime Time, as he is known, won two Super Bowls in 14 NFL seasons. Now, he is making his mark as a coach.

In December, Sanders was named the new head coach of University of Colorado. He spent the last three seasons at Mississippi's Jackson State University. The HBCU team went 27 and six after Sanders completely and I mean, completely revamped the once struggling football program.

Now as a part of a new four-part Amazon docuseries, "Coach Prime," viewers can get an inside look at Sanders' historic 2022 season in Jackson. Here is a preview.

(Clip from "Coach Prime.")

NATE BURLESON: Deion Sanders joins us right now. Good morning. What's up, Prime?

DEION SANDERS (University of Colorado head football coach): How you doing, my brother? I'm proud of you. You're looking good as usual.

NATE BURLESON: Well, thank you. I appreciate it. I am proud of you and you're looking good as usual as well.

Now, we are all familiar with your success as a player, you talk about it often. We have watched you dominate on the football field, but what has made you successful as a coach?

DEION SANDERS: Circling myself with a bunch of other coaches that are really good, that understands relationship, understands these young men and attracting kids that are smart, tough, fast discipline with character and not allowing the kids to coach us. But we're implementing those old school principles that you and I grew up on and you and I adored, playing for someone that accelerated those principles.

And we just want to teach kids, not to just rely on being a professional football player. We want them to be professionals period.

NATE BURLESON: Now as I mentioned, you completely transformed what was going on at Jackson State and the world was watching. What is it about that program that you will miss now that you have moved on?

DEION SANDERS: The people. We always say we want to change the culture. But until you change the people you cannot fathom to change the culture. But I'm going to miss so many of the people that are in that university that are amongst the city that were just a blessing to me, my kids as well as the program.

I'm going to truly miss the people. If you weren't for Jackson State, I wouldn't be here.

GAYLE KING: You know, Deion Sanders, I've been watching this series. Number one, it is so good. I was sitting there taking notes because you are a quota a minute, if you have a Plan B, you won't make it. When your team lost the game, then they said we left some meat on the bones collard greens on the plate. That's not good enough.

But it's the way that you talk to the -- it's the way you talk to the kids, but also the way you live your life. I was so touched in this series where you talked about you had your toes amputated, two of them because of blood clots and you said the doctor came to you with an expression you never want to see.

But you said you don't -- anytime you go through something bad, it is worth it and you said God always has you. And it doesn't matter just as long as I'm alive.

Could you just talk about how you got through that? Because I was so moved by how you handled that situation. And now your teammates say that you're now showing off your toes. I am like, okay.

DEION SANDERS: That was one of the most trying times of my life. I mean, you talk about an athlete who prided himself on his body and his physical attributes. Now, I'm short two toes. None of you are talking about amputation in my whole leg. Now, you're talking about my life, and having you back up against a wall and you're saying, God, I had no dirt.

Well, you know, I did well, you didn't bring to this spot for this, and I trust God so much, I never doubted, I never wavered. I've never even considered the fact that I wasn't going to be here to raise my kids and raise these children that I coach, not one bit.

My faith was at stake. How can you even measure your faith if you're not challenged? So just going through that whole time and seeing my kids get to the hospital, something they don't want to see their father like that, but understood that even through the trials and tribulations I had to remain true to who I was and what I believe.

Anybody could clap -- while everybody is going to walk with a nice truck -- when everybody's clapping for you. But when you're on your back, and you're sitting there looking up, you've got to remain consistent with who you are in what you believe and that was a trying time, but we made it through.

VLADIMIR DUTHIERS: Coach, let me ask you a question about Damar Hamlin who is making a remarkable incredible recovery. In your position as a coach of young men who hopefully will one day play in the NFL, what is your message to them after they see that video and they see what happened to Damar. And maybe they're feeling a little concerned about themselves when they step out onto the field.

What is the message to them?

DEION SANDERS: Well, first of all hats off to him. I'm praying for this young man, his friends, family loved ones, and anyone that's close to him.

I'm not going to say that's part of it, because it's not. That could have happened anywhere on any play. And Nate could tell you that wasn't even that severe of an impactful hit or collision to prompt that. That was just the timing.

What I'm going to do I'm going to look for to something that happened through that -- through that -- he is going to be all right and I trust God he is.

But do you see how we came together as a country, as a people? He wasn't Black, he wasn't White, he wasn't Hispanic, he wasn't Asian. He wasn't anything but someone who we cared about and we all came together as one for that moment in that time and we're still together.

I just want to understand that cohesiveness that brought us together, and let's maintain that. It shouldn't take tragedy for us to come together as a people, and that's what I'm on right now.

I want all of us to love each other and sing Kumbaya just like you do every morning. You have a collection of people and ethnicity and social class that you guys give us so much love and just realness and truth every morning. That's why I enjoy watching you.

You're perfect. You're a perfect symbol of love.

NATE BURLESON: We appreciate that.

VLADIMIR DUTHIERS: You ever heard of butterscotch, sir? You talked about all different people, Nate.

NATE BURLESON: Yes. That's right, we got chocolate, caramel and Vlad is butterscotch.

VLADIMIR DUTHIERS: You've never heard of that, Coach.

NATE BURLESON: Deion, so I want to get back to Jackson State. Now you brought attention to not only Jackson State, HBCUs, you talked about the funds. You talked about the attention, you talked about filling the stadiums, putting butts in seats, selling merch.

You shed so much light on what needs to be done at schools like that, yet and still when you left, you were heavily criticized. How did you feel about that?

DEION SANDERS: That was ignorant. Come on, man. It was ignorant, but you've got to understand the people that are criticizing you. I never listened to my critics because my critics have critics. That's one thing. Let's just get this straight.

Secondly, you've got to understand there's a group of persons that are not progressive that don't want it, that ain't trying to go get it, they don't want to work, they don't want to subdue it and dominate it. That they're just sitting there idle and pointing fingers.

My crowd is those people that are up in the morning watching you guys, get ready to go to work. There is going and getting. They've got a house, three or four kids that's trying to make ends meet. Those are my people and they get it. They get elevation they get into something and turning water into wine they get -- we've got to go and make it happen. They get that.

But those people on the side of the road, they are doing practice, I don't get that.

GAYLE KING: Deion, I love this. I love, "My critics have critics." I just want to say something about your wife, Tracey Edmonds, who I know she is spectacular, smart, and gorgeous. And you said in the piece that you love your wife, you need your wife as much as you need toothpaste, and we all need toothpaste.

NATE BURLESON: That's right.

GAYLE KING: I think that's a great way to put it, because we all need toothpaste, so shout out Tracey.

DEION SANDERS: She is -- yes, Trace is a blessing and trust me, she adds so much to me.

GAYLE KING: No doubt.

NATE BURLESON: No doubt.

DEION SANDERS: Either people add or they subtract or help you multiply or divide. Tracey adds and helps me multiply.

NATE BURLESON: Well, Deion, we appreciate you joining us and I'll make this prediction, even though you were one of the greatest NFL players of all time, I feel like what you did on the field will pale in comparison to what you're going to do as a coach. So you're just getting started.

DEION SANDERS: Thank you, and I am recruiting your son. You do know that, right? Because --

VLADIMIR DUTHIERS: Okay, you heard it here. You heard it here first.

DEION SANDERS: All right. I'll repeat that. Gayle, you keep doing what you're doing and your whole crew. Thank you. I love you and thank you for blessing us every morning, you guys. We wake up. I appreciate all of you.

GAYLE KING: Recruiting Mr. Burleson's son. I like it.

NATE BURLESON: All right, brother. We will talk to you soon. You can stream "Coach Prime" --

VLADIMIR DUTHIERS: With the agent --

NATE BURLESON: Amazon Prime Video.

VLADIMIR DUTHIERS: See you soon with my agent. All right, I'm out of here.

NATE BURLESON: And up next, our CBS MORNINGS Deals, but first, here is a check of your local weather.

GAYLE KING: Where are you going?

(LOCAL WEATHER)

(ANNOUNCEMENTS)

NATE BURLESON: It's time now for CBS MORNINGS Deals where we share some items that might help make your day a little bit better, all at exclusive low discounts.

To start shopping, scan the QR code on your screen right now or visit CBSDeals.com.

Good Housekeeping chief technologist, Rachel Rothman is here to join us. What's going on? What have you got for us?

RACHEL ROTHMAN (Good Housekeeping Institute Executive Technical Director): I absolutely love this one for the kitchen. If you have limited dexterity, you pop it in just like this, you can spray it on top. It is an electric grinder and yes, just nice finishing touch.

And it's able to keep those spices fresh, and so when you do the fresh grind on it, it's going to give it that really impactful flavor.

NATE BURLESON: It is like in a fancy restaurant.

RACHEL ROTHMAN: You're in a fancy -- and it makes it so you just pop them in, you pop out. It is super simple.

GAYLE KING: Put another one on.

RACHEL ROTHMAN: Yes, so no cross contamination with this. So I know sometimes you know, you get the salt or the pepper on your hands.

NATE BURLESON: I'm digging that.

RACHEL ROTHMAN: This is so easy.

GAYLE KING: I am, too.

RACHEL ROTHMAN: It's a great housewarming gift. Are you are you loving the product and the popcorn.

GAYLE KING: Yes.

RACHEL ROTHMAN: Yes, popcorn is great and adding that extra seasoning on top.

NATE BURLESON: Focus, Gayle. How much?

RACHEL ROTHMAN: So you can get the salt and pepper with a device for \$36.00 and you can get the three pack with it for \$48.00.

NATE BURLESON: That's a deal.

RACHEL ROTHMAN: Up to 45 percent off. So a really fantastic deal and it comes in different colors.

GAYLE KING: I think that's cool. I think I could actually do that.

RACHEL ROTHMAN: Really cool, really clever. Really easy to use.

NATE BURLESON: But, Gayle, you don't cook.

GAYLE KING: I know, that's -- but I think I can --

RACHEL ROTHMAN: You can toss a little bit --

GAYLE KING: I can season.

RACHEL ROTHMAN: Gayle, we are in the same boat. It is okay. Yes, yes, yes.

GAYLE KING: Charger.

RACHEL ROTHMAN: So, the limitless Power Pro, I don't know about you. We are always fighting for outlets in our house. We have so many devices these days. This can charge up to five different devices. It has two ACs that are grounded.

NATE BURLESON: Literally, every pod.

RACHEL ROTHMAN: And it has surge protection. It has two USB and USBC. So it's really fast charging, and it also has that surge protection so that you don't need to worry about any of those spikes in there.

NATE BURLESON: That is awesome.

RACHEL ROTHMAN: Only \$25.00. This one sells super-fast and you're getting this really fantastic deal, 58 percent, off \$25.00.

NATE BURLESON: That's a great deal.

GAYLE KING: Now, this is if you're having a backyard party. Nate a very great backyard.

RACHEL ROTHMAN: All right, so we're invited and I'm going to bring the Tiki Tunes Pro.

NATE BURLESON: Thank you, thank you. Yes, of course.

RACHEL ROTHMAN: So this is a Bluetooth portable speaker and it has an IPX6 rating, which means that it is water resistant. So you can have an outside you can have an even by the bath. So, I like to set some ambience.

NATE BURLESON: Do they all connect? Could you sync these?

RACHEL ROTHMAN: You can sync up to a hundred of them.,

NATE BURLESON: What?

RACHEL ROTHMAN: You can really outfit your entire backyard.

GAYLE KING: Then it will play music.

RACHEL ROTHMAN: Yes, it will play music.

NATE BURLESON: Oh, hey now.

RACHEL ROTHMAN: All right, all right. All right. And it has three different lighting modes with it.

GAYLE KING: I think that's cool, Rachel.

RACHEL ROTHMAN: This is really cool. It's \$54.00 and it has this really convenient handle, so you can just take it with you. Really easy to use. Controls on top like I said.

GAYLE KING: Or you could put it on a stand.

RACHEL ROTHMAN: And it also comes with a stake and it goes up to four feet and you can adjust the height at six inch increments. So it's this really fantastic set, take anywhere with you, pair up multiple ones and for \$54.00 it is a fantastic deal. So get a lot of them.

NATE BURLESON: That is a great price.

All right, Rachel Rothman. Thank you so much.

RACHEL ROTHMAN: Thank you so much.

NATE BURLESON: We appreciate you. Of course, we partner with all these companies to get these deals. You can buy anything that you saw and many more products, scan the QR code on your screen right now or head over to CBSDeals.com to start shopping right now.

We will be right back. This right here is --

GAYLE KING: Party at Nate's --

(ANNOUNCEMENTS)

GAYLE KING: I'm still thinking about Deion Sanders who you know, Nate. I really like him.

NATE BURLESON: Is this you singing, Gayle?

GAYLE KING: I like Deion Sanders.

(ANNOUNCEMENTS)

(LOCAL NEWS)

(LOCAL WEATHER)

(ANNOUNCEMENTS)

END

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NewsRoom

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CNN Newsroom

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California Governor Says, At Least 14 Dead as Extreme Storms Slam State;
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California Governor Says, At Least 14 Dead as Extreme Storms Slam State; **Classified Documents** from **Biden's** Time as V.P. Found in Private Office; CNN Reports, Husband of Missing Mom Searched How to Dispose of Woman's Body. Aired 10-10:30a ET

(COMMERCIAL BREAK)

[10:00:00]

JIM SCIUTTO, CNN ANCHOR: Top of the hour this Tuesday. I'm Jim Sciutto.

ERICA HILL, CNN ANCHOR: And I'm Erica Hill.

Happening right now, we're following these deadly storms pummeling the California coast. Rescues and evacuations underway in several parts of the state. You see this video here, mudslides, flooding, the impact of that is just massive. Power knocked out to more than 230,000 customers, a number of roads are closed, some highways just impassable. And 14 people at least we know have died. We're going to take you live to California for the very latest.

SCIUTTO: Yes, the pictures are incredible.

Plus, President **Biden** is facing questions this morning over his handling of **classified** material while he was vice president. This after his attorneys discovered **documents**, some **classified**, in a private office, those attorneys then returned them to the National Archives. We're going to discuss the impact but also how this case differs from former President Trump's handling of **classified documents**.

We do begin though with the deadly weather in California. Where many areas now have seen more than a month's worth of rain in just the last 24 hours. 14 people have died at least.

HILL: We look at all of this, I mean, you can see the impact there, perhaps not surprising that the heavy rain and the flooding have forced evacuations. It is also making it tough for people who are actually trying to get to safety, as you can see in some of this video here.

CNN's Kyung Lah and Camila Bernal are covering for this for both us.

So, Kyung, first to you in the southern part of the state, you're there on the 101 Freeway. Clearly, no one commuting there this morning. What are those conditions like? KYUNG LAH, CNN SENIOR NATIONAL CORRESPONDENT: You know, it is really our first good look at what we are standing on because the sun is just starting to peek out from behind the clouds. And this is the 101 Freeway. You can see it is completely caked over in mud, there is water that is completely washed over this freeway.

And the reason why this is completely shut down and why this standing water is still there is because below the freeway is the Ventura River. In just 12 hours yesterday, that river rose 17 feet. So, that is -- just gives you a snapshot of what we're seeing here in Southern California. In Santa Barbara, the airport there reports one day of rain that is higher than the average month of January. So, just an incredible amount of water. And it is impacting tens of millions of people.

I'm going to take a look behind and make sure no one is coming. We're seeing emergency crews beginning to move and down the 101 but they haven't been able to clear this yet because there are still so many emergencies happening.

There is rain. Rain is expected throughout the morning here in Southern California. So, Jim and Erica, it is not over. The morning commute is still going to be happening. And there is a lot of concern about what is going to happen as people start to head to work.

SCIUTTO: Camila, tell us what you're seeing where you are there and are the waters expected to rise again?

CAMILA BERNAL, CNN NATIONAL CORRESPONDENT: Hey, Jim. Yes, a very similar situation, a lot of standing water and a lot of clean-up to do in this area. If you just take a look at the street, same scenario as Kyung. The sun is starting to come out, so you can see just how much water is all over this neighborhood. House after house having to deal with all of this.

And, unfortunately, there was nothing they could do to stop that water. I talked to some of the residents yesterday who were telling me I wanted to put those sandbags out and I didn't but it made no difference because the water still got into the homes here and in many other communities across Santa Cruz County.

[10:05:07]

There are 32,000 people in this county that are under evacuation orders, the sheriff's deputies going door-to-door over the last couple of days, telling people to evacuate their homes, to leave immediately because of the dangerous conditions. You don't want to be in your home when it is like this.

And not just the water, but you're also losing power in many of the areas. We've seen crews over the last couple of days working to try to restore that power. But it is everything put together that makes it really difficult for these residents.

I talked to people yesterday who told me, look, I am just so tired of cleaning up, of going through the rain, because it is coming closer together in terms of the timeframes, a storm after another storm. And so people are frustrated, people are tired and it is becoming very dangerous.

Just like in many other parts of the state, they're telling people, if you do not have to travel, do not get in your car, because, again, the streets look like this. So it is much better to stay home, to try to be as safe as possible because, yes, more rain is coming in the next couple of days. And so, they're starting to do anything they can to prepare for that next storm already. Jim, Erica?

SCIUTTO: No question. Speed is of the essence. Kyung Lah, Camila Bernals, thanks so much to both of you.

All right, another story we're following closely this morning, sources tell CNN just now that President Biden and his White House legal team do not know exactly what is in the classified documents, all from his time as vice president that his lawyers found in his private office last fall and then returned to the National Archives.

HILL: We're told it is less than a dozen documents. What is in them?

CNN Senior Legal Affairs Correspondent Paula Reid joining us now with more. What do we know this morning about these documents?

PAULA REID, CNN SENIOR LEGAL AFFAIRS CORRESPONDENT: Erica, in order to understand what is it going on here, let's go back a few years, between the time that Biden was vice president, before he became president, 2017 and 2019. He's an honorary professor at the University of Pennsylvania and he has an office here in D.C.

Now, just a few weeks ago, November 2nd, his lawyers were cleaning out this office and they uncovered what they say are fewer than a dozen classified documents. They say they immediately did what they were supposed to do, which is notify the National Archives, which we're told took possession of the documents the next day. The Justice Department has appointed the U.S. attorney in Chicago to review this and to do a damage assessment.

And, Erica, what is notable about that is the U.S. attorney in Chicago is one of only two Trump-appointed U.S. attorneys still serving in government. The other one is a U.S. attorney in Delaware who is overseeing the investigation into the president's son.

Now, the Biden team, they say they are fully cooperating with the Justice Department, fully cooperating with the Archives. And while that lays out what with we know, the facts that we have from our reporting, we still have a lot of questions. Among them, why did they go to this specific office on this specific date, just a few days before a critical midterm? Why did they send lawyers and also why did they let this get out to the press and not get out ahead of it?

SCIUTTO: Paula, you've noted the similarities, classified documents found in a private office. Tell us what the differences are between this and Trump's handling.

REID: So, in the Mar-a-Lago case, that really does appear to be a much more complicated case. It is a full-blown criminal investigation. First off, we're talking about a different volume of information, right, fewer than 12 documents versus hundreds of documents.

The level of cooperation, Trump, we know, was not very cooperative, refused to hand over many of the documents until subpoenas were obtained, and then there's also the nature of the investigation.

They're doing a damage assessment, the U.S. attorney in Chicago, but when it comes to the former president and Mar-a-Lago, it is a special counsel investigating not only the possible mishandling of classified information but also possible obstruction of justice and other crimes.

SCIUTTO: And that's the thing, it gets to not even just -- not cooperative, right, but resistance to cooperation, which we'll see if they have legal implications.

Paula Reid, thanks so much.

HILL: Joining us now to discuss, CNN Political Analyst Jackie Kucinich, Washington Bureau Chief for The Boston Globe, and CNN Political Analyst Seung Min Kim, White House Reporter for the Associated Press. Nice to see you both, as always, this morning.

So, I'm curious, as we look at this, you are going to see, Paula laid out, sort of the apples to apples part of this and then the apples to orange part of this when we are talking about what was found in that locked closet in the former office President

Biden, what was found at Mar-a-Lago with former President Trump. Seung Min, is there a sense this morning that the White House has a handle on this in terms of what the story is?

SEUNG MIN KIM, CNN POLITICAL ANALYST: Well, in terms of the procedures that they followed, obviously, as Paula pointed out, they did what you're supposed to do when you discover these documents. His personal lawyers contacted the White House Counsel's Office immediately, which then contacted the National Archives, which, as we've pointed out, is significantly different from what those around Trump did.

But I think what the White House is grappling with this morning is that there are still a lot of questions that we in the media that the public rightly have.

[10:10:01]

And President Biden is in Mexico. He is facing the press later this afternoon when he stands with the other two leaders from Canada and Mexico at the so-called Three Amigos Summit, and he's going to face some tough questions and particularly on which, if this happened -- if this discovery happened in November, right before the midterm elections, as we should point out, why is the public only learning about this now? Why wasn't this proactively disclosed by his attorneys? And certainly we have a lot of other questions about what particularly were in those documents and several other questions as well. SCIUTTO: Jackie Kucinich, there is the legal questions here, right, cases are different legally, particularly with the obstruction aspect but then there are also the political questions and the attorney general has to make decisions about a number of cases involving Trump and politics are part of that judgment. As a practical matter, does this change or influence or cause pause, right, in the mind of the attorney general as he considers various cases, particularly the classified documents case against Trump?

JACKIE KUCINICH, CNN POLITICAL ANALYST: Well, I mean, I think this is why he referred it to another office, right? He immediately didn't want that conflict of interest. But, again, I think you mentioned politics, none of these facts that are meticulously just laid out by Paula and Seung Min are going to matter for House Republicans. They are going at this. You are already hearing them equate it to what happened with former President Trump and even though it is very an apples to oranges situation, even at a casual glance at this point.

However, when you're talking about a House majority that is launching all sorts of investigations into the Biden administration, you have to imagine this is going to be very much top of mind.

HILL: As we're watching all of this play out and we hear more from Republicans, we're also seeing things happen in Congress, right? So, the rules package was passed. I was struck in comments just a short time ago, we heard from Dusty Johnson, we've heard from other Republicans who have said in terms of George Santos, there needs to be a full and complete investigation from the House Ethics Committee, Democrats obviously calling for this as well.

Seung Min, where does that stand and how much appetite does Kevin McCarthy seem to have for listening to some of his -- some of those in his own conference who say there needs to be this investigation?

KIM: Well, there are a lot of pending investigations and calls for investigations into George Santos. We're talking about requests made to the FEC. We're talking about attorney -- state attorney investigations in New York. We're talking about federal investigations. We're talking about a potential House Ethics Committee investigations.

So, there are a lot of inquiries that George Santos is likely going to face in his first months of Congress, however long his service -- his tenure in Congress goes. But I think what those investigations do is actually give a little bit of leeway for now speaker Kevin McCarthy to defer to those investigations. Certainly, when he faces reporters later this week, he is going to be asked questions about Congressman Santos, whether he should leave Congress, whether he should get committee assignments. What should happen to those investigations?

And I think what leadership will do here is kind of let those probes play out in whichever forum they go. The problem with a lot of these investigations, certainly with the House Ethics Committee, that they can go on for a very long time and never really reach a consensus.

And in that house rules package, remember, House Republicans weakened the ethics apparatus of the House. So, we'll have to see the impact when it comes to investigating one of their own.

SCIUTTO: I was just going to say that. That is part of changes in those rules package.

Jackie, as happens when you have divided government like this, there are going to be a lot of symbolic votes in the GOP-controlled House that will go nowhere because Democrats control the Senate and the White House and there will be ways that they have genuine capability to move or block things. What are those? What is in that category?

KUCINICH: In terms of what they're able to genuinely block, I mean, there are rules within this rules package about how they're going to treat the debt limit, for example. They're going to try to use it to have spending cuts. And I think that is a great concern to the White House, and to the Fed and to lots of parts of this government and outside of government, how that debate will be handled. But they've been very bullish about that since taking the majority.

And but they're also -- even if they can't do anything about it, I think particularly as you see certain members of Jason Smith, for example, taking the helm of a ways and means, he's more populous than you've seen as the chairman and ways and means, and he's promised a lot of oversight over the IRS and to ask a lot of tough questions to IRS officials. So, we're going to see probably a lot more increase into that.

SCIUTTO: All right. Jackie Kucinich, Seung Min Kim, thanks so much to both of you.

HILL: Still ahead here, new details in the case of a missing Massachusetts mother of three.

[10:15:01]

Authorities now say her husband was reportedly searching online for, among other things, how to dispose of a woman's body. We'll have the very latest from Massachusetts. SCIUTTO: Plus, another disturbing story, the gun allegedly used by a six-year-old boy to shoot his teacher at a school in Virginia had been legal -- who was there when the shooting happened and actually helped the wounded teacher.

(COMMERCIAL BREAK)

HILL: Law enforcement sources tell CNN the husband of a missing Massachusetts mother of three searched online for how to dispose of a woman's body, 115-pound woman's body and also looked for information about how to dismember a body.

Anna Walshe hasn't been seen since early New Year's Day. Her husband, Brian, has been charged with misleading investigators in the case. He's pleaded not guilty. Police, though, now saying they found a bloody knife in the couple's basement.

SCIUTTO: So, last night, investigators then searched a trash facility in Massachusetts, pictures there, for evidence linked to Anna Walshe disappearance. Police say that they recovered several items there and are now testing them for potential connections to the investigation.

Criminal Defense Attorney and CNN Legal Analyst Joey Jackson joins me now to discuss. Joey, you've been involved in a lot of cases here, innocent until proven guilty, but some signs here, I mean, the \$450 in cleaning supplies the next day, lying to investigators, these searches online. What does that add up to you so far?

JOEY JACKSON, CNN LEGAL ANALYST: Yes, good morning to you, Jim, good morning to you, Erica. It adds up that they're really building, that is authorities, for the potential of a murder case.

Now, we don't know that yet. The body has not been found, if there is a body. Obviously, there are a lot of people, including her three children ages two to six and her co-workers in Washington, D.C., who are playing for her safe return.

[10:20:01]

But authorities, as we look at the timeline of the search there have to do their due diligence and they have to expect and anticipate based upon what you raised, Jim, which is the circumstantial evidence, as you noted, with regard to internet searches of how do you dispose of a 115-pound body, with respect to misleading investigators, with regard to him apparently saying she left to go to D.C. and not there. They have to plan for the worst. I think that is what they're doing and that indicates to me that they're preparing and planning for a potential murder case.

HILL: Joey, so, he's being held right now for giving misleading statements. He's being held on half a million dollars bail, which seems really high for that charge. Is this part of we have to hold him on what we have now while that search continues?

JACKSON: Yes, that is precisely right. And so I think what authorities want to do, Erica, is to keep him really close. And that is that that they want to, as they conduct this search and the information, all right, we know they recovered in the basement a knife with DNA, we know about the searches, we know about him misleading investigators, we know about him attempting to run them off the path, we know about what we saw before, which was authorities searching for trash and other things. What they want to do is to ensure that they have eyes on him so in the event that this escalates to a fact where there is a death here, that they can prosecute him and that he's gone nowhere. And so that is what that is all about.

And in addition to that, of course, could not charge at this point murder. You, of course, can you can pursue a murder case in the absence of a body but they want to, authorities do, exercise all due diligence, leave no stone unturned so -- to the extent that it becomes that, if it becomes that, they're ready, willing and able to move forward with a vigorous prosecution.

SCIUTTO: Now, one interesting detail here is he was wearing an ankle bracelet prior for fraud charges, federal fraud case, I believe. Does that factor into, well, for instance, their ability to hold him? JACKSON: Well, I'll tell you what it factors into. Apparently, because of that fraud case, Jim, he was required to report, right, when he leaves the home. And he has to be given permission when he leaves the home. Of course, he left the home is the indication during a time where he admitted to pick up his kids and that is the time that they found out that he was getting cleaning supplies.

And so why were you getting cleaning supplies? Of course, people could clean their home, they do often, right? But it certainly seems coincidental that you're leaving the home when should be on home confinement at a time that you were otherwise permitted to do it because you're getting your kids. The kids did not have school that day, so that's relevant. And certainly if you're on probation in connection with another case, it does not bode well for you with respect to you answering up for whether or not these charges ultimately could be elevated to something more significant.

SCIUTTO: Yes, just alarming all around. Yes.

HILL: Yes. It really is, and a lot of questions this morning, not just about where she has gone but also about what may or may not be known.

Joey, I appreciate it as always. Thank you.

New this morning, the chief of police in Newport News, Virginia, tells CNN it is a possibility that the mother of that six-year-old boy who shot his teacher in school last week could, herself, face charges.

HILL: Police say the mother legally bought the gun the child used in that shooting, and that the boy had put the gun in his backpack, brought it to school.

CNN's Brian Todd has been following these new details for us. So, Brian, what more are we learning?

BRIAN TODD, CNN CORRESPONDENT: Well, Erica and Jim, one of many important questions, and you raised it just a moment ago, is why hasn't the mother been charged already. The police chief, Steve Drew, as you relayed, saying that it is certainly a possibility that she could be charged but Drew also said they have to talk more with investigators. They have to talk more with child protective services and with the commonwealth attorney's office to find out more facts about this case before possibly charging the mother with any possible crime in this case.

You know, we know that the handgun was left at the house, that the child obtained it, put it in his backpack, took it to school. But how the child actually got that gun, whether it was secured, we asked those questions of the police chief yesterday, he was not able to answer them as of yesterday.

We've been talking to a lot of other people involved in this case, including someone kind of hailed as a hero this morning. Lowanda Sample-Rush. She's a grandmother who was there at the school that day to pick up her two grandsons. She happened to be in the main office when the shooting occur and helped administer first aid to the teacher who was shot, Abby Zwerner, as Abby Swerner came into the office bleeding. Here is what Lowanda Sample-Rush had to say to us.

(BEGIN VIDEO CLIP)

LOWANDA SAMPLE-RUSH, PERFORMED FIRST AID ON WOUNDED TEACHER: The teacher that was shot, she came into the office saying that she had been shot. She had blood on her hand and blood on her shirt. And she said that she had been shot.

My first instinct, being a mom, a grand mom, was to run down the hallway.

[10:25:00]

That was my first instinct. And I was about to go down the hallway.

(END VIDEO CLIP)

TODD: But Lowanda stayed in the office and helped administer first aid to Abby Zwerner when Abby Zwerner made her way into the office bleeding. And Lowanda told us that Abby Zwerner came in bleeding. She said, call 911, that she passed out at one point after kind of sitting up. It was a very dramatic scene there in the office.

A couple of other people hailed as heroes, police, of course, citing Abby Zwerner, the teacher, as being a hero because she made sure that all of the students got out of the classroom when the shooting occurred. The police say that Abby Zwerner was the last person to leave the classroom before she herself made her way to the office to try to seek help.

There is also another school employee being hailed as a hero this morning, not talked about too much, but this school employee rushed into that classroom, as the children were rushing out, and restrained the child who had committed the shooting until police

got there. And the police told us that the child became combative and struck that school employee. But the employee was able to restrain the child until the police got there. Police got there very quickly but that person is a hero as well this morning, guys.

SCIUTTO: Six-year-old with a gun. Brian Todd, thanks so much.

Coming up, the White House is preparing new measures now to slow or attempt to slow a growing surge of migrants at the southern border. We're going to discuss with Texas Congressman Vicente Gonzalez, that is just ahead.

(COMMERCIAL BREAK)

[10:30:00]

[Byline: Jim Sciutto, Erica Hill, Kyung Lah, Camila Bernal, Paula Reid, Seung Min Kim, Jackie Kucinich, Joey Jackson, Brian Todd] [High: Rescues, evacuations as dangerous flooding slams Southern California. Crews rush to rescue people trapped in historic California flooding. Sources say, **Biden**, White House legal team don't know what's in **classified documents** found in private office. Key differences in **classified documents** found at Mar-a-Lago and **Biden's** office. House Republicans pass rules package in key test for McCarthy. McCarthy faces new challenges after finally winning speaker fight. House GOP passes repeal of IRS funding, unlikely to pass Senate. Police say, items found in search of missing woman are being tested. Prosecutors say, knife, blood found in missing woman's home. Brian Walshe has been charged with misleading police investigators. Police say, mom of six- year-old who shot teacher could face charges. Police say, teacher shot by six-year-old is asking about her students. Bullet went through the hand and into the chest of 25-year-old Abigail Zwerner] [Spec: Joe Biden; Donald Trump; Merrick Garland; Kevin McCarthy; George Santos; Brian Walshe; Anna Walshe; Abigail Zwerner; Weather; Flash Flooding; Classified Documents; DOJ; Congress; Senate; Politics; Policies; Law Enforcement; Murder; School Shooting; California; Massachusetts; Virginia] [Copy: Content and programming copyright 2023 Cable News Network LP, LLLP. ALL RIGHTS RESERVED. Prepared by VIQ Media Transcription, Inc. No license is granted to the user of this material other than for research. User may not reproduce or redistribute the material except for user's personal or internal use and, in such case, only one copy may be printed, nor shall user use any material for commercial purposes or in any fashion that may infringe upon Cable News Network LP, LLLP's copyright or other proprietary rights or interests in the material; provided, however, that members of the news media may redistribute limited portions (less than 250 words) of this material without a specific license from CNN so long as they provide conspicuous attribution to CNN as the originator and copyright holder of such material. This is not a legal transcript for purposes of litigation.] [End-Story: California Governor Says, At Least 14 Dead as Extreme Storms Slam State; Classified Documents from Biden's Time as V.P. Found in Private Office; CNN Reports, Husband of Missing Mom Searched How to Dispose of Woman's Body. Aired 10-10:30a ET]

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Classified Docs From Biden's Time As VP Discovered In A Private Office;
Brazil's President Blames Predecessor For Encouraging Riots, Vows To Punish...

Classified Docs From Biden's Time As VP Discovered In A Private Office; Brazil's President Blames Predecessor For Encouraging Riots, Vows To Punish Pro-Bolsonaro Rioters For Storming Buildings; Husband Of Ana Walshe Arrested For Misleading Investigators. Aired 9-10p ET

[21:00:00]

(COMMERCIAL BREAK)

ANDERSON COOPER, CNN HOST: Breaking News, tops the hour. It turns out the former President is not the only one with a classified documents problem.

The current President has one as well, stemming from his time, as Vice President. They were discovered last fall, in a private office, in Washington that he used, as part of his relationship, with the University of Pennsylvania, where he was an Honorary Professor, from 2017 to 2019.

Attorney General Garland has asked a U.S. Attorney, to investigate.

Republicans are reacting.

So far, the former President, and the Democratic former Chairman of the House Intelligence Committee, has called this, quote, "A problem and a deep concern," end quote.

CNN's Evan Perez shares the byline of the story. He joins us now.

So, what more do you know about the documents that were found?

EVAN PEREZ, CNN SENIOR JUSTICE CORRESPONDENT: Well, Anderson, we know that at least some of the documents were classified at a level as a TS/SCI, which is, stands for Sensitive Compartmented Information.

And this is sensitive information that comes from Intelligence sources, and that is designed to be kept, in secure locations, one of which presumably is not a office, in the Vice President's - what was then the Vice President's office, at the Penn Biden Center.

So, that's the reason why this has now been looked into, by the Justice Department, by the U.S. Attorney, John Lausch, in Chicago. He's a Trump appointee, who has been kept on doing various investigations. And now, he and the FBI are going to take a look at this. They're doing a review, to see, do a damage assessment, so to speak, which is a standard way of handling these types of things.

According to the White House, they're cooperating. They say that this was found, back in November, as the President's legal team was trying to close down this office, at the University of Pennsylvania. And as soon as they determined these documents, which were, they say, fewer than a dozen, they turned it over to the National Archives, which then asked the Justice Department to look into it.

COOPER: And now, a number of Republicans, and others, are making comparisons, to the former President's issues, with classified documents, and the search at Mar-a-Lago.

How does it compare? How is it different?

PEREZ: Well, there's some big differences, right? According to the Biden White House, they're saying there are fewer than a dozen documents.

In the Trump investigation, which is still an ongoing investigation, we have seen, from court documents that we're talking over 300 documents, including 92, that were at the highest level of classification. So, that's part of what is a big difference here.

Another difference is that the Archives, the National Archives, and the FBI, and the Justice Department, went around, with various rounds, with the Trump legal team, over a period of months, trying to get them to turn over the information, to turn over those documents. And the former President was refusing.

In the end, they carried out that extraordinary search, that we saw at Mar-a-Lago, because the Justice Department said that it found indications or evidence that people were moving boxes, out of this secure location that these documents were supposed to be held.

That's a vast difference from what the White House is describing happened here, which is that the President's legal team, found these documents, they say, they turned them over to the National Archives, the following day, Anderson.

COOPER: Evan Perez, appreciate it. Thanks.

President Biden is in Mexico, tonight, where he was asked about the story.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: Any comment on the documents, Sir?

(END VIDEO CLIP)

COOPER: So, with that non-answer, let's go to CNN's Phil Mattingly.

So, while the President did not address this tonight, what is the White House saying, about these documents?

PHIL MATTINGLY, CNN CHIEF WHITE HOUSE CORRESPONDENT: Anderson, I think we should probably get used to non-answers, in part because this is a White House, and a President that have really gone to great lengths, not to be seen, or not to have the perception, of trying to get involved in anything the Justice Department does. And that will certainly be the case here.

However, they did put out, an on-the-record statement that is very detailed, in its timeline. And that detail carries some intent behind it, implicitly, in the sense of just how sharply diverge it is, as Evan was laying out, from what the former President is dealing with, right now.

In that timeline, noting that these documents were discovered, as Evan noted, as this office was being closed out, a call was immediately placed, to the Counsel's Office.

[21:05:00]

That was the first time a source told me that President Biden became aware that these documents existed. Still does not know exactly what those documents entailed, up to this point.

The Counsel's Office reached out to the Archives. And, by the next morning, the Archives was at the Penn Center, picking up those documents.

Now, as this review goes on, White House officials say they are going to continue to cooperate. The President's lawyers have continued to cooperate.

Another critical difference here that they make clear is that these documents were never requested, they were never sought, and they were turned down for those. They were found. And they were immediately turned over. That's what the White House is focusing on, right now.

In terms of how much more we're going to hear from them, at this point, it seems like very little despite a very politically toxic issue, right here, Anderson.

COOPER: And what's the reaction, or has there been a reaction, from the former President?

MATTINGLY: I'm intrigued by the fact that you asked, "Has there been?"

Yes, absolutely, and very quickly, the President, going on social media, to post about this. Posting in part, "When is the FBI going to raid the many homes of Joe Biden, perhaps even the White House?"

To some degree, and you expect Republicans, as Evan was laying out, but also the former President, to talk about this repeatedly. And that has certainly been the case.

But in the President's statement, he kind of underscores one of the critical differences here. The reason why the FBI raid occurred is because their documents were not turned over, despite requests. Despite turning over some of the documents, some still remained at Mar-a-Lago.

That has not been the case at least as White House officials have laid things out, up to this point. But there's no question this underscores the reality here, that White House officials are keenly aware of. This is becoming a political issue, very quickly. Already has, to some degree. That is part of why that statement that was released by the Counsel's Office was so detailed. But it's something they're going to have to grapple with, in the weeks ahead, Anderson.

COOPER: Phil Mattingly, appreciate it.

We're joined now by CNN Legal Analyst, and former Deputy Assistant Attorney General, Elliot Williams; also CNN's Senior Legal Analyst and former federal prosecutor, Elie Honig; also with us, CNN Special Correspondent, Jamie Gangel, who did

some of the reporting on this; and CNN's Senior Political Commentator, David Axelrod, former Senior Adviser to President Obama.

Elie, let's talk about just legally, is this - how big of a deal is this?

ELIE HONIG, FORMER ASSISTANT U.S. ATTORNEY, SOUTHERN DISTRICT OF NY, CNN SENIOR LEGAL ANALYST, AUTHOR, "HATCHET MAN": Well, it's potentially a very big deal, both for Joe Biden, and for Donald Trump.

Now, there's a lot we need to know, Anderson. And the details matter here. There could be a lot of differences, between the two scenarios.

Most importantly, did Joe Biden know, what was, the purpose? How did these documents get there? How many were there? Were they cooperative, or were they obstructive? On paper, those could make the difference, between something that is criminal, or not criminal. But we don't live on paper, nor do prosecutors.

And you have to look at this, I look at this, through a political lens, and a reality lens, which is, is Merrick Garland, who ultimately is going to have the say here who, is known for nothing more than - nothing, if not being averse, to politics? He wants nothing that appears to be political. Is he going to give his own boss, the person, who put him in the position, as Attorney General, a pass and, at the same time, bring a criminal charge, and try to lock up the person, who's running against his boss?

COOPER: He appointed a Trump-appointed prosecutor.

HONIG: Yes.

COOPER: Didn't he?

HONIG: He did. He kept on a Trump-appointed U.S. Attorney, from Illinois, who's sort of serving almost as a Special Counsel here. But ultimately, the end decision, the bottom line, "Do I indict or not," in both instances, is going to be Merrick Garland's call.

COOPER: David, what is your reaction? And as someone, who worked in the Obama-Biden administration, what do you recall about how that administration handled **classified documents**?

DAVID AXELROD, FORMER SENIOR ADVISER TO PRESIDENT OBAMA, CNN SENIOR POLITICAL COMMENTATOR: Look, I don't know exactly how this went down.

We all were very well-informed about how to handle documents. Everyone had safes, where **classified** information was stored. Even **documents** that weren't **classified**, we were lectured all the time about the handling of those, and what we could and couldn't take with us, when we left the White House.

So, I don't know how exactly this happened. I mean, it sounds, in the telling, a lot more benign than what we know of what happened, with President Trump, in that the Biden folks found these documents, and immediately notified authorities, that they had them.

But in the mishmash of today's politics, and whataboutism, I'm sure that this will become fodder, for those, who want to blunt the threat to Donald Trump.

COOPER: Elliot, I mean, the Justice - so the National Archives referred the matter to the DOJ, for further investigation. What questions need to be answered, right now? I mean, Elie covered some of them.

ELLIOT WILLIAMS, FORMER DEPUTY ASSISTANT ATTORNEY GENERAL, OBAMA ADMINISTRATION, FORMER FEDERAL PROSECUTOR, CNN LEGAL ANALYST: Yes, and I think it all gets down to intent, Anderson. Look, someone who accidentally commits an offense, for the most part, and for most crimes, is not and should not be charged with the crime.

Let's go back to former President Trump. If he truly was inadvertent, in the retention of these documents, he shouldn't be charged, with a crime, either.

The problem for the former President's that there's a growing body of evidence that number one, he or others, around him, sought to obstruct an investigation, into the retention of documents. Or, number two, aided in the retention of those documents.

So, what the Justice Department needs to look into is, number one, who might have touched or been around or known about the documents. Number two, why did they get there, in the first place? And how, and number three, was some of this accidental?

[21:10:00]

We all, and this is picking up on David's point, as former members of an administration, or government employees, are given instruction, as to how to retain documents, what to do with them when they're in our care. But certainly, mistakes happen. And if they do, they shouldn't be charged as crimes.

But again, once - we have to find out more, as to sort of what went behind all of this, before any charging decision, or knowing how something of a charge can be made.

COOPER: Jamie, I mean, at this stage, how big an issue, do you think, this could become, for the Biden administration? Obviously, Republicans, we've heard from Republicans, on Capitol Hill, who have been commenting about this.

JAMIE GANGEL, CNN SPECIAL CORRESPONDENT: Look, this is no question a political gift, to Donald Trump, and a political gift, to the Republicans, up on the Hill. And they are going to take it and run with it.

I just want to go back to something that David Axelrod said. The mishmash of politics, I think there's going to be more mash than mish here. But I spoke to a source, who is--

COOPER: Which is worse?

GANGEL: I'm not sure. We will see.

It's - but I spoke to a source very familiar with how the National Archives has worked, with situations, like this, in the past. And this is not a political person. This is a professional person.

And they pointed out, "You know what the reality is? This happens. Former high level officials, I know, former President of the United States, a former Director of the CIA, who I've known for years, have told me, they have found something, in their homes, afterwards. It can be an honest mistake."

So, to Elliot's point, what was the intent to, you know, there does not seem to be obstruction here. They couldn't have been more cooperative.

I am told that if there was not the Mar-a-Lago documents situation, that the National Archives might very well not have referred this, to the Justice Department. But they felt they had to, simply because of what was going on, with Donald Trump.

COOPER: So Elie, I mean, how long does an investigation like this go on for?

HONIG: I think you need to move quickly here, I think, in both instances. I mean, we're not that far away, from the 2024 campaign, coming into focus here. But I think we need quick answers.

Look, Merrick Garland, I've been critical, I'll remain critical, he's moved very slow. We're two years out, from January 6. We're more than a year out from the Trump Mar-a-Lago documents, sort of coming to the attention of the Archives. We can't let this linger. I think we need clear answers.

And I think that's why Merrick Garland has deputized, in one case, a Special Counsel, and the other case, this Trump-appointed U.S. Attorney, A, to give himself a little bit of political cover, but B, because you need people who are focused on getting us answers, quickly.

COOPER: David, I mean, legal reasons, and sort of ethical reasons, why President Biden wouldn't comment. But I mean, how long can the President not make some sort of comment about this?

GANGEL: Yes.

AXELROD: No, I think he'll be pressed on this. And he'll have to - he'll have to speak to it.

And I thought Elie made a really good point, earlier. I think Merrick Garland prides himself, on making decisions, based on the law, and that's who he is. But you can't isolate yourself, from the political environment.

And should they move on Trump, even though the circumstances appear to be much different? You know the reaction that it's going to engender that there are two standards here. So, whatever Biden says, this changes the discussion, I think, and it probably changes the decision- making, in the Justice Department.

COOPER: Yes. I mean, Elliot, how does it change the decision, or complicate the Special Counsel's investigation, of the former President?

WILLIAMS: Well, look, Anderson, there's two answers to that. Someone ought to be charged with a crime, if the facts and the law indicate that a conviction could be sustained, in front of a jury, right?

The Justice Department, theoretically operates, independent of politics. The simple fact is we live in the real world, right? And, in the real world, there are political implications to actions.

And as everyone, on this panel, has said, today, there's going to be political questions. You can already see Jim Jordan, the Incoming Chair of the House Judiciary Committee, salivating over the prospect of saying that Donald Trump was targeted, and how political all the process was. Even setting aside the fact that the two scenarios, one, the former President, and the current President, are just different, based on the information that's available, on the record, right now.

So, the simple fact is the Justice Department needs to be prepared, to answer the political question, even if it doesn't, or shouldn't weigh into the question of guilt or innocence.

COOPER: Elliot Williams, Elie Honig, Jamie Gangel, David Axelrod, thank you.

Coming up next, whether it's a question of mish or mash, as Jamie said, a live report, on reaction, tonight, from lawmakers, on both sides of the aisle. And more on the impact this could have, on the President, now that Republicans are in charge of oversight, in the House.

[21:15:00]

And later, a live report, from Brazil, where hundreds have now been arrested. The fallout is spreading, from yesterday's attack, on the country's seat of government, by supporters, of its defeated President.

(COMMERCIAL BREAK) COOPER: More now on tonight's Breaking News, that classified documents, from President Biden's time, as Vice President, were discovered, last fall, in a private office that he used, until the start of the 2020 campaign.

As we mentioned before the break, House Republicans have already promised, to use their new oversight power, to investigate the President. They've started weighing in and, just a short time ago, so did some Democrats, on the House Intelligence Committee.

CNN's Manu Raju joins us, now, from the Capitol.

I know you spoke to Speaker McCarthy. What did he tell you?

MANU RAJU, CNN CHIEF CONGRESSIONAL CORRESPONDENT: Yes, I asked him about these classified documents being discovered. And he seemed to dismiss the suggestion that they were only recently discovered. And he said, "Oh, really? It took this long to find these documents," he said sarcastically.

And I asked him if he had similar concerns, with Donald Trump, and all those documents that were found in Mar-a-Lago. And he sidestepped that question, saying that it was the Democrats, who over the head, played their hands, on that issue, given that now that these **classified documents** were found, with President **Biden**.

Now, he was also asked whether or not there should be any investigation, into this matter. And he didn't say directly. But then he said that there's a difference, between Donald Trump, and Joe **Biden**. Donald Trump was only in political office, for one term. Joe **Biden** was in for 40 years.

[21:20:00]

Now, others went further, and suggested there could be some sort of investigation. James Comer, who is the Chairman of the House Oversight Committee, told me that he plans to send a letter, to the National Archives, which he oversees, to try to understand those documents that apparently were - may have been mishandled.

And I also talked to Jim Jordan, who is the Chairman of the House Judiciary Committee. Now, he would not say whether or not he plans to press ahead, and with any investigation. But he did say, "Wouldn't it be nice, if the country would have known that there were **classified documents**, before the midterm elections," since apparently, these were discovered on November 2nd, Anderson.

COOPER: And what are Democrats now saying?

RAJU: Well, not every Democrat is actually quick to rush to defend Joe **Biden**.

In fact, Adam Schiff, who was the Chairman of the House Intelligence Committee, under the Democratic control of Congress, told me that "Obviously if there are **classified documents** anywhere they shouldn't be that's a problem and a deep concern." He went on to say he's still to learn the facts of the situation.

And that's a similar thing that Jim Himes, who is also a member of the House Intelligence Committee, he told me this.

(BEGIN VIDEO CLIP)

REP. JIM HIMES (D-CT): Look, classified information needs to stay in secure spaces. So, we'll wait to see the facts. But, you know, classified information needs to be in secure spaces.

(END VIDEO CLIP)

RAJU: Now, the House Oversight Committee's Ranking Member, Jamie Raskin, did put out a statement, saying that the President appears to have taken quote, "Immediate and proper action to notify the National Archives." He also said he has, quote, "Confidence that the Attorney General took the appropriate steps" to make sure that there was careful review.

So, we're seeing some defense, from the Democrats, about the President's actions. But still tonight, Anderson, a lot of people learning about the situation, but it's not the last thing, Congress will ask about it, as Republicans plan to press ahead, on this.

COOPER: Evan Perez (ph), appreciate it. Thank you.

Perspective now, from CNN Chief Political Correspondent, and "STATE OF THE UNION" Co-anchor, Dana Bash; CNN Political Commentator, Scott Jennings, who served as Special Assistant to the President, in the George W. Bush administration; also, Audie Cornish, Host of CNN's "The Assignment" podcast.

Dana, from your sources, what are you hearing, on Capitol Hill, tonight?

DANA BASH, CNN CHIEF POLITICAL CORRESPONDENT, CNN CO-ANCHOR, STATE OF THE UNION: Well, a lot of Democrats keeping their powder dry, kind of like what you heard, from Congressman Himes of Connecticut, a member of the Intelligence Committee.

Not so much about the process that the Biden White House, I guess it was, or his attorney, took, in returning the documents, but the question of why they were there in the first place, because it is true that you're not supposed to take classified documents.

And there could be a lot of explanations for it. But, right now, the question is why. And they don't - we don't know the answer. But that's one thing. But, the real question, right now, is the political one, which I know you were talking about with the panel beforehand.

And there's an old adage, "If you're explaining, you're losing." And I'm not so sure you can say that this applies. But it's pretty close, right now, when you're talking about something, as heightened, and as potentially toxic, as this issue is, because of what happened, in Mar- a-Lago. They are not the same. But when it comes to politics, you can bet we're going to hear a lot of trying to conflate the two. COOPER: Yes. I mean, Audie, does it change, the calculus, for Republicans, looking for, to do oversight, of the Biden administration, in Congress? It obviously is another thing that they can point to.

AUDIE CORNISH, CNN CORRESPONDENT, CNN HOST, "THE ASSIGNMENT" PODCAST: Yes. It's another number, in the calculus.

One of the things that happened, in the negotiation, for speakership for Kevin McCarthy, is the idea that the hardliners could have a subcommittee that would focus on the weaponization of the federal government. It's going to investigate a number of Intelligence agencies. But it also has the IRS on that list. It has the FBI on this list.

So, if anything, I think it's just going to kind of coalesce, around an idea that is kind of calcified, within this part, of the Republican Party, that the federal government has been weaponized, against conservatives and Republican politicians. And any chance they have to what they think will be exposed that in some way they're going to take.

One thing, I just want to add, it will be interesting to see if the media has learned anything, from the situation, with the Justice Department, and Hillary Clinton's emails, in terms of trying to kind of create, if not false equivalency, trying to compare things so much that you sort of confuse the audience about what's going on, and why. It'll be interesting to see sort of what lessons we've taken away, from that period, and how we'll apply to this next couple of months.

COOPER: Scott, how do you see this being handled, by Republicans, in Capitol Hill?

SCOTT JENNINGS, FORMER SPECIAL ASSISTANT TO PRESIDENT GEORGE W. BUSH, CNN POLITICAL COMMENTATOR: Yes, I think every Republican in the Capitol is feeling like the Michael Scott Paper Company, sauntering back into Dunder Mifflin, tonight. Well, well, well, how the turntables!

I mean, Dana hit it exactly right. This is - the political usefulness, of this, for the Republicans, as people attack Donald Trump, about his issues? I get it. And they're not the same. And yes, there'll be conflation here. But the political usefulness of this cannot be underscored, cannot be overstated enough.

I mean to give Republicans, this talking point, for the rest of their natural lives, almost exonerates Trump, in terms of debates, and what comes up. I mean, if this ever comes up, and somebody brings it up, you're always going to have this retort.

So, there's a lot of Republicans - by the way?

BASH: Well?

[21:25:00] JENNINGS: Everybody in politics is laughing their rear end off, tonight that this happened to Joe Biden, given how strident, his commentary was, in attacking Donald Trump, about this, in the first place. So, yes, it's a big deal, politically.

BASH: Yes--

COOPER: Scott, I haven't seen you quite so chipper, in quite a while!

JENNINGS: Oh, I'm perfectly - I'm perfectly happy for the Justice Department, to investigate this, and get to the bottom of both cases. I think classified material ought to be taken care of.

And I think people, who've been all over Donald Trump, about this, ought to have the wherewithal, to be all over Joe Biden, about it too.

CORNISH: One thing--

BASH: I know Scott is talking about--

COOPER: The--

BASH: Go ahead, Audie.

CORNISH: Oh, I was going to say, one thing to keep in mind, though, is the former President is in trouble, for claiming that he would have - that he turned in documents--

BASH: Exactly.

CORNISH: --that he did not, ignoring subpoenas. Some of his lawyers are accused of saying that they signed off on certifying that they had documents that they didn't, or had documents that, and it turned out there were more documents.

So, some of this is about how you react to something. Do you react with obstruction? Do you react by stiff-arming federal agencies? That's something that I think has to be a part of this conversation, because it's not just about where are random boxes.

COOPER: But Dana, to Scott's point, in a debate, those details are easy to brush over, and the headline is, "It's the same thing. Look, this guy did it too."

BASH: They are easy to brush over. And that's where I go back to the potential pitfall, for Joe Biden, if you're explaining you're losing. However, it really doesn't. And we'll see where this goes. And we'll see where the Mar-a-Lago investigation goes. Now, both are before the Department of Justice.

It is very, very different. And if Joe Biden, is able to explain it, in a, cogent way, if he gets to that point, if they're, on a debate stage? Then it should be a no-brainer, for people, to understand the difference, because of what Audie said, which is what I was going to mention. It's just not the same when it comes to obstruction, which seems to be the bigger issue here. People, they're not supposed to take classified documents. Sometimes, it happens by accident. But the question is, when you are told about it, or when you learn about it, how do you deal with it? And these two, a President, and former President, dealt with it in very, very different ways, in these two situations.

COOPER: And Scott, we've already seen the former President responding to this, on social media, asking when the FBI will perhaps raid the White House. I mean, obviously, he's going to make this an issue, as much as he can.

JENNINGS: Yes. And another question Republicans are going to ask about this, is this was discovered, I think, the day before the election. We're just now finding out about it, after the election, a couple of months later. Why?

I mean, if I were a Jamie Comer, the Congressman, who runs the Oversight Committee, that'd be one of the first questions I have, is why is it when something happens to Joe Biden, it's able to hold, inside these agencies, for a couple of months? When something happens to Donald Trump, we know about it within five minutes?

And that is really getting to the core of what a lot of Republicans are asking. Why do things that happen to Trump, or any other Republican, tend to be weaponized instantly? And things that happen to Democrats, or the Democrats do, magically, time passes? I think it's a fair question, and one you're going to hear Trump, and his allies, and the Republicans in Congress, ask.

COOPER: But isn't it more noticeable when your resort is actually raided by the FBI, as opposed to when the National Archives is actually called out by your attorneys?

CORNISH: And when you ignore subpoena for months, I mean?

JENNINGS: Yes, of course.

CORNISH: That's not instant. That's many, many months.

JENNINGS: Of course. But if I were in Donald Trump's position?

COOPER: Yes.

JENNINGS: And I'm not. And you know, where I stand on it--

COOPER: Yes, I know.

JENNINGS: --and for the nomination, in 2024.

But if I were in his position, I would say "Yes, it is more noticeable when my house is raided." Why wasn't it noticed that these documents were sitting in a shoebox, with some old Reader's Digest, and lace doilies, at Donald Trump - or at Joe **Biden's** office, like why didn't somebody know about that?

I mean, that again, there is an every time somebody has a retort on this, there is a political answer for it. It's pretty easy.

COOPER: Yes.

JENNINGS: And most people aren't going to be into the weeds on this thing. They're going to say, "Yes, he has a point."

COOPER: Yes. Scott Jennings, Dana Bash, Audie Cornish, appreciate it.

Up next, the latest on those supporters, of Brazil's ousted president, who attacked the country's Congress, the Supreme Court, and the Presidential palace, all on the same day, and parallels the January 6th, right here, ahead.

[21:30:00]

(COMMERCIAL BREAK)

COOPER: Just two days, after the second anniversary, of the attack, on Congress, by a violent mob, of the losing candidate's supporters, in Brazil, supporters of the losing President, stormed his Legislature, and Supreme Court, and Presidential Palace.

President Biden, today, condemned the attack.

The losing candidate, Jair Bolsonaro says he's currently hospitalized, in Florida.

The newly-elected Brazilian legislator, today, called for his extradition, to answer for what happened.

CNN's Isa Soares reports.

(BEGIN VIDEOTAPE)

(VIDEO - BRAZILIANS ATTACK SEAT OF GOVERNMENT)

ISA SOARES, CNN CORRESPONDENT (voice-over): A stunning attack, on Brazil's seat of power, as thousands of supporters of former far-right President, Jair Bolsonaro, broke through security cordons, in Brasilia, roaming presidential building corridors, vandalizing Congress, smashing windows, stealing presidential documents, and destroying invaluable works of art.

(VIDEO - BRAZILIANS ATTACK SEAT OF GOVERNMENT)

SOARES (voice-over): Simply running riot, through Brazil's halls of power.

(VIDEO - BRAZILIANS ATTACK SEAT OF GOVERNMENT)

SOARES (voice-over): In scenes, eerily similar, to the Insurrection, in the U.S. Capitol, two years ago.

(VIDEO - JANUARY 6, 2021 - U.S. CAPITOL HILL RIOT)

SOARES (voice-over): One week earlier, the scenes were of democratic triumph, as Bolsonaro's left-when rival, Lula da Silva, was inaugurated, as the new Brazilian President, following a tight election result.

Bolsonaro never explicitly conceded, and neither did his most ardent followers.

UNIDENTIFIED MALE: (FOREIGN LANGUAGE).

SOARES (voice-over): "This - this is my hero. I'm at his home, our home, our home," a Bolsonaro supporter says, from inside the Presidential palace.

UNIDENTIFIED MALE: (FOREIGN LANGUAGE).

[21:35:00]

SOARES (voice-over): Protesters dressed in the colors of the Brazilian flag, now a symbol, of Bolsonaro's far-right movement, unfurled banners, from the Congressional building rooftop, demanding the result of Brazil's most fraught election, in a generation, be overturned.

More than a 1,000 arrests were made, after security forces used tear gas, and stun grenades, to regain control of the Congressional building, the Supreme Court, and Presidential palace. But by the time they did, the damage had already been done.

The President's Chief of Communications showed destruction, inside his own office.

PAULO PIMENTA, PRESIDENT'S CHIEF OF COMMUNICATIONS (through translator): It's unbelievable what was done in the palace. Look at the state of the rooms, equipment, computers. Look at this.

SOARES (voice-over): World leaders condemned the attack as an assault on democracy.

Brazil's new President pinned the blame, on his predecessor, accusing him of encouraging rioters, through social media, from Florida. He promised no stone will be left unturned, vowing to find those responsible.

PRESIDENT LUIZ INACIO LULA DA SILVA, BRAZIL (through translator): We will find out the financiers, and they will pay with the force of the law, for this irresponsible gesture, this anti-democratic gesture, of vandals and fascists.

SOARES (voice-over): Bolsonaro denounced the actions, of his supporters, from the U.S., where he traveled, after the election.

JAIR BOLSONARO, FORMER PRESIDENT OF BRAZIL: (FOREIGN LANGUAGE).

SOARES (voice-over): The former President, already facing, at least four Supreme Court investigations, the later scenes will only add to further calls at home (ph), into Bolsonaro's influence, on his base, a conservative firebrand politician, who, for years, has been taking cues, from the Trump playbook, pushing election fraud conspiracies, and casting doubt, on the integrity of the electoral system.

(END VIDEOTAPE)

COOPER: And Isa Soares joins us now, from Brasilia, Brazil's capital.

What happens to Bolsonaro now?

SOARES: Well, that is a big question. You know, what, we've hearing behind closed doors, is that perhaps we'll be looking at further investigations is something, of course, that we've been hearing, from several senators.

But speaking - hearing from the Justice Minister today, Anderson, I don't think we're there yet. He said that Minister Dino said that basically Bolsonaro bears political responsibility, for what unfolded here, in the three branches of power, in Brasilia. But he said, he has no legal grounds, as of yet, to investigate him, so as of yet, is very critical, right now.

But what he did lay out, very clearly, you heard there in that piece, very much the rhetoric that we've been hearing, from Bolsonaro, for years, denying the elections, of throwing into doubt, the electoral system, in Brazil, questioning the Supreme Court. He said that was very much part of what fueled and what stoke the protests, here, on Sunday.

And I think there's something that he said that will resonate, with those, in the U.S., given everything that happened the last two years, in the Insurrection. I'm just going to read it out. He said, "Words have power and those words turned into hate, which turned into destruction. It is a political responsibility," with the aim, he said, "of a coup d'etat."

So, we are seeing, we start hearing calls, here, in Brazil, from, of course, member of Congress, asking for Bolsonaro, to be extradited. But as you all know, the U.S. State Department has not received any official extradition request, Anderson.

COOPER: Yes. Isa Soares, appreciate it. Thank you.

A Mother of three has been missing, since New Year's Day. Her husband's now under arrest, for allegedly misleading Police. Developments, coming up.

[21:40:00]

(COMMERCIAL BREAK)

COOPER: Ana Walshe has been missing, for eight days.

Tonight, we learned investigators are looking for remains, digging through trash, at a transfer station, north of Boston. Now, earlier today, investigators revealed that a bloody knife was found, in the basement, of the Walshe home.

Her husband has not been named a suspect. But he has been arrested, in connection with the case.

CNN's Randi Kaye has details.

(BEGIN VIDEOTAPE)

WILLIAM P. QUIGLEY, CHIEF OF POLICE, COHASSET POLICE DEPARTMENT: Well it's not normal that she's missing. So, we automatically feel that she's in danger by the mere fact that she's missing.

RANDI KAYE, CNN ANCHOR/CORRESPONDENT (voice-over): 39-year-old Ana Walshe hasn't been seen, since New Year's Day. That's when Police say a family member told them, she left for Boston's Logan Airport, by 5 AM, bound for D.C., where she works in real estate.

QUIGLEY: The cell phone has been off, since around the 1st of the year. Detectives are working the electronic forensics.

Debit cards, or your credit cards, and none of these things have been active, since the 1st of the year.

KAYE (voice-over): Police say, both her husband, and her employer, reported her missing, on Wednesday, January 4th. They say there is no record of her, on a flight, to D.C., on any airline. And it's unclear, if she ever took a rideshare. Searches of the woods and surrounding areas near their home turned up nothing.

UNIDENTIFIED FEMALE: She would not by her own choice go a day without speaking to her husband or children, like that's very out of character.

KAYE (voice-over): Days after her disappearance, a bizarre twist. Police now say her husband, who they thought had been cooperating, misled investigators.

Two law enforcement sources, briefed on the investigation, tell CNN's John Miller that investigators discovered Brian Walshe did internet searches, looking for how to dispose of a 115-pound woman's body, and how to dismember a body. That knowledge led Police to get a search warrant, for the family's home, which culminated in Brian Walshe's arrest, yesterday, for allegedly misleading investigators.

At his arraignment, in court, this morning, he pleaded not guilty. But prosecutors shared disturbing details, about evidence, they say, Police found, during the search of the couple's home.

LYNN BELAND, ASSISTANT DISTRICT ATTORNEY, NORFOLK DISTRICT ATTORNEY'S OFFICE: During that time they found blood in the basement. Blood was found in the basement area, as well as a knife, which also contained some blood.

KAYE (voice-over): Prosecutors also listed cleaning supplies, Brian Walshe, allegedly bought, in the hours, after his wife's disappearance.

BELAND: He's on surveillance, at that time, purchasing about \$450 worth of cleaning supplies. That would include mops, bucket, tarps, Tyveks, drop cloths, as well as various kinds of tape.

[21:45:00]

KAYE (voice-over): According to court documents, Brian Walshe had said, he was running errands, for his mother, on the afternoon of January 1st.

But court documents, obtained by CNN, show, on January 7th, investigators reviewed surveillance video, from the two stores, he said, he'd visited, for his mom. Police say they did not see him, on the video, and found no evidence, he went to those stores.

UNIDENTIFIED MALE: Brian, what do you want the public, to know about this case?

KAYE (voice-over): His whereabouts that day are important, given that's the day his wife disappeared.

Court documents show investigators later discovered surveillance video, of him, at a Home Depot, in Rockland, Massachusetts, wearing a black surgical mask, blue surgical gloves, and making a cash purchase.

Court records show investigators believe Brian Walshe, tried to mislead investigators, and purposely gave them false information, so they would travel far away, in an attempt to corroborate his story.

Randi Kaye, CNN.

(END VIDEOTAPE)

COOPER: CNN's Chief Law Enforcement & Intelligence Analyst, John Miller, has been getting a lot of this new reporting for us. He's a former NYPD Deputy Commissioner of Intelligence & Counterterrorism. He joins us now.

I mean, some of the details that you first reported, I mean, he was Googling how to dispose of 115-pound woman's body?

JOHN MILLER, FORMER NYPD DEPUTY COMMISSIONER OF INTELLIGENCE & COUNTERTERRORISM, CNN CHIEF LAW ENFORCEMENT & INTELLIGENCE ANALYST: Yes. And I mean, you would think that that's pretty poor tradecraft, if you're planning to cover up a crime.

But I would also say having been involved, in actually very similar investigations, when people think they erase their search history, or they delete things, there are forensic ways to find things that people think are long gone.

So, it's not clear, if efforts were taken, to cover electronic tracks or not. But what we do know is from the court filings is allegedly, he is not where he said, he was, when they went back through those places, and reviewed the video. He is where he never said he was, buying cleaning supplies, to the tune of \$450. And drop cloths that you would use to spread out to--

COOPER: Right. MILLER: --you know to--

COOPER: Yes, it doesn't look good.

MILLER: It's not a good look, for somebody, who is the person, reporting somebody missing, after four days.

COOPER: So, when someone gets - you know, he's charged with misleading investigators. Obviously, they clearly are looking into more. Is the reason to charge somebody initially with that just to get them in custody, so they're not trying to run away--

MILLER: Well that's--

COOPER: --or do something else?

MILLER: So, that's right. That's a holding charge. It's something that actually has a potential 10-year sentence. So, it's a serious charge in Massachusetts, because they understand it's about influencing the cover-up of a crime.

But you have a layered story here. Here's an individual, who is currently the husband, awaiting sentence, in an art fraud, involving Andy Warhol paintings and others that were sold fraudulently. They turned out to be copies. He pled guilty. The complaint outlines that his wife was aware of things going on there.

If he were to be released, on the misleading Police charged, the U.S. Marshals would probably come in and violate his probation--

COOPER: I see.

MILLER: --awaiting sentence, because you're not supposed to get arrested.

But the real bull's eye here, Anderson, is what's happening up at that Peabody, Massachusetts transfer station, where they have mapped out the grid, of where his trash went, where the trash, where they put the crime scene tape around the place, where his mom lives, and that trash went, and isolated the dates. They've targeted those spots, and they're going to be looking there.

COOPER: Yes.

MILLER: So, we could have developments, over the next couple of days.

COOPER: Yes. John Miller, really, incredible details, thank you so much. Appreciate it.

Coming up, Bills Safety, Damar Hamlin, back in Buffalo, getting treatment, at a hospital, the latest good news, on his health, next.

[21:50:00]

(COMMERCIAL BREAK)

COOPER: Buffalo Bills Safety, Damar Hamlin, is back in Buffalo, and at a hospital there with, he says, "A lot of love on my heart."

His amazing recovery continues exactly one week after a blow to the chest area, during a Monday Night Football game, in Cincinnati, sent him into cardiac arrest. His heart basically just stopped. He had to be resuscitated, on the field.

Hamlin tweeted, this photo, Sunday, just before game time, of himself, and his parents, about to watch it, from the hospital, in Cincinnati. Hamlin there, making the sign of a heart. It was an emotional game, in part because the Bills scored a touchdown, the kick returned to open the game.

Doctors say that Hamlin is recovering faster than they had expected.

I'm joined now by our Chief Medical Correspondent, Dr. Sanjay Gupta.

So, they say he's recovering faster than expected. Here's how his doctors described one of his reactions, during last night's game.

(BEGIN VIDEO CLIP)

DR. TIMOTHY PRITTS, SURGEON WHO TREATED DAMAR HAMLIN: He watched the game on yesterday. When the opening kickoff was run back, he jumped up and down, got out of his chair, set, I think, every alarm off in the ICU, in the process. But he was fine. It was just an appropriate reaction to a very exciting play.

(END VIDEO CLIP)

COOPER: So what do you make of his progress, Sanjay?

DR. SANJAY GUPTA, CNN CHIEF MEDICAL CORRESPONDENT: I mean, it is pretty remarkable, there's no question.

I will say, it's interesting I've been talking to lots of people who are cardiologists that take care of people with sudden cardiac arrests. And, there's not a lot of data on a 24-year-old professional athlete, who goes through something like this. So, if you look at the data for in-hospitalization cardiac arrests, out-of-hospitalization cardiac arrests, I mean, the numbers can be very different.

He had a cardiac arrest outside the hospital. But essentially, it was like being in a hospital, for him, because he had such quick care. Within seconds, as you remember, Anderson, they were assessing him, able to restore his heart rhythm on the field. So, it's pretty fast.

And also the fact that he was in critical condition, still, listed in critical condition, as of yesterday, but was able to be transferred today? That is also really fast as well.

But again, there's not - there's just not a lot, to compare him to, in this regard.

COOPER: Doctors have said it's too early to know exactly what caused the cardiac arrest. How important is it to try to figure that out? And are there tests that can find that? [21:55:00]

GUPTA: Yes, I think it's pretty important, certainly, because I think the next question that's going to come out of this, and I think it's way too early to try and answer that is, is this somebody that could potentially play again? I'm sure he wants to. And maybe that's the sort of trajectory they're on.

But they got to figure - I mean, they should try and figure out what led to this, so as to have some sense of comfort that it's not likely to happen, again, or that they can address the underlying cause.

Was it some sort of underlying electrical problem at the heart? Sometimes, that happens. Is it a congenital thing, something that he's had his whole life but didn't really know about? Is it something else that like - that made him more likely to develop this sort of problem?

They are probably investigating this. They do that through electrical tests of the heart, echocardiograms. They may do things even like genetic testing, all these sorts of things.

They may not ultimately have an answer. They may not say, "Hey, look, this is definitively the cause of this." And I think if that's the case, then they're going to have to have that discussion and figure out, what does that mean, then going forward?

Because it happened to him once, is it more likely to happen again? For example, people who've had concussions, if you've had one concussion, you are then more likely to have a second. Is that a similar scenario here? We don't know. Because we still don't know the underlying cause. So, I think that they're going to work to try and best they can figure out what happened here.

COOPER: Yes. Sanjay, appreciate it. Thanks so much.

The news continues. "CNN TONIGHT" with John Berman is next, right after a short break.

(COMMERCIAL BREAK)

[Byline: Anderson Cooper, Evan Perez, Phil Mattingly, Elie Honig, David Axelrod, Elliot Williams, Jamie Gangel, Manu Raju, Dana Bash, Audie Cornish, Scott Jennings, Isa Soares, Randi Kaye, John Miller, Sanjay Gupta] [High: "A political gift," to Donald Trump and Republicans, describes CNN's Gangel, on classified documents, from Joe Biden's time, as Vice President, discovered in a private office. Brazil's President, Lula da Silva, blames predecessor, Bolsonaro, for encouraging riots, and vows to punish pro-Bolsonaro rioters, for storming buildings. Brian Walshe is "Charged with misleading investigators," says CNN's Miller, on the husband of Ana Walshe, the missing woman, getting arrested, for misleading investigators.] [Spec: President; Classified documents; Joe Biden; University of Pennsylvania; Vice President; White House; Donald Trump; Mar-a-Lago; National Archives; Justice Department; FBI; Merrick Garland; Capitol Hill; Republicans; Democrats; Jim Himes; Brazil; Brasilia; Jair Bolsonaro; Supporters; Lula da Silva; Presidential palace; Florida; Ana Walshe; Investigators; Brian Walshe; Andy Warhol; Buffalo Bills; Damar Hamlin]

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January 10, 2023

Andrew And Tristan Tate Charged With Human Trafficking And Rape; Georgia Blows Out TCU To Win Back-To-Back Titles; Experts: Brutal California Storm...

Andrew And Tristan Tate Charged With Human Trafficking And Rape; Georgia Blows Out TCU To Win Back-To-Back Titles;
Experts: Brutal California Storms Won't Erase Historic Drought. Aired 5:30-6a ET

[05:30:00]

SALMA ABDELAZIZ, CNN CORRESPONDENT: They were ordered by a court in Romania to be detained for 30 days. That is while prosecutors pursued these claims of sexual trafficking and rape.

The accusation is here that these two brothers, along with two other suspects that were arrested at the same time -- these four formed an organized criminal ring that trafficked and exploited women across the United States, the U.K., and Romania. There is even an accusation of rape -- multiple accusations of rape against one of their victims.

Now, again, this Romanian court holding them for 30 days while pursuing these claims. Today in court -- and I know you rolled those pictures of them going in -- the Tate brothers' attorneys are going to argue that detention is unnecessary. That they can be released.

It's hard to imagine that a court in Bucharest would agree with that. These men are absolutely considered a flight risk. They have multiple nationalities.

But again, this story that's absolutely captured people's attention and went viral on social media over the holiday period, and that is because these figures of male power, of male toxicity were taken down by none other than a young woman, Greta Thunberg, who with one clever tweet that went on to be one of the most popular tweets --

CHRISTINE ROMANS, CNN ANCHOR: Yes.

ABDELAZIZ: -- of all time, was apparently able to draw authorities to their location -- Christine.

ROMANS: It's just remarkable. I had never heard of these guys before the holidays and every single person in my family under the age of 20 knew who they were and had seen their posts on social media. So, you know, it's just amazing. Intergenerational, indeed, conversation.

Thank you so much. Nice to see you.

All right, quick hits across -- around the globe right now.

Anti-government protests in Peru Monday left at least 17 people dead and dozens more injured. The unrest began last month when the former president was impeached and removed from office for trying to stage a coup.

The Vatican is reopening the case of Emanuela Orlandi. The 15-year-old girl vanished in 1983 on her way to a flute lesson in Vatican City. Netflix is running a docuseries about the mystery.

And England is set to ban some single-use plastics like forks, spoons, and food containers -- part of a broader effort to cut down on pollution.

All right. Ahead, Britain's space launch last night ended in failure. What went wrong? And Georgia leaves no doubt who is the top dog in college football.

(COMMERCIAL)

[05:36:23]

ROMANS: All right. Georgia blows out TCU to win its second-straight college football national championship.

Andy Scholes has this morning's Bleacher Report. Hey, Andy.

ANDY SCHOLES, CNN SPORTS CORRESPONDENT: Yes, good morning, Christine.

You know, both of the playoff semifinal games were so good, I was a little worried that we were due for a dud of a national title game. And that's exactly what happened with Georgia just dominating TCU to become the first-ever to win back-to-back titles in the playoff era.

TCU -- so they scored to make this game 10-7 but from that point on it was all Dawgs. They scored 55 straight points.

Quarterback Stetson Bennett throwing for four touchdowns. He ran for two more. A storybook ending to his career.

After being a walk-on at Georgia, he left to go to Jones County Junior College so that he could play. But after one year, he returned to Georgia, this time on a scholarship, as the third-string quarterback. Last year, he won the job and the rest is history, leading Georgia to back-to-back titles.

Coach Kirby Smart calling Bennett the greatest Dawg of all time. He paused the game in the fourth quarter so that Bennett could get a standing ovation as he came out.

Georgia wins by the biggest margin in playoff history, 65-7.

(BEGIN VIDEO CLIP)

STETON BENNETT, QUARTERBACK, GEORGIA BULLDOGS: That was special. That was -- I'll remember that for the rest of my life. He just told me he loved me and just the journey that we've been through together, you know. And that dude right there, Rich -- golly. I mean, just seeing everybody who was here from when I got here and they're still here, and we're back-to-back -- I don't know, it's just --

KIRBY SMART, GEORGIA HEAD COACH: We wanted our kids to play without fear. And all year I told them -- I said we ain't getting hunted, guys. We're doing the hunting, and hunting season is almost over. We've only got one more chance to hunt, and we hunted tonight.

(END VIDEO CLIP)

SCHOLES: Yes, and the celebration for Georgia fans really started at halftime of this game. And this was the scene back in Athens. You see everyone taking to the streets.

Georgia's 29 wins, the most in a two-year span in SEC history.

Now, the game was at SoFi Stadium in L.A. and there were some bad storms outside. And SoFi Stadium has a roof but is open on the sides, and rain was actually pouring into the stadium and that caused the concourse to really just get soaked. And some fans were apparently slipping and getting injured.

This video is from Arash Markazi that he posted on Twitter. It shows stadium security and paramedics having to go help many of the fans there.

All right. And finally, we've got some great news from Bills safety Damar Hamlin. Just one week after his terrifying collapse on the field, Hamlin is back in Buffalo after being discharged from the hospital in Cincinnati. Doctors say the 24-year-old's recovery is remarkable and his neurological function is excellent.

Bills coach Sean McDermott told reporters yesterday he went to see Hamlin in the hospital.

(BEGIN VIDEO CLIP)

SEAN MCDERMOTT, BUFFALO BILLS COACH: He's just tired and -- but he seems happy and happy to be back in Buffalo and around some familiar -- you know, a familiar area to him. And so, we're just taking it and I know he's taking it just one step at a time here.

(END VIDEO CLIP)

SCHOLES: Yes. Hamlin, meanwhile, took to social media to express his gratitude for the support he's receiving, tweeting, "Watching the world come together around me on Sunday was truly an amazing feeling. The same love you all have shown me is the same love that I plan to put back into the world n more. Bigger than football."

And Christine, the Bills -- they host the Dolphins on Sunday in their first playoff game of the year. And, you know, with the remarkable recovery he's gone through so far, it would not surprise me at all if he makes an appearance.

ROMANS: Wow, what a story. What a story. I'm so glad he's home.

All right, Andy -- SCHOLES: Yes.

ROMANS: -- thank you.

SCHOLES: All right.

[05:40:00]

ROMANS: All right, to California now where the governor says 14 people have died in the series of storms there that have slammed California over the past several weeks. And the state, of course, desperately needed that rain, but the dramatic swing of extremes from intense drought to intense storms is just proving to be too much too fast. And scientists say all of that rain will not erase the long-term damage from years of drought.

CNN's Rene Marsh explains.

(BEGIN VIDEOTAPE)

UNIDENTIFIED FEMALE: The water kept getting deeper and deeper.

UNIDENTIFIED FEMALE: There was so much water it was gushing, and it knocked me over.

RENE MARSH, CNN NATIONAL CORRESPONDENT (voice-over): California, already pounded by a bomb cyclone last week that brought hurricane- force winds, torrential rain, flooding, and mountain snow, is now in the throws of yet another atmospheric river storm -- a weather system transporting a high concentration of moisture and dumping epic amounts of heavy rain.

UNIDENTIFIED FEMALE: We are into atmospheric river number five.

MARSH (voice-over): But just last week, several counties in the state were experiencing the exact opposite -- exceptional drought. Marked by the deep red on this map, it's considered the most severe. Although California's recent parade of ultra-wet storms have not completely reversed the decades-long dry spell, flood warnings have now replaced severe drought warnings in the same areas.

This weather whiplash is forcing California to face the dilemma of how to manage floodwaters as the state experiences dramatic shifts from drought to downpours. Experts tell CNN part of the solution is drawing levees back to allow rivers more room to safely flood.

PETER GLEICK, PACIFIC INSTITUTE: We have to let our rivers flow differently and let the rivers flood a little more, and recharge our groundwater in wet seasons.

MARSH: Climate scientist Peter Gleick says levees have effectively protected communities in the past but they're not designed for the climate challenges of today. He says containing floodwaters means less water is available to seep into thirsty underground aquifers -- the desperately needed water source for farmers and communities for drinking water during extreme drought. GLEICK: Instead of thinking that we can control all floods, we have to learn to live with them.

MARSH (voice-over): Gleick says that means communities will have to get out of the way. Entire cities and towns would need to relocate.

GLEICK: These changes are absolutely easier said than done, but they have to be done. We have to redesign flood insurance policies so that we're not rebuilding houses once they've been damaged in the same places where they're going to flood again. We have to design flood insurance policies to encourage people to move away from floodplains so that we can open up the floodplains and when we get those floods they'll be less damaging.

MARSH (on camera): The idea of relocating whole towns and communities to allow rivers more room to flood is incredibly challenging for a number of reasons. It means local governments would give up short-term economic gain tied to building and development in these areas and, in some cases, could lose property tax revenue. And asking individual property owners to give up their rights will not be an easy task either.

Rene Marsh, CNN, Washington.

(END VIDEOTAPE)

ROMANS: All right, Rene. Thank you for that.

All right, here's today's fast-forward look ahead.

President **Biden** will meet later today with Canadian Prime Minister Justin Trudeau. Both leaders are at the North American Leaders' Summit in Mexico City.

Allen Weisselberg will be sentenced today. He's the former CFO of the Trump Organization who pleaded guilty to tax fraud and testified against the company. He could get up to five months in jail.

The Golden Globe Awards return to television tonight after a professional makeover. Will A-list stars show up for once was Hollywood's biggest party? We will see.

Coming up on "CNN THIS MORNING," **classified documents** from President **Biden's** time as vice president found in a private office. Why it's a political gift to Republicans and Donald Trump.

And next, right here, what Disney's boss now wants from workers at the happiest place on earth.

(COMMERCIAL)

[05:47:56]

ROMANS: All right. Your Romans' Numeral this morning, four. That's how many days a week Disney boss Bob Iger wants his workers in the office starting March first. And that's fairly strict for a big company at this point.

Iger told employees in a memo that working physically together is good for creativity. It's good for company culture. Four days a week by March first. We'll talk more about this in just a moment.

But looking at markets around the world right now to start your Tuesday morning, on Wall Street, stock index futures at this hour -- you can see a mixed performance. In Asia, Europe leaning down. And on Wall Street, a mixed performance there was well.

As stocks in the U.S. closed mostly lower on Monday, two Federal Reserve officials say they expect benchmark interest rates to rise above five percent. But Wall Street is still optimistic overall because of signs inflation may be slowing. Investors hope it means the central bank can raise rates more slowly in the months ahead.

Gas prices, by the way, are also falling again. Travel is winding down after the holidays and gasoline demand is dropping a little bit.

OK, so let's talk more about Disney's push to get those workers back in the office with Jessica Kriegel, chief scientist of workplace culture at Culture Partners. Good morning, Jessica. Nice to see you.

JESSICA KRIEDEL, CHIEF SCIENTIST, WORKPLACE CULTURE, CULTURE PARTNERS (via Webex by Cisco): Good morning. Thanks for having me back.

ROMANS: OK. So, CEO Bob Iger back in the top job at Disney. And he said this to employees -- that a return to mostly in-person work would benefit the culture there and the creative processes, in particular.

A lot of other big companies, Jessica, have settled on two days or even three days a week in the office? Is Bob Iger going to get all those people back to work -- work in person?

KRIEGLER: No, no. Yes, I don't think he is. And, in fact, I think he's counting on it. Many of these high-profile CEOs are putting in strict, come back to the office policies because they want people to leave. This company is struggling. The legacy business is struggling. We've seen that.

And so now, he's got a decision to make. He can lay off a bunch of workers, which would be terrible P.R. in addition to the already horrible P.R. they've been getting, or he can create a dynamic in which people no longer want to work there and they're going to leave.

It's what Elon Musk did with Twitter. And I think other high-profile CEOs are using this tactic. It's unethical. It's kind of icky. It's certainly not good for culture.

[05:50:06]

ROMANS: So you are seeing a strategy heading into a slowing -- a slowing economy -- a business model that allows for attrition. That's not what Disney's saying. Disney is saying they're doing it because it's good for their business to have people all together.

But the Disney stock is down 40 percent since the beginning of 2022.

Do you think part of this could be Bob Iger going back, trusting what has worked for him in the past -- a pre-COVID model?

KRIEGLER: Absolutely, yes. He has a playbook and he is using that playbook. He was the CEO since 2005.

This is a post-pandemic world, though, and things are not the way that they used to be. We have tasted the fruit of working from home and we love it. Not only that, the studies show that people are happier, they are healthier. They are more productive when they're able to work from home.

So forcing people back into the office for this idea that it might make people more creative -- well, frankly, it's not very creative in and of itself. And it's not good for culture because it's putting business before people instead of people before business. And in the long term, that is not going to work.

ROMANS: This will, I think, be one of the big job market stories of 2023 -- this transition to what is hybrid going to look like. How many days of the week are we going to be in the office.

I mean, Iger's not saying five days a week. He's saying four days a week. So clearly, it's an acknowledgment that things have changed and a recognition that people need a little bit of flexibility.

There was a great piece in The Wall Street Journal that had this sort of anecdote about how some Vanguard employees say they were told that if they didn't comply they would be fired.

What do you think is going to happen if bosses run against this wall? They're facing trouble retaining workers. They all say they need to keep their good talent, but they also want people to start coming back.

KRIEGLER: Yes. There is tension right now between bosses and workers, basically. Workers are enjoying working from home and bosses are saying I've got to make my culture better. Well, culture is the experiences that we have that shape our beliefs about the work that we're doing, and that leads to the actions that we take -- whether we're creative or not -- and that's going to get us results.

People at Disney are having an experience right now that what they want is not necessary. What they want is not important. We need you to be creative, so that means coming into the office.

And this comes after, remember, the drama of the last couple of years of the Imagineering department needed to move to Florida. People being told that they had to relocate and then going back on that policy.

And so, if I were working at Disney right now as an employee, the experience I would have had is that they don't see me, they don't value me. They don't care about what will make me happy, productive, and healthy. And I would probably want to leave. That would be the result they'd get. ROMANS: All right, Jessica Kriegel, Culture Partners. Thanks so much. Nice to see you this morning.

KRIEGLER: Nice to see you, too.

ROMANS: All right, some **classified documents** found in a private office once used by Joe **Biden**. What happens now? And alarming new evidence uncovered in the case of a missing Massachusetts mother.

(COMMERCIAL)

[05:57:36]

ROMANS: OK, welcome back.

Our top of the morning -- the top cars, trucks, and SUVs sold in America last year.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: Bring 150 around front, please.

UNIDENTIFIED MALE: We designed the F-150 to be tough.

(END VIDEO CLIP)

ROMANS: Ford's F-series pickups still the top seller even though sales were down 10 percent from the year before.

Number two --

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: Chevy Silverado factory-lifted trucks. Where will they take you?

(END VIDEO CLIP)

ROMANS: The silver medal goes to the Silverado.

And falling to third place --

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: More truck owners are switching to Ram, which means more people behind the grill are switching to Ram.

(END VIDEO CLIP)

ROMANS: The Dodge Ram. All top-three pickup trucks.

Toyota's RAV4 SUV and Camry sedan are four and five. Tesla's electric Model Y makes the list at number six.

London, we have a problem. Britain's first-ever attempt to launch satellites into space came up short when a rocket failed to reach orbit after its release from a modified Virgin jumbo jet.

CNN's Tom Foreman has more.

(BEGIN VIDEOTAPE)

TOM FOREMAN, CNN CORRESPONDENT (on camera): This launch looked really promising for a good many minutes.

This aircraft -- Cosmic Girl, as it is called -- a modified 747 -- took off carrying the LauncherOne rocket underneath its wing. It got to about 38,000 feet just south of Ireland, released the rocket, and rapidly accelerated to well over 8,000 miles an hour, and then going up from there. And everything looked very promising.

This is a tricky maneuver. The rocket was on its way, carrying this payload forward. It got to the second stage of the rocket and the second stage fired. It did its job or at least appeared to from what we were told. Then it shut down in preparation for a coasting period where it would start up again and push it up into the final position to release the payload.

What happened in that time we don't know. We just know that there was a longer wait than you might expect. Finally, one of the officials from Virgin Orbit came back on their live feed and said there has been an anomaly and that the rocket would not be able to reach orbit even though they had tweeted at that point it already had reached orbit.

This has been a big blow to Virgin Orbit already in the sense that as soon as this happened, after-hours stock trading started plummeting for the company. A big blow to them, but an even bigger blow to the overall aspect of what people were looking for here -- the idea of having launches from the U.K. and other places on this very mobile platform. The idea of a plane that could go around firing these rockets off into space. A huge setback here.

Now, can they recover? Can they get back on it? We'll just have to see.

[06:00:00]

[Byline: Christine Romans, Salma Abdelaziz, Andy Scholes, Rene Marsh, Tom Foreman] [Guest: Jessica Kriegel] [High: Controversial internet personality Andrew Tate and his brother Tristan were ordered by a Romanian court to be detained for a month as prosecutors pursued claims of human trafficking and rape. The number-one Georgia Bulldogs scored on their first six drives and dominated number-three Texas Christian University 65-7 to win their second consecutive College Football Playoff championship game on Monday night in Inglewood, California. California's parade of ultra-wet storms has not completely reversed the deeply-rooted drought, and scientists warn that it has a long way to go to erase years of unfavorable precipitation

trends and water supply overuse.] [Spec: Andrew Tate; Tristan Rate; Romanian Court; Influencers; Sexual Trafficking; Rape; Greta Thunberg; Anti-Government Protests; Peru; Deaths; Vatican; Emanuela Orlandi; Missing; Netflix; Docuseries; England; Partial Ban; Single-Use Plastics; Pollution; College Football National Championship; Georgia Bulldogs; TCU Horned Frogs; Stetson Bennett; Kirby Smart; Damar Hamlin; Buffalo Bills; Hospital Transfer; Sean McDermott; California; Weather; Storms; Rain; Drought; Peter Gleick; North American Leaders' Summit; Joe **Biden**; Justin Trudeau; Allen Weisselberg; Sentencing; Trump Organization; Tax Fraud; Golden Globe Awards; Disney; Bob Iger; In-Person Work; Global Stocks; Wall Street; Dow; S&P 500; Nasdaq; Federal Reserve; Interest Rates; Inflation; Gas Prices; Jessica Kriegel; American Auto Sales; Ford F- Series Pickups; Chevy Silverado; Dodge Ram; Toyota RAV4; Toyota Camry; Tesla Model Y; Virgin Orbit; Satellite Launch; Failure; United Kingdom; Cosmic Girl; LauncherOne] [Copy: Content and programming copyright 2023 Cable News Network LP, LLLP. ALL RIGHTS RESERVED. Prepared by VIQ Media Transcription, Inc. No license is granted to the user of this material other than for research. User may not reproduce or redistribute the material except for user's personal or internal use and, in such case, only one copy may be printed, nor shall user use any material for commercial purposes or in any fashion that may infringe upon Cable News Network LP, LLLP's copyright or other proprietary rights or interests in the material; provided, however, that members of the news media may redistribute limited portions (less than 250 words) of this material without a specific license from CNN so long as they provide conspicuous attribution to CNN as the originator and copyright holder of such material. This is not a legal transcript for purposes of litigation.] [End-Story: Andrew And Tristan Tate Charged With Human Trafficking And Rape; Georgia Blows Out TCU To Win Back-To-Back Titles; Experts: Brutal California Storms Won't Erase Historic Drought. Aired 5:30-6a ET]

---- Index References ----

Company: TEXAS CHRISTIAN UNIVERSITY; Georgia Bulldogs Sports Marketing; Federal Reserve Board; FORD MOTOR COMPANY; VIRGIN ORBIT HOLDINGS, INC.; VIQ MEDIA TRANSCRIPTION INC.; THE TRUMP ORGANIZATION, INC.; WALL STREET FINANCE LIMITED; TESLA, INC.; BUFFALO BILLS INC.; CNN/SPORTS ILLUSTRATED INTERAC; THE PACIFIC INSTITUTE

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Classified Documents Discovered From Biden's Time As VP; GA Grand Jury Investigating Trump And 2020 Election Aftermath Completes Its Work; Prince H...

Classified Documents Discovered From Biden's Time As VP; GA Grand Jury Investigating Trump And 2020 Election Aftermath Completes Its Work; Prince Harry Mounts Media Push Ahead Of New Book; Police Say A Six-Year-Old Boy Shot Teacher During Class; Powerful Storm Pummels Central California. Aired 11p-12a ET

[23:00:00]

JOHN BERMAN, CNN ANCHOR: They turned them over to the National Archives, which referred the matter to the Justice Department. And now, Attorney General Merrick Garland is asking a Trump-appointed U.S. attorney to investigate. That was the broad outline of the story.

I want to bring in CNN senior White House MJ Lee, she is travelling with the president in Mexico City, and CNN justice correspondent Evan Perez. Evan, let's get more details on this story. what you're hearing from your sources tonight?

EVAN PEREZ, CNN SENIOR JUSTICE CORRESPONDENT: Well, John, what we know is that these documents -- they don't know what is in the documents, but we know that they were classified at the level of TS/SCI, which is sensitive compartmented information.

This is among the most closely-guarded U.S. government secrets, and that is the reason why this is now being reviewed by prosecutors at the Justice Department, by the U.S. attorney in Chicago, John Lausch, and the FBI which handles these matters. They do damage assessment to see whether in the six years that these documents were being held on location that is not secure, whether there is any that has been done to national security.

Of course, this -- the White House says that the -- White House is cooperating with this review that is being done by the National Archives and the Justice Department. They say this is obviously something that even the former president -- even the president was not aware of until these documents were found by his legal team as they were trying to shut down this think tank office that he had set up after he had left office in 2017.

BERMAN: Look, the fact the documents were there, it is news, it is notable, it is also, at least in so far as we know the details of the story so far, somewhat different context really than the case of the documents at Mar-a-Lago, the documents that were subpoenaed twice and then there is a search warrant for them. Talk to us exactly about how these cases differ in so far as we know at this point.

PEREZ: There is a major distinction. Let us start with a number of documents. According to the White House, we are talking -- the Biden documents, we are talking fewer than a dozen documents.

In the case of former President Trump, right now, the FBI and the Justice Department say that they've found at least 300 documents that were recovered from Mar-a-Lago. In the case of Joe **Biden's** legal team, they say that they found these documents and immediately turned them over to the National Archives.

Of course, we know, John, that it took months of wrangling between the Archives and the FBI and the Justice Department to try to get Trump to turn over the government documents that he had kept.

And, of course, even after they said that they had turned over everything, we know that the FBI says that they obtained information indicating that documents were being moved from a room where they were supposed to be kept.

That has prompted the extraordinary circumstance that we saw, that raid, that search that happened in Mar-a-Lago back in August. That prompted, of course, an obstruction of justice investigation, which is still ongoing. It is being handled by a special counsel.

There is no indication that this is -- in the case of the Biden documents, there is no indication that there is anything beyond this review, this investigation that is being done by the FBI and the U.S. attorney there in Chicago, John.

BERMAN: MJ Lee, our senior White House correspondent in Mexico City with President **Biden**. First of all, it is great to see you, MJ. What is the administration saying so far about all this?

MJ LEE, CNN SENIOR WHITE HOUSE CORRESPONDENT: Well, John, here in Mexico City, the news of these **classified documents** ended up coinciding with President **Biden's** bilateral meeting with his Mexican counterpart just right behind me at the national palace. Earlier this evening, we saw the president basically not at all engage reporters in the room who tried to ask him about these developments. Take a look.

(BEGIN VIDEO CLIP)

UNKNOWN (voice-over): Any comment on the documents, sir?

(END VIDEO CLIP)

LEE: And, you know, senior official who is traveling here with the president told me earlier this evening that he is staying focused on the summit, that none of this affects his trip, and that as far as this official is concerned, this is not an issue that has even come up between the president and his advisers while he has been here.

But, of course, the reality is that this is an issue that is going to be waiting for the president as soon as he returns home, that is tomorrow, and I think it is important to know -- you know, if you look at the statement that we got from the special counsel's office sort of laying out what they know and sort of the timeline, they were clear to point out that, one, they immediately inform the National Archives as soon as the documents were found, and two, that they are essentially fully cooperating both with the Archives and the DOJ.

[23:04:58]

LEE: All of this, of course, is trying to serve the purpose of the White House trying to show that there is no sort of effort to interfere with anything that the DOJ might be doing.

BERMAN: And MJ, as you noted, President Biden just wrapped up a meeting with the Mexican president. This is his first visit to the border as president. This is a big trip. What is he hoping to accomplish?

LEE: Yeah, a really significant trip, particularly if you remember the fact that this is the first time that a U.S. president is visiting Mexico since 2014. That, of course, would have been President Obama. There is so much tension in U.S.-Mexico relations, of course, during the Trump years, as you remember. But there also has been plenty of moments of friction under President **Biden's** watch as well.

We know that immigration has been probably the biggest issue looming over this visit, and I think that this visit clearly came in a moment when it was clear that President **Biden** really is wanting to depend on and lean on -- lean cooperation, really, from partners like Mexico as he tries to deal with this issue of the **record** number of migrants trying to come into the U.S. across the U.S. border.

There is announcement from the administration last week on essentially expanding Title 42. That included an important agreement from the Mexico side.

So, we obviously know that this is a topic of discussion tonight when the two leaders met and it is also going to continue when there are meetings happening involving the Canadian prime minister as well. So, immigration is a top issue, but also just more broadly speaking, issues of trade and other areas of economic cooperation as well, John.

BERMAN: No doubt the president will face a lot of questions on all these and the documents tomorrow during these meetings. MJ Lee in Mexico City and Evan Perez in Washington, thanks to both of you.

Joining me now is CNN political commentator S.E. Cupp, senior legal analyst Elie Honig, and Lauren Leader, co-founder and CEO of All In Together.

I want to start with the documents, Elie. Again, the investigation will determine how they got there, who put them there, who knew they were there, whether Joe Biden knew they were there or not, and that may determine whether this is nothing at all or something that it is worth further investigating. But, and but, for Merrick Garland, how does this change his life?

ELIE HONIG, CNN SENIOR LEGAL ANALYST: The big winner here is Donald Trump. Let us just be clear, it's a windfall for Donald Trump yet again, but here is why. If we were to take all of the relevant factors that a prosecutor would be looking at and just list them in a checklist, number of documents, level of classification, were they cooperative, did they obstruct, some of those would be bad for Joe Biden based on what we know, some would be neutral.

More of them would be worse for Donald Trump. I think it is safe to say based on what we know right now. But let's remember who makes this decision. Yes, we have this U.S. attorney from Illinois who is doing the investigation, on one hand, special counsel doing the other investigation, but ultimately, Merrick Garland makes both of these decisions.

Now, is Merrick Garland, the famously cautious, the famously allergic to politics, Merrick Garland, going to end up in a situation where he gives the current president, his current boss, a pass? But he indicts not just the former president but the guy running against his own boss right now. I do not know Merrick Garland personally, but based on what I do know, that is really difficult for me to say.

BERMAN: All right, Elie, what you just heard was the sound of a lot of people, mostly Democrats, throwing things at their TV at you right now, saying, howdy, howdy (ph).

(LAUGHTER)

BERMAN: He is playing whataboutism now.

HONIG: Right.

BERMAN: What Donald Trump did, even with limited amounts we know of both cases, is just very, very different. He was subpoenaed several times, he didn't turn it over, he obstructed, he did this, he did that, allegedly. How can you say that this is now the case that Merrick Garland would treat them similarly?

HONIG: It is not a whataboutism, it is real world-ism. Merrick Garland -- look, the protonic ideal of the prosecutor, which in many ways Merrick Garland is, would not take in to account anything other than the documents on his desk, the heart of legal analysis.

But that is not reality. We live in reality. We have to think about Merrick Garland certainly thinks about, how is this going to look, how is this going to be received, how is this going to impact the way people regard the Justice Department. I guarantee you --

BERMAN: He also got beyond a reasonable doubt issue --

HONIG: Yes, he does.

BERMAN: -- in an actual courtroom --

HONIG: Of course.

BERMAN: -- if he does press charges. S.E. Cupp, the political side of this.

S.E. CUPP, CNN POLITICAL COMMENTATOR: Hmm.

BERMAN: Republicans --

CUPP: Uh-hmm.

BERMAN: -- some are saying, okay, you know, this is now a thing, we are going to look into this. But don't they then, those same Republicans, have an issue if they were silent about Donald Trump or what they also then had to say if Biden does it and it is bad, it was bad when Trump did it, too?

CUPP: We're talking about something called hypocrisy. And it is not something that this republican majority now has been all that interested in or bothered by. If I know this republican majority, and I think I do, I have no doubt that they are going to make a lot of this. Let me be really fair here. This might be very bad. Classified documents should be handled very, very carefully.

[23:09:59]

I do not care if you have an "R" next to your name or a "D" next to your name, this could be bad. It could also just be a mistake. That happens. It could be someone did something stupid. We do not know yet. We need to know more.

But one thing we do know is the ways in which these two gentlemen handled these **classified documents** in the wake of revelations that they were not where they needed to be. And if the **classified document** system is basically an honor system, we trust that you will keep them where they need to be and not take them, you know, to your home or your office.

One man has acted honorably and one man has not acted honorably. One man has said, look, I found these things that you did not even know I have, and I want you to now do what is right with them. And another man who made people run around in circles, looking for them, and insisted he did not have them.

I mean, those are the facts that we have right now, and we need to know more. We should -- we should take a skeptical eye, just a skeptical eye to this as we did to the documents that Trump took, allegedly.

LAUREN LEADER, CO-FOUNDER AND CEO, ALL IN TOGETHER: Politically, Biden is about to come back to a very different Washington than he left before he went to Mexico. I mean, the reality is that for the first time in his presidency, he is now facing the opposing party in a leadership role in the House, and part of their obligation is investigations, and they are clearly going to take that very seriously. We had over the weekend members of the Republican Caucus say that they were already planning to impeach Biden on what grounds, we don't know, but it was clearly high on their list. This is absolutely red meat.

They will spend the next two years screening about this in the same way that Hillary's emails, despite various other points of hypocrisy and other people on the Trump administration have handled emails in a similar matter, it doesn't matter because it plays to the base, it plays to this whataboutism which is part of what has made the politics of this republican conference work. They do this again and again. CUPP: You've got folks like Jim Himes, Democrats who have said, yeah, we should look at this.

LEADER: Yeah, absolutely.

CUPP: They're not doing what the Republicans did, which was there's nothing to see here, Trump is perfect, and this is political.

LEADER: That's right.

HONIG: The republican tactic -- I think we actually saw an interesting example this early tonight. We had a Republican congressman with Erin Burnett, our colleague, and he said, yes, there do appear to be differences in the facts here, but then he said, but what is good for the goose is good for the gander. I think that is a very human response, right?

BERMAN: Lauren, one of the reasons we wanted you to come in was aside from this, if you wanted to be aside from this, if you think it is somehow connected, let me know, CNN has now reported that Joe Biden is perhaps moving ever closer to announcing that he is going to run for reelection.

Normally, for an incumbent president, this would be like a non-new story. But Joe Biden, it is more of an issue because of his age and because he has answered questions about running against somewhat differently than other presidents in the past. Do you -- what do you make of the win that he may think he has at his back after the midterms and where he is right now?

LEADER: Yeah, I mean, he does think he has wind at his back and he has good reasons to believe that. I mean, he had a pretty extraordinary last two years, legislatively, more accomplishments than I think anyone would've expected in such a closely divided -- such a narrow margin in the Senate, particularly.

So, look -- and very few incumbent presidents don't see themselves as running for a second term. The last time we had an incumbent president not run again was Lyndon Johnson. He made the calculation that his commitments to progress for the country are more important than his politics. Totally different time.

I don't think there's any world in which Joe Biden does not run again. And even this, even in the context of this kind of noise which is how he is going to see it, he has mostly been tough one guy for the last two years. Everything that Republicans have tried to throw against him have not stuck. We saw the evidence of that in the midterms.

Democrats came very close. By calculation, it is about 6,750 votes from having held on to the majority. Republicans won three million more votes in terms overall which is 6,000 more -- 6,000 more votes would have actually gotten them five more seats. Some of those races were that close.

I think he looks at the math, he looks at some of the states like Michigan, et cetera, that have gone even more blue than they were when he ran in 20, and he would be crazy not to run. He does have an obligation to the next generation. I think that is one of the lessons of Pelosi stepping down when she did, right? There is a big bench. Democrats want to see a new generation. If he's doing it again, he is going to have to make big investments into the next generation in his party.

BERMAN: Interesting to see how he chooses to do that. Thank you all very much. The Atlanta area special grand jury investigating whether former President Trump and his allies violated the law in their efforts to overturn the 2020 election has completed its work. So, what legal risks could there be now for the former president and his inner circle?

(COMMERCIAL BREAK)

[23:15:00]

(COMMERCIAL BREAK)

BERMAN: Will former President Trump face criminal charges for trying to overturn the 2020 special -- 2020 election? Will he do so in Georgia? The special grand jury in Georgia is done. A judge has the final report detailing almost 11th-month investigation that began after this call became public.

(BEGIN VIDEO CLIP)

DONALD TRUMP, FORMER PRESIDENT OF THE UNITED STATES (voice-over): So, look, all I want to do is this: I just want to find 11,780 votes, which is one more than we have because we won the state.

(END VIDEO CLIP)

BERMAN: The Georgia grand jury heard from dozens of witnesses. That includes some key places who never appeared before the House Select Committee investigating January 6. Folks including Trump's former Chief of Staff Mark Meadows and sitting lawmakers including Sen. Lindsey Graham and former Congressman Jody Hice, they may have pled the Fifth.

We won't know until -- unless the judge decides, unless or until the judge decides to release the grand jury's report. A hearing for that is not for another two weeks.

With me now, CNN political commentator S.E. Cupp back for more, former state and federal prosecutor Elie Honig back for more, and "The New York Times" national political reporter Astead Herndon back for more.

[23:20:04]

Elie, lately, what is happening in Georgia? So, this is a two-step process and we are now done with stage one, which is the special grand jury, which has been hearing this case, investigating this case since May.

Now, there is this report. And the first question is, will we see this report? The judge is going to have this hearing on it. I'm sure that media organizations will say, yes, you should release it to the public. It will be really interesting to see what the DA takes as a position.

If he is serious prosecutor and I believe she is, she has to fight against releasing this. It is an ongoing investigation. Why tip your playbook to the other team? You have to be respectful of the rights of the accused and people being investigated.

Either way, it will then be Fanni Willis's decision, do I want to now pursue an actual indictment, in which case she will go in front of a regular grand jury, and if she wants to get an indictment, I'm quite sure she will, because virtually any prosecutor can indict virtually anybody on virtually anything.

BERMAN: You broke Georgia law. Georgia law is what she will say?

HONIG: Yes. She can only indict for violations of Georgia state law, correct.

BERMAN: All right. Astead Herndon, if she does say, you, former Presiden Donald Trump, broke Georgia state law, I am pressing charges, describe to me the scene we will be living through.

ASTEAD HERNDON, CNN POLITICAL ANALYST: It is hard to fathom. I was actually thinking about this today. In 2023, what could feel like a kind of static political year, we don't have elections, what is the earth-shattering event in politics that could happen this year? It is this question about the Donald Trump indictment.

I don't think we can say the traditional scandal rules would apply. We have seen the base stick with him through every twist and turn, even electoral losses recently, but it would feel as if the Republican Party is in this moment but they are looking for any type of excuse, a lot of members, to cast Trump at least a foot away.

You would think that if this were to come down, it would be that kind of final straw that a lot of folks need. The problem is for the voters, they may not think the same way.

BERMAN: Is that (INAUDIBLE)?

CUPP: Yeah, because -- and you're so right in the real world.

BERMAN: In the real world.

CUPP: But you have to think, with everything Trump, that is the upside down. And so, I actually think if he did get indicted, that is a big if, by the way. I actually think that that might jumpstart what has been a lackluster start to a presidential campaign.

BERMAN: However, get kicked off.

CUPP: I mean, in normal world, it would be perilous, you know. But in the upside down, his voters see him as a victim. This is proof of the deep state that he promised and all of the factors that are rigged against him and actually might infuses campaign with some energy.

BERMAN: I agree with S.E., by the way. If you think back to August 8th of last year, the day that Mar-a-Lago was searched, that was the best day --

HERNDON: I was with you all last year. I was with you all last year that an indictment would help him politically. Certainly, he fundraised a lot of Mar-a-Lago. After the midterms, there has been a quantifiable and qualified kind of not move away from Donald Trump but the feeling that he is just not moving the party forward.

And so, I don't think this will be some -- I don't we are ever going to see a Republican Party that cast him, that talks about him in the language that Democrats talk about him. But would an indictment create opening for other Republicans at a minimum? I do think it would loosen --

BERMAN: The big difference to all of these questions then two years ago was Ron DeSantis. We now exist in a world where Republicans do where Ron DeSantis is there and there is an option for some of these people if they want to do choose something other than Donald Trump. I've asked this question a lot tonight, Elie. What does Merrick Garland think of all this?

HONIG: That is interesting. If I am Merrick Garland, I am begging, praying that the DA indicts Donald Trump. You know, it is a pressure release valve, right? All the people who were on Merrick Garland, where are you? Where is Merrick Garland? He is sleeping. He is taking too long. All of that political pressure gets diverted. Okay, he is at least been charged.

CUPP: Yeah. I mean, for all the time that I've said to you, he is above the law. Show me where Trump has been held accountable for one thing ever. That is what Merrick Garland probably hears every single day from folks like us and probably also folks inside his own orbit. So, this would be some, as you say, Elie, a pressure relief.

HONIG: Yeah. And Astead, you made a really good point right in the beginning, which is if there is an indictment, huge if, the reactions are going to be through the roof, both ways. You're going to see unfeather joy from people who believe --

HERNDON: Yeah.

HONIG: -- Donald Trump has evaded the law for too long. And you're going to see fury. You're going to see real anger from the other side. But it's important to keep in mind, I've said this a thousand times, I'd say it again, an indictment is the start of a case. If not the end, tables can turn.

HERNDON: And to your point, there will be fury if there is not an indictment, too. I mean, this is situation in which either way this goes, it is both unfathomable to see it kind of play out to that end and we've gotten this far.

[23:24:58] For Merrick Garland to not go through, I think, would also incur big reaction.

BERMAN: Look, that times 20 for Merrick Garland in terms of the federal cases. I do want to ask, we keep (INAUDIBLE) Ron DeSantis here. At what point does a DeSantis do something more than just stay silent on subject like this? At what point does he decide to put a little body English into it and say, you know, hey, by the way, there is a lot of investigations in this guy.

CUPP: Yeah, the day he decides, I'm going to run for president, is the day he should probably decide to take off the governor, no pun intended, that has been silencing him. You got -- you saw --

BERMAN: Taken me a second, but I got it.

CUPP: You know, I think he has been keeping his (INAUDIBLE) dry and waiting to see if Trump really goes down, remains kind of relevant. New poll out from CBS says 60 something percent of Republicans still believe we should -- we as a party should be loyal to Trump.

I think he is reading all of that and wondering, okay, if it is my time to take this man on, then and only then will it make any sense for me to criticize him because I will need his voters.

BERMAN: S.E. Cupp, Astead Herndon, Elie Honig, great to see you all tonight. Thanks so much.

So, it seems like we are now all intimately aware of Prince Harry's feelings about the royal family due to his extensive media blitz ahead of this book being published. I don't think it's out yet. It's still not out yet, yet we know everything that's in it. Is there a chance that he will regret being so open? Up next, some thoughts from Patti Davis, daughter of former President Ronald Reagan.

(COMMERCIAL BREAK)

[23:30:00]

(COMMERCIAL BREAK)

BERMAN: So, did you know that Prince Harry has a new book coming out? I bet you did. He has been talking a lot about it, including with Anderson Cooper on "60 Minutes" saying that Camilla Parker Bowles leaked stories in a campaign to be queen.

(BEGIN VIDEO CLIP)

PRINCE HARRY, DUKE OF SUSSEX: With her, on the way to being queen consort, there was going to be people or bodies left in the street because of that.

(END VIDEO CLIP)

BERMAN: The prince speaking on multiple outlets on both sides of the Atlantic. He says he still has love for the royal family.

(BEGIN VIDEO CLIP)

PRINCE HARRY: But what people don't know is the efforts that I have gone through to resolve this privately, both with my brother and with my father.

(END VIDEO CLIP)

BERMAN: He says he has tried to make things right with them.

(BEGIN VIDEO CLIP)

PRINCE HARRY: I love my father, I love my brother, I love my family.

(END VIDEO CLIP)

BERMAN: Now, Harry and Meghan may be the only people in this country who know what it's like to have their family drama come with the baggage of being royal. But my next guest has some ideas.

Patti Davis was in her 20s when her father, Ronald Reagan, was first elected president. In a new op-ed in "The New York Times," she says she regrets the tell-all she wrote about her family. The book she is happy she wrote is her new one, "Floating in the Deep End." Patti Davis joins me now. I am so happy to see you. The op-ed that you wrote over the weekend --

PATTI DAVIS, DAUGHTER OF FORMER U.S. PRESIDENT RONALD REAGAN: Thank you.

BERMAN: -- it really made me stop and think, honestly. And the gist of it is if you had a chance to speak to Harry, you would tell him, you're going to regret this book. Why?

DAVIS: Well, to be clear, I don't know that he would listen to me or to anybody else. You know, at the time that I wrote my autobiography, which we're not even going to say the title of because I've written many books since, but at that time, I think that anything short of Jesus himself coming back and saying to me, don't do this, or buddha or god, some other enlightened master, I wouldn't have listened to somebody, you know, because it is like you are on this emotional river, right?

That's your experience and your, as he calls it, his truth. And you can't see anything. You're not really thinking logically because I think for most people listening to what Harry says about, you know, I love my parents and my family, I want a reconciliation, (INAUDIBLE) book out where I'm calling my father's life a villain and making accusations and everything most people are going to go.

There is no logic here because when you're in that emotional rush of just your own situation and your own experience, your own kind of victimization really, you are not thinking logically, you are not taking a step back and looking at the whole picture. That takes some distance. That takes some reflection. That takes some silence, hence the title of my op-ed. So, I don't think that he would, even if I had met him and tried to say something, I don't think he would listen.

BERMAN: Let me put it this way though, what if he's right? What if everything he says is right and true in this book?

DAVIS: I would still say the same thing because it is only a narrow part of the story. You know, like I said in my op-ed, the truth is bigger than just your own truth. You know, there's a bigger story there.

I think he would've had a really interesting story to tell as he had talked to his father, talked to William, I don't know if he would've talked to him but -- I'm sorry, someone else is joining the interview here. She just does that. Sorry about that. You know, there is a bigger story here, the history of the monarchy.

[23:35:00]

You know, why is Charles, the father that he was, who couldn't embrace his son after Diana died, how is he parented by his father, by Philip, right? There's always a larger story. But again, you have to take a step back. It doesn't really matter if you're right in what you're saying. There is more to say than just your own perspective.

But that takes -- like I said, it takes some stepping back. It takes some distance. It is kind of like going to a museum or an art gallery and stand six inches from a painting to experience it. You stand back from it. Well, the same is true about life.

BERMAN: So, he is writing about a family. It's his family. But it's not just any family in this case. It's the royal family. These people are going to be -- you know, William is going to be sovereign. His father is now king. He is a head of state.

DAVIS: Right.

BERMAN: So, does Harry as a British citizen have an obligation? Could he argue? Could he argue? I have an obligation to reveal these people to the world because they're in these positions of power?

DAVIS: Well, who asked him to do that? I mean, where do you take on that obligation? That is sort of like -- you know, I have this reaction whenever I hear people say, I want to set the record straight. I have this sort of major reaction to that which is, who asked you to? Right?

There's something kind of aggressive about that. It's like you're wrong, I'm right, and I'm going to set things straight. Who asked you to, you know? How about looking at the whole picture?

And there is a lot of really significant things that he can say. I think that it would've been better if he had taken some time and looked at it from a broader perspective. Frankly, it would've been a more interesting story. Like I said, I would be very interested in how did William process all of this? How did Charles process all of this? Generationally, he was raised the same way. But that was a different generation. The monarchy seems to me is going to have to update itself a little bit, you know, and not maybe be so (INAUDIBLE) you lip and we don't talk about things. But Charles would have a perspective on that, I think.

BERMAN: Your op-ed begins with you describing -- I guess, in a way, it is fair to say you apologized to your father for --

DAVIS: I do.

BERMAN: -- the book. Do you think that Harry owes his father and his brother an apology?

DAVIS: I would suggest that would be a good idea. Yeah, because, you know, again, we get back to the logic or lack of. I mean, he is saying, I tried my best privately to whatever, you know, bridge these differences or these gaps or whatever. It didn't work out the way that I wanted, so I decided to just tell the world everything. It doesn't really track.

But if you are in a completely emotional state and only looking at your own experience and your own story, it makes sense to you, right? It made sense to me to just tell everything to the world.

BERMAN: Patti Davis --

DAVIS: Then it took some distance to realize that that didn't make a lot of sense.

BERMAN: It is great speaking with you, and your cat. And as I said, the op-ed really did -- it really did make me think. It's not often that I read something like that over the weekend. I just stopped and sit for a minute and processed. So, I appreciate the work that you've done. It's really terrific talking to you. Thank you.

DAVIS: Thank you so much.

BERMAN: So, could the parents of a six-year-old boy, who allegedly brought a gun to school and shot his teacher, could the parents face charges themselves? The latest on this case just ahead.

(COMMERCIAL BREAK)

[23:40:00]

(COMMERCIAL BREAK)

BERMAN: Police in Newport News, Virginia now say the gun a six-year-old boy allegedly used to shoot his teacher in school last week was legally purchased by the child's mother.

(BEGIN VIDEO CLIP)

STEVE DREW, NEWPORT NEWS POLICE CHIEF: We determined that the firearm was in the residence where they live. The child had obtained that firearm, placed it in his backpack, and brought it to school.

(END VIDEO CLIP)

BERMAN: Police say they are still investigating whether the parents of the six-year-old will be charged with something. The child is under a temporary detention order. The teacher was shot in the chest through her hand. She is listed in stable condition.

With me now is John Miller, CNN chief law enforcement and intelligence analyst. Back with us is CNN senior legal analyst Elie Honig. John Miller, there is a six-year-old who shot someone, appears to have shot someone here. This is a complicated tragic case.

JOHN MILLER, CNN CHIEF LAW ENFORCEMENT AND INTELLIGENCE ANALYST: So, for police, it's really not a classic criminal matter that you would have if anybody else had shot somebody. When you have a six-year-old, this isn't somebody you can bring to trial. It's not somebody who can assist in their own defense or understand the process.

So, in the Virginia system, you've got a juvenile delinquent who commits a crime. You've got a child in need of supervision who can't be handled by their parents.

[23:45:00]

You have a child in need of services. This is one of those things where police and the social services agencies are going to have to get into the home, assess the family, figure out questions like, was there a degree of negligence that a gun was somewhere where a child had access to it?

That also could be complicated. There is no law in Virginia regulating the storage of firearms in the home, even with children. So, we know from prior studies that have been done that you think you have a hiding place that nobody knows about, and if there is a kid in the house, they will find it.

BERMAN: So, legally speaking, what charges could the parents face, Elie?

HONIG: Obviously, this is an ultimate nightmare scenario for all involved. The child will not be charged for the reasons John said. With respect to the parents, some states, New York and New Jersey being two examples, have specific laws about the way you must store a gun. It must be locked up. Sometimes, it must be unloaded, that kind of thing.

Virginia does not have those laws. However, Virginia like virtually every state, does have more general child endangerment laws. I was involved very tangentially in a case in New Jersey, a horrible case, where a four-year-old found his father's loaded rifle under a bed and accidentally shot and killed a six-year-old. That father was prosecuted under a very similar child endangered law, pled guilty, and was sentenced to three years.

So, it will all depend on the specifics of how the gun was stored. Definitionally, if a six-year-old can get a hold of a gun and carried out of the house, wasn't that stored incorrectly? You would think so. I mean, six-year-old, yes. I mean, if it was locked up safe and secure, I think definitionally, a six-year-old would not be able to --

MILLER: Right. But I mean what we are dividing here is the question of moral and responsibility versus legal culpability. But I think Elie is right. We've had these cases in New York City where 99% of the guns that you will find in a residential home in New York City are going to be illegal weapons. There are very few licensed firearms in the city of 8.6 million here.

In Virginia, it's the opposite. It's almost impossible to have an illegal gun unless it is possessed by a convicted felon or some other prohibited class.

But I think the direction they are going to go is socially, what services are needed for the family, for the child. And then, legally, where is the line between that endangering the welfare of a minor by having a weapon that has been seen and is accessible by the child? Where is that line? And that's going to be a hard one in a place like Virginia.

BERMAN: What happens to this six-year-old?

MILLER: I mean, the police department said he is in custody, which means they've taken him away from the family and they put him with social services for the time being. It's only going to depend on what is that assessment that both the police and the social service agency do at the home to see what are the conditions there, what is the parenting like. They will assess this kid's entire world before they decide a direction to take.

HONIG: One aspect of this case is that the reporting is that it was an intentional act. That is rare.

BERMAN: That's the language here. It's very different than something I've heard before.

HONIG: Yeah. The police sort of said this wasn't an accident. And most of these cases, they are all horrible. But usually, it's accidental. This charge, they were playing with the gun. But this sounds like -- I mean, the reporting, what the police said, there was some sort of disagreement or something between the student and the teacher. So, that makes this one different to me.

MILLER: I mean, that's a whole other question about the world we live in, which is if you are six years old and you know what you're seeing in the computer games, point of view, active shooter games, Call of Duty, you name it, what you're seeing on the TV is the hero comes out with a pistol and shoots everybody, and that's how problems are solved in the entertainment world. That's a very impressionable mind.

And when the object of that is right there in the home, you can see where the line between what is fantasy, what is reality, and what are the real consequences. They're going to be blurred in the mind of a six-year-old.

BERMAN: John Miller, Elie Honig, thanks so much. Up next, a powerful storm bringing torrential rain and flooding to central California. We're going to check in with the weather center to see where this storm is headed next.

(COMMERCIAL BREAK)

[23:50:00]

(COMMERCIAL BREAK)

BERMAN: Powerful storms unleashing torrential rains and flooding across central California. Many roadways are underwater there. A creek in Santa Cruz south of San Jose washed out a local bridge there. We've got more dramatic pictures. These are from Montecito. This is where Ellen DeGeneres posted this video to Twitter.

(BEGIN VIDEO CLIP)

ELLEN DEGENERES, COMEDIAN: We are having unprecedented rain. This creek next to our house never flows ever. It is probably about nice feet up. It could go another two feet up. We have horses ready to evacuate. We need to be nicer to Mother Nature.

(END VIDEO CLIP)

BERMAN: Yeah, probably should be standing that close. Rescue workers pulled people to safety from the rising waters up and down the California coast. Derek Van Dam joins us now from the CNN Weather Center. Derek, what's ahead here?

DEREK VAN DAM, CNN METEOROLOGIST: Look, John, it's either feast or famine for California. On one hand, it's drought and fire. And then on the flip of a switch, we've got floods and landslides. Unfortunately, that's the threat that we are covering tonight and into the day, on Tuesday as well.

Threats very active and ongoing right now from north to south. To some of the things that we've seen, in Ventura and Santa Barbara counties, we've seen the swift water rescues, we've seen cars completely submerged. There is a ground stop for some of the flights coming out of LAX. There have been mudslides and landslides, even the mandatory evacuations from Montecito in Santa Barbara.

[23:55:02]

Here's a look at the radar. You can see just how extensive the storm system is. Let's focus right into Los Angeles which, by the way, has a flash flood warning until 12 a.m. local time for the county of Los Angeles, including downtown.

Some of the radar estimates just outside of Los Angeles and to Ventura, the mountainous regions, have been able to produce over 10 inches of rain. So, an incredible amount of moisture with this initial route of atmospheric moisture that just spread in more rain. There is a backside. We're going to actually start to weigh that rainfall overnight, and then we start to focus our attention on this next storm system that's going to bring another oscillating round of strong rain and heavy precipitation from north to south once again overnight and into the day on Tuesday.

We can't even rule out the possibility of waterspouts and tornadoes with some of these thunderstorms that will move onshore with this next round of storms. There is a high wind warnings and snow measured in feet. We can't forget about that for the mountain overpasses as well. John?

BERMAN: Not used to seeing pictures like these from these locations. Derek Van Dam, thank you so much. And thanks to you all for watching. Our coverage continues.

(COMMERCIAL BREAK)

[Byline: John Berman, Evan Perez, MJ Lee, Elie Honig, S.E. Cupp, Astead Herndon, John Miller, Derek Van Dam] [Guest: Lauren Leader, Patti Davis] [High: U.S. attorney reviewing classified documents from Biden's time as vice president discovered in one of his private offices. The GA special grand jury investigating whether Trump and his allies violated the law in their efforts to overturn the 2020 election has completed its work. President Reagan's daughter discusses about Prince Harry's media blitz. VA Police is still investigating whether parents of 6-year-old who allegedly shot teacher will be charged. Powerful storm pummels central California with torrential rain and heavy flooding.] [Spec: Joe Biden; classified documents; Trump Investigation; Prince Harry; Book; Royal Family; Shooting; Storm]

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REP. BYRON DONALDS (R-FL) IS INTERVIEWED ON THE SITUATION ROOM ON CNN

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January 10, 2023

REP. BYRON DONALDS (R-FL) IS INTERVIEWED ON THE SITUATION ROOM ON CNN

REP. BYRON DONALDS (R-FL) IS INTERVIEWED ON THE SITUATION ROOM ON CNN

JANUARY 9, 2023

SPEAKERS: REP. BYRON DONALDS (R-FL)

WOLF BLITZER, CNN HOST

[*] WOLF BLITZER, CNN HOST: Once again, were following the breaking news right now, lawyers for President **Biden** finding **classified documents** from his time serving as vice president in the Obama administration in one of his private offices. They found the documents last November. The matter is now in the hands of the U.S. Justice Department, which is investigating.

Joining us now live, Republican Congressman Byron Donalds of Florida. Congressman, thanks so much for joining us.

Let me get your reaction to the breaking news. You're a member of Congress. You deal with **classified** information. What's your reaction to this?

REP. BYRON DONALDS (R-FL): Oh, well, my reaction is pretty simple. I'm wondering why the vice president of the United States had **classified documents** outside of the hands of the intelligence community.

Listen, it's been pretty clear that presidents do have some **classified documents**, but the difference between a president and everybody else is the president has the ability to declassify information. The vice president has no ability to declassify information.

So, number one, what was he doing with **classified** information in his possession? Number two, why did it take six years? And I want to stress this for the American people. Joe **Biden** left the vice presidency in 2017. So, it's taken six years for these documents to surface. That is incredibly concerning. And point number three, and this is the one that most important, everybody can go back to the Hillary Clinton e-mail saga, we know other presidents have had **classified** information, but why was there a raid on Mar-a-Lago but now this story just kind of seeps out and everybody is saying oh, we want to get to the bottom of it and everybody is giving the benefit of the doubt. A vice president of the United States, or a secretary of state, or anybody else, should not be having **classified** information, period.

BLITZER: Well, they have top secret security clearances. They can have **classified** information. The question is whether they can take those documents with them as they're going to a private office. That's the difference.

DONALDS: The answer is very clear of that, Wolf. I don't want to, this is not a back and forth with you, but to be perfectly honest, yes, they have a classified clearance but that doesn't mean they get to remove documents.

BLITZER: You're right. They're not allowed to take classified information, especially highly classified documents that are sensitive compartment of information, SCI documents, which is what Trump did at Mar-a-Lago. So, you're ready to react to that as well, that Trump did was illegal? Is that what you're saying?

DONALDS: No, that's not what I'm saying at all because the president and his team have gone back and forth with the National Archives, saying he has an ability to declassify. That's something that's going to take care of in itself at a later date in its own time and its own space. My question is very clear. Why were those documents found six years later? Obviously, you're talking about the level of classification. So, they're incredibly serious documents.

And so, listen, I know the story is just breaking. I want to see if we're going to continue to follow this story as much we did the documents at Mar-a-Lago. I think that's only fair.

BLITZER: So, are we going to see the Republican leadership in the House launch a full scale formal investigation into this or leave it to the Justice Department and the U.S. attorney who's now investigating?

DONALDS: Well, obviously, because the FBI and Justice Department are on top of this, we're going to be monitoring that from here. Trust me, we have many other things that we need to be investigating with regards to this administration.

But one of the things that is probably going to come up is the differentiation about how the National Archives, the FBI might want to go about handling these different situations when it comes to documents and classified information that are being controlled outside of the hands of the intelligence community.

BLITZER: Before I let you go, Congressman, I want to get to the matter before the House of Representatives right now, the vote on the new rules that is coming up very soon. There's going to be a formal vote on the floor of the House. This is the first big test for the new speaker after last week's chaos, and you're very familiar with that. How confident are you, Congressman, that this rules package will pass tonight?

DONALDS: Well, two things. One, last week was not chaos. Last week was a deliberative, open conversation about leadership in the House of Representatives. It was an orderly process. We got the job done. Kevin McCarthy is speaker of the House.

On to tonight with the rules package, I fully anticipate that it will pass and we're going to get to the business that the American people sent us here to do.

BLITZER: Congressman Byron Donalds, thank you very much. You can argue whether or not it was chaos or not, it seemed that pretty chaotic to those of us who are watching. But I let you go right now, I appreciate it very much.

DONALDS: Anytime.

END

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Why didn't AG appoint special counsel for Biden when he appointed one for Trump? Merrick Garland kept revelation that classified docs had been foun...

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January 10, 2023

Why didn't AG appoint special counsel for Biden when he appointed one for Trump? Merrick Garland kept revelation that classified docs had been found...

Harriet Alexander Wills Robinson For Dailymail.com

Why didn't AG appoint special counsel for **Biden** when he appointed one for Trump? Merrick Garland kept revelation that **classified** docs had been found quiet before midterms - and afterwards appointed 'hitman' to go after Trump

Joe **Biden's** handling of **classified** information should be investigated by a special counsel, a former advisor to Donald Trump has said, after it emerged that **Biden**, like Trump, was found to have kept **classified documents** after leaving office.

Classified documents were found at the offices of Joe **Biden's** think tank in Washington DC on November 2, and **Biden's** attorneys alerted the DoJ On November 18, the Justice Department announced that Jack Smith had been appointed as a special counsel to investigate Trump's **classified** storage The National Archives and **Records** Administration in May 2021 first contacted Trump's team to request the return of the presidential papers The first tranche of documents were removed from Mar-a-Lago in January 2022, and officials later learned some were **classified** - and alerted the DoJ Now some are calling for **Biden** to be investigated by a special counsel, and asking why one was not appointed for **Biden** at the same time as Trump

Biden's documents, 10 files with the contents unknown, were found on November 2 inside the Washington DC office of his think tank. The president said he was unaware of their existence until the Justice Department on Monday announced the files had been handed over, and an investigation launched.

Trump's documents, which included some 300 pages deemed classified, were found in January 2022 at his Mar-a-Lago home. Officials from the Justice Department and National Archives and Records Administration were in talks with Trump's team for months to agree a hand-over, but the discussions ground to a halt and in August the DoJ took the extraordinary step of launching a raid on Mar-a-Lago to seize the files.

On November 18, special counsel Jack Smith was appointed to investigate the saga of the Mar-a-Lago **classified documents** - and Trump allies are now demanding **Biden** be subjected to the same scrutiny.

'Special Counsel. Now,' tweeted Stephen Miller, special advisor to Trump.

Others called for Merrick Garland, the attorney general, to launch a swift investigation into **Biden's** actions.

How the Biden documents were discovered

NOVEMBER 2: 10 documents were found while **Biden's** attorneys were packing up the DC think tank office to leave.

The files were said to be in a folder inside a locked closet, in a box with other unclassified documents.

NOVEMBER 8: The midterm elections, which see **Biden** and his party perform better than expected.

NOVEMBER 18: The Justice Department announces that Jack Smith, former chief prosecutor for the special court in The Hague, will lead an investigation into Trump's storage of **classified documents** in his Florida home.

JANUARY 9: The Justice Department announces an investigation has been launched into how the **classified documents** ended up at **Biden's** think tank. **Biden** says he was unaware there were any **classified documents** being held there, and his supporters point out that his own lawyers handed them over - noting that Trump's team fought to keep hold of his stash.

Jenna Ellis, who was part of Trump's legal team trying to overturn the 2020 election, tweeted: '**Biden's** DOJ is reviewing **Biden's** **classified** docs? Maybe should *checks notes* consider a special master.'

Podcaster Steve Hilton, who served as an advisor to British former prime minister David Cameron, said that **Biden's** actions were worse than Trump's.

He did not say why, but vice presidents, unlike presidents, are not able to declassify documents.

'Joe **Biden's** theft of **classified documents** is clearly worse than anything Trump has been accused of,' he said.

'If Merrick Garland doesn't pursue **Biden** with at least as much ferocity as he's pursuing Trump, we'll know that Equal Justice Under Law is dead: killed by hyper-partisan Democrats.'

Yet others insisted that Trump's storage of **classified documents** at Mar-a-Lago was a more serious crime than **Biden's**.

Dan Pfeiffer, a former senior advisor to Barack Obama, tweeted: 'Team **Biden** found the documents, immediately contacted the archives, and returned them.'

'Trump and his lawyers repeatedly deceived authorities and did everything possible to avoid returning them.'

'These are not the same thing.'

Joyce Vance, a former federal prosecutor, agreed.

'Big differences between this & Trump's Mar-a-Lago situation: they were found in an office setting, not in **Biden's** home,' she said.

'**Biden's** team immediately volunteered news of the discovery to the Archives & turned them over immediately. It's apples to oranges.'

Garland has appointed the U.S. attorney in Chicago, John Lausch, to review the 10 files discovered by **Biden's** personal attorneys, while moving documents at the Penn **Biden** Center for Diplomacy and Global Engagement.

The investigation could lead to a special counsel being appointed, The New York Times said.

In the case of Trump, the Justice Department was alerted to the presence of **classified documents** at Mar-a-Lago in January 2022. Ten months later, after much back-and-forth about the return of the files, the special counsel was appointed.

Two months after the Justice Department learnt of **Biden's classified** files, it remains unclear whether a special counsel will be appointed to investigate him too.

It remains unclear what the 10 files contained, where they were stored, and whether **Biden** was aware of their presence.

The **classified** materials included some top-secret files with the 'sensitive compartmented information' designation, also known as SCI, which is used for highly sensitive information obtained from intelligence sources.

Biden has not yet commented on the news of the investigation.

In Mexico City on Monday for a meeting with President Andres Manuel Lopez Obrador, he refused to answer shouted questions as to how the documents ended up inside the offices.

The White House special counsel said in a statement on Monday: 'The White House is cooperating with the National Archives and the Department of Justice regarding the discovery of what appear to be Obama-Biden admin records, including a small number of documents with classified markings.'

The documents were located in November, six days before the midterms.

James Comer, the Republican congressman currently serving as chairman of the Oversight Committee, said late on Monday he would send a letter to the White House and National Archives looking for answers.

The House Judiciary GOP tweeted the news with warning sirens.

Trump on Monday led the chorus of condemnation.

'When is the FBI going to raid the many homes of Joe Biden, perhaps even the White House? These documents were definitely not declassified,' he wrote on social media

Trump's son, Donald Jr, also asked when Biden's home would be raided.

'When will the FBI's Hostage Rescue Team storm one of Biden's many vacation homes bought and paid for somehow by a lifetime of being a humble public servant?' asked Trump Jr.

Ronny Jackson, the former White House doctor turned Texas congressman, said the news was 'incredible'.

'It's just been discovered that Biden had HIGHLY CLASSIFIED DOCUMENTS that were improperly stored in one of his private offices,' he tweeted.

'INCREDIBLE! WHERE is the FBI? WHERE is the dramatic raid? We have two systems of justice in this country: one for them and one for us.'

Conservative radio host Clay Travis said: 'They just announced Joe **Biden** illegally kept **classified documents** from his vice-presidency in his possession.

'I'm old enough to remember when the media told me this was impossible. So much for that Trump indictment. Between Hillary and now **Biden**, this story is over.'

Texas congressman Troy Nehls tweeted: 'BREAKING: **Classified documents** from Joe **Biden's** Vice Presidential days found at his private office. When will the FBI raid his home?'

Arizona congressman Andy Biggs said that **Biden** 'stole' the documents, and referenced an April report in The New York Post, which pointed out that the University of Pennsylvania - home of the **Biden** center - received donations from China.

Biden stole **classified documents** and stored them at his think tank while he was VP. The VP does not have any authority to declassify **classified documents**.

'And this 'think tank' received \$54 million in funding from the CCP.'

The report stated that the documents were found while **Biden's** attorneys were packing up the office to leave.

The files were said to be in a folder inside a locked closet in a box with other unclassified documents.

The CBS report states that **Biden** is unaware of the contents and there will now be a review how the documents got to the office a mile away from the White House.

The Presidential **Records** Act requires all president and vice-presidential documents be handed over to the National Archives when the term in office ends, so they can be kept secure.

After the discovery, the White House counsel's office then notified the National Archives, which then took possession of the documents on November 3.

John Lausch, U.S. Attorney for the Northern District of Illinois, will now consider next steps, included whether a further investigation or a special counsel is needed.

Lausch is one of two U.S. Attorneys nominated by Trump.

The other, Delaware U.S. Attorney David Weiss, is in charge of the investigation into Hunter Biden.

Richard Sauber, special counsel to the president, told CBS: 'The documents were not the subject of any previous request or inquiry by the Archives.'

'Since that discovery, the President's personal attorneys have cooperated with the Archives and the Department of Justice in a process to ensure that any Obama-Biden Administration records are appropriately in the possession of the Archives.'

In September, Biden was asked on 60 Minutes about the photo showing documents recovered at Mar-a-Lago during the FBI raid last August.

'How that could possibly happen? How anyone could be that irresponsible,' the president said. 'And it just — totally irresponsible.'

More than 300 classified documents were recovered from Trump's Palm Beach estate.

Biden used the office in D.C. from 2017 until he announced he was running for president in 2019.

It also used to be the home of his cabinet officials and closest aides.

Blinken was the center's Managing Director in 2018 while top White House aide Steve Richetti was managing director in 2019.

Biden is on leave from the University of Pennsylvania after he was named a Benjamin Franklin Presidential Practice Professor in 2017.

He has been paid \$917,643 for speeches and for heading the center, CBS reported.

His granddaughter Naomi, his late son Beau and daughter Ashley all got degrees there and his granddaughter Natalie is an undergraduate.

---- **Index References** ----

Company: Federal Bureau of Investigation; National Archives and Records Administration; THE NEW YORK TIMES COMPANY; THE UNIVERSITY OF PENNSYLVANIA

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Nolan Out Loud: Biden's classified doc find may spare Trump

Nolan Finley, The Detroit News | Detroit News, The (Detroit, MI)

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Nolan Out Loud: **Biden's classified** doc find may spare Trump
Justice Dept. will have a tough time charging Trump without charging **Biden**

Nolan Finley, The Detroit News

The Justice Dept. uncovered **classified documents** in the Washington office space of President Joe **Biden's** former institute, and did so without a raid by an army of federal agents with television cameras trailing.

The contrast to the highly staged raid of former President Donald Trump's Mar-a-Lago estate can't be ignored. **Biden** called Trump's hoarding of **classified** information "irresponsible." And now he's done the same thing, but without the condemnation and speculation that he may be prosecuted.

The winner here is Trump. How can the Justice Dept. charge him with a crime without charging **Biden**?

The information was found last November, but was kept quiet until now. Again, the double standard is undeniable.

Bernstein apologizes

Michigan Supreme Court Justice Richard Bernstein, after coming under broad criticism, has apologized for torpedoing the job of Peter Martel, the reformed felon who was hired as a clerk by new Justice Kyra Harris Bolden. He needed to. Bernstein allowed his jealousy of Bolden to do great damage to a man who had paid for his crime and earn his redemption. Now he has to repair relations with Bolden, who like him came to the court as a Democrat.

Prepping for a huge mistake

Democrats and their labor backers are debating the right time to repeal Michigan's right-to-work law, which bans compulsory union membership. As the West Michigan Policy Forum explains in today's op-ed, there's never a right time to jettison an economic development tool that helps Michigan compete for jobs and growth.

ETC.

How cozy is the relationship between the White House and social media platforms? The Biden administration directed the censorship of posts that challenged Washington's COVID-19 policies.

Have American universities sacrificed the truth to their diversity, equity and inclusion goals?

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This article originally appeared on The Detroit News: Nolan Out Loud: **Biden's classified** doc find may spare Trump

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Classified Documents From Biden's Time As VP Found In Private Office; Exclusive: Special Counsel's Team Subpoenas Giuliani For Payment Records As P...

Erin Burnett Outfront

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Classified Documents From **Biden's** Time As VP Found In Private Office;
Exclusive: Special Counsel's Team Subpoenas Giuliani For Payment **Records** As P...

Classified Documents From **Biden's** Time As VP Found In Private Office; Exclusive: Special Counsel's Team Subpoenas Giuliani For Payment **Records** As Part Of Probe Into Trump's Fundraising; **Biden** Ignores Questions On VP-Era **Classified** Docs Found At Office; Republicans Slam **Biden** Over **Classified** Docs Discovered; New Intercepted Call By Ukraine Reveals Russian Soldier Saying Hospitals In Russia Are 'Overflowing' Due To Injured Troops; Taiwan: 28 Chinese Fighters, Other Aircraft Crossed Air Defense Zone. Aired 7-8p ET

[19:00:33]

ERIN BURNETT, CNN HOST: OUTFRONT next, breaking news. Classified documents found from Biden's time as vice president. What were they doing in a private office? The attorney general now asking a U.S. attorney to investigate.

Also breaking this hour, a major development in the DOJ's investigation into Trump's efforts to overturn the 2020 election. We are learning that special counsel Jack Smith's team has subpoenaed Trump's former attorney Rudy Giuliani and more on what Smith is zeroing in on. This is reporting that you will hear first OUTFRONT.

And new audio into OUTFRONT revealing the dire state of Russia's hospitals full of injured soldiers. An intercepted call that wasn't meant to ever be heard by you.

Let's go OUTFRONT.

Good evening. I'm Erin Burnett.

And OUTFRONT tonight, the breaking news. Classified documents from Biden's time as vice president have been found at one of his private offices in Washington, D.C. This is according to a source.

The documents were found by President Biden's attorneys last fall, and then turned over to the National Archives, which has referred the matter to the Justice Department. And we can tell you tonight that the Justice Department is now investigating this.

Now, just to be clear here, Biden, of course, was required by law to hand over all official documents and classified documents when he and President Obama left office. This is a significant development tonight. And it comes at the same time that the Justice Department is investigating Trump's handling of sensitive material at Mar-a-Lago.

So the big question tonight is how does Biden's handling of classified documents compare to Trump's? Here's what we know so far from what the reporting we have so far. Biden was not asked by the National Archives for any documents. His attorneys found them, and they immediately notified the Archives.

Trump, of course, was asked by the National Archives for documents, attested to handing them over but didn't. The DOJ issued two subpoenas related to the documents even after a subpoena we know Trump personally directed an employee to move boxes that contained classified materials. And, of course, the FBI had to search his home and office to find documents.

Biden's documents, we're told, did not include nuclear information. As for Trump, we know the FBI explicitly sought to locate classified documents related to nuclear weapons when they searched Mar-a-Lago.

As for where the documents are found, Biden's found in an office, as I mentioned. Most of Trump's sensitive documents were found in his home at Mar-a-Lago. And of the documents found, here's what we know. Biden had fewer than a dozen. Some reportedly did have top-secret designation. As for Trump, all the documents he returned voluntarily through subpoena were seized in the FBI's search thus far, more than 300 were classified, 92 secret, and 25 top secret.

Back in September, Biden was asked about that.

(BEGIN VIDEO CLIP)

INTERVIEWER: When you saw the photograph of the top-secret documents laid out on the floor at Mar-a-Lago, what did you think to yourself? Looking at that image?

JOE BIDEN, PRESIDENT OF THE UNITED STATES: How that could possibly happen. How anyone could be that irresponsible. And I thought, what data was in there that may compromise sources and methods? By that, I mean, names of people who helped, et cetera. And it's just totally irresponsible.

(END VIDEO CLIP)

BURNETT: We have Evan Perez and Jamie Gangel standing by with the latest in their reporting.

Evan, what else have you learned so far about this?

EVAN PEREZ, CNN SENIOR JUSTICE CORRESPONDENT: Well, we know, Erin, now that the U.S. Attorney John Lausch in Chicago is doing a review of these documents. This is what's known as a damage assessment, which is a standard way that the FBI does these things whenever classified information is found or classified documents are found in a place where they were not supposed to be. And that's the circumstance, we understand, happened here.

We understand that, according to the White House, which has now provided a statement, they said that the former -- the president's legal team found these documents in November as they were trying to close out an office that he had set up when he had left the vice presidency. This is a University of Pennsylvania think tank that he had set up. They were closing out that office. They say that fewer than a dozen documents were found as part of that. They say that the White House is cooperating with this investigation from the U.S. attorney's office which, of course, is involving also the FBI. But obviously, the comparisons are going to be there because, you know, for six years, roughly, these documents were sitting in a place, according to the White House, in a closet in an office where they should not have been, because those documents, especially the documents that are classified at the top-secret level are supposed to be held in specific places, and those circumstances that they are describing would not have met those.

[19:05:20]

BURNETT: All right. Evan, thank you. So now let's go to Jamie.

Jamie, what is the latest you're learning from your sources?

JAMIE GANGEL, CNN SPECIAL CORRESPONDENT: Look, one of the problems here is what they don't know and they're still trying to find out. How did these documents get out of the White House? Who packed them? Who took them?

We know that there are classified documents, but we really don't know how relevant are they today. Is the information in them contemporaneously dangerous, sensitive today?

What do we know? This is going to be a political nightmare for the Biden administration. They didn't want this to happen. So, whatever it was, it is politically an unforced error. It is politically something that the Republicans and Donald Trump are going to make hay in.

I think one point that my sources have been saying, which Evan mentioned is important to underscore, and that is the difference in cooperation. The lawyers, when they found them, they immediately called the Archives and had the documents picked up. And also, obviously, there were very few documents. There were fewer than a dozen documents, I am told.

And, finally, let's remember two things about Donald Trump. The Justice Department is looking at obstruction with him. The long period of time he refused to hand these things over. The number of documents, and let's not forget how he magically wanted to say he had declassified everything.

BURNETT: Right.

GANGEL: The Biden approach is very different.

BURNETT: Right, extremely different.

All right. Jamie is going to stay with us. I want to bring in now, David Laufman, who is the former chief of the Justice Department's counterintelligence section. He oversaw the probe looking into whether Hillary Clinton improperly stored or transmitted classified information to secretary of state. So he knows more about this than anyone.

And also with me, the former deputy FBI director Andrew McCabe, also, of course, expert on classified information.

So, both of you, thank you.

David, let me just start here with the fact that, of course, you've got top-secret files in this, highly sensitive classified information. From what you understand -- and this question, the fact that there's this Trump situation out there, just looking at the situation as it is for Biden. Could he be in trouble for this?

DAVID LAUFMAN, FORMER CHIEF OF THE JUSTICE DEPARTMENT'S COUNTERINTELLIGENCE SECTION: Well, yes, he could be. It's going to depend on the relevant facts. Look, the Department of Justice and the FBI typically engage in logical investigative steps to get a handle on a variety of pieces of information. How **classified documents** came to be there, who was involved in it, why were they sent there, how many **classified documents** were there, what level of **classification**?

Here we know that some of them are top-secret code word. That's pretty concerning. Who had access to them while they were there? Was this just a colossal mistake, or was there intent on bringing them there and keeping them there? Was there willful retention of classified documents in a place they weren't authorized to be?

So, we don't know the answers to these questions yet, at least most of them. But the attorney general's done the right thing by giving this investigation to the FBI and not just to any prosecutor but a Trump- appointed prosecutor in Chicago to insulate his findings from potential political criticism. Now we have to give some room and breathing space to the department and the FBI to complete this investigation.

BURNETT: Right. And it's important that you mentioned that the attorney looking into it is a Trump appointee. They're doing everything possible to make it transparent so that people see it as fair.

Director McCabe, from what we know, what do you take away from this? Found in a locked closet, but obviously top-secret documents, which is a problem, as David lays out. What is your first-blush take here?

ANDREW MCCABE, CNN SENIOR LAW ENFORCEMENT ANALYST: Well, Erin, as David laid out, the investigation will be doing all the things that he mentioned for basically two purposes. On one side, they're trying to do a damage assessment to see if any of the information in those documents that weren't properly stored presents a risk to intelligence sources or methods. So that's going on.

But, at the same time, they will be looking to see if there was wrongdoing that led to documents someplace they shouldn't have been. I should say that the FBI gets referrals like this all the time. It's very frequent with people.

[19:10:00]

There are lots of people with access to classified. Sometimes they mistakenly take documents with them where they're not supposed to be, they get found with documents, and you have to look into these things and determine, of course, the damage assessment and what level of potential criminal penalties could be associated with that.

Many times there are no criminal penalties. It's deemed to be an accident or an administrative error, something along those lines. There's a lot to be found out here before we could confidently make a determination in any direction. But one of the key points will be how often did President Biden use this office?

These are facts that are absolutely knowable. They can go back to records as to where he was there, maybe when he badged in, when the Secret Service took him there. And understand when did the documents get there, when was he there, did he actually ever frequent this office? Would he have any reason to know what was in the closet?

So, there was a lot of facts that we need to find out about it.

BURNETT: And, David, I should say on the back of what Director McCabe saying, our Phil Mattingly is reporting that Biden was not aware that the documents were located in the office. So it doesn't answer some of the questions the director is saying about frequency of access, et cetera, but that he wasn't aware.

And on this front, to the point Jamie Gangel was making, that the difference between Trump and Biden may be about obstruction.

David, how much weight does that carry? If Biden wasn't aware they were there and the minute that they stumbled upon them, they call the Archives. Whereas in Trump's case the archives asked, they were not forthrightly handed over. Subpoena one, subpoena two, FBI search. Trump personally directs an employee to move boxes. There are documents that are found in his home, his personal quarters.

Does the differences here or the differences that we understand at this point to exist, do they matter?

LAUFMAN: They matter very significantly. As Andy can discuss as well, among the factors the Department of Justice takes into account with respect to whether to pursue criminal prosecution is the extent to which there are so-called aggravating factors present. And no aggravating factor perhaps is as large as whether there is concealment or obstruction of justice in a case where **classified documents** are found in a circumstance like this.

So, everything we're hearing tonight runs contrary to the notion that there was any kind of concealment or obstruction to the contrary based on the reporting tonight, President **Biden's** lawyers brought to the attention of the National Archives, they have fully cooperated. We'll have to wait and see what led to the depositing of the **classified documents** in the first place, what was the nexus between former Vice President **Biden** -- then former Vice President **Biden** to this document.

BURNETT: Right.

LAUFMAN: But there's no indication of any aggravating factors here that would tilt the balance toward pursuing criminal charges thus far. BURNETT: Director McCabe, in terms of the possible indictment for Trump would be about obstruction of justice and mishandling of classified documents. They've put the Biden investigation, as you have both pointed out in, the hands of a Trump-appointed attorney.

But does this director affect the DOJ, the special counsel's, you know, recommendation and decision on indictment for Trump?

MCCABE: It really doesn't, Erin. I mean, look, in the kind of ether, right, there's going to be an enormous amount of pressure on DOJ and special counsel Jack Smith in terms of the decision he makes, the existence of this other Biden issue certainly doesn't make that any easier.

But, as a legal matter, whether or not Joe Biden or any of his staff committed wrongdoing with respect to these dozen or so documents offers no shelter to Donald Trump in his own investigation. His investigation is going to be determined based on the facts and the law as are presented to the prosecutors.

And, you know, our system of criminal justice doesn't work along the lines of, well, he did it too so you should let me go. That's not a factor. The factors are the law and the facts. And that's what, you know -- in the former president is facing some very negative facts and some very tough laws in his own investigation, and what happens with the Biden investigation legally should not have an impact on that.

BURNETT: All right, thank you both very much, crucial perspective.

And Jamie Gangel is back with me.

And, Jamie, you just heard Director McCabe say our legal system isn't based on he did it too. But our political system often is. And the fact that the two is apples and oranges, that's not always what matters.

You've got the new speaker of the House, Speaker McCarthy, and the new House Oversight Committee, Chairman Comer, both jumping on this already, criticizing Biden. Trump is posting on his social media website, when is the FBI going to raid the many homes of Joe Biden?

So here you go, right? This is the political -- this is how this is going to play politically.

[19:15:01]

How much of a gift is this? How transformational is this for Trump right now?

GANGEL: Look, it is a huge political gift for Trump. I'm surprised it took him so long to post what he did. And, you know, this is sort of like Casablanca, we're shocked, shocked, shocked, shocked that the Republicans are making political hay out of it.

That said, they are going, on the one hand, to make as much out of this as they can, but it's going to be very important for justice. And as much as the National Archives plays a role here, to really let the public know what was in here. Is that nuance going to cut through? I don't think so.

BURNETT: No, nuance is, sadly, almost never does in those cases. But from a legal perspective in doing the right thing, of course, as you point out.

GANGEL: Absolutely.

BURNETT: Now, you understand -- you know, you heard Phil Mattingly's reporting, that Biden was not aware that the documents were there. Much less of course what might be in the documents.

So, how does that play into this? Obviously, the National Archives referred to this to the DOJ already regardless of any of that.

GANGEL: So, I think this is a key point. I spoke to a source earlier today who's familiar with the National Archives and how they handle this. And over the last year, I've spoken to a lot of former high-level officials who, frankly, admitted to me that they had accidentally had a file that they found later.

There is a certain amount normally in normal times before Mar-a-Lago, a certain amount of discretion. Does the National Archives think this was an honest mistake?

In the past, they might not have referred it. But I'm told specifically because of what's going on with Donald Trump that the Archives knew that they had to, you know, out of an abundance of fairness, caution, but really because of Donald Trump, there was no question they had to refer it.

BURNETT: All right. And here we are.

Jamie Gangel, thank you very much. Jamie breaking so much of this story.

And, next, much more on this story, straight ahead. We are learning that President Biden was just asked about the classified documents found in his office. And we're going to tell you what he is now saying.

And also breaking tonight, exclusive CNN reporting you will hear first OUTFRONT. Trump's former attorney Rudy Giuliani subpoenaed as part of the justice department's investigation into Trump's efforts to overturn the election also under the special counsel's authority.

And a chilling assessment of the losses the United States would suffer if China invades Taiwan. It's a report you'll see first OUTFRONT.

(COMMERCIAL BREAK)

[19:21:27]

BURNETT: As we follow the breaking news tonight about classified documents found at a Washington, D.C. office, that President Biden used after serving as vice president, we are also learning about a major escalation in the special counsel's

investigation into Trump's efforts to overturn the 2020 election. There were the Mar-a-Lago documents and the overturning of the 2020 election.

And on that specific front, a source is telling CNN that the special counsel has now subpoenaed Rudy Giuliani, asking him to turn over financial records to the federal grand jury.

The exclusive reporting comes from Katelyn Polantz, who is now OUTFRONT to tell us what she knows.

And, Katelyn, what more do you know about the subpoena?

KATELYN POLANTZ, CNN SENIOR CRIME AND JUSTICE REPORTER: Well, Erin, this subpoena does come from the special counsel's team investigating January 6 and the 2020 election. Those political circles around Donald Trump of which Rudy Giuliani would have been central on many fronts. And this subpoena, what we have learned, Sara Murray and I have been able to confirm that this is going to allow investigators to get a look into the part of their investigation where they're examining a possible broader conspiracy, and also specifically where they are looking into financial questions, possible financial crimes.

And the reason we know that is our sources tell us that prosecutors have asked his lawyers to prioritize turning over any sort of financial records, especially payments that he may have received after the election working for Donald Trump. We do know from federal election records that he received about \$140,000 paid to two companies of his for travel. Those were paid from Donald Trump related groups.

And, so, this subpoena, it did come a little bit more than a month ago. And it also comes at a time where prosecutors are asking for lots of documents, not just of Giuliani. But we have also heard about special counsel's office prosecutors subpoenaing others related to payments, asking them for information about the Save America PAC and other financial interests and payments that were being made as Donald Trump was trying to push back against Congress against his loss of the presidency.

And so, all of this information is still being gathered. We don't know exactly how this is going to work out with Giuliani. He has tried to decline to answer questions before in the House Select Committee investigation. But here and now, his attorney did decline to comment to us today, as did the special counsel's office -- Erin.

BURNETT: All right. Katelyn, thank you very much for that exclusive reporting.

Let's go to Ryan Goodman, the co-editor in chief of "Just Security", former special counsel at the Defense Department, and Andy McCabe, the former FBI deputy director is also back with me.

All right. Thanks to both.

So, Ryan, obviously, to be clear here, Katelyn's exclusive reporting is about the efforts to overturn the 2020 election, right? Separate from the Mar-a-Lago documents that we were talking about a moment ago. But, as she said, this pertains to a broader conspiracy and financial crimes.

How significant is this?

RYAN GOODMAN, FORMER SPECIAL COUNSEL AT DEPARTMENT OF DEFENSE: So, I do think it's significant in your description of it as a major escalation is right on in the sense that it means that the Justice Department is going after the former president's top personal attorney. We can remember in the Russian investigation when Michael Cohen was the target, everybody understood they've just crossed a major line. And this seems to be a major line.

You would think that they would only go to Giuliani when they have sufficient enough evidence and if they're pretty late into their investigation.

BURNETT: So, and, Director McCabe, then, what do you think this means for Donald Trump in this crucial line of the overturning the 2020 election for the special counsel?

[19:25:02]

ANDREW MCCABES, CNN SENIOR LAW ENFORCEMENT ANALYST: Well, I think it's a really strong indicator of just how broad the scope is that the special counsel team is looking at. If you think about it, when we -- when we first started following the efforts of the January 6th House committee, you know, we were thinking about January 6 as to what happened on January 6. And then we realized that the scope is broader, we were looking at all the things that led up to January 6th, in a month or so before that.

This is an expansion along those lines. The special counsel's not just looking at what happened on January 6th, not just what led up to the riot, the attack on the capitol, but now what happened with the money around those activities and were funds collected by the former president and his allies in a way that may have been fraudulent, were funds collected for one purpose but then used for a different one?

So, Rudy Giuliani would certainly be right at the heart of that activity, as someone who may have actually received payments from these accounts, but also as a person who was engaged in that behavior and that activity of trying to overturn the results of the election through any means necessary.

BURNETT: And, Ryan, so there's Katelyn's reporting and then there's also the Georgia grand jury, we understand have -- that's investigating Trump in the 2020 election, efforts to overturn the election in Georgia, has completed its work, they're done. The Fulton county D.A. Fani Willis is going to make a decision on pursuing an indictment.

So, what's the time line on this now?

GOODMAN: So this is what many observers, myself included, anticipated and I think we will see by the end of this month indictments coming out of Fulton County. And there's a January 24th hearing in which the big question will be whether or not they publicly release the special grand jury's recommendations.

But I think, other than that, we will then see action. And the high likelihood is that it will be indictments. And, at a minimum I think Donald Trump, and maybe Giuliani, once again, or Mark Meadows.

BURNETT: But at a minimum, you're saying Trump himself.

GOODMAN: I think so -- I think highly likely.

BURNETT: All right. Well, thank you both very much. I appreciate it.

And next, the breaking news. President Biden just responding to the news that the classified documents were found at his private office. So what is saying tonight?

Plus, new audio that Putin does not want the public to hear, a former Russian soldier who appears to have been injured in Ukraine and then you're going to hear him describe the hospital he's in as Russia is suffering terrible losses on the battlefield.

(COMMERCIAL BREAK)

[19:30:48]

BURNETT: Breaking news: President Biden ignoring questions shouted at him by reporters about the classified documents from his time as vice president. These are the documents that were found at a private office. Here he is.

(BEGIN VIDEO CLIP)

REPORTER: Any comment on the documents, sir?

(END VIDEO CLIP)

BURNETT: The documents were found by President Biden's attorneys in November. They then told the National Archives about them, turned them over. The National Archives referred the matter to the Justice Department, which is now investigating via a Trump-appointed attorney.

Biden, of course, was required by law to return all official documents and classified documents when he left office. So this is a possibly significant development. And it comes at the same time the Justice Department is investigating Trump's handling of sensitive material and his obstruction of federal efforts to get the documents back.

Phil Mattingly is OUTFRONT.

And, Phil, you've not new reporting on all this. What are you learning?

PHIL MATTINGLY, CNN CHIEF WHITE HOUSE CORRESPONDENT: Yeah, Erin, what's become clear in talking to sources familiar with the matter is the president was not aware that these documents were being held in one of his offices, an office he hadn't used since 2019, and did not become aware of documents with classified markings until his personal attorneys as they were closing out that office in November, called the White House counsel's office to inform them of what they had found.

Then, when you talk to people who were involved in this, one thing they try and underscore, and it's implicit in the White House statement earlier confirming that a review is currently underway is the key differences they view between what former President Trump is dealing with right now and what former President Biden -- they don't disagree with the problematic nature of having classified markings outside of the White House or outside of a sensitive or classified location where you're supposed to be reading them.

But, however, what they do make very clear in the White House counsel's statement is that once these documents were found, the counselor's office was notified and then immediately notified the archives. By the next morning, the archives had picked those documents.

White House officials also mostly appearing to do what they've done throughout the course of the president's time in office, stay very far away from ongoing investigations. They don't want to have any involvement or any perception of any involvement. So it's probably unlikely you're going to hear them weigh in, in any way, shape, or form. We kind of saw that in live form from the president just now down in Mexico City.

And we talked to officials, they made clear, the president's focus right now remains on that highly anticipated bilateral meeting with the Mexican president. It's something he's been preparing for over the course of the last several weeks. The first sit-down in Mexico between those two presidents since 2014. Officials at this point in time really pointing just to the on-the-record statement that the president had no knowledge of things in advance.

BURNETT: All right. Certainly not the development that they would have in any way have wanted, no matter how you look at it, though. Phil, thank you very much.

The new Republican chairman of the House Oversight Committee already responding saying, quote, how ironic that classified documents from Joe Biden's time as vice president were found in a private office. It comes as the House finally passed that rules package which authorized the creation of a select subcommittee investigating the, quote, weaponization of federal agencies like the Justice Department and the FBI.

Melanie Zanona is on Capitol Hill for us tonight.

And, Melanie, what are you hearing there?

MELANIE ZANONA, CNN CAPITOL HILL CORRESPONDENT: Yeah, well, Republicans are really jumping all over this news. And they see this as an opportunity to defend former President Donald Trump.

James Comer, the chairman of the House Oversight Committee, he said this is something they might potentially investigate themselves. He is already sending a letter to seek more information about these documents. He also told my colleagues, is this White House going to be raided tonight? Are they going to raid the Biden center?

This is further concern that there is a two-tiered justice system. And, meanwhile, Speaker Kevin McCarthy told Manu Raju earlier that he thinks Democrats overplayed their hand when it comes to the Mar-a-Lago documents. And then Byron Donalds, a Republican congressman from Florida, said on our air a little bit ago that he has concerns about the idea of **classified documents** being taken out of the Intelligence Committee.

Now, we should point out, most Republicans did not express the same level of concern when it was learned that Donald Trump had taken **classified documents** and put them -- had them in Mar-a-Lago. So that's worth remembering here.

But Republicans are in the majority now. They have these powerful perches where they're going to be able to investigate and prioritize what they want to look into.

[19:35:01]

And, in fact, this House rules package created a select committee to investigate the DOJ and the FBI. That was one of the key concessions that Kevin McCarthy made. Conservatives want to investigate alleged wrongdoing by these agencies. And they will have specifically the power to look into ongoing criminal probes, including those involving Donald Trump.

And, so, I expect that committee is going to be ground zero for confrontations between Republicans and the Department of Justice -- Erin.

BURNETT: Absolutely. Melanie, thank you very much for your reporting.

And I want to go now OUTFRONT to the Republican Congressman David Joyce of Ohio.

And, Congressman, I appreciate your time.

You know, look, I thought we'd be talking about the rules -- the Rules Committee package and the rules passing. But, obviously, we have these developments as well tonight.

So, what is your reaction to the news that classified documents dating back from Biden's time as vice president were found in a private office? I should note, of course, that we understand that he was not aware of them being there, but they were there. What do you say?

REP. DAVID JOYCE (R-OH): Well, Erin, thanks for having me.

I'm just finding out a lot of this, having been buried in Steering Committee meetings all day --

BURNETT: Right. JOYCE: -- and from following up and listening to Melanie. She always does a great job, so I'm sure it's correct.

But as far as -- I was a prosecutor for 25 years before I came here. And I know every time that I've looked at intelligence documents they've always been in a SCIF. So, the idea that they're floating around out there, Democrat or Republican, the idea that these types of documents are out there in the public isn't good for America as a whole or our intelligence community.

BURNETT: No, look, I would hope everybody would agree upon that. You're speaker, of course. McCarthy and the Republican chairman of the Oversight Committee, James Comer, are drawing comparisons to Mar-a- Lago.

And, of course, they're -- you know, Trump admitted that he knew about it, right? He said that he had declassified documents just by thinking about it, and the Archives had request documents. They didn't receive them all. Two subpoenas, they still didn't get them all.

You know, we know that there was an effort not to hand over documents. Obviously, the word "obstruction" comes with legal connotations and they are still deciding whether to pursue an indictment there.

But do you accept that there may be -- that the differences may really matter?

JOYCE: Well, obviously, what's good for the goose is good for the gander. I mean, if it's illegal, then it's illegal for Democrats, Republicans, or any citizen who would happen to take those documents outside the control facilities in which they're normally kept.

But I would hope that they're going to -- one thing about the law is it's enforced equally to all Americans. And so if, in fact, there is an issue that the DOJ will do what's right and rein this in and take care of business.

BURNETT: OK. So, this comes, of course, as the House Republicans are going to establish a select committee, we know, to investigate what they say is the "weaponization", that's the word they used, of federal agencies, and that includes the Justice Department and the FBI.

Do you think that committee is going to be investigating this? And I should note, of course, that the DOJ and the special counsel have assigned this investigation to a U.S. attorney who was appointed by President Trump.

JOYCE: Well, I got great faith in the justice system until they prove otherwise. I got to admit, I've been a little let down in some of the things I've seen about the weaponization of the FBI, because I know the rank-and-file agents that I worked with over the years have all cared about one thing. We were on team justice and we were out to get things done.

I hope that would continue, and it's not getting taken away, that idea of we're one team and we're all fighting for team justice just because we're here in D.C.

But, again, if it's a crime to have these things outside of their controlled setting, then no matter who it is, they should be held accountable.

BURNETT: I want to ask you one other question. You know, we were all here many hours last week watching you all. And, you know, one of the people I spoke to was your colleague Ro Khanna, a Democrat.

And when all of this looked like maybe Speaker McCarthy was not going to be Speaker McCarthy, Ro Khanna came out and said there were a few moderate Republicans, a few people he might consider possibly supporting.

And he was -- they weren't a lot of people who agree with that. But you were on his list.

And I just wanted to give you a chance to respond to that. What does that say to you? That your -- that you have colleagues across the aisle who respect you and would see you in that way? Is it something you're proud of?

JOYCE: Yes, absolutely. Not only do I think Ro is a visionary. He also has a beautiful wife who happens to be a Buckeye.

But that being said, you know, look, all you're ever truly worth here is your handshake and your word. And I made a point of doing that. When I work with Democrats or Republicans, they know that I'm an honest broker.

I'm going to work with them to try to resolve issues because my job isn't here to get on TikTok or any of these stupid media shows -- not -- I mean, instant social media type stuff. My job here is to get things done.

And, so, they realize that I'm going to work with them and I'm going to pursue their goals and if we have come to an agreement on things, that I will fight just as hard for those positions in my Republican committees as I will with them as Democrats on their committees.

BURNETT: All right. Well, I appreciate your time, Congressman Joyce, thank you.

JOYCE: Thank you very much, Erin.

BURNETT: All right. And now, Karen Finney, our political commentator and former senior spokesperson for Hillary Clinton's presidential campaign.

And, Karen, let me just give you a chance to respond to a few of the things that Congressman Dave Joyce just said.

[19:40:04]

Obviously, you know, talking about wanting the law to be applied equally -- look, the reality of it is here is that what's at stake for Trump was not just having the classified documents but his obstruction of that reality. But, from a political perspective, Karen, is that something that's going to matter?

KAREN FINNEY, CNN POLITICAL COMMENTATOR: Well, I think what you're going to see is more of what we saw earlier. I didn't see the congressman just do it, but others earlier tonight on our air have just tried to muddy the waters, right, that documents are documents.

And as we were saying, I mean, what is legal versus political are very different. And, obviously, this appears to be yet another example, quite frankly, of, you know, President Biden exemplary of this is how things should work versus Donald Trump.

This is the abomination of how they should not work, particularly given that, as you've been reporting, we seem to know that it's roughly, we're talking about ten to a dozen documents. Once they were discovered, they were handed over immediately. That has now gone through the appropriate process versus obstruction of justice and, you know, the raid on Mar-a-Lago. And we're talking about hundreds of documents.

And I went back, Erin, to just remind myself that one of the things that we know from that time was, you know, things like President Trump using classified information about -- he claimed to have information about President Macron of France's love life. I mean, that's an abuse of power and abuse of the information.

BURNETT: Right. And certainly there's nothing like that, you know, even remotely being alleged here. These were found in a locked closet in an office that then vice president, now president says he was not -- he had no idea about.

The reality of it is, of course, is obstruction really matters, right? Two subpoenas, an FBI search, all these things, because you don't hand everything over really matters. But when President Biden was asked after the Mar-a-Lago raid to his reaction about classified documents being found at Trump's home, he said this.

(BEGIN VIDEO CLIP)

INTERVIEWER: When you saw the photograph of the top-secret documents laid out on the floor at Mar-a-Lago, what did you think to yourself? Looking at that image?

JOE BIDEN, PRESIDENT OF THE UNITED STATES: How that could possibly happen. How anyone could be that irresponsible. And I thought, what data was in there that may compromise sources and methods? By that, I mean, names of people who helped, et cetera. And it's just totally irresponsible.

(END VIDEO CLIP)

BURNETT: And, of course, Karen, that's now, you know -- that's a sound bite.

FINNEY: It is a sound bite. And, at this point, we don't know in terms of the documents that were discovered in then Vice President Biden's office that had been turned over what the nature of those documents were, and I think some of the same questions certainly will be applied.

There's one sort of political thing to this, though, that I wanted to mention, Erin. As you mention, we went through a lot last week to get Kevin McCarthy as the speaker of the House, we're waiting to see the vote on the rules package. Remember that one of the motivations that Republican members were trying to use to get their caucus together was their eagerness to get going on the investigations. Tonight, they've fortunately got another motivator, don't they?

BURNETT: Yeah. All right. Karen, thank you very much.

FINNEY: Thanks.

BURNETT: And, next, we have new audio just into OUTFRONT revealing the chaos engulfing Putin's hospitals right now, as one of the bloodiest battles of the war is underway.

Plus, Taiwan says a record 28 Chinese airplanes crossed into its air space, including nuclear capable bombers. And tonight, top military experts are gaming out a frightening scenario. If China invades Taiwan, just how many American soldiers could be killed?

(COMMERCIAL BREAK)

[19:47:50]

BURNETT: Tonight, Russian hospitals being compared to prisons. New intercepted audio into OUTFRONT reveals the chaos inside Russia's hospitals as hundreds and thousands of troops are returning home, injured.

(BEGIN AUDIO CLIP)

SOLDIER (through translator): Who the (EXPLETIVE DELETED) knows? I don't know. Buddy, let me tell you, it's like prison in the hospital. Do you copy? You can't leave, you can't go anywhere for (EXPLETIVE DELETED) sake, you copy?

First of all, they have taken us (EXPLETIVE DELETED), for three days to the hospital, (EXPLETIVE DELETED), all across Russia, you know? They are spilling into every city, (EXPLETIVE DELETED). All the hospitals are overflowing for (EXPLETIVE DELETED) sake. It's totally (EXPLETIVE DELETED), buddy.

FRIEND (through translator): Wow, you've got to be (EXPLETIVE DELETED) me. I guess you're still (EXPLETIVE DELETED) then, huh? (EXPLETIVE DELETED) hell.

(END AUDIO CLIP)

BURNETT: Russian hospitals overflowing, I should be clear. Tens of thousands returning home injured as the situation on the ground gets more dire by the day, including bloody battles in one town quickly becoming the epicenter of Russia's war in Ukraine.

Scott McLean is OUTFRONT in Kyiv with more.

(BEGIN VIDEOTAPE)

SCOTT MCLEAN, CNN INTERNATIONAL CORRESPONDENT (voice-over): Amidst the destruction, there's movement. An unlikely sign of survival, then commotion as rescue crews arrive to pull the victim out.

A few feet away, a police officer walks out carrying an injured girl who officials say is just 13 years old, bloodied, but alive. Ukraine says on Monday a Russian missile strike hit a market in a village some 25 miles from the front line. Local officials say that two people died and at least six others were hurt.

Over the weekend the Russians launched a series of missile strikes on Kramatorsk. They say in retaliation for a devastating new year's strike on a Russian makeshift barracks, Ukraine insists there were many more.

Russia claims its retaliatory strikes killed more than 600 Ukrainian troops. Ukraine called that nonsense.

[19:50:00]

And CNN's team the city found no evidence to suggest there had been a mass casualty event, just a massive crater in front of high school, and a lot of broken glass.

Some of the fiercest fighting is taking place in Bakhmut and nearby Soledar. A visiting Ukrainian general saw the destruction along the main road and a hype of activity as medics worked to treat an injured soldier in an undisclosed location.

Near Bakhmut, Ukrainian drone captured the moment a bomb is dropped on Russian troops carrying an injured soldier. Both Kyiv and some Russian military bloggers believe Moscow is eyeing a fresh round to bolster the front lines. The Kremlin has firmly denied it, but would also deny the plans ahead of first mass mobilization in the fall.

On Sunday, 50 Russian prisoners of war were swapped for 50 Ukrainians, held captive without any news from the battlefield.

"What's going on with Iziium?" one soldier asked. "Iziium has been liberated," he's told. "He was recaptured way back in September."

(END VIDEOTAPE)

BURNETT: Well, Scott, is with me now.

And, Scott, you know, after that report, the head of the Russian mercenary group, the Wagner group, is now talking about the Russian assault on Bakhmut and the Soledar you spoke to, spoke about, of Soledar.

Why is this so important to them? MCLEAN: So, first, I should point out, Erin, the Ukrainians say the Russians are now launching a powerful new assault on Soledar using artillery, rockets, and, of course, Wagner mercenaries as well. And as you said, the head of Wagner said recently that what makes Soledar at least in part such a prize on the battlefield is the salt mines, which makes an ideal place for storing troops, or hiding troops and hiding weapons.

The Russians also launched another missile strike on Kramatorsk just tonight. It hit a roadway killing two people inside a car. It is not clear what if any military target there was in the area -- Erin.

BURNETT: All right. Thank you very much, Scott.

And next, a record number of Chinese warplanes crossing into Taiwan. And now military analysts wondering what a Chinese invasion of Taiwan would look like? It includes mass loss of American life. It's a report you'll see first OUTFRONT.

(COMMERCIAL BREAK)

[19:56:46]

BURNETT: Tonight, the drumbeat of war. Taiwan says 28 Chinese warplanes including fighter jets and nuclear capable bombers crossed into its airspace. As the tension between Taiwan and China is growing, a top military analyst warned that an invasion could cost many American lives.

Oren Liebermann has this report you'll see first OUTFRONT.

(BEGIN VIDEOTAPE)

OREN LIEBERMANN, CNN PENTAGON CORRESPONDENT (voice-over): Taiwan is perhaps the most sensitive flash point between the U.S. and China. Some experts warning that Beijing's use of force is drawing closer. The chairman made it a priority for Beijing which hasn't ruled out the use of force, a decision that could cost thousands of lives for China, Taiwan, and America.

A war game from the center for strategic and international studies begins with a Chinese missile barrage against Taiwan's military in 2026, destroying much of its air force and navy. Followed by an amphibious across the Taiwan Strait. Taiwanese forces fight back using advanced U.S. weaponry. Patriot missiles for air defense, and ship missiles and torpedoes for sea defense and the ground forces to defend the beach heads.

MARK CANCIAN, SENIOR ADVISER, CSIS INTERNATIONAL SECURITY PROGRAM: Whatever the Taiwanese are going to fight the war with, they have to have that when the war begins.

LIEBERMANN: In every scenario, China landed forces on Taiwan but only the pessimistic cases does Beijing avoid defeat. But victory for the U.S. and Taiwan comes at a great cost. The war game assesses the U.S. loses 10 to 20 combat ships including two aircraft carriers and 200 to 400 military aircraft. In three weeks of fighting, the U.S. suffers more than 3,000 troops killed in action. That's about half of what the U.S. suffered in Iraq and Afghanistan over two decades. America's global position is damaged for years.

China loses 90 percent of the amphibious fleet and 52 major surface warships and the air force loses more than 160 combat aircraft.

Crucial to this outcome is the stockpile of precision guided munitions. Taiwan would need more U.S. supply harpoon anti-ship missiles which may be in short supply because these missiles have been sent to Ukraine. The U.S. needs its own long range anti-ship missiles and this supply is one of the big risks.

CANCIAN: It runs out within typically the first couple of days. And when that runs out, then the United States has to use shorter range munitions. They can be effective. It increases losses and increases risk.

LIEBERMANN: China has the world's largest navy with about 340 ships and submarines compared to nearly 300 for the U.S. China's army has 1 million active duty service duty members and it's the third largest air force in the world.

The top U.S. general says the key to avoiding conflict is deterrence.

GEN. MARK MILLEY, CHAIRMAN OF THE JOINT CHIEFS OF STAFF: As long as we remain number one, then we will deter the war that people worry about, a great power war between China and the United States.

(END VIDEOTAPE)

LIEBERMANN: Crucially, this war game does not ask the question of what would happen to make China decide to use military force to invade Taiwan? That remains an open question. Especially given the united reaction of the West to Russia's invasion of Ukraine which crippled Russia's economy. Would China run the same risk or use the industrial and economic power to control Taiwan instead of its military? And that, Erin, is a critical question.

BURNETT: Oren, thank you very much. Sobering.

And thanks so much for joining us.

Don't forget, you can watch OUTFRONT anytime on CNN Go.

"AC360" meantime starts now.

[Byline: Erin Burnett, Evan Perez, Jamie Gangel, Andrew McCabe, Katelyn Polantz, Phil Mattingly, Melanie Zanona, Karen Finney, Scott McLean, Oren Liebermann] [Guest: David Laufman, Ryan Goodman, Dave Joyce] [High: Classified documents from Biden's time as vice president have been found at one of his private offices in Washington, D.C.; the documents were found by President Biden's attorneys last fall, and then turned over to the National Archives, which has referred the matter to the Justice Department. A source is telling CNN that the special counsel has now subpoenaed former Trump attorney Rudy Giuliani, asking him to turn over financial **records** to the federal grand jury. President **Biden** ignoring questions shouted at him by reporters

about the **classified documents** from his time as vice president. Republicans are jumping all over the news of VP **Biden-era classified documents** and they see this as an opportunity to defend former President Donald Trump. Russian hospitals being compared to prisons; new intercepted audio reveals the chaos inside Russia's hospitals as hundreds and thousands of troops are returning home, injured.] [Spec: Joe Biden; DOJ; National Archives; Government; Policies; Politics; Rudy Giuliani; Donald Trump; Crime; Justice; Kevin McCarthy; Republican Party; House of Representatives; Congress; Ukraine; Russia; Defense; Military; War; World Affairs; China; Taiwan; Asia]

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NewsRoom

Review into 'classified' files found at Biden's former office

Tom Davidson | Evening Standard (London, UK)

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January 10, 2023

Section: News

Review into 'classified' files found at Biden's former office

Tom Davidson

THE US Justice Department is investigating after potentially **classified documents** were found at the former office of President Joe **Biden**.

The documents in question came from Mr **Biden's** vice presidential office in Washington DC.

Ex-president Donald Trump immediately seized on the news and questioned when the FBI would raid the "many homes of Joe **Biden**, perhaps even the White House."

Trump is facing a criminal probe after the FBI raided his Mar-a-Lago home in Florida and discovered sensitive documents that had allegedly been taken from the White House after losing the 2020 presidential election.

Special counsel to the president Richard Sauber said "a small number of **documents** with **classified** markings" were discovered as **Biden's** attorneys were clearing out the offices of the Penn **Biden** Center.

The documents were found on November 2 last year in a "locked closet" in the office, Mr Sauber said.

"When is the FBI going to raid the many homes of Joe **Biden**, perhaps even the White House? These documents were definitely not declassified," Trump wrote on the social media platform Truth Social.

Trump did not offer any evidence to back his claim that the files were "definitely not declassified."

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NewsRoom

First Bill Passed By GOP House Slashes IRS Funding; Biden Meets With Mexican President After Border Visit; Husband Of Missing Massachusetts Mom A...

FOX: Fox News at Night

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January 10, 2023

First Bill Passed By GOP House Slashes IRS Funding; Biden Meets With Mexican President After Border Visit; Husband Of Missing Massachusetts Mom A...

First Bill Passed By GOP House Slashes IRS Funding; Biden Meets With Mexican President After Border Visit; Husband Of Missing Massachusetts Mom Arrested; DOJ Reviews Classified Documents From Old Biden Office; Public Schools Lost Over 1.4 Million Students In One Year; Non-Profit Urges Americans To Bridge Partisan Divide

TRACE GALLAGHER, FOX NEWS CHANNEL HOST (on camera): Thank you, Greg. Good evening, everyone and welcome to America's late news, FOX NEWS @ NIGHT. I'm Trace Gallagher in Los Angeles.

And breaking tonight, House Republicans fulfill a campaign promise and pass a bill to rescind billions in funding to the IRS. President Biden is meeting with Mexican President Lopez Obrador tonight after visiting the southern border for the first time during his presidency. And a key update tonight on the missing Massachusetts mom, what prosecutors now say was found in the basement of her home shortly after she went missing?

But we begin with the Justice Department now reviewing classified documents from Joe Biden's vice presidential days that were discovered in a private office he used right before the 2020 presidential campaign. Matt Finn is live with the breaking details. Matt, good evening.

MATT FINN, FOX NEWS CHANNEL CORRESPONDENT: Good evening, Trace, a small number of **classified documents** were discovered by President **Biden's** attorneys back in November at the think tank, the **Biden** Center at the University of Pennsylvania. The documents which were believed to be taken from the White House when Joe **Biden** was vice president were found in the office that the president used from 2017 until he began the 2020 campaign. The Justice Department has assigned Trump appointed Jr., U.S. Attorney John Lounge of Chicago to investigate.

(BEGIN VIDEO CLIP)

FINN (voiceover): It's not clear why it took Biden's team more than two months to announce the discovery. The President's Special Counsel Richard Sauber wrote in a statement that the President and his attorneys are cooperating with the National Archives. This developing story is causing critics, including Republican chairman of the Oversight Committee, Representative James Comer to question whether Biden will be as fervently pursued by federal investigators, just as former President Trump was in regard to the alleged classified documents he had stored at Mar-a-Lago.

This comes as President Biden just wrapped his first ever visit to the southern border in El Paso Sunday. And earlier this evening had diplomatic meetings in Mexico City with the Mexican president and Canadian Prime Minister Justin Trudeau. The President said the meetings were to deepen our relationship with Mexico.

JOE BIDEN, PRESIDENT OF THE UNITED STATES: How else are we going to discuss our shared security, including our joint action to address the plague of fentanyl, which has killed 100,000 Americans so far? And how we can tackle irregular migration.

FINN: But the President's first visit to the border was heavily criticized by people all along the border, arguing Mr. Biden did not meet with migrants and avoided areas like Eagle Pass, Texas where there were actual immigrants crossing while the President was in the state.

GOV. GREG ABBOTT (R-TX): He was receiving a sanitized review of what was going on in the border. And I pleaded with him to go talk to the ranchers thousands, of ranchers along the border whose lives have been completely disrupted, as well as talk to the families who've lost a loved one because of the open border policies that he's had.

(END VIDEO CLIP)

FINN (on camera): And when I was on, on the border in Texas, the Democratic Mayor Pro-Tem of Eagle Pass pleaded with the President to come visit asking for more resources from the White House. I reached out to that Mayor Pro-Tem tonight, apparently, she'd never heard from the White House, Trace.

GALLAGHER: We're going to have a lot more on this. Matt Finn, thank you.

(BEGIN VIDEO CLIP)

REP. RONNY JACKSON (R-TX): What a double standard here. Where's the FBI? They should be battering, knocking down his door. I mean, were they right in his home? No. This is ridiculous. I mean, and you know, I see the liberal press trying to spin it said like, well, you know, we'll see what's in it. It was TS-SCI. It's as big a deal as anything that they found in Trump's, Trump's property.

(END VIDEO CLIP)

GALLAGHER: So, as you heard the Justice Department now looking into Biden classified documents and critics are blasting the President's sanitized trip to the southern border. Let's bring in tonight's political panel: Fox News Contributors Leslie Marshall and Jason Chaffetz. Welcome to you both. Jason, if this was President Trump, and they had re-raided his house, or this was the first raid, it would be wall-to-wall on every network.

Former president posted the following on Truth Social, quoting here: "When is the FBI going to raid the many homes of Joe Biden, perhaps even the White House? These documents were definitely not declassified." I think everybody has kind of agreed, Jason, even on both sides of the aisle, you say, you know, he really has been treated differently. And there's seems to be a little bit of a, of a different definition of these documents for President **Biden**.

JASON CHAFFETZ, FOX NEWS CONTRIBUTOR: Well, look, when it was Hillary Clinton and there were **classified documents**, some of them so sensitive, even me as the chairman of the Oversight Committee, I couldn't see them they were so **classified**, and there was bleach bit and destruction of those documents that were under subpoena, nothing, crickets -- nothing going on. Donald Trump, yes, he gets a raid. Joe **Biden** -- and now, remember, the Donald Trump documents, I'm not defending having those. I think they should have been in the archives, but they were protected by the United States Secret Service, and he does have the proper security clearance.

Documents that are **classified** at the University of Pennsylvania are not under protection and they're being accessed or potentially accessed. And do they know did they get all the documents? How come the FBI isn't going through or looking at all the documents to make sure that there aren't additional **classified documents** there? That's why they did a raid on Trump, and they should be doing the same thing on **Biden**.

GALLAGHER: And that was my next question. You have House Oversight Chair, James Comer, saying the following here: "President **Biden** has stated that taking **classified documents** from the White House is irresponsible. Under the **Biden** administration, the Department of Justice and national archives have made compliance with the Presidential **Records** Act a top priority. We expect the same treatment for President **Biden** who has apparently inappropriately maintain **classified documents** in an insecure setting for several years." And you know, the New York Times and the networks, Leslie, keep using terms like benign and innocuous and not really a big deal, your thoughts?

LESLIE MARSHALL, FOX NEWS CONTRIBUTOR: Well, let's also say what the congressman from Kentucky or the Republicans said this as well, which was that he felt that President Biden had done nothing wrong. And you know, and we're not comparing apples to oranges here, we are comparing apples to apples, but there are green apples and red apples -- and let me explain how. Mar-a-Lago was a residence, not just an office facility of the former president, not the case for President Biden, one. Two, 15 boxes is not a few documents, which is the case currently, as we know.

Three, President Biden's attorneys immediately contacted the White House who immediately contacted the proper individuals, not only the Justice Department, but the National Archives. And I think that, you know, for people that say this is a political game going after Trump, well, they can't say that now, because Merrick Garland and the Department of Justice are doing the same with President Biden. And when you say not the same because there wasn't a race, there's a search warrant that was presented, because they did not provide documents that have been requested prior and that's pretty much standard operating procedure.

GALLAGHER: They found these on November 2nd, November 2nd, we're going to get into more with the "COMMON SENSE DEPARTMENT." I want to get to the border now. Here's Lieutenant Governor Dan Patrick, Jason, on Biden's border trip. Watch.

(BEGIN VIDEO CLIP)

LT. GOV. DAN PATRICK (R-TX): This president really doesn't want to know what's going on. He didn't see any illegal immigrants. They cleaned up and sanitized El Paso before he got there. This was just a, another doorstep.

(END VIDEO CLIP)

GALLAGHER: Yes, your thoughts, Jason?

CHAFFETZ: No, look, I'm glad he went. I wish he would spend more time with rank-and-file Border Patrol agents to understand that. I was glad to hear the president admit that 100,000, 100,000 deaths are coming north on that border through fentanyl. And he goes down there and says, oh, but the border secure. Come on, it makes absolutely no sense. I'm glad he finally went there after 50 years in office, but he's not taking this seriously.

GALLAGHER: Yes, it's a very fair question to, Leslie, and I'll give you the last response here. But, but he has said over and over and so has Mayorkas, the border is secure. The White House says the border of the spear. You can't have it both ways. You can't have 100,000 dead Americans from fentanyl coming across the border and say that it's secure. It's not secure. It's deadly. It's lethal. I want to bring up immigration reform. I want to put these numbers up, Leslie, because, you know, the President was down couldn't find a single migrant to talk to or look at or anything -- 2,378,000 in 2022. It's kind of amazing. Your final thoughts on this?

MARSHALL: Well, a few things. First of all, we all know whether it's a Democrat or Republican president when they go somewhere, their itinerary is pre planned. They do that not just with the Oval Office, the White House and the administrative staff, but with the Secret Service, first of all. Second of all, I would agree with Jason that it's about time he went, I wouldn't say 50 years, but definitely since he was elected president. I think it's important that he do that. And then lastly, the president again can only do so much, as Jason knows is a former member of Congress. Congress needs to do something. Both the Democrats and Republicans have continued and continue to kick immigration, comprehensive immigration reform down the road. And until they stop doing that, we're going to continue to have these conversations.

GALLAGHER: Though we should know, finally, the congregation, comp -- Immigration Reform, bottom line, is not going to stop the line of people at the border. It's just not. Never has, never will. Jason, Leslie, thank you both. We appreciate it.

CHAFFETZ: Thank you.

GALLAGHER: Well, meantime, the FOX NEWS @ NIGHT "COMMON SENSE DEPARTMENT" is watching very closely to see the response to President **Biden** having **classified documents** in his former office at a Washington Think Tank. The documents date back to **Biden's** time as vice president. Because when news broke that former President Donald Trump had **classified documents** at Mar-a-Lago, the network's covered at wall to wall using words like criminal, reckless and their all-time favorite, the walls are closing in. But the networks now described the **Biden** documents with words like benign, innocuous, totally different than Trump, really? Common sense wonders why if these benign documents were found way back on November 2nd.

Why are we just hearing about it now? Was there a concern that midterm voters on November 8th might not view the documents as so benign? And on November 18, when the Justice Department appointed a special counsel to look into the Trump documents? Don't you think somebody would mention the Biden documents? Something tells common sense that when Democrats say the Biden case is totally different than the Trump case, they're totally being dishonest.

After the approval of a rules package on a party line vote Monday, the first bill the new Republican-controlled House of Representatives passed is a measure that would block the IRS from hiring thousands of additional agents. The White House Correspondent Kevin Corke is live with the breaking information on that. Kevin, good evening.

KEVIN CORKE, FOX NEWS CHANNEL WHITE HOUSE CORRESPONDENT: Evening, Trace, it is known as the family and small business, Taxpayer Protection Act. Now, if it were ultimately approved, it would actually rescind funds that were ultimately earmarked for the IRS to hire additional personnel under the inflation Reduction Act, which as you know, set aside some \$80 billion for the IRS including 45 billion to hire more personnel, which, according to congressional Republicans is hardly the right direction that the country needs to be moving in, especially given the struggling economy.

(BEGIN VIDEO CLIP)

REP. MICHELLE STEEL (R-CA): IRS job is serving for American people not targeting and spying on and harass, you know, our taxpayers. Out of that, that Inflation Reduction Act, \$80 billion, they're giving IRS, they're actually targeting mostly middle- and low-income families.

REP. JEFF DUNCAN (R-SC): 87,000 IRS agents, you know what that equates to? 200 new IRS agents in every congressional district in this country. That's 17 140 new IRS agents in every state for one purpose to go after small businesses, hardworking Americans are trying to raise money to pay for reckless spending.

CORKE (voiceover): Reckless spending, say the GOP members on the Hill now Yes, it did pass the Republican led house, will it make it through the Democrat controlled Senate? Highly, highly unlikely. Now, the CBO was actually weighing in on this tonight. They say, yes, it would reduce spending, but it would also crank up the deficit. Here's one of the Democrats Ron

Wyden, in fact on the family and small business protect taxpayer production Protection Act, I beg your pardon. He says, the CBO has confirmed what was obvious from the start the Republican IRS bill, a handout to wealthy tax cheats would add 114 billion to the deficit.

Now, it is critical to point out that a lot of that money would ultimately be used to upgrade the IRS's decrepit IT systems. And they also note to critics that the audits of millionaires and large companies are actually weighed down since 2012.

(END VIDEO CLIP)

CORKE (on camera): However, as I pointed out, GOP leaders insist that empowering an army of new IRS agent some 87,000 of them is not only the wrong strategy is potentially ruinous for small business, something the economy can ill afford. Trace.

GALLAGHER: True, indeed. Kevin Corke, back to you later. Thank you, my friend. Let's bring in the newly minted Chairman of the House Homeland Security Committee, Republican Representative from Tennessee, Mark Green. You know, Congressman, it's great to have you on here. You get kind of just heard what Senate Finance Chair Ron Wyden just said, and he said it really basically is nothing more than a giveaway to the rich, your thoughts?

REP. MARK GREEN (R-TN): Yes, that's insane. When you think about all the costs it takes for the audits for those businesses. And we're talking 87,000 agents doing multiple audits, add that to the price of goods, what's that going to do to inflation in the economy? which is already at historic levels. So, they don't think about the downstream secondary and tertiary effects of their stupid policies. 87,000 IRS agents we need 87,000 More CBP guys, Customs and Border Patrol folks, you know, helping us with the migration crisis at the southern border. We don't need to disrupt our economy with 87,000 people picking through small businesses pocket books.

GALLAGHER: Yes, and it's amazing to me when you heard on, on tape tonight - - excuse me, sir -- when you heard the President say to the congregation in Mexico that 100,000 Americans have died from the Fentanyl crisis 100,000 And yet There's no request to put more forces on the border, more people down there to keep these drugs out. I want to know what you think about in the same subject. What do you think about some Republicans considering cutting the military budget?

GREEN: Yes, to my knowledge, none of these new rules actually cut the military budget. And we looked at it very hard, because I'm a national security guy, spent 24 years in the military, you know, Special Operations time and got three trips to combat, the last thing I want to do is see the military, you know, the defense budget cut? And so, yes, we looked very hard at it. I don't think any of these rules will cut defense spending. Now we are going to demand that the Pentagon look very hard at waste fraud. And you know, just the abuse that's going on. I don't want to say fraud. But, but waste and abuse are in efficiencies, particularly in acquisitions. But no, there's no intent to cut the defense budget.

GALLAGHER: Because I want to put this on the screen. This is from the National Reagan National Defense survey. And you can see in November 2022 trust and confidence in the US military is at 48 percent. You look back just four years ago, Congressman, it was at 70 percent. That is a very considerable drop over the span of four years.

GREEN: Sure. You have to think about what the woke policies of the left have done to the military. And the confidence factor there is because of that, and look at the accidents that the Navy has had, and a couple of other things that have been impacted by that decrease in training impacted by the wokeness. And absolutely, I hear it all the time from soldiers that work at the base near me. You know, so much of their training time is lost weapons, training, the things that they need to do to kill people and break things, which is their, that's their mission is to kill our enemies and to keep our enemies from ever attacking us because they're so strong, but they're too busy doing work training, to get to get that military readiness up. And then of course, you layer in the vaccine mandate, which I know you and I've talked about many times before.

GALLAGHER: Yes, many times and I want to just kind of get you the last thing here because on Friday night, people were saying, oh, my goodness, the Speaker of the House, Kevin McCarthy is going to have a heck of a time trying to get his caucus all put together to get those 218 votes, did pretty well today. Do you see him getting consensus down the line or having trouble?

GREEN: Look, we are the Republicans, we're going to debate issues. We're going to disagree with one another at times. We're not like the lockstep robots on the left that just fall in line with Nancy Pelosi. This is the way we're going to govern and today there was consensus tomorrow we may be discussing the issue hard it's because we represent our districts and we're bold enough to say hey, this is what we believe. Not like the robots on the left.

GALLAGHER: Tennessee Congressman, Mark Green, thank you, Sir. We appreciate your time.

GREEN: Thanks, Trace.

GALLAGHER: Yes, meantime, thousands of New York City nurses are on strike tonight saying they are overworked, understaffed, and underpaid. Jackie Ibanez is live for us in New York City. Jackie. Good evening.

JACKIE IBANEZ, FOX NEWS CHANNEL CORRESPONDENT: Hi, good evening, Trace. More than 7,000 nurses from two private hospitals are in New York City here. They were off the job today. Striking because they say profits have been put before patient care.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: So, the nurses that are on my side, basically come together to say that we're tired of being exploited. We're tired of our patients being abused and most of all, we're tired of seeing them not get the care they deserve. We are no longer treating patients like transactional items. There are people and they deserve respect. And that's how we're out here strike. It's not about money.

IBANEZ (voiceover): Nurses from both Montefiore Medical Center and Mount Sinai Hospital took to the streets after labor contract negotiations broke down early Monday morning. They were joined by the State's Attorney General Letitia James she criticizes the lack of enforcement of a law that limits the number of patients per nurse.

LETITIA JAMES (D-NY): ATTORNEY GENERAL: And I want everyone to know that last year, a law was passed in New York State, which required safe staffing and was it enforced? Was it enforced?

IBANEZ: The Associated Press reports that as parties tried to work out a deal hospital are postponing non-emergency surgeries diverting ambulances to other medical centers, pulling in temporary staffers and assigning administrators with nursing backgrounds to work in wards.

(END VIDEO CLIP)

IBANEZ (voiceover): It's important to note, Trace, that executives from these two hospitals say they've offered very generous raises over the next three years, nurses at eight other city hospitals were able to reach tentative contract deals and did not strike. Back to you, Trace.

GALLAGHER: That is in fact important to note, Jackie, back to you later. Thank you. One week after suffering cardiac arrest on the field during Monday Night Football, Bills Safety, Damar Hamlin, has been moved from Cincinnati to a hospital in Buffalo to continue his recovery before being released. Though, Hanlon did manage to give doctors at the University of Cincinnati Medical Center, one more scare kind of Sunday's game watch.

(BEGIN VIDEO CLIP)

DR. TIMOTHY PRINCE, DAMAR HAMLIN'S DOCTOR: When the opening kickoff was run back, he jumped up and down and got out of his chair. Set, I think every alarm off in the ICU in the process, but he was fine. It was just appropriate reaction to very excited play.

(END VIDEO CLIP)

GALLAGHER: Meantime, college football's FBS championship game ended up being no contest tonight after TCU, Texas Christian scored its only touchdown to keep things close with a little less than five minutes left in the first quarter. Undefeated Georgia was absolutely unstoppable scoring 55 straight points to win going away, 65-7. The final that makes back-to-back national championships for the dogs, their third overall.

Coming up, remember when Teachers Union President Randi Weingarten pushed to keep schools closed during the pandemic? Well, now she calls that a lie. Does she not know that we have archives, videotape things like that? Plus, the latest on the case of a missing Massachusetts mom after blood and a damaged knife were found inside her home.

(COMMERCIAL BREAK)

GALLAGHER: While Randi Weingarten, the President of the country's largest teacher's union that pushed to keep schools closed during the pandemic has taken a ton of heat for her tweet over the weekend acknowledging that remote education did not work. Let's bring in one of her many critics' Senior Fellow at the American Federation for Children Corey DeAngelis. Corey, it's great to have you on I've actually enjoyed your back and forth with Randi Weingarten kind of following along like a spectator. You tweeted it was kind of a back and forth and then you tweeted the following quoting here, "You fought to keep schools closed," and she responded with this quoting: "This is a lie and you know it. We put out reopening plans. I went on T.V. and did op-eds talking about how to reopen and we worked with many to make it happen. What we asked for was to open safely to protect educators and students from the virus disagree on policy, but stop with the lies." Touched a nerve you did, Cory

COREY DEANGELIS, SENIOR FELLOW, AMERICAN FEDERATION FOR CHILDREN: Yes, look, no one's believing Randi Weingarten's gaslighting, and she knows that, that's why she closes replies on all of her tweets, so that no one could respond with criticism. And look what happened to this tweet that she pointed out, that she got like 3000 replies in just a couple of days because people know, her union lobbied the CDC to make it more difficult to reopen the schools. Her union, the American Federation of Teachers was threatening safety strikes when districts were talking about reopening the schools. You had local affiliate suing Governor DeSantis in Florida to keep the schools closed as well. So, this is nonstop.

We have the receipts parents aren't dumb. They know what happened. It all unfolded right before their eyes. The reality is, teachers unions held children's education hostage to secure multiple multi-billion-dollar ransom payments from the government and it worked for them. They received about \$190 billion and so called COVID relief since March of 2020. And this is also why Randi Weingarten refused to go on the Dr. Phil show with me just last month, because she knows she can't turn off her comments in person. She doesn't want to look bad on national television, and she won't debate others because she knows she'll look bad.

GALLAGHER: And in the meantime, Corey, you have public schools that are just hemorrhaging students all across the country. I want to put this up, this is a Wall Street Journal saying Public Schools lost more than a million students during pandemic going on to say: Denver Superintendent Alex Marrero, sought this fall to close 10 schools. His district has lost several thousand students since 2017. He said, and projects the loss of another 3000 over the next five years. The loss he said equals the disappearance of almost 100 million in tax revenue. He says, nobody wants to be the superintendent who closed the schools, but sometimes you have to close them because there's nobody there to, to learn.

DEANGELIS: Well, look, the private schools over the pandemic period were fighting to reopen, whereas the public schools and the teachers' unions were fighting for the opposite, because their incentives are completely backwards in the current system. The worse they do, the more money they seem to get year after year because they could say that they're failures academically and their failures when it comes to reopening schools in the public school system was because they just didn't have enough money, which is obviously not the case.

They're, they're drowning with cash at the moment. We currently spend over \$16,000 per student per year and the government run school system. So, that they're complaining about losing students now it's kind of like they kind of deserve it. Look, they -- you play stupid games, you win stupid prizes. And just imagine if all families had a choice over the past few years. The public schools lost three percent of the population. Just imagine if low- income families were able to have their child's education dollars to take to a private school too, they might even lose even more students.

GALLAGHER: And that's my next question, is you have the, the Virginia Lieutenant Governor, Winsome Earle-Sears, saying: "Rich parents are not waiting on government program to decide where to send their children to school, they've already made that choice. What's happening now is what about the rest of us who don't have a choice." So many underserved families that are stuck, Corey, your final thoughts.

DEANGELIS: Yes, look, in Virginia, they have a bill by represent -- or delegate Davis to have the money follow the child. And a lot of states are already doing this. We've seen the year of school choice in 2021. And school freedom advocates doing really well in the midterms in 2022. Perhaps, 2023 will be the year of education freedom because of the parent revolution that has been sparked all across the country. All families deserve a choice. And Lieutenant Governor Winsome Sears is, is leading like no other on the issue.

GALLAGHER: Yes, and we're going to keep following this. Corey, thank you for coming on. We appreciate your time.

DEANGELIS: Thank you.

GALLAGHER: Meantime, first up in tonight's "CRIME CRISIS ROUNDUP." Many students at the University of Idaho are now back on campus and Bryan Kohberger, the 28-year-old, Ph.D. criminology student and primary suspect will make his second court appearance in Moscow on Thursday. Investigators have not indicated if Kohberger had any previous contact with the victims although his phone and vehicle movement suggests he may have obsessively stalked one or more of them from a distance. An armed robber wearing a mask at a Texas Tech Korea was stopped by a customer who pulled out his own gun and shot and killed the robber. The customer took the stolen money off the robber and then gave it back to the customers. The man was later questioned by detectives. Houston police said Monday the case will be referred to a grand jury.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: Are we good? What's up?

UNIDENTIFIED MALE: What?

UNIDENTIFIED MALE: Back up. Back up.

UNIDENTIFIED MALE: (BLEEP) you! (BLEEP) you!

UNIDENTIFIED MALE: Stay!

UNIDENTIFIED MALE: Get out of face. Today's the day.

(END VIDEO CLIP)

GALLAGHER: The police officer in Edmond, Oklahoma was aggressively pursued by a man suspected of urinating in a public park where children were playing nearby. The officer tased the 37-year-old suspect but to little effect, a second officer arrived and fired a taser again, this time, as you saw, the suspect went down and he was arrested.

Meantime, the husband of a Massachusetts mother of three missing since New Year's Day is in jail tonight charged with misleading a police investigation in connection with his wife's disappearance. Here's the senior correspondent, Laura Ingle.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: Ana is my best friend. We've known each other for 10 years. It's not within her pattern or characteristic to disappear.

LAURA INGLE, FOX NEWS CHANNEL CORRESPONDENT (voiceover): 39-year-old Anna Walsh was reported missing last week and there is still no sign of the mother of three who family member say was last seen in the early morning hours on New Year's Day. They told police, she had planned to take a rideshare to Logan Airport for a flight to Washington, D.C. But investigators say, there's no evidence of rideshare vehicle ever came to her home and there is no record of her boarding a flight.

There are serious questions surrounding her husband, Brian Walsh, who was arrested over the weekend and charged with misleading authorities. Investigators told the judge, Monday, that they found blood along with a knife in the basement of the couple's Cohasset Townhome. Investigators also say Brian Walsh who was on house arrest in another crime involving art fraud, left his home January 2nd, telling police he took his son out for an ice cream but was really making an unauthorized trip to Home Depot.

LYNN BELAND, NORFOLK ASSISTANT DISTRICT ATTORNEY: He's on surveillance at that time, purchasing about \$450 worth of cleaning supplies that will include mops, bucket tops, (INAUDIBLE), as well as various kinds of tape.

INGLE: Meanwhile, the search for Ana Walsh whose children are just two four and six years old continues.

(END VIDEO CLIP)

INGLE (on camera): Brian Walsh remains held on \$500,000 cash bail, he's expected in court February 9th, and is also awaiting sentencing in the federal fraudulent art case. Trace.

GALLAGHER: Laura, thank you. Still to come a teacher's school, schools or students in an epic dance battle -- schooled them. And a sculpture that is smooth as butter. Today's best viral videos next.

(COMMERCIAL BREAK)

GALLAGHER: First up in tonight's viral videos, a gray whale off the coast of California appeared to show off its calf born just moments earlier to a group of whale watchers in Dana Point. After surfacing, the newborn began learning how to swim and bonding with its mom. The pair also paid a little close up visit to the boat. One of the passengers described it as one of the best things they have ever seen.

A high school teacher in Hillsborough County, Florida taught students a lesson in dancing. Take a look at this now viral video showing Yolanda Turner engaging in a dance battle with a young man to Missy Elliott's "Lose Control." She said the song was her jam and she couldn't resist the urge to get up and dance. Missy Elliott even commented on the social media posts with a bunch of fire emojis, well deserved.

Volcanic activity has resumed on Hawaii's Kilauea Volcano after nearly a month-long pause. That's according to the US Geological Survey. Time lapse video shows the lava flow but the USGS says there are no indications of activity migrating out of the summit region. That's a fancy way of saying it's not going to blow just yet. SGS says there are no indications of activity migrating out of the summit region. That's a fancy way of saying it's not going to blow just yet.

Meantime, some members of the American Dairy Association unveiled a butter sculpture at the 2023 or actually 2023 -- what year are we in? Pennsylvania farm show. The sculpture depicts several generations of a farming family, the theme is: Rooted in progress, and the sculpture is 1,000 pounds of butter. Get the cholesterol meds.

A couple in England were shocked to see a two-legged Fox scurrying through their backyard as they decorated their Christmas tree last month. They said the fox was agile and showed no signs of malnourishment. If you have a viral video to share hit me up @TraceGallagher or @FoxNewsNight on social media.

Well, our next guest recently argued that one of the key takeaways from the 2022 midterm elections is that Americans are finding ways to signal their resistance to the right wing and left wing of our society and their insistence on fighting culture wars. Let's bring in USA Today Columnist, John Wood Jr. John, it's always great to have you on. I want to put this on the screen because this is from Braver Angels, your Web site and it reads in part, quoting here: "Today, there is evidence to suggest that we are now as polarized as we have been since the Civil War. Americans no longer see their political opponents as simply wrong or misguided. They see them as enemies who must be defeated at all cost." And one would ask what's the remedy in your mind to that?

JOHN WOOD JR., USA TODAY COLUMNIST: Yes. Well, Trace, it's the, it's the question of all questions. And the truth is, is that the thing that makes it difficult is that the remedy is something that is deeply simple, profoundly moral, and that starts within. And that's simply remembering the fact that our fellow Americans, our neighbors, our family members, our classmates, are people with whom we share a human bond. Look, it may be the case that we have politics that differ from one another, and that the way we vote may seem to be a threat to one another's interest. But ultimately, we live next to each other, we have to raise families together, we have to run communities together. We have to set the stage for our children to live alongside of each other in the next generation. If we walk through life, having a basic sense of goodwill towards one another, regardless of our politics, we can contextualize our political differences as existing, not between enemies, but it's between neighbors.

GALLAGHER: But as, but as we found out, it's easier said than done. I'm going to put up one of your, kind of mission statement bullet point and it says: "We state our views freely and fully without fear." But you know, that's number one. The whole thing here, John, is that a lot of people don't want to state their views, because they feel like they're going to get shut down. They feel like one side is going to say, we're going to shut you down because we don't want dissent. We don't want any dissent. And if you continue to, to debate robustly, we're going to call you a name, we're going to call you a name, or we're going to cancel you right away.

WOOD: Well, that's a major problem in American society. So, the thing about Braver Angels is that we are a national community: Democrats, Republicans, independents, people in third parties, who come together to get to know one another's experiences, to debate issues, to be honest about where we stand about things, but to also pull together to try and improve our communities and improve our country. Sometimes, you have to take an affirmative role in setting the spaces where the American people can be honest about the things they think and feel politically together, because we can't rely necessarily on the prevailing institutions of our party and the parties themselves, to set the stage for us to get along. Because there's so much profit to be had in division.

GALLAGHER: Do you come at this, John -- I'm going to put these other on the screen too, because number two says we welcome opportunities to engage with them, those whom we disagree. And I'm wondering, do you come from this from a religious perspective, from a civil perspective? Where, where are you coming from? Where did braver angels come out of.

WOOD: You know, that's a great question. So, Braver Angels originally materialized in the aftermath of the 2016 election founded by individuals from the left and from the right. Our work is based in principles of family therapy. Our original workshop, something called a Red-Blue workshop is one in which we take folks from the left and from the right, not to argue or debate politics right off the bat, but to speak from the vantage point of personal experience in terms of why we see politics the way that we do.

It started with a commitment from some folks who are religious, some folks who are more secular minded, but who believed in this idea of E Pluribus Unum in preserving the union. Being committed to a vision of the American experiment that says that we're not complete unless we have the left wing and the right wing because that's the only way that the bird flies. And so, there's longer backstory to it, Trace, but the origins are in our deep traditions of oneness. And that's something that should inform us --

GALLAGHER: Lastly, "we retreat people who disagree with us with honesty and respect." And that, that seems to be a rarity because people who disagree with people do not get treated with respect in America anymore. And certainly, they are -- that's why the parties are at each other's throats.

WOOD: Yes, but Trace disagreement is respectable. You know, I cannot be honest with you --

GALLAGHER: If you would debate, if somebody will debate, but if he won't debate then you have nothing but name calling and you have people like, I'm not going to debate, because I -- because you're right, I'm wrong. I don't want dissent, I want concurrence. And I've only got about five seconds.

WOOD: The thing we have to remember is that disagreement does not have to make us enemies. If we remember that, then we can disagree and disagree well.

GALLAGHER: John Wood, Jr., great to have you on. Stick around. "NIGHTCAP" is coming up next.

Well, after two years of politically and racially diverse congressionally mandated commission has completed its recommendations to rename army bases and remove statues and art, that celebrate those who voluntarily served the Confederate Army. The Pentagon has ordered the name changes to be implemented by the end of the year, with the price tag estimated at \$62.5 million. Here's the chief national security correspondent, Jennifer Griffin.

(BEGIN VIDEO CLIP)

JENNIFER GRIFFIN, FOX NEWS CHANNEL CHIEF NATIONAL SECURITY CORRESPONDENT (voiceover): Nine army bases will face name changes including Fort Bragg, North Carolina, named for Braxton Bragg, an ill-tempered slave owning Confederate General who lost most of his battles and troops. Fort Bragg was named in 1918 during the Jim Crow period as an olive branch to southern families whose sons the military hoped to recruit. It's been home to the US military's elite special forces and airborne units and will now be known as Fort Liberty.

Other changes include Fort Benning, Georgia, named for the colonel who led Georgia secessionist movement will become Fort Moore, after Lieutenant General Howe Moore and his wife Julia Fort Polk, Louisiana named for a general who owned more than 100 slaves will become Fort Johnson who received the Medal of Honor for actions during World War I.

Fort Gordon, Georgia will now be Fort Eisenhower, originally named for a member of the Ku Klux Klan. Fort Rucker, Alabama, named for a slave trader will become Fort Novosel.

KORI SCHAKE, NAMING COMMISSION: He was a World War II Army Air Corps pilot, was awarded the Medal of Honor for action in combat, and not only saved the life of his own son but his son returned the favor by saving his father when the father had been shot down. It commemorates the way so many military families are intergenerational.

GRIFFIN: The Commission came in the wake of the police killing of George Floyd in 2020. Congress established the Naming Commission in the 2021 NDAA, which then President Trump vetoed due to the presence of the commission.

(END VIDEO CLIP)

GRIFFIN (on camera): Bipartisan majorities in both Houses of Congress then overrode Trump's veto. The Pentagon has until the end of the year to comply. Trace.

GALLAGHER: Jennifer Griffin, thank you. Buffalo Bills Safety, Damar Hamlin, back home in Buffalo tonight at a medical facility. And what's on your bucket list of places to see this year? Sounds like we've got two good topics for the "NIGHTCAP" crew, next.

(COMMERCIAL BREAK)

GALLAGHER: We're back now with the "NIGHTCAP" crew: Jackie Ibanez, Kevin Corke, Matt Finn, and John Wood Jr. One week ago tonight, Buffalo Bills Safety Damar Hamlin collapsed on the field mid-game suffering cardiac arrest. We really had no idea if the 24-year-old would make it even through the night. One week later, and Hamlin has returned to Buffalo beginning the next stages of his recovery. The question here tonight is: did this change anything Kevin Corke in the way we view perspective, the way we view each other? Did it, did it leave a lasting impact?

CORKE: I don't think it did. But I will say this, watching the kick return for a touchdown, I'm going to admit it, maybe a little misty, that kickoff return was just something special. Will it last? I don't think so. But for the moment, it was beautiful.

GALLAGHER: Yes, Jackie Ibanez, what did you think of it in a week later? You know, we know he's going to be fine. It looks like he's going to be fine. Did it change anything for you or the people around you?

IBANEZ: You know, I agree with Kevin, exactly, like for the moment it was - - while it was very, very scary. There was something beautiful about both teams getting on their knees and praying and the whole stadium praying for him. But it's almost like a good sermon in church. You go to church, it's amazing, then you walk out the front doors, and all of a sudden it kind of leaves. And that's just how society is. For the moment, it's hot, and it feels good, and then you just move on.

GALLAGHER: We just talked, John Wood Jr, about kind of people bringing people together. What do you think?

WOOD: Oh, look, I really think that the moment matters, Trace. Look, it matters in this, a moment that gives us all something in common to root for an inspiring human story that shows us that we have something deeply in common as Americans, because we all, at the end of the day, are mortal creatures who know that our life on this earth is short lived. When we take the time to be appreciative of that existence and one another, it's an inspiring thing. And Damar Hamlin has brought us together not just on the screen, but on Twitter in a way that's reminded us of that.

GALLAGHER: Matt Finn.

WOOD: I thought it was refreshing how so many people rallied around him in prayer. And I think it was remarkable how that ESPN Analyst, Orlovsky, prayed for him on air. I've never seen anything like that. And that was really touching.

GALLAGHER: Yes, it was. There were some very compelling moments. OK, moving to a lighter subject, let's talk bucket lists, people. Come on, a group of travel experts released the top 20 bucket list travel experiences. Let's run through what yours are and then we'll show you the top five. Jackie Ibanez, your bucket list in 2023?

IBANEZ: Well, I want to win an all-expenses paid vacation with my kids.

GALLAGHER: John Wood Jr.?

WOOD: Man, I want to be able to actually not have to work on a weekend, Trace, that's the thing that I'm looking forward to in 2023.

GALLAGHER: Good for you. Kevin Corke, bucket list.

CORKE: I'd like to go to New Zealand, Australia, or see the Northern Lights.

GALLAGHER: Good. Oh, Kevin Corke. Matt Finn.

FINN: I've always wanted to go to the Amalfi Coast or Portugal.

GALLAGHER: Yes. Here we go, top five: Northern Lights, Kevin Corke; American Road Trip, the All-American Road Trip, Safari in Africa, Great Barrier Reef, cruise Norway's Fjords. Thank you all. And by the way, it's National Law Enforcement Appreciation Day, nobody appreciates our police officers more than Fox News. Shout out to my nephew, Trevor Gallagher, San Diego Police Officer.

END

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January 10, 2023

Classified Documents From Biden's Time As VP Found In Private Office

SEAN HANNITY, FOX NEWS HOST: And welcome to HANNITY.

And coming up tonight, big news from the U.S. House of Representatives and its new speaker, Kevin McCarthy.

Plus, we're going to bring you the lowlights from Biden's four-hour phony trip to El Paso, basically a photo-op. Geraldo Rivera will join us in the HANNITY hot seat tonight. He'll respond to San Francisco's precipitous decline after decades of one-party Democratic rule. And according to a new report, the city's bus stops, they have now been hijacked and turned into open-air drug markets.

And you our viewers, of course, you get to grade me at the end of the show and you will get the last word as always.

But, first tonight, we have breaking news, a bombshell new development surrounding Joe **Biden**. Listen to this according to multiple reports, **classified documents** from **Biden's** time as vice president they were actually discovered at Joe **Biden's** private, unsecured office last year in November. Now, this includes top secret material collected by intel sources, designated as, quote, sensitive compartmented information, and National Archives has already referred them matter to the Department of Justice. We're only finding out now and a U.S. attorney has been assigned to the case.

Remember, it was only a few short months ago, there was a similar referral surrounding documents and former President Trump's possession. And then a short time later, Mar-a-Lago was raided and searched by armed agents. And that, of course, at the request of Attorney General Merrick Garland, part of Biden's executive branch and the FBI Director Christopher Wray.

Now, according to Democrats and the mob in the media, Trump's possession of potentially classified material was an offense that deserved prison time, and they predicted Trump would wind up behind bars and they called on Merrick Garland to quickly indict the former president. And the hysteria well it was as usual with anything Donald Trump and the media mob, it was through the roof. Let's see if they'll apply this to Biden. Take a look.

(BEGIN VIDEO CLIP)

REP. ADAM SCHIFF (D-CA): If the Trump people represented that they provided all the classified or national security information and didn't, that's a serious problem.

HILLARY CLINTON, FORMER SECRETARY OF STATE: No one is above the law, and the rule of law in a democracy, you know, it has to be our standard.

REP. NANCY PELOSI (D-CA): No person is above the law, not even the president of the United States, not even a former president of the United States.

UNIDENTIFIED MALE: The intelligence community needs to do its risk and damage assessment about how Donald Trump's very reckless handling of these documents might have harmed our national security.

REP. ERIC SWALWELL (D-CA): This was not a mistake that these documents landed, you know, at Mar-a-Lago. This is what he intended and it also by the way shows that they really want to get these documents back and every second that they're at this beach house in the possession of Donald Trump is a risk to our national security.

(END VIDEO CLIP)

HANNITY: My favorite was Hillary. We'll get to her in a moment. But we can now expect the same rhetoric surrounding Joe Biden. Is that going to happen? Will his private home face an early morning raid or will he get the Hillary Clinton treatment, you know, a free pass for mishandling top secret classified information? And, by the way, to recap, in case you forgot, Hillary Clinton stored a mountain of privilege top secret classified information, documents, on her unsecured private server, 110 pieces of classified information among her 33,000 or 30,000 department -- State Department emails.

Remember, Comey said, no reasonable prosecutor would ever prosecute on that crime, and the left told us, it's no big deal. Never mind the 33,000 emails that she deleted with Bleach Bit. We didn't know about Bleach Bit until Hillary Clinton.

And then, of course, the devices that she and her staff destroyed with hammers and the SIM cards that were removed from phones and Blackberries, and then a few years later, well, the media mob erupted into a fit of hysteria after presidential documents were located in Mar-a-Lago. They told us it was a scandal of epic proportions.

And now, top secret documents have been found at Biden's private office. So far, no hysteria at all, whatsoever.

The double standard apparently never-ending.

Here now with the very latest, editor-in-chief and investigative reporter, justthenews.com, John Solomon, and FOX News legal analyst Greg Jarrett is with us.

John, let's start the news part.

JOHN SOLOMON, EDITOR-IN-CHIEF AND INVESTIGATIVE REPORTER, JUSTTHENEWS.COM: Yep, this issue is boomeranged around Joe Biden. Just two months ago, he was calling the president totally irresponsible, President Trump that is, for having allowed documents to come to his private office. Now, Joe Biden stands accused of the same thing.

What do we know? It's about a dozen documents. They were in a closet at the Penn Center -- the Penn Biden Center, which is a think tank that Joe Biden went to after he left the vice presidency their documents from the Obama administration they have classified markings on them. At least two of them, my source tells me, has information either the markings or the information included in them would typically be classified at the top secret level.

National Archives referred this to the FBI and the Justice Department a few weeks ago. What's interesting, the government's known about this since November when they named the special prosecutor to investigate Trump in the documents. They kind of left this out. They didn't tell anybody until the story broke just a few hours ago.

HANNITY: Let's talk about the law, Greg Jarrett, and let's talk about and compare and contrast. We have Hillary Clinton. Now, we didn't get the 33,000 emails, but we did have the top secret classified information on her service. We did have a case of, I would argue, obstruction. That was Bleach Bit. That was destroying devices. That was removing SIM cards.

Now we got a case of Joe Biden. When you compare it to Mar-a-Lago, do you see any difference in the three?

GREGG JARRETT, FOX NEWS LEGAL ANALYST: No, there's none whatsoever and, you know, I'm amused by "The New York Times" which published a story a couple of hours ago saying, oh, there's a complete difference between the cases because the Trump potential charges don't involve intentionally mishandling classified documents. Sure they do you dumbbells. Read the warrant. It says so in the warrant.

Not only that, five months ago, the lead headline of "The New York Times" was files seized from Trump or part of Espionage Act inquiry. They went on to describe that involves mishandling **classified documents**. Now they say it doesn't involve **classified documents**.

So pay no attention to the dopes at "The New York Times". They don't know what they're talking about, but this certainly blows a hole in any ability of Merrick Garland and the Department of Justice to go after Trump for allegedly mishandling **classified documents**.

You can't say, oh, well, it's okay for Bill Clinton to have done that. It's okay for Joe **Biden** to have done it. It's okay for Hillary Clinton to have mishandled hundreds of **classified documents**, but whoa when Donald Trump does it even though, he may have declassified the documents and under the Presidential **Records** Act is allowed to maintain control over the documents. No, his name's Donald Trump so we're going to go after him with a vengeance and threaten him with crimes.

HANNITY: Now, the question is will the FBI and the Department of Justice treat both cases the same. I mean, the Hillary case time has come and gone sadly. I would have liked to have seen her held responsible. That's not going to happen.

John, what are your sources telling you?

SOLOMON: Well, listen the first question I got to find out are there more documents like this if Joe Biden could walk out with these documents and bring him over to his think tank in Washington in an insecure location. Maybe we don't know all the documents that he had in his possession. So the first thing that the FBI and the Justice Department will do is to try to determine if other documents walked if other people have possession of similar documents.

Then, the question is, what's the intentionality of it? That's why we have the U.S. attorney in northern Illinois taking a look at that right now.

And a third question is Congress is going to get involved. I talked to James Comer tonight. He has a statement out saying, hey, we're going to look at this we want to find out what's going on you can rest assured Congress is going to keep a very close eye to make sure that Trump and Biden are treated the same way when it comes to this very same issue.

HANNITY: Greg, we'll give you the last word. Des this tie Merrick Garland's hands in your view.

JARRETT: Oh I think it does. And look the entire dispute with Trump over documents should have been handled civilly. The proper remedy is to bring a motion to compel to turn over documents to pursuant to a civil subpoena, not threatened criminal charges here.

But, you know, Merrick Garland is going to be very hard-pressed to bring any criminal charges against Trump he's going to try to claim perhaps that oh he didn't cooperate enough. Well, he didn't cooperate because he was following the Bill Clinton

standard which the Department of Justice set. They went to federal court and says a former president has complete and unfettered discretion to keep whatever he wants.

That was the standard until suddenly overnight, Merrick Garland says, oh, with the exception of Donald Trump. Well, read the Presidential Records Act. There's plenty of latitude and discretion there to have given Trump authority over control and maintaining of whatever documents he wants. So, you know, it's going to be a hard case for Merrick Garland to bring against Trump.

HANNITY: All right. Greg Jarrett, John Solomon, thank you both.

Now to Capitol Hill, lo and behold, you know the same people on the left who turned election night into let's see instead of election night, we have election month. In some cases, it's election six weeks, no voter ID, no signature verification, no partisan observers watching the vote count. They are now incensed, though, that it took a whopping four days for House Republicans to decide on a speaker. Oh, the horror.

Now, of course, in a perfect world, these critical and sometimes tense negotiations, my argument was it should have taken place before January 3rd. At this point, no harm, no foul. Nobody listens to little old me anyway.

But the end result is ultimately good for you the American people. Important congressional checks have been restored. Kevin McCarthy is at the helm with a stated agenda that everyone agrees with. It is time now for House Republicans to unite, get to work. And that means using their power of the purse to curtail the Biden administration and their unfettered spending.

It means oversight and the right to subpoena and investigations into Joe Biden and the corrupt Biden family syndicate. Maybe Joe's mishandling now of top secret documents, there will also be probes into -- has the FBI been politicized, has the DOJ been weaponized.

And by the way, don't forget about abuse at the IRS, and, of course, there's the NIH and Dr. Anthony Fauci, and, of course, the origins of COVID, the botched Afghanistan withdrawal as well as, you know, all of these issues.

Now, another top priority for House Republicans, that would be our southern border where over the weekend, Biden made his very first visit. Joe touched down in El Paso, Texas, for a whopping four hours from wheels up to wheels down, and wheels down to wheels up.

Anyway, only four hours, that was it. Notably missing from his visit, any encounters with the 5 million illegal immigrants that poured across the country over his tenure the last two years, some of the streets in El Paso were cleared just prior to his business -- a visit, how convenient. The encampments were swept away with homeless illegal immigrants all forced out of sight.

And, of course, Joe Biden himself he made no attempt to observe the true conditions on the ground aside from a brief walk behind a massive border wall, probably I'm guessing, built by Donald Trump. The same border wall that Democrats refer to as racist and ineffective.

Now, the same border wall that has huge gaps and thanks to Biden, he halted their construction. But Joe Biden does not care about truth. He doesn't care about logic. He wasn't on a fact-finding mission. He's not interested in fixing the crisis.

He made a pit stop in El Paso to check a box and take a few pictures. That's pretty much it, a political stunt. One big photo op, pure and simple, even fake news CNN, they were even outraged by Joe's pointless trip. Take a look.

(BEGIN VIDEO CLIP)

CNN REPORTER: My colleague MJ Lee asked the White House about the president not interacting or meeting with any migrants, and a senior administration official told her, that it was because there were no migrants at the respite center at the time that the president visited and that it was coincidental.

And at the time when the president was here, there were nearly migrants who were in federal detention. So if the president really wanted to see conditions, I kind of doubt that the president of the United States would have been denied access.

CNN ANCHOR: Right, right, and just -- it's remarkable what we're seeing behind you, Rosa. Those are migrants sleeping on the street of El Paso, right?

CNN REPORTER: You're absolutely right, and we've seen this for weeks. And if the president would have stopped by here, he would have seen that there are hundreds of people and you see him here behind me, hundreds of people living in the streets of America.

(END VIDEO CLIP)

HANNITY: Now Biden's only dose of reality, that came from Texas Governor Greg Abbott who met the president on the tarmac. He handed him directly a letter that reads in part, quote, your visit to our southern border with Mexico today is \$20 billion too little and two years too late.

He continued: Even the city you visit has been sanitized of the migrant camps which had overrun downtown El Paso because your administration wants to shield you from the chaos that Texans experience now on a daily basis. America is suffering the worst illegal immigration in the history of our country and your open border policies have been emboldened the cartels who grow wealthy by trafficking deadly fentanyl and even human beings. All of this happening because you have violated your constitutional obligation.

And then Abbott went on to detail a serious five-part plan to secure the border. Now, sadly, Biden doesn't seem too interested in actually securing the border. After less than four hours in El Paso, Biden was back on Air Force One and off he goes to a trip to Mexico. Unlike the border, Biden has actually been to Mexico before. During his last trip south of the border as vice president -- well, Joe, of course, at that point brought his son Hunter with him and he did meet with Hunter's Mexican business partners. Oh, he lied to us.

Now, make no mistake, it's time for serious oversight in this country and it's about to begin.

Here with a full report, FOX News contributor Sara Carter -- Sara.

SARA CARTER, FOX NEWS CONTRIBUTOR: Hey, Sean, yes, I'm talking to you. I'm here right now in Eagle Pass. Yesterday, I was in El Paso, Texas, when the president was visiting. I can tell you this, Sean, that El Paso authorities spent months, weeks, days and hours cleaning up the city before the president's visit.

While we were there, I watched as people were taking out recycling bins, throwing things into those recycling bins around Sacred Heart Catholic Church where hundreds of migrants were still sleeping on the streets. They were throwing them into the bins and then the trash trucks would show up and they would dump them into the trash trucks.

I even watched -- I even watched as they took brand new clothes that had just been donated by residents and were throwing those clothes into the bins as well to get them out of the way and get them off the streets.

I spoke to residents as well who told me that uh that the city had been doing this for weeks but had ignored them and their pleas prior to the president's announced visit.

Joe Barraza, he's a resident and a retired marine, take a listen to what he had to say.

(BEGIN VIDEO CLIP)\

CARTER: Right now, we're seeing the trash trucks, the recycling trucks. They're running with the trash. Has this been going on all day?

JOE BARRAZA, EL PASO, TEXAS RESIDENT: There's -- we've been here for about minutes and the truck has been here for about half an hour and probably going to need another one.

CARTER: Why do you think they're doing this right now?

BARRAZA: It's a cover-up in a way. This is to make the people -- that make it look good for -- if -- if President Biden does decide to come and take a look here or you send somebody else to do it with a camera that's going to be shown and you know, in one of their favorite channels, they'll say there's no problem. There never has been because it's trying to cover all this up. And you can tell because it's a scramble.

CARTER: Is it frustrating to see your city like this, to see it so?

BARRAZA: Anything that any -- all this money is going to get these people food, clothing, shelter, medical, all this is coming out of the American people's pockets.

CARTER: How does that make you feel?

BARRAZA: It's frustrating.

CARTER: Right?

BARRAZA: And I'll tell you why because, you know, you see -- you see your town the way it was before. You could walk down, you could walk down the sidewalk, if you're -- especially if you're a one, you're walking down the sidewalk, and you see three or four of these people coming towards you, you're going to go across the street because you're afraid. They used to be that way. You could walk around city.

So, yeah, it's frustrating to see all this. You've never seen this here before. You've never seen this. Look at it -- look at all this. People sitting around here on their cell phones, waiting for another handout.

(END VIDEO CLIP)

CARTER: Sean, look, the bigger issue for a lot of the residents too is the national security implications of this.

I spoke to many of the people around the church. They were from Venezuela, Honduras, Guatemala, I asked them who processed you into the country when you first came across the border. Believe it or not, they said no one.

They came in, in fact, many of them just that day, the day that the president arrived. They came across the border and they just kept walking into the city until they found the church where they had heard that they were being offered food and some clothing.

This is a very serious national security concern, residents say, and it's a concern for everybody in the community, including those that are being illegally trafficked into our country -- Sean.

HANNITY: Talking to -- you talk about abusing, you know, illegal immigrants and not helping them. The president finally shows up for the first time in his life at the border, and what do they do? They sweep people out, you know, and throw away the generous donations of people in the community to help these illegal immigrants, even though it's wreaking havoc on the city of El Paso.

CARTER: Yes, Sean. And, by the way, many of the people that we spoke to had children. So we saw children as young as three years old. I met a girl who was 12 years old who traveled alone with another group of people.

This is very concerning. These kids have not been processed into the country. We don't know who's holding them and we don't know where they'll end up.

HANNITY: Unbelievable, great reporting as always, Sara Carter. We appreciate it.

When we come back, Geraldo Rivera, he's going to be in the HANNITY hot seat tonight, and predictably, the left is in full meltdown mode over the new Republican-led House. They're afraid and I'll explain. That's before they even start.

Also, what did we learn in the latest Twitter files dump? We'll tell you that as we continue this Monday night. Thanks for being with us.

(COMMERCIAL BREAK)

HANNITY: All right. Time now for the HANNITY hot seat. Many illegal immigrants will likely find a new home in the sanctuary state of California, which is already unable to take care of their own homeless population. They're facing about a \$24 billion budget deficit.

In an interview with FOX News.com, one local resident from San Francisco described the city's deterioration, including bus stops that have been hijacked by drug dealers, open-air drug markets on the city streets, addicts acting erratically on block after block. So just who's to blame here?

Keep in mind, there has not been a Republican mayor of San Francisco since 1964.

Here now with reaction, co-host of "The Five", Geraldo Rivera.

I'm going to say something and I say this --

GERALDO RIVERA, CO-HOST OF "THE FIVE": Hi, Sean.

HANNITY: It's good to see you. Happy New Year.

You have been --

RIVERA: You, too, brother.

HANNITY: -- so too far -- so lenient on the issue of illegal immigration.

Now, I did get you to concede that building a wall, you said, okay, I'll be okay with that. But under Joe Biden, we're now over the million-mark when you include DHS numbers of people that got into the country that they didn't count.

But when you count the numbers we know and the numbers that they expect or estimate, it's over 500 million people. We have enough fentanyl coming into this country to kill every American many times over. You have cities like San Francisco, they're all over the country now, Geraldo, and our children are dying because of the drugs crossing that border.

When will you join me in saying, if you want to come to America you've got to do it legally?

RIVERA: I join you right now, loud and clear. The message I think --one -- I think Sara Carter has done a great job, Bill Melugin, our people, Greg Hart down there, or Griff Jenkins, we have really shown the world the quantity of people coming across our southern border.

I think that 5 million figure is grossly exaggerated. It counts people who come, we throw them out, they come back, we throw them out, hey come back. They come back and forth, it gets counted as one --

HANNITY: Okay.

RIVERA: -- each time. It is a horrible problem. It's a terrible problem. We've got to deal with it.

We need the wall. You're right about that. You have been right from the very beginning, but as you have also said from the very beginning the wall has to have a great big door in it. Why? Because we need an orderly, practical, compassionate immigration system because we need these people. We're a nation of immigrants. We're down to 3.5 percent unemployment. We have millions of jobs going unfilled because we just don't have the workers.

What we need though is people to follow the law and the coherent system.

HANNITY: Let's see what the recession that is coming according to all the experts, let's see what how that falls out. Here's what I do want to ask you. If you -- Joe Biden is not only aiding and abetting the law-breaking and allowing it to happen because we have the lowest numbers in terms of illegal immigration under Donald Trump. He enforced the law.

But Joe Biden is offering preferential treatment. People -- they don't have to get a vaccine when they cross the border. They don't -- they don't even get a COVID test. They get a Biden phone often and they're often, you know, they get free transportation to the -- to the city of their choice, Geraldo.

Now, why don't we have a system that checks for radical backgrounds and associations or a system that in the middle of a pandemic checks for their health or a system that says you've got to prove that you can take care of yourself and won't be a burden on the American people? Is that fair?

RIVERA: Yes, it is fair.

Two quick points: when you saw Governor Abbott on the tarmac with the President Biden, that was unfortunately adversarial. But wouldn't it be nice if they were shoulder to shoulder, if they worked together, Republican and Democrat, to fix this problem? It's not going to be fixed with posturing.

HANNITY: That's not fair.

RIVERA: Not with **Biden's** grandstanding or Governor Abbott's grandstanding. It's got to be fixed with people working together.

HANNITY: The governor has had to bear the brunt of Joe **Biden's** policies, of aiding and abetting criminal activity by himself. Joe **Biden** has never been to the border until this weekend, a whopping four hours from wheels down to wheels up. And of course, they clean out the city so he doesn't see the reality of what his policies have caused, Geraldo.

I give the governor of Texas, you know, great props for what he did because it was brave, it was truthful, it was honest and it was a reality check that clearly Joe needs.

RIVERA: Well, what if -- and it's all that and I give him credit for it as well, Sean. But wouldn't it be nice if they sat together and said, okay, this is what we have to do?

For example, Governor Abbott says to President Biden, you know President Biden, you're a nice person, you're a kind person but your kindness is in this case having a an opposite --

(CROSSTALK)

HANNITY: -- political BS.

RIVERA: Giving people the false impression that the border is open.

HANNITY: No, I like the way -- I like the way Governor Abbott did it. You're \$20 billion too late and two years too late and this is what you've done to my state, this is what you do in our country and it is having a dramatic negative impact on cities and states and towns all around the country and you caused it and you need to fix it. I prefer that letter. I'll give you the last word.

RIVERA: I think that you're talking -- let's just -- one thing we haven't mentioned is fentanyl. Fentanyl is the real horrible difference between years past and now. San Francisco in the film that you showed of the Tenderloin District, Open Air Drug Mart, 500 fentanyl overdose deaths in the last year alone in that one city.

London Breed, the mayor, making that gets up speech, you know, on crime we're going to clean up the streets.

It is a scourge, we have to work together. This is the real test for Kevin McCarthy. This is the real test for bipartisan approach --

HANNITY: No, it's not. Enforce the law.

(CROSSTALK)

RIVERA: -- nation's problems.

HANNITY: I don't think it's a test at all.

RIVERA: What is the law? The law changes on a weekly basis.

HANNITY: The law is the law, and right now, the law is we have a process to enter the country illegally. They are entering our country illegally, Geraldo, and we as a country are paying a very dear price for it.

RIVERA: So did your forebear, Sean? So did my mom's family.

(CROSSTALK)

HANNITY: No, my four grandparents went to Ellis Island -- wait a minute, they came in legally from Ellis Island, all four grandparents from Ireland. They came in legally.

RIVERA: But there is no Ellis Island for these people in the south.

HANNITY: Well, you want them to stay, don't you? You want amnesty.

RIVERA: You know, in your wall, Sean, put Ellis -- put in Ellis Island office in the wall. That's who you want. You're on the wall with a big door as you've always said --

HANNITY: And if you meet the conditions --

RIVERA: -- where you combine Americans' needs with the needs of the humanitarian needs to.

HANNITY: All right. I'm going to give you the last word. I am in a very good mood tonight. I just -- I'm going to let you have it, you deserve it.

All right. Geraldo, thank you.

All right. Now with House Republicans coming together on a new speaker, the GOP, they are now moving forward on their most important agenda items. That includes conducting real oversight has your FBI been politicized? Has your Department of Justice been weaponized? Has the IRS been weaponized?

But, of course, the mob, the media, they're ramping up their smears against the GOP, with one co-host of that hard-hitting news show "The View" claiming that Republicans are, quote, thugs at work. Wow, that's actually complimentary. Take a look.

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: Republicans like to use identity politics and they like to talk about thugs a lot and they like to talk about other people. I saw a lot of thuggishness going on. I saw bugs at work. I saw this uncivilized nature and it's like they were raised by wolves, many of them. And so I wonder, if you're doing that in the chamber, on the House floor, how do you expect to govern and lead by example?

That's something I wouldn't want to see my kids do and they were doing it.

(END VIDEO CLIP)

HANNITY: Like I've been saying, House Republicans, they are now in a strong position. They have a clear plan to hold the Biden administration accountable. Those investigations will take place. The commitments to America, those promises will be kept. It's why the media mob Democrats are doing everything they can do and try and distract you from the administration's failures.

For example, far left Senator Chris Murphy tweeting out today, quote: It's not just that they won't be able to govern is that they are going to be an embarrassing public train wreck while they refuse to govern.

Actually that would have been the squad.

Anyway, here with reaction, Outkick founder Clay Travis, along with FOX News contributor Joe Concha.

Good to see you both.

You know, Clay, I start with you tonight. To me, it's very simple. If they keep their commitments to America, they'll show America a different path. They'll lay out a different vision for the future of the country. If they do the investigations into the Bidens, the origins of COVID, they do an investigation into the withdrawal from Afghanistan, the FBI, the DOJ, they will

be doing investigative work that should have been done for years now. I think that is a very positive agenda for the -- for the country and for the Republican Party.

CLAY TRAVIS, OUTKICK FOUNDER: I think you're exactly right, Sean. First, let me say congratulations Georgia Bulldogs, extending the SEC's reign of dominance. It's halftime, Sean, I don't even know if you know the score. They're up 38 over TCU, it's all over.

HANNITY: Clay, I won the last bet. I'm betting on Georgia, it's over.

TRAVIS: I know.

HANNITY: It's done. They would -- listen, they were the team to bet.

TRAVIS: It's a good bet to make considering they're 31 points up.

But, look, here's what I think everybody needs to understand what's going on here. This is about laying out a road map for the new attorney general and the new president of the United States in 2024. The House can't do much with what's going on right now with the Senate and the White House in the control of Democrats.

But what they can do is get an entire investigation laying out all the facts and hand this directly over to a brand new attorney general as soon as we win the 2024 election and sweep Joe **Biden** out of the White House.

And, oh, by the way, Sean, how amazing is it? I know Joe loves this too. In September, Joe **Biden** was on and said there's no way to justify ever having **classified documents** in your possession, while he had a bevy of **classified documents** in his possession. He's the most incompetent worst president of all time, and there's going to be a lot more evidence of that thanks to us winning the House.

HANNITY: Oh, it just it put Merrick Garland, Joe, in a box. Also, your pals in the media that you cover so well, how do they justify? They defended Hillary. Now, they're going to defend Joe Biden but only Donald Trump gets criticized for the exact same thing.

JOE CONCHA, FOX NEWS CONTRIBUTOR: We're already seeing it on social media -- well, Biden may have done this, but it's not as bad as Trump and what it really did.

HANNITY: Oh, really?

CONCHA: It's -- yeah, exactly. And look this is a preview of what we can expect over the next 33 months leading up to the 2024 election. I mean, forget bias. We passed that exit a long time ago.

There will be outright hostility towards this Republican Congress and whoever the Republican nominee ends up being. And the rich irony here is that more than the few in this business will conduct this coverage, all while somehow positioning themselves on a higher moral pedestal. So when hearings are launched in the new Congress led by Kevin McCarthy into whether, for example, I don't know, a sitting president is compromised by the Chinese all due to influence peddling carried out by his son, as his verified laptop and its emails appear to show -- well, that's going to be called a chilling weaponization of the gavel.

When investigations are launched into the humanitarian and national security crisis at the U.S. southern border that you've been reporting on all night -- I mean, remember, think of these numbers for a second, 14 border agents have committed suicide in the past year, nearly 100 people on the U.S. terror watch list have been arrested, more than 850 migrants have died trying to cross over to U.S. soil, 5 million people entering the country illegally.

Those efforts into looking into all this will largely be dismissed, ignored or mocked, because that's -- that's what terrorists, that's what activists do here's, Sean, activists. And that's what too many in the media have become, activists with a microphone and/or a byline and a blue check and nothing more. I meant to say activists by the way.

HANNITY: They're members of the press just like me, just like you, just like Clay, except we're honest. We do straight news, investigative reporting, we do culture, Clay does sports. But we also do opinion, except we're honest and they're not, big difference.

All right. Clay, by the way, game over. Congratulations Georgia.

Joe, good to see you as well.

Now, yet another about your Twitter files has very revealing information, more efforts by the so-called experts to silence COVID opinions that they disagreed with. According to a reporting from the author and journalist Alex Berenson, Pfizer board member Scott Gottlieb emailed the top Twitter lobbyist in April of 2021 to suppress the post from a former FDA chief for posting that there was evidence that natural immunity was in fact superior to vaccine immunity. And despite Twitter reporting or reportedly finding that they did -- that the post did not violate any of the platform's rules, they flagged it anyway and it's all just the latest evidence of Twitter being willing participants and silencing dissenting viewpoints and, of course, suppressing the free flow of information.

Here with reaction to this story, FOX News contributors, Dr. Marty Makary is and Dr. Nicole Saphier.

Good to see you both.

Dr. Nicole, I'll start with you. You know, I just of all he's known at least instinctively I believe that natural immunity, of course, would be better. You couldn't say it without being criticized or called the conspiracy theorist. But now, Twitter wants to silence that, just as they were also silencing Joe Biden and Hunter Biden's foreign business dealings by hiding Hunter's laptop.

DR. NICOLE SAPHIER, FOX NEWS CONTRIBUTOR: Well, Sean, in medicine, you always have to replace subjectivity with objectivity. And so, when you see which we saw in the Twitter files, when you call for something to be called misinformation, without giving the factual evidence behind it to prove it, it calls in the question the motivation as to why you're wanting it to be called misinformation. What came out of the Twitter files tonight, particularly that upset me the most was the tweet about children being low risk for COVID-19, and how that was trying to be labeled as misinformation.

As a mother of three, you could obviously know that I have been heavily invested into collecting data when it came to kids in COVID-19. And the fact that us in the United States still can't even produce data showing how many healthy children have died from COVID-19 is appalling. Some countries actually suggest possibly none.

But the timing of this, the timing that that email was sent to label it misinformation was about the time that Pfizer was seeking the EUA in kids five to 11 years old. So that calls into question, you know, why did they do that at that time? If they were trying to censor that talking point of COVID being low risk in children at that time to get that EUA pass for children, that is a huge breach of medical ethics.

I am not saying that is what happened. There are certainly more questions and answers at this point. I think there's a lot more to come with Twitter files.

But when it comes to science, you always have to go against and you have to question established treatments. That's why we're so advanced right now in cancer care and other things because we have continued to push that mark and we have gone past what have been established treatment paradigms.

HANNITY: You know, Mark -- Marty, anybody that dared to bring up anything that was unconventional or even say or talk about the benefits of natural immunity over, say, a vaccine, the fact that that's even controversial is insane to me, because we didn't know a lot about this virus. We learned more as time went on. But it makes sense that natural immunity is always going to be better, doesn't it?

DR. MARTY MAKARY, FOX NEWS CONTRIBUTOR: Well, it certainly it makes sense and is true for other viruses out there if you go to the CDC website they tell you not to get certain vaccines if you've had the infection in the past because you've got natural immunity. So it's logical that many doctors held that view, and any legitimate doctor should be able to express their medical opinion and do so freely, including Dr. Gottlieb. If he has an opinion, he should be able to express it to Twitter and he had an ongoing dialogue with them for another reason, the context of which that he was in a security program with them.

But it doesn't mean Twitter has to censor a doctor just because they hear from another doctor a different opinion.

So I'm far more concerned about universities censoring doctors. Jay Bhattacharya at Stanford told by Stanford University not to publish certain research. I mean, that's where I'm really concerned right now. We don't have a free forum of scientific dialogue.

HANNITY: I don't, and I'll say this, I don't think we know everything about the long lasting impact and effects of COVID.

Dr. Saphier, we'll give you the final word.

SAPHIER: I think that we are going to be learning a lot more from decades to come and also seeing the consequences of a lot of our actions throughout COVID-19 pandemic.

HANNITY: Yeah, I think that's well said. I'm worried about, you know, I see more people with blood clots, aneurysms, is there a connection? I don't know but I'm sure we'll be investigating that too.

All right. Thank you both.

Straight ahead tonight, the horrific crime wave is spreading all across the country. We'll give you the latest developments on the Idaho murders. We'll check in with Pm Bondi, Mark Fuhrman.

Don't forget tonight, last call, you get to grade me tell me what you like don't like about the show, straight ahead foreign.

(COMMERCIAL BREAK)

HANNITY: All right. Big breaking news tonight in the Idaho murders where the grieving sister of murder victim Kaylee Goncalves is now defending the roommate who came face to face with the killer but apparently waited around eight hours to call the police, saying that everyone should stop passing judgment and understand that she was probably very scared.

Now, as the suspect, Bryan Kohberger is now being held without bond in Idaho as key questions remain, including motive and the location of the murder weapon. Idaho authorities are now releasing photos of a mysterious white car near the scene of the crime the day after the murders. Now, remember, Kohberger was a white Hyundai, and we're going to continue to follow those updates.

Meanwhile, up in Massachusetts, the husband of a missing realtor has now been charged with misleading police. Prosecutors there now are saying that a broken knife with blood found in the family's basement and that Brian Walshe spent hundreds of dollars on cleaning supplies and search for how to dispose of a body. Ana Walshe was reported missing on January 4th after she did not show up for work and police have been searching for her whereabouts ever since.

The husband also is on probation relating to a separate fraud case involving fake art pieces. He's on house arrest.

Here with reaction, former Florida Attorney General Pam Bondi, along with former LAPD detective, FOX News contributor Mark Fuhrman.

Welcome both of you.

Pam, I don't know what to say about the student that saw this guy. He wasn't a black hood. I can understand her being scared, but you would think that would prompt a police call. If you're spending all that money on cleaning supplies and looking up how to dispose a dead body, I -- I was never an attorney general like you. But I think that's a pretty good sign you probably killed the person.

PAM BONDI, FORMER FLORIDA ATTORNEY GENERAL: Well, as a career prosecutor, I think now you're talking about the Massachusetts case, right? The other case, where the husband went to Home Depot and bought a tremendous amount, four hundred and fifty dollars in cash of cleaning supplies.

I've had murders where these stupid defendants go to a Home Depot afterwards, believe it or not, caught on video trying to clean up their act. Yeah, he is not the brightest criminal.

The previous case that you spoke about, though, and the roommate where this horrible person murdered these four beautiful young people -- as a career prosecutor, Sean, one of the hardest things you do is getting to know the victims families and surviving victims . And I think Mark will tell you, as a detective, we've all had victim of homicides who have survived when others were murdered. And we have no idea.

This is a teenage girl who was traumatized and most likely paralyzed in fear.

HANNITY: Yeah.

BONDI: And it's a miracle that she was not murdered. And, you know, as a homicide, former homicide prosecutor, you develop deep emotional bonds with the family members and the surviving victims because you have to educate them and tell them in graphic detail the way that their family members were murdered. And you have to be there to support them because this most likely will be a death penalty case. And I'm glad they have the death penalty.

As a former capital prosecutor, I'm glad they have the death penalty in Idaho, assuming all these facts that are being reported are true.

HANNITY: Mark Fuhrman, let's get your take on both cases. The girl that didn't report seeing this guy and the case of somebody that spends all that money on cleaning supplies looks up how to dispose of that body.

MARK FUHRMAN, FOX NEWS CONTRIBUTOR: Well, let's start with Idaho.

So, Dylan, who is the surviving witness actually opened the door three times, she was probing the noises and then all of a sudden the noises kind of stopped. She opens a door once again. She comes face to face with somebody in a mask covering their nose in their mouth. She closes the door and locks it.

Never in her wildest imagination would she think that any of her roommates, let alone four people, would have been murdered. And she'd listened, no doubt. And then she went to sleep. If she is going to be judged for this, let her be judged that she did a great job as a witness to actually create the nexus between the white Elantra and Bryan Kohberger from the description she gave, they were able to write search warrants for cell towers and for phone. And we are where we are today because they had that connection from the crime scene to the suspect.

So it cuts both ways. But just remember, she's going to have to live with us, live with this for the rest of her life.

HANNITY: She had no idea.

FUHRMAN: So, the other case in Massachusetts -- no, she had no idea. Absolutely. You're absolutely correct.

Massachusetts, you've got this Brian Walshe, that sounds like a real idiot. He's buying a five-year supply of cleaning products to, I guess, clean the house for his wife, who's missing. So when she comes home, it's nice and tidy, but somehow there's blood and the broken knife in the basement, which the police by now have already got a DNA sample on.

No doubt they've searched the house. They've got a toothbrush or makeup, a lipstick, a hairbrush, and they've found the wife's DNA. They're matching it right now as we speak now. And he's in jail, so there's no rush.

HANNITY: All right. Mark Fuhrman, thank you. Pam Bondi, thank you both. We appreciate it.

When we come back -- all right, putting myself on the line here, last call. We have a major programming announcement as well you don't want to miss, as we continue.

(COMMERCIAL BREAK)

HANNITY: All right. Time now for the last call, where a lucky viewer now will grade the show. Tonight, we are joined by -- by the way, we're not picking our radio regulars anymore. It's random -- Chris in El Paso.

A lot of news down there, Chris. How are you, sir?

CHRIS, CALLER FROM EL PASO, TX: I am good, Sean, mega dittos.

HANNITY: Thank you. Mega dittos -- thank you. It's what people said to Rush. But go ahead.

CHRIS: Well, exactly. I mean, I first mega dittos to twenty six years ago on your television show when you have a call in portion with Alan.

HANNITY: Wow. You go back a long ways.

CHRIS: You loved it.

HANNITY: I did. I still love it. That's why it's back.

So my question is, how do we do, what's our grade, what did you like, maybe, what did you not like?

CHRIS: Okay, so the staff gets an A-plus and you get I'm going to say a B plus.

Now the staff -- I mean, look at all the great guests you had have on tonight. Clay Travis, Gregg Jarrett, John Solomon, Sara Carter. She is a rock star down here, showing people what's really going on in El Paso. I mean, I wish that she would get be able to get in and show these young girls are being raped constantly --

HANNITY: She has covered that at length. Yeah.

CHRIS: Well, you know, 52,000 kids, they can't find through Catholic charities that they've shipped all over America, so unfortunately. But for you, the B plus comes because -- last week, I still have this little, you know, what in the world were you doing in the back of my mind?

Now, I understand you have hash things out with both representatives and you know, but in twenty six years, Sean, I've never seen you get like that, before.

HANNITY: You're talking about the debate with Lauren Boebert.

CHRIS: Yes, sir.

HANNITY: All right. Let me give you a quick answer, because it's a question many has. She was on my radio show today.

CHRIS: Yes, I heard.

HANNITY: What I was -- well, first of all, I have a lot sources. I work my sources. When I was on vacation, my Christmas vacation, I saw this train wreck coming. And for the people that I talk to , my sources, I said to them repeatedly, I'm like, guys, get in a room, check your ego, check your phones, work out, hammer out and an agreement, and have it done by January 3rd.

I'm not worried about what we think about this, what the base thinks about it. I don't care what Democrats think about anybody or anything. What I did care about is there's this little group of people in the middle that I think wanted better out of the Republicans. And I thought it was in everybody's best interest to resolve this.

And a lot of the issues I knew were resolved, but they still were fighting. Does that make sense? I don't disagree with one of the chambers.

CHRIS: Yes, sir. Well, here's the thing, that these guys are fighting because they know that our national debt is already at \$31 trillion. If we keep spending the way that we are right now, Sean, in 50 years are is going to be three --

HANNITY: I agree with the changes.

CHRIS: -- it's going to be \$732 trillion. It's going to be outrageous. And we're going to have a revolution in this country. We've got to stop this debt.

HANNITY: All right. We're out of time. Great last call. I'm going to work to get your A.

Before we go, major programming announcement on this topic. Tomorrow, I will be in the swamp and the sewer in Washington, D.C. We will be interviewing and having a town hall with the new speaker of the House, Kevin McCarthy, in Washington, and we'll discuss a GOP House agenda. We'll have an audience full of GOP House members.

All right. In the meantime, for any news, any time anywhere, it's fox and we'll discuss a GOP house agenda. We'll have an audience full of GOP House members.

All right. In the meantime, for any news, anytime, anywhere, it's FOXNews.com, Hannity.com.

In the meantime, let no your heart be troubled, Laura's next. And we will see from Washington tomorrow.

END

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Ronald Reagan Campaigned In The South Bronx; Joe Biden Didn't See The Real Migrant Crisis; Joe Biden Poses Next To The Wall He Defunded; Houston ...

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January 10, 2023

Ronald Reagan Campaigned In The South Bronx; Joe Biden Didn't See The Real Migrant Crisis; Joe Biden Poses Next To The Wall He Defunded; Houston ...

Ronald Reagan Campaigned In The South Bronx; Joe Biden Didn't See The Real Migrant Crisis; Joe Biden Poses Next To The Wall He Defunded; Houston Vigilante Kills Armed Robber; Biden Mishandled Classified Documents; A New Report By Chicago's Inspector General Reveals The Chicago School District Got \$1.5 Billion Of Our Taxpayer Covid Relief Money, And They Haven't Spent Even Half Of It And The Money That They Did Spend, They Spent Almost All Of It On Bonuses For Teachers; Hundreds Of Millions Of Dollars That Was Supposed To Go To Upgrade Air Filtration Systems, The Teachers Took Higher Salaries; Prince Harry Stopped By 60 Minutes To Plug His Book And Trashed His Whole Family, Basically Called Them Racist; Anthony Fauci's Restaurant Was Cited For A Health Code Violation; Health Inspectors Found Some Kind Of Insect Rodent Birds Or Non-Service Animal On The Premises, And Was Also Flagged For Inadequate Hand-Washing Facilities; Tufts University New Food Pyramid Say Lucky Charms Is Healthier Than Steak

TRACE GALLAGHER, FOX NEWS HOST: This is the third year of the Polar Plunge and our best, of course to Quinn Waters and his ongoing battle. Thank you for watching "SPECIAL REPORT". I'm Trace Gallagher in Los Angeles. Please join me for "FOX NEWS @ NIGHT" midnight Eastern 9 Pacific JESSE WATTERS PRIMETIME starts right now. Hey, Jesse.

JESSE WATTERS, FOX NEWS HOST: Hey, Trace. Thanks. You can't hide from your problems forever. Eventually they're going to catch up with you. Like when I tell my twins to clean up their room and they just shove everything in the closet, doesn't work. Once you open that door, it's all going to come crashing down. The longer you leave it, the worse it gets.

Ronald Reagan knew that better than anybody. In the 70s and 80s, parts of New York looked like a third world country, bombed out version of what we know today. When Reagan was running for president, he went straight into the worst part of town and talk to the people who lived there.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: To demonstrate his concern, the Republican nominee traveled to the South Bronx, where rampant urban blight has left dozens of city blocks a virtual wasteland. In a shouting match with residents, many of whom demanded jobs, Reagan replied, I can't do a damn thing for you, if I don't get elected.

RONALD REAGAN, 40th U.S. PRESIDENT: I'm going to try as hard as I can. All I can tell you is that I'm going to try to bring that about, and not with the kind of a promise that Carter made.

(END VIDEO CLIP)

WATTERS: They weren't happy to see Reagan and most of them probably didn't vote for him. But it was important for Reagan to see what they were going through. And there's a reason the Bronx doesn't look like that anymore. Because powerful people saw the problem. And they knew how to fix it. Biden went to our southern border this week, but he didn't really see what we've been showing you for the last two years. Before Air Force One touchdown, they cleaned it all up. Threw the tents in the garbage, took the families off the cold streets and just plug the holes in the wall. All of a sudden, the migrants were gone. For the first time in years, it was quiet in El Paso.

Someone wanted to get rid of them before the president and all the national press came to town. Border Patrol and local cops started locking up migrants in the middle of the night. Texans know this is a total con job. Listen to what ranchers had to say about the polished El Paso Biden visited.

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: It's a mess. And he went to El Paso everything's picked up. Everything's clean. Everybody's kind of like on their best behavior. I would think. That's what he's seeing, so he doesn't really see what's happening on a daily basis.

UNIDENTIFIED FEMALE: I think it's absurd. Honestly, I think that there's hundreds of miles of border that is being inundated. Our border patrol are being overworked. Our law enforcement are being tasked beyond measure. And he chooses to go to El Paso that, by the way, has been cleaned up before he got there.

(END VIDEO CLIP)

WATTERS: I'm not saying he needs to dive into the Rio Grande or wrestle a coyote, but the least he could do is meet with a migrant, even CNN agrees.

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: That's why the president is being criticized by both sides because of what he didn't see. So, let me show you because this is one of the migrant camps that's here in downtown El Paso. And you know, the immigration advocates here in El Paso and Governor Greg Abbott usually don't agree on much. But they do raise the same question. If President Biden came here to El Paso to see the reality on the ground about the border and he didn't come here. What's considered the epicenter of this crisis. Did he leave with a clear understanding

(END VIDEO CLIP)

WATTERS: Biden was too busy touring a parking lot of a government building. He didn't want to really see what was happening and he didn't meet with any of the migrants or as his wife calls him tacos. Joe knew if he met a migrant in front of the camera, they'd probably give him a big hug and say gracias, they love Joe. I mean, he opened the country to him. When his motorcade blew past a group of migrants lined up at the border, they cheered.

(VIDEO PLAYING)

WATTERS: Unlike Joe, PRIMETIME talks to migrants, when a bus came to New York, we asked them what they wanted to say to Joe.

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: What is your message to Joe Biden?

UNIDENTIFIED MALE: We are completely grateful for the opportunity that he has given us. Thanks for the support to all the Venezuelans coming here. We were happily welcomed. Thanks to Biden, the president.

(END VIDEO CLIP)

WATTERS: This is just a photo op for the president. White House sources say he's pivoting to the center for 2024. Remember, the last time Joe pivoted he broke his foot chasing his dog. This time looks even worse. Biden is doing a photo up next to the wall he defunded and said doesn't work.

(BEGIN VIDEO CLIP)

JOE BIDEN (D), PRESIDENT OF THE UNITED STATES: There's not a single thing that building a wall or imposing another tariff can address on any of these issues. There will not be another foot of wall constructed on my administration

(END VIDEO CLIP)

WATTERS: And there he is right there walking next to the border agents whose colleagues he called racist and spread a fake whipping story about. Biden keep saying he wants to fund the border, but Republicans won't let him. But that's another lie. The Republicans haven't had the power of the purse strings in two years. And Biden's budget, this year, slashes funding for the border.

Joe just went through the motions. He doesn't want to be there. The man couldn't wait to get back to Delaware. Texas Governor Abbott waited for him on the tarmac and handed him a list of problems to fix. But **Biden** didn't even bother to read it.

Last week, we told you about **Biden's** new immigration plan. You know, because Kamala couldn't deliver one. **Biden's** new plan is to give migrants an app where they can apply to come into America before they even reach the border. It's like TSA PreCheck for illegals. All they have to do is say they're scared of their home country and they know a guy named Juan in the Bronx. It's like Open Table for illegals. But Biden knows that's not going to help. He doesn't even know what an app is. To him, the border crisis is unbeatable. There's no way to fix it. Unless your magic.

(BEGIN VIDEO CLIP)

BIDEN: It's amazing what you do. What do you think I could - if I could wave a wand, what would you want me to do?

(END VIDEO CLIP)

WATTERS: With Joe, it's always about magic. Nothing can be solved through leadership. Remember, when American parents were going from store-to-store looking for baby formula. Biden said, it's not his fault. He's not a mind reader.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: You've taken those steps sooner before parents got to these shelves and couldn't find formula.

BIDEN: If we'd been better mind readers, I guess we could have, but we moved as quickly as a problem became apparent to us.

(END VIDEO CLIP)

WATTERS: To Biden, you can only solve problems if you're David Blaine. Wait a second, where did he hear that from?

(BEGIN VIDEO CLIP)

BARACK OBAMA, 44TH U.S. PRESIDENT: When somebody says like the person you just mentioned who I'm not going to advertise for that he's going to bring all these jobs back. Well, how exactly are you going to do that? What are you going to do? There's no answer to it. He just says, well, I'm going to negotiate a better deal. Well, what? How exactly are you going to negotiate that? What magic wand do you have?

(END VIDEO CLIP)

WATTERS: Now you know why nothing ever got done under these two guys. They're waiting on a genie to pop out of a bottle. You don't need a wand, Joe. You just need to enforce the law. Didn't you swear on the Bible, you'd enforce the law.

(BEGIN VIDEO CLIP)

BIDEN I, Joseph Robinette **Biden**, Jr. do solemnly swear.

UNIDENTIFIED MALE: That I will faithfully execute.

BIDEN: That I will faithfully execute.

UNIDENTIFIED MALE: The Office of President of the United States.

BIDEN: Office of President of the United States.

UNIDENTIFIED MALE: And will to the best of my ability.

BIDEN: Will to the best of my ability.

UNIDENTIFIED MALE: Preserve, protect, and defend.

BIDEN: Preserve, protect, and defend.

UNIDENTIFIED MALE: The Constitution of the United States.

BIDEN: The Constitution of the United States.

(END VIDEO CLIP)

WATTERS: You saw how easily they cleaned up the border before **Biden's** visit. Why don't they just pretend **Biden's** visiting every day? Just do it every day of the year. You don't need a magic wand for that. Let's turn it over to National Correspondent Bill Melugin, it was first-hand reports of the true disaster at the border. Were you surprised they were able to clean it up so quickly?

BILL MELUGIN, FOX NEWS NATIONAL CORRESPONDENT: It was a magical moment. Everything disappeared from a month before, right? You have to make an active effort to go down to El Paso on the border these days and not see a single migrant. It's almost impossible. And they managed to accomplish that. And look at what he did, he started off at a port of entry. Nothing's happening at the port of entry. That's not where people are crossing. That's a CBP port of entry where people walk across the bridge, the mass illegal crossings more than 200,000 people a month that's happening between the ports of entry. As people walking through the river. We show that video every single day. He didn't go down there and look at that.

If he really wanted to get an idea of what's happening in the El Paso area, he could have driven five minutes north out of town, gone to an Opera in New Mexico where we've witnessed guys in camouflage scaling the border wall, using ropes to jump over it and then running off into the open desert, into U.S. residential neighborhoods.

He could have taken a ride down Paisano drive where there's all sorts of holes in the border wall. People have been cutting these holes into it, gotaway slipped through and then they go running across traffic and they disappear into El Paso neighborhoods.

He could have gone to the Central Processing Center where the migrants are held after they're in federal custody. We remember that video last month of like 5000 people crammed inside of that center. He didn't go in there. Then he goes down to the border wall to do a little walk and talk with Border Patrol agents at a part of the wall where there's really no activity whatsoever.

WATTERS: No, Bill, we're hearing from our White House sources that one of the demands the White House made was that you leave the border before Joe Biden went down there. Why weren't you there yelling at him while he was down at the border?

MELUGIN: You know what, the timing just worked out a little weird. First time in New York City and a while I got here Friday night and then I got--

WATTERS: I didn't know you were allowed to leave the border.

MELUGIN: Every now and then they let me out. Every now and then. But yes, the timing just didn't work out. But even if I was down there, it doesn't look like we were going to have a chance to get to close to really see what is going on--

WATTERS: No, no, they keep them really walled off. Well, great job down there. Keep up the good work. Thank you so much.

MELUGIN: Thank you.

WATTERS: Let's bring in South Carolina Senator Lindsey Graham. So, senator, I mean you saw what a bang-up job they did cleaning. It's pristine there. I mean you can't see a migrant for miles. I mean, if that had happened under any other administration, I mean, that is a massive scandal. You guys going to do anything about this?

SEN. LINDSEY GRAHAM (R-SC): You know, I hope the American people do something about in 2024. But there's two clues that this was going to be a political show from the beginning. The Republican congressman from El Paso asked to visit with the president and go on the tour. And the President said, no. Now he's got no problem, meet with Mitch McConnell to talk about a bridge in Kentucky. But this congressman has really been really good, trying hard to solve the problem and they shut him out.

And before he left, he said, the people coming across the border illegally, are like Jews fleeing the Nazis. Now, that's the rhetoric of the Left, that's offensive at so many levels. So, he had a predisposition to look at these people as being oppressed, rather than coming here illegally. And he didn't want input from a Republican, it was all a political show, nothing's going to happen under Biden, I'm afraid that his ability to solve this problem doesn't exist, because he won't admit that it's a real problem.

WATTERS: If you raise your hand and swear on the Bible, that you're going to execute faithfully the duties of the President of the United States, and then you don't execute those duties. You don't enforce the law; you can enforce the law because you did it. I mean, they cleaned out every migrant within 30 miles of the border when he came down. So, if he's not doing that, there has to be some consequence.

GRAHAM: Yes. Well, I think he's been derelict in his duties. I've been saying that on your show and other places for about a year now. That what would fix this problem is pretty simple. You cannot apply for asylum in the United States, you have to apply in your home country, or some countries, say country other than United States. That's what Trump did. Trump didn't have a magic wand. He scared the shit out of Mexico.

He told the Mexican government, that if you don't help me, I'm going to put tariffs on every product coming across the border. Guess what? The Mexican government all of a sudden say said, hey, I'd like to help under Trump. You couldn't apply for asylum in the United States, you'd have to remain in Mexico.

WATTERS: All right, we're going to have to send you a bar of soap. And Dana Perino who's watching very, very religiously is very offended--

GRAHAM: Sorry. I forgot about that.

WATTERS: I understand. Thank you very much, senator. Now go behave yourself.

GRAHAM: Thank you. Thank you,

WATTERS: A Texas vigilante at a taco joint causing major controversy. And things aren't really going so well at Anthony Fauci's restaurants.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: Drop the gun. Drop the gun. Drop it. Drop it. Drop it. Stop. Drop it. Drop the gun. Drop the gun.

UNIDENTIFIED MALE: Drop the gun.

UNIDENTIFIED MALE: OK.

UNIDENTIFIED MALE: I got him. Don't move.

(END VIDEO CLIP)

WATTERS: This is new video from the Houston Police Department where cops shot a car jacker after he stole the vehicle, ran over a bystander and then pointed his gun at police. He was lucky he was only shot in the leg. A crime is always around the corner in America and you don't know what kind of sickos could be lurking. You can be taking your kids to the park when a pervert exposes himself and urinates in front of them. This happened in Edmond Oklahoma and when police showed up the peeing pervert went nuts.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: What's up. Backup, backup. Stay. Stay.

UNIDENTIFIED MALE: Shut up. Get away from me. What are you going to do about it.

UNIDENTIFIED MALE: Get on the ground today. Hurry.

UNIDENTIFIED MALE: You just assaulted me. What are you going to do about it.

UNIDENTIFIED MALE: Step back.

UNIDENTIFIED MALE: Sit down.

UNIDENTIFIED MALE: You already did that. Why you being so mean all the time.

UNIDENTIFIED MALE: Get down. I've already tased him.

UNIDENTIFIED MALE: Fine. Arrest me.

UNIDENTIFIED MALE: Quit moving.

(END VIDEO CLIP)

WATTERS: When someone threatens you, waves a gun or knife in your face, it's kind of hard to know how to react. I mean do you wait for police or do you take charge. Over at Walmart in South Carolina, a deranged customer came in yelling and waving a pocket knife in people's faces, and one customer stepped in and stopped him.

(VIDEO PLAYING)

WATTERS: On Thursday in Houston, a stick-up kid entered a taco shop and demanded all the customers' cash, but one vigilante took matters into his own hands. Watch this.

(VIDEO PLAYING)

WATTERS: The customer fired non-shots at the armed robber, killing him. The dead robber Eric Washington was a career criminal who was out on bond for domestic abuse case. And the vigilante dug through the dead robbers' pockets and gave back all the stolen cash he'd taken from the customers. The vigilante hasn't been arrested and there's no charges filed against him. One wrinkle in the case though. After the shooting turns out the robber's gun was fake. But I'm sure no one really knew that at the time.

Mark Geragos is a Criminal Defense Attorney who joins us now. So, how do you understand the guy shooting the robber as he was leaving in the back?

MARK GERAGOS: CRIMINAL DEFENSE ATTORNEY: I've got that same case in Los Angeles right now, with a security guard. The fact is, is that you're shooting in the back but the fact remains that you do have what's called a defense of others. So, he's leaving, you don't know if he's going to shoot one of the other people there. You have a right and it's objectively reasonable. He's got a gun out or what purports to be a gun. And it looks like he - my guess would be as they're not going to charge him and I will contrast that with the officers and that other little piece that you did, which - who showed enormous restraint, both with the guy that they ended up I believe tasing and with the other one who was the carjacker run amuck. I mean, that was incredible--

WATTERS: Enormous restraint. I was telling people here in the studio, I probably would have unloaded a much earlier than that. So, you're saying this was a righteous kill, this vigilante as we're calling him in Texas?

GERAGOS: Yes, I wouldn't even call him a vigilante. A vigilante would - to my mind is somebody who goes out hunting for a situation, you know what I mean?

WATTERS: Yes.

GERAGOS: This is somebody who is faced with a real-time situation. There are other people who are threatened there and he takes action. I mean, to me, it's a righteous defense of others.

WATTERS: OK. So, Mark Geragos would get this guy off. Well, you get anybody off. You're Mark Geragos, but again thanks a lot, Mark.

GERAGOS: Thanks, Jesse.

WATTERS: All right.

GERAGOS: Appreciate it.

WATTERS: Fox News Alert. Joe **Biden** just got caught mishandling **classified documents**.

(COMMERCIAL BREAK)

WATTERS: Fox News Alert. Joe **Biden**, the President of the United States has allegedly mishandled **classified documents**, which we all know is the greatest crime anybody can commit.

Merrick Garland has tapped the U.S. attorney in Chicago to investigate Joe **Biden's** mishandling of **classified documents**. According to the Department of Justice, **Biden** squirreled away 10 **classified documents** in a closet at a **Biden** think-tank in Washington. How did they get there? We don't know. But we can only guess that someone removed them from the vice president's office and brought them to the **Biden** center.

And prepare yourself. These documents were commingled with unclassified documents. There was a lot of commingling going on. Now, CBS was quick to point out that these documents did not contain nuclear secrets. Meaning that **Biden** doesn't have Trump's love letters from little rocket man. But I know what you're thinking, these are **classified documents**, how could anybody be that irresponsible?

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: When you saw the photograph of the top-secret documents laid out on the floor at Mar-a-Lago, what did you think to yourself, looking at that image?

BIDEN: How that could possibly happen? How anyone could be that irresponsible.

(END VIDEO CLIP)

WATTERS: Let's bring in Dana Loesch, nationally syndicated radio host. Dana, when are we appointing a special counsel?

DANA LOESCH, NATIONALLY SYNDICATED RADIO HOST: That, Jesse, you read my mind. That was literally going to be the first thing out of my mouth. I'm wondering when we're going to have a special counsel appointed because that's exactly what Merrick Garland did in the Trump case.

And look, I know that the left is going to be so quick to dismiss any kind of concern that the right brings up about this as some sort of like tit for tat. But, you know, honestly, I think, first and foremost, this is also what happens when you don't report fairly on things.

Do you remember all of these stuff that the media was saying? The national archives, which I find incredibly interesting, they were very vocal about all of this during the Trump situation, but as it relates to this Biden situation, we haven't heard anything from them. We were told it could be nuclear secrets, it could be a million other things. We could all die, no.

I mean, and then, as it turns out, it was all old stuff that already been out there anyway. So, I'm just curious to see where this goes.

WATTERS: Yeah. Well, while the whiny librarian that basically triggered an FBI raid at the former president's estate, somehow doesn't have anything to say about this president mishandling **classified documents**.

Dana, it turns out, you know, if you're Hillary Clinton you can mishandle **classified documents**. You can bleach them. And you can open up a server to the Chinese and Russians to hack.

And if you're, you know, other Democratic president, you can lock them in a closet in Washington, D.C. And do you know how hard closets are to penetrate?

LOESCH: Yeah. Apparently. Yeah -- no. And one other point to make about this, too. I mean, you remember with the Trump situation and Biden, I mean, you had Biden who was looking into a political opponent using Merrick Garland. I do honestly believe that Merrick Garland is going to give this any kind of serious scrutiny because I don't. That's how far we've gone.

I really -- I think that I everything with this administration they've made it incredibly too political and incredibly too personal and too tribal. I don't think that anything -- even if there is something incredibly serious in this. There's 10 documents and you mentioned co-mingling, they were co-mingling with all of the other non -- I guess, non-classified materials.

WATTERS: Right.

LOESCH: This is serious issue. We were told it was a serious issue.

WATTERS: We were told it was so serious. We were told, the president --

LOESCH: Oh my gosh.

WATTERS: -- former president, might be going to prison for a very long time for co-mingling classified documents.

LOESCH: Where's the raid?

WATTERS: Right. Where is the raid?

LOESCH: Where's the FBI raid?

WATTERS: Tell me if I'm wrong. The Department of Justice is not only investigating Hunter Biden, the Department of Justice now is also investigating Joe Biden.

LOESCH: How many more Biden's can we investigate? I mean, let's just, like, throw everybody in there.

WATTERS: Jim is sitting there thinking like, wow, guys.

LOESCH: Every member of this family under investigation. Might as well let's see who else we've got. Lift up the rock higher. I mean, for crying out loud. Hunter and now, Joe Biden. I think it just goes to show you, too.

I've already seen -- I saw one clip already of the legacy press that broke this story. They were already trying to down play their own scoop. They were already trying to down play their own scoop to appease the Democrats, because they want to be power adjacent.

WATTERS: You never down play your own scoop, ever.

LOESCH: No.

WATTERS: That's not what you do. Dana, thanks as always. And we were going have you talk about the CDC speech policing. You're not allowed to say things because it might affect someone's mental health and we will have that for you tomorrow.

LOESCH: I, literally, made up jokes about that story, yeah.

WATTERS: Save them. We'll got it coming. You know all that Covid money the Chicago teacher's union took in during the pandemic? As I told you, they stole it all.

(COMMERCIAL BREAK)

WATTERS: We all remember some of our favorite teachers growing up. Remember the ones who showed movies in history class or the ones, the good ones, that let you retake your math quiz after you flunked it? But for any kid living in Chicago, what they'll always remember was watching their teachers dance their way out of having to work during the pandemic.

(BEGIN VIDEO CLIP)

UNKNOWN: Make it make sense. Safety is essential. Keep our students and our teachers safe.

(END VIDEO CLIP)

WATTERS: They said it was all for health and safety. But the Chicago public schools didn't do anything to protect health and safety. They danced their way to the bank. A new report by Chicago's inspector general reveals the Chicago school district got \$1.5 billion of our taxpayer Covid relief money, and they haven't spent even half of it. And the money that they did spend, they spent almost all of it on bonuses for teachers. Hundreds of millions of dollars that was supposed to go to, you know, upgrade air filtration systems, the teachers took higher salaries. The teachers got lump sum bonuses. They took vacations with the cash. I called it.

(BEGIN VIDEO CLIP)

WATTERS: Chicago claims they spent \$100 million to safely reopen schools that still aren't open. They posted all their grants on the website and we checked it out. But, not surprisingly, the numbers don't add up. There's millions of dollars missing.

(END VIDEO CLIP)

WATTERS: The money was missing because they pocketed it. I told you they were going to steal it. I told you they were going to embezzling it. This was a shakedown. Teacher's union president, Weingarten, held the country hostage and said kids aren't going back to class unless, you know, us, the taxpayers, give them billions of dollars to reopen schools safely. So then, they stole the money. And then the test scores went down.

One employee received a 150 grand in extra pay. Was he even in the classroom? He wasn't. He was clocked in, but receipts said he was spending your Covid money at casinos. That's right, teachers got bonuses and then they gambled it away.

One clerk paid herself 15 grand in overtime and her boss didn't even know it. Another teacher was using the money to go to trips to Vegas, L.A., London, Evita, even the Bahamas, maybe she was visiting Minnie.

Where was the oversight? Well, the vice president of the Chicago teacher's union board, Sarah Chambers, took her own share of the cash and went poolside in Puerto Rico. All she was just shutting down schools that whole time.

But the scandal gets even squeezier, in the past 4 years, 1800 allegations involving sexual assault, inappropriate touching and grooming, reported against the school district, 1800 cases. Almost 500 last year.

Cases like these, one high school student says her gym teacher exposed himself to her during a driver's ed class, but the board dismissed the accusations and blamed the student for what she was wearing. Another special-ed teacher groomed and had sex with her eighth-grade student two times. And an ROTC staff member was giving his underage student alcohol and telling her he wasn't going to go gentle on her. Said he promised to be rough. Another case involved a janitor who was caught recording students in the bathrooms with little cameras he'd secretly installed.

Now, did we hear about any of that? Nope. They tried to bury it. Out of the 1800 allegations, we only saw criminal charges for 16 of them.

Corey Deangelis is the senior fellow of the American Federation for Children. All right. Corey, I mean, that's a lot of moolah that these teachers grabbed. Unbelievable that they paid themselves bonuses with that.

I would have probably spent it on, you know, new HVAC systems. Maybe some of those plastic dividers hand sanitizer dispensers? No, no, no, no, no. They all got pay raises. Corey, can you hear me? I don't think.

COREY DEANGELIS, AMERICAN FEDERATION FOR CHILDREN: Yeah, I can hear you now.

WATTERS: Can you hear me? Go ahead. So, do you think that anything is going to happen to these teachers? They basically robbed us blinds for almost a billion dollars.

DEANGELIS: The teachers' unions held children education hostage to secure multiple multi-billion dollars ransom payments from the federal government. And it worked for them. They received about \$190 billion in so-called Covid relief funding since March of 2020.

And in places like Chicago, they received about \$2.8 billion, which turns out to be about over \$8,000 per student. And, look, I don't know if they're going to be held accountable, but they ought to be.

WATTERS: Well, they were supposed to spend it on laptops. Do you know how many laptops they bought the Chicago school children? Five thousand. I mean, hundreds of thousands of Chicago school students. They could have used a laptop when they were stuck in cold apartments during Covid, during zoom. And they only bought 5,000. The rest they pocketed, Corey.

DEANGELIS: The sad reality is that the government school system in too many places across the country has become more of a jobs program for adults as opposed to an education initiative for kids. Look at what happened in Los Angeles, for example. This isn't only in Chicago.

In Los Angeles in 2021, they had a report where the district officials were estimating that, although, they were losing about 6 percent of the student population, they were planning on increasing the number of teachers in the system by 8 percent. The number of custodial workers in the system by about 25 percent. And the number of psychologists and psychological support workers, social workers by about 80 percent.

And what other industry do you lose 6 percent of your customer base and then you hire more and more people. This is more about the teachers' unions as opposed to the kids and their parents. The whole fight to push to keep the schools closed always had more to do about politics and power than safety and the needs of kids.

WATTERS: Yeah, I wouldn't be hiring any more custodians. You know, they like to put -- no, I'm not going to say it. Thanks so much, Corey.

DEANGELIS: Thank you.

WATTERS: Everybody has some family drama, but we don't tell the world about it. We don't wake up one day and announce that our brother punched us in the face and our dad hates our wife. We keep these things to ourselves.

But last night, Prince Harry stopped by 60 Minutes to plug his book and trashed his whole family, basically called them racist.

(BEGIN VIDEO CLIP)

UNKNOWN: What was that based on, that mistrust?

UNKNOWN: The fact that she was American, an actress, divorced, black, biracial with a black mother.

(END VIDEO CLIP)

WATTERS: Call me crazy, but I don't think calling your family racist is a good way to win them back. So, how's that going by the way, Harry?

(BEGIN VIDEO CLIP)

UNKNOWN: Do you speak to William now? Do you text?

UNKNOWN: Currently, no. But I look forward to -- I look forward to us being able to find peace.

UNKNOWN: How long has it been since you spoke?

UNKNOWN: A while.

UNKNOWN: Do you speak to your dad?

UNKNOWN: We haven't spoken for quite a while. Not recently.

UNKNOWN: Can you see a day when you would return as a full-time member of the Royal Family?

UNKNOWN: No. I can't see that happening.

(END VIDEO CLIP)

WATTERS: I get it. Being a royal is tough. It might drive a man to drink or eat shrooms.

(BEGIN VIDEO CLIP)

UNKNOWN: You write in the book about psychedelic, ayahuasca, psilocybin, mushrooms.

UNKNOWN: You know, I would never recommend people to do this, recreationally. But doing it with the right people if you are suffering from a huge amount of loss, grief or trauma, then these things have a way of working as a medicine.

(END VIDEO CLIP)

WATTERS: I have a message for Har, stop talking. Less is more. Stop going on Oprah. stop going on 60 Minutes. Stop talking about your feelings to billions of people. It's not worth it to sell books. I mean, it's no, how- I-saved-the-world. I'm sure it's an OK read, but not worth it. Don't open this pandora's box.

Coming up. There's a new food pyramid out there, but do people really know what's in it?

(BEGIN VIDEO CLIP)

UNKNOWN: National Institute of Health says Lucky Charms are better than a steak.

UNKNOWN: That's a lie. That's a lie.

(END VIDEO CLIP)

(COMMERCIAL BREAK)

WATTERS: Now that Anthony Fauci is retired, he's going to have a lot more time on his hands, which is good, because his fancy San Francisco restaurant is in trouble and it needs his attention.

You remember the Jackson Fillmore's trattoria, right? Where we sent Steve Hilton over there to check it out.

(BEGIN VIDEO CLIP)

UNKNOWN: The menu. We've got lockdown lasagna, pizza Wuhan, triple Mark tiramisu. Let's just see what they've got going at the back here. Any bats in the freezer? Any monkeys here? Anything like that? Hamster cage fight? Let's have a look.

(END VIDEO CLIP)

WATTERS: Well, Fauci's Italian wet market may not have had bats or hamster fight clubs in the back, but a health inspector did find some unexpected guests. Fauci's restaurant was cited for a health code violation. Health inspectors found some kind of, quote, insect rodent birds or non-service animal on the premises. But it gets worse. Fauci's restaurant was flagged for inadequate hand washing facilities.

So, let me get this straight. The guy who told everybody to wash their hands, owns a restaurant that got cited for employees not washing their hands. I don't know about you, but it sounds like poppy was a little sloppy.

(BEGIN VIDEO CLIP)

UNKNOWN: Ah, Jerry. Tonight, you are in for a real treat. I'm personally going to prepare the dinner for you and my Audrey.

(LAUGHTER)

(END VIDEO CLIP)

WATTERS: Can you believe Fauci could be facing potential fines for violating government health regulations?

Last week, we told you about Tufts University new food pyramid, and we were shocked to learn that they rate Lucky Charms is healthier than steak. Didn't really sit right with us, so we hit the streets to find out what you thought about the new diet.

(BEGIN VIDEO CLIP)

UNKNOWN: How about that new food pyramid.

UNKNOWN: Food pyramid? What type of food pyramid?

UNKNOWN: What is a pyramid?

UNKNOWN: What can I say?

UNKNOWN: Won't you tell me what I ought to say?

UNKNOWN: National Institute of Health says Lucky Charms are better than a steak.

UNKNOWN: That's a lie. That's a lie. That's stupid.

UNKNOWN: Having sugar up that high on a food pyramid is just completely ridiculous.

UNKNOWN: Lucky Charms is just like sugar. It's not even a real cereal.

UNKNOWN: They're naturally delicious.

UNKNOWN: They're also trying to tell you that Frito chips are a better breakfast than whole wheat toast. How do you feel about that?

UNKNOWN: Who said that?

UNKNOWN: Why? Because it tastes better?

UNKNOWN: I don't like Fritos. I like toast.

(LAUGHTER)

UNKNOWN: They want to make us all fat and sick. And keep us on medicine.

UNKNOWN: That's big pharma for you.

UNKNOWN: You have no idea how damn -- darn hard I worked on that.

UNKNOWN: What did you have for breakfast this morning?

UNKNOWN: Whole wheat wrap with scramble eggs and spinach.

UNKNOWN: Banana.

UNKNOWN: They want you eating chocolate covered bananas.

UNKNOWN: I like chocolate, but not on my bananas.

UNKNOWN: What?

UNKNOWN: That didn't sound right. But not on my --

UNKNOWN: They want you to cut back on cheeseburgers, how do you feel about that?

UNKNOWN: Realistically, I should probably cut back on cheeseburgers.

UNKNOWN: None of this makes sense.

UNKNOWN: I don't care. I love cheeseburger.

UNKNOWN: It's just cheeseburger. You got the bacon on it. You got the lettuce, tomatoes, that's healthy.

UNKNOWN: Cheeseburger, paradise.

UNKNOWN: Are you going to adhere to these new guidelines?

UNKNOWN: No.

UNKNOWN: No.

UNKNOWN: I'll just do what my wife tells me to do.

UNKNOWN: Do you always do what your wife tells you to do.

UNKNOWN: Happy wife, happy life.

UNKNOWN: You're such a good boy.

UNKNOWN: Everything in moderation, dog.

UNKNOWN: All right, dog.

UNKNOWN: This is all coming from Dr. Fauci's little outfit. Now, he is the science, so this must be legit, right?

UNKNOWN: If he's saying that it's accurate, then he is accurate.

UNKNOWN: So, you're on your eighth shot, right? Booster shot?

UNKNOWN: Yeah.

UNKNOWN: He's kind of a kook, I think.

UNKNOWN: I don't think that guy don't know what he's saying, man.

UNKNOWN: I don't take him as being the science.

UNKNOWN: You're so misinformed, it's extraordinary.

UNKNOWN: What do you want to tell all these people that want to get involved in every aspect of your life?

UNKNOWN: Get out of town.

UNKNOWN: Get out of town. Get out of town.

UNKNOWN: Please leave me alone.

UNKNOWN: My body, my choice.

UNKNOWN: Screw you guys. You're not cutting me a check.

UNKNOWN: You don't owe me.

UNKNOWN: That's all I ask of you.

UNKNOWN: You're going to be on JESSE WATTERS PRIMETIME. What do you want to tell Jesse?

UNKNOWN: Stay away from the weirdos.

UNKNOWN: I like his show. I watch it all the time.

UNKNOWN: Hey, Jesse. Hey, Jesse.

(END VIDEO CLIP)

WATTERS: Now, we reached out to Tufts University safety school for comment, but haven't heard back. So, maybe you'll have better luck if the dean at Tufts school of nutrition of science a little call. His name, number and email are right there on your screen. Let them know what you think of this big food funded junk food pyramid where they tell you that Lucky Charms are healthier than lean chicken.

New thing I'm doing. Just started it today. Cold showers. There are health benefits and I'm talking ice-cold showers. Made me feel better. It's supposed to be reduced inflammation. There's a bunch of benefit. I don't have time to get into. But ice-cold showers. Highly recommend.

Let's do texts. It's Robin from Georgia. So, Biden heads to the border. The only day Melugin's not there. Awfully, convenient. I'm telling you. That was his number 1 demand.

Antonis from Bradford, Connecticut. Biden never looked so good standing next to Trump's big, beautiful border wall. The wall he defunded.

Angela or Angela, as they say, California. I don't need Joe Biden man- splaining the situation at the border to me, that's Kamala's job. Kamala is the best at man-splaining.

Steve from South Carolina. The customer at the taco place is not a vigilante. He was defending himself and others from possible death or serious bodily harm. It totally changed my mind. And that is the power of an attorney.

William from Highland Park, Illinois. The Chicago teachers should stick to interpretative dancing instead of teaching my kids pronouns. Yes, stop the grooming and the dancing and give some of the money back.

Bill from Massachusetts. Jesse, you're confused. In Chicago, HVAC actually stands for Hawaii Vacations are coming. Man, they took the money and then they gambled it away, literally.

Michael from Lombard, Illinois. I'm a former Democrat who switched parties this year, but considering going back to Democrat after watching your show. You're saying -- I don't like what you're saying.

Cameron or Cameron from Boston. I think Harry watched the toad-licking episode of PRIMETIME. I told you guys. Don't lock the toad. And that goes to British royalty.

That's all for tonight. Hopefully, you haven't been watching the Georgia TCU game and you've been watching JESSE WATTERS PRIMETIME. And don't watch the game either. Watch Tucker. Tucker's next. And always remember, I'm Watters, and this is my world. People have been saying I don't put enough spice on it. This is my world.

END

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Biden's Meaningless Box-Checking Exercise At Border; Biden Receive Pravda Style Coverage At Border; Still Not Worried About Biden's Cognitive Sta...

FOX: The Ingraham Angle

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January 10, 2023

Biden's Meaningless Box-Checking Exercise At Border; **Biden** Receive Pravda
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Biden's Meaningless Box-Checking Exercise At Border; **Biden** Receive Pravda Style Coverage At Border; Still Not Worried About **Biden's** Cognitive State?; 'Leave It To Buttigieg?'; **Biden's** Hollow 2024 Message; **Biden's** Econ Messaging Would Make Baghdad Bob Blush; Economic Bloodbath Ensues As **Biden** Touts 'Progress'; Americans Are United On One Thing: No More **Biden**; **Biden's** Theatrical Border Visit; **Biden** Admin Complains About Abbott's Border Policy; Prince Harry, Duke Of Sussex, Reveals Information About His Relationship With His Family In New Interview; Kevin McCarthy Elected House Speaker; Buffalo Bills Safety Damar Hamlin Recovering After On-Field Collapse; Pastor And Former NFL Player Discuss Prayer And Its Possible Connection To Healing And Recovery

SEAN HANNITY, FOX NEWS HOST: We'll have an audience full of GOP House members.

All right. In the meantime, for any news, anytime, anywhere, it's foxnews.com, hannity.com. In the meantime, let not your heart be troubled. Laura is next. And we will see you from Washington tomorrow.

LAURA INGRAHAM, FOX NEWS HOST: I'm Laura Ingraham. And this is THE INGRAHAM ANGLE from Washington tonight. "Run Joe Run," that's the focus of "Tonight's Angle."

All right, after millions of illegal aliens - stop calling the migrants, by the way, have rushed into our country, siphoning off our public services, Joe Biden was shamed into making a quick border trip to El Paso. Now the tour was highly choreographed and generally meaningless, kind of a Soviet style propaganda coup to show our dear leader in the best possible light.

(BEGIN VIDEO CLIP)

REP. JOAQUIN CASTRO (D-TX): And here you have Joe Biden going right there to the border to see what's going on. So I gave him a lot of credit for that.

EUGENE SCOTT, SENIOR POLITICS REPORTER, AXIOS. Visiting the border and making sure that conservatives in those areas know that he really is listening to their concerns about border security--

UNIDENTIFIED FEMALE: He does seem to be working directly on - directly on this issue, and--

MAYOR OSCAR LESSER (D) EL PASO, TEXAS: He's very aware of what's going on in the border. Coming down and seeing it with his own eyes really made a big difference and--

(END VIDEO CLIP)

INGRAHAM: Big difference, who needs comedy with these clowns? But he did do a heck of a job chatting up Salvation Army volunteers, or wait a second, where they found the secret service? Same difference.

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: Here we have folks from the Salvation Army.

UNIDENTIFIED MALE: I spent some time with the Secret Service in Poland and in Ukraine.

(END VIDEO CLIP)

INGRAHAM: OK. Now, if you're a Democrat, and you're still waving off concerns about Joe's age and declining cognition, then you're just in denial or maybe you know that although Biden is one fall away from the senior center lunchroom. He's still the sharpest knife in the Democrat drawer.

It's certainly not this woman, who stood like a Star Wars sentry behind Biden at that immigration speech last week. And it definitely, definitely is not Mayor Pete, starring in his own transportation sitcom known as leave it to Buttigieg.

(BEGIN VIDEO CLIP)

BRET BAIER, HOST SPECIAL REPORT, FOX NEWS CHANNEL: --DOT aware of Southwest Airlines antiquated system for scheduling prior to Christmas?

PETE BUTTIGIEG, UNITED STATES SECRETARY OF TRANSPORTATION: I don't run Southwest Airlines' IT system. So what we do--

(CROSSTALK)

BAIER: Understood. But I mean, you said back in the Late Show that you were confident that they'd be ready to service the tickets that they're selling.

BUTTIGIEG: And the airlines have made major improvements largely because we pressed them to do that.

(END VIDEO CLIP)

INGRAHAM: The bottom line is Biden's visit to the border was all theatrics, no substance. Now we threw a few bones to the enforcement crowd, but they do little to change the math. We're getting overrun. There were over 73,000 gotaways in November, the highest number on record.

November also saw the highest number of encounters at the border, over 233,000. And the total number of apprehensions and gotaways for 2022 surpassed 3.3 million. That's another record. But don't let these numbers make you fret, because team Biden wants you to know, they mean business now.

(BEGIN VIDEO CLIP)

JOE BIDEN, PRESIDENT OF THE UNITED STATES: My administration is taking several steps to stiffen enforcement for those who try to come without a legal right to stay. We're focused on cracking down on drug smuggling, which is a serious and deadly promise or, excuse me - problem

KARINE JEAN-PIERRE, WHITE HOUSE PRESS SECRETARY: We are doing everything that we can to secure the border and to deal with irregular migration. That is a priority for this administration since day one

(END VIDEO CLIP)

INGRAHAM: Irregular migration. Now that reminds me of when they told us that inflation was the transitory. It's all happy talk. No actual facts to back any of it up. You're to ask no questions, by the way, just believe the empty promises.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: President Camacho stood before the world and promised everyone that Joe would solve all their problems. He would not only end the Dust Bowl and heal the economy, but he would cure acne and car sicknesses as well.

(END VIDEO CLIP)

INGRAHAM: Well, remember, Joe promises that soon, you'll see and feel all the magic of his runaway spending, by the way, agreed to by key Senate Republicans. Biden is saying patience people.

(END VIDEO CLIP)

BIDEN: I know it's going to take time to implement our entire economic agenda which we already passed, and for folks to feel it in their day to day lives. But I think folks are going to see it in the next few months.

As tough as these times have been, if we look a little closer, we see bright spots all across the country. We're surely making progress. Things are getting better.

(END VIDEO CLIP)

INGRAHAM: Progress? Is that what he's calling it? Well, you'll be the judge. Here are some headlines. Americans retirement accounts are drying up as they're forced to dig into their savings and 401(K)s to pay the bills. And what about Americans who have no retirement accounts or regular savings? Well, they're paying more than 19 percent interest rates, because they're maxing out on their credit cards.

And if progress is measured in layoffs, Biden is doing a bang up job. At Goldman Sachs, it's a massive bloodbath they're calling it, where they're going to start axing 3,200 on Wednesday. And at Salesforce 8,000 staff will be shown the door, at Amazon more than 18,000. And remember Big Tech and the big banks all wanted **Biden**. Well, they got Bidennomics, didn't they?

And now that he's destroyed the economy, **Biden** is the Democrats' obvious 2024 choice. After bowing down to the fringe brainiacs and the pro-trans radicals, the **Biden** team is already trying a phony pivot to the middle. And this pivotal performance art was made possible in part by none other than Mitch McConnell.

(BEGIN VIDEO CLIP)

SEN. MITCH MCCONNELL (R-KY): It's not just this project, but the Infrastructure Bill - the Bipartisan Infrastructure Bill that the President signed, provides dramatic additional assistance over \$8 billion over the next five years

(END VIDEO CLIP)

INGRAHAM: Bring home the bacon. But real Americans are not impressed. And they don't want McConnell's friend to run again.

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: No, I don't think Biden should run again. He's too old and he's lost it and people have really lost respect for him.

UNIDENTIFIED MALE: I'm not sure he's going to be up for it physically or quite frankly, cognitively.

UNIDENTIFIED FEMALE: His approval rates are not good at all. They're very down. And I think that our country needs someone who unites all of us.

(END VIDEO CLIP)

INGRAHAM: Wait a second, is she actually saying that Biden as cookie cabinet, haven't united America? Well, it might be hard to unite us, I'm just kind of thinking this through, when they paint half the country as white supremacist and America as systemically racist. They try to act like they're still so devastated about January 6. But the truth is the Democrats have an intimate relationship with the Insurrection narrative. They're in love with the video and the photos of the chaos. It's sick, frankly.

So by all means, Run Joe Run, but no basement campaigning this time, no debates hosted by rank partisans, no domination of early voting, no hiding from skyrocketing fentanyl deaths, and no sidestepping questions about Hunter's gravy train in China, and its mystery art buyers, and certainly no avoiding responsibility for inflation, and a pessimistic nation. You're going to own all of it. And that's "The Angle."

Joining me now Mollie Hemingway Editor-in-Chief of the Federalist and a Fox News Contributor, and Stephen Miller, Founder of America First Legal and former Senior Adviser to President Trump.

Mollie, they're trying to paint Biden as this new kind of appealing figure to unite the country. Will it work?

MOLLIE HEMINGWAY, FOX NEWS CONTRIBUTOR: Well, you've got two different realities going on. You've got what everyone in America is experiencing, this horrible economy, a complete removal of our Southern border, foreign policy failures. Everyone knows those are happening. And yet, I do think you'll see people in the media trying to paper over those.

They essentially ran his initial campaign. Might be a little harder for them to do that now that they - he doesn't have the excuse of being in the basement, but I assume that they will try.

INGRAHAM: Now, Stephen, when you hear the Biden Administration say that the border has been their priority since day one. Explain to our audience how that might be true, but only for the illegals crossing the border? It's worked out for them pretty well.

STEPHEN MILLER, AMERICA FIRST LEGAL FOUNDER: Yes, it is absolutely true. Their priority has been the border. And that's how it is understood to mean to get illegal aliens from the other side of the border into our country and our cities.

As you know well, Laura, in 2020, we had under President Trump every single tool you could ever need or ever dream of to keep the illegal immigrants out of the country. We had title 42 expulsion authority. We had to remain in Mexico. We have Safe Third agreement is to ship so-called asylum seekers to foreign countries instead of our soil.

What did Biden do? He came into office, he turned off every single one of those tools, deliberately and purposefully, and ordered CBP to take illegal aliens from the Mexican side of the border into our country and resettle them across all 50 States.

INGRAHAM: Well, but Stephen, isn't he throw a few bones to the enforcement crowd with expansion of immediate expulsions to different countries. Didn't he do that?

MILLER: He's ending Title 42. Title 42 was being wound down. Only a Supreme Court order is keeping it in place. And what Biden is going to replace Title 42 with is even more catch and release. So every single alien that today is being removed, and it is a shrinking number under Title 42, the administration is preparing to shift into conventional catch and release settings. Show up. Get a court date. In seven years have the family, have so U.S. citizen children, see you never. Stay here for life.

INGRAHAM: And Mollie, during Biden's first and only trip to the border, his administration ended up just passing the buck.

(BEGIN VIDEO CLIP)

ALEJANDRO MAYORKAS, SECRETARY OF HOMELAND SECURITY: Abbott is not collaborating with the federal government on an issue that requires collaboration. We cannot have the rights and the needs of individuals who are seeking humanitarian relief in the United States be exploited for political purposes. We cannot have unilateral Governor action.

(END VIDEO CLIP)

INGRAHAM: Mollie, so Greg Abbott is the problem for actually trying to help his state that is being hammered by illegal immigration?

HEMINGWAY: What's amazing is you have very few governors who are actually trying to do something to deal with this crisis caused by the Biden Administration. And when they do things, they're fought tooth and nail by the Biden Administration, whether it was Governor Ducey in Arizona, who was trying to implement a makeshift border wall that was torn down by the Feds or any efforts that Governor Abbott or governor DeSantis make to kind of share some of the burden of these illegal border crossers. They are fought, again, and really gone after viciously by the Biden Administration.

This is a problem caused by this team beginning on day one, as Stephen said, and they're - you know, a visit to the border to pretend like it's fixed after years of doing what they did is not going to cut it.

INGRAHAM: But you heard the commentators today, Mollie, saying, well, this just shows you. This is what they always do. It's total sleight of hand. We don't enforce the border, so that means you need amnesty. Oh, sorry, comprehensive immigration reform. They immediately shifted that.

HEMINGWAY: That's been the game that has been played in this town for decades, unfortunately, helped along by people in both parties. But, yes, this is an intentional, willful degradation of our national sovereignty. And Mayorkas might try to pass the buck, but I do have a feeling that under the new Republican House, at least, he will not be finding it so easy.

INGRAHAM: Now, Stephen breaking earlier tonight, Attorney General Merrick Garland has assigned that the U.S. attorney in Chicago to review classified docs found at the Penn Biden Center for Diplomacy and Global Engagement in Washington. The FBI is also involved in the U.S. Attorney's inquiry. Now wasn't long ago that the Biden Administration was hitting the predecessor Donald Trump on this issue. What.

(BEGIN VIDEO CLIP)

SCOTT PELLEY: you saw the photograph of the top secret documents laid out on the floor at Mar-a-Lago, what did you think to yourself?

BIDEN: How that could possibly happen? How one - anyone could be that irresponsible? And I thought what data was in there that may compromise sources and methods. Just totally irresponsible.

(END VIDEO CLIP)

INGRAHAM: Stephen, do you think Biden is actually going to be held to the same level of scrutiny as Trump or does this push the possible Trump indictment about these documents off the table?

MILLER: Well, I can't speak for what a highly corrupt DOJ is going to do. But what I can say is that President Trump had absolute authority to declassify documents. You know, who does not have any such authority? The Vice President of the United States, so when Joe Biden left the administration, he had zero authority to declassify those documents, or take them with him, or store them in violation of federal law.

In a fair country, in a sane country, there will be real legal jeopardy for Joe **Biden** here. And you want to talk about special counsels, this is where you need a special counsel where the DOJ has a clear conflict of interest because, of course, they are close to **Biden**, is his DOJ. You need to appoint a special counsel to find out not only what's going on with these documents, but to look at every single residence, property and office under **Biden's** control to determine what other **classified documents** he has purl on in violation of federal law.

INGRAHAM: I mean, Mollie, this is so delicious on so many levels. I mean, they have spent weeks and weeks and weeks trying to destroy Trump over these documents.

HEMINGWAY: I mean, it's amazing, because first of all, paperwork disputes for former president are actually quite common. The idea that they needed to raid Mar-a-Lago and try to, you know, go leaking to the Washington Post- -

INGRAHAM: And accusing of treason, basically.

HEMINGWAY: Accusing him of things that they'd later revealed that they were not being truthful about, whether it was nuclear secrets or other things. That is absolutely unconscionable. This politicize DOJ is a massive problem and then for it to come and bite them now is delicious. You're right.

But Biden does have a history of not being very transparent with his papers, you know, again, during this campaign where the media ran everything. University of Delaware that houses some of his documents refused to release information, even though there were all sorts of open issues that needed to be looked at in those documents and he refused to allow them to be to be shared. And this is just really fascinating.

INGRAHAM: Now, Stephen, do you think the Republicans on the Hill - I'm about to interview Matt Gaetz and Lauren Boebert in a few moments, but do you think they're going to be able to get to the bottom of this, along with all of these others. We still don't know who's buying Hunter Biden's paintings for hundreds of thousands of dollars to that blow art stuff he does.

MILLER: We just see more subpoenas coming out of the new Republican House, and I'm confident that we will then have ever been issued before in all of the previous congresses combined. We need to find out every single classified document that Biden has, and let the Department of Justice now go to court and certainly decide, oh, wait, you can't enforce these subpoenas, oh, wait, they don't have the force of law. After arguing the exact opposite for two straight years. Let them go after people's tax returns.

INGRAHAM: Wait would you --?

MILLER: Let them get tax returns of Democrat donors and Democrat funders and Democrat politicians.

INGRAHAM: Are you saying there's a double standard for Democrats and Republicans? My God! How could you possibly think that? Mollie and Stephen, great to see both of you tonight. Thanks so much.

All right. As I said, representatives, Matt Gaetz and Lauren Boebert are here next exclusively on the concessions that finally pushed them to stand down on Kevin McCarthy speakership. And where does all goes from here, especially with the Pentagon budget? Stay with us.

(COMMERCIAL BREAK)

UNIDENTIFIED MALE: Now that there's a House Republican majority that is going to be a complete chaotic mess for two years. It is the greatest thing to happen to Joe Biden,

CHUCK TODD, MSNBC HOST: The Republican Party has had an identity crisis. It can't seem to agree on a vision of what they're for. To be clear, this interparty debate is the cause of the lion's share of so called Washington dysfunction.

UNIDENTIFIED FEMALE: I saw thugs at work. I saw this uncivilized nature--

(END VIDEO CLIP)

INGRAHAM: Uncivilized. You see, everyone has to agree in Washington with the Left, otherwise, it's chaotic. The world is going to come to an end. Well, let me just say, these folks are so out to lunch, they don't represent the views of the people, I think in either Left or Right. The establishment has blown so many opportunities. And Washington has been, frankly, ripping off the American people now for years.

It's language used to describe among others my next two guests, both instrumental and gaining concessions from newly minted speaker Kevin McCarthy. Joining us now Florida Congressman Matt Gaetz, Colorado Congresswoman Lauren Boebert. Great to see both of you.

Congressman Gaetz, how confident are you that the concessions that you guys ended up winning are enforceable, and you can hold on to them for these next two years?

REP. MATT GAETZ (R-FL): Well, just moments ago, we passed the rules for the 118th. Congress and those included the enforcement mechanism of the one member motion to vacate. Now, I don't anticipate that we'll ever have to use that. But it gives us the opportunity to ensure that our goals regarding policy, procedure and personnel are met.

We're going to have votes on term limits, balanced budgets, internal enforcement of our immigration laws, none of those things would have happened if we had caved on Monday. But by getting these concessions and coming to a stronger place, the House is in a stronger position.

INGRAHAM: Now here's how the Democrats are responding to the rules package just passed moments ago.

(BEGIN VIDEO CLIP)

JIM MCGOVERN (D-MA), RANKING MEMBER, HOUSE COMMITTEE ON RULES: These rules are not a serious attempt at governing. They're essentially a ransom note to America from the extreme Right. You're still empowering the extremists.

Don't take my word for it. Let's go through their rules package. They're giving a single member the ability to remove the Speaker at any time, letting a small fire Right faction hold their leadership hostage.

(END VIDEO CLIP)

INGRAHAM: Congresswoman, it's all your fault.

REP. LAUREN BOEBERT (R-CO): Apparently, that's usually what the Democrats like to say. But this empowers every individual member of Congress, even the Democrats. That single member motion to vacate is for them as well. These single subject legislation pieces that we're going to see, this is something that we have in 47 state legislatures. To have it on a federal level is massive.

So I'm proud that we took a few extra days to make sure that we get this right. It may look like chaos and dysfunction. But I'm a mom of four boys, that's a part of my everyday life. And really, last week was the most productive week I have experienced in Congress.

INGRAHAM: People who really saw behind the curtain of what happens in Washington stuff that, you know, I've been railing against for 20 plus years - 25 years, these omnibus spending bills, nobody knows what's in them. It's just junk and the kitchen sink thrown in, things that congressmen and senators don't want to be held accountable for. So you can't say you voted against border enforcement. What they say Congressman Gaetz is, oh, no, I just voted to keep the government open. That's essentially what they do. Correct?

GAETZ: Well, in the whole some of this movement was to ensure that never again would be - we'd be forced to take a vote on something like this omnibus legislation. And I actually think this will make Kevin McCarthy stronger as a speaker, because in negotiating with the Senate, he'll be able to say, I'm sorry, the house rules don't allow us to consider things that aren't germane or that don't comport to a single subject.

INGRAHAM: Yes, make it better. Now, the issue of defense spending, I brought this up several times last week, that's always treated as the sacred cow. You can never touch defense spending no matter how woke the Pentagon is, no matter how much scrutiny the Pentagon needs for its failures. We all support our men and women in uniform. But the idea that 55 percent of our discretionary budget can't be touched, those numbers don't add up with the cuts that you all want. Correct? Unless you guys ultimately start thinking about cutting parts of the Military?

BOEBERT: We're certainly going to have to look at a number of things to get this budget--

INGRAHAM: What's the number of things? You can't get away with that on our show.

BOEBERT: Oh, no, no--

INGRAHAM: What number of things?

BOEBERT: Many things that we're going to look at - the defense is--

INGRAHAM: That's the biggest number, isn't it?

BOEBERT: It is. That is absolutely one of them. And we have a lot of defense hawks in the House of Representatives that are probably going to put up a fight for that. But we have to have a budget that actually balances, and that's what this rule is put forward.

INGRAHAM: Congressman Gaetz on that. That's - the defense issue, the hawks in the Republican Party, and some of the Democrat Party are saying no, no, no, no, no, you can't touch that. I heard the comments even tonight. You can't touch the defense, you're being irresponsible with national security. The Wall Street Journal had a very powerful piece today, national security is at risk with what you guys did.

GAETZ: I represent a district that has the highest concentration of active duty Military in the country and we can defend this country and project power more efficiently and more effectively than we do.

President Trump was the first president to demand an audit of the Pentagon and they couldn't pass it.

INGRAHAM: He didn't cut defense--

GAETZ: Well, we got an audit so we show where they failed to actually deliver on some of the authorities. And how about we start with Ukraine? Before we reduce - before we reduce--

INGRAHAM: Oh, my God! Don't even get me started on Ukraine.

GAETZ: --what we do for our troops, I think it's pretty - it's a pretty easy case to make that some of this money that we send to Ukraine without requisite accountability should be the first place for reduction.

INGRAHAM: All right. We got to play this video. This was the real dramatic video on Friday night. So we were live 10:00 to 11:00 and all this stuff was happening in hour and minutes after we got off the air. It's one of the most talked about moments. McCarthy comes over toward you. You see it gets. Lauren is that - you're right next--

GAETZ: Yes.

INGRAHAM: Yes. There's - there are you. Now Fox News reported that you appeared to mouth the word committee during this exchange. I guess we had a lip reader. Congressman, the world wants to know what was said here. Come on. This is a pivotal moment, what was said?

GAETZ: Well, this was a matter of timing. And those of us who had withheld our support for Speaker McCarthy wanted to move as a group. We thought it could be a unifying moment. I'm glad, that to Speaker McCarthy's great credit in the final moments, he made the requisite concessions to bring our team together and put us in a great position to do what we did tonight, vote to get rid of 87,000 IRS agents.

So I think that, you know, the imperial speakership is over. Nancy Pelosi will be the last Imperial speaker, because now we're going to unlock the potential in all the members and I'm glad that speaker McCarthy saw it that way.

INGRAHAM: Now, I also saw that you both were talking to various Democrats during the process. And you especially were talking to Congressman, Congresswoman Jayapal and others. Was there any thought of a deal with Democrats during this process ever?

GAETZ: Absolutely not. I was actually--

INGRAHAM: You looked pretty cozy talking to the Democrat. Nothing wrong with that. I mean, they are fun people, just like Republican.

GAETZ: You want to know what I was talking with Congresswoman Jayapal about, it was about the Big Tech legislation that I supported with her to break up these companies. And we were talking about during Republican control could we get those bills to the floor that Nancy Pelosi wouldn't bring to the floor, while her husband was trading Big Tech stocks.

INGRAHAM: Could you could you work with some people on the Left on some of these issues, Congresswoman Boebert? Because, you know, you guys are vilified.

BOEBERT: Right.

INGRAHAM: You know, people were tough on you last week. I was kind of tough on you last week. But there are a lot of great things that were done, because of what you guys did to hold out on this stuff. So could you guys work together?

BOEBERT: I believe that the Congress is going to be much stronger than it was going into this Republican Party. And we will be able to work with some Democrats.

INGRAHAM: Good.

BOEBERT: There were many Democrats who campaigned on conservative values and I want to hold them to it. They were talking about securing a border and reducing inflation and energy independence even, and this was a battle in a lot of elections that we were seeing. So I want to hold them to that - to those promises, and bring them into the committees and have these discussions to actually move things forward--

INGRAHAM: That would be ironic--

BOEBERT: --and get America back on track.

INGRAHAM: Yes. That'd be ironic - ironic, if it were more bipartisan as a result of all this.

BOEBERT: Right.

INGRAHAM: We'll see. Congressman Gaetz, Congresswoman Boebert, thank you both for showing up tonight.

BOEBERT: Thank you.

INGRAHAM: We really appreciate it. And "The Angle's" got an inside scoop on what Prince Harry is doing next as he desperately tries to sell that new snoozer of a book. Raymond Arroyo has all the details. "Seen and Unseen," is next, so stay there.

(COMMERCIAL BREAK)

INGRAHAM: It's time for our "Seen and Unseen" segment where we explore the cultural stories of the day. And for that we turn to FOX News contributor Raymond Arroyo. All right, Raymond, Prince Harry really doing the media blitz, isn't he? He's on like farm update. He's on every single show.

RAYMOND ARROYO, FOX NEWS CONTRIBUTOR: Laura, he's on everything. The problem is, they are only so many ways to claim victim status and trash your family, whether you are sitting opposite Michael Strahan or Anderson Cooper. It's the same routine -- the royals use the racist British media to attack Meghan Markle.

(BEGIN VIDEO CLIP)

HARRY, DUKE OF SUSSEX: The fact that she was American, an actress, divorced, black, biracial with a black mother.

My wife is not visibly black, but that's who she is. The way that they speak about her and the way that they treat her is incredibly relatable to everybody else of color.

What has happened to my wife and what has happened to us happens to so many people on a daily basis because of the British press, because of the racism.

(END VIDEO CLIP)

ARROYO: Laura, at what point does this story lose its traction? He rolled it out with Oprah, the Netflix three-part documentary, the book, all these high-profile interviews. This is like his personal miniseries, the lord of the slings. He never stops or shouts out.

INGRAHAM: he just seems, I don't want to say anything uncharitable, but he seems rather weak in these interviews. He just does not seem like his -- I don't know, you think Prince Harry, like he is going to be, he had the uniform, and he was dashing. And he just seems to be rather weak in these interviews.

ARROYO: And now having repeated himself in front of the major networks, Laura, Harry will have to go to other outlets to continue peddling this story of woe. There's always "Judge Judy," I guess, though she is not much for pity, Laura. Harry should know that. Or perhaps he could try "The Wheel of Fortune." I would like to buy a "un" and a "grateful," Pat. Then I guess there's always the Weather Channel. The Sussexes could air their grievances as bleak weather systems moving across the country, the perfect backdrop for their stories.

INGRAHAM: But they won't give up their title, Raymond, because what's the point? Never going to give up the title.

ARROYO: Oh, no. They lose that, they lose the game.

INGRAHAM: All right, on a brighter note, we covered Kevin McCarthy's election as speaker Friday night, but for those who did not stay up, Minority Leader Hakeem Jeffries delivered a rather bizarre partisan speech.

ARROYO: Yes, it was a sort of a spiteful freestyle, Laura, in alphabetical order, and yes, he ran through all 26 letters of the alphabet.

(BEGIN VIDEO CLIP)

REP. HAKEEM JEFFRIES, (D-NY) HOUSE DEMOCRATIC CAUCUS CHAIR: House Democrats will always put American values over autocracy, benevolence over bigotry -- freedom over fascism, governing over gaslighting -- maturity over Mar-a-Lago, normalcy over negativity --

ARROYO: Laura, this was bromides over brainpower, linguistics over laptops, rhyme over reason. When I heard this, I thought somebody has been watching too many YouTube clips of that youth poet laureate Amanda Gorman. Remember her?

(BEGIN VIDEO CLIP)

AMANDA GORMAN, POET: The depths of death, despair, and disparity, atrocities across cities, towns, and countries, lives lost, climactic cost.

(END VIDEO CLIP)

INGRAHAM: I never --

ARROYO: What do you say about that?

INGRAHAM: I don't --

(LAUGHTER)

INGRAHAM: He was trying to do kind of a -- it was a kind of a hip-hop kind of ode to Reverend Wright, but it wasn't that spiteful. It was an odd, and he kind of hopped when he said it, there was a hop every now and then. It was --

ARROYO: And she has a better pattern than he did. At least she keeps in a meter. He kind of breaks it up. But this was syntax without substance leaving the audience speechless. No matter what you say, Laura, Representative Bennie Thompson claims Leader Jefferies speech was the best he has ever heard. Now, I think he needs to get out a little bit more often, but there you go.

Before we go, I need you to hear this reaction to this story out of Louisiana. The legislature here has passed a porn law requiring age verification to access any site with 33.3 percent of pornographic content. Now, some porn stars are upset, amazingly. One tells OutKick, "This Louisiana law doesn't really care about protecting. It cares about penalizing porn companies." Another says, "I personally do not foresee this as anything more than an invasion of one's privacy." I guess she means a child's privacy. I don't know what she is talking about.

INGRAHAM: The entire Pornhub, existence of Pornhub, I mean, I have no words for this. I mean, they're -- they're disgusting.

ARROYO: I think it's the least we can do to protect children. We card kids at a bar. Why wouldn't you card them going onto these porn sites?

INGRAHAM: We're worried about the privacy of whom?

ARROYO: Yes.

INGRAHAM: Privacy of people -- so you want to go onto Pornhub, but you don't want to have to show your I.D.? Too bad, tough cookies, that's what I say, or OnlyFans.

ARROYO: I agree. In the name of protecting children, do it.

INGRAHAM: Yes. Louisiana is where all of the stories, you always happen to have a Louisiana story -- you had the horrible car theft story last week. You always have some wild tale --

ARROYO: Well.

ARROYO: Yes, it is always a gumbo of stories.

ARROYO: I haven't even told you about a slew of carjackings and break-ins and murders over the weekend. Maybe we'll get to that on Wednesday. Bring your Kevlar.

INGRAHAM: Maybe we will. Raymond, thanks for that Harry update too. It was very hairy.

All right, the remarkable recovery of Buffalo Bills safety Damar Hamlin took another miraculous turn today. The details and a discussion on the power of prayer next.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: Damar Hamlin has been released and returned to Buffalo. Damar Hamlin has met a number of key milestones on his journey to recovery. I'm thrilled to where he is today. He's up. He's walking around. He's got an amazing, genuine sense of humor.

(END VIDEO CLIP)

INGRAHAM: A week after that horrific on-field cardiac injury suffered by the Buffalo Bills safety Damar Hamlin, he continues to make extraordinary progress, it's unbelievable. He flew back to Buffalo today to be closer to home and continue to receive hospital care. Is his stunning progress solely the result of this amazing care he received on and off the field? Well, Americans of faith are convinced that the power of prayer had an enormous positive effect on Hamlin as well.

(BEGIN VIDEO CLIP)

TROY VINCENT, NFL EXECUTIVE VICE PRESIDENT OF FOOTBALL OPERATIONS: I think that we all have to recognize the power of prayer from our coaches, players, the staffs, and the fans that was in that stadium, and the people watching from around the world. There is power in prayer.

UNIDENTIFIED FEMALE: We cannot let up. We all have to continue to pray, continue to pray, continue to pray and galvanize together, because the power of prayer is real.

UNIDENTIFIED MALE: This is remarkable. This is God's work. This is remarkable.

(END VIDEO CLIP)

INGRAHAM: Millions bowed their heads for Hamlin's recovery, including the moving prayer services in both Buffalo and Cincinnati.

(BEGIN VIDEO CLIP)

BRIAN TOME, PASTOR OF CROSSROADS CHURCH: We can't participate in the medical process, the science process, but we can participate in prayer. Prayer is when we go to God, and we ask him to do something that we can't do.

Every time somebody is hurt, it's a sign that our world is broken, and we want to pray that God does something to intervene.

(END VIDEO CLIP)

INGRAHAM: Joining us now is the man you just saw, Brian Tome, pastor at Crossroads Churches, by the way, is the fourth largest church in the United States. Also with me as Michel Faulkner, former NFL player and pastor at the Victory Church. Pastor Tome, let's start with you. Now, I watched your entire vigil on the plane today --

BRIAN TOME, PASTOR OF CROSSROADS CHURCH: Wow. How spiritual you are.

INGRAHAM: The entire thing, OK. I was riveted by it. And I was, I have been so, like so many Americans, so upset about what I saw on Monday night. But I was so heartened to see so many people finally recognizing the true power of faith, community, and prayer. Have you felt the same thing in the last few days?

TOME: I completely have, Laura. I don't think America has changed in this regard. I just think the narrative has changed where people who say, well, OK, you can diss me for my prayer or you can say other things that are sort of anti-my convictions. Fine. I will let you get along with that. But when the rubber meets the road, the majority of Americans have a spiritual bone in their body and lean to prayer. We don't always have the same God, but we are leaning there. And I think that's exactly what we are seeing right now is there's an overwhelming number of data points that says this is what the average person in American does when things aren't going well.

INGRAHAM: And Pastor Faulkner, I want to play something from the Buffalo Bills head coach Sean McDermott, who is specifically addressing the role of faith in Damar's recovery. Watch this.

(BEGIN VIDEO CLIP)

SEAN MCDERMOTT, BUFFALO BILLS HEAD COACH: The amount of faith, hope, and love that we saw on display over the last three days has been nothing short of amazing. And just as important as anything is glory to God for his keeping Damar and his family in the palm of his hand over the last couple of days, and his healing powers.

(END VIDEO CLIP)

INGRAHAM: Pastor Faulkner, to see these giant men, and of course the coach, all the coaches react so emotionally on Monday, and to see the outpouring of prayer that was not mocked as it often is in the popular media, how important of an inflection point could this be perhaps in American society?

MICHEL FAULKNER, FORMER NFL PLAYER: Well, I think it is a very important inflection point, and as the pastor said, whenever America, whenever we have one of these unexplainable catastrophic moments, most of us turn to God. I remember 9/11 in New York City, when we prayed, we literally did pray. When we came to city hall, we prayed. And so at crucial times in America, we have prayed. But on this account, it is a football player, it is a sport accident, but Damar is such a wonderful individual. And as his story is being revealed, more and more people are joining in prayer for his recovery. It is a significant moment in which God uses to bring people into his presence.

And that's what God wants. God wants us to know that he is good. He wants us to know that he loves us. God wants us to be in his presence. And this horrible situation was an opportunity for people to join into God's presence and to hear him say I love you.

INGRAHAM: And Pastor Tome, I was so struck by -- I completely concur. And I was so struck, both of you, in reading about Damar Hamlin's life, and his father was in prison, incarcerated on a drug charge. His mother worked two jobs in a cleaning service that he helped in as well, often working until midnight, then going to play and go to school the next day. And yet the entire time he said that suffering, being without his father and working so hard, that suffering made him the young man he turned out to be. And he didn't get into gangs and he didn't get into drugs and he didn't into trouble. And his faith and his family were at the anchor of that.

TOME: Yes. Here is a guy who has had massive problems come his way. He's had massive problems come his way. When you are a person of faith and you have a relationship with God, your problems don't go away. They don't. The prosperity, health, and wealth gospel likes to tell us, if you give more money, your problems are going to go away. No, that's not true. Jesus never tells us we're going to have an easy life. In fact, he says in this life you will have trouble.

So when you have that perspective from the Bible, when you have problems, you don't inherently doubt God. You instead lean on God to get through your problems. So Damar has probably been exercising that faith or that muscle for the last 24 years or so, and now it came into being where it is right and his family right around him.

INGRAHAM: And Pastor Faulkner, just -- go ahead. You go ahead.

FAULKNER: I played briefly with the New York Jets, and there was a player, Dennis Long (ph), I guess about maybe 20 years ago that had a catastrophic neck injury, and he was not supposed to walk, and I remember, I was not playing then, but I was part of the chaplain's corps and joined Dennis at the hospital. And I can tell you, the outpouring of prayer, the outpouring of faith. And Dennis's faith, he always believed that he was going to walk out of that hospital. And nobody gave him a chance. And he walked out of that hospital eight months later. Prayer works. God loves. And God is using Damar has a wonderful, wonderful opportunity to bring people into his love and to bring people into that wonderful circle of prayer and belief and faith.

INGRAHAM: I think this is so positive in a world that is so broken. And Pastor Tome and Pastor Faulkner, I really appreciate both of you and everything that you do on a daily basis to stand up for the truth. Thank you both very much.

FAULKNER: You are so very welcome.

TOME: Thanks for having us on, Laura.

INGRAHAM: A new Grimm fairy tale, the prince and the pot. The Last Bite explains.

(COMMERCIAL BREAK)

INGRAHAM: While Prince Harry has been out pushing his book, we learned he's kind of adopted or advocated a new type of therapy.

(BEGIN VIDEO CLIP)

ANDERSON COOPER, CNN ANCHOR: You write in the book about psychedelics, ayahuasca, psilocybin mushrooms.

HARRY, DUKE OF SUSSEX: I would never recommend people to do this recreationally. But doing it with the right people if you are suffering from a huge amount of loss, grief, or trauma, then these things have a way of working as a medicine.

(END VIDEO CLIP)

INGRAHAM: A medicine? Maybe the spare can star in a new Cheech and Chong reboot as part of his Netflix deal.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: Am I driving OK?

UNIDENTIFIED MALE: I think we're parked, man.

(END VIDEO CLIP)

INGRAHAM: They are far more interesting than Meghan and Harry.

That's it for us tonight. The psychedelics. Thanks for watching. Remember, it's America now and forever. And "GUTFELD!" is next.

END

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Biden Utopia Means Mass Poverty And Social Unrest; Unrest Continues In Brazil After Election; VP **Biden** Was Hoarding **Classified Documents** At An Of...

Biden Utopia Means Mass Poverty And Social Unrest; Unrest Continues In Brazil After Election; VP **Biden** Was Hoarding **Classified Documents** At An Office; White House Pressured Big Tech To Censor Show; E-mails Reveal How The **Biden** White House Likes To Hound Facebook Into Censoring Content; Berenson: Released Twitter Files Show Scott Gottlieb Worked To Suppress Vaccine Hesitancy; **Biden** Administration Considers Banning Gas Stoves; Interview With Rep. Marjorie Taylor Greene (R-GA); El Paso Native: **Biden's** Visit Was Photo-Op.

JESSE WATTERS, FOX NEWS CHANNEL HOST: And don't watch the game either watch Tucker.

Tucker's next, and always remember, I'm Watters and this is my world.

People have been saying I haven't put enough spice on it. This is my world.

TUCKER CARLSON, FOX NEWS CHANNEL HOST: Good evening, and welcome to TUCKER CARLSON TONIGHT. Happy Monday.

It's funny how huge history altering events can take place in this country and around the world and most people seem to have no idea they happened. It's not that Americans are stupid, it is that our media outlets often under direct pressure from the US government suppress those stories, the stories that matter.

The effect of this arrangement, and by the way, it's the intended effect is to leave the population of the United States dangerously ignorant on questions that affect their lives. At this point, you have to wonder if the average say New Yorker is really better informed than a factory worker in Pyongyang, North Korea? Probably not. Both had been effectively blindfolded by information monopolies.

And if you doubt that's true, ask your neighbors who is winning the war in Ukraine. And of course they will tell you that Ukraine is winning. Duh. That's what I've seen on "The Today Show" every morning for the past 11 months, and not just on "The Today Show," but in virtually every media outlet in America apart from Colonel Doug Macgregor's appearances on this show, for which he has, needless to say, been condemned as an agent of Putin. But he is pretty much alone. Here's the version that most Americans see.

(BEGIN VIDEO CLIP)

ANDREA MITCHELL, MSNBC: Mr. Zelenskyy describe the time as the beginning of the end of the war. Does he have that right?

BARRY MCCAFFREY, DEFENSE CONTRACTOR: Well, I think it's clear that Ukraine is winning.

MICHAEL MCFaul, FORMER US AMBASSADOR TO RUSSIA: The Ukrainians are on the offensive. They're winning this war right now. Why would you want to stop supporting the Ukrainians when they are winning on the battlefield?

UNIDENTIFIED MALE: Ukraine is winning but they haven't won and Russia is losing but they have not lost.

HILLARY CLINTON, FORMER US SECRETARY OF STATE: Right now, I think it's fair to say Ukraine has the upper hand. Ukraine is winning its war, thanks to the enormous support we and others have provided, and we need to keep the pressure on Putin.

(END VIDEO CLIP)

CARLSON: Well, that was just last month. "I think it's clear that Ukraine is winning," says defense contractor, Barry McCaffrey with what sounds like hard earned authority. "Ukraine is winning" says Michael McFaul of Stanford University. "Ukraine is winning" says Hillary Clinton. Ukraine is winning proclaimed the entire American media establishment, and anyone who suggests otherwise must be working for Russia. That's what they've been telling you relentlessly because they want you to think we're on the winning team, and most Americans believe them because how could they know otherwise? They don't have sources in Ukraine.

So you can imagine the shock that "Washington Post" readers must have experienced this weekend when they read the op-ed by Robert Gates and Condoleezza Rice.

Now, if you're trying to locate the two most thoroughly discredited figures in the American foreign policy establishment, you'd probably pick Bob Gates and Condi Rice, because few have done more to weaken this country.

But again, most Americans don't know that because the media would never say that, ever, because Gates and Rice are paid up members of the club. And Gates and Rice want you to know in their op-ed in "The Post," That Ukraine is losing badly. In fact, they write, "Unless the US continues to prop up Ukraine's military and economy forever and fight Russia directly, that country will collapse and Putin could invade Malibu." Here we're quoting directly.

"Ukraine's economy is in a shambles. Millions of its people have fled. Its infrastructure is being destroyed, and much of its mineral wealth, industrial capacity and considerable agricultural land are under Russian control. Ukraine's military capability and economy are now entirely dependent on lifelines from the West, primarily the United States."

Wait. What? Isn't that the opposite, the direct opposite of what you just saw, of what they've been telling all of us until say last week? Indeed, it is the opposite. Shouldn't we have known these facts before Mitch McConnell signed off on yet another multibillion dollar aid package to Zelenskyy and his wife? Yep, we should have known, but there was no way to know because the media wouldn't tell us and they wouldn't tell us because they are controlled.

And Ukraine is not the only war they have been lying about. How about Mexico? There is a full blown Civil War underway tonight a hundred yards from San Diego. The Mexican government has lost control of parts of its own country to the armies of the drug cartels, which are now powerful enough to threaten commercial air travel in Mexico.

At least 150,000 people have died in this war so far. How many is that? Well, that's more than twice the number of deaths that the US suffered during the entire Vietnam War. Did you know that? You probably didn't because our media never mention it.

But here's video from Mexico shot in just the past few days.

[VIDEO CLIP PLAYS]

CARLSON: So that is Mexico. Keep in mind, we share a nearly 2,000-mile long border with the country you just saw. So you don't have to be Robert Gates for Barry McCaffrey or some other august foreign policy Mandarin to wonder if that's happening there right now, why won't it spill over into the United States?

And of course, needless to say, it will spill over into the United States. And why wouldn't it? There is no border left?

Shouldn't Americans know that? Yes, they should. But most have no idea because the media won't tell them.

Joe Biden, the President of the United States went to the border yesterday and there was no mention of the Civil War right across the river. That's such as weird, it is scary, and it is just the beginning of the deception from your media.

Ending the use of fossil fuels is the number one domestic priority of the Democratic Party and of the White House that leads that party. So how is this new green utopia going to work exactly? We don't have to guess at that, it is already happening in Europe and the result has been, let's see, mass poverty and social unrest.

Within the last week, there have been enormous protests in Paris, the capital of Europe, against a government that cares more about global warming theology than about the lives of its children. Did you know that? Did you have any idea? You probably didn't.

Here is what it looks like.

[VIDEO CLIP PLAYS]

CARLSON: That seems like a big story, right? And yet, in our media landscape, that story effectively doesn't exist. So if you want details about what is currently happening in Paris, you're going to have to track down an English language Turkish news site called Anadolu. And in that site, you will read a story in which a Turkish reporter interviews one of the protesters who puts it this way, and we're: "We went out today for the sake of all the French who are dying of hunger, because of the high prices they can no longer afford."

Well, that's kind of a big story. People going hungry in Paris? Well, yes. Energy prices in France are at an all-time high thanks to climate policy and that means people can't buy food. Shouldn't you know that? Might that be relevant to you? But you don't know it because the Biden administration and the media don't want you to know.

The Biden administration is busy spending your tax dollars, trying to replicate the disaster you just saw in France, here and around the world, and most people have no idea it is even happening. And that's by design, because our media are controlled.

And if you still don't believe that, if you don't believe that what you see and read from our news outlets is fake, consider what is happening tonight in Brazil.

So thanks to what was very clearly a rigged election, a convicted criminal called Lula de Silva is now the President of the most important country in South America. Millions of people in Brazil understand exactly what happened. They know that their democracy has been hijacked, possibly forever.

But there's not much they can do about that. Lula may be a criminal, in fact, he is but he has the full support of both the Biden administration and the Chinese government.

So yesterday in frustration, a group of Brazilian protesters swarmed their legislature. Watch.

[VIDEO CLIP PLAYS]

CARLSON: Now, you may actually have seen some of that video in the United States over the last couple of days and you saw it because it has political uses. What's happened in Brazil is being likened to January 6th, and of course, populist leaders in this country are being blamed for it. Oh, was Trump and Steve Bannon who did it.

That's not true, but even if it were true, it would be just the tail end of the story. It would be the result of something that happened before.

So the obvious question is why are protesters in Brazil so angry? Well, they're angry because the new Lula government has eliminated their most basic civil liberties. Lula is working to turn Brazil into a Chinese style dictatorship and he is doing it very quickly with maximum aggression.

And our media don't want to talk about that. They refuse to. Why? Well, for reasons that should make you very nervous.

Matt Tyrmand has been covering the story anyway, virtually alone among American reporters. He's done some extraordinary reporting. He has some extraordinary details for us tonight.

He joins us now.

Matt, thank you so much for coming on. So simple question. Why are the protesters in Brazil so angry?

MATT TYRMAND, JOURNALIST: Well, you hit the nail on the head. They have this hard fought Constitutional Republic and strong robust democracy, or do they? Lula was, as you correctly stated, a convicted felon 19 Judges, 12 charges, 12 year sentence and released by a Supreme Court Justice Alexandre de Moraes and his team of fellow traveling Supreme Court Justices to enter into this election, and then this election had no transparency.

So the protesters who protested for the last 70 days peacefully, no arson, no violence, just wanted an evidence proof that this was an honest election. They did not get it. They have stayed by the military, begging the military to adjudicate the separate of powers dispute.

Now it turns out as the plot usually does thicken in these situations, that there were many an agent provocateur yesterday at these buildings and doing incredible gross damage breaking windows and such, and it looks like this is turning into a Reichstag fire and being used to clamp down on these democratic protests.

The protests are no more. The camps have been disbanded by executive and judicial mandate and fiat, and now they've set up a concentration camp where 1,200 Brazilian citizens are locked in the gymnasium and grounds of the Federal Police Training Center in Brasilia, and it has just been reported that two of them have died. There is no water, no food, no bathrooms.

Brazilian countrymen of this government are being treated in worse circumstances than the Geneva Convention allows for foreign combatants. It is absolutely gross and even more gross is we just found out according to a high-ranking influential Senator Marcos do Val released documents that prove the Justice Minister, Flavio Dino knew about it the day before that there would be violence potentially and even the setup for violence and Lula knew as well. They did not cordon off the buildings. It looks like there are even more similarities with our own.

CARLSON: I'm recognizing the template here, but just to zero it out. So the country is becoming a dictatorship, and the State Department and all the celebrities, Mark Ruffalo and the rest who supported this criminal, Lula are saying nothing, and they're continuing to support it as he eliminates civil liberties?

TYRMAND: That is absolutely correct. There is nothing, but, frame it as Bannon-Trump-Bolsonaro plotted a coup from Florida, which there is no facts that back that up even remotely.

CARLSON: Yes. Matthew Tyrmand, I appreciate your report tonight. Thank you so much.

TYRMAND: Thank you.

CARLSON: So as we said, the sporadic fighting in Mexico which has been ongoing since at least 2006, really, at this point can only be described as a Civil War and it is intensifying. It has massive implications for the United States.

FOX's Bill Melugin has been on top of it for quite some time now. He joins us tonight. Bill, what's happening would you say Mexico at the moment?

BILL MELUGIN, FOX NEWS CHANNEL NATIONAL CORRESPONDENT: Tucker, good evening to you.

It has calmed down a little bit now, but what happened south of our border just a few days ago really looked more reminiscent of scenes from the Iraq War because we're talking the Mexican military and the Sinaloa Cartel engaged in all out combat all-out war.

Take a look at this video showing a Mexican military helicopter firing down on Sinaloa Cartel positions in the Mexican city of Culiacan. You can hear that machine gun firing, you can see those tracers in the night as the Mexican government was running an operation that ended with the successful capture of Ovidio Guzman, that's the son of notorious Sinaloa Cartel kingpin, El Chapo.

Now the Mexican government says they had to call in these Blackhawk helicopters to attack a convoy of 25 cartel vehicles, including truck mounted cartel gun platforms.

Now as you can imagine, that operation stirred up an absolute hornet's nest with the cartel. This video here shows Sinaloa Cartel gunmen in Sicarios setting up a roadblock on a local road in response. They're armed with machine guns and heavy weaponry and they're preparing to fight. It's also a reminder of the heavy weaponry the cartels have access to, equal to the Mexican military.

Another video shows the Mexican military being ambushed by cartel gunmen in Tamaulipas as some innocent civilians are caught in the crossfire.

Now, during all of that widespread violence, the Mexican government reports 30 people were left dead including 10 Mexican soldiers and 19 suspected Sinaloa cartel members and the violence certainly wasn't just isolated to city streets. Take a look at this video.

[VIDEO CLIP PLAYS]

MELUGIN: You can't hear what's going on. But what it shows is passengers on a civilian aircraft taking cover as their aircraft is shot by cartel members as their plane is sitting on the runway. That flight was preparing to leave Culiacan from Mexico City. Thankfully, none of the civilians on that airplane ended up getting hurt.

And Tucker, the Sinaloa Cartel, as we all know, is one of the main Mexican cartels responsible for the major amounts of fentanyl just pouring in through our Southern border. Mexico says they had to use almost 3,600 soldiers in their operation to capture El

Chapo's son. Now, there are some GOP lawmakers here in the US who say it's time to give Mexico US military assistance to help them in this war, similar to what we're already doing with Ukraine.

We'll send it back to you.

CARLSON: Bill Melugin for us tonight. Thank you so much for that.

MELUGIN: Thanks.

CARLSON: So if you remember back to August and the atrocities the media told us about, not in Mexico or Brazil, certainly not in Ukraine, but at Mar-a-Lago, remember that? **Classified documents** were discovered -- elicit **classified documents**, including top secret cocktail napkins at Mar-a-Lago, there was even, and we are quoting, a Federal indictment, a birthday dinner menu found somewhere in the First Lady's closet.

Now, "The Washington Post" first reported that nuclear codes or relevant nuclear materials, secret ones, were discovered there and that is why a former CIA Director and Michael Beschloss, the historian suggested it could be time for Donald Trump to be executed by electric chair.

And for sure, and this was the consensus in Washington, once these documents were discovered this crime was unearthed, there was no possibility Donald Trump could ever again run for office, he needed to go to jail. Every person connected to the **Biden** administration told us that including Joe **Biden** himself.

What data was in there that may compromise sources and methods, **Biden** asked. So as **Biden** was saying that, it turns out that he was and you'll be shocked to hear this doing exactly the same thing that he accused Donald Trump of doing.

Joe **Biden** was storing **classified documents** in a private office at a fake think tank that has been set up for him at the University of Pennsylvania. That fake think tank is called the Penn-**Biden** Center for Diplomacy and Global Engagement at the University of Pennsylvania.

Now, we should say we don't know exactly what these **classified documents** are and unlike Michael Beschloss, and the former head of the CIA, we're not going to speculate. But according to CNN, they were very sensitive: "The **classified** materials included some top secret files with the Sensitive Compartmented Information designation, also known as SCI, which is used for highly sensitive information obtained from Intelligence sources."

So what exactly were these materials? Were they the nuclear codes? We're probably going to find out pretty soon because there is no question Merrick Garland will unleash one of his signature pre-dawn raids on University of Pennsylvania at any moment, because it's a National Security threat. Merrick Garland will get right on that.

But actually, Penn may be a National Security event. We know you're very impressed your nephew got in, but Penn as an institution takes an awful lot of money from the Chinese Communist Party. Not making that up.

In recent years, Penn has received more than \$50 million from anonymous Chinese donors. So the question is, were those donors peering at declassified documents, the National Security secrets that Joe Biden had been stashing at the fake think tank that Penn set up for him? How much access do they have exactly to these documents?

We are very much looking forward to "The Washington Post" expose on that.

So it's now clear there are huge and potentially disastrous problems with the COVID shots. We tried to point that out on the show at the beginning using Biden administration numbers. We were called names and then it turns out we didn't notice at the time, we were censored by the White House. That came out the other day. Interesting story. We'll tell it to you next.

(COMMERCIAL BREAK)

CARLSON: It was never really a secret that there were huge problems with the COVID shots, and we knew this because the Biden administration's own VAERS database indicated that from the beginning, a lot of people were being injured, but the media suppressed that news. We tried to point it out more than a year ago not because we have a problem with vaccines or anti-vaxxers, but because if you're going to force people to take something, you probably ought to know what it is and what effects it might have. That's the most basic right of all, to know what goes into your body, to know something about it.

But in trying to say that, we were censored and now we know we were censored directly by the White House.

In April of 2021, the White House's Director of Digital Strategy a character called Rob Flaherty sent this e-mail to Facebook: "The top posts on Facebook about vaccines today is Tucker Carlson saying they don't work, he complained." He then pressured -- the White House pressured Facebook to follow its policy of "reduction" meaning censorship.

We're quoting: "If reduction means pumping our most vaccine hesitant audience with Tucker Carlson saying it doesn't work, then I'm not sure it's reduction."

In other words censor more. A Facebook employee responded by promising that the company was "running this down now." We asked Rob Flaherty to join us tonight to explain, but of course he's a coward, and he won't.

So we only know this, by the way, because of a lawsuit from the Attorneys General of Louisiana and Missouri.

Jeff Landry is the AG in Louisiana, we are honored to have him join us tonight.

Mr. Landry, thank you so much for coming on. So you're the chief law enforcement officer of your State, you're the Attorney General. This would be illegal, would it not be?

JEFF LANDRY, LOUISIANA ATTORNEY GENERAL: Well, it is certainly a violation of your First Amendment right. And I wouldn't say that Facebook, I mean, that the White House pressured Facebook, I would say that the White House demanded that they do something about the video that you had posted.

Look, this suit is about whether or not the government has basically suppressed American speech as those Americans go about debating the very policies that the government has us under.

CARLSON: Right.

LANDRY: And if the White House did not like your position, or if your position did not agree with the White House, then you were silenced and the evidence in this case right now is showing us that that's exactly what happened.

CARLSON: Government is not allowed to censor speech, period, as you said, that is the First Amendment of the Bill of Rights, it is the core of the Constitution right there and this is an instance of government censoring speech. Is it more complicated than that? Or am I missing something?

LANDRY: No, it's extremely simple. When Eric Schmitt and I first put the theory out, and when we filed this case back in June, we were basically laughed out of the Courthouse by many in the media, and then thankfully, this Federal Judge allowed us to conduct discovery.

From that discovery, we have deposed a number of government actors like Dr. Fauci and think about the things that we are discovering today. Had not this Federal Judge allowed this discovery, again, the American people would still be in the dark, information about them, while the government censoring their speech, their ability to debate the policies that affect them, just like the video that you put out, we wouldn't know.

But it is a clear violation of their First Amendment right. It's a clearly a First Amendment violation.

CARLSON: And just a yes or no question, because I can't resist. I was told once by a source that during that deposition, Tony Fauci demanded that the Court reporter wear a mask. Is that true?

LANDRY: Yes, yes, I was there. She sneezed and he just about came out of his chair, and I would remind you that 24 hours before that, he was on the podium at the White House, telling everyone that in order to really be protected, you need to be boosted again.

And so evidently, he didn't have as much confidence in that booster as maybe he portrayed then because she sneezed, he jumped and demanded that she wear a mask. And of course, he assured you and I were censored time we disagreed with him.

CARLSON: Neurotic old man.

Jeff Landry, Attorney General, the State of Louisiana. Appreciate it. Thank you.

LANDRY: Thank you, Tucker.

CARLSON: So we're going to learn a lot more about government censorship of reporting about COVID, the vaccines, masks, the whole thing, the lockdowns. Elon Musk is going to release Twitter Files on those questions, and he has apparently deputized the first person you want deputize to do it to go through these files and that is Alex Berenson, whose Substack has been really the source of most reasonable reporting on COVID. He's also the author of "Pandemia." Alex Berenson joins us tonight.

Alex, thanks so much for coming on.

How heartening that of all people, Elon Musk would ask you to go through these files. It's almost unbelievable. We're grateful for it. Can you give us a preview of what we're going to see in these files?

ALEX BERENSON, AUTHOR, "PANDEMIA": Well, the short answer, Tucker, is that I can't give you much of a preview beyond what I wrote today in the Stack about Scott Gottlieb and Pfizer and finding out the Gottlieb, who was the former FDA Commissioner, and is a Board member of Pfizer, which obviously has an enormous financial interest in the vaccines was also pushing Twitter to suppress people he didn't like, not just me, but in one case, a fellow Trump administration appointee who followed him as the acting FDA Commissioner later in 2019.

That's how much Scott Gottlieb and Pfizer didn't want discussion of the vaccines. What I want to say one other thing about that and then answer your question about the Twitter Files, what's also so striking about that, is it when Gottlieb had a problem he went to a guy named Todd O'Boyle.

Todd O'Boyle was a lobbyist, a senior lobbyist in Twitter's Washington office, and he is the guy the White House turned to first when they wanted to censor at Twitter.

So we have evidence of let's say overlap between Pfizer and the White House as they tried to push vaccines, as they tried to discourage vaccine hesitancy and as they tried to suppress debate around the vaccines, and I think that's very striking.

And when I sue Pfizer and Scott Gottlieb and Andy Slavitt and the Biden White House, that will be, I think, a unique opportunity, assuming I can survive the motion to dismiss to actually see how the company and the White House we're talking in the summer of 2021 as the vaccines were clearly beginning to fail for those of us who were paying attention.

As for the Twitter Files, what we know now basically about COVID is what I reported and what a couple of people reported last month. The Files, it's a mistake to think of them as some huge data dump that we can all go through. It's an iterative process where we're questioning Twitter about what's in there, and they're coming back to us with answers.

So we'll know more in a couple of weeks about Fauci, about Rochelle Walensky, and about everything else.

CARLSON: When you sue Pfizer and Gottlieb, we're going to celebrate in my house. I'm just -- and I think, in many homes across this country, so thank you. Alex Berenson, good to see you.

BERENSON: Thanks.

CARLSON: So people who follow politics closely were a little bit confused last week, when the person who may be the most conservative member of the House of Representatives, Marjorie Taylor Greene of Georgia came out strongly for Kevin McCarthy for Speaker.

He is not considered one of the most conservative Members of Congress. But her point was wait until see what happens when he becomes Speaker. Well, she joins us after the break to explain what is going to happen.

We'll be right back.

(COMMERCIAL BREAK)

CARLSON: The Biden administration wants to protect you, they want to protect you, the same people who mandated an untested COVID shot and then attacked anyone who was injured by it, want to protect you. Actually, the Biden administration is in fact taking a major step to ban fossil fuels and control your personal life. Pretty amazing story.

FOX's Trace Gallagher has it for us tonight.

Hey, Trace.

TRACE GALLAGHER, FOX NEWS CHANNEL CORRESPONDENT: Hey Tucker, for the record, natural gas stoves are used in 40 percent of American households, but now the US Consumer Product Safety Commission is considering banning gas stoves over concerns about harmful pollutants.

A study in the International Journal of Environmental Research and Public Health says more than 12 percent of childhood asthma cases are caused by gas stoves. Now, we should note the study was co-authored by a liberal think tank that advocates for electrifying buildings, which is kind of like having Colonel Sanders conducted a study on the dangers of beef.

A group that represents gas range manufacturers points out that regardless of what kind of stove you use, cooking itself produces harmful byproducts, and that ventilation is really the remedy. For now, the talk is focused on banning gas stoves, but it won't be long before they also come for gas fireplaces, and with wood fireplaces already banned in many areas of the country, the

fireplace altogether could be a thing of the past, unless of course you have an electric fireplace otherwise known as a TV screen with video of flames -- Tucker.

CARLSON: The yule log, we'll all be reduced to watching the yule log. Trace Gallagher thanks so much.

GALLAGHER: You bet.

CARLSON: You can watch -- if you want more Trace and you do, you can watch weeknights midnight on "FOX NEWS @ NIGHT."

So all last week was in the news world consumed by the drama over who's going to be Speaker of the House. Kevin McCarthy wanted it. About 20 people tried to stop him from getting it and it seemed like a left right argument.

Kevin McCarthy is too liberal they argued, the Conservatives were against him. But it wasn't actually that simple. Because on Kevin McCarthy's side was probably the most conservative member of the House of Representatives, Marjorie Taylor Greene of Georgia, and she took a huge amount, a huge amount of criticism for standing with Kevin McCarthy, but she did it anyway and we thought it'd be interesting to ask her why did you do that? There has to be a good reason. She joins us tonight.

Congresswoman, thank you so much for coming on. So you were criticized, or people were confused. You're the most conservative. You're for McCarthy. Why? Why did you do that?

REP. MARJORIE TAYLOR GREENE (R-GA): Thanks for asking me, Tucker.

America is used to seeing me leading the fight and that's what I've been doing for the past two years. Nothing has changed about that. I just want to lead the fight against the Democrats.

And so the reason why I supported Kevin McCarthy is because of the agenda that he laid out and the agenda that our Republican Conference agreed on.

You see I'm ready to investigate the Biden administration. I'm ready to hold the Deep State and the Intelligence Community accountable for what they've done to Americans, censoring them, and the way they're going after the Trump family -- President Trump's administration, staff and supporters.

I'm sick and tired of watching the hypocrisy where people are being persecuted and rotting away in the DC jail, but yet Antifa and BLM members have been let off, and I don't want to see any more of our oil sold to China. That oil needs to stay here in the United States, and the amount of fentanyl poisoning that has happened to Americans is a reason for impeachment in my book, not just of Mayorkas, but of Joe Biden himself.

These are the fights that I am ready to go on. And I didn't want to lie to the American people and let them think there was any chance that our conference could elect anyone else. There was no one else running. But there was an argument about the rules package, and I do think that was important for the American people, because they saw the fight on the camera, but we're going to be waging those fights in our conference, and I'm ready to go.

CARLSON: Amen. That's a good reason.

I just want to ask you really quickly about the news that just broke that Joe **Biden** who is trying to put Donald Trump in jail for having **classified documents** at his home, also had **classified documents** at his office at the University of Pennsylvania. What do you make of this?

GREENE: Well, this is a huge story. It's very serious. As a matter of fact, Joe **Biden** conceivably stole those documents. What people need to understand is the President of the United States is the only one that can declassify documents, not the Vice President.

For Joe **Biden** to steal documents and have possession of them, this is a serious investigation and the communist at NARA can't hide it anymore. And Merrick Garland and the Department of Justice, they have to be held accountable if they don't treat Joe Biden exactly the same way they're treating President Trump. It's ridiculous and it's shameful.

CARLSON: Merrick Garland is shameful. The fact that he is the Attorney General is shameful, I would say. I agree with you.

GREENE: He should be impeached. Yes.

CARLSON: At least. Congresswoman Marjorie Taylor Greene of Georgia. Thank you very much for coming on.

GREENE: Thank you and go, dogs.

CARLSON: So Joe Biden finally after two years of keeping the border open, decided to visit the border. He showed up in El Paso. Eh made no mention about the Civil War underway there. The cartel, a brutal cartel violence going on, that is certainly coming here any day.

The whole visit was effectively a photo-op. We will speak to someone who was there next.

(COMMERCIAL BREAK)

CARLSON: So Joe Biden finally made it down to the US-Mexico border that he has left open for the last two years. Yesterday, he went to El Paso.

(BEGIN VIDEO CLIP)

JOE BIDEN, PRESIDENT OF THE UNITED STATES: I know you have people every day, but I am trying to get a sense of the flow -- the average.

UNIDENTIFIED MALE: Average I would say is 300 to 400.

UNIDENTIFIED FEMALE: Correct. Yes. And then we have our little peaks when we have over 1,000 per day, 900 per day.

(END VIDEO CLIP)

CARLSON: So Joe Biden didn't see any foreign nationals living on the streets of El Paso because like Baby Doc or any other dictator, he just had them removed before he got there. We're not making that up. We can prove it.

You're seeing the pictures before and after Joe Biden's visit on your screen right now. Now, White House Spokesman John Kirby, one of the most dishonest people in American life was asked about this today. Here's his non answer.

(BEGIN VIDEO CLIP)

REPORTER: There's reporting that El Paso has cleared the downtown of these expansive migrant camps that have grown there in advance of the President's arrival. Is the President going to see a sanitized version of El Paso when he arrives at the border on Sunday?

ADM. JOHN KIRBY (RET), COORDINATOR FOR STRATEGIC COMMUNICATIONS AT THE NATIONAL SECURITY COUNCIL: The President is very much looking forward to seeing for himself firsthand what the border security situation looks like, particularly in El Paso.

(END VIDEO CLIP)

CARLSON: How can Kirby live with himself? What a liar. Stand up for the country for once.

Irene Armendariz-Jackson is a native of El Paso and is the President of the Border Security Coalition. She's married to a Border Patrol agent. She joins us tonight to assess.

Thank you so much for coming on tonight. So, you are from El Paso, which is one of the great cities in this country, in my view, really been hurt by an open border. How did you respond when you saw the White House team clean it up just for Biden's arrival?

IRENE ARMENDARIZ-JACKSON, PRESIDENT, BORDER SECURITY COALITION: Well, it just exposes one more time the hypocrisy and the lies of this administration. Nothing that comes out of that administration should we believe.

You know, when they say it is day, I go out and look at a window and make sure that it is day because I absolutely do not believe anything they say. So when he said that he was coming to see for himself, we already knew what they were going to do because they did it when Mayorkas came. They did it when Harris came. Why wouldn't they do it when Biden was coming?

CARLSON: But you have to live there. It's your city. I mean, they leave but you're still there.

ARMENDARIZ-JACKSON: Absolutely.

CARLSON: How does that feel?

ARMENDARIZ-JACKSON: Absolutely. Well, it's a slap on the face. You know, we are in the midst of a crisis. We see it every day. So I'm standing in one of the epicenters where there was people sleeping everywhere. Around the corner is a Chihuahuita Street which is where all the photos that you see, but here you see some drone footage as well and they were sleeping almost right on top of each other. There's another location as well.

So as soon as we heard that he was coming, I hurried down here and I made sure that I took those last pictures and so we could prove to America that Biden was not coming to see the reality of the border. He was coming to see a sanitized, a clean El Paso, and not only shame on the administration, but shame on our Representative Veronica Escobar, and shame on our mayor for allowing this to happen.

What was the price that they promised them to be able to clean this up and make Biden look good?

CARLSON: Exactly. Selling out their own city. I'm so glad that you said that. That's the most shameful That's exactly right. Irene Armendariz- Jackson. Thank you so much for coming on.

ARMENDARIZ-JACKSON: Absolutely.

CARLSON: Appreciate it.

ARMENDARIZ-JACKSON: Thank you so much. Go to BorderSecurityCoalition.com and support us.

CARLSON: Amen.

So no one says it, but America was actually doing pretty well before the diversity and equity and inclusion initiatives were imposed on everybody by force. American society is actually much less equal in the wake of them and far more racist.

We're going to speak to someone who has been in the Civil Rights Commission for decades and who has seen that changed, with sadness, next.

(COMMERCIAL BREAK)

CARLSON: The Biden Pentagon has decided to spend more than \$60 million erasing American history by renaming Army Bases. This is part of the equity effort. But it's part of a much broader attempt by the Biden administration to divide Americans by their identities into a race this country's history because you can't control a country if it still has a history.

Peter Kirsanow has watched all of this for decades. He has been on the US Civil Rights Commission for more than 20 years and we asked him what he thinks of the Biden administration's equity agenda -- not equality, equity. How is it different? I spoke to him for "Tucker Carlson Today." Here is part of the conversation.

(BEGIN VIDEO CLIP)

PETER KIRSANOW, US CIVIL RIGHTS COMMISSION: The travesties of what's transpired over the last maybe 50 years, but it has been speeding up over the last five to 10 years, where we no longer identify as Americans, but then as Barack Obama famously put it, citizen of the world.

No, we're Americans, and there's no place like America that affords the greatest opportunity, it has been a mecca for everybody whether they're oppressed or not to come to and I think we're squandering that inheritance.

We are a country, we are not separate entities. We are not separate biological or racial, sexual groups. We are all Americans, and unfortunately --

CARLSON: Out of many one.

KIRSANOW: Well, you know, Al Gore --

CARLSON: I know. Out of one, many.

KIRSANOW: He was prescient then --

CARLSON: He gave it away. He did.

KIRSANOW: He sure did. He sure did, and you know, I don't mean to necessarily paint a gloomy picture of this or get conspiratorial on it, but you can actually look at what the left has been proposing for 50 or 60 years and some of it is coming into fruition.

And that is that the idea of America was something that they objected to, they had a different idea of America, and identity politics is one of the best ways of promoting their view of America. That is through identity politics.

Now, there's a retail aspect, it's a retail political aspect to identity politics. Democrats like to divide people on the basis of race, sex, and other immutable classifications, so they can pander to those folks and get them to vote for them because their ideas

are not something that you would ordinarily accept. Their political ideas, their policy prescriptions are not something that most people would adopt. Open borders is one good example.

But if you can separate people on the basis of identity, appeal to them on that basis, which is a powerful appeal, throughout history, we've shown that that's a powerful appeal, but also a dangerous one. But if they do it that way, they can call certain groups to vote for them.

I think the Civil Rights Commission at this point is coming up with a lot of policy prescriptions that promote identity politics, and it's --

All I can say, Tucker is, it is poisonous, and you can see it readily that it's harming the United States of America, again, it escapes out into the polity, and we see it in our schools. We see it in corporations now.

Americans are at each other's throats. They are afraid to say certain things that you'd ordinarily say as few as five or 10 years ago, you'd say certain things with impunity and wouldn't think anything of it.

And when you censor people because you're afraid of being canceled because you've transgressed some aspect of identity politics, ideas can't be debated.

(END VIDEO CLIP)

CARLSON: Peter Kirsanow of the US Civil Rights Commission, great guy, great conversation now on FOX Nation.

That's it for us today. Tomorrow, we will continue our investigation into the classified documents that Joe Biden apparently stole as Vice President, plus woke M&Ms have returned.

The green M&M got her boots back, but apparently is now a lesbian maybe and there is also a plus-sized obese purple M&M, so we're going to cover that, of course, because that's what we do.

Have the best night with the ones you love.

Sean Hannity is on next.

END

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NBC Nightly News

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NBC NIGHTLY NEWS for January 9, 2023, NBC

[19:00:00]

(COMMERCIAL BREAK)

LESTER HOLT, NBC NEWS ANCHOR (on camera): Breaking news tonight, the severe weather blasting the storm-battered West Coast as we come on the air.

(voiceover): Thousands under mandatory evacuations in California from the relentless storms. Heavy rain, flooding, and mudslides, roads washed out, highways shut down, trees toppled onto homes, rescue crews out in force. Our team in the storm zone.

Just in, as President Biden visits Mexico, the Justice Department reviewing apparently classified documents found at his private office from his time as V.P. What we're learning.

Also tonight, Damar Hamlin transferred to a hospital back in Buffalo. What his doctor said today about his recovery.

New details on a 6-year-old student accused of shooting a teacher in Virginia. How police say he got the gun.

The former President of Brazil reportedly hospitalized in the U.S. a day after his supporters stormed the country's capital in echoes of January 6th. The major crackdown. More than a thousand retained.

The new bombshells from Prince Harry. The accusations he's leveling at his stepmother Camilla Parker Bowles.

The grim discovery in the Massachusetts home of a missing mom as her husband appears in court.

And how a TikTok video led to the gift of a lifetime for an 82-year-old veteran.

ANNOUNCER: This is NBC Nightly News with Lester Holt.

HOLT (on camera): Good evening! In California, Nature's floodgates are wide open tonight. That series of atmospheric rivers still flowing and bringing jaw-dropping rain and snowfall totals leaving many without power, others forced from their homes. The conditions forcing high-water rescuers into action. Days of heavy rain saturating the ground have triggered mudslides and debris flows and forced road closures along California's Central Coast where flash flood warnings were in effect.

In the mountains of Alpine County, a peak wind gust of 109 miles per hour was recorded. And forecasters say another major episode of rain, wind, and snow is coming in right behind this one. Miguel Almaguer is in Santa Cruz with late details. What are you seeing, Miguel?

MIGUEL ALMAGUER, NBC NEWS NATIONAL CORRESPONDENT (on camera): Well, Lester, good evening. The rain has finally stopped, but now the damage is more evident. Roads have washed away. And take a look at this sidewalk here behind me. It's actually crumbled and fell hundreds of feet down into the Pacific Ocean. Emergency calls have been happening around the clock, and more rain and flooding is on the way.

(BEGIN VIDEOTAPE)

ALMAGUER (voiceover): The emergency rescues, flash flooding, and mudslides are still unfolding across California. Mountain communities and coastal cities swamped by another round of relentless rain including a torrent of fast-rising water that washed away a car. A 5-year-old child still missing.

UNIDENTIFIED MALE: It was rising quick. In my experience, the fastest I've seen it rise.

ALMAGUER: Communities outside Santa Cruz and Sacramento and now all of Montecito under evacuation orders. Swift water rescue teams going door to door in submerged neighborhoods.

UNIDENTIFIED FEMALE: It caught people that have been here 50 years. It caught them unprepared.

ALMAGUER: The brunt of this storm rolled in overnight. By the time the sun came up, this entire neighborhood was underwater.

Across California, 32 million are under flood alerts. This dumping day lose the latest in a series of atmospheric rivers forecasted to drop up to 12 more inches of rain.

UNIDENTIFIED MALE: There you go. Go grab my hand. I got you.

ALMAGUER: After a flood of daring rescues, hundreds of thousands have lost electricity again as trees slice through homes, power lines, and claim lives.

The damage from this storm in just a few hours will easily top the millions. But after a week of wicked winter weather all across California, the destruction will likely exceed the billions.

And now, as rivers swell and burst their banks --

UNIDENTIFIED FEMALE: They're making hard closures for a mudslide.

ALMAGUER: Tonight, mudslides are cutting off communities. This already waterlogged state in a state of emergency with more rain in the forecast. Miguel Almaguer, NBC News Santa Cruz.

(END VIDEOTAPE)

HOLT: And just developing tonight, news about the discovery of what appeared to be **records** from the Obama-**Biden** administration at an office used by Mr. **Biden** before he became president, some of them **classified**. Justice Correspondent Ken Dilanian joins us with the latest. Ken, what do we know?

KEN DILANIAN, NBC NEWS JUSTICE CORRESPONDENT (on camera): Tonight, the White House is acknowledging that a small number of **documents** marked **classified** were found in a locked closet inside offices occupied by the Penn **Biden** Center in Washington, DC. And officials say that those offices were used by Joe **Biden** after he left the vice presidency, but before he became president. And they say the papers were discovered the day before the Midterm Election and were turned over immediately.

All of this follows the discovery of roughly 300 **classified documents** at former President Trump's residence at Mar-a-Lago. The Justice Department is considering criminal charges in that case. The White House said in the statement it is cooperating with the National Archives and the Department of Justice. And an official told NBC News that Attorney General Merrick Garland turned the matter over to the U.S. attorney in Illinois who was appointed by then-President Trump. Lester?

HOLT: All right, Ken Dilanian with that late-breaking news. Thank you.

And tonight, President Biden is in Mexico as he grapples with a migrant crisis that is escalating along the Southern Border. Gabe Gutierrez reports.

(BEGIN VIDEOTAPE)

GABE GUTIERREZ, NBC NEWS NATIONAL CORRESPONDENT (voiceover): Facing mounting pressure over his handling of the growing migrant crisis, today, President **Biden** met with Mexico's president, Andres Manuel Lopez Obrador. The crucial talks ahead of a summit in Mexico City come just one day after President **Biden's** first trip to the Southern Border since taking office where he met with officials in El Paso.

JOE **BIDEN**, PRESIDENT OF THE UNITED STATES: They need a lot of resources and we're going to get them.

GUTIERREZ: And while he did not meet directly with migrants, he was met with criticism from all sides. Texas Republican Governor Greg Abbott handed the president a letter blasting Mr. **Biden's** lacks border policies for encouraging the migrant influx and arguing the visit came two years too late.

GOV. GREG ABBOTT (R-TX): And that is the only reason why we have these people coming across the border like we do is because both the Homeland Security Secretary and the President are not enforcing current laws.

GUTIERREZ: There were a record 2.6 million illegal border crossings last year. After President Biden left El Paso, the Border Patrol Union tweeting the photo op is over, let the insanity resume.

Has the federal government done enough to prevent this?

CLAUDIA RODRIGUEZ, FORMER COUNCIL MEMBER, EL PASO, TEXAS: To prevent, no, absolutely not. They're trying to cover bullet wounds with band-aids.

GUTIERREZ: Migrant advocates say the President's new immigration policy is still inhumane. That policy would expel to Mexico up to 30 000 migrants a month who unlawfully entered the U.S. from Nicaragua, Haiti, Cuba, and Venezuela. That's where Suryavi Rivero (ph) and her family are from.

They shared with us images from their harrowing journey through the Panamanian jungle, clinging to the top of a train in Mexico to arrive here at an El Paso shelter.

What's your message for President **Biden**.

We want an opportunity to stay, she says. We are not delinquents. We are good people.

(END VIDEOTAPE)

GUTIERREZ: Two senior Administration officials say the president did not meet with migrants here in El Paso because they'd already been processed at the facility he visited. Lester?

HOLT: Gabe Gutierrez in El Paso tonight, thank you.

This evening, the best news yet about Damar Hamlin since the Buffalo Bill's safety suffered cardiac arrest on the field a week ago. Doctors say Hamlin was released from a Cincinnati hospital and returned to Buffalo. They say he had been walking in his unit since Friday and eating a regular diet. He'll continue his recovery at a hospital in Buffalo.

Stunning new details about that 6-year-old boy who police say brought a gun to school and shot and wounded his teacher as she taught a class. Catie Beck is in Virginia with the latest.

(BEGIN VIDEOTAPE)

CATIE BECK, NBC NEWS CORRESPONDENT (voiceover): From her hospital bed Monday, recovering from a gunshot wound, first-grade teacher Abigail Swerner had one pressing question.

STEVE DREW, CHIEF, NEWPORT NEWS, VIRGINIA POLICE: Do you know how my students are? She was worried about them.

BECK: Swerner hailed a hero. Police say during classroom instruction Friday, a six-year-old student drew a nine-millimeter handgun and fired a single round. The bullet went through Swerner's hand and struck her in the chest.

DREW: She suffered a gunshot wound but she was still able to get all of her students out of that classroom. Ms. Swerner was the last person to leave that class.

BECK: Police say the 6-year-old brought the gun to school from home. The firearm legally purchased by his mother. The child now receiving treatment in a medical facility. Administrators back to the drawing board on safety protocols for lower schools.

GEORGE PARKER III, SUPERINTENDENT, NEWPORT NEWS PUBLIC SCHOOLS: I'll be honest, who would -- who would be prepared for a 6-year-old to bring a loaded weapon onto school -- a weapon on the school and shoot their teacher?

BECK: Richneck Elementary will remain closed for the remainder of the week. Parents, grandparents, and faith leaders visiting campus still processing the shock.

UNIDENTIFIED MALE: God had been good to this moment. You know, it's surreal.

BECK: An outpouring of concern for a heroic teacher and the little ones left to heal.

CAMELOT SHUFF, PASTOR, NEWPORT NEWS CHURCH OF THE NAZARENE: To have something like this, a safe place where kids are supposed to run with their friends, where they're supposed to pass notes in school, that's the kind of darkness they shouldn't have to deal with.

(END VIDEOTAPE)

BECK (on camera): When pressed about whether the child's parents will face charges, investigators said that will be determined by the facts of the investigation, Lester?

HOLT: What an upsetting story. All right, Catie, thank you. Brazil is on edge tonight after supporters of the former right-wing president stormed the capital, a scene now being compared to the January 6th attack on the U.S. Capitol. Sam Brock has late details.

[19:10:20]

SAM BROCK, NBC NEWS CORRESPONDENT (voiceover): After chaotic clashes with police where protesters used metal barricades to bash in the windows of Brazil's Congress, around 1500 Brazilians are behind bars tonight supporting the former president Jair Bolsonaro who like Trump pushed a narrative of electoral fraud for months without evidence, leading to scene Sunday that looked an awful lot like January 6th. Police flashbangs and tear gas going well into the night to quell the crowds.

GUGA CHACRA, POLITICS COMMENTATOR, GLOBONEWS INTERNATIONAL: The people who invaded the Brazilian institutions, they were thinking about what's happening in the United States. If it didn't happen in the United States, it wouldn't have happened in Brazil.

BROCK: President Biden condemning the violence as an assault on democracy, throwing the country's support behind the newly elected Luiz Inacio Lula da Silva or just Lula, who served two prior terms. As Brazilians like Alan Lemos say watching the riots felt very much like the American insurrection.

UNIDENTIFIED MALE: I think it's very similar in a way. It's just that said because I don't think that's progress. Just like here, people have lost faith in the electoral process.

BROCK: Bolsonaro has been spotted in Florida in recent days. His wife tonight saying he was admitted to the hospital earlier today for abdominal pain. With new questions about whether he could stay on a diplomatic visa.

NED PRICE, SPOKESMAN, U.S. STATE DEPARTMENT: If an individual has no basis on which to be in the United States, an individual is subject to removal by the Department of Homeland Security.

BROCK: all this as Brazil buckles but tries not to break under its biggest attack on democracy in decades. Sam Brock, NBC News Miami.

HOLT: Tonight, yet more revelations from Britain's Prince Harry. And new details about his rift with the Royal Family suggesting he will never return to the U.K. Here's Keir Simmons.

(BEGIN VIDEOTAPE)

KEIR SIMMONS, NBC NEWS CHIEF INTERNATIONAL CORRESPONDENT (voiceover): Tonight, King Charles facing the first crisis of his short reign. His son Harry's media blitz. Harry ruling out a return to the U.K. and for your life, calling it unsurvivable, blaming a third party, the British media.

PRINCE HARRY, DUKE OF SUSSEX: I don't think it's ever going to be possible. I don't think that -- even if there was an agreement or an arrangement between me and my family, there is that third party that is going to do everything they can to make sure that isn't possible.

SIMMONS: Also suggesting he might not attend to his father's coronation. And on CBS accusing Camilla, now the Queen Consort, of leaking negative stories to journalists.

HARRY: With a family built-in hierarchy, there was going to be people or bodies left in the street.

SIMMONS: In the book published tomorrow, he describes at least two physical confrontations with his brother.

HARRY: He was shouting at me, I was shouting back at him, and he snapped and he pushed me to the floor.

SIMMONS: He says, being best men at each other's weddings was a charade. Harry was asked about the criticism he's facing. That while he's publicly attacking the Royal Family and their lives in the U.S., he and Meghan are still holding on to their royal titles.

ANDERSON COOPER, CORRESPONDENT, CBS NEWS' 60 MINUTE: Why not renounce your titles as Duke and Duchess?

HARRY: And what difference will that make?

SIMMONS: He says, he still hopes for a reconciliation.

SIMMONS: Do you still believe in a monarchy?

HARRY: Yes.

SIMMONS: Although, on his terms.

(END VIDEOTAPE)

SIMMONS (on camera): Prince Harry says changing the media and even his own family is now his life's work. Tonight, there's no comment from the palace yet. Lester?

HOLT: Keir Simmons, Thank you.

In 60 seconds, a mother of three missing since New Year's Day, her husband arrested for allegedly misleading investigators. What authorities say was found in their home and what he purchased before she disappeared.

(COMMERCIAL BREAK)

[19:15:00]

HOLT: There are unsettling new details tonight of the search for a Massachusetts mom who disappeared more than a week ago. And it comes as her husband who's charged with misleading police appeared in court. We get more from Kristen Dahlgren.

(BEGIN VIDEOTAPE)

KRISTEN DAHLGREN, NBC NEWS CORRESPONDENT (voiceover): In a Massachusetts courtroom today, grim details about what may have happened to Anna Walshe, the 39-year-old mother of three who hasn't been seen since New Year's Day.

LYNN BELAND, ASSISTANT DISTRICT ATTORNEY, NORFOLK, MASSACHUSETTS: Crime Scene Services recovered and found blood in the basement area or in the section of the basement. There was also a knife that was found. On the knife, there was also blown.

DAHLGREN: Walshe's husband, Brian, faces charges of misleading police after prosecutors claimed he didn't report her missing for days and wasn't truthful about where he had been during that time, including a trip to Home Depot.

BELAND: He's on surveillance at that time, purchasing about \$450 worth of cleaning supplies.

DAHLGREN: The 47-year-old told authorities his wife left on January 1st to catch a ride share to the airport for her work in Washington, DC. Police say there is no record of her getting in a car, and her phone ping near her home on January 1st and 2nd before going silent. Her employer eventually reported her missing when she didn't show up for work January 4th.

BELAND: During the timeframe, when he didn't report his wife, we're getting various statements that allowed him time to clean up evidence, dispose of evidence.

DAHLGREN: Brian Walshe was already on house arrest awaiting sentencing on fraud charges from 2018 when he pleaded guilty to selling fake artwork online. Now, he's being held on \$500,000 bail, but there is still no sign of Anna. Kristen Dahlgren, NBC News.

(END VIDEOTAPE)

HOLT: Still to come tonight, the changing guidelines on treating childhood obesity. What parents need to know? And multiple murders and human trafficking in the marijuana black market. Exclusive details in our series "CAPTIVES OF CANNABIS."

(COMMERCIAL BREAK)

[19:20:00]

HOLT: For the first time in 15 years, the American Academy of Pediatrics has updated its guidelines for treating childhood obesity with rates rising. It now calls for earlier prevention and intervention including weight loss drugs for kids as young as 12. The AAP also says teens 13 and older with severe obesity should be evaluated for weight loss surgery. The new guidelines, I should stress, do not address obesity prevention. That will be discussed in a future update.

Now to our NBC News Exclusive, the crime extended community in Oklahoma. Four people slain on a marijuana farm as organized crime from outside the U.S. expands its operations into rural America. Jacob Soboroff with our series "CAPTIVES OF CANNABIS."

(BEGIN VIDEOTAPE)

UNIDENTIFIED MALE: Body, body.

JACOB SOBOROFF, NBC NEWS CORRESPONDENT (voiceover): A shocking scene in rural Oklahoma.

UNIDENTIFIED MALE: Are there other people inside?

UNIDENTIFIED MALE: Yes.

SOBOROFF: Four killed execution style, and one wounded on what authorities say is an illegally operating marijuana farm. An act of revenge for money owed to an investor according to court documents filed during the suspect's arrest. The farm was one of over 8000 in Oklahoma licensed to grow medical marijuana. But like many in the area, it was diverting weed to the black market instead.

Jonathan Riedlinger one of the first officers to arrive on the scene and he brought our team there.

JONATHAN RIEDLINGER, SHERIFF DEPUTY, KINGFISHER COUNTY: With that much money that's coming in here, with as much marijuana is here or leaving, it figures it's just a matter of time before something is going to happen.

SOBOROFF: Law enforcement tells NBC News international criminal organizations are operating right in America's heartland, committing fraud to obtain legal marijuana licenses and exporting products all across the U.S. at a huge profit.

MARK WOODWARD, SPOKESPERSON, OKLAHOMA BUREAU OF NARCOTICS: The criminals are growing for \$100 or less a pound and making \$4,000 on the East Coast. So, there's no mystery of why the criminals are coming here and even some of the legitimate growers have gone to the criminal side.

SOBOROFF: Last year, agents in Oklahoma say they raided nine illegal marijuana farms with alleged ties to Chinese organized crime. On those farms, they found suspected victims of human trafficking, which we also encountered during a police raid of an illegal grow in California last year.

The person or people who brought you here, did they tell you the truth about what you were coming to do?

UNIDENTIFIED MALE: No, they didn't tell her that. If they tell her it would be like this, she wouldn't have come.

SOBOROFF: Outside of Oklahoma City, we located the legal owner of the farm where the killings took place. He was also the shooting's lone survivor.

I was in the hospital for two weeks, he told us. I'm in a lot of pain and can barely walk.

Right after our meeting, that man, Yi Fei Lin, was arrested, charged with manufacturing and trafficking marijuana and now awaits trial.

DENNIS BANTHER, SHERIFF, KINGFISHER COUNTY, OKLAHOMA: Originally, it was a dairy farm, now it's a grow farm.

SOBOROFF: Local sheriff Dennis Banther estimates there are 80 licensed cannabis grows in his county. And word is the reason homicides might just be the tip of the iceberg as trafficking victims are known to sometimes vanish without a trace.

BANTHER: I truly believe that there's probably been more violence than we've been documenting. I don't think this is an isolated incident.

SOBOROFF: Jacob Soboroff, NBC News.

(END VIDEOTAPE)

HOLT: And next, at age 82, the chance encounter on the job that changed this Navy veteran's life and it's inspiring America.

(COMMERCIAL BREAK)

[19:25:00]

HOLT: Finally, tonight, proof of the power of chance encounters. As Rehema Ellis explains, one man changed the Navy veteran's life when they met at a cash register.

(BEGIN VIDEOTAPE)

REHEMA ELLIS, NBC NEWS CORRESPONDENT (voiceover): Butch Marion never imagined a chance encounter at his Walmart register in Cumberland, Maryland would lead to this. He got a check for more than \$100,000 money raised for what GoFundMe account.

What went through your head when you got this check?

BUTCH MARION, NAVY VETERAN: It's just overwhelming feeling. Somebody like myself, just a regular old person, you really can't grab a hold of.

ELLIS: Now the hard-working 82-year-old cashier is finally retired.

MARION: I gave him a two-week notice before I did because I thought I owed them that.

ELLIS: The life-changing gift came after Rory McCarty met Butch and his register. The businessman was inspired.

RORY MCCARTY, BUSINESS OWNER: I'm trying to expand and I can't find good help. Here, this man is grinding it his age and it just blew me away.

ELLIS: Rory posted this video on TikTok asking for donations so Butch could retire. It went viral. His story was touching, an 82-year-old father, grandfather, Navy veteran, always the customer's favorite cashier.

MCCARTY: The attention to get into his life because Butch is always going to say something nice that's going to make their day. Butch can now head to Florida to be with his family, something that was impossible before, forever grateful for his new friend's generosity.

MARION: If we can get all people to treat people like that, we'll have one heck of -- heck of a place.

ELLIS: Two men doing their part to show us how. Rehema Ellis, NBC News.

(END VIDEOTAPE)

HOLT: And we wish Butch happy retirement. That's NIGHTLY NEWS for this Monday. Thank you for watching, everyone. I'm Lester Holt. Please take care of yourself and each other. Good night.

(COMMERCIAL BREAK)

END

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---- Index References ----

Company: American Academy of Pediatrics.; CBS NEWS INC.; VIQ MEDIA TRANSCRIPTION INC.; Buffalo Bill's Brewery Co; THE HOME DEPOT, INC.; Newport News Public Schools

News Subject: (Crime (1CR87); Emerging Market Countries (1EM65); Floods (1FL85); Natural Disasters (1NA67); Precipitation (1PR03); Smuggling & Illegal Trade (1SM35); Social Issues (1SO05); Weather & Climate (1WE93))

Industry: (Earth Science (1EA85); Meteorology (1ME62); Science (1SC89); Science & Engineering (1SC33))

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Language: EN

Other Indexing: (NBC NEWS NATIONAL; Justice Department; White House; National Archives; Department of Justice; Department of Homeland Security; Border Patrol Union; NEWPORT NEWS CHURCH OF THE NAZARENE; Richneck Elementary; American Academy of Pediatrics; CBS NEWS'; VIQ Media Transcription, Inc.; Buffalo Bill; Home Depot; NEWPORT NEWS PUBLIC)

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NewsRoom

Biden's Stash Probed Classified docs

Victor Nava | New York Post

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January 10, 2023

Section: News

Biden's Stash Probed **Classified** docs

Victor Nava

The Justice Department is looking into how classified documents from President Biden's time as vice president ended up at the DC think tank that bears his name, the White House confirmed Monday night.

"A small number" of sensitive documents from the 80-year-old's time as Barack Obama's No. 2 were located less than a week before last year's midterm elections at the Penn **Biden** Center for Diplomacy and Global Engagement.

The material was discovered by **Biden's** personal lawyers on Nov. 2, 2022, while they "were packing files housed in a locked closet to prepare to vacate office space," according to Richard Sauber, special counsel to the president.

Sauber said that **Biden** (pictured) used the office from "mid-2017 until the start of the 2020 campaign" in April 2019.

CBS News reported that Attorney General Merrick Garland has tasked Chicago US Attorney John Lausch, an appointee of former President Donald Trump, to review the materials and the FBI is also involved in the investigation.

The documents were reportedly stored in a folder inside a box of other unclassified papers. The closet they were pulled out of was reportedly inside a private office that belonged to Biden, CNN reported.

The classified materials reportedly included top-secret files designated "sensitive compartmented information," or SCI, meaning the highly sensitive information was obtained from intelligence sources, according to CNN.

The papers did not contain nuclear secrets, according to CBS.

Sauber added that the White House informed the National Archives about the documents and the agency took possession of the materials the next day.

All presidential and vice-presidential documents must be turned over to the National Archives at the conclusion of a presidency, according to the Presidential Records Act of 1978.

During a "60 Minutes" interview in September, Biden ripped Trump as "totally irresponsible" for keeping classified documents at his Mar-a-Lago club and residence.

--- Index References ---

Company: Federal Bureau of Investigation

News Subject: (Campaigns & Elections (1CA25); Executive Bodies (1EX50); Global Politics (1GL73); Government (1GO80); Government Institutions (1GO90); Government Litigation (1GO18); Legal (1LE33); Public Affairs (1PU31); U.S. President (1US75); World Elections (1WO93))

Language: EN

Other Indexing: (Justice Department; White House; Penn **Biden** Center for Diplomacy and Global Engagement; CNN; National Archives; FBI) (Biden)

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NewsRoom

Justice Dept. reviewing classified documents found in Biden's post-VP office

Tyler Pager;Devlin Barrett;Jacqueline Alemany;Perry Stein | Washington Post, The (Washington, D.C.)

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Issue DAILY
Section: Main (A Section)

Justice Dept. reviewing classified documents found in Biden's post-VP office

Tyler Pager;Devlin Barrett;Jacqueline Alemany;Perry Stein

The Justice Department has launched a review into the discovery of classified documents at the Penn Biden Center for Diplomacy and Global Engagement, an institute in downtown Washington that Joe Biden started after serving as vice president, according to people familiar with the matter.

The White House confirmed the ongoing inquiry and said it is cooperating with the Justice Department and quickly handed over the documents to the National Archives and Records Administration - the agency tasked with handling presidential records. Roughly 10 documents were found, said one person familiar with the inquiry, who spoke on the condition of anonymity because they were not authorized to speak publicly. The discovery was first reported by CBS News.

"The White House is cooperating with the National Archives and the Department of Justice regarding the discovery of what appear to be Obama-**Biden** Administration **records**, including a small number of **documents** with **classified** markings," Richard Sauber, special counsel to President **Biden**, said in a statement.

The documents were found at the Penn **Biden** Center in early November, not long before Attorney General Merrick Garland tapped a special counsel, Jack Smith, to oversee the agency's criminal investigation into Trump's possible mishandling of hundreds of **classified documents** that were taken to Mar-a-Lago after his presidency ended. Officials have said the Trump investigation concerns not just the possible mishandling of government secrets, but also possible obstruction of justice or destruction of **records**.

In the case involving the Penn **Biden** Center, Sauber said the documents were discovered when the president's personal lawyers were packing files kept in a locked closet to prepare to vacate office space at the center, which **Biden** used periodically from mid-2017 until he launched his presidential campaign in 2020. The documents were discovered on Nov. 2, at which point the White House Counsel's Office notified the archives, Sauber said. The archives took possession of the documents the next day, he added.

Garland has tapped U.S. Attorney for the Northern District of Illinois John R. Lausch Jr., who was nominated by Trump, to oversee the review of the **Biden** documents, according to two people familiar with the matter, one of whom said the FBI is also taking part in the review. Spokespeople for the Justice Department, the FBI and Lausch declined to comment.

While the **Biden** case has obvious echoes of the Mar-a-Lago investigation, the details provided by **Biden's** lawyer on Monday suggest key differences that could factor heavily in whether the **Biden** documents become a criminal matter.

Sauber said the **Biden** documents were discovered by the president's lawyers and voluntarily turned over to authorities. By comparison, in Trump's case, NARA officials pressed for material to be returned, and then Trump's office was served with a grand jury subpoena demanding their return. After Trump's lawyers handed over 38 **classified documents** in response to the subpoena, an FBI search recovered more than 100 additional **classified documents** that were not turned over to authorities.

The **Biden** documents "were not the subject of any previous request or inquiry by the Archives," Sauber said in the statement. "Since that discovery, the President's personal attorneys have cooperated with the Archives and the Department of Justice in a process to ensure that any Obama-Biden Administration records are appropriately in the possession of the Archives."

Much of the criminal investigation into the keeping of classified documents at Mar-a-Lago, Trump's private club and residence, has centered on what officials have described in court papers as possible obstruction of the efforts to recover all of the documents. So far, no such allegation has been leveled in the Biden matter, though it is at an earlier stage.

One person familiar with the Biden inquiry, speaking on the condition of anonymity to discuss an ongoing review, argued that while there are obvious similarities with the Trump case, so far the circumstances appear to be quite different. That person said the voluntary notification, and the sheer difference in the number of documents stand out as key differences.

"But at the heart of it is, in both situations **classified** national security information went somewhere it shouldn't have, so that raises a bigger question about the handling of **classified** [material], both in the White House and then during the period of transition," the person added.

Legal experts say that it is not uncommon for some people who have security clearances to mishandle **classified documents**. But these situations are typically handled administratively, not criminally, because the criteria for prosecuting people who mishandle **classified documents** include proving that the person deliberately flouted rules for how to secure the materials.

Biden opened the Penn **Biden** Center in February 2018 as a think tank for the University of Pennsylvania in Washington, attracting some of the country's top foreign policy experts and lawmakers.

The leadership of the center included a coterie of longtime **Biden** aides, including many that now serve in top roles in the president's administration. Secretary of State Antony Blinken was the center's managing director, and Steve Ricchetti, a senior adviser to the president, served as managing director after Blinken.

Michael Carpenter followed Ricchetti in that role and now serves as the U.S. ambassador to the Organization for Security and Cooperation in Europe. The center's opening event included Amy Gutmann, who at the time was president of the University of Pennsylvania, and David Cohen, the president of the university's board of trustees. Both are now serving as U.S. ambassadors, with Gutmann in Germany and Cohen in Canada.

---- Index References ----

Company: Federal Bureau of Investigation; National Archives and Records Administration; THE UNIVERSITY OF PENNSYLVANIA

News Subject: (Corruption, Bribery & Embezzlement (1EM51); Crime (1CR87); Criminal Law (1CR79); Fraud (1FR30); Government (1GO80); Government Litigation (1GO18); Legal (1LE33); Legislation (1LE97); Social Issues (1SO05); U.S. Legislation (1US12))

Industry: (Security (1SE29); Security Agencies (1SE35))

Region: (Americas (1AM92); North America (1NO39); Pennsylvania (1PE71); U.S. Mid-Atlantic Region (1MI18); USA (1US73))

Language: EN

Other Indexing: (Justice Dept.; Justice Department; Penn **Biden** Center for Diplomacy and Global Engagement; White House Counsel's Office; Department of Justice; U.S.; FBI; National Archives and Records Administration; University of Pennsylvania) (Joe Biden)

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NewsRoom

Classified documents from Biden's VP tenure discovered in private office

Jeff Mordock, THE WASHINGTON TIMES | Washington Times (DC)

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January 10, 2023

Section: Politics

Classified documents from Biden's VP tenure discovered in private office Garland taps U.S. attorney to review

Jeff Mordock, THE WASHINGTON TIMES

Classified documents from President **Biden's** tenure as vice president were discovered last November in a private Washington office, Mr. **Biden's** attorneys confirmed Monday. Attorney General Merrick Garland dispatched John Lausch, the U.S. Attorney for Chicago to investigate after the National Archives and **Records** Administration referred the matter to the Justice Department. Mr. Lausch was appointed by President Trump and is one of the U.S. attorneys held over from the former administration.

The disclosure, coming after a high-profile investigation of Mr. Trump for keeping **classified documents** after he left office, had the former president and others accusing the administration of a double standard. Special counsel to the president Richard Sauber said "a small number of **documents** with **classified** markings" were discovered while Mr. **Biden's** attorneys were cleaning out the offices of the Penn **Biden** Center for Diplomacy and Global Engagement, where Mr. **Biden** had an office after he left the vice presidency in 2017.

Mr. **Biden** vacated the office in 2020 upon being elected president.

The **classified documents** included top secret files designated as "sensitive compartmented information," which is used for highly sensitive information obtained from spies and other intelligence sources. Mr. Sauber said in a statement that the attorneys immediately notified the National Archives, who took possession of the classified documents the next day. The documents were stored in a locked closet, he said. "The documents were not the subject of any previous request or inquiry by the Archives. Since that discovery, the president's personal attorneys have cooperated with the Archives and the Department of Justice in a process to ensure that any Obama-**Biden** administration **records** are appropriately in the possession of the Archives," the statement said. It is unclear how far Mr. Lausch is in the probe or when it began. In 2021, Illinois' two Democratic senators asked Mr. **Biden** to keep Mr. Lausch at his post to complete "sensitive investigations." It is not known which investigations they were referring to or if it relates to the **classified documents** probe.

The discovery of the materials comes as special counsel Jack Smith is probing Mr. Trump for potentially mishandling **classified documents** at his Mar-a-Lago resort in Florida. Federal investigators have recovered at least 325 **classified documents** from Mr. Trump as part of their inquiry.

Mr. Trump has not been charged with a crime and it is not clear when a decision on whether to charge Mr. Trump or anyone else will be made.

"When is the FBI going to raid the many homes of Joe Biden, perhaps even the White House?" Mr. Trump posted on his social media site, Truth Social, in response to the latest revelations. Mr. Trump's allies also jumped into the fray, accusing the Justice Department and National Archives of a double standard when it comes to dealing with Mr. Biden.

"President Biden has been very critical of President Trump mistakenly taking classified documents to the residence or wherever and now it seems he may have done the same. How ironic," Rep. James Comer, Kentucky Republican, told reporters.

Mr. Comer, who is set to become the chairman of the House Oversight Committee, said he had asked the National Archives questions related to the Trump probe and the National Archives referred Republicans to the Justice Department. He said he intends to ask the National Archives for more information this week.

Mr. Biden has savaged Mr. Trump for storing classified documents at his Florida residence.

"How that could possibly happen? How one - anyone could be that irresponsible?" Mr. Biden said. "And I thought what data was in there may compromise sources and methods. By that, I mean names of people who helped or, et cetera... totally irresponsible."

---- **Index References** ----

Company: Federal Bureau of Investigation; National Archives and Records Administration

News Subject: (Corruption, Bribery & Embezzlement (1EM51); Crime (1CR87); Criminal Law (1CR79); Fraud (1FR30); Government (1GO80); Government Litigation (1GO18); Legal (1LE33); Legislation (1LE97); Social Issues (1SO05); U.S. Legislation (1US12))

Industry: (Security (1SE29); Security Agencies (1SE35))

Region: (Americas (1AM92); Florida (1FL79); Illinois (1IL01); North America (1NO39); U.S. Midwest Region (1MI19); U.S. Southeast Region (1SO88); USA (1US73))

Language: EN

Other Indexing: (Justice Department; Penn **Biden** Center for Diplomacy and Global Engagement; Department of Justice; White House; House Oversight Committee; FBI; National Archives and Records Administration) (Joe Biden)

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Classified Records Found In Biden's Former Private Office

Nicholas Reimann, Forbes Staff | Forbes

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January 9, 2023

Classified Records Found In **Biden's** Former Private Office

The matter has been referred to the Justice Department, which is also investigating a trove of **classified records** found at Donald Trump's home.

Nicholas Reimann, Forbes Staff

A series of **documents** marked **classified** dating to when President Joe **Biden** served as vice president were discovered inside his former office at a Washington, D.C., think tank two months ago, according to the White House—a matter that has been referred to the Justice Department, which is also investigating a trove of **classified records** found at former President Donald Trump's home last year.

Then-Democratic presidential candidate Joe **Biden** delivers remarks about the coronavirus outbreak on March 12, 2020 in Wilmington, Delaware. (Photo by Drew Angerer/Getty Images)

Topline

Getty Images

Key Facts

Around 10 **classified documents** were found inside **Biden's** former office at the Penn **Biden** Center for Diplomacy and Global Engagement, which **Biden** used from 2017 to 2019, according to CBS News .

White House special counsel Richard Sauber said in a statement **Biden's** personal attorneys found the records on November 2 of last year while packing files, and then notified the National Archives.

Attorney General Merrick Garland has reportedly tapped Chicago-based U.S. Attorney John Lausch to look into the matter.

It's unclear what the status of any potential investigation is—the DOJ did not immediately respond to a request for comment from Forbes .

What We Don't Know

It's not clear what information the documents contain, or how the records got to the office. The classified information does not concern nuclear secrets, according to CBS News, citing a source with knowledge of the records.

Key Background

The Presidential Records Act legally requires administrations to turn over all sensitive documents when a president leaves office, though the law was little-known before a trove of apparently **classified documents** were discovered at Mar-A-Lago, Trump's resort residence. At this point, the scope of the **classified documents** held by **Biden** appears to pale in comparison to the allegations against Trump, after an hours-long FBI raid at Mar-A-Lago in August uncovered more than 300 **classified documents**, some which were reportedly marked "top secret" and concerned nuclear capabilities. The raid was carried out after

Trump's legal team allegedly failed to comply with a grand jury subpoena demanding all **classified records** he still possessed. Garland appointed a special counsel to oversee the investigation in November, after Trump launched his 2024 presidential campaign. Trump has denied any wrongdoing.

Tangent

Biden served as an honorary professor at the University of Pennsylvania—which runs the center—between 2017 and the start of his presidential campaign, and received \$917,643 from the university to lead the center and give speeches there, according to CBS News.

Chief Critic

Trump wrote on Truth Social after the news broke Monday: "When is the FBI going to raid the many homes of Joe **Biden**, perhaps even the White House? These documents were definitely not declassified."

Further Reading

U.S. attorney reviewing **classified documents** from Joe **Biden's** vice presidency found at **Biden** think tank (CBS News)

National Archives Took 15 Boxes Of White House Records From Mar-A-Lago—Which Should Have Never Been There (Forbes)

Attorney General Garland Appoints Special Counsel To Determine If Trump Faces Charges (Forbes)

Trump Launches 2024 Presidential Bid (Forbes)

Mar-A-Lago Raid: FBI Investigating Whether Trump Violated These 3 Statutes (Forbes)

---- **Index References** ----

Company: Federal Bureau of Investigation; GETTY IMAGES HOLDINGS, INC.

News Subject: (Campaigns & Elections (1CA25); Global Politics (1GL73); Government Litigation (1GO18); Legal (1LE33); U.S. President (1US75); U.S. Presidential Campaigns (1US04); World Elections (1WO93))

Industry: (Coronavirus (1CV19); Healthcare (1HE06); Infectious Diseases (1IN99); Viral (1VI15))

Region: (Americas (1AM92); Delaware (1DE13); North America (1NO39); U.S. Mid-Atlantic Region (1MI18); USA (1US73))

Language: EN

Other Indexing: (White House—a; Justice Department; Penn **Biden** Center for Diplomacy and Global Engagement; White House; National Archives; DOJ; University of Pennsylvania—which; FBI; Getty Images) (Joe Biden)

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NewsRoom

Mexico Asks Biden For Funds To Secure Border; Lawmakers Call On Biden To Take Action Against Cartels; Locals React To Belated Presidential Appear...

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Mexico Asks **Biden** For Funds To Secure Border; Lawmakers Call On **Biden**
To Take Action Against Cartels; Locals React To Belated Presidential Appear...

Mexico Asks **Biden** For Funds To Secure Border; Lawmakers Call On **Biden** To Take Action Against Cartels; Locals React To Belated Presidential Appearance; Migrants, Drugs, And Assaults Stoke Frustration; House Republicans Plan New Subcommittee; Justice Department Reviews Documents From **Biden** Center; Proposed Cuts Spark Internal Republican Strife; Damar Hamlin Released From Cincinnati Hospital; Husband Brian Walshe Charged With Misleading Police Investigation; University Of Idaho Students Returns To Campus After Grisly Slayings; Thousands Of Nurses At Two New York City Hospitals Go On Strike; FDA Approves New Medication To Treat Alzheimer's Disease; Congressional Commission Announces Recommendations For Renaming Army Bases Named For Some Who Voluntarily Served Confederate Army; Supporters Of Former Brazilian President Jair Bolsonaro Violently Overrun Government Buildings In Brazil's Capital; Attorney General Merrick Garland Assigns U.S. Attorney To Review Potential Classified Documents Found At Penn Biden Center For Diplomacy; President Biden Visits U.S. Southern Border

KATIE PAVLICH, FOX NEWS CHANNEL CONTRIBUTOR: And I wrote the forward. So --

JESSICA TARLOV, FOX NEWS CHANNEL CONTRIBUTOR: Oh, very good. Very good. There you go.

DANA PERINO, FOX NEWS CHANNEL HOST: I guess I have time to go. Percy has a new skill. Check this out. He loves --

JESSE WATTERS, FOX NEWS CHANNEL HOST: Oh.

TARLOV: Oh.

PAVLICH: Wow.

WATTERS: Two ball in the mouth.

TARLOV: Three. That's a big one.

GREG GUTFELD, FOX NEWS CHANNEL HOST: Dana, you can't do this to me.

PERINO: And with no time left.

GUTFELD: Balls, balls, balls.

PAVLICH: Dana, it's you.

PERINO: I know. I can't talk. Trace -- hi, Trace!

PAVLICH: That's it for us.

TRACE GALLAGHER, FOX NEWS CHANNEL ANCHOR (on camera): Dana, great to see you. Greg, we apologize for Friday night. Thank you everyone. And good evening.

I'm Trace Gallagher, in for Baier, "BREAKING TONIGHT", President Biden is in Mexico City right now. He is about to meet with his Mexican counterpart at the National Palace. We'll bring you there in moments.

This comes after President Biden's first trip to the U.S. southern border, and the capture of a major drug kingpin by Mexican authorities.

White House correspondent Jacqui Heinrich is in Mexico City tonight. Jacqui, good evening.

JACQUI HEINRICH, FOX NEWS CHANNEL CORRESPONDENT (on camera): Good evening, Trace.

Looming large over this summit is the role of cartels pushing migrants and drugs into the U.S. And the question of whether Mexico truly controls its own border. Biden's DHS Secretary admits the vast majority of migrants who cross into the U.S. illegally go through smuggling rings.

And Mexico tried to show strength with that high profile arrest. It's been described as a gift to Biden and a message that Mexico's approach to cartels called hugs not bullets, prevents bloodshed.

HEINRICH (voice over): Tonight, President Biden receives a dignified reception in Mexico City for the summit with his North American counterparts to talk immigration and drug trafficking.

But just days before --

It took 3,586 Mexican soldiers descending on Sinaloa to capture drug kingpin Ovidio Guzman, a son of El Chapo. 30 people were killed, including 10 Soldiers. Dozens more injured.

Cartels forced down two Air Force planes and shot up a commercial airliner. And authorities confiscated 26 Barrett rifles, six machine guns, 26 long arms, nearly 600 magazines, bulletproof vests, and dozens of armored cartel vehicles.

Mexico says they're not trying to win a war, asking Biden to send help in the way of dollars, south of their border to address root causes of migration.

(BEGIN VIDEO CLIP)

MARCELO EBRARD, SECRETARY OF FOREIGN AFFAIRS, MEXICO: If you want to reduce the migratory flow, there should be investment. We recognize that it is a different policy. For obvious reasons, to what the right is proposing.

HEINRICH: Republicans in Congress urging Biden to send in U.S. military assets.

And I want to be clear, I'm not talking about U.S. troops, but I'm talking about cyber, drones, intelligence assets, naval assets, because these are paramilitary entity.

HEINRICH: Other critics say Biden's not yet used other tools.

GOV. GREG ABBOTT (R-TX): If the president does designate them as a foreign terrorist organization, it empowers the United States to take certain actions against them that would begin to erode the power of the cartels.

Again, no new law is needed here.

HEINRICH: But U.S. officials have signaled no such plans ahead. Instead, monitoring the rollout of Biden's new work visa program for migrants from Nicaragua, Venezuela, Cuba, and Haiti.

JAKE SULLIVAN, NATIONAL SECURITY ADVISER: By the end of this summit, we're not going to have a new agreement as a deliverable here.

(END VIDEO CLIP)

HEINRICH (on camera): A U.S. officials say there will be a robust conversation about how to stem the flow of deadly fentanyl across the U.S. border. But any efforts to get Mexico to take in more deported migrants will be complicated by ongoing trade disputes. Trace.

GALLAGHER: Jacqui Heinrich, live for us in Mexico City. Jacqui, thank you.

Meantime, many people who live along the border are not happy that President Biden spent so little time there yesterday and failed to see or talk to any migrants.

Correspondent Griff Jenkins has that part of the story tonight from Eagle Pass, Texas.

Too little too late.

GRIFF JENKINS, FOX NEWS CHANNEL CORRESPONDENT: Del Rio rancher Laura Allen frustrated that it took President Biden nearly two years to visit the border

(BEGIN VIDEOTAPE)

LAURA ALLEN, RANCHER, DEL RIO, TEXAS: We're the voice trying to warn the rest of our country. We can't hold the line. Your government is not holding the line.

MAGALI URBINA, FARMER, EAGLE PASS, TEXAS: I don't think it's OK.

JENKINS: Eagle Pass pecan farmer Magali Urbina says Biden didn't even see the real crisis landowners like her face every day.

URBINA: He went to El Paso, everything's picked up, everything is clean, everybody is kind of like on their best behavior.

JENKINS: The president spent just over three hours on the ground in El Paso, at the port of entry, walking the wall with Border Patrol officials and touring a migrant center, but witnessed no migrants firsthand.

Despite CBP sources, exclusively telling Fox News, there were 518 migrant encounters in the El Paso sector yesterday.

Hours after Biden landed in Mexico, a group of 164 migrants crossed in the Eagle Pass before dawn. Fox News also witnessed a group of migrants from the Dominican Republic, scaling a makeshift wall of shipping containers in razor wire.

UNIDENTIFIED MALE (through translator): I want to thank President Biden for giving us this opportunity. We come from a country that's really poor and we're looking for work.

JENKINS: This, as Border Patrol reports over the weekend, nearly 7,000 encounters across the entire Southwest border, the seizure of more than \$118,000 worth of narcotics and the assault of three agents.

URBINA: I hope somebody does something. Whether it's the president or lawmakers, somebody.

(END VIDEOTAPE)

JENKINS (on camera): And Trace, as migrants are being loaded in that transport van behind me right now here in Eagle Pass, over in El Paso, a bipartisan group of the U.S. senators, including Republican John Cornyn, Democrat Mark Kelly, and independent Kyrsten Sinema are meeting with border officials and local leaders to discuss the migrant crisis. Trace?

GALLAGHER: Griff Jenkins, live along the border. Grift, thank you.

Speaking of live meeting, to take you back now to Mexico City. That is a live look at the room at the National Palace in Mexico City where President Biden is about to meet with the Mexican president, President Manuel Lopez Obrador.

Keep in mind, there is several things on the table to discuss, no pun intended there, and also, we will expect a dinner where the Canadian Prime Minister will also join.

This is the first time that a U.S. president has visited Mexico City since 2014. We'll bring you back there live when the event begins.

Meantime, the House is back in session tonight. The chamber reconvened about an hour ago after a long and difficult week during which Republican Kevin McCarthy was finally elected Speaker just after midnight Saturday morning.

Now comes the really hard part. Congressional correspondent Aishah Hasnie is on Capitol Hill tonight.

AISHAH HASNIE, FOX NEWS CHANNEL CORRESPONDENT (voice over): House Speaker Kevin McCarthy heading into his first big vote tonight with some Republicans still steaming over concessions he made to get the gavel.

REP. NANCY MACE (R-SC): The rumors of potential backroom deals that were cut for the Speaker vote with a select few people that didn't want those to leak out, a faction of those 20. That's not OK.

HASNIE: South Carolina Representative Nancy Mace, who was on the fence this weekend about voting for the rules package now tells Fox, she's leaning towards it after voicing her concerns.

But Texas Congressman Tony Gonzalez is still a hard no.

REP. TONY GONZALES (R-TX): The defense spending -- the cut in defense --

UNIDENTIFIED MALE: Yes.

GONZALES: I think that's -- terrible idea.

HASNIE: Some worry, an agreement to cap discretionary spending at fiscal year 2022 levels in order to balance the budget will bleed into defense funding.

REP. MICHAEL WALTZ (R-FL): We've got to get spending under control, but we are not going to do it on the backs of our troops and our military.

HASNIE: But Congressman Chip Roy, one of the hardliners who eventually voted for McCarthy tweeted Sunday, "Cuts to defense were never discussed", as part of any negotiations.

What Republicans are uniting behind is a new subcommittee to investigate the weaponization of federal agencies like the FBI and their relationships with social media sites like Twitter.

A source familiar with the panel tells Fox, Republicans will demand any e-mails or memos a White House may have sent to big tech.

REP. JIM JORDAN (R-OH): We're going to do it vigorously. We're going to do it aggressively, because that's our job.

(END VIDEOTAPE)

HASNIE: And Trace, tonight's rules vote will also be the first big task for GOP whip Tom Emmer, who received some criticism last week over that ordeal over the speakership bid.

Tonight, he told reporters he doesn't believe this rules package is controversial, and he thinks it will pass tonight. Trace?

GALLAGHER: Aishah Hasnie, live for us on Capitol Hill. Aishah, thank you.

Stocks were mixed today. The Dow lost 113, the S&P 500 fell three, and the NASDAQ gained 66.

Well, "BREAKING TONIGHT", the Justice Department is now reviewing potentially classified documents found at the Biden Center. This is from his time as the vice president.

The Associated Press is reporting the information comes from the White House. And, of course, the Attorney General Merrick Garland is now saying, according to CBS News that they will be looking into this.

Again, this is the Penn **Biden** Center for Diplomacy. We know, of course, the brouhaha that came of the documents -- declassified documents found in Mar-a-Lago, accusing President Trump of bringing those documents in.

Now, we have potential **classified documents** being found at the Penn **Biden** Center for Diplomacy, dating back to when President **Biden** was the vice president.

We'll continue our coverage of breaking news as we get more information.

Let's bring in Fox News chief political analyst Brit Hume. Brit, just kind of your take on the breaking news here, where potentially **classified documents** from former Vice President **Biden** now found at the Penn **Biden** Center for Diplomacy. You're take?

BRIT HUME, FOX NEWS CHANNEL SENIOR POLITICAL ANALYST (on camera): Well, we need to know whether they were simply potentially **classified** or actually **classified**. And if they were, indeed, **classified documents** found there, what kind of **classified documents** they were, how many there were, and all the rest of it.

So, it's early days on this. We'll have to see where it goes. Obviously, it would be embarrassing for this president, after the tremendous to do that was made, as you pointed out over the Donald Trump's apparently holding classified documents down here in Florida, at Mar-a-Lago, to have -- to have done something similar himself. So, we'll see if that's what it ends up being.

GALLAGHER: Yes. Meantime, back to the news today, House Minority Leader Hakeem Jeffries said this about House dysfunction, Brit, and I'll get your response on the other side,

(BEGIN VIDEO CLIP)

REP. HAKEEM JEFFRIES (D-NY): General concern is that the dysfunction that was historic that we saw this week is not at an end, it's just the beginning.

(END VIDEO CLIP)

GALLAGHER: Is it a fair point, considering what happened last week, Brit?

HUME: I think it's a -- it's something that many Republicans are worried about, too. They're worried that too much power to influence the majority has been -- has been to influence the Speaker, in particular, has been turned over to what is, after all about a 10 percent share of the Republican caucus.

And I think that's, you know, as it seems a valid concern, they found themselves in the parliamentary situation that you sometimes find in a democracy, where a very small number has controlling power in a particular moment. And that was exercise last week and up until the end of the week, and that vote and concessions were extracted from McCarthy, that do not strengthen his hand. So we'll see. But it's a legitimate concern.

GALLAGHER: Yes. And it's interesting to me, Brit, because I keep going back to, you know, the Reagan Defense Forum we had back in December. And we talked about the budget, and there's been a lot of talk about, military cuts there.

And my two big takeaways were the fact that military recruitment is way down, and military readiness is also down.

The Wall Street Journal, if we can put this on the screen said the following about this. And we're quoting here. "The pressure for defense cuts will be great. That's a terrible signal to send adversaries who are increasingly belligerent," and the adversaries are increasingly belligerent to be sure, Bret.

HUME: Yes, I think that's, that's obviously a valid concern. And the reason, I think is this, that this is often forgotten in these debates over domestic spending, versus national security spending, which is this. There are all kinds of actors, state and local governments, private businesses, and so on, who affect our domestic situation here, the economy in particular.

But when it comes to national defense and foreign policy, the federal government is the agency and really the only agency that has anything to say about that, and it is, arguably, its primary responsibility.

So, when you talk about, well, we're going to cut from here, we're going to cut from there equally, you have to be concerned that the -- that the federal government's principal responsibility may get hurt in the process.

And I think that's what a lot of Republicans and some others as well are worried about, as a consequence of this agreement in which it is said that they're going to hold spending at current levels you do that?

And inevitably, because of inflation and increasing needs, defense ends up getting cut.

GALLAGHER: Brit Hume, good insight. Thank you, sir.

HUME: You bet.

GALLAGHER: Up next, to major development in the case of the NFL player who collapsed on the field last Monday night.

First, here is what some of our Fox affiliates around the country are covering tonight. Fox Two in San Francisco where relentless rain causes flooding, mudslides, and strong winds for two weeks in the Bay Area.

13,000 Sonoma County residents are under evacuation warnings for severe flooding. Forecasters expect rain to continue throughout most of the week.

And this, a live look at Fort Worth, Texas from FOX4 and Atlanta from FOX5. The big story in both cities tonight, the Texas Christian University Horned Frogs prepare to take on the Georgia Bulldogs in hopes of winning their first national championship football game in 84 years.

Georgia hoping to defend its national championship title, kickoff 7:45 p.m. Eastern at SoFi Stadium right here in Southern California.

That's tonight's live look "OUTSIDE THE BELTWAY" from SPECIAL REPORT, and we will be right back.

(COMMERCIAL BREAK)

TRACE GALLAGHER, FOX NEWS CHANNEL CHIEF BREAKING NEWS CORRESPONDENT: Breaking tonight, just a week after suffering a cardiac arrest on the playing field, Buffalo Bills safety Damar Hamlin has been released from Cincinnati hospital. Hamlin will continue his recovery in Buffalo.

Correspondent Alexis McAdams is in Orchard Park, New York tonight. Alexis, good evening.

ALEXIS MCADAMS, FOX NEWS CHANNEL CORRESPONDENT (on camera): Trace, good evening. That's right. Tonight, Damar Hamlin is back home here in Buffalo recovering at a local hospital. This comes just seven days after he was on -- went into cardiac arrest rather and also was on a breathing tube.

Take a look at this tweet. It was in just this afternoon. You can see the 24-year-old Buffalo Bills safety tweeting out that the news saying I'm grateful for the awesome care I received at UCMC. I'm happy to be back in Buffalo. The docs and nurses at Buffalo General have already made me feel at home.

Doctors in Cincinnati, Trace, says Hamlin was often walking around, even watching Sunday's game including this play when Nyheim Hines caught that opening kickoff running 96 yards for that touchdown to give the Bills an early lead.

(BEGIN VIDEO CLIP)

DR. TIMOTHY PRITTS, SURGEON, UNIVERSITY OF CINCINNATI: We've learned this week that the Bills mafia is a very real thing. And we all feel the love from you all in Western New York. But you know, he watched the game on yesterday

when the opening kickoff was run back, he jumped up and down and got out of his chair. Set I think every alarm off in the ICU in the process.

(END VIDEO CLIP)

MCADAMS: Yes, an amazing recovery. According to the hospital here in Buffalo, Trace, Hamlin is listed in stable condition and continues to make significant progress rather. Back out here live, I can tell you was absolutely electric inside of that stadium yesterday. This is an emotional time for the fans and Hamlin will have a long road to recovery and will still undergo some tests, Trace.

GALLAGHER: And even though he went to Pitt University, you can bet that he's going to be watching the national championship game tonight. Alexis McAdams live for us to the Buffalo area. Alexis, thank you.

There has been an arrest in the case of the Massachusetts woman missing since last week. Her husband is in jail tonight.

Correspondent Molly Line is in Quincy, Massachusetts.

(BEGIN VIDEO CLIP)

MOLLY LINE, FOX NEWS CHANNEL CORRESPONDENT (voice over): With a grin on his face, the husband of missing Massachusetts mom Ana Walshe heading to court today, charged with misleading a police investigation.

Prosecutors told the judge investigators found blood in the couple's Cohasset home and that despite being on house arrest for a prior crime, Brian Walshe also made an unapproved trip to a Home Depot on January 2nd, the day after the mother of three vanished wearing a mask and surgical gloves. He paid cash.

LYNN BELAND, ASSISTANT DISTRICT ATTORNEY, NORFOLK COUNTY, MASSACHUSETTS: He's on surveillance at that time, purchasing about \$450 worth of cleaning supplies that will include mops, bucket, tops, Tdex (PH), drop cloths, as well as various kinds of tape.

LINE: Over the weekend, as police scoured the property, they found a blood stained weapon.

BELAND: Blood was found in the basement area, as well as a knife which also contains the blood.

LINE: Brian Walshe pleaded guilty in 2021 to federal charges stemming from the sale of two fake Andy Warhol paintings. Police say a family member last saw 39-year-old Ana in the early morning hours on New Year's Day as she planned to take a ride share to Boston's airport for a flight to Washington D.C., where she worked during the week for a real estate firm.

Police say there's no indication a rideshare vehicle ever came and no record of her boarding a flight. Her husband didn't report her missing until January 4th. The same day her D.C. employer raised alarm bells. Walshe's defense attorney argued for his release.

TRACY MINER, DEFENSE ATTORNEY: We have consented to searches on his property. We have consented to searches of his cell phone.

(END VIDEO CLIP)

LINE (on camera): Walshe remains held on \$500,000 cash bail, Trace.

GALLAGHER: Molly Line, thank you.

Students at the University of Idaho are returning to campus for the start of the spring semester. This comes as a suspect in the brutal murders of four students sits in jail tonight.

The chief correspondent Jonathan Hunt is in Moscow, Idaho this evening.

(BEGIN VIDEO CLIP)

JOLENE BROOKER: I feel like they have their angel wings.

JONATHAN HUNT, FOX NEWS CHANNEL CHIEF CORRESPONDENT (voice over): Jolene Brooker (PH) and her son drove five hours just to pay tribute to the four University of Idaho students so brutally murdered in their home.

BROOKER: Knowing that my kids are angels, we can't see them would somehow warmed my heart within this very sad time.

HUNT: The University of Idaho officially begins at spring semester Wednesday, and many students are returning for the first time since the November 13th killings when they left campus in fear with a killer on the loose.

Now they have the small comfort of knowing police say that an accused killer Bryan Kohberger, they have their man.

UNIDENTIFIED FEMALE: I'm just happy they caught someone. I was hoping they got someone before we all came back for spring semester.

BRYSON BUTTERFIELD, UNIVERSITY OF IDAHO STUDENT: It's just going to be look out for one another more. Take care of one another and be kind.

JOSHUA JACOBSON, UNIVERSITY OF IDAHO STUDENT: I really hope that all the people that were affected by it can find healing.

HUNT: Kohberger a 28-year-old PhD criminology student will make his second court appearance in Moscow on Thursday. It's a status hearing that is unlikely to reveal much new information or answer outstanding questions such as where is the murder weapon, did Kohberger dispose what would have been heavily bloodstained clothing during what police say was a circuitous drive he took from the crime scene to his apartment on campus at nearby Washington State University.

(END VIDEO CLIP)

HUNT (on camera): There are no indications as yet from investigators that Bryan Kohberger had any previous direct contact with any of the victims although his vehicle movements and cell phone records suggest he may have obsessively stalked one or more of them from a distance, Trace.

GALLAGHER: Jonathan Hunt in Moscow, Idaho tonight.

Up next, New York nurses go on strike forcing some hospitals to adjust treatment plans.

(COMMERCIAL BREAK)

GALLAGHER: Thousands of New York City nurses are on strike. They are demanding pay raises and more staffing. FOX Business correspondent Lydia Hu is in New York this evening. Lydia, good evening.

LYDIA HU, FOX BUSINESS CORRESPONDENT: Good evening, Trace. About 7,000 nurses across two hospitals in New York City left patient bedsides today, taking to the sidewalks to strike as labor negotiations broke down early this morning. The management here at the Mount Sinai hospital calling this strike reckless, and adding in a statement, quote, "Our first priority is the safety of our patients. We're prepared to minimize disruption, and we encourage Mount Sinai nurses to continue to provide the world class care they are known for."

But Trace, the strike is impacting patient care as hospitals also manage surging cases of COVID, RSV, and the flu. Mount Sinai says it has moved the most vulnerable like NICU babies to other hospitals, postponed some elective surgeries and heart surgeries, and is also helping cancer patients find alternative locations for treatments.

And thousands of nurses are also striking at Montefiore Medical Center in the Bronx. There the hospital is also rescheduling all elective surgeries and postponing outpatient appointments. The sticking point, Trace, is that staffing levels, the union says, compromises patient care.

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: You are working through your lunch hour, sometimes not at all. I worked on a unit where we did 12 hours sometimes without a break.

If anything goes wrong, it's the first thing they want to do is reprimand you.

(END VIDEO CLIP)

HU: Now, Mount Sinai and Montefiore say that they've offered nurses a 19 percent raise to be paid out over the course of three years. But the hospitals say the nurses walked away from the negotiating table early this morning anyway. The negotiations resumed this afternoon at Montefiore, but they do appear to be at a standstill here at Mount Sinai. The nurses' union says they're prepared to strike every day until they reach an agreement. Trace?

GALLAGHER: Lydia Hu live for us in New York. Lydia, thank you.

A federal trial is underway for a man accused of ramming his rental truck into eight people on a New York City bike path. Sayfullo Saipov has pleaded not guilty to multiple charges of murder for the 2017 attack on Halloween. The Uzbekistan native's alleged plot is being treated as an act of terrorism after prosecutors say they found multiple notes revealing Saipov had pledged loyalty to ISIS. The trial expected to last three months. He is the first person to face federal charges that could result in the death penalty under President Biden's administration.

Well, the New Jersey middle school now teacher facing drug charges after allegedly overdosing on fentanyl in the classroom. Fifth-seven-year-old Frank Thompson was charged last week for the November incident. A school nurse treated him in front of students and gave him Narcan to reverse the overdose. Classes were temporarily moved to a different location while the room was sanitized.

Tonight, we have more about a story we brought you on Friday. The FDA has now approved new medication to treat Alzheimer's disease, but not everyone is happy about that. Here's correspondent Gillian Turner.

(BEGIN VIDEO TAPE)

DR. THOMAS WISNIEWSKI, LANGONE ALZHEIMER'S RESEARCH CENTER: Lecanemab is in a class by itself.

GILLIAN TURNER, FOX NEWS CORRESPONDENT: In a major medical breakthrough, the FDA is fast tracking the new drug to treat early stage Alzheimer's disease.

WISNIEWSKI: Recently published data suggests that it is associated with meaningful clinical benefits to patients and it also slows down the disease progression.

TURNER: The drug hits the market later this month. The Alzheimer's Association applauds FDA approval as, quote, "The right decision," but blasts Medicare and Medicaid's refusal to help pay for it. "Without coverage of this treatment, people are losing days, weeks, months, memories, skills, and independence. They are losing time." The association estimates an average of 2,000 Americans 65 and older per day will progress from mild to advanced Alzheimer's without drug treatment.

Leqembi's approval, though, is not without controversy. A recent congressional investigation issued a scathing report on the FDA's rushed approval of another Alzheimer's drug from the same U.S. developer, Biogen, calling the review process highly atypical, and the \$56,000 per year price tag for that drug unjustifiably high. Because of that price tag and concerns about efficacy, that drug fizzled on the U.S. market.

The FDA insisted it remains, quote, "committed to the integrity of our drug approval process." Alzheimer's experts say Leqembi has shown more promise in clinical trials than competitor drugs, but the medical evidence is not clear on whether it will make a noticeable difference.

DR. SAM GANDY, MOUNT SINAI HOSPITAL: The future will tell us more about how patients in the current trial fare over longer periods of time.

(END VIDEO TAPE)

TURNER (on camera): There are serious risks from the drug, including brain swelling and bleeding. Leqembi's price tag will \$20,600 a year. That's less than half the cost of Aduhelm, its predecessor, that was condemned by congressional investigators. Trace?

GALLAGHER: Gillian, thank you.

A federal judge in West Virginia has upheld a state law that prohibits biological male student athletes who identify and present themselves as female from playing on girls' school sports teams. The court found that West Virginia's definition of biological sex for school sports is, quote, "substantially related to its important interest in providing equal athletic opportunities for females."

Up next, the U.S. begins changing the names of military installations in an effort expected to cost millions of dollars. And later, chaos in Brazil over allegations of a stolen election.

(COMMERCIAL BREAK)

GALLAGHER: A special grand jury in Georgia investigating whether then President Trump and his allies illegally tried to overturn his defeat in Georgia's 2020 election has finished its final report now. The jurors considered evidence and heard testimony from dozens of witnesses including high profile Trump associates and top state officials. A hearing scheduled for January 24th will determine if the final report will be released to the public.

After two years of politically and racially diverse congressionally mandated commission has completed its recommendations to rename Army bases and remove statues and art that celebrate those who voluntarily served the Confederate Army. The Pentagon has ordered of the name changes to be implemented by the end of the year. The price tag -- an estimated \$62.5 million. The chief national security correspondent Jennifer Griffin is at the Pentagon tonight.

(BEGIN VIDEO TAPE)

JENNIFER GRIFFIN, FOX NEWS NATIONAL SECURITY CORRESPONDENT: Nine army bases will face name changes, including Fort Bragg, North Carolina named for Braxton Bragg, an ill-tempered slave-owning Confederate general who lost most of his battles and troops. Fort Bragg was named in 1918 during the Jim Crow period as an olive branch to southern families whose sons the military hoped to recruit. It's been home to the U.S. military's elite special forces and airborne units and will now be known as Fort Liberty.

Other changes include Fort Benning, named for the Colonel who led Georgia's secessionist movement, will become Fort Moore. Fort Polk, Louisiana, named for a general who owned more than 100 slaves, will become Fort Johnson, who received the Medal of Honor for actions during World War I. Fort Gordon, Georgia, will now be Fort Eisenhower, originally named for the member of the Ku Klux Klan. Fort Rucker, Alabama, named for a slave trader, will become Fort Novosel.

KORI SCHAKE, NAMING COMMISSION: He was a World War II Army Air Corps pilot, was awarded the Medal of Honor for action in combat, and not only saved the life of his own son, but his son returned the favor by saving his father when the father had been shot down. It commemorates the way so many military families are intergenerational.

GRIFFIN: The commission came in the wake of the police killing of George Floyd in 2020. Congress established the Naming Commission in the 2021 NDAA which then President Trump vetoed due to the presence of the commission.

(END VIDEO TAPE)

GRIFFIN (on camera): Bipartisan majorities in both houses of Congress then overrode Trump's veto. The Pentagon has until the end of the year to comply. Trace?

GALLAGHER: Jennifer Griffin at the Pentagon. Jennifer, thank you.

Brazilian authorities are trying to clean up and find out exactly what happened following violent protests during the weekend. It has to do with allegations of a stolen election. President Biden spoke with Brazil's new president on the phone today and conveyed support for his government. Senior foreign affairs correspondent Amy Kellogg has details.

(BEGIN VIDEO TAPE)

AMY KELLOGG, FOX NEWS SENIOR FOREIGN AFFAIRS CORRESPONDENT: Supporters of former president Jair Bolsonaro on Sunday storming the Brazilian presidential palace, supreme court, and congress, and causing widespread damage in a three-hour riot. The protesters are claiming their vote was stolen and that they are trying to, quote, save their country. But President Luiz Inacio Lula da Silva has been sworn in and is vowing to make those he calls, quote, fascist and fanatics, pay for their actions.

Outgoing President Bolsonaro watched the events unfold from Florida where he went 48 hours before his term was up. Some U.S. Democratic lawmakers are calling for Bolsonaro to be sent home to effectively answer for the violence wreaked by his supporters. President Biden has condemned the, quote, "assault on democracy in Brazil" with State Department spokesperson Ned Price saying today.

NED PRICE, STATE DEPARTMENT SPOKESMAN: We condemn this violence. Violence is never appropriate. It's never the answer. Brazil's democratic institutions have our full support. As we always are, we are standing by for any requests for assistance from our Brazilian partners, from Brazilian authorities, whether those come through diplomatic channels, whether they come through law enforcement channels.

(END VIDEO TAPE)

KELLOGG (on camera): Bolsonaro reportedly hospitalized Monday for abdominal pain. Don't forget, he was stabbed in the stomach in 2018 while campaigning. Political violence not uncommon in Brazil, but Sunday's riot is said to have been the worst since the country overthrew dictatorship in 1985. Trace?

GALLAGHER: Amy Kellogg. Amy, thank you.

Up next, the panel on President Biden's visit to the southern border.

First, Beyond our Borders tonight. Ukraine is strengthening its forces in the eastern Donbas region in order to repel attacks from Russian mercenaries. The Wagner Group has been trying to take control of the areas' vast underground mines for months.

And this is a live look at Edmonton, Canada. One of the big stories there tonight. Canada finalizes an agreement with Lockheed Martin to purchase 88 F-35 fire jets. The aircraft are expected to be delivered in 2026 and be fully operational within the fleet by 2034. At \$15 billion it is the largest investment in the Royal Canadian Air Force in more than 30 years.

Just some of the other stories Beyond our Borders tonight. And we'll be right back.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: What do you think about the **documents** that -- the **classified documents** that were found at President **Biden's** library from his time at vice president?

REP. MARJORIE TAYLOR GREENE, (R-GA): Oh my gosh, I think we need to investigate the **Bidens** nonstop. I've been very vocal in impeaching Joe **Biden**, and hopefully we can get that done this congress.

(END VIDEO CLIP)

GALLAGHER: Let's bring in our panel, Jason Riley, "Wall Street Journal" columnist and senior fellow at the Manhattan Institute, Susan Page, Washington Bureau Chief at "USA Today," and Ben Domenech, editor at large for "The Spectator" and host of "The Ben Domenech Podcast" on FOX News Radio.

A little bit of breaking news, Ben, we would like to get to with you, and I want to put this tweet up on the screen if I can. This is from Jim Banks. And he is saying, "How will the people demanding President Trump go to prison spin this?" What he's talking about is the breaking news that Merrick Garland has now assigned a U.S. attorney in Chicago to review potential, potential **classified documents** found at the Penn **Biden** Center for Diplomacy. And, of course, Jim Banks is referring to the entire world coming down on President Trump for the **classified documents** found, or potentially **classified documents** found at Mar-a-Lago. Your thoughts on this, Ben?

BEN DOMENECH, FOX NEWS CONTRIBUTOR: Obviously, there's going to be the normal accusations of hypocrisy. And I think that they probably have merit to them here. One of the things that I think is important is to understand what the content of these documents are. We have an overclassification problem in America generally. A lot of people used that, frankly, as a point to defend former President Trump, and I think it could potentially be a valid point here as well. You have a lot of things that end up classified that aren't nuclear secrets, which apparently are not included in these documents. But we have a lot more to learn about what actually went on here and what is included among them.

GALLAGHER: Yes, interesting. I want to say this is what the White House said, Jason, and we'll get your response. "The White House is cooperating with the National Archives and the Department of Justice regarding the discovery of what appear to be Obama-Biden administration records, including a small number of documents with classified markings. The documents were discovered when the president's personal attorneys were packing files housed in a locked closet to prepare to vacate office space at the Penn Biden Center in Washington, D.C." Jason, your thoughts?

JASON RILEY, COLUMNIST, "WALL STREET JOURNAL": Well, I agree with Ben. We'll have to see how this plays out. But I wouldn't at all be surprised if the press treats this differently than they treated it under Donald Trump. We have seen that pattern, and I think it will continue here.

GALLAGHER: Yes, it's interesting. And Susan, your take on this, because he's right. It all really comes down to how the media covers this, if this ignore it or not. Does it become the next version of the Twitter files? Does it become the border where nobody decides to cover it until sometime down the road?

SUSAN PAGE, WASHINGTON BUREAU CHIEF, "USA TODAY": Well, I think given the context of the investigation into former President Trump's handling of classified documents, we're going to take this seriously. We're going to -- the mainstream press is going to cover it. There should be an investigation into what these documents are and how they came to be held in this locked closet. So let's take it seriously as the attorney general seems to be doing, and let's find out more.

GALLAGHER: It's interesting, because, Ben, when you talk about taking this seriously, this, if this was President Trump, would be a four-alarm fire across every other network and "The New York Times" and "The Washington Post," et cetera. And I keep looking up at the screen, I'm looking for the coverage. I'm looking at the monitors where they have all the different companies up there, and I'm not really seeing big, bold letters across the bottom of the screen, breaking news, et cetera.

DOMENECH: They need to have some time in order to get the talking points in order. But I think one of the things that we do need to understand about this is that when it came to the documents that were held by former President Trump, what you immediately had was open speculation that he was holding documents of the most important nature, things that could be a danger to American security and the like. I don't think you're going to see that kind of speculation around this. I think you'll probably see a lot of people dismissing it, oh, these were just heirlooms and keepsakes that ended up in the files as opposed to anything of significance.

GALLAGHER: Jason, nuclear documents, right? There was a lot of speculation on what actual documents were being housed in Mar-a-Lago. And, again, the speculation has been kind of low key in this case.

RILEY: Well, yes. And, of course, the overriding issue here was when that raid first happened in Mar-a-Lago, Donald Trump hadn't declared that he was running for president. And so now the big complication there is that you have the Biden administration investigating a potential opponent in the presidential race. And so, yes, that's what sort of complicated things here. And that's going to be a big difference between what was going on there and what's going on here.

But I think your overriding point is right, which was that Donald Trump was fundamentally covered differently by the mainstream media, and we're going to see more evidence of that.

GALLAGHER: Yes. I want to, if I can, very quickly move on here because we want to talk about the border and the border encounters. If I can put up these border encounter numbers. This is very telling because you had the president visit El Paso this weekend. Look at the bottom righthand number there, 2,378,000. And yet, the president goes to El Paso, Susan, yesterday, and oddly, not a single migrant could be seen in this entire tour. It's just -- it's kind of amazing how that worked out.

PAGE: Yes. It's his first trip to the border. It's an issue that the White House has not been eager to talk about for the past two years. It's one that's, clearly a problem at the border. You look at those numbers and you cannot deny we have a problem with undocumented people coming over the border. But hard to solve.

We now have the White House trying to strike a kind of middle ground, taking somewhat more aggressive actions, including some policies that President Trump had backed to try to get control of the border, and for that being very much criticized on the left. So this is -- he's talking about this issue today and tomorrow with the president of Mexico at the Three Amigos Summit in the hopes of striking some kind of deal that brings some control to the border, and yet, preserves the system that we have under law to let people apply for political refugee status if they think they're being persecuted, if they have a legitimate threat of being persecuted in their home country.

GALLAGHER: And you can put that on the screen, if we can, full. This is the bilateral, this is in Mexico City at the palace, and the third amigo, as you mentioned there, Susan, Canadian Prime Minister Justin Trudeau has not yet appeared. This is between right now between President Biden and the Mexican president Manuel Lopez Obrador. And the concept here, and we're going to dip in if there's any news brought, the concept here of this whole thing, Ben, is that as Greg Abbott gave the president a note that reads, in part, quoting here, "Your visit to our southern border with Mexico today is \$20 billion too late -- too little, and two years too late. Moreover, your visit avoids the sites where mass illegal immigration occurs and sidesteps the thousands of angry Texas property owners whose lives have been destroyed by your border policies. This chaos is the direct result of your failure to enforce the immigration laws that Congress enacted." Ben?

DOMENECH: Look, I agree with Governor Abbott in so many respects here. This is something that the White House has attempt to the ignore. They have attempted to look away from it. They know they were going to get hit from the left as soon as they did anything that would actually work because of its associations with former President Trump. But they also, I think, are really in a bind when it comes to the situation in Mexico just given the level of chaos that that state is currently experiencing, the level of crime and fighting within both the cartels and outside of the cartels is something that is only increasing there, leading to increased chaos on the border, and also, I think is something that people seem to not associate with this. But so much of this is actually about the flow, not just of people but of fentanyl across the southern border into our communities across the country, killing so many Americans. This is something the White House has ignored for far too long, and one visit to El Paso won't make a difference.

GALLAGHER: We've got about 30 seconds to wrap this up. Jason, your final thoughts?

RILEY: I think Ben nailed it there. This is an issue -- the progressive left wanted Joe Biden to basically reverse everything that Donald Trump had done on everything, but particularly on immigration. And the problem is that some of these Trump policies were quite effective in dealing with illegal immigration. And the Biden administration is dealing with that reality right now.

GALLAGHER: Yes. Panel, thank you for your time. We appreciate it.

Finally tonight, a special day. A community takes the polar plunge to raise money for a young boy battling cancer. Five-year-old Quinn Waters, also known as Mighty Quinn, has shown his strength in a multi-year struggle with two separate brain diseases. Massachusetts water temperatures were in, oh, the 40s when his supporters raced into the bay. This is the third year of the polar plunge, and our best, of course, to Quinn Waters and his ongoing battle.

Thank you for watching SPECIAL REPORT. I'm Trace Gallagher in Los Angeles. Please join me for "FOX NEWS @ NIGHT" at midnight eastern, 9:00 pacific. "JESSE WATTERS PRIMETIME" starts now. Hey, Jesse.

END

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Classified documents found in Biden's former office spark comparisons to Trump

Franco Ordoñez | NPR All Things Considered

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Classified documents found in Biden's former office spark comparisons to Trump

Franco Ordoñez

All Things Considered

JUANA SUMMERS: An attorney for President **Biden** has confirmed that a small number of **classified documents** from his time as vice president were discovered in a private office. The discovery of **classified documents** is immediately drawing comparisons to the seizure of **classified records** found last summer at former President Trump's Mar-a-Lago estate. President **Biden's** attorney says that the National Archives was not seeking these records and that the administration has been in constant communication with both the National Archives as well as the Justice Department. They say the records were turned over immediately. We're joined now by White House correspondent Franco Ordoñez. Hey, Franco.

FRANCO ORDOÑEZ: Hey, Juana.

JUANA SUMMERS: Hey. So, Franco, what more can you tell us about this? I mean, what happened with these documents?

FRANCO ORDOÑEZ: Well, apparently some of **Biden's** personal attorneys were packing some files locked in a closet at the Penn **Biden** Center here in Washington, D.C., when they came across a, quote, "small number of documents" from the Obama-**Biden** era with some classified markings on them. **Biden** had been using the space after leaving the Obama White House, you know, in 2017 all the way up until the beginnings of the 2020 campaign. Now, of course, office holders and officials are required by law to return classified materials when they leave their government positions. And in a statement, the special counsel for Biden said that the National Archives were notified that same day that the materials were found and that the archives took possession of the classified materials the very next morning. We're not told what type of documents were discovered, but CBS News, who first reported the story, says they did not include any nuclear secrets.

JUANA SUMMERS: OK. So we're still learning quite a bit here. But there have, as we mentioned, been comparisons made to the documents that were discovered in former President Trump's possession. But, Franco, from what you know, how is this different?

FRANCO ORDOÑEZ: Yeah. I mean, we are talking about **classified documents** that were not properly stored or turned over to the proper authorities, meaning the National Archives. And that's something that the Justice Department is going to look into for **Biden** as well. But in Trump's case, it was different. It was the FBI who had to go to Florida - or was in Florida and seized **classified documents** at former President Donald Trump's Mar-a-Lago estate, as you noted earlier. The Justice Department has asked Jack Smith, its former integrity chief, to investigate possible mishandling of those documents - the Trump documents, which reportedly include letters between Trump and North Korean leader Kim Jong-un. But **Biden's** lawyer, Richard Sauber,

he makes clear that the documents discovered in Washington at the Penn Center were not the subject of any earlier requests and that **Biden's** lawyers are working with the National Archives and the Justice Department to make any - sure any records are appropriately turned over. In other words, there's no indication yet that the - **Biden** or his team resisted any efforts to recover any sensitive documents.

JUANA SUMMERS: Before I let you go, Franco, you did mention that the Department of Justice is going to be looking into **Biden's** case as well. Can you tell us anything else about that?

FRANCO ORDOÑEZ: Well, the Justice Department is declining to comment at this time, not surprisingly. But a source familiar with the inquiry told NPR justice correspondent Carrie Johnson that Attorney General Merrick Garland does want the matter looked into more closely. He's assigned it to John Lausch Jr., the U.S. attorney in Chicago. He was actually appointed during the Trump administration and remains in office. The source, however, wouldn't characterize how long this might take, though.

JUANA SUMMERS: NPR's Franco Ordoñez, thank you.

FRANCO ORDOÑEZ: Thank you.

---- **Index References** ----

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PBS NewsHour for January 9, 2023

GEOFF BENNETT: Good evening. I'm Geoff Bennett.

AMNA NAWAZ: And I'm Amna Nawaz.

On the "NewsHour" tonight: mass arrests in Brazil after thousands storm government buildings in support of the defeated far right president.

GEOFF BENNETT: President **Biden** meets with his counterpart in Mexico City, as the U.S. announces a strategy shift at the Southern border.

AMNA NAWAZ: And Navy veteran Mark Frerichs describes being held hostage in Afghanistan in his first ever television interview.

MARK FRERICHS, Former Taliban Hostage: They may have stole nearly three years in my life, but I wasn't going to let them steal my soul and spirit.

(BREAK)

GEOFF BENNETT: Good evening, and welcome to the "NewsHour."

It was the most serious assault on Latin America's largest democracy in decades.

AMNA NAWAZ: Supporters of former Brazilian President Jair Bolsonaro stormed the center of power in Brazil's capital, demanding the military takeover and evict current President Lula da Silva. More than 1,500 people have been arrested.

And, today, Bolsonaro, who is currently in Florida, was admitted to the hospital.

Nick Schiffrin begins our coverage.

NICK SCHIFFRIN: In Brazil's capital today, riot police showed up in force and sent in the cavalry to try to dismantle the movement fueled by former President Jair Bolsonaro.

Yesterday, they launched a frontal assault on Brazil's democracy. They rampaged through Congress, hoping to reinstall Bolsonaro. They assaulted the presidential palace and occupied it, hoping the military would overthrow new inhabitant, President Luiz Inacio Lula da Silva.

They assaulted police officers who tried to resist. And they ransacked the Supreme Court and stole an official chair and a symbol of the state. Two years and two days since the January 6 riot in Washington, the echoes were overt, a violent attempt to undo an election in the name of a losing candidate who claimed fraud.

WOMAN (through translator): Military intervention is what we're asking for, period. There is no going back. We're not leaving here.

NICK SCHIFRIN: They kept it up, even as they were arrested.

MARIA, Bolsonaro Supporter (through translator): This is an injustice. There are no criminals here. We were just protesting. We want to save the country.

NICK SCHIFRIN: Authorities blamed public security officials and ousted Brasilia's governor and the head of the capital security. President Lula called the rioters -- quote -- "fanatic fascists who committed terrorist acts."

LUIZ INACIO LULA DA SILVA, Brazilian President (through translator): They will all pay with the force of law for this irresponsible, undemocratic gesture, this gesture of vandals and fascists.

NICK SCHIFRIN: Bolsonaro never accepted defeat in October's election, but did not try to stop transition. Yesterday, he tweeted: "Peaceful demonstrations are part of democracy, but violence such as that occurred today escape the rule."

Bolsonaro remains in Florida on a visa he obtained while still president. Today, the State Department suggested he would need to leave or apply for a new visa within 30 days.

NED PRICE, State Department Spokesman: It would be incumbent on the visa holder to take that action, either to depart the United States or request that change in status.

NICK SCHIFRIN: The U.S. also promises to cooperate with any Brazilian request for assistance in its investigation and reply to any Brazilian extradition request.

To discuss this more, I'm joined by Gustavo Flores-Macias, professor of government and public policy and associate vice provost for international affairs at Cornell University.

Thanks very much. Welcome to the "NewsHour."

Bolsonaro has been saying that the election is rigged. He's been calling for his supporters to take over Congress, to take over the Supreme Court. Was yesterday a culmination of his efforts to delegitimize his own defeat?

GUSTAVO FLORES-MACIAS, Cornell University: I think that's right.

I think yesterday showed the danger of undermining the credibility of the elections. And we have seen this in the U.S. Now we're seeing this in Brazil. It's very clear that, to a large sector of the population in Brazil, Lula is not the legitimate president.

And this is in great part because of the concerns that Bolsonaro among the population during the campaign, after the first round of election, and even after the second round, he refused to concede. So what we're seeing right now is a direct consequence of that.

And trust in elections is very difficult to rebuild. I think this will take quite a bit of time for Brazil to recover.

NICK SCHIFRIN: Yes. And does this go beyond even -- even the election? In this country, we talked about Donald Trump's no longer president, but his ideas are part of the mainstream?

Are Bolsonaro's ideas here to stay in Brazil?

GUSTAVO FLORES-MACIAS: I think that's right.

And one very concrete way in which we will see his ideas endure is through Congress. Parties aligned with Bolsonaro actually did quite well and have a majority in Congress. There will be a strong conservative sector, a strong right-wing contingent of parties in Congress.

And it'll be fairly difficult for President Lula to govern without trying to accommodate these positions to some extent.

NICK SCHIFRIN: Obviously, some of these challenges to democracies put pain and pressure on the institutions of the democracies. It appears yesterday that the institutions held. Can they continue to hold in Brazil?

GUSTAVO FLORES-MACIAS: It has been an important test for Brazil's democratic institutions.

I think these pressures will continue throughout the Lula administration. If anything, they might become more and more frequent. It will be important to see what the new administration does to, let's say, address the situation and to punish, make sure that there's punishment, so that this doesn't happen again.

Otherwise, supporters of Bolsonaro, if there is not a strong response, they might be emboldened, and they may attempt sort of more drastic measures in the future. But what we saw yesterday is that the specter of a military coup may be alive and well in Brazil. There was a coup in '64. The military was in power for about two decades.

And what we saw is that a lot of these people participating in the riots were proactively sort of very, very outspoken in terms of inviting the military to step in to try to resolve the situation.

NICK SCHIFRIN: And to your point about punishment, it seems that, in the past, Brazil has tolerated some of the extreme right. Could this lead Brasilia to do something that hasn't done before, which is rein it in?

GUSTAVO FLORES-MACIAS: So, the silver lining that could emerge out of this is that, in the eyes of some sectors, perhaps the most centrist sectors in Brazilian society, the far right will be very discredited, right?

They're playing with fire here. It may be that perhaps they were willing to accommodate these sectors before, and now they may not be willing to tolerate that. During the Bolsonaro administration, there was an intense militarization of public life. And, hopefully, in Congress, and the new administration will have very little tolerance for that, and that will resonate among the sectors of society that used to tolerate these actions, and that will hopefully have very little tolerance for that in the future.

NICK SCHIFRIN: Let's zoom out a little bit regionally.

We have seen strains on other democracies. We're also seeing rising polarization. How important is Brazil's internal response to democracy across the region.

GUSTAVO FLORES-MACIAS: Brazil is not only a regional leader, but sort of, even in the world stage, it's very important what Brazil does.

There are countries around the southern cone. And if we think of just Latin America in general, places like Peru or Ecuador, where there's a lot of political friction, a lot of political instability right now, and people are watching closely.

And it is important for democratically elected governments around the region to close ranks and express support behind President Lula to make sure that this doesn't happen again in Brazil or anywhere else in the region.

NICK SCHIFRIN: And how significant is this, even more zoomed out, in the global context of right-wing populism and threats to democracy?

GUSTAVO FLORES-MACIAS: We see that right-wing parties, especially extreme right-wing parties around the world, are adopting some of the tactics, some of the strategies that we have seen, say, in the U.S., from places like in Spain, where the far right party Vox is adopting a lot of the same slogans, or same in Hungary.

So we're likely to see more of this, unfortunately, not less. And as long as polarization continues to increase around in the world, we're likely to continue to see these situations.

NICK SCHIFRIN: Professor Gustavo Flores-Macias, thank you very much.

GUSTAVO FLORES-MACIAS: Thank you, Nick.

AMNA NAWAZ: And the White House now says that President Biden spoke with Brazilian President Lula this afternoon to convey his support, and they agreed Lula would visit Washington in early February.

GEOFF BENNETT: In the day's other headlines: California is confronting new storms blowing in from the Pacific, with seemingly no end in sight. They follow a parade of powerful storm systems that are already blamed for 14 deaths.

Stephanie Sy has our report.

STEPHANIE SY: Flood warnings are in effect in major swathes of Northern and Central California. Some 10,000 residents of Montecito and Santa Barbara County, as well as 32,000 in Santa Cruz, are under evacuation warnings.

Sacramento City Unified was among several school districts that canceled classes. More than 135,000 California customers were without power as of Monday afternoon.

Meteorologists are predicting the storm could lead to a billion dollars in damages. Many residential areas are in shambles. Trees have fallen on cars and blocked roads.

WARD CAMPBELL, Sacramento Resident: Power went out. I'd gone upstairs with a flashlight and all of a sudden I heard a very loud concussion, that I knew right then this tree had fallen over.

STEPHANIE SY: A fallen branch killed a woman in Sacramento last night.

California's Governor Gavin Newsom encouraged people to stay home in a safety briefing yesterday.

GOV. GAVIN NEWSOM (D-CA): And that's the imperative that we're trying to express here, is the seriousness of purpose in terms of just being safe and being thoughtful. Use your common sense.

STEPHANIE SY: Californians are counting their losses after a series of days of relentless rain and historic snowfall, including business owner and Dominic King.

DOMINIC KING, Business Owner: It's our family restaurant. We have had it for, like, a decade. It's definitely places where we have had a lot of good memories. It's more than just a business. So, it's really hard to see it kind of in the state that it's in, right?

STEPHANIE SY: That treacherous weather is not expected to let up until later this week.

For the "PBS NewsHour." I'm Stephanie Sy.

GEOFF BENNETT: Officials say the storms have not ended California's long- running drought, but have helped ease dry conditions and replenish water supplies.

The Justice Department is reviewing a batch of potentially **classified documents** found in President Joe **Biden's** former institute. The White House said today that a -- quote -- "small batch of **documents**" with **classified** markings were discovered as **Biden's** personal attorneys were clearing out the offices of the Penn **Biden** Center where the president kept an office when after he left the vice presidency.

A special grand jury in Georgia has finished investigating whether former President Donald Trump and his allies committed crimes trying to overturn the 2020 election. A judge in Atlanta dissolved the grand jury panel today. There's a hearing later this month on whether to make its report public. The local district attorney will decide whether to seek indictments based on the findings.

The U.S. House of Representatives is facing a new fight tonight after last week's showdown over selecting a speaker. This time, the issue will be the rules governing the chamber for the next two years. Newly minted House Speaker Kevin McCarthy must wrangle support from GOP hard-liners and moderates, as some of the moderates are questioning the concessions he made to far right lawmakers to win his post.

Iran sentenced three more anti-government protesters to death today after hanging two men on Saturday. The country's courts said at least four condemned protesters have been executed since September. At the Vatican today, Pope Francis broke his silence over Iran's protests and condemned the executions.

POPE FRANCIS, Leader of Catholic Church (through translator): The death penalty cannot be employed for a purported state justice, since it does not constitute a deterrent, nor render justice to victims, but only fuels the thirst for vengeance. I appeal then for an end to the death penalty, which is always inadmissible since it attacks the inviolability and the dignity of the person.

GEOFF BENNETT: Despite the papal appeal, Iran's supreme leader signaled the country has no intention of softening its position.

On the war in Ukraine, Russia rejected Kyiv's claim that Moscow is floating a possible peace deal with the European officials. A Kremlin spokesman called it -- quote -- "another fake," and Russian attacks continued without letup. A rocket strike near Kharkiv left a large crater after hitting a market. Ukrainian officials said it killed two women and wounded at least five other people.

Dozens of countries and institutions pledged more than \$9 billion today to help Pakistan recover from catastrophic floods. The unprecedented summer deluge killed more than 17 100 people and destroyed more than two million homes. Floodwaters are still receding across many parts of the country.

And back in this country, police in Newport News, Virginia, are still trying to figure out what drove a 6-year-old boy to shoot his first grade teacher. That teacher, 25-year-old Abby Zwerner, remained hospitalized today in stable condition. The police chief said she had no attack -- no warning of the attack.

STEVE DREW, Newport News, Virginia, Police Chief: Ms. Zwerner was providing class instruction. The 6-year-old child displayed a firearm, pointed -- pointed it at her and fired one round.

She took a defensive position where she raised her hand. The round went through her hand, exited the rear of her hand, and into her upper chest.

GEOFF BENNETT: The chief called Zwerner a hero, who managed to shepherd her students to safety before receiving first aid.

Thousands of nurses went on strike today at two major privately owned hospitals in New York. They began walking picket lines after contract negotiations stalled. Their demands include better staffing and higher salaries after nearly three years of the pandemic. The hospitals, Mount Sinai in Manhattan and Montefiore in the Bronx, have postponed non-emergency surgeries and diverted ambulances to other facilities.

NFL player Damar Hamlin is back in Buffalo tonight for the first time since he suffered cardiac arrest during a game a week ago, Hamlin was transferred from a hospital in Cincinnati to one in Buffalo today. He tweeted that he's happy to be back. Doctors say Hamlin is now able to walk and is undergoing therapy.

And on Wall Street, stocks struggled to find much direction. The Dow Jones industrial average lost 113 points to close it 33517. The Nasdaq rose 66 points. The S&P 500 slipped by three.

And still to come on the "NewsHour": Republicans wrangle over which rules will govern the House of Representatives; the CDC warns of rising strep throat infection among children; and the true story behind one of the most damaging spies in American history.

AMNA NAWAZ: Today, President **Biden** and his Mexican and Canadian counterparts kicked off a summit where migration will be a key issue.

President Andres Manuel Lopez Obrador greeted President **Biden** in Mexico City this evening ahead of that bilateral meeting. The talks come after President **Biden** made his first visit to the Southern border since taking office. Yesterday, he joined Border Patrol agents in El Paso, Texas, and met with migrant advocates and local officials.

Our White House correspondent Laura Barron-Lopez is following all of this and joins me here.

Good to see you.

LAURA BARRON-LOPEZ: Good to be with you.

AMNA NAWAZ: So, obviously, that meeting between President Biden and President Lopez Obrador, we know migration and immigration is going to be a key issue. What else is on the agenda? And what is the White House hoping to get out of these meetings?

LAURA BARRON-LOPEZ: So, National Security Adviser Jake Sullivan today said that the three biggest issues are going to be about cracking down on fentanyl trafficking, trade, supply chains.

And then that third one is migration and migration enforcement. And, recently, Mexico said that they would take some 30,000 migrants per month from Haiti, Cuba, Nicaragua, Venezuela. And a part of the discussions today, Jake Sullivan said, could be that they might be willing to take even more than that 30,000 per month.

AMNA NAWAZ: So, we know that advocate community, the nonprofits, church groups on the ground, they play a key role in terms of being on the front lines, receiving a lot of those migrant populations. President **Biden** met with some of them.

What do we know about those conversations and what they want from the White House?

LAURA BARRON-LOPEZ: So, I spoke to multiple immigrant advocates who met with **Biden** yesterday.

And they said that they're concerned that this new parole program makes it so migrants are going to have to stay in their country and apply for asylum from there, and that migrants can't afford to wait. I spoke to Ruben Garcia, the director of the Annunciation House, today, and -- who helps migrants on both sides of the border.

And he had this to say about the sheer number of Venezuelans coming to the border.

RUBEN GARCIA, Director, Annunciation House: You know, I have been doing this for 45 years.

This is the first time that I have seen as many individuals from one country that have no or very, very few sponsors to receive them. We cannot simply dig a hole and stick our head in that hole and think that it's going to go away. We're going to see more individuals fleeing their country, and I mean fleeing their country.

LAURA BARRON-LOPEZ: And so Ruben Garcia, in addition to Catholic Bishop Mark Seitz, who I also spoke to, said that their message to the president, as well as White House aides, yesterday was that they're hoping that the White House could -- the administration could provide a 48-hour window, where those undocumented Venezuelans and a number of other migrants who are, they said, stuck in El Paso could turning themselves into authorities, and not be -- get -- be reassured that they would not then be deported to Mexico or to another country.

But the president and his aides told them yesterday that their hands are tied by the courts.

AMNA NAWAZ: So these groups are clearly feeling very, very taxed.

We also know those border front-line officials, they are severely taxed, right, the folks who are responsible for apprehending folks, for processing them, for enforcing the border. What do they want to see from the White House right now?

LAURA BARRON-LOPEZ: So, the law enforcement source that I spoke to who works closely with Border Patrol officers said that they're stretched insanely thin right now, it's -- quote -- "like controlled chaos," and that, ultimately, they need more resources, that they're having to do humanitarian work that they aren't trained for.

And so they, as well as immigrant advocates, ultimately say that the only thing that is going to fix this long term is going to be a comprehensive immigration bill.

AMNA NAWAZ: And tell me about that. How likely are we to see comprehensive immigration reform from Congress?

LAURA BARRON-LOPEZ: So -- but, in short, Amna, we're very unlikely to see it.

There was a bipartisan group of senators in El Paso today. So there might be some appetite among the Senate. In the House, there could very well be one Republican in Texas, Tony Gonzales, who had this to say about immigration:

REP. TONY GONZALES (R-TX): If these -- this insurgency caucus decides to put anti-immigrant legislation on the floor and masquerade it as border security policy, that's not going to fly.

MARGARET BRENNAN, "Face the Nation": OK.

REP. TONY GONZALES: And I will do everything in my power to make sure that type of legislation fails on the floor.

LAURA BARRON-LOPEZ: So, Tony Gonzales could very well be one House Republican that the White House could work with.

But, ultimately, there's no indication that House Republicans are going to go along with Senate Republicans and work with the White House on a big deal.

AMNA NAWAZ: Certainly a topic I know you will be tracking, along with many, many others.

Our White House correspondent, Laura Barron-Lopez, good to see you.

LAURA BARRON-LOPEZ: Thank you.

GEOFF BENNETT: In the first big test of Kevin McCarthy's speakership, the House is voting on a controversial rules package that will set the procedural plans for this new Congress.

The package includes concessions McCarthy made in closed-door deals with Republican hard-liners to help get him elected speaker, concessions that many worry could lead to more gridlock.

To walk us through all this, I'm joined by our congressional correspondent, Lisa Desjardins.

So, Lisa, Republicans have a speaker, but the House can't really get down to work until the chamber passes this set of operating rules. The all-important question these days appears to be, do they have the votes?

LISA DESJARDINS: This is the first big test of this Republican new House.

And I will say that, going into today, we knew, of course, that the Freedom Caucus folks who negotiated these rules, they liked the bent. They like how much it changes the House. But there is a question mark over tonight's vote. And that comes in part from moderates, who were upset they didn't have a seat at the table. They haven't seen all of these changes necessarily.

Here's Republican Nancy Mace of South Carolina speaking yesterday.

REP. NANCY MACE (R-SC): I represent a purple district. I have to represent Republicans, Democrats and independents.

I want to know that the positions that I have are going to have a voice, that it will have weight in the conference. There are a lot of members like me that that have issues with some of the policies that we're going to be working on.

LISA DESJARDINS: Now, just in the past hour or so, it is our understanding that, actually, Representative Mace has decided that she will vote yes, tonight. That is a big yes-vote and a relief to, I think, probably Kevin McCarthy and other Republicans.

Some, like Chip Roy, who was known as the opponent of McCarthy, who kind of got these rules going, he spoke on the Glenn Beck radio show today about what he sees as the importance, what his philosophy has been behind these rules.

REP. CHIP ROY (R-TX): But we're doing what we can, we think, to move the needle in this town towards openness and a sense that we're going to try to do the work of the American people and empower your congressmen, not just a few people, to be able to execute for them.

LISA DESJARDINS: Right.

So this is a real question of how this Republican Conference can get along, if they can get along, this vote coming up. Right now, Geoff, my sources indicate they think that they will have this vote, but predicting the direction of this body, I have been telling people, is a bit like predicting the direction of a group of very loosely tethered huskies that don't seem to have a musher.

(LAUGHTER)

LISA DESJARDINS: We will see this vote when we see it.

GEOFF BENNETT: So, Lisa, we have talked about this critical rules package before, but help us understand why this holdup over it matters.

LISA DESJARDINS: Right.

These specific rules, there's a 55-page document that we have seen. There's another three-page document in secret that has been going around that contains some concessions that are not public and are not all the way known.

So let's talk about the things that we don't know yet. One of those, we don't know the exact requirement for the debt ceiling. That will be a major factor in your life and my life and the country's life as we hit that debt ceiling deadline likely at the beginning of the summer.

There also is not clear -- a clear standard for the exact scale of spending cuts that Republicans are saying they agree to amongst themselves. And then, finally, we don't know the extent of the influence of the Freedom Caucus on the committees and on what committees.

One thing that we did learn today, Byron Donalds, someone who made a name for himself a Florida as one of the alternate candidates for speaker, we know that he has been placed on the all-important Steering Committee.

I know we're talking about so much process here, Geoff, but that really is the committee that decides who goes where, who gets what power within the House Republican committee structure. So, clearly, there's somewhat some kind of a sense of reward for him and a big foothold for those he represents, which are those sorts of opponents, those folks who are watchful of Kevin McCarthy.

GEOFF BENNETT: Yes.

Lisa, as you well know, there are lawmakers who say that these concessions increase transparency around how major legislation comes together. But there are also lawmakers who say that these concessions basically bake in dysfunction, to make it difficult for the House to do pretty much anything.

Give us a sense. What are the sort of pros and cons of the Republican approach here?

LISA DESJARDINS: It's so important to stress that.

There are many Republicans and Democrats who would like a more open House, who would like 72 hours before a bill is seen, kind of go back to the days in the early 19th century, when there was vigorous open debate on the floor. Some believe that that could be good, as well as some of the fiscal things they have in here, more amendments to cut spending.

But let's look at sort of some of the other -- the one major issue here with the national debt. Let's -- in 2013, the national debt, \$11.5 trillion. Now, look at that, \$24.5 trillion. This is the issue. That's about 95 percent of our GDP.

So, while these maneuvers seem like they would allow for more spending cuts, one issue is, they could also motivate and there's more incentive here for cutting taxes. That is something that adds more red ink. So, on the one hand, it's this. On the other, it's that. And it's also not clear if the Republican Party in the House will be able to control itself and be disciplined about getting these things done together.

GEOFF BENNETT: Lisa Desjardins joining us from Capitol Hill tonight.

Lisa, thanks.

LISA DESJARDINS: You're welcome.

GEOFF BENNETT: As House Republicans get to work, one member in particular is coming under increased scrutiny.

A campaign watchdog group filed a complaint today with the Federal Election Commission accusing newly sworn-in Congressman George Santos of illegally using campaign funds to pay personal expenses and of masking the true source of those funds. The complaint marks the latest potential legal trouble for the New York Republican, who has admitted that he lied about his family history, his resume, his education, all following a bombshell report by The New York Times last month.

But The Times wasn't the first to report on Santos' fabricated biography. A small local paper on Long Island called The North Shore Leader broke the Santos scandal before the November election. By the time other outlets picked it up, Santos had already been elected.

Grant Lally is the publisher of The North Shore Leader, and he joins us now.

It's great to have you here.

And your paper back in September wrote about Santos' rise and his reported net worth from basically nothing and 2020 to some \$11 million by 2022. An inexplicable rise was how your paper characterized it. How did your reporters catch onto this story?

GRANT LALLY, Publisher, The North Shore Leader: Well, look, he was a prominent personality while he was running for office. And we're pretty attuned to the political activities of folks on the North Shore.

So, a lot of people with a newspaper and a lot of people I knew outside the newspaper were following him and tracking him and looking at what his claims were. And what we all concluded was that he was a fraud. He was making things up and lying and boasting and putting people down, claiming he was such a rich man, when he clearly wasn't.

And so we all smelled a fake, and we started looking through his campaign finance reports. And we saw a lot there that looked fraudulent, really over-the-top fraudulent.

GEOFF BENNETT: What's your theory for why other outlets didn't pick up your paper's reporting until after the election?

GRANT LALLY: Well, I will tell you, it was very disappointing that that didn't happen. We did send the paper out to a lot of the local organs, a lot of the media.

But, look, it was a busy year in New York. We had a very hotly contested gubernatorial election, which was within a few points. That dominated the news cycle. You also had a lot of other open congressional races in the neighboring districts. So a lot of the media got distracted in looking at really the bigger race, not the local races.

GEOFF BENNETT: You are a lifelong Republican who ran three times for the New York 3 District seat, the seat that Santos now occupies.

And your paper reluctantly endorsed a Democrat in the run-up to the election, saying of Santos -- quote -- "He boasts like an insecure child, but he's most likely just a fabulist, a fake."

GRANT LALLY: We knew Santos was a fraud. We knew what he was claiming, what he was filing was fraudulent.

And that is ultimately what's going to get him in trouble now. He can lie about who he is, his religion. He can claim he's a Jewish descendant of Holocaust survivors. That stuff won't get you in jail.

But when you file false reports with the House of Representatives and with the Federal Elections Commission, deliberately, willfully false reports, that's going to get you in jail. Every -- every offense is a felony, and it'll get you five years in federal prison.

GEOFF BENNETT: Your paper's reporting speaks to the importance of local journalism. This is an era we have seen hundreds of local papers close in recent years. The disappearance has left millions of people without access to vital local news.

What do you see as the significance of your paper's reporting on Santos in that context?

GRANT LALLY: Look, I have actually spoken to quite a few of the other local papers and their publishers and their owners around the area.

I mean, they're very cheered by this development that we were able to break this story. And it is now a national story, unfortunately, but it is a national story. And we broke it. And it has reenergized a lot of the local newsrooms here in New York, but, also, I think, global -- around the U.S.

It's a tough business to be in. But it's also a niche because nobody else covers the local news in local communities like the local newspaper does.

GEOFF BENNETT: Lastly, how are voters feeling about all of this, that their member of Congress effectively lied his way into his seat?

GRANT LALLY: In the North Shore, in this Third Congressional District, they are furious, particularly the Republicans, because they feel that they were used.

They're -- they -- Santos took money from them. He took time from them. He got them into his scheme and got them to go out and talk to their friends. So they feel completely betrayed. And Democrats are outraged and, frankly, bewildered that they could lose to such a guy.

But, I mean, the universal sentiment is that this is an outrage and this guy's got to go.

GEOFF BENNETT: Grant Lally is the publisher of The North Shore Leader.

Thanks for your time. We appreciate it.

GRANT LALLY: Thank you.

AMNA NAWAZ: It's been nearly 17 months since the U.S. pulled out of Afghanistan.

When they departed, they left an American behind. Contractor and U.S. Navy veteran Mark Frerichs was kidnapped and held hostage by Taliban forces for over two-and-a-half years. He was released as part of a prisoner swap last September, and is now adjusting to freedom and life back in America.

I went to Lombard, Illinois, where he's staying with family to sit down with Mark in his first television interview since being freed.

MARK FRERICHS, Former Taliban Hostage: You just have to be able to totally relax your body. And you just walk off from your toes to your head and just imagine your muscles relaxing from your toes, your ankles, up your shins, your knees. You just talk yourself through your body.

By the time it gets to your head, you can't feel your body, for me, anyway. I can't feel my body. My body is like it's you're sleeping. So you're sleeping, but you're awake. Your brain is totally aware of what's going on in a room. And you can do whatever you want.

(LAUGHTER)

AMNA NAWAZ: This is how 60-year-old Mark Frerichs says he survived two- and-a-half years held hostage in Afghanistan, busying his mind and body under brutal conditions.

MARK FRERICHS: OK.

AMNA NAWAZ: He's just marked three months of freedom back in his hometown. And he spoke exclusively to "NewsHour" in his first television interview.

Growing up here in Lombard, Illinois, did you dream about traveling the rest of the world?

MARK FRERICHS: Well, I was in the Navy for five years and did a lot traveling. And that kind of got me interested in what's going on in the rest of the world.

AMNA NAWAZ: These are your from your time in service too, right?

MARK FRERICHS: Oh, Yes. Yes, this is just stuff I got. I think I sent this from Afghanistan. And, yes, this is stuff they gave me.

AMNA NAWAZ: He left the Navy in the mid-1980s, moved back to the Midwest, and became a contractor, building on his love of craftsmanship.

Look at that.

MARK FRERICHS: Solid oak, all oak.

AMNA NAWAZ: Wait. Wait. Wait. You always put a secret compartment into what you build?

(CROSSTALK)

MARK FRERICHS: Secret compartment.

AMNA NAWAZ: Why did you do that?

MARK FRERICHS: It's just my trademark when I build stuff.

AMNA NAWAZ: As opportunities to build arose overseas after 9/11, Mark jumped at the chance, first to Iraq, then to Afghanistan in 2009, where he put his skills to good use.

You were there building things is the simplest way to put it.

MARK FRERICHS: Building army garrisons for the ANA, Afghan National Army, which included complete -- complete bases with hospitals, dining facilities, maintenance facilities, classroom facilities, office facilities, living quarters.

AMNA NAWAZ: But you have always liked building things, right?

MARK FRERICHS: Yes.

Well, it's fulfilling to me to take nothing and turn it into something.

AMNA NAWAZ: Life in Afghanistan was a world away from the one he grew up in, the middle son with two sisters, the shy kid who turned to magic as a way to connect with others.

And over 10 years in country, he built a life. Before long, he was relaxed and up to his old tricks.

MARK FRERICHS: Good, good, good.

AMNA NAWAZ: Did you ever think, in your 10 years there, I might get kidnapped?

MARK FRERICHS: No.

(CROSSTALK)

MARK FRERICHS: Well, I mean, you can't not think about it.

AMNA NAWAZ: Mark says he kept the same driver and security for eight years. But, in January of 2020, as he drove the familiar road from Kabul to Bagram Air Base to check on a construction project, the worst-case scenario.

There's been a horrific accident. You believe your team is dead. You yourself are really badly injured, right? What is the moment that you realize this has gone horribly wrong, I think I'm getting kidnapped?

MARK FRERICHS: Well, I was laying in a ditch on the hood of the car, of the SUV. The windshield is completely knocked out. Everyone's standing around. Nobody was helping me.

I'm still thinking, well, maybe there's -- maybe there's police or army here or something. Finally, they help me up out of the ditch. So I'm taking, well, these guys are going to help me to the hospital.

AMNA NAWAZ: What does it feel like in the moment?

MARK FRERICHS: I could -- I could barely walk. I was like half conscious, half not conscious. So they walked me -- just dragged me.

And as they were dragging me, one of them -- and these are words that I will never forget. They're probably the worst words I have ever heard in my lifetime: "Taliban good, America no good."

AMNA NAWAZ: He says that to you?

MARK FRERICHS: Yes, as he took my shoes and kicked me in the trunk.

So, that's when I knew for sure.

AMNA NAWAZ: And they start driving.

MARK FRERICHS: Yes.

AMNA NAWAZ: How long were you in that trunk? Do you know?

MARK FRERICHS: At least two days.

AMNA NAWAZ: Mark says he thought he was being taken towards the eastern Afghan city of Khost, known as a stronghold of the Taliban-aligned Haqqani group, who U.S. officials believe were holding him.

MARK FRERICHS: They bring me to this compound areas. It's still just these four kids. I could tell that they were organizing things on the radio beforehand.

AMNA NAWAZ: You call them kids. They're just like young men, look like teenagers?

MARK FRERICHS: Yes, they were -- yes, they were just teenagers.

AMNA NAWAZ: With guns?

MARK FRERICHS: Early 20s. Yes, teenagers with guns.

And that, even if I could get away from these people that, that where am I going to go? But I didn't know what they were going to do. I don't know if they were just going to kill me or what they were going to do with me. So -- and they seemed like they didn't know what to do with me. I think I caught them off guard or something.

AMNA NAWAZ: U.S. officials tell the "NewsHour" they believe Mark may have been surveilled, but that the kidnapping, on the heels of a horrific car crash, was a crime of opportunity.

Mark, for most of your time in captivity, you're kept in what you have described as just a room with a dirt floor.

MARK FRERICHS: Yes.

AMNA NAWAZ: With very little else.

What do you remember about what it felt like in that room?

MARK FRERICHS: Evil. Evil. Cold. Dank -- or, actually, dry. It rained a few times, and the roof leaked. There was mice running around. Had a bat fly around for a couple nights. Scorpions.

AMNA NAWAZ: What did you sleep on every night?

MARK FRERICHS: Just the ground, the dirt ground, the hard dirt with a donkey blanket.

AMNA NAWAZ: What did you eat every day?

MARK FRERICHS: Bread and water, mostly, stale bread and dirty water.

AMNA NAWAZ: Could you move around freely in that room?

MARK FRERICHS: No. I was chained up. I had -- my wrists were chained and my ankles were chained.

AMNA NAWAZ: For how long?

MARK FRERICHS: Two years straight.

AMNA NAWAZ: What did they do to you?

MARK FRERICHS: Well, basically, physical abuse. Beat with a chain several occasions. Beat with a wire coax cable on several occasions. Kicked in the head more times than I can count.

Just punched in the head more times than I can count, when I'm down on the ground chained up, just open palm, ear, smacks. That was probably the worst.

AMNA NAWAZ: But, all that time, 32 months, right, 32 months, your mind goes to a lot of different places.

What do you remember thinking about?

MARK FRERICHS: Besides meditating, I thought a lot about my childhood.

AMNA NAWAZ: What did you think about?

MARK FRERICHS: A lot of places we visited.

AMNA NAWAZ: What is our destination? Where we going?

MARK FRERICHS: We will go to the pond first.

AMNA NAWAZ: In a snow-coated Lombard, Mark took me to those childhood spots he would visit in his mind.

MARK FRERICHS: Yes, this is where I used to ice-skate when I was a kid. Lombard Lagoon.

AMNA NAWAZ: Really?

MARK FRERICHS: Yes, it's not even a pond. It's a lagoon. It's kind of -- it's not very deep. If you fell through the ice, you wouldn't drown.

(LAUGHTER)

MARK FRERICHS: So, it was safe.

It's a carefree time when you're a child, you know? Maybe a way to distract myself, yes.

AMNA NAWAZ: Distract himself from his reality, held hostage in remote parts of Afghanistan.

During Mark's isolation in captivity, he had no idea about the coronavirus pandemic, Russia's war in Ukraine, or that his government had brokered a deal to withdraw all U.S. troops from Afghanistan in 2021, a deal that did not include his release.

And you are watching your country leave. What do you think?

(LAUGHTER)

MARK FRERICHS: Collateral damage. Do they even know I'm here?

(LAUGHTER)

MARK FRERICHS: Do they even know I'm here?

AMNA NAWAZ: As a cruel joke, his captors showed him videos of the U.S. pullout in August of 2021.

MARK FRERICHS: Last planes leaving.

AMNA NAWAZ: The last U.S. planes leaving Afghanistan?

MARK FRERICHS: Last U.S. planes leaving.

AMNA NAWAZ: Despite feeling abandoned by his country, Mark says he never let his fear show.

MARK FRERICHS: I handled it like a trooper.

So, you know, the three years, I never broke down and cried, never -- came close, but I wasn't going to let them -- they may have stole nearly three years in my life, but I wasn't going to let them steal my soul and spirit.

GEOFF BENNETT: His response to your question, what did that room feel like, and he says evil, it speaks volumes.

He was released in September of this past year, right?

AMNA NAWAZ: Just this past year.

GEOFF BENNETT: What have the last four or five months been like for him?

AMNA NAWAZ: I mean, just a whole new journey that's unimaginable in so many ways.

I mean, Geoff, what this man endured is so staggering, and his strength and his fortitude are so impressive, right? That -- I think even more impressive were the efforts to release him, what his family went through and what he's going through now back at home.

We're going to get into all of that in part two tomorrow.

GEOFF BENNETT: Can't wait to see it.

The CDC is investigating a rise in severe cases of strep throat among kids in the U.S.

Several children's hospitals across the country have reported an increase in strep cases since November, including in Colorado, where two children have died. The CDC has since issued an advisory warning of the surge of strep A among kids ages 5 through 15.

For more on all this, I'm joined by Dr. Peter Hotez. He's the co-director of the Texas Children's Hospital Center for Vaccine Development and dean of the National School of Tropical Medicine at Baylor College of Medicine.

It's great to have you here.

And, Dr. Hotez, the CDC investigating this strain of strep, but what makes it so severe?

DR. PETER HOTEZ, Baylor College of Medicine: Well, the problem is, it produces severe illness every year. Most parents know about it as a cause of strep throat, where pus appears on the tonsils, but it also can cause more invasive disease commonly, such as scarlet fever, what's called necrotizing fasciitis, toxic shock syndrome.

And what the CDC is worried about is, we're seeing an uptick in the number of those invasive streptococcal infections. It could also lead to rheumatic fever. And it's not only happening in the United States. It's also happening in Europe and Australia. So there's a concern that we're seeing a worldwide increase in this illness.

GEOFF BENNETT: As we mentioned, at least two children in the U.S. have died. It's shocking to think that strep throat could be fatal. How do you characterize the risk?

DR. PETER HOTEZ: Well, I think it -- what -- the point is, we can treat it. The treatment is usually either oral amoxicillin or penicillin. We actually have an amoxicillin shortage right now. You can even get an intramuscular injection of what's called benzathine penicillin, even if you can't get amoxicillin.

So the point is, these cases should be preventable with early diagnosis and treatment. Parents are not often aware of it, but if you see, in addition to your child struggling to swallow with high fever, that's a sign that there's severe strep throat that requires medical intervention. If you have a bright raised red rash all over the body, that's a sign.

If you start seeing a cut or a bruise in your child, and you start seeing streaking red rash around it, that's another tipoff.

GEOFF BENNETT: We are struggling with a season of horrible viruses. You have got strep, COVID, flu, RSV. Complicating things, pharmacists and parents are struggling to find children's pain and fever-reducing medications, surpassing what we saw at the peak of the pandemic.

How long do you expect that particular problem, the availability of kids' pain medication, to persist?

DR. PETER HOTEZ: Well, in terms of the fever medication, remember, the fever is the body's natural response to these infectious agents. Kids do mount high fevers.

So that's -- it's really important that parents closely monitor it. But, of course, fevers can make kids uncomfortable, and so it's nice to treat it if you can. Hopefully, the supply chain management issues around these anti- fevers, anti-pain medications will start to subside fairly soon in the coming weeks.

So, it's just a matter of getting through these next weeks. But remember, if your child does have high fever and appears ill you want to have, again, that low threshold for having that relationship with your pediatrician.

And, by the way, Geoff, I'm recommending to parents that they have that relationship. Don't wait to your child is sick in the middle of the night to suddenly start scrambling and looking for a phone number, trying to figure out where you take your child in the middle of night. Have that plan worked out with your pediatrician ahead of time.

GEOFF BENNETT: It's good advice.

Parents in Ohio have experienced another unexpected threat to their children's health. It's a measles outbreak, dozens of hospitalizations. Many of those children, as I understand it, are unvaccinated, many of them young.

DR. PETER HOTEZ: Yes, that's right.

Typically, we give the first measles vaccinations called MMR, measles, mumps, rubella, vaccine, towards the end of the first year of life. My understanding is, of the 80 plus cases, about more than 70, 75 have been unvaccinated.

So this is, in many respects, a self-inflicted wound, that a lot of these cases or all of these cases could have been prevented had those kids receive their routine MMR vaccination. So, what I'm really worried about, Geoff, is, this is spillover from all the anti-vaccine activism we saw really take off around COVID-19 vaccines for adults.

Remember, the numbers are horrific. An estimated 200,000 Americans needlessly lost their lives because they refused the COVID vaccine, even after vaccines became widely available, and it's happening because of a rise in what I call the anti-vaccine, anti-science aggression coming from activists.

And now I think they're going to try to target all childhood immunizations. Measles is a deadly illness. In the year 2000, half-a-million kids -- 500,000 kids died annually from measles. And now that number, we have brought down below 100,000. I'm worried about a reversal of that, not only in the United States, but globally.

And it's just a reminder that measles is nothing to trifle with. It is a serious illness and is one of the leading causes of death for kids under the age of 5.

GEOFF BENNETT: Dr. Peter Hotez, thanks, as always, for your time and for your insights. We appreciate it.

DR. PETER HOTEZ: Thank you, Geoff.

AMNA NAWAZ: She's been called one of the most damaging spies in U.S. history.

Ana Montes passed secrets and information to the Cuban government for almost 17 years, until her arrest just days after the 9/11 attacks. After nearly two decades behind bars, she was released from prison on Friday.

I recently spoke with Jim Popkin, who chronicles Montes' fascinating story in his new book, "Code Name Blue Wren."

Jim Popkin, welcome to the "NewsHour." Thanks for being here.

JIM POPKIN, Author, "Code Name Blue Wren: The True Story Of America's Most Dangerous Female Spy and the Sister She Betrayed": Thank you so much.

AMNA NAWAZ: So, the book is "Code Name Blue Wren." Ana Montes is the center of this story.

You have called her the most dangerous spy that most people have probably never heard of. How did you first hear about her? What made you want to tell her story?

JIM POPKIN: So, I heard about Ana Montes right when she was arrested, which was 10 days after 9/11.

I was covering the FBI and Justice Department and 9/11 for NBC News at the time. I couldn't get to this story, but it really stayed with me. And I think a lot of people have never heard about her because of 9/11. It was obviously such a big distraction.

But she's a very important spy in American history.

AMNA NAWAZ: She led an impressive double life, right? So, by day, she was actually a senior analyst for U.S. intelligence, a Cuba expert. And, by night, she's passing secrets to the Cuban government. How did she do that?

JIM POPKIN: She had two jobs. She had her real day job. She was a brilliant analyst for the Defense Intelligence Agency, or DIA, which is kind of like the CIA equivalent for the U.S. military. She would keep her head down and memorize documents all day long, classified documents. And then her night job began in Washington, D.C., in her apartment.

And she would basically upload what she had learned that day into an old Toshiba laptop, encrypt it and then, a couple of weeks later, pass that information along to her Cuban handlers, who she would meet at restaurants in Washington, D.C.

AMNA NAWAZ: This is a fascinating detail to me about her family, because she had four family members who worked for the FBI, including her sister Lucy, who among her many specialties was rooting out Cuban spies for the U.S. government, and no one knew anything.

JIM POPKIN: It's amazing. It is absolutely amazing, four family members, her -- including her sister, her brother, who was an FBI special agent in Atlanta, sister-in-law, another special agent as well.

And, as you mentioned, Lucy was a translator in Miami. Most of her job pertained to drug cases in Miami in the '80s and '90s. But she got assigned to a special unit that was looking for Cuban spies. They were very successful. She had no idea. She was a very loyal, patriotic American. She had no idea that her sister was secretly the greatest spy of -- in Cuban history.

AMNA NAWAZ: You report that the FBI did know there was someone inside the U.S. government spying for Cuba at a very high level, right?

How did Ana Montes eventually get caught?

JIM POPKIN: It was actually first the National Security Agency that figured this out by decrypting communications between Cuba and the U.S.

It ultimately lands with the FBI. They opened a full-field investigation in late 2000. They got court authority to break into her apartment in 2001. And, in her apartment, they go through her laptop, and she had very carelessly left communications, messages with the Cubans. And it was clear that she was a spy.

One of the messages said, "Thank you for providing" the true identity of an American who was based in Havana. This is someone presumably working for the CIA. "We were waiting for him with open arms."

As soon as the FBI saw that, they knew there was no doubt this is a Cuban spy.

AMNA NAWAZ: You also document in some detail for the first time exactly how much damage she did with that spying.

JIM POPKIN: Yes.

AMNA NAWAZ: What did she hand over?

JIM POPKIN: Well, 17 years of providing documents, classified documents, the true identities of Americans operating overseas in Havana, the names of hundreds of people who worked on the Cuba account throughout the U.S. intelligence community, and then also secrets about a super-secretive stealth satellite that the U.S. government operated and was working to spy on Russia, China, Cuba, and other adversaries.

She learned -- Amna, learned about it, turned it over to the Cubans. And the Cubans have quite a track record of sharing that kind of information with Russia and other enemies. So it was a major national security disaster.

AMNA NAWAZ: She is now being released after nearly two decades, right?

JIM POPKIN: Correct.

AMNA NAWAZ: Maximum security prison.

JIM POPKIN: Right.

AMNA NAWAZ: What does life look like for her now?

JIM POPKIN: She will be on probation for five years. But, as she gets out, I just have to imagine she is going to keep her head low for a long time.

She does not want to go back to this very tough prison where she has been held, as you said, Amna, for two decades. She is thought to be likely going to Puerto Rico, which is where her family is from, and she has some sympathetic relatives, and try to rebuild her life.

But she's fortunate in this sense. She's only 65 years old. Most spies in this context go away for life. They're sent to Supermax, and you never see them again. She's getting out at 65. She has a chance to maybe rebuild her life.

AMNA NAWAZ: Do you think she might talk to you now that she's out?

JIM POPKIN: I'm probably not top of her list, but I'm going to try.

(LAUGHTER)

AMNA NAWAZ: I'm sure you will.

The book is "Code Name Blue Wren." The author is Jim Popkin.

Thanks for being here.

JIM POPKIN: Thank you so much.

GEOFF BENNETT: And that is the "NewsHour" for tonight.

Remember, there's a lot more online at PBS.org/NewsHour and on our Instagram, including a post about the Gulf Cup soccer tournament that has kicked off in Iraq for the first time since 1979.

AMNA NAWAZ: We hope you will join us back here again tomorrow night.

I'm Amna Nawaz.

GEOFF BENNETT: And I'm Geoff Bennett.

Thanks for spending part of your evening with us.

END

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REFILE-UPDATE 4-Classified documents from Biden's vice presidency found at think tank

Steve Holland | Reuters News

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January 9, 2023

REFILE-UPDATE 4-Classified documents from Biden's vice presidency found at think tank

Steve Holland

Kanishka Singh

WASHINGTON, Jan 9 (Reuters)

(Fixes spelling of "name" to "named" in 4th paragraph)

By Steve Holland and Kanishka Singh

WASHINGTON, Jan 9 (Reuters) - **Classified documents** from Joe **Biden's** vice-presidential days were discovered in November by the U.S. president's personal attorneys at a Washington think tank, a White House lawyer said on Monday.

Nearly 10 documents were found at **Biden's** office at the Penn **Biden** Center for Diplomacy and Global Engagement, CBS News reported earlier, adding that U.S. Attorney General Merrick Garland had asked the U.S. attorney in Chicago to review the **classified documents** which were handed over to the National Archives.

The **classified** material was identified by personal attorneys for **Biden** on Nov. 2, days before the midterm elections, Richard Sauber, special counsel to the president, said in a statement on Monday.

The Penn **Biden** Center is named for **Biden**, who periodically used the office space from mid-2017 until the start of his 2020 presidential campaign. The White House Counsel's Office notified the National Archives on the day of the discovery of those documents, Sauber said, adding the National Archives took possession of the material on the following morning.

Sauber also said the documents were not the subject of any previous request or inquiry by the National Archives.

The documents were discovered when **Biden's** personal attorneys "were packing files housed in a locked closet to prepare to vacate office space at the Penn **Biden** Center in Washington, D.C.," Sauber said. He added the White House was cooperating with the Justice Department and the National Archives.

The Justice Department, the National Archives and the think tank did not respond to a request for comment. **Biden** was vice president under former President Barack Obama from 2009 to 2017.

Sauber's statement did not mention the number of **classified documents**, what they contained or their level of **classification**. CBS News reported that they did not contain nuclear secrets.

Representative Jamie Raskin, the top Democrat on the House of Representatives Oversight Committee, said in a statement that **Biden's** attorneys "appear to have taken immediate and proper action" after finding the documents. Raskin said he had confidence Garland will "make an impartial decision about any further action that may be needed."

The Justice Department is separately probing former President Donald Trump's handling of highly sensitive **classified documents** that he retained at his Florida resort after leaving the White House in January 2021. FBI agents carried out a court-approved search on Aug. 8 of Trump's Mar-a-Lago estate. About 100 **documents** marked as **classified** were among thousands of **records** seized.

"When is the FBI going to raid the many homes of Joe **Biden**, perhaps even the White House? These documents were definitely not declassified," Trump said in a post on his Truth Social platform late on Monday. (Reporting by Steve Holland and Kanishka Singh in Washington Editing by Howard Goller, David Gregorio and Christian Schmollinger) ((Kanishka.Singh@thomsonreuters.com; +12024508248;))

--- **Index References** ---

Company: Federal Bureau of Investigation

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DOJ reviewing classified documents found at Biden facility from time as VP

Kevin Johnson, USA TODAY | USA Today (USA)

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January 9, 2023

DOJ reviewing classified documents found at Biden facility from time as VP
Richard Sauber, a special counsel to the president, said the
documents were immediately turned over the National Archives.

Kevin Johnson, USA TODAY

The Justice Department is reviewing a number of **classified documents** recovered last fall in a storage closet connected to an office used by President Joe **Biden** prior to his presidential campaign, the White House confirmed Monday.

The undisclosed number of **records** were discovered Nov. 2 by **Biden's** personal attorneys in a locked closet as they were preparing to vacate a Washington, D.C., office space known as the Penn **Biden** Center used by the then-former vice president from 2017 until the launch of the 2020 presidential campaign.

Richard Sauber, a special counsel to the president, said the documents were immediately turned over the National Archives.

More: Trump Mar-a-Lago home in Florida searched by FBI in probe into handling of classified documents

Since that time, Sauber said Biden's personal attorneys have been cooperating with the National Archives and a Justice Department review, headed by the U.S. attorney in Chicago.

The counsel did not describe the nature of the documents, only referring to a "small number" of documents.

The review was first reported by CBS News.

The Justice Department declined comment Monday.

More: 'Lives could be at stake': Trump document review to gauge whether US sources put at risk

Disclosure of the review comes as the Justice Department is investigating Donald Trump's handling of a trove of classified documents seized from his Florida estate by FBI agents in August.

The seizure followed repeated efforts to recover the Trump documents, including by a grand jury subpoena served at the Mar-a-Lago property in June.

The Trump document review is one of two criminal inquiries, including the former president's attempt to interfere with the transfer of leadership to President Joe **Biden**, that is now being overseen by Justice Department special counsel Jack Smith.

The **Biden** review is being overseen by John Lausch Jr., the chief federal prosecutor in Chicago, a holdover from the Trump administration.

Lausch's office declined comment Monday.

This article originally appeared on USA TODAY: DOJ reviewing **classified documents** found at **Biden** facility from time as VP

---- **Index References** ----

Company: Federal Bureau of Investigation; CBS NEWS INC.

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Industry: (Security (1SE29); Security Agencies (1SE35))

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