

# [***Interview With Fmr. Sen. Joe Lieberman (I-CT); Interview With Gov. Brian Kemp (R-GA); Biden and Trump to Visit Border; Mitch McConnell to Step Down as Senate GOP Leader; Judge Rules Against Trump in Civil Fraud Appeal; Congress Questions Hunter Biden Behind Closed Doors***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BFB-W3J1-JCS1-62W6-00000-00&context=1516831)

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**Body**

(BEGIN VIDEO CLIP)

(CROSSTALK)

QUESTION: ... release the laptop!

(END VIDEO CLIP)

NEIL CAVUTO, FOX NEWS ANCHOR: All right, that was six hours ago when Hunter Biden arrived in Washington to talk to Republicans behind closed doors in this inquiry into not only Hunter, but the dad and his relationship to Hunter's business dealings.

We have no indication what they have discovered on Hunter's dad. We have a pretty good idea of what they have discovered on Hunter Biden himself.

Welcome, everybody. I'm Neil Cavuto.

Let's get right to it right now.

Aishah Hasnie, I guess you could call this the hearing that doesn't end. It's going on and on as we speak, right?

AISHAH HASNIE, FOX NEWS CORRESPONDENT: Hey, Neil.

Well it could be wrapping up in the next couple of moments here. We were just told that Chairman Comer is walking down now. So, if he takes the podium here, I will hand it off to him so we can listen to those remarks, because we haven't seen or heard from him since this all started. And it looks like he's walking over now.

But we do know that Hunter Biden has been taking every question, answering in great detail and in great length and not pleading the Fifth, which, of course, has been surprising because of those two criminal cases.

And here's Chairman Comer.

REP. JAMES COMER (R-KY): I'm just going to issue a very brief statement. The deposition is still ongoing. I have a bill on the House floor. I'm going to run across the street. Republicans are still currently asking questions.

But I think this was a great deposition for us. It proved several bits of our evidence that we have been conducting throughout this investigation. But there are also some contradictory statements that I think need further review.

So this impeachment inquiry will now go to the next phase, which will be a public hearing. And that's something that I think everyone in the media has been asking a lot of questions about, something that I know that Mr. Biden and his attorney both demanded.

Just as I said when we said we were going to do the deposition first, we will have a public hearing next. So I think that the public hearing hopefully will clear up some discrepancies between some of the statements that were made between some of the associates and what we heard today.

But, all in all, I am very optimistic, very excited about this deposition. And I look forward to releasing the transcripts as soon as both sides agree to that. Hopefully, that will be within the next two or three days.

HASNIE: What was contradictory, sir? What was contradictory?

OK. So, Neil, Chairman Comer says that he is going to release the transcript of this deposition, which is what Democrats have been calling for all day long. They feel like this case, this investigation is over, there's nothing to see here. And they want those transcripts released as quickly as possible, which it sounds like we're going to see.

They do not want to see a public hearing. They think, again, this is over, but you just heard from Chairman Comer. And it sounds like there is going to be a public hearing.

Now, I can tell you there was a stunning moment, Neil. During this deposition, we heard from Democrats. They said that, at one point, Hunter Biden brought up Jared Kushner, former President Trump's son-in-law, and suggested that lawmakers launch an investigation into him and his overseas business dealings.

And when FOX questioned whether Hunter Biden was suggesting which investigations or what lawmakers should be looking into, we heard Congressman Goldman try to push back on that. Watch this.

(BEGIN VIDEO CLIP)

QUESTION: Hunter himself suggested that investigation?

REP. JAMIE RASKIN (D-MD): Well, I don't...

REP. DANIEL GOLDMAN (D-NY): I don't know. He raised the question. He drew the distinction between what he had done in a business world with independent businessmen versus foreign governments, which he did not do any business with, unlike Jared Kushner.

(END VIDEO CLIP)

HASNIE: OK.

And there was also, of course, this big question, Neil, of, what value or experience did Hunter Biden actually offer any of these boards, these foreign companies? And I got to ask both Democrats and Republicans, what did Hunter say today?

Listen to this.

(BEGIN VIDEO CLIP)

REP. MATT GAETZ (R-FL): We have asked those questions, and there is an illusory value. It is a mirage to believe that Hunter Biden was engaged in international business.

RASKIN: He said: Look, I'm a graduate of Georgetown. I went to Yale Law School.

He has served on multiple corporate boards. He's been involved in lots of business. And he was an expert on corporate governance.

(END VIDEO CLIP)

HASNIE: So, it sounds like this might be over now. Chairman Comer, of course, just walked out.

And we haven't seen Hunter Biden leave yet, but we're expecting him to walk through these doors. So we're just standing by now -- Neil.

CAVUTO: All right, just to put a fine sort of finish on this, and Comer is the chairman of this House Oversight Committee looking into Hunter Biden's business dealings.

This went on for the better part of six hours, as you said, Aishah, noted, a lot of stuff they have on Hunter, and they have been trying to connect a lot of that stuff to dad. Now, I wasn't attending this behind-closed-doors meeting, and, obviously, neither were you, although your sources are far better.

I'm wondering if there is stuff that they connected to dad, because Comer's remarks were very, very, very short.

HASNIE: Right.

CAVUTO: And if he had found anything that was, he certainly would have leapt at the chance to say it.

HASNIE: You would think that he would have led the entire commentary just a few moments ago with whatever he seems to have found.

CAVUTO: Right.

HASNIE: What's interesting, Neil, all day has been Democrats have been coming out and sort of like on a media blitz, talking to anyone and everyone that will speak to them.

Republicans have been very silent and almost angry with Democrats for saying anything they're saying. I think Chip Roy said there's rules to this, a deposition. You shouldn't be coming out and talking about. He was upset that Jared Kushner's name was even brought up, that Democrats are coming out and talking to the media and telling them what's going on inside.

But, again, I mean, this would be the make-or-break deposition for this case. And if there is something that has come out of this, then you would think we'd hear about it fairly soon.

CAVUTO: All right, Aishah, thank you for that.

Andy McCarthy joins us right now, Katie Cherkasky, two legal eagles extraordinaire.

So much to get into, guys.

And, Andy, if I can begin with you on what revelations that we know of could have come from the six hours of testimony of the part of Hunter Biden. Obviously, the real pursuit here is his dad, or connect his dad to his son's business practices.

Do you think, in anything you have heard, that they have got that, that they have achieved that?

ANDY MCCARTHY, FOX NEWS CONTRIBUTOR: Yes, I thought that Hunter led with his chin at the beginning of the day when he did an opening statement that said that the father was never involved, that he never involved his father with his business associates.

They had numerous different instances in black-and-white statements showing that he precisely involved his father in his business dealings, most notoriously that WhatsApp message, which was extortionate, in connection with one of his Chinese business partners where he said, I'm sitting here with my dad and basically pressured him to close a deal.

I have to say, Neil, two things on the basis of the reporting we just heard. First, it makes perfect sense that the Republicans wouldn't go public if they have gotten something explosive in the deposition if the deposition is still going on, which we understand that it is, because, as an investigator, you wouldn't want to say something public and then Hunter's lawyers find out about it and they try to repair it or fix it while the deposition is still going on.

If he said something that's either incriminating or troubling, you want to lock him in on that and leave it in the transcript, rather than go out and brag about it while he can still fix it.

And, secondly, with respect to Dan Goldman's comments, that's remarkable. Hunter's business partners included the Bank of China and the Chinese Development Bank, which are arms of the communist regime there, so to try to draw a distinction between his business partners and what he said were - - apparently were Jared Kushner's is remarkable.

CAVUTO: Of course, in the case of Jared Kushner, the issue was a billion dollars from a major Arab nation.

MCCARTHY: Yes.

CAVUTO: That's a separate issue.

But, Katie, could I get your take on where you think this goes? Because they're now trying to sort of thread the needle,that is, those defending Hunter Biden to say, of course, there is a connection with the name. We get that. There's nothing untoward or wrong with the father being mentioned or apprised of calls or even maybe dipping in saying hello to one.

Now, that was something that the father and those around it, the White House said it never happened in the first place, so they have to sort of correct that. But what do you make of that, that the appearance of impropriety doesn't equal impropriety, which is what I think they're saying?

KATIE CHERKASKY, FORMER FEDERAL PROSECUTOR: Well, this has always been a circumstantial case as far as tying Joe Biden to any of Hunter's business dealings.

And there's pretty strong circumstantial evidence that he was involved. And I don't think that Hunter has offered any sort of clear explanations for many of these very specific exchanges, the text messages that reference payments that are being sent, the presence of Joe Biden on all of these phone calls.

So, in terms of whether the Republicans can close that loop and actually get to a place with -- even circumstantially, they can show that there was direct involvement of Joe Biden and that it was for an improper purpose, I think that's where you really have to look at all the inconsistencies between the statements that have come out, all of the testimony that's been presented by business partners, and see if you can meet that burden of proof in whatever forum that is.

Now, Hunter is obviously in a tough position, because he's facing criminal cases that kind of overlap with the same subject matter. So I wouldn't have anticipated that he's going to give some smoking gun evidence or concessions.

But, certainly, any statements that he gives are going to be analyzed in terms of those inconsistencies to see if that loop can finally be closed.

CAVUTO: Let me switch gears as in the latest news concerning Donald Trump and his legal battles.

A New York appeals court, as you might have heard, has denied the former president's request to delay payment of that $464 million judgment against him. That includes dated back interest and the rest. He must post a bond for the full amount of the judgment to be in compliance with this.

But, but the judge will temporarily allow Donald Trump and his sons to continue running the business as this -- as this appeals process plays out.

So, hearing that, Andy, what do you think?

MCCARTHY: Well, I think the wild card in that, Neil, is that the verdict in the civil -- the New York civil fraud case prescribes or prohibits Donald Trump and the Trump Organization from taking loans from banks that are either chartered by New York or registered to do business in New York.

You know this better than I do. That seems to me to be like every important financial institution in America. So it's good for Trump that he will be able to continue to have a little bit more leeway to do what he has to do to put these bonds together. But I don't know how he's going to do it if he can't take loans.

CAVUTO: Yes, I mean, that -- or something that could collateralize the properties he has.

Without getting in the weeds here, Katie, he really can't do that. Now, there are a number of properties he's had in which he's a direct investor or a side investor that could easily get this money forward. But that money and getting it to them is paramount. The appeals process and maintaining a business interest and identity in New York that can't just be willy-nilly shut down as he goes through it is the other part.

How do you size it up?

CHERKASKY: Well, I wonder if he has an argument, because I know his team has mentioned that they're going to raise an Eighth Amendment argument that excessive fines should not be imposed, that he should be able to proceed with this appeal without posted that full amount of this unprecedented fine or damages that he's been adjudged against.

So I think that he has to get a little creative. I think the first step was to ask the appellate court if they could have some leeway with that. But barring their allowance for that, he does have to go through that standard process.

CAVUTO: And that meant that $100 million bond offering that he was making, which is sizable enough itself -- by the way, these type of numbers have never, ever been seen, forget in New York, in any, in any state that has this kind of thing on the books.

New York is unique because this has never -- even though it's been out there for decades, this has never been used. But the $100 million thing was apparently a bond offering that he couldn't make. It was a quarter of what he would have to put up if you follow the letter of this rather murky law. So that remains the case, put up the full amount.

Andy, your thoughts?

MCCARTHY: Well, I wouldn't go to sleep Neil on the fact that probably early next week Judge Kaplan in the federal trial, the E. Jean Carroll case, is going to tell him he's got to put up $90 million to appeal there, because that's already come up this week.

CAVUTO: That's right.

MCCARTHY: So this is just the beginning of these problems, unfortunately, for the former president.

CAVUTO: Yes, you're talking about the E. Jean Carroll situation. That's about $80, $90 million there, this, of course, about $464 million. You're closing in on about $570 million when all is said and done.

Guys, thank you both very much. We will keep track of this. And it's obviously a moving target, both of these legal cases and where they go.

In the meantime, letting you know about Mitch McConnell. He's 82 years young, and he says, that's enough, I'm going to step down, at least as a Republican leader, the Senate leader -- no one has served longer in that kind of capacity -- in November. He can still stay on and apparently plans to stay on right through the end of 2026, when his present term expires.

We have more from Chad Pergram on the fallout from all this -- Chad.

CHAD PERGRAM, FOX NEWS SENIOR CAPITOL HILL PRODUCER: Neil, good afternoon.

Several factors at play here, age, time, health. And it's about the math. McConnell just turned 82. He is the longest-serving Senate leader in history. McConnell fell last year. He then froze up on several occasions, and McConnell lost his iron grip on Senate Republicans.

(BEGIN VIDEO CLIP)

SEN. MITCH MCCONNELL (R-KY): Believe me, I know the ***politics*** within my party at this particular moment in time. I have many faults. Misunderstanding ***politics*** is not one of.

(END VIDEO CLIP)

PERGRAM: GOP Florida Senator Rick Scott ran against McConnell for leader in late 2022, but McConnell failed to get a majority of GOP members to support the international aid bill earlier this month.

GOP Missouri Senator Josh Hawley said McConnell was -- quote -- "the symbol of everything that's wrong with Washington."

(BEGIN VIDEO CLIP)

SEN. JOSH HAWLEY (R-MO): Nobody has done more to open the geyser of corporate cash into American ***politics*** than Mitch McConnell. And that needs to change. It needs to.

I think there will be more than three who are interested. So -- and maybe more than three who are -- who are viable. And I don't know. It's been a long time since we have had a leadership race like this.

(END VIDEO CLIP)

PERGRAM: Three senators are interested in succeeding McConnell, GOP Whip John Thune, former Whip John Cornyn, and John Barrasso of Wyoming.

The GOP will not pick a successor until November.

(BEGIN VIDEO CLIP)

SEN. RON JOHNSON (R-WI): I appreciate the fact that he's announced it now to give our conference the time to really sit down and decide what our mission needs to be. What are our goals? We need to have a more strategic and more collaborative approach to doing that.

And he's given us that time to have that discussion and then hopefully find a leader who will fully embrace that mission.

(END VIDEO CLIP)

PERGRAM: There was tension between McConnell and conservatives for years.

Former President Trump wanted McConnell out. It was thought that Mr. Trump could try to engineer McConnell's ouster if he wins in November -- Neil.

CAVUTO: Thank you for all of that, Chad Pergram, on Capitol Hill.

We will give you the latest and whether the former president has said anything about this on this.

By the way, the former president plans to go to the border tomorrow. The present president plans to go to the border tomorrow. They're not necessarily there at the exact same time and exact same place, but it is historically noteworthy.

Jacqui Heinrich has more -- Jacqui.

JACQUI HEINRICH, FOX NEWS CORRESPONDENT: Well, Neil, we are waiting here for the results of the president's physical that happened today.

Won't include a cognitive test. The doctors don't apparently think that he needs one. And the White House didn't want to seize the opportunity to shut down any voter concerns about his age.

On the border travel tomorrow, he will not be seeing an area, a sector that's been very busy, and the White House says that doesn't matter, because he's going there to rail against Republicans for killing the bipartisan border deal that failed in the Senate. They see this as a big opportunity to shift the blame from the White House to the GOP on the crisis at the border.

More on that.

(COMMERCIAL BREAK)

CAVUTO: The president of the United States and the former president of the United States are both heading to the border tomorrow, different parts of that border.

Jacqui Heinrich on this unusual, if not historic timing -- Jacqui.

HEINRICH: Pretty historic, Neil. He's only been to the border one other time since taking office.

And the other somewhat historic event of today -- I guess I shouldn't say historic, but more like it doesn't happen often, once a year. He does this physical. And we're waiting on the memo from the White House on basically the health readout for the president.

We know, though, it's not going to include a cognitive test. The White House says that the president's doctors and even his neurologist don't think he needs one. And in the words of Karine Jean-Pierre, he passes a cognitive test every day as commander in chief.

But it's a bit of a missed opportunity to shut down all of the commentary on voter concerns about his age, which they certainly had no problem railing against after the Hur report on the classified documents, but for whatever reason, opted not to include one, citing, of course, the doctor's decision.

And now folks just have to take his word for it. The president joked around about what happened in his physical this morning. Listen to this.

(BEGIN VIDEO CLIP)

QUESTION: Is there anything concerning that Americans should know about?

JOE BIDEN, PRESIDENT OF THE UNITED STATES: They think I look too young.

(LAUGHTER)

BIDEN: No, there is nothing different than last year.

QUESTION: Everything is great?

BIDEN: Everything is great.

(END VIDEO CLIP)

HEINRICH: So, the president said there, in case you couldn't hear it, that the doctors think he looks too young, notable given that right after that remark, he commented on the upcoming retirement of Minority Leader Mitch McConnell, who cited his own age, 82, as part of his decision to step down from leadership.

The quote, he said, was that: "I turned 82 last week and the end of my contributions are closer than I'd prefer."

The White House declined to opine on what that means for the president, who's just eight months younger than McConnell. But, of course, tomorrow, Biden will continue traveling, continue his work as president. They say he is going to the border not for anything other than an opportunity, really, to slam Republicans on their failure to pass a bipartisan bill that failed in the Senate that would have addressed many of these border issues.

Take a listen to what they said in the press conference.

(BEGIN VIDEO CLIP)

HEINRICH: The president's not going to actually see the parts of the border where it's actually really bad.

KARINE JEAN-PIERRE, WHITE HOUSE PRESS SECRETARY: I think you're missing the point. The point is, the president actually did the work to get a bipartisan bill done, and then it was rejected because of what they were told by the last president, by Donald Trump, to kill it.

They literally, literally, Jacqui, put ***politics*** ahead of the American people. That's what they did.

(END VIDEO CLIP)

HEINRICH: The part of the border that he's going to averaged about 17 crossings a day in the month of February. It ranks 29th among the busiest or least busy sectors.

Put that in perspective, more than 450 in the month of February. The busiest sector that he's not going to had about 14,000. But the White House says that the president's the one who's done the work. And they are taking this opportunity to try to push the blame from their own administration for things like undoing Trump era policies or not choosing to reenact them with executive orders that he could be making over to Republicans and say that they could take action the border, but they refuse to.

And they're really soaking up this moment politically to try to shift gears, shift the blame away from their own administration to the opposing party, as immigration has become the top voter concern over all other issues that voters are facing, Neil.

CAVUTO: All right, thank you very much for that, Jacqui Heinrich at the White House.

By the way, Georgia Republican governor Brian Kemp is welcoming the president's renewed interest at the border, but he is demanding answers from him concerning a Georgia University student who was killed allegedly by an illegal immigrant. He will be joining us, that is Brian Kemp, shortly.

In the meantime, we have got Joe Lieberman, the former Connecticut Senator, vice presidential candidate, and the No Labels founding chairman and national co-chair.

Joe, always good seeing you.

Immigration has obviously hit front and center. Even a majority of Democrats now see it as a compelling issue and a problematic one for the president. Is he too little too late responding here?

FMR. SEN. JOE LIEBERMAN (I-CT): Thanks, Neil. Good to be back with you.

CAVUTO: Same here.

LIEBERMAN: So, first, let me say it really is interesting that immigration and border security are either the number one or our second issue of concern to America's voters right near inflation and the economy.

The reason I say that is that more people are affected by inflation than by border security. But I think border security has come to represent something larger for the American people, and that is the breakdown of the ability of our government to maintain basic operations such as our borders and keeping people out, keeping the rule of law up.

So, not surprising that both President Biden and former President Trump are going to the border tomorrow. It's not too late for President Biden, but really he's got to act decisively, because the fact is that he sent out signals from the beginning of his administration that were read very carefully by people who wanted to come to America illegally, and they flowed in.

And the flow has been just outrageous. I have always been for immigration. It strengthens our country. But you have got to have rules. And the rules are being ignored or gamed now. If the bill doesn't pass, which I hope it will, in the House, then the president's got to take executive action to clamp down on illegal immigration at our borders.

CAVUTO: But he's not doing so. Now, he might take a couple of quick efforts, executive orders to undo the executive orders he administered on his first full day in office.

LIEBERMAN: Right. Right.

CAVUTO: But it would have to go a long way to address what's been happening, and since then, all of these crimes, including this Georgia University student who was killed by an alleged illegal.

The fact of the matter is, he didn't even address it when talking about crime in the country today. And any of these issues that have involved of those illegally here, he doesn't address it all. It's as if he has a tin ear or at least the staff around him chooses deliberately to have a tin ear.

LIEBERMAN: Yes, absolutely.

Look, President Biden right now is on the defensive on the big question of border security and immigration. And I think, if he doesn't act decisively to put himself on the side of enforcing the rules at the border, then it's going to really make it difficult for him to get reelected. I think it's that important to that wide a swathe of America's voters.

CAVUTO: Do you think that this issue now, especially in light -- and sometimes it takes a tragedy like the killing of this University of Georgia student to crystallize it...

LIEBERMAN: Right.

CAVUTO: ... and say, we could have stopped this? This guys had been picked up a number of times. We could have stopped it. We could have sent him back to Venezuela. We didn't do that and that, for a lot of Americans looking at this, and this girl who had a wonderful life ahead of her, she's gone.

LIEBERMAN: Right.

CAVUTO: Her parents, her friends are devastated. That's a seminal moment, I would think.

LIEBERMAN: It is a seminal moment. It makes it all very personal.

Look, we can say that, which is, I believe the truth, that most of the immigrants that are coming in illegally are coming in because they want to make a better life for themselves and their families. But that's not good enough, if you have somebody that came in illegally, like this guy in Georgia.

And there were opportunities for the police and immigration authorities to grab him, but they didn't. And he ended up killing this innocent, beautiful young woman. That makes it all very personal and really cries out for the most urgent, tough policies at the border and in chasing down illegal immigrants once they're found in this country.

And I think the American people are fed up with the status quo on this. As I say, it's more than just the border. It's about the collapse of law in our society and about the incompetence, the loss of trust in our government to do the most basic things that we expect government to do. And this really is the symbol of all of that.

And the murder in Georgia is the most heartbreaking evidence of it. It is a seminal moment. And if President Biden doesn't react to it aggressively, I say, again, I think it alone will make it impossible for him to get reelected.

CAVUTO: All right, Senator, we will see what happens on a busy news day. We had a lot to cover there, and I appreciate your taking the time.

We are still monitoring these developments. And I might have misstated that this. This 22-year-old, Laken Hope Riley, was found on the University Georgia campus. She was not a student there. So I misspoke

Bottom line is, she is dead and her family is wondering, what are we going to do to avoid this sort of thing in the future? We're on top of that and on top of a town that's wondering the same thing -- after this.

(COMMERCIAL BREAK)

CAVUTO: All right, that six-hour deposition, a little bit more, is over.

We're going to see if Hunter Biden is going to address reporters. Let's see what's going on.

UNIDENTIFIED MALE: Thank you.

(CROSSTALK)

UNIDENTIFIED MALE: Yes, sir.

CAVUTO: All right, we thought he might say something. He did not say something, but we got a dramatic shot of an elevator door closing. So you're welcome, America. We will keep you posted if we get anything more like that.

In the meantime, we're looking at a number of other developments. I did want to take your attention quickly, if I could, to the markets today, because there's a growing, building sentiment right now that maybe inflation is enough of a stubborn problem that the Federal Reserve might not be cutting interest rates, not only as soon as many had hoped, but if they happen at all.

That is not a consensus building, but it is a worrisome one building. So we will keep track of that. Most of the key players, including the ones that got us to near records back and forth last week, like what was going on with Nvidia, and earlier this week, a little giveback today, but not much of one. So we're following that.

In the meantime, to Georgia Republican Governor Brian Kemp, very kind enough to join us.

He wants to find out more about Laken Riley's murder and how it could happen with someone who had already been fingered by border officials.

In the meantime, I'm going to go right back to this, because Hunter Biden and his lawyer are there. They might talk to reporters. Let's listen.

(JOINED IN PROGRESS)

ABBE LOWELL, ATTORNEY FOR HUNTER BIDEN: ... there was any financial transactions that involved Hunter with his father, period.

It seems to me that the Republican members wanted to spend more time talking about my client's addiction than they could ask any question that had anything to do with what they called their impeachment inquiry.

So, as I said before, there is no evidence because there is no evidence, and today only confirmed that.

Thank you.

(CROSSTALK)

QUESTION: Will you do a public hearing?

(CROSSTALK)

QUESTION: Mr. Biden, was the cocaine at the White House yours?

CAVUTO: OK, there is no evidence, period -- that's, again, the view of Hunter Biden's lawyer, there's nothing there, certainly nothing that incriminates him or certainly his father with whom he had some business conversations.

Again, in the eye of the holder whether any of that that represents a crime. But if the goal here in these six-plus hours of deposition and testimony was to get us closer to maybe a convincing case, as Hunter Biden and prosecutors and some of the top Republicans and Democrats on that committee leave, the fact of the matter is, we have very little indication that any gloves were laid on him.

Now, as lawyers have pointed out to me, that could be by design. No one is going to give away something that Hunter Biden would have time to correct or change or alter. Too early to tell.

Anyway, back to Georgia Governor Brian Kemp on this.

Governor, on this whole Hunter Biden, if you don't mind my digressing a little bit, sir, what do you think of the whole case, that this is something critics say Republicans have been trying to build up? But their key witness might not be reliable, if he might not even, in fact, be a liar.

It, to some, looks like it's falling apart. Do you see it that way?

GOV. BRIAN KEMP (R-GA): Yes, it'd be hard for me to say, Neil.

We have had a lot of really horrible things we have been dealing with down here in the state of Georgia. We have lost two state patrolmen in the line of duty in just a couple of weeks, obviously, our three military heroes who we lost in the drone attacks over in Jordan, and then obviously this terrible incident with Laken.

So I hadn't been indulged in the weeds too much on the Hunter Biden situation.

CAVUTO: I can well understand, sir.

But let me ask you a little bit about something that you do care a great deal about on the death of this 22-year-old girl at the hands of an illegal immigrant, allegedly. If he was the one behind it, there were plenty of opportunities for border officials to arrest him and send him back to Venezuela. They never did so.

There were a lot of cracks in the system. He was able to buck the system and allegedly pull this off. What do you think of how this was handled?

KEMP: Well, I mean, that's what's so frustrating about this whole thing, Neil.

I mean, really, when you think about when and where it started, in 2022, this guy came across the border. For over two years now, myself and a lot of other Republican governors have been saying we have mass migration happening at the southern border, illegal immigration. We have bad people coming into our country, people on the terror watch list coming into our country, people bringing fentanyl into our country, people bringing human trafficking into our country, and it needed to stop.

And this was long before anybody started saying, hey, don't make this political or whatever. I mean, it's just a no-brainer to secure our southern border. We have seen Governor Abbott do things that works. We have seen the previous administration and the White House do things that works.

And this president and his border czar have literally just ignored this. So that is the first problem, allow these people coming across a porous southern border. And then you have a situation where this person's arrested in New York and is released, and then they're arrested again in Georgia and released.

And nobody's checking them. You have someone that's illegal, that's breaking our laws. I mean, they should have been deported. And now we have, unfortunately, in a horrific crime, a dead 22-year-old.

CAVUTO: Do you think this bipartisan border deal that just didn't work out -- Republicans blame Democrats, Democrats blame Republicans.

Be that as it may, Governor, could it have stopped something like this? It doesn't look like it could have, but what do you think?

KEMP: Well, Neil, look, to me, the buck stops with the White House and with President Biden.

And I said this at the World Economic Forum over a year ago, at last year's World Economic Forum. I told Senator Manchin, Sinema and Coons, who, when Sinema was saying, we're working on a bipartisan border deal, and I said, look, that's great. Washington, D.C., has been working on that for a decade or for 20 years now. And while you're doing that, just secure the dang border.

We know how to do that. Republican governors have sent a letter suggesting ideas. We have said that we will work with this president and any future president to secure borders. There's things that Joe Biden can do right now. There's things he could have done when the vice president said the border was secure, the homeland security secretary said there -- the border was secure, his press secretary said the border was secure.

And over a year ago and over two years ago, there's things that they could have done. They have ignored this problem. And the American people see through that. And it's not just Republicans that are upset about this. I mean, you look at what former Senator Lieberman said.

I mean, the guy was a big-time Democrat at one time, turned independent. And he knows this is a problem in our country. And Middle America knows that as well. And they want -- and we should demand action. I mean, we have got to keep the pressure up on the president.

And I hope, when he goes to the border tomorrow, that he will actually talk to somebody that will tell him what's really happening and what has been happening down there.

CAVUTO: Do you get a sense -- when the president had an opportunity today, Governor, to talk about crime, that was an unscheduled event. He made a big point of saying the progress we have made on crime, but he did not mention at all the Laken Hope Riley tragic death.

In fact, he didn't mention any of the cases that have come up in your state or anything having to do with any -- anyone illegally here.

KEMP: Yes, I mean, I read stories today about other instances where you had people here illegally that had committed murders and violent crimes in places like Louisiana, Maryland, and then Colorado.

And we know, obviously, what happened in Georgia. And we know the amount of fentanyl that's sent into our country. I mean, we know the amount of people that we're losing, our children, to one dose of fentanyl that's coming across the southern border. We know that the cartel is being emboldened by this and enriched as well.

And to not link the crime that we have in our country with what's happening with the southern porous border that we have is just insane, to me. I mean, I guess he just simply does not get it.

CAVUTO: While I have you, Governor, if you will excuse me, I mean, the Fani Willis trial and her relationship with another prosecutor, how long that was known, and whether this entire case against Donald Trump, at least in Georgia, should be dismissed or start over, or she should be dismissed, Geoff Duncan, your former lieutenant governor, dismissed a lot of these accusations against Fani Willis as a sideshow.

Do you?

KEMP: Well, I think it's more like a soap opera than a sideshow to me.

I got to be careful, Neil, about what I -- what I'm saying. I was subpoenaed by the special grand jury that she did.

CAVUTO: I understand.

KEMP: But, listen, I said a long time ago that this was political, and it's gotten more political now, and I think she's understanding now the ***politics*** on the other side of this, because of, quite honestly, what appears to be her own actions.

But I think we need to let the judge work through this. I think Judge McAfee will work through it in a fair and good way, and we will see what he says, and then we can take it from there.

CAVUTO: All right, but not a sideshow to you. That is, I think his view was, Governor -- I understand how carefully you have to be in answering this -- that, whatever you make of her relationship or anything, it shouldn't get in the way of getting to the bottom of what Donald Trump might have done to influence the final vote in your state?

KEMP: Well, I would just say this, Neil.

When you're a prosecutor and you're picking high-profile cases, regardless if it's this one or any others, I mean, there's going to be a lot of people watching. And when you don't have your I's dotted and your T's crossed, and things like this happen, I mean, people are going to take advantage of that.

She made this political, and now the other side's making it political, and it's up to Judge McAfee to be the referee, and it's going to be interesting to see what he does.

CAVUTO: Yes, very interesting.

Governor, thank you very much with all this breaking news. Always appreciate it, sir.

KEMP: Thanks, Neil.

CAVUTO: All right.

In the meantime, I want to take you back to Washington. The Hunter Biden long back-and-forth, six hours-plus, talking to Republicans behind closed doors, that is over. What we learned from that, it's too soon to tell.

But Aishah Hasnie has the very latest -- Aishah.

HASNIE: Hey, Neil. Good afternoon.

Well, the big headline today is that this is all headed for a public hearing now on Capitol Hill. That is what Chairman James Comer of the Oversight Committee vowed moments ago here on your show, said that this was now going to be going to the Hill for a big hearing, and that he's going to bring Hunter Biden in to testify in front of Democrats and Republicans.

Hunter Biden, as you just saw as well on your show, just walked out of here. He had his attorney, Abbe Lowell, make a few comments, just saying that this thing is totally over, there's nothing to see here, the investigation is done.

But as he was walking out, I asked him if he is ready to testify publicly on Capitol Hill. He just smiled at me and he kept on walking and got into his car and drove away.

But this is now where Republicans are taking this investigation. Chairman Comer said that this is the eventual next step. He wanted to do the deposition first, the public hearing next. Democrats, you will remember, not long ago wanted a public hearing, right? They didn't want the deposition. They wanted just to go right to this public event.

And Republicans pushed back on that. And now Democrats say they don't want to see a public hearing. So we will wait and see when they schedule that. But, first, we will get the transcript of what happened today, the deposition.

Chairman Comer says that he's going to release the transcript in the next few days here as soon as he gets everything worked out with Democrat Ranking Member Jamie Raskin here. And we will get to see just how Hunter Biden answered all of these questions.

I heard earlier that Republicans came in with about 800 questions today. We will see exactly how he answered those questions. We were told that he was not pleading the Fifth at all today, that he was answering these questions in great detail, in great -- at great length. So we will see what they learned from that.

Chairman Comer also said that he was -- he felt that Hunter Biden was contradicting himself several times, Marjorie Taylor Greene as well saying that. So we will find out from the transcript what exactly he was contradicting in terms of previous statements that he's made to this committee.

But, as of now, the headline is, we don't know exactly what they learned from this deposition today. We don't know if they got a bombshell moment out of this, a smoking gun, but we know that the next step now is a public hearing. And you know how those go. We watch them all the time. It gets very heated, Democrats and Republicans expected to make a big show of this, so more to come as soon as that is scheduled, Neil.

CAVUTO: Yes, what's required to make a big show of it is, you have to have something to show. And that's what we're waiting to find out.

Aishah, thank you very much for that.

Abbe Lowell, of course, Hunter Biden's lawyer said: "Republicans had no evidence of that involved Hunter and his father, period, and no evidence because there is no evidence."

Further, we're learning from a producer at the scene, Jake Gibson, that as they were walking out, he had asked Hunter twice, "How did it go?" And he replied: "Great."

I want to go back to Andy McCarthy, Katie Cherkasky.

Andy, it really comes down to having something there. You have to have something that sticks, and not a -- what appears to be an unreliable witness or one who is accused of lying, but someone who's reliable and has the goods. Now, that still might turn out to be the case, but is it fair to say, at this juncture -- and, as you pointed out earlier, there's so much we don't know, because there's so much that's not being shared right now -- that maybe that did come up?

But to hear both sides sort of stake out their political ground on this, Democrats that nothing was revealed, Republicans that lots of things were revealed, but I noticed from the Republicans no specifics on what they might be. What do you think?

MCCARTHY: Well, Neil, I think it's important to define what the goods are, because, let's remember, this is not a criminal investigation. It's under the auspices of an impeachment inquiry, which I have always been -- I have taken with a grain of salt, because we all know that there's no chance that the Senate would ever remove President Biden, convict him in an impeachment hearing.

And they had so much trouble in the House getting the inquiry approved. The thought that they would file articles of impeachment and vote them is highly unlikely. What this has always been about, to my mind, is political accountability for millions of dollars in foreign funds that can't really be explained, that come from anti-American and corrupt regimes, or at least the agents of them, how that ends up in the Biden family coffers.

And when Democrats say that there's nothing here, I think what they mean by that is that the Republicans haven't proved a prosecutable felony crime. And when the Republicans say, we have a ton of stuff here, what they're saying is not everything that's corrupt is necessarily illegal.

And what the framers were worried about when, for example, they put impeachment in the Constitution was that the awesome powers of the presidency would be purchased by foreign powers. So that's a big political problem, whether or not it's illegal.

CAVUTO: You know, Katie, on the political problem part, it doesn't look good when the son of the president of the United States, at the time the son of the former, and then, for a while, the present vice president of the United States, has these business dealings abroad, whether his father knew of them or not.

Obviously, a lot of these contacts would never have been established had his last name not been Biden. Now, that doesn't automatically make things criminal or even more serious for the president. and it remains to be seen how much of this is tied to Joe Biden, if any.

But how important is that, just the appearance of impropriety, and then some?

CHERKASKY: Well, I think, for political purposes, I agree with Andy. It's hugely important.

The American people know that there are so many unexplained facts that Hunter Biden has not offered, as far as we have seen so far, any explanation for. We know Joe Biden was on the phone. We know there are these messages that have been sent. There's been no credible explanations offered from the Bidens up to this point.

And that is huge politically. Now, on the criminal side, this is not a criminal case. Hunter Biden does have his own criminal problems. But, obviously, the point of this is to protect his father at all costs. That could end up costing him in his criminal cases in other ways, potentially, especially if there's any inconsistencies there.

But, certainly, for political purposes, I think that the American people do want to know, just practically speaking, how did they get all this money? What was going on here? And why was Hunter Biden so involved with these companies without any credible experience that we're aware of?

CAVUTO: You know, what stands out in a lot of these dealings, Andy, just as the business nerd here, so many involving China.

And, of course, we now know -- and, of course, China's gained greater importance and threat since this, and even at the time, during this. So that raises eyebrows, whether the father is directly involved or aware or not. But the father is aware that his father -- that his son was using that name to garner these relationships.

Now, I don't know the laws on the books about conflicts of interest on this and whether there are impeachable offenses here that involve the father if the son is doing this, but you have to have a direct link to dad, don't you?

I mean, whatever you think of this, that has not been proven yet, to my knowledge. And does that mean that, at this point, there's no "there" there, at least for Republicans?

MCCARTHY: Well, let -- yes, let me try to separate out two things.

One is, I respectfully disagree that there's not a link to dad, because, from what I can make of the evidence, the business is Joe Biden. He's got plenty of personal participation in it. But he's the only person in this equation who could have shut this down in five seconds if he chose to. And he let them go on for years and years cashing in on his political influence.

So I think he is enmeshed in this. That doesn't mean that it's criminal. And I think the important link is the one that you that you first described, which is what did these corrupt and anti-American administrations get out of this?

I'm glad you mentioned China, because, for example, Hunter is involved in this Bohai trust, this investment fund with China, where his partners included the Bank of China and the Chinese Development Bank. Thanks to that partnership, they were able to get dual-use technology, anti-vibration technology that has military uses.

They were also able to get a coveted cobalt mine in Africa that ran, I think, like, $3.5 billion, which gives China a real resource in terms of those -- cobalt, I believe, is an important component in car batteries. So these cars that -- these electric cars that President Biden wants to put us in, Hunter's partnership helped the Chinese get an inside track on that stuff.

That's the kind of thing that I think that you want to be in a deposition like this tracing down. What did they get out of this?

CAVUTO: Yes, and how much?

I mean, normally, when we talk about Kushner or someone like that in the Donald Trump administration getting huge funds from a Middle Eastern nation, I mean, you raise eyebrows and you start saying, all right, how does that happen? This -- it's a different case, I grant you.

But the whole appearance of just working off and profiting off business or political relationships for substantial money, we have seen it so many times, Katie, and it keeps playing out the same old way. Now, how much of that is impeachable? You guys are the experts. I'm not.

But at the very least, it does make you feel a little ill.

CHERKASKY: Oh, absolutely.

And under the U.S. code, in terms of bribery, there does not have to be any evidence to establish that Joe Biden personally received anything of value. It could be for someone else's benefit, such as his children. It just has to be, like Andy was saying, that there was some official act that was performed to benefit those people. That's the missing link there.

The money going directly to Joe Biden is really irrelevant. We know money was going to his family members. The question is, what was Joe Biden doing in exchange for that? So, really, I think the circumstantial case is growing. It has been strong. You don't need direct smoking gun evidence in any particular case, but you do have to build that case to some level, depending on what you're trying to go for, impeachment or otherwise.

So I think that it's strong evidence of Joe Biden's involvement. They have to close that loop, though. And whether this testimony did it or not, I think we will see shortly.

CAVUTO: I'm wondering -- and maybe you could kind of help me with this, Andy -- where this legally goes.

In the case of Hunter Biden, they're obviously going to try to tie a lot of his business dealings to dad, and the dad's acquiescence are turning the other way for years as he was building on those relationships, all the way up to his father running for the presidency. And, at that point, we just don't know how involved it was.

But it was involved in long enough, and you raised something interesting, for the dad to have said, stop, cease and desist. This is ridiculous.

And that apparently never happened.

MCCARTHY: No, and anyone who's worked in the government for any length of time, Neil, knows that you have all these conflict of interest regulations that are precisely aimed at keeping people who have an interest in a transaction out of it.

So he should have stopped this. He never did. And, to Katie's point -- I'm glad she made the point about the bribery. The Internal Revenue Service, if you want to pay me, Neil, for these excellent appearances that I do, you want to raise my compensation here...

(LAUGHTER)

MCCARTHY: ... and I say to you, Neil, don't pay me, I don't need it, give it to my son, as far as the IRS is concerned, that's an income event to me.

So this idea that just because the family members got paid, he's in -- the president's in the clear, that's not how it works with a normal suspect in an investigation that involves a lot of movement of money.

CAVUTO: So, Katie, legally, then, we have so many issues here, but I'd be remiss if I didn't follow up on something we mentioned at the beginning, that Donald Trump still has to come up separately on this $450 million, $460 million in time to continue his appeal, and all of that is fair.

But he does not have to all of a sudden leave his business or surrender his empire while all of this is going on. Many have read into that that, by forcing him to get and raise this money quickly, but not necessarily sell or detach himself from his business as quickly, it's kind of like a split win for him.

Do you see it that way?

CHERKASKY: I think it's a practical solution in an unprecedented circumstance.

So the appellate courts have very strict rules in terms of how things can proceed. And so in terms of allowing him to practically be able to do this, I think that that was the right sort of solution there. I don't think you can read into that as telegraphing some sort of ultimate win in the case upon appellate review, but certainly I think there has to be some sort of practical way for this to move forward and be reviewed.

And, as I mentioned earlier, I think the idea that this is an excessive fine, which is a constitutional argument, is something that the Trump team should raise even at the intermediate appellate level before it goes to the Supreme Court, which it may or may not ultimately get there, because that is a very significant and interesting issue that maybe would allow this to be reviewed without all of that being put up.

But this has never before been seen. I think that the courts have to make some allowances there.

CAVUTO: Could I ask you something too on that very same issue, Andy?

And it concerns how these cancel out in the eyes of the public. And I know you're great lawyers, but to a lot of folks at home, all right, there's the Hunter Biden issue and the relationship with dad and whether that was kind of stinky, and then there's Donald Trump in his businesses and whether he went too far, but the prosecution seems to have gone a little too far in doing something where no harm was incurred by anyone.

But I'm wondering whether they begin to cancel each other out, that the American people become either so jaded by this of that, no matter what legal cases are brought forward, they don't resonate, much as all the cases that have been brought against Donald Trump have not dinged his popularity.

Far from it. The more cases brought against him have helped his popularity. What do you think?

MCCARTHY: Yes, well, I think, Neil, that part of the reason the Republicans so much wanted to have this impeachment inquiry under the auspices of public corruption is so they could have a parallel process going involving Biden while Trump had to run through this gauntlet of civil lawsuits and criminal prosecutions.

And I do think it's been some somewhat successful for them, in the sense that they have shown an awful lot of money going into Biden. And, on the other hand, I think the Democrats -- and these prosecutors for the most part are elected progressive Democrats.

They have really overplayed their hand, I think, in particular, in New York. Most people who look -- I believe most people who look at this civil fraud case and see a gargantuan $454 million judgment under circumstances where they had an 11-week trial and the attorney general couldn't prove a single victim, and didn't even have to show...

CAVUTO: Wild.

MCCARTHY: ... criminal intent in order to get what she got...

CAVUTO: All right.

MCCARTHY: ... and then you factor in that the prosecutors looked at this and decided not to bring a criminal case, I think it's really...

CAVUTO: Not to bring anything. It is.

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