

# [***Interview With United Steelworkers International President David McCall; Interview With Rep. Pete Sessions (R-TX); Supreme Court Set to Rule on Texas Immigration Law; Supreme Court Hears First Amendment Case; President Biden Speaks to Benjamin Netanyahu; Record Fund-Raising Haul For Biden in February; Interview With Fmr. Sen. Joe Lieberman (I-CT)***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BKD-9GY1-F072-X001-00000-00&context=1516831)

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**Body**

NEIL CAVUTO, FOX NEWS ANCHOR: Advantage Biden? Maybe not in the polls, but so far in the money.

The president raised a staggering 53 million bucks last month. That's essentially what Donald Trump paid in legal bills last year. And the money keeps pouring in for team Biden, just as those legal bills keep piling up for team Trump.

Now the president set this week to embark on a three-day campaign swing that will take him to Nevada, Arizona and Texas, but not before very important phone calls today with Israeli Prime Minister Benjamin Netanyahu. We will tell you what the president said and check in with Joe Lieberman on what he thinks the president should have said.

All that and the president of the United Steelworkers union on why he's glad over something else Joe Biden said, even if he hasn't committed to Joe Biden yet.

Welcome, everybody. Glad to have you. I'm Neil Cavuto.

So let's get right to it, to Peter Doocy first at the White House.

Hey, Peter.

PETER DOOCY, FOX NEWS WHITE HOUSE CORRESPONDENT: Neil, the rest of this week for President Biden is going to be about stockpiling campaign cash, something that they have already been doing quite effectively.

The $53 million in February, the campaign is telling us, is the most ever for a Democratic candidate in an election year. So that is a lot of dough, and it comes as the administration is hoping to shore up support with progressives who are mad the president is not pushing for a cease-fire in Gaza.

President Biden urged today on a -- what we're told was a businesslike phone call Netanyahu to target Hamas in Rafah without ordering a full ground invasion. And it sounds like Netanyahu did bring up Chuck Schumer's recent call for new elections in Israel.

(BEGIN VIDEO CLIP)

JAKE SULLIVAN, U.S. NATIONAL SECURITY ADVISER: The prime minister did raise his concerns about a variety of things that have come out in the American press.

(END VIDEO CLIP)

DOOCY: Yes, something else in the American press today, President Biden's anger boiling over behind the scenes, that's according to a report by NBC News, specifically when aides told him a couple weeks back that his handling of the war is costing him votes in places like Michigan.

(BEGIN VIDEO CLIP)

DOOCY: The quote is: "He began to shout and swear."

So, when he does that, is he shouting and swearing about Netanyahu or about Hamas or about his poll numbers?

SULLIVAN: This is the "When did you stop beating your spouse?" question, because I don't think he ever did that.

And so -- well, you use that as the premise of your question, which is when he does that. He -- I have never seen him do that, shout or swear in response to that. So, from my perspective, that particular report is not correct.

(END VIDEO CLIP)

DOOCY: There have been numerous reports about President Biden's frustration with Benjamin Netanyahu dating back to the end of last year, but the national security adviser says he hasn't seen any of that -- Neil.

CAVUTO: All right, Peter, thank you.

Peter Doocy at the White House.

The impact of all of this, Noelle Nikpour, a big Republican fund-raiser, bundler, as I like to say, bundle a whole lot of dough together. They need to keep doing that because they're way behind the president. And Doug Schoen, Democratic pollster, what he makes of all this money-raising.

Doug, end it with you, being with you. Money raised is obviously very important. It's done diddly to improve the president's poll numbers, but he has a lot of powder there. What do you think?

DOUG SCHOEN, FORMER BILL CLINTON POLLSTER: I think it could make a difference down the line, not so much, Neil, in the media, because we're going to have saturation coverage in ads, but in getting out the vote in November.

There's early voting, vote by mail, voting in churches and the like, the so-called ballot harvesting that the Republicans complain about. When you have resources like the president is raising -- and I get two or three e- mails a week inviting me to fund-raisers -- that says to me that they're going to have the resources, the troops and the will to get the vote out in an election that he's now trailing, and enthusiasm is on the Republican side.

CAVUTO: All right, the money part is on the Democratic side then, the enthusiasm, to his point, Noelle, on the Republican side, but eventually you need money to put good use to that enthusiasm, right?

NOELLE NIKPOUR, REPUBLICAN FUND-RAISER: You're going to need a whole lot of money.

And, right now, the Republican Party has just changed leaderships. There was a lot of dissatisfaction with Ronna McDaniel, and now we have got to change at the helm. A lot of concern that some of the major donors that I'm talking to have is the fact that the checks that they may write to the RNC are going to be going to cover legal expenses versus programs like media blitzing, direct mail, and get-out-the-vote efforts, which are crucial.

So that's one concern. I actually think that the RNC, Trump campaign, super PACs need to actually set up a deal. There's a different type of a donor. There could be a donor that really wants to help with the legal expenses, in all seriousness, and donate $5 million, $10 million to help President Trump alleviate some of that expenses.

And they can donate to a certain entity to that. But then there are some regular donors that actually want to give knowing that we're going to be spending that on get-out-the-vote and other entities that are going to be focused not on the legal bills.

So I think that the challenge is going to be with the RNC to kind of set that aside, because these donors are very concerned. Like, a CEO donating or doing something with a corporate, Neil, you want to know where your money's going, you want to know where it's spent. And I think that donors have a right to know where this money is going to go.

And there are a lot of donors that are very passionately wanting to help pay down those legal bills. I know there are some of those. And so let them donate to a fund that specifically clearly says this is for his legal bills. And then there is another entity that you can use for get-out-the- vote and other efforts.

I think it's very important.

CAVUTO: Yes, on that issue, Doug, I know you're a Democrat, but the Republican National Committee is wanting to make clear that money raised for the party through the committee will not go to legal bills, but it wasn't unequivocal.

There might be ways around that. What do you think of that?

SCHOEN: I think that's a real problem.

I mean, Noelle makes a fair point about some small number of people who decide they want to pay Donald Trump's legal bills. Most political contributors, in my experience -- and I talk to a lot of Democratic donors.

CAVUTO: Yes.

SCHOEN: They want to pay for activities that help elect their candidate, not get them out of legal trouble.

So I would say that the way Trump has operated politically and personally is such that, if there's wiggle room, Neil, that could leave open enough of a Pandora's box that it could lead some donors in a situation where the Republicans are being overwhelmed with Democratic money, where some donors could stand on the sidelines when the Republicans and the RNC need them really quite desperately.

CAVUTO: You know, you mentioned these legal issues.

And, in the control room, my colleagues there, I just want to alert here what we have already seen across the wires, and I want to follow it up with you, Noelle Nikpour. We're learning that Donald Trump is now requesting a complete review of the ruling that declined to disqualify the Georgia prosecutor, Fani Willis, in that election interference case in Georgia.

I mention it with you because it continues, Noelle, this legal back-and- forth. And that is another legal measure you're taking that that's added to all these other cases that either could delay them, but it certainly means more legal bills. Your thoughts?

NIKPOUR: Yes, I mean, that's the last thing that we need as a Republican Party, to have this ongoing, occurring expense.

But it is, Neil. It is a reality. So we have to deal with it. It is a reality. Now...

(CROSSTALK)

CAVUTO: And, by the way, he's not the first person to express surprise, even amazement at the fact that Fani Willis gets to keep her job.

But whether that's justified or not, where do you see this going, this Georgia case at best delayed? Some argue it's falling apart as we speak.

NIKPOUR: It does seem to be falling -- falling apart. I mean, with the focus now on her and now not on Trump and what's going on there, it's a huge distraction.

I will tell you, as you're looking at money -- and this is another distraction from contributing as a Republican donor -- this is going to be a great opportunity for Super PACs to approach those donors, Neil. And I will tell you why, because super PACs, as you know, cannot coordinate with a campaign.

So this is going to be a great opportunity for these independent super PACs that want to advertise and do everything that they can, because all that money in the super PAC, as you know, it's open. It is extracting money from donors, and it is used and every dollar is spent right up until the end of the election there.

CAVUTO: All right, guys, I want...

NIKPOUR: So, yes, this is not being the...

(CROSSTALK)

CAVUTO: I got it. Understood. I'm rudely jumping on both of you, and I apologize, but that's all the time we had.

We're going to continue to look at this Donald Trump move right now to call into question the wisdom of keeping Fani Willis as a special prosecutor on that case in Georgia, a case that might be unraveling as we speak.

In the meantime, the Supreme Court taking up a very big issue between what's the difference between, let's say, the White House persuading you to change your policies and coercing you to do so.

Jonathan Hunt has more from the Supreme Court -- Jonathan.

David Spunt.

I apologize, David.

DAVID SPUNT, FOX NEWS CORRESPONDENT: No worries, Neil.

A high-stakes case here at the Supreme Court for a high-stakes issue in an election year, and we will tell you what the justices have to say. That's coming up.

(COMMERCIAL BREAK)

CAVUTO: Do any of you remember the early days of the Biden administration, when they were pushing social media platforms to take down posts that maybe gave falsehoods about the pandemic, even the 2020 presidential election?

Others appealing, saying, this is going too far, White House. You can't do that. Well, the Supreme Court taking up this very matter today,

David Spunt has more from Washington -- David.

SPUNT: Hey, Neil.

Good afternoon from the Supreme Court. Critics of the administration say it's quite simple: The Biden administration colluded with big tech companies, social media companies, to try to limit what could be said on some of those major platforms.

While the justices were interested in hearing some of this today, it appears the majority may rule against that theory. But, of course, we never know what the justices will rule -- or how they will rule, I should say, until they rule, which will likely be the end of June or early July.

But the big question is, did the Biden administration improperly coordinate with some of these largest tech firms in the country to moderate content?

Now, think about postings by private parties on Facebook and X, formerly Twitter, and other big sites, the administration accused and sued for collaborating with these sites, especially related to health policy like the COVID vaccine.

Here's a skeptical Justice Sam Alito questioning the government, followed by Justice Ketanji Brown Jackson with the complete opposite view.

(BEGIN AUDIO CLIP)

SAMUEL ALITO, U.S. SUPREME COURT ASSOCIATE JUSTICE: The only reason why this is taking place is because the federal government has got Section 230 and antitrust in its pocket and it's -- to mix my metaphors -- and it's got these big clubs available to it.

And so it's treating Facebook and these other platforms like their subordinates.

KETANJI BROWN JACKSON, U.S. SUPREME COURT ASSOCIATE JUSTICE: Your view has the First Amendment hamstringing the government in significant ways in the most important time periods. The government actually has a duty to take steps to protect the citizens of this country.

(END AUDIO CLIP)

SPUNT: A significant case dealing with health policy, also national security and election security-related issues during this high stakes election year.

Again, we will have a decision from the justices at the end of the term -- Neil.

CAVUTO: Got it.

David, thank you very much.

To Katie Cherkasky, what she makes of this, the former federal prosecutor, constitutional law attorney.

Katie, the court seemed -- and you never know too much, but gleaning from some of the questions and the points, the counterpoints here, deciding whether the government indeed does have the right at least to question information that's going out there without using a cudgel to force the issue.

I guess, if you think it's the latter and they're going too far, you would be dead set against this. If it's just sort of throwing it out there, then there's that issue back and forth between persuasion and coercion. Where are we on this?

KATIE CHERKASKY, FORMER FEDERAL PROSECUTOR: Well, that's exactly right.

The court did not seem convinced, at least based on the justices' questions during the arguments, that the government had gone so far as to coerce the platforms to remove speech, but simply were trying to persuade them, which the case law has previously held that state actors can in fact try to persuade certain speech to be regulated or removed, but they can't cross the line over into coercion.

And that leaves us with the question of, what exactly is coercion? And Justice Alito pointed out that the government has significant power over these platforms, particularly with Section 230, and that, in and of itself, could potentially lead to that conclusion. But the other justices did not seem to take that position.

CAVUTO: I'm reminded -- and this is my legal input here, Katie -- that this is like an episode out of "The Sopranos."

The government gets in contact with you and says, we think it would be a very good idea for you to correct these false stories that are out there on vaccines and treatments for them, the comments about the rigged 2020 election. We just think it would be a very good idea for you to look into this or say something about this, and ordering it.

CHERKASKY: Well, the idea here is that the government can make such a position known, but they can't cross the line into actually coercing the platforms to removing that data.

And, of course, we're looking back in retrospect on some of these posts and noting that some of them may have actually even been truthful.

CAVUTO: Right.

CHERKASKY: But at the time that the decisions are made is where the court is analyzing this from and whether the actual government actors went too far, because the court seems to recognize that they do have some interest and some authority to make their positions known and their preferences known, for that matter, but the line of coercion is really where this case will come down on.

CAVUTO: But it is intimidating if you're on the receiving end of that, whether it's an outright order or a strong suggestion. I guess the justices will decide whether that's coercion, right?

CHERKASKY: Well, that's exactly right.

And I would agree that I think it's troubling to think how much involvement the government can affirmatively have with these platforms in coordinating with them or whatever word you want to use.

CAVUTO: Yes.

CHERKASKY: But, certainly, there is significant interactions between them to affect the preferences of the government.

So the court doesn't seem to think that's a First Amendment violation, but to many people, that we would have previously maybe thought that was getting very close if not crossing that line.

CAVUTO: I would be remiss if I didn't mention this Donald Trump move on Monday to ask the Georgia judge to allow him to appeal a ruling that keeps Fani Willis in her job as the lead prosecutor of the state's criminal case against the former president. What did you make of that?

CHERKASKY: Well, I think that that was a necessary move for Trump's side to ask to make a pretrial ruling or an appeal on that particular issue, because that does in fact impact the case progressing.

It's typically not something that would be allowed to be appealed pretrial, and something that could be reviewed again after the fact. But there's no harm in asking that question. And it certainly was the right move for the defense in this case.

CAVUTO: All right, but he's asking the judge himself. The judge isn't going to reverse the decision he made on his own, is he?

CHERKASKY: No, the judge is probably not going to reverse his own decision.

It is normal to ask for reconsideration of certain rulings if they're not favorable. And there are certain circumstances where judges will reconsider certain facts if they had misapprehended something in the record and could come down differently. That's not abnormal.

But in this particular case, I think the judge has given thorough thought, at least from his perspective, to the conclusion, and I wouldn't anticipate a reversal.

CAVUTO: All right, so does he make an announcement to that effect? In other words, what I'm getting at is whether this is another delay in getting this resumed, if it ever gets resumed.

CHERKASKY: Typically, a motion for reconsideration can be decided fairly quickly, and it would be documented in the record.

CAVUTO: Right.

CHERKASKY: I don't know if there will be a formal announcement or not, but, certainly, that will be documented in some way.

CAVUTO: Katie, do you think this case will start to get tried before the election?

CHERKASKY: The Fani Willis case has some significant issues. Aside from the disqualification issue, which has already kind of been handled at this point, there was the dismissal of a significant amount of charges.

And the reason that those charges were dismissed was because they were drafted improperly, meaning they didn't allege an offense, but they could actually be re-indicted if they're worded differently. So I think Fani Willis needs to decide if she wants to seek a second indictment on those charges if this is going to proceed.

And then, kind of collaterally, there are going to be, I would imagine, other investigations by the state bar and other agencies into Fani Willis' conduct. I don't know directly how that will impact her involvement in the case, but I think that it certainly could have an impact.

And so, in terms of the trial date, I would anticipate that it would be shifted. Again, I don't think it will be tried before the election, but I have said that regarding all of Trump's cases for various reasons. And I think it's kind of a moving target at this point with all the pieces out there.

CAVUTO: Katie, thank you very much. Threw a lot at you, and you batted every one away.

(LAUGHTER)

CAVUTO: Katie Cherkasky on that.

We were talking at the outset with Katie about the Supreme Court and its decisions. It's going to be taking up another one on this Texas law that allows local law enforcement to arrest migrants crossing the border and essentially send them back. That might prove easier said than done. The court will spell that out and deal with it soon.

(COMMERCIAL BREAK)

CAVUTO: All right, Benjamin Netanyahu and President Biden talking on the phone, first time in more than a month.

I wonder if the issue of Chuck Schumer urging elections in Israel -- that ticked off, well, certainly Benjamin Netanyahu, and it got, well, Joe Lieberman pretty upset as well.

He's next.

(COMMERCIAL BREAK)

CAVUTO: All right, we should know very soon, in fact, the Supreme Court, how it feels about this Texas law that allows local law enforcement officials to arrest migrants crossing the border.

Garrett Tenney more from Eagle Pass, Texas -- Garrett.

GARRETT TENNEY, FOX NEWS CORRESPONDENT: Yes, Neil, this new law, S.B.4, would give Texas a lot more power to secure its border.

The way it works right now in most cases is, when Texas Troopers, when they see someone crossing the border illegally, like they did in this case with this car chase with a human smuggler just last week in Maverick County, they have to turn those folks over to Border Patrol.

And in most cases, those folks are then just released with court dates years down the road. But under S.B.4, if Texas can prove someone crossed the border illegally, they can be arrested, charged and potentially deported back to Mexico.

Just last week, outside San Antonio, Homeland Security agents arrested this Venezuelan gang member who was on Colombia's most wanted list. He crossed the border here in Eagle Pass in January, a week before Texas took over Shelby Park, and he was released by Border Patrol the same day, which is what happens with most Venezuelans right now.

He has been free out on the streets for the past two months. Texas officials say it is a perfect example of what they are trying to stop from happening.

(BEGIN VIDEO CLIP)

LT. CHRIS OLIVAREZ, TEXAS DEPARTMENT OF PUBLIC SAFETY: We're going to make it as difficult as possible to cross unlawfully into Texas. We want to push that activity elsewhere, further west. That's why we're seeing it. And I think our stance is very clear.

With all the barriers, the consequences that we have in place, all the manpower is that don't cross into Texas, because, if you do, then you will be arrested and prosecuted.

(END VIDEO CLIP)

TENNEY: Here's another example of the national security risk posed by the border crisis.

The FBI's Joint Terrorism Task Force is now investigating this Lebanese man who tried to sneak across the border near El Paso and allegedly made terroristic threats to staff, said he was a member of Hezbollah, that he planned to build a bomb, and that his final destination was New York City.

While officials are taking those claims seriously, our sources stress how highly unusual it is for an actual terrorist to offer up that kind of information voluntarily. But it is worth noting that at least 58 individuals on the terror watch list have been apprehended crossing the border since October -- Neil.

CAVUTO: Not very reassuring, my friend.

Garrett Tenney in Eagle Pass with that.

Congressman Pete Sessions joins us right now. The Texas Republican sits on the House Oversight Committee, among others.

Congressman, let's say the court doesn't go along with what the governor wants to do, using law enforcement to arrest illegals and the like. Then what?

REP. PETE SESSIONS (R-TX): Well, we believe, Neil, that the national or federal government, the national people who have that authority and responsibility have abdicated their role and responsibility.

We believe it's a national security issue, and we believe that Texas should have the ability, with people who are on our soil, for us to be able to carefully, with a Class B misdemeanor, to arrest people, know who they are, and then understand what they are attempting to accomplish.

We believe it is wrong for people to come into our country illegally and we hope the Supreme Court sees that this is a national security issue.

CAVUTO: As they wait this out, is this practice going on now, sir?

SESSIONS: It is -- it is a decision that was made by the state of Texas, the legislature, all done properly, and the Department of Justice challenged us on that. And that is why the Supreme Court is handling this case.

CAVUTO: The reason I bring it up, Congressman, is that there is this growing fear here, certainly for those, no matter your view on the border, that this is going to make things worse, and that there are more times when your governor and your state are sued by the government, the federal government, than helped by the federal government.

This is a pattern. Whether you agree or disagree with the counterlegal measures taken, it is now kind of like the rigueur du jour.

SESSIONS: Well, it's undisputed that this federal government does not have or act with responsibility of taking care of whether it be children or whether it be adults, whether it be people who are terrorists.

They have not chosen to take the proper and necessary, we believe, background and elements into place to where we understand who they're letting loose on the streets of Texas. We believe that there is a way for the law to be followed. And if the federal government abdicates that responsibility, then we believe someone in law enforcement, as we have had for years, where you have different levels of law enforcement who make decisions about this.

We are not moving someone back across. We are simply giving them what would be a Class B misdemeanor, and then we will know who they are and what they're doing. We believe this is vitally important for the security and safety of not only our citizens, but we believe it's well within the law.

If there were some viewpoint that we were going to deport people, then that would be a different issue, I'm sure.

CAVUTO: Got it.

Congressman, thank you for taking the time. We appreciate it.

SESSIONS: You bet.

CAVUTO: All right, in the meantime, you heard about the dust-up between Chuck Schumer and Benjamin Netanyahu, where Schumer actually weighing in on a potential election in Israel. He says that is long overdue.

That got just over-the-top responses from Benjamin Netanyahu and in this country from one Joseph Lieberman. He's next.

(COMMERCIAL BREAK)

CAVUTO: All right, Benjamin Netanyahu isn't the only one who's upset about Chuck Schumer trying to interfere in elections of a sovereign country of Israel. So is Joe Lieberman. He's coming up.

In the meantime, Chad Pergram has been keeping track of the fallout on Capitol Hill from all of this -- Chad.

CHAD PERGRAM, FOX NEWS CONGRESSIONAL CORRESPONDENT: Neil, good afternoon.

President Biden and Israeli Prime Minister Benjamin Netanyahu spoke by phone today. National Security Adviser Jake Sullivan was asked if the leaders discussed the call by Senate Majority Leader Chuck Schumer for new elections in Israel.

(BEGIN VIDEO CLIP)

JAKE SULLIVAN, U.S. NATIONAL SECURITY ADVISER: I'm not going to talk specifically about any one of them. But I will just say that, from President Biden's perspective, this is not a question of ***politics***. It's not a question of public statements. It's a question of policy and strategy.

(END VIDEO CLIP)

PERGRAM: Schumer's speech underscores the rift among Democrats about the Middle East. Republicans see the chasm between Democrats. They believe the speech was an effort by Schumer to placate the hard left.

(BEGIN VIDEO CLIP)

SEN. JOHN BARRASSO (R-WY): It was wrong. And, obviously, Republicans stood up and said so.

Israel's a democracy. They have absolutely every right to hold an election. They have a right to defend themselves. They're going to keep doing that. But I think the Democrats are really scared right now, because what we see is so many of the far left Democrats are supporting Hamas, instead of Israel.

(END VIDEO CLIP)

PERGRAM: Schumer told Israeli voters it was time to move past Netanyahu as the crisis deepens. But that was too much for many lawmakers. Schumer heard criticism from Democrats.

Dean Phillips of Minnesota is Jewish. He called the speech -- quote -- "irresponsible." One GOP member wants Netanyahu to make his case directly to Americans.

(BEGIN VIDEO CLIP)

REP. RICH MCCORMICK (R-GA): I think it's perfect time. Let Israel come here and talk about what they're doing overseas in Gaza, what the Palestinian conflict has brought to their country. Let him make his case in front of the American people, since we have leadership in the Senate actually speaking openly against the leadership over there.

How inappropriate can you possibly get?

(END VIDEO CLIP)

PERGRAM: Now, Democrats are wrestling internally with how to approach the Middle East. The conflict is curbing support for President Biden among progressives.

It's believed that Schumer's speech was designed to serve as a heat shield for the president -- Neil.

CAVUTO: Got it, Chad Pergram.

Well, Joe Lieberman, as I mentioned, called that Schumer statement and stands outrageous.

But, Joe, it's always good to have you.

You might have heard that Nancy Pelosi had said in a weekend broadcast that it was brave on the part of Chuck Schumer. What do you think was brave about it?

FMR. SEN. JOE LIEBERMAN (I-CT): Thanks, Neil.

I don't think anything was brave about it. I think it was outrageous. And I think really it was a case of a high elected official in the U.S. taking advantage of a friend. And you wouldn't do this with a casual ally or certainly an enemy.

But to call out one of our closest allies in the world, Israel, a democracy, when it's at war and tell its people they should dump their prime minister, wow, talk about crossing a red line. That was a diplomatic red line that I have never in all my years seen crossed.

And it's just -- it is outrageous. I have been following the polls in Israel. The truth is that Prime Minister Netanyahu is not popular right now, and his right-wing government is not popular. But if you ask the people of Israel, is Netanyahu following the right policy in Gaza trying to destroy Hamas, the answer is overwhelmingly positive.

So Chuck Schumer is asking the people of Israel to do something totally contrary to what their opinion is. And I just -- I mean, can you imagine if Schumer had made a similar appeal to the people of Britain to overthrow Prime Minister Sunak for some reason, or the people of Ukraine to overthrow President Zelenskyy because he wasn't making enough progress in the war?

CAVUTO: But there had to be a calculation to this, Senator, right? I don't know what the calculation is.

And you used to work with Chuck Schumer. This is an election year, after all. Of course, the administration and its stance in support of Israel has ignited this other counter-rally, where a lot of Democratic constituencies feel anger at our getting knee-deep in a war and suggesting a strategy that they deem a failure. So what's going on here, you think?

LIEBERMAN: Well, it's hard to say.

I mean, it's hard to judge motivation. Look, Chuck may feel this way and he wanted to speak out. And I go back to what I said. He was taking advantage...

(CROSSTALK)

CAVUTO: Well, let me flip it around. Would he do this if it were not an election year or months away from deciding a president?

LIEBERMAN: I really wonder.

CAVUTO: Yes.

LIEBERMAN: Because there are certain facts we know.

And one fact we know is that a growing number of people on the left in the Democratic Party are not happy with Israel's policy, and they want a cease- fire.

CAVUTO: Yes.

LIEBERMAN: But they seem to forget how this started. It started with a brutal terrorist attack by Hamas against the Israelis.

The Israeli Defense Forces are actually making great progress against Hamas. Give them a little more time, they will effectively destroy Hamas, and then there can be a cease-fire and hopefully movement toward a better life for the Palestinians in Gaza.

But to intervene this way is just offensive to one of our closest allies in the world, and I'm really disappointed that Chuck Schumer did it.

CAVUTO: All right, we will follow up very closely.

I did want to get an update from you on No Labels, and we will do that another time.

But thank you, as always, Senator. Very good seeing you.

LIEBERMAN: Thanks, Neil. Great to be with you.

CAVUTO: All right.

In the meantime here, it's a big union, and you would covet its support as a candidate running for pretty much anything. I'm talking about the United Steelworkers International union.

It's president, David McCall, is here.

(COMMERCIAL BREAK)

CAVUTO: You might have heard that Japan's Nippon Steel wants to buy U.S. Steel, an outright purchase.

The president of the United States of America, Joe Biden says, no, he doesn't like it. He's against the sale.

David McCall is the president of the United Steelworkers International, and he says, well, that's a good decision. He joins us right now.

David, good to have you.

DAVID MCCALL, PRESIDENT, UNITED STEELWORKERS INTERNATIONAL: Hi, Neil.

CAVUTO: Now, what do you make of the president doing this? He's saying he's trying to protect American jobs. He has serious concerns about a foreign entity taking over an iconic name like U.S. Steel. What do you tell your own members?

MCCALL: Well, first of all, we recognize Japan as an ally, but not necessarily as an economic ally.

Over the years, we have had multiple trade cases against Japan. And, frankly, that's from them selling products below market price or even being subsidized. And that makes it a national defense issue, critical infrastructure issues and supply chain issues.

CAVUTO: So...

MCCALL: There's lots of overcapacity.

CAVUTO: OK. No, I'm sorry. Finish that thought.

MCCALL: I was going to say, there's lots of overcapacity in Japan, and they're still making blast furnace operations. And they said they're going to follow the plan of U.S. Steel.

Well, U.S. Steel has been shutting down blast furnace operations here in the U.S. And, eventually, that could lead to real issues around national defense and critical infrastructure. So, that's one of the reasons we're concerned about it.

The other part about it is, although they publicly say that they will accept our collective bargaining agreements, they're not the signatory to those labor agreements under their transaction. It's actually a shell company, a subsidiary of Nippon Steel that they have set up.

(CROSSTALK)

CAVUTO: So, in other words, whatever commitments they have made, David, you're not sure that they would honor them.

So, let me ask you this. I mean, Joe Biden is against this from happening. Donald Trump is against this from happening. You're weighing a decision on which one to support for president. Where do you lean?

MCCALL: Well, we're clearly leaning towards President Biden, and we will endorse him, I'm sure.

That would be up to our Executive Board to do that in the very near future. But President Biden has really developed for at least in my lifetime an industrial policy in this country, with the infrastructure bill, the IRA, and the CHIPS and Science ACT. If you do that, along with making sure that we're on a level playing field with the rest of the world, that's about real progress in America for industrial use.

CAVUTO: So, why not just make the decision now? What are you waiting for?

MCCALL: We just haven't had our board meeting yet.

CAVUTO: I got it.

MCCALL: But we will in the very near future.

CAVUTO: Let me ask you a little bit about that, because, oftentimes, when unions formally support, let's say, a Democratic candidate, which is more often than not the case, members tend to go in their own independent way.

And a good many of them will support the Republican candidate. A good many of your members did so with Donald Trump, I know in the past with Ronald Reagan, but it's more the exception than the rule. But is there a divide among the heads of the United Steelworkers union and, let's say, the members?

MCCALL: I don't think so.

We put in progress -- or put in process in 2020 something called Your Union, Your Voice, in which we get input from our members. We take surveys from our members. We have already done that this year.

And as those surveys come in, we talk about what's important to our members and what's important to them in their workplace. And, by the way, we endorse plenty of Republicans in our union, as well as Democrats. We support people who support our members in the communities that they live in.

CAVUTO: Could you work with a President Trump if he got into the White House again?

MCCALL: It didn't work so well for us last time.

He put a lot of anti-union people in the administration who were not helpful to us.

CAVUTO: Have you met with Donald Trump?

MCCALL: I have not.

CAVUTO: Why not?

MCCALL: He hasn't asked to meet with us. And when we sent our survey to him, he didn't respond.

CAVUTO: So, as things stand now, it just a matter time before you commit? Again, it's up to your meeting and meeting with your members, but it will probably be for Joe Biden?

MCCALL: It will be up to our members and our International Executive Board.

CAVUTO: How does the union feel if this deal with Japan and Steel falls apart? Are they worried for their jobs? In other words, can they go it on their own? Can you go it on your own as a U.S.-only entity?

MCCALL: It has -- it has been ongoing for over 100 years. So the answer is yes.

The issue isn't about -- so much about the ownership. It's about what the collective bargaining agreement is...

CAVUTO: OK.

MCCALL: ... the commitments that we make in the collective bargaining agreement. And it's also about national defense.

CAVUTO: Got it.

David, keep us posted. It was great seeing you again.

David McCall, the United Steelworkers International president. We will know, presumably, and soon, on that decision.

In the meantime, want to pass along some news just coming into our newsroom right now. A judge has denied Donald Trump's request to exclude Michael Cohen's testimony in that hush money trial. Akin to that also is denying a request to exclude Stormy Daniels' testimony from the same hush money trial.

We will have more after this.

(COMMERCIAL BREAK)

CAVUTO: All right, the Federal Reserve begins a two-day meeting to decide the course of interest rates over the next couple of days, but it's the next couple of years that has a lot of folks thinking, who will be Jerome Powell's replacement, especially if Donald Trump comes in, no fan of the Central Bank chief that he chose?

Among the names mentioned, by the way, Kevin Hassett, the former chair of the Economic Council of Advisers for Donald Trump, Art Laffer -- of course, you know him, an economic Svengali, iconic adviser to all -- going back to Ronald Reagan, and Kevin Warsh, of course, an economic adviser to George W. Bush.

One of those names, Art Laffer, kind enough to join us right now.

Art, you interested in becoming a chairman of the Federal Reserve?

ART LAFFER, FORMER WHITE HOUSE ECONOMIC ADVISER: Oh, my goodness, what type of comment?

Twenty years ago, I would have loved it, but the only time it could happen, Neil, is if Trump were elected, which I think he will be, and then you have about a year-and-a-half before the chairmanship comes up for Trump's appointment. By that time, Neil, I will be 854 years old.

(LAUGHTER)

LAFFER: I will have great-great-great-great-grandchildren.

You know, I'm 83 right now. I think it's a little premature to talk about me being Fed chairman. Now, 20 years ago, Neil, jumped right at that one, but not today, I don't think.

CAVUTO: Yes.

LAFFER: I don't think it makes sense.

You know, we have had some great chairmen around.

(CROSSTALK)

CAVUTO: Well, careful, careful, my friend; 83 is the new 82. So I'm just telling you, you're not...

LAFFER: Oh, OK, good.

CAVUTO: Yes, you know?

So, the age thing notwithstanding -- you're one of the spriest, fittest, fastest-on-your-feet people I know.

(LAUGHTER)

CAVUTO: So that's something in which you could have enormous sway and influence. You have been critical of the Federal Reserve under different chairmen in the past and the way they go about things.

If you were to entertain the job, if it were offered to you, what we're -- and, again, I know the age and what you're saying. I don't buy that, but I know what you're saying.

LAFFER: Oh.

CAVUTO: What would be some of your big concerns taking it over?

LAFFER: Well, I think one of the problems is really being able to shift the rule in how the Fed operates.

The Fed should not be controlling interest rates, Neil. They shouldn't be. They should be following interest rates, not trying to lead them. They should be trying to control the balance sheet of the Fed to give a good free market solution to the monetary situation, which they have not been doing. They should reduce that balance sheet back down to slightly larger than where it was, let's say, in 2007, 2008, in that range.

And they have not done that. There's no Paul Volcker at that Fed. There's no McChesney Martin. There's no Alan Greenspan.

CAVUTO: Yes.

LAFFER: These people are not running the Fed the way they should. And I would love to see someone get in there and control it with using a quantity role and letting markets determine and having the Fed follow markets, so that markets clear, rather than causing this hyperinflation, which is literally what they have caused.

CAVUTO: Yes.

LAFFER: That's where I am.

CAVUTO: You mentioned that -- you're such a walking encyclopedia. You're talking about the Fed's balance sheet.

Now, on that balance sheet are all those rescues of banks and financial institutions that go back to the meltdown in 2007 and 2008 and '9.

LAFFER: Exactly.

CAVUTO: And it's still on their books.

If you were in charge of the Fed during something like that, would you rescue those banks?

LAFFER: No, I would not. I would not have rescued those banks. I would have not done the intervention.

We have had a lot of financial crises in our history over almost 200-and- some years. And those financial crises have caused a lot of damage, a lot of whirl in the time. But once they're over, which is about five, six, eight months, the game starts again and we don't have protracted losses.

What we have done with the financial crisis of 2007, 2008, 2009 is what we did is, we caused permanent losses, where we bailed out losers and we taxed winners and we never allowed the system to clear. We should have allowed it to clear and then we'd be much better off today.

We have had a horrible economy, honestly, since 2007-2008. And ever since Bill Clinton, by the way, ever since Bill Clinton, it's been a bad economy. And a lot of the responsibility is due to the Fed. And I really do think that's true. And we should just make sure the Fed encourages markets, not tries to stop markets from cleaning problems up.

Remember, Neil, it's a profit-and-loss system. And people make judges -- guesses and judgments in investments, and some of them lose, some of them win.

CAVUTO: Right.

LAFFER: The losers should not be bailed out and the winners should not be penalized.

CAVUTO: OK.

LAFFER: That's how you stop progress. And that's what we have done.

CAVUTO: All right, Art.

And thank you for saying that I would be the first person to interview you when you are appointed Fed chairman.

LAFFER: Oh, you are.

(CROSSTALK)

LAFFER: You're my first -- well, you were my first one ever in life, Neil.

(LAUGHTER)

CAVUTO: There you go.

LAFFER: I think, wait a minute, where were you?

CAVUTO: You were great.

LAFFER: You were back when the tom-toms were being used to communicate the world when I first entered the...

CAVUTO: Thank you. Thank you, Art.

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