

# [***Jurors Selected in Trump Hush Money Trial; Pro-Palestinian Protests in New York; Interview With Rep. Michael Turner (R-OH); House Speaker Mike Johnson Faces Showdown Over Aid Bills; Interview With Sen. James Lankford (R-OK); Interview With Minneapolis Federal Reserve President Neel Kashkari***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BV1-VTC1-F072-X000-00000-00&context=1516831)

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**Guests:** Tom Dupree, Kaz Daughtry, John Chell, Mike Turner, Neel Kashkari, James Lankford

**Body**

(BEGIN VIDEO CLIP)

REP. MARJORIE TAYLOR GREENE (R-GA): He's serving Ukraine first and America last, and that would be the worst thing to do for a United States House of Representatives speaker.

REP. MICHAEL MCCAUL (R-TX): We're at that moment, and it's a time for choosing, as Reagan said. And I think the choice is, do you want to be Churchill or do you want to be Chamberlain?

REP. JAMIE RASKIN (D-MD): Our allies are suffering there, and so we want to make this happen and dislodge all of the dysfunction over on the GOP side.

REP. CHIP ROY (R-TX): We shouldn't be continuing to throw money at foreign conflicts when we have failed to do the very basic duty in America of securing our own border.

QUESTION: Should Democrats help Johnson?

REP. NANCY PELOSI (D-CA): The Republicans should help Johnson.

REP. STEVE SCALISE (R-LA): A lot of our members wanted the package broken up, where they could vote individually on Israel aid, individually on Ukraine and Taiwan. And so that's the way the speaker did it.

REP. JARED MOSKOWITZ (D-FL): And, you know, better late than never, so let's just get it done.

REP. BYRON DONALDS (R-FL): The stakes are really high right now. And so my hope is, is that cool heads prevail.

(END VIDEO CLIP)

NEIL CAVUTO, FOX NEWS ANCHOR: But will cool heads prevail?

House Speaker Mike Johnson in the fight of his political life as we speak, as he pushes forward with aid bills for Israel and Ukraine, as Republican lawmakers like Marjorie Taylor Greene and Thomas Massie begin to push for his ouster.

Welcome, everybody. I'm Neil Cavuto.

Let's go first to Chad Pergram on how all of this is playing out.

To you, Chad.

CHAD PERGRAM, FOX NEWS CONGRESSIONAL CORRESPONDENT: Well, it's all over this foreign aid package.

There are four distinct bills, one for Israel, one for Ukraine, one for Taiwan, and a combo bill to boost Ukraine and ban TikTok. The House would vote individually, then blend them for the Senate.

(BEGIN VIDEO CLIP)

REP. MIKE JOHNSON (R-LA): The reason for that, frankly, is that I'm concerned Israel may not -- may not pass through the Senate right now if it's not included in the package.

And if we separate them, then none of our priorities will be reflected, I'm afraid.

(END VIDEO CLIP)

PERGRAM: Conservatives confronted Johnson the House floor today in a tense conversation. They are livid there's no provision in the bill for the border.

Johnson says that would blow up the bill. He needs Democrats to support the plan. Some progressives oppose the package because it helps Israel.

(BEGIN VIDEO CLIP)

REP. ALEXANDRIA OCASIO-CORTEZ (D-NY): Personally, I believe that we need to have conditions enforced on U.S. military assistance. We have to ensure that human rights are protected and international law is adhered to.

Those conditions are not presently in this bill.

(END VIDEO CLIP)

PERGRAM: Still, Johnson may need Democrats to save his speakership.

GOP Georgia Representative Marjorie Taylor Greene is threatening to remove Johnson. Matt Gaetz engineered the ouster of former House Speaker Kevin McCarthy last year.

(BEGIN VIDEO CLIP)

REP. MATT GAETZ (R-FL): My hope was that the motion to vacate would be an elixir that only required one dose for effectiveness.

UNIDENTIFIED FEMALE: Right.

GAETZ: But sometimes there are some therapies that require more than one dose. And I hope that's not the case with the motion to vacate.

UNIDENTIFIED FEMALE: Right. GAETZ: But we will administer the elixir as many times as is necessary to save the country.

(END VIDEO CLIP)

PERGRAM: Gaetz has opposed dumping Johnson, but he's not pleased with the speaker.

The House plans a vote on the aid package Saturday. Greene contends she is not ready to remove Johnson because she's a -- quote -- "responsible person" -- Neil.

CAVUTO: Chad, we're learning from Speaker Johnson on X, the old Twitter site, saying that he won't go for with raising the threshold for the motion to vacate. What do you make of that?

PERGRAM: That's very important here. There was some chatter at the Capitol that they might try to put this in the rule -- this is the provision that you need in place first before you put the international aid package on the floor -- to maybe raise that threshold.

That probably actually helps him because some conservatives will say, oh, he's just not looking out for himself.

CAVUTO: Got it. All right, thank you very much, my friend, Chad Pergram, on that.

We get other, further developments, we will go right back to him.

Meanwhile, to Griff Jenkins right now in the White House on getting support in the oddest of places, I guess.

GRIFF JENKINS, FOX NEWS CORRESPONDENT: That's right. Good afternoon, Neil.

I suppose this may be a case of proving that ***politics*** does make strange bedfellows, because one of Speaker Johnson's strongest supporters on this aid bill lives in that building behind me, Biden, of course, penning a op- ed in The Wall Street Journal, urging support for Johnson's $95 billion aid package Chad just laid out for you.

And the White House also putting out the president's statement, saying this -- quote -- "The House must pass the package this week and the Senate should quickly follow. I will sign this into law immediately and send a message to the world: We stand with our friends and we won't let Iran or Russia succeed."

Now, Johnson is rolling the dice, obviously, but the White House is watching closely lawmakers on both sides of the aisle voicing these concerns. Listen here.

(BEGIN VIDEO CLIP)

DONALDS: There will be no more new Ukraine funding until we secure our southern border. We're being told this week that, we have to give up that, we can't do it because of what's happening in Ukraine to this point.

REP. CORI BUSH (D-MO): It might make sense that our country would gravitate toward war, but because it makes sense doesn't make it logical.

(END VIDEO CLIP)

JENKINS: So, now we will see whether or not the House gets this to the floor on Saturday, as Chad reported there.

And it's unclear sort of how the White House is monitoring this whole thing hanging over it, which is the motion to vacate Johnson, and whether Democrats will write in to save the day. Earlier today, though, the House did get some business done. They voted 404-14 to condemn formerly Iran for its unprecedented attack on Israel.

Among the 14 nays, one Republican, Tom Massie -- Neil.

CAVUTO: All right, thank you very much for that, Griff Jenkins on that.

We go to Mike Turner right now, the Republican Ohio congressman, House Intel Committee chair.

Chairman, always good to have you.

REP. MIKE TURNER (R-OH): Thank you.

CAVUTO: What do you make of this back-and-forth on the speaker and whether he can keep his job?

TURNER: Well, the speaker is showing tremendous courage.

And he obviously understands the critical nature of the aid for Ukraine at this time. Our European counterparts have contributed more than the United States has contributed overall. We're trying to make sure that they get the munitions that they need to be able to continue to fight against Russians' aggression into Ukraine.

You know, this is a fight between authoritarianism and democracy. Russia and Vladimir Putin have made it clear that they have sights well beyond Ukraine. We need to stop them there in Ukraine. And the Department of Defense is ready as soon as we can get this package complete to be able to get the aid into Ukraine, so they can continue this fight.

CAVUTO: Well, the fight is actually happening within your own party, right, Chairman?

And it's a little lopsided, I grant you here, but there are mixed signals coming from former President Trump right now. He's putting more pressure on Mike Johnson about what he can concede and not, even though he was with him at Mar-a-Lago and seemed to indicate his support. He's also saying that Europe has to do more, as you pointed out, sir.

But his son, Donald Jr., has already turned against the speaker, signaling that he's made so many mistakes, maybe now is the time to go. What do you make of all this?

TURNER: Well, I think this is just noise.

What we have here is, the speaker is getting the House back to work. We have the chaos caucus that has tried to bully both the speaker and members and that represents a small portion overall of the members in Congress. We need to get our work done. We need to make certain...

CAVUTO: But all it takes is one, right? All it takes is one to make a fuss or something, right?

TURNER: Well under the current rule, they can raise the question...

CAVUTO: Right.

TURNER: ... as whether or not Johnson stays in the speakership, but it does take a vote of this House.

What occurred last time is, a small number of members on the Republican side joined with the Democrats. They actually used the Democrat Party's votes to remove Speaker McCarthy. I don't think they will be able to do that this time. We are at a critical point right now in our nation as we try to finish the legislative work of this year.

Getting this national security package out is incredibly important. The speaker should be commended for doing so. And I think this is going to pass overwhelmingly on the House for, all provisions. Israel, Ukraine and also the additional support for Southeast Asia.

CAVUTO: And the numbers, in early numbers, indicate you're exactly right about that chairman, but overwhelming doesn't do it, right? I mean, if you think about it, if you have two or three members who are just dead set against doing anything like this, he's in trouble.

He might be dead man walking. Do you think he is?

TURNER: Well, I do think -- no.

And I do think we need to change these rules. These rules currently that have been how we have been operating under this Congress...

CAVUTO: Yes.

TURNER: ... allow a few people, actually one, but just a handful of people, to throw the House into chaos and to prevent us from doing our work.

We have very important work that we need to be getting done this year to finish out this year, including this national security package. This rule needs to be changed, so that Speaker Johnson, when he gets up in the morning, can worry about the threats that we have around the world, not the threats that are happening to him on the House floor.

CAVUTO: But he's not addressing those threats on the House floor. That might be very brave, to your point, Chairman. I get that.

But he has said on X, the old Twitter site, that we -- he won't go forward with raising this threshold on the motion to vacate. So, things stand at stay as they were and are. And I'm just wondering whether we will repeat what already happened.

TURNER: I don't think so.

I think this -- first off, I think the small number of people will not be able to leverage the Democrats' support in this. I think -- and that they would have to do that. Again, to remove Senator Johnson -- excuse me -- to remove Speaker Johnson, you have to do so with Democrat votes.

And they're not going to be able to garner the Democrat votes this time because they have really bullied the House. They have caused chaos in the House. I think people see where this path goes. And I think Speaker Johnson has a broad support that will cause him to be able to have the support to govern this House.

CAVUTO: All right, we're learning, by the way, separately, Chairman, that President Biden is expected to detail these new sanctions against Iran. They're probably going to be targeted at drone technology and the rest, the same drones that it shot across Israel over the last weekend.

Are you for such sanctions, you agree, or do you find that Iran, already one of the most sanctioned countries on Earth, has still been able to do a lot of things that we didn't want it to do?

TURNER: Well, and that's I think why -- the question everybody has about this administration, is why they are so slow to act.

How is it that they're just now saying we're going to sanction companies that are producing drones and missiles in Iran, when we're seeing them fall on Ukraine, and, of course, that we see them being used by Hezbollah and Hamas on Israel and then coming directly from Iran itself?

These sanctions should have already been in place. The administration needs to take a whole-scale review of its sanctions policy with respect to Iran and begin to shut down critical portions of their economy to prevent them from being able to be part of the war, what's going on in the battlegrounds in Europe, and, of course, to attack Israel.

CAVUTO: Got it. Congressman, Chairman, very good seeing you again.

Mike Turner of the state of Ohio.

TURNER: Good seeing you. Thanks for having me.

CAVUTO: We're going to take a quick break here.

Want to bring you in a news item that the markets were following very closely? Netflix, of course, the big streaming service out with numbers that just blew away the Street estimates here. They signed on an additional 9.3 million subscribers in the latest quarter, almost double what many thought it would, and the stock is soaring in after-hours trading.

And that could be a good harbinger of things to come up for the markets tomorrow, kind of iffy on the markets today.

Separately, there was another development on the housing front that's worrisome. You know that interest rates have been backing up. It started showing up in mortgage rates, which are now over 7 percent again, all of this as the Federal Reserve is pondering pushing back rate cuts, if they ever were to happen.

A key player in all of that, Neel Kashkari, is next.

(COMMERCIAL BREAK)

CAVUTO: All right, with all these inflation fears and market rates backing up, not a big surprise that mortgage rates would be following that, the 30- year-fix rate now up to 7.10 percent, highest it's has been in more than four months.

What to make of that and these growing expectations that rate cuts that the markets were planning on might be getting pushed back further and further and further?

A gentleman who would know is Neel Kashkari. He's the Minneapolis Federal Reserve Bank president.

Neel, very good to have you.

NEEL KASHKARI, PRESIDENT, FEDERAL RESERVE BANK OF MINNEAPOLIS: Good to see you, Neil.

CAVUTO: Let me ask you first about what's happening on the mortgage front.

I know that that seems like a jarring number to some. I don't know if I ever told you what my wife and I paid for our first mortgage.

(LAUGHTER)

CAVUTO: But I have told the nation I think about 2,000 times.

(LAUGHTER)

CAVUTO: But it was a lot higher. And I know it's what you get used to.

And people now were getting used to much lower rates, and it's putting a stall, some say a stop, to the housing industry. Do you agree with that?

KASHKARI: I don't agree with that.

One of the surprises for me is how resilient housing, the housing market broadly, has been in the last couple of years, while we have raised interest rates. As you noted, mortgage rates are now above 7 percent. I would have thought that that would have slammed the brakes on the housing market.

What we have seen is, the single-family home market has slowed down. The multifamily market or apartment building market has kept up much stronger. And if you look at construction employment, construction employment has continued to climb throughout this period when we have been raising interest rates.

So, actually, it's a little bit of a head-scratcher for me. How is it that housing has been as resilient as it has been? And I think part of the answer is, for the 10 years or so after the financial crisis, we simply didn't build enough units, homes or apartment buildings, to keep up with our population growth.

And that demand is still built up there that we're trying to work its way through.

CAVUTO: Yes, that whole -- there's limited supply and the demand for that.

Having said that, there's not more supply likely to come on the market right now. If you're a home seller and you're looking at this environment, you're going to hold off, right? And that limits choices for potential buyers. So how do you see that Mexican standoff going?

KASHKARI: Well, every person -- we hear this a lot, that, well, people aren't selling their homes because they have locked in a low mortgage rate and they don't want to buy a new home and have to go get a more expensive mortgage.

CAVUTO: Right.

KASHKARI: And that makes a lot of sense.

But that also means that's one fewer buyer in the market. So how that washes out is a little bit unclear to me. Ultimately, we know what we need to do. We need to get inflation back down to 2 percent. Once we do that or we get closer to it, we'd be in a position to start dialing back some of our interest rate increases.

And then you would expect that to flow through to cheaper mortgages for American families.

CAVUTO: Let me ask you a little bit about this.

Given some of the inflation numbers we have seen and the robust economic numbers we have seen in other areas, market rates have been backing up, over which the Fed has no direct control. It can jawbone about them one way or the other, but no direct control.

And I am wondering now whether this has pushed off those expected rate cuts to either late next year or maybe not at all this year.

KASHKARI: Well, the data is going to guide us.

We have been surprised, in a concerning way, about the first three months inflation data this year. The second half of last year, we saw a lot of progress as inflation fell back towards our target. That gave us a lot of optimism that maybe 2 percent inflation is around the corner. And now things seem to have stalled out.

So, my view is, we just need to sit here and be patient until we see the data and hopefully get convinced that inflation continues to fall back down. The good news is, as you indicated, the economy continues to be strong, GDP growth is strong, consumer spending is strong, and the labor market is strong.

So we're in a good position from which to take our time before we decide where to go with interest rates.

CAVUTO: Take your time until next year?

KASHKARI: Well, I mean, potentially.

I had dialed in -- in March, I had dialed in two interest rate cuts this year, two 25-basis-point cuts. That was before some of the data that we have seen. I'm in the view of, we need to wait and see, be patient as long as it takes until we get convinced that inflation is on its way back down to 2 percent.

CAVUTO: So, to be clear, you had factoring in on -- that's the whole dot plot, where all you guys get together and compare where you see rates going or what you ideally like to see, two rate cuts.

Are you down to one right now? Are you down to none? What?

KASHKARI: You know, I -- we don't have to make that decision until June. So I'm going to hold off making that decision, but certainly the data that we have seen since...

CAVUTO: Maybe you can just -- maybe you can just whisper it in my ear right now or whatever.

(LAUGHTER)

KASHKARI: I will whisper it in -- during commercial.

No.

CAVUTO: All right.

KASHKARI: We need to see the labor market data and the inflation data, as well as spending.

CAVUTO: Neel, how much does all of this spending in Washington complicate things? Because that is in itself inflationary, not exclusively. But it doesn't help your cause, does it?

KASHKARI: It complicates things.

What -- we know that a lot of stimulus was part of the driver, not the only driver, but a contributor to the high inflation that we have seen. And when I go out and I look at where is investment taking place, where is construction taking place, we know, for example, the spending on infrastructure, the spending on new chip plants, all of that on the margin is inflationary.

Is it big enough to move inflation at the national economy level? That's a little bit unclear. But we are a little bit at cross-purposes, where you have some programs that are really well-meaning and, for good reason, that Congress is focused on. At the meantime, we're trying to get demand down in the economy.

So there are some complications that we're having to navigate right now.

CAVUTO: I know you don't like to wade into ***politics***, Neel. And everyone likes to say the Federal Reserve is above ***politics***. But it has moved in election years in the past, presidential election years. It's not immune to doing so.

But we do know that President Trump had a very change -- a big change in how he thought of Jerome Powell and doesn't think much of him now, probably, if he became president, wouldn't reappoint him to head the Federal Reserve.

So how much does this environment weigh on you guys?

KASHKARI: You know, in some sense, it makes things easy, because the higher the political heat gets turned up from either party, the more we all know we just need to focus on our goals that Congress has given us.

Congress told us, go achieve maximum employment and stable prices that we define as 2 percent inflation. We call it our dual mandate. And the higher the temperature gets, the more we all just hug the data and hug the dual mandate. That's the only way we can figure out how to navigate this.

CAVUTO: But people will hug that data through the prism -- but people will hug that data through the prism of their own political point of view, not all the time, but sometimes, right?

There are a lot of people who are supporting Donald Trump who say that any cut in interest rates right now would be unwise and would only be meant to help Joe Biden. How do you answer that?

KASHKARI: Well, I would just suggest to those folks that look at the data that we talk about. We talk about what data we're focused on all the time. We talk about what data we're looking at.

And look at the data. Is it matching what we're saying that's motivating our actions or our inactions? Ultimately, I think that that's going to be the proof. Are we walking the walk that we laid out?

CAVUTO: Do you -- when you see some of the names that have been raised or hinted at to be the next Fed chairman, they're outsiders or people who are not presently serving on the Federal Reserve right now.

And I just think, with Art Laffer being among them and a host of other former Trump administration officials, do you get concerned about that? Do you ever say, geez, where am I on this list?

KASHKARI: You know, I -- that's not my job to consider who's going to get appointed or whatnot.

I will say that any appointee from any president ultimately has to get confirmed by the United States Senate. And I think senators on both sides of the aisle have said the Fed picks are really important and that they give them careful scrutiny and consideration.

And so I have actually got a lot of confidence in our process that good people will continue to get appointed to the Fed regardless of who's president.

CAVUTO: We have two term limits on presidents. It seems limitless for Fed chairmen. Do you think two and done is good enough?

KASHKARI: You know, I think Alan Greenspan served for more than two terms and I think did a very good job during his term.

CAVUTO: You're right.

KASHKARI: Ben Bernanke served two terms. I think it'll be up to the president to make the right call.

CAVUTO: All right, that's a very -- very threading-the-needle answer. That was -- that was well-played, Neel.

(LAUGHTER)

CAVUTO: Very good seeing you again. Thank you very much.

KASHKARI: Thanks for having me, Neil.

CAVUTO: All right, Neel Kashkari, oddly spells his name N-E-E-L, but I'm the I-L.

But we Neils are always fighting over that. No, we're not, actually. I just noticed that.

We have a lot more coming up, including, you know what happened yesterday, that impeachment effort to get rid of the homeland security secretary, Mayorkas. Didn't work. But there was a plan in place that would have made the whole thing a moot point that sort of fell apart.

I'm talking about that bipartisan deal crafted by one Senator James Lankford, who's next.

(COMMERCIAL BREAK)

CAVUTO: All right, uptown New York City, outside Columbia University, where things got pretty volatile last night and actually volatile again, as hundreds of protesters, this time in what they called a pro-Palestinian rally, but it got both sides in each other's face.

More after this.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

PERGRAM: Do you feel exonerated from yesterday? What are your first comments after being exonerated by the Senate, being cleared here? Anything to say at all? Are you concerned about the state of the border?

Do you think that Democrats got put into a bad position here having to defend you yesterday behind during the second trial? Is there an asterisk next to your name, the second secretary to go through an impeachment trial?

(END VIDEO CLIP)

CAVUTO: All right, that was interesting. Mayorkas had nothing to say to Chad Pergram.

But, again, these are all legitimate questions because he dodged a bullet there where he could have been impeached. It was never really a likelihood. He was impeached in the House, I should say. He was not convicted in the Senate, both of those articles of impeachment against voted to be unconstitutional.

Enter Senator James Lankford, the Oklahoma Republican who had crafted together that bipartisan deal that looked like it could have removed any of this separate palace intrigue. But it never -- never happened.

The senator kind enough to join us.

Senator, good to see you again.

SEN. JAMES LANKFORD (R-OK): Good to see you again as well.

CAVUTO: You know, you think about it, Senator, your work and working with others to come up with a plan to at least address some of these pressing issues at the border, it ultimately never happened. It had a good deal of support, but it didn't go anywhere.

Bottom line, then the other issue with what Mayorkas did, that didn't go anywhere. He's still staying in the job. So what's to stop me from thinking nothing changed?

LANKFORD: Yes, well, 5,800-plus yesterday crossed the border illegally. That continues to be day after day. The media has just looked away from what's happening at the border, but it continues to be chaotic.

My issue has always been, I'm going to work with anybody on either side of the aisle that's willing to be able to stop the chaos at the border. If we can negotiate a deal to actually get this done, we will do it. The White House has things that they could do they're choosing not to do. Congress has things that they could do they're choosing not to do.

And that leaves us with 5,800 people a day still crossing the border, while everyone's pointing fingers at everybody. End of the day, we do have to solve this. This is a major national security risk. And yesterday's non- impeachment impeachment trial, which was painful to be able to see for the future of the Senate, was one more painful moment to say, if we're going to do something, let's do it.

But yesterday was more drama than actually getting anything done, because Schumer was unwilling to actually have a trial after we have an impeachment. And, again, with 5,800 people crossing, including special interest aliens that are known terrorists, they continue to be able to come, and we're not stopping it.

CAVUTO: Do you think, had they passed that measure, which would have at least put a ceiling on that sort of number, we wouldn't be looking at what we're looking at now...

LANKFORD: Yes.

CAVUTO: ... and we wouldn't have seen a pursuit of Mr. Mayorkas?

LANKFORD: Well, I don't know if we wouldn't have had an impeachment vote or not.

Obviously, the House still has major problems. And there's a major issue with Mayorkas basically telling false information to the House. You have got all kinds of other areas where they have chosen not to enforce the law. Don't know whether the impeachment would have moved in the House, but we wouldn't have had 5,800 people illegally crossing the border yesterday.

There's no way that would have happened. We would have had double the number of detention beds. We would have had double the number of deportation flights, a change in the asylum standard, a quick turnaround process that was in that bill. So, no, we would have had a much, much smaller number than what we had just yesterday.

CAVUTO: I have raised this issue, Senator, with your colleague John Barrasso on where that finger-pointing started and, more to the point, some of the expectations for President Biden to do something via executive order.

I like, if you can, sir, to respond to this.

(BEGIN VIDEO CLIP)

CAVUTO: If this president by executive order didn't do enough, and this measure wasn't enough, it's fair to say both parties dropped the ball on it, huh?

SEN. JOHN BARRASSO (R-WY): Well, this president did 94 executive orders his first 100 days in office, throwing the border wide open, inviting people from all around the world to come here, over 150 countries. Many from communist China are here, 20,000 this past year alone.

This is a president who refuses to enforce the law and who has new interpretations of the law to let more people in. The bill that was worked on in a bipartisan way would have set 5,000 a day. That is not good enough.

(END VIDEO CLIP)

CAVUTO: All right, that that measure you referred to would still not have been good enough. What do you think?

LANKFORD: Yes, I get it. This common misnomer of the 5,000 a day, some of my colleagues have mentioned this.

CAVUTO: Right.

LANKFORD: That's actually factually not true.

And the way the bill was set up is, the very first person that came across would have been detained, quickly screened and deported. So, it was a very rapid turnaround from the very first person that came across the border.

But it also did set up an extreme measure that, if we had these large caravans and other folks that come in, and we get 5,000, it takes away due process when you get to that number and they're just detained and deported. So the first person detained, screened quickly and deported. If you get to 5,000, they're just detained and deported.

But it doesn't wait until 5,000 to do something.

CAVUTO: Right.

LANKFORD: It did it at the very first moment. That was the great misnomer.

What Senator Barrasso was saying in that, though, is actually correct, that this is not just a Mayorkas issue. This is a Biden issue because the State Department is no longer pushing people back to recalcitrant countries. The Department of Justice is no longer prosecuting folks. ICE is no longer gathering folks up in the interior and deporting them.

And DHS is no longer stopping people at the border. This is a whole-of- government effort to be able to advance the number of people coming in and not turning people around.

CAVUTO: You're a real gentleman about this, and I know you're not trying to zing your colleagues, but it's your colleagues in your party, sir, who torpedoed this, who didn't get the facts right on what you just outlined was in that measure.

They killed it, ironically, not Democrats.

LANKFORD: Right. It was. And it was painful to be able to watch it.

And it got stirred up in all the presidential ***politics*** and several of my colleagues started looking for ways after President Trump said don't fix anything during the presidential election.

CAVUTO: Right.

LANKFORD: It's the single biggest issue during the election. Don't resolve this. We will resolve it next year.

Quite a few of my colleagues backed up, looked for a reason to be able to shoot against it and then walked away. I get that. That's a decision everybody makes. And my issue is, we can -- if we're pursuing everything, we very often end up with nothing. If we're pursuing someone coming later to fix it, later seems to never come.

When we have a moment to fix things, we should fix as many things as we can then, then come back later and fix the rest.

CAVUTO: That's on Donald Trump, Senator.

LANKFORD: Again, he's got an office that he's running for. He's got a campaign that he's running.

I'm already in office. I have got a responsibility to be able to carry on this. I think everybody cares about the future of the country. President Trump has a bigger picture of a lot of other issues he's looking for. If we have a President Biden again, this never gets any better. And I think President Trump sees this as a moment that, if this gets fixed, then maybe a few people don't vote, and then we have a whole host of other issues in the future.

CAVUTO: All right.

LANKFORD: Again, he's got a task he's taken on. Respectful. I have also got a task I have got to do. I have got to actually get this fixed.

CAVUTO: Got it.

Senator, very good seeing you again. Thank you very much.

LANKFORD: Good to see you.

CAVUTO: James Lankford of Oklahoma.

He tried.

All right, in the meantime, they're trying to keep the calm outside Columbia University right now with these pro-Palestinian and now mixed protests going on there.

C.B. Cotton has been there all day -- C.B.

C.B. COTTON, FOX NEWS CORRESPONDENT: Hi, Neil.

Well, pro-Palestinian student demonstrators who camped out on Columbia University's campus for more than 24 hours have finally been removed by the police, but the chants and the rallies are far from over.

I will have all those details after the break.

(COMMERCIAL BREAK)

CAVUTO: So we had this assignment we just threw at C.B. Cotton. C.B., see what you do and maybe go up to Columbia University. We hear there's some disruption there. Maybe you could tell us what's going on.

She's been living there since. She's there now. Again, a lot of these protests of a Palestinian nature, they have eased and then they have gotten hot again.

What's the latest, C.B.?

COTTON: Hi, Neil.

And they're -- they are still hot at this hour, I'd say. Columbia University has kept this campus locked down to everyone except those with a Columbia I.D., but that hasn't kept pro-Palestinian protesters from arriving here and continuing their rallying and their chanting right outside the university's main gates. That's what we have happening here right now.

We just heard chants: "What is the solution? Intifada revolution." We're hearing that. We're hearing "Free Palestine," a lot of chants coming from this group. And, of course, we know there are several NYPD officers here in riot gear that have been mobilized to have this defensive posture and keep the university safe.

As for those protesters, those student protesters who camped out for more than 24 hours on the campus, we know, earlier this afternoon, they were removed from the premises. The Columbia University president, she said, these students had been warned several times, both verbally and in written correspondence, that these students were violating university policy.

We know that these students had been warned they would be suspended if they remained in the encampment, but several of the student protesters took the social media to say they did not care and they were willing to make -- take that risk.

And so, right now, we're monitoring the situation, but, at this hour, Neil, the protests are continuing, at least outside of Columbia University's campus.

CAVUTO: All right, thanks for all of that, C.B. You have been so calm throughout this whole thing.

Alexis McAdams taking another view from police headquarters in Manhattan, where they're also keeping a close eye on this and anything else that could pop up.

Alexis, what can you tell us?

ALEXIS MCADAMS, FOX NEWS CORRESPONDENT: Hey, Neil.

Well, this is an exclusive look right now inside of the command center here downtown, where we know more than a hundred of those students were arrested, right, at Columbia, where we just checked in with C.B. They have been brought here in those flex cuffs, and they're going to be booked on some charges.

We're going to check in right now with the people from the NYPD. They have been working on this Neil for 24 hours. We're here with Chief of Patrol John Chell.

Thanks for talking to us.

It's been busy out there, Columbia. You have been working hard. What was it like trying to get those students off that campus?

JOHN CHELL, NYPD CHIEF OF PATROL: Well, this has been going on for 30 hours, approximately, since 9:00 yesterday.

Columbia let the students take over the quad and put up 45 to 50 tents. But, last night, they had a deadline for 9:00 to remove those tents. The students did not. They were protesting. They were pro-Palestinian. They were protesting any investments the school had with Israel. They wanted a complete divestment from Israel. That was their demands.

They failed to leave at 9:00 last night. We have been in discussion with them all day yesterday. The decision was made today to take them out about 1:00, to remove them. We arrested about 108 kids for trespassing and disorderly conduct.

It was a peaceful removal. Our department did a wonderful job setting the standard, showing how to do this properly. But what was quite disturbing was the students who -- about 500 students left their classrooms. The language they were using towards us was quite disturbing.

But we got through it. We're professional. Our strategic response group set the standard. They are the standard. No physical altercations. The kids were removed and the problem is solved for today, so good job.

MCADAMS: But talking about some of those things that you guys were dealing with, when you were asking those protesters to leave and they were yelling things at you guys, are you surprised that students and these college kids at such a good school like Columbia academically are saying things like that to you guys?

CHELL: The language is vile and disgusting. And if this is any indication of some of our youth in America, we have some issues.

But, once again, we avoid. We're neutral. We got the job done., hopefully, it stays that way.

MCADAMS: All right, thank you very much. And then, Neil, we want to take you over here also to talk to Deputy Commissioner Kaz Daughtry, who is also in charge of one -- your drone units you guys are using to kind of see what's going on in Columbia's campus, Neil, which you can see right over our shoulder.

Tell me, Kaz, just a little bit about what you guys are seeing on the ground from above.

KAZ DAUGHTRY, DEPUTY NYPD COMMISSIONER: Yes.

So, before we actually -- before the team went inside to go to help with this, to help with Columbia's security take out these encampments, we actually set the drone over to kind of give us tactical overview of what the -- what the cops were going to go face -- facing before they moved in.

And, as you can see, we get a bird's-eye view of exactly what's happening in there.

MCADAMS: And what was it like getting those kids out of there?

I mean, they had so much gear already in there. They were planning on not going anywhere. You said they had bathrooms set up, and they were pretty upset you guys wanted them off campus.

DAUGHTRY: It was pretty horrific, some of the things that I have seen inside of the tents. I would never expect to see that on Columbia University's grounds.

They were -- it was quite an eyesore, if I can say.

MCADAMS: What did you see kind of in there?

DAUGHTRY: I saw there was like a makeshift bathroom set up. I also observed garbage. It smelled like urine in some of the tents. It was -- it wasn't -- it's Columbia University.

When you say Columbia University, you would never think that they would allow something that to happen on their campus.

MCADAMS: And, as we were talking earlier, Neil, they were saying it's quick that they were able to move in, but it still took several hours, right?

So, next time, they hope the campus maybe coordinate quick and the NYPD can move in even faster to get these protesters out of the way, Neil.

CAVUTO: What a thankless task.

Alexis, thank you for that. And our thanks to our men in blue trying to keep things safe.

In the meantime, the 12-person jury that is going to decide Donald Trump's fate has already been selected. Now they're looking for six alternates.

The latest from Nate Foy -- after this.

(COMMERCIAL BREAK)

CAVUTO: All right, they're really moving fast at this Trump trial going on in Lower Manhattan right now, jury selection rapidly getting finished up here.

Nate Foy has the latest from New York's Supreme Court -- Nate.

NATE FOY, FOX NEWS CORRESPONDENT: Neil, just moments ago, Judge Juan Merchan said -- quote -- "We have our jury."

And, boy, has it been a roller coaster of a day. We started with seven jurors. It went down to five after two were sent home. Now we're at 12, a full jury, except only one alternate has been selected, meaning we still have five more alternates to go.

The two who were sent home were sent home for different reasons. One was because the DA's office found that a man with the same name had been arrested in the 1990s for removing conservative political signs. Another was a juror who had concerns that her identity may be exposed after her friends and family questioned her about possibly being a juror.

Take a look at this video of former President Donald Trump entering the courtroom just after lunch. He has not spoken to the media today, other than just a brief moment as he was going into the courtroom. He told reporters -- quote -- "I will speak to you later."

The Manhattan DA's office accuses him of violating the partial gag order seven additional times, Neil. Judge Juan Merchan will decide on any potential punishment for that coming up on Tuesday of next week. But jury selection continues right now to find those five other alternates.

Many prospective jurors were sent home today, including this woman who spoke with us afterward. Listen here.

(BEGIN VIDEO CLIP)

KAT, DISMISSED JUROR: I raised my hand that I can't be unbiased, impartial. It's a personal thing. Sorry about that.

QUESTION: That's OK.

(END VIDEO CLIP)

FOY: Judge Merchan is also expanding protections for jurors, Neil. The court will not share where jurors work anymore.

Instead, we can share what field they work in. And we're still going through the newest information with these newest seven jurors, Neil. Seven jurors have been seated just in the past 30 minutes. I know that one juror works in finance. Another juror is one of the only people in America who said that they don't have a strong opinion about former President Donald Trump.

So, prior to today, the court had said they were planning on opening statements for Monday of next week. Now that we have a full jury, they are just five alternates away from wrapping up jury selection and staying on schedule. We will send it back to you, Neil.

CAVUTO: Wow. That is fast.

Thank you very much, Nate Foy, on all of that.

And we told you about this gag order that the prosecutors keep insisting Donald Trump has violated no fewer than seven times. The legal implications of all of that with Tom Dupree -- after this.

(COMMERCIAL BREAK)

CAVUTO: All right, court has wrapped for the day in Lower Manhattan in the hush money trial going on for Donald J. Trump, the jury selected.

They're just finishing with a few more alternate selections to wrap up the week. That could come as soon as tomorrow.

Tom Dupree, the former deputy assistant attorney general, on how fast this is all going on.

What do you think, Tom?

TOM DUPREE, FORMER JUSTICE DEPARTMENT OFFICIAL: It is, Neil.

We now have the jury. And, look, the fact is, is, you never exactly know what you have got in a jury you have chosen until you get a verdict. But I too was impressed with how quickly this moved. It seemed like the judge understood he had a task. He knew that he wanted to get this trial under way next week.

And so they moved ahead, and we now have a jury that they're just filling out with the remaining alternate seats at this point.

CAVUTO: How likely is it that some of those alternates will be used to swap out, whether your jurors have had it or don't -- don't stay for the length?

DUPREE: I think, in this trial, there's actually a pretty good possibility we're going to see at least one of the alternates sit as a real juror in the end.

I say that for a few reasons. One is that this looks like it's going to be a pretty long trial, six weeks, seven weeks, and things can happen. People can get sick. They can fall out of jury service for whatever reason, and you need an alternate.

It's also going to be a high-profile trial. I'd imagine it would be stressful serving as a juror, and that's another reason. You could ultimately see one or more of these alternate jurors taking their seat on the jury when it's time to deliver the verdict.

CAVUTO: Let me ask you about this so-called gag order. The prosecutors are saying that Donald Trump keeps violating it, I mean, by some counts, as many as seven times. Others say even more than that.

How is the judge going to handle that?

DUPREE: Yes, look, Neil, with these -- former President Trump, these gag orders, I mean, this is oil and water. The two just don't mix.

CAVUTO: Right.

DUPREE: And we're going to see this as a recurring theme, I think, throughout this trial, with the judge telling former President Trump what he can't say, and the president getting pretty close to the line in some of these cases.

With regard to the latest brouhaha, I suspect that the judge may not be ready to drop the hammer on Trump. I say that because the judge didn't immediately chew out Trump today in court, which I think he would have if he really were upset by it. Instead, he basically punted this whole issue until next week, when he will take it up along with a bunch of other issues.

So, the signals the judge are sending is that this most recent tweet may not, in his view, have crossed the line.

CAVUTO: It would be very risky for the judge to throw him in jail, as he's threatened in the past for that kind of stuff, though, right?

DUPREE: I agree.

And, look, the fact is, is, the judge has a wide range of lesser sanctions at his disposal, short of ordering former President Trump to be sent to Rikers Island, which seems a little implausible.

I suspect what you might see the judge doing is either giving him a stern warning, reminding him of what he shouldn't be saying, maybe imposing a monetary fine, but sending him to jail would be pretty darn extreme.

CAVUTO: Could I ask you a dumb question, though you're used to it, Tom? Why is Donald Trump penalized for stating what's on his mind, but Michael Cohen can say anything he wants?

DUPREE: Well, I don't think that's a dumb question at all, Neil. And I think that's really what's kind of the heart of a lot of this, is that this trial obviously has captured the attention of America.

It's on a subject of immense public importance. President Trump is currently the leading Republican candidate for president. And there are huge First Amendment issues at stake here in the outcome of this trial.

And it does seem anomalous when you see former President Trump's speech being restricted in a very aggressive way, whereas other people who are very closely connected in the case, Michael Cohen being exhibit A, are free to say whatever the heck they want on whatever topic they want.

CAVUTO: Amazing. All right, thank you, Tom, for that.

Tom Dupree.

Again, they have wrapped up the session today, day three of this trial. Remember, they didn't have any activity yesterday. Donald Trump might say something. He might not.

I'm sure "The Five" will be on that, because "The Five" is now.

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