

# [***Totality Of The Time: Hur: Biden's Memory Comments Based On 5 Hours With Him; Memory Disability: Dems Argue That President Biden Is Not Senile; New 9/11 Warning: FBI Chief Worried Border Crisis Leading To Terror; Dining Room Closed: Oakland Taco Bells Now Drive-Thru Only Amid Crime Surge; Snooping On Your Speed? Car Might Be Secretly Sending Data To Your Insurer; California Clogging! Hundreds Of Toilet Paper Rolls Spill On Highway***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BJ4-TPK1-JCS1-61V5-00000-00&context=1516831)

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**Body**

NEIL CAVUTO, FOX NEWS CHANNEL HOST: Congressman, very good talking to you again. Thank you very much. Congressman Crenshaw on all of that again. The Dow up today, 235 points. We have records in the markets again, sensing that the good economic times, or at least better, continue. We shall see. Here's THE FIVE.

GREG GUTFELD, FOX NEWS CHANNEL HOST: I'm Greg Gutfeld along with Judge Jeanine Pirro, Jessica Tarlov, Jesse Watters, and a thimble is her big goal, Dana Perino. THE FIVE.

Robert Hur in the hot seat, explosive testimony from the former special counsel who concluded that President Biden is an "elderly man with a poor memory," and therefore not fit to stand trial in the classified docs probe today. Well, anyway, today, Hur doubling down on his old man Joe assessment.

(BEGIN VIDEO CLIP)

ROBERT HUR, FORMER SPECIAL COUNSEL: ***Politics*** played no part whatsoever in my investigative steps.

REP. PRAMILA JAYAPAL (D-WA): You exonerated that.

HUR: A conviction.

JAYAPAL: I know that the term willful retention has a --

REP. KEVIN KILEY (D-CA): A reasonable juror could have voted to convict based on the facts that you present.

HUR: Correct.

REP. TOM MCCLINTOCK (R-CA): Is it now OK if I take home top secret documents, store them in my garage, and read portions of them to friends or associates? I can do that now under this new doctrine?

HUR: Again, Congressman, I wouldn't recommend that you do that.

MCCLINTOCK: You've essentially said so in your report. And certainly it would be exculpatory if I -- if I simply told you, hey, I'm getting old, I don't remember stuff the way I used to.

REP. JERRY NADLER (D-NY): You do have any reason to believe that President Biden lied to you?

HUR: I do address in my report one response that President gave to a question that we opposed to him, that we deemed to be not credible.

REP. MATT GAETZ (R-FL): And Mr. President, why did you share classified information with your ghostwriter? The President, I did not share classified information. I did not share it. I guarantee I did not. That's not true, is it, Mr. Hur?

HUR: That is inconsistent with the findings based on the evidence in my report.

GAETZ: Yes, it's a lie. It's just what regular people would say, right?

(END VIDEO CLIP)

GUTFELD: Dems, harping throughout the hearing that Biden's brain is fine, because he sat for five hours with his special counsel over two days. Hur, on the other hand, says this time with Joe is precisely what led him to question the President's memory.

(BEGIN VIDEO CLIP)

JORDAN: Can you explain what specifically in your interview with President Biden led you to this conclusion?

HUR: The conclusion about the --

JORDAN: The statement that's been cited many times.

HUR: The totality of the time that I spent with the president during his voluntary interview was something that I certainly considered in framing my assessment and articulated in the report. And that includes not only the words in the cold record of the transcript of the interview, but also the experience of being there in the room with him.

(END VIDEO CLIP)

GUTFELD: Hur's testimony was the only bomb dropped on Biden. They also released the transcript from his interview with the special counsel. This year passage proves that Biden lied through his teeth when he said it was Hur who first brought up Beau Biden's death. It turns out Joe Biden was the one who did it.

With all that in mind, Dems did their best to argue that Joe isn't senile.

(BEGIN VIDEO CLIP)

REP. STEVE COHEN (D-TN): Nobody suggests he's senile, and that's disrespectful of senior people with any kind of memory disability. Lots of seniors have memory disability, but they're not senile. And to do such, it's shameful. Joe Biden is a competent, good president who knows American value.

NADLER: President Biden had the mental acuity to navigate this situation. Donald Trump did not. I believe, as is his habit, that President Biden probably committed the verbal slip or two during the interview. And I'm not sure any of that matters, because when the interview was over, Mr. Hur completely exonerated President Biden.

(END VIDEO CLIP)

GUTFELD: You know what kills me, Judge, is seeing Jerold Nadler being somehow an arbiter of health.

PIRRO: Yes.

GUTFELD: This is the least healthiest person I've ever seen in my life. But what did you make of this whole hearing in general?

JEANINE PIRRO, FOX NEWS CHANNEL HOST: I think everybody has to remember the issue here is the retention and mishandling of classified documents. The special counsel came out and said, Joe Biden is a sympathetic old man with a bad memory. To the Dems, this was a cheap shot, and it was unnecessary. To others, it was a reason that Hur chose not to file charges. To me, it's irrelevant.

There is no defense of an aging old man with a bad memory in the penal law anywhere in the United States. In fact, should that issue even come up, it's up to the defendant to proffer it. It's up to a psychiatrist, the judge, and ultimately the jury. So, what does Hur tell us?

Hur tells us two important things. Number one, I did not exonerate him. Number two, I did not reach a conclusion he was innocent. Instead, what Hur told us is, we did identify evidence of willful disclosure. So, to Hur, I say to -- H-U-R, I say, you cannot predict once you've established evidence of a willful disclosure and mishandling that a jury will find him not guilty because he's an old man with a bad memory.

That is not your job, Mr. Hur. Your job is to decide whether there is sufficient evidence to bring a charge or whether there is not, whether there is a crime or not. It's either one way or the other. But not only was the evidence there, it was overwhelming. Joe Biden has been in Washington for 50 years. He has been a senator. He has been a vice president. He has been a president. And there is no fact pattern that protects a sitting senator from taking classified information out of his SCIF. That is a crime, period, end of the story.

And then he moved those documents from residence to residence, office to office. One of those offices paid for by the Chinese. And then he blames his staff for doing so. And that's a lie because the staff doesn't go into a SCIF. So, the documents end up in unsecure, tattered, uncovered in his garage next to a broken lamp, next to his Corvette. And he sees those documents every time he drives the Corvette in a route.

So, to a person, the Democrats meant the whole day saying, Donald Trump obstructed. Well, news flash, Donald Trump is not charged with obstructing. And number two, the issue is not the issue at hand. Obstruction is not the issue. And in the end, there are three people, Hillary Clinton, Joe Biden, and Donald Trump. And ironically, the only person charged was Donald Trump, and yet he was the only person who had the right to declassify as president.

GUTFELD: Well put. Jesse, you saw the Democrats that are trying to make it all about Trump, even enlisted a montage. You love montages, don't you?

JESSE WATTERS, FOX NEWS CHANNEL HOST: Yes, I thought I was watching "FOX AND FRIENDS" for a second. All the montages, they're getting the hang of it. They're well-produced hearings at this point. But it showed to me that what Biden did was worse than what Trump has done. And it showed there's two tiers of justice. There's mentally deficient Democrats and Republicans who can probably beat the Democrats.

And we now have established through this testimony a pattern of over 40 years, Joe Biden taking documents away and then putting them all over the place. Six different locations, three different states, garages, Chinatown locations, foreign dignitaries coming in and out, strange men and women coming in and out. He was putting his national security at risk, and these were the motives.

And Hur said those two motives were money and ego, $8 million book advance. That's the reason he broke the law. That's why he willfully took these classified documents home. And then ego, he wanted to burnish his credentials as a world leader and keep these documents for posterity or perhaps even a presidential run. And not only that, he destroyed the evidence. His team just deletes half of it when they find out the guy's investigating them. And then Biden says, I don't remember about a zillion times.

Now, I'm beginning to wonder, is Biden dumb or is he playing dumb? Because in the spring of 2021, the same month he green lights the Trump raid at Mar-a-Lago or the investigation, what does he do? He tells his entire team, go find all of my classified documents all over the place and get them ready. And they didn't disclose that he had classified documents in the spring of 2021. They waited 18 months to voluntarily disclose that they had all these documents sitting around. So, to say he cooperated, it's a lie. He had 18 months where he's getting everything in order.

And Hur basically said the real reason, it's not just because he's old and sympathetic, he can't get a conviction of a Democrat president in D.C. That's the reason, if this was in any other jurisdiction, this is case closed.

GUTFELD: And that's an interesting point, Jessica. He did it because he --

JESSICA TARLOV, FOX NEWS CHANNEL CONTRIBUTOR: Really?

GUTFELD: I thought it was. I thought everything was interesting, although I did zone out for a while. But it is pretty clear that Joe treated the documents the way Hunter treats drugs, just leaves him everywhere. What do you think?

TARLOV: I don't think anything that anyone else at this table thinks, actually. Good getting Hunter in on this.

GUTFELD: Yes.

TARLOV: So, I'm glad that we brought that full circle.

GUTFELD: Yes.

TARLOV: This hearing actually started last night. We couldn't watch it at that point, but the news broke that Robert Hur was going to be appearing as a private citizen and not as a member of the Department of Justice or as a special counsel. And what is Robert Hur when he's a private citizen? He's a Republican. And what did Robert Hur get? He got coaching from Trump world. That seems pretty suspicious to me.

If you were going into a hearing where you want to seem above board and nonpartisan, why are you getting counseled by the former President's people? And why aren't you showing up as a representative of the Department of Justice?

GUTFELD: Thank God the Dems didn't do that with Jan 6 or anything.

DANA PERINO, FOX NEWS CHANNEL ANCHOR: I missed that.

PIRRO: Yes. I did too.

TARLOV: Really? Well, you want to see all the articles? Sarah Isgur is one of the people who coached him. She's now an ABC analyst. She's a Republican?

PERINO: I saw -- the only thing I saw on Twitter was Hur saying that's not true.

PIRRO: Yes.

TARLOV: Well, the independent -- all of these sources, the Hill, all of these sources are wrong?

PERINO: The independent -- oh my God.

PIRRO: Really?

TARLOV: The Hill? All these articles?

PERINO: I don't know. I don't know. All I know --

TARLOV: Did you show up as a private --

PIRRO: How come nobody brought that up? You're bringing it up.

TARLOV: I don't know why no one brought that up, but it was the biggest story that was circulating --

PIRRO: Believe me, if they happened, they would have brought it up.

PERINO: Right.

TARLOV: OK, so he was there, not as a private citizen now?

PERINO: I'm not saying that.

PIRRO: No, he wasn't.

TARLOV: OK.

PERINO: But I -- what I didn't hear and I totally missed is that Trump world coached him and you're saying Sarah Isgur. I'm saying the only thing I saw was Sarah Isgur, because I follow her --

PIRRO: She's denied it.

TARLOV: OK, so --

PERINO: -- that she saying, that is not true.

PIRRO: Right.

PERINO: But I've not talk to any of them.

TARLOV: I -- well --

GUTFELD: Did we get off track here?

TARLOV: No.

PERINO: No, this is important.

GUTFELD: OK.

PERINO: Well, the GOP always goes -- going into these hearings, they always bank on the fact that Democrats haven't read the report or they're not going to use specific citations. And Robert Hur contradicted himself over and over again. Page six, he says, innocent explanation for the documents. Page 12, they could have been brought there by mistake. Page 12, the decision to decline criminal charges was straightforward.

The GOP is going wild over the story about the ghostwriter and the classified information. And that is the wilful retention. But on page 10, he says the evidence doesn't show that Biden knew they were classified. And then on page 245 --

PIRRO: No, he said it.

TARLOV: It's written in ink that the evidence falls short that this was willful -- willfully retaining the documents -- the classified documents.

PIRRO: He specifically said be careful, that's classified. He said that --

TARLOV: Then, why does the report not say that? He also notes that he has a photographic memory.

PIRRO: Who?

TARLOV: Hur says that about Biden in the transcript.

PIRRO: Thank God. Biden has a photographic memory?

TARLOV: Yes. And then Eric Swalwell in his questioning says why didn't you put that in the report? Go to Dana.

GUTFELD: Can I get to --

PERINO: Yes, whatever you want.

GUTFELD: Jesse, hold. Yes -- don't say that to me, Dana. What do you make of this?

PERINO: OK, I think it's fascinating that most of Democrats were complaining about the media coverage of the Hur report that was actually in the Hur report because they hated it. Why? Because we knew immediately. And that's when I said, oh, this election is on. That day that it came out because him saying it's an elderly man with a poor memory is what 86 percent of the country believes. So, it's just reinforcing that.

And it doesn't matter how many times a congressman on the Democratic side say he's a competent president. People have made this decision with their own eyes and ears. The other thing, there was the news that came out that said that indeed the White House did ask Hur to water down that portion of the report in a letter and apparently Hur did not do that. So, he wasn't persuaded on that.

The other thing is that the White House through the Democratic National Committee had the First Lady of the United States issue a fundraising e- mail asking for money for Biden saying that how dare Robert Hur bring up Beau Biden's death? Now, we know that's not true.

They are so willing to disparage anybody who works in the federal government if they think it will help them, right? So, even when this turns out not to be true, we see it in the transcript, then they don't disavow it. That day I'm assuming that the people who wrote the -- and White House Counsel's Office had read the report knew that wasn't true, and still didn't say anything. It reminds me of Whip Gate.

GUTFELD: Yes.

PERINO: Right? They'll never apologized for that. But here's the other thing. I'm asking all federal employees and it includes any elected official. If you have access to classified information, respect the law. This country has really big problems. And we are -- it is so -- it is so maddening to have to spend time watching all of this when just leave the classified documents where they're supposed to be, and then you won't have to have a special counsel like Robert who has a distinguished career who decides, you know what, I don't need this job. I can go work in private practice and make a lot more money and have a better life after this hearing.

GUTFELD: There you go. All right. That was fun.

Up next, is Joe Biden's border-free for all setting up America for another 9/11 with the FBI set about the threat?

(COMMERCIAL BREAK)

PIRRO: America could be headed for another 9/11 and it's all thanks to Joe Biden's open border madness. FBI Director Christopher Wray warning Congress of the emerging threat of a smuggling network with ties to ISIS and how it only takes a few unvetted border crossers to launch a deadly terror attack.

(BEGIN VIDEO CLIP)

SEN. JOHN CORNYN (R-TX): This is a huge gaping vulnerability in our national security that we don't have answers for. I'm reminded that there were 26 coconspirators in the 9/11 attacks against the United States. Do you share that concern?

CHRISTOPER WRAY, DIRECTOR, FBI: I do.

CORNYN: Sometimes people say, well, this is just a cons -- this is just a fantastic theory it's no basis in reality. Do you consider that to be a frivolous consideration?

WRAY: I do not. There are a whole host of threats that emanate from the border. Numbers don't tell the whole story. It only takes a few people who can be responsible for a whole lot of harm.

(END VIDEO CLIP)

PIRRO: But in the face of a terror threat, our president refuses to take any action. Instead, he continues to lie to Americans on how only Congress can fix it.

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: Mr. President, when is a border executive action coming? An executive action on the border

JOE BIDEN, PRESIDENT OF THE UNITED STATES: I'm counting on the border action happen by itself, the passing.

(END VIDEO CLIP)

PIRRO: All right, Jesse, I'll go to you first. I mean, our government -- our government, Christopher Wray, in particular is very concerned about a smuggling network with ties to ISIS coming through the border, and it only takes a few to create another 9/11. So, why won't Joe Biden take any executive action?

WATTERS: I honestly don't know, Judge. These -- the director of the FBI and CIA are pleading with the President to do something to secure the border. They're begging him to secure the border. And he's just sitting there, let it happen on its own. He knows it's not coming from Congress, and he knows has the executive power to make it happen.

And it's not just these terror networks that are coming through, all of these people are being run through the cartel system, and 100,000 Americans are dying every year from fentanyl. So, how much death is Joe Biden willing to tolerate? Apparently, Joe Biden is willing to tolerate American death in order to posture that he's compassionate, not Trump. I don't know. I wish I was in his head.

PIRRO: Jess --

GUTFELD: There's a lot of room.

PIRRO: What did you say?

GUTFELD: There's a lot of room in there.

PIRRO: Yes. Jessica, last weekend, apparently five pedophiles came across - - convicted pedophiles in five different sectors. Now, Joe Biden, I believe, should be carrying more about Americans than open borders.

TARLOV: Totally. I want to First apologize for saying that Sarah Isgur counseled Robert Hur. That was -- the Independent has retracted that. There are a number of articles online talking about the counsel that Hur did get from figures in the Republican world. He did appear as a private citizen but I deeply apologize. I take this --

GUTFELD: It's too late, Jessica.

TARLOV: No, it's actually not too late. It was the next block. Jesse would have waited till the end of the show when someone told him he had to.

WATTERS: I would -- I would have tease the apology.

TARLOV: You said tune in at 8:00, I might apologize. Pedophiles are really bad, also.

PERINO: Also.

TARLOV: As a side note.

GUTFELD: Go out of limb.

TARLOV: I don't want to be controversial.

PIRRO: So, why isn't Joe --

TARLOV: No, I get it. I what I didn't understand about this, and I thought it was very powerful to have all six of these representatives from like our highest law enforcement officers and they were all speaking with one unified voice which you don't always get in these panels, right? You have someone that's arguing this someone that's arguing that. They're all completely freaked out about what's going on, saying that obviously the border is a serious threat for us, unified message on that.

And the news then that he's not going to take executive action when a few weeks ago for the State of the Union, it was teased that that's possible, why would that hurt your case at this point? It only would compel and make Republicans look worse for not signing the bipartisan border deal if you say I did my part, now you do your part. So, that didn't add up.

I also thought it was really interesting that October 7th was such a pivotal point in what they were trying about in a change in an uptick in all of this. And I would have liked to have heard more about that.

PIRRO: All right, Dana, apparently in Biden's 2025 fiscal year budget, it includes 1 billion American tax dollars going to Central America, and something like 800 million for a cutting-edge technology at the ports of entry.

PERINO: Is that for root causes?

PIRRO: I don't know.

PERINO: They're going throw some money at root causes. I mean, he knows that giving billions of other countries to solve the migrant crisis is basically like the American Rescue Plan of the border. It won't actually help anyone but it'll raise prices for everybody else. And the reason he's not doing an executive order is because he's still trying to solidify his base.

They have figured out -- if you watch the State of the Union, what was it? It wasn't an appeal to the Independent voter. It was an "I hear you on the left." And that's happening on Israel, it's happening on the border, it's happening on climate. Like, all of these issues. And you wonder like, why isn't he doing the most commonsensical thing? It's because he's trying to figure out a way to make sure that the base turns out because it's going to be a 50-50 election. He wants to win it.

It's a -- the top concern for Americans about immigration is this concern about people coming across the border illegally and maybe trying to do something like al-Qaeda. There was an interesting exchange yesterday with Congresswoman Jayapal in which she said the undertone from your side is that people are breaking into the country. I don't think people are breaking into the country illegally. Which is fascinating because really you don't think that? Or do you think that everything that's happening at the border is OK. And if you think that, OK, then let's have that debate going into the election.

The last thing I'll say is this crisis is the most preventable crisis in American history.

PIRRO: Right.

PERINO: And the executive orders that he put in place in February of 2021 are the exact same ones that he could do again right now but he's choosing not to. And we don't know what's in his head except for I think it's solidifying the base.

PIRRO: You know, Greg, the FBI sees something like -- I think it's enough fentanyl in the last two years to kill 270 million people. What's wrong with Biden?

GUTFELD: You know, I think it's -- what's wrong is the words that we're using, all right. You keep calling people threats. People who poses threats built this country, OK. And you call them smugglers, they're dream -- they're dreamer importers. They bring dreamers to the country. And can we stop calling it 9/11? I prefer the day where something happened because that triggers Ilhan Omar.

PIRRO: Yes.

GUTFELD: The question is how did it -- why did it get to this point? And this is where the conflation of illegal and legal immigration takes us. It's a collapse of security. Every time the Dems say immigrants built this country, it deflects from an objective truth which is that illegals are coming in by virtue of fake compassion. And just by doing the math, a tiny percentage of them is still thousands. That can be rapists, thugs, and terrorists. That's just a fact. It's math. And it's not just part of this wonderful rainbow.

We have a process in place to allow for immigration which we embrace, but it only works if you disallow illegal immigration. If you say -- if we get upset about illegal immigration and you call us bigots, then the whole thing falls apart. And there will be people that say, well, the people that attack America, they did it through different means. Well, that was because it was harder before to do this. It was harder to get into this country. Now it's not. It's a virtual cakewalk into this country.

PIRRO: All right, coming up, it's going to be harder to get that Crunchwrap Supreme in a Democrat-run city. We'll tell you where Taco Bell is shutting down some dining rooms.

(COMMERCIAL BREAK)

PERINO: Get this. Oakland's crime crisis has a new victim. It's Taco Bell. In a new measure to protect the business and customers from theft, the food chain is shutting down their indoor dining options at four locations and only offering drive-through orders. This is an outrage. It's not the only business suffering from the crime wave in the area. Residents say they are heartbroken.

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: It's not as safe as how it used to be. There's a lot of crime now.

UNIDENTIFIED MALE: It breaks my heart.

UNIDENTIFIED MALE: Why?

UNIDENTIFIED MALE: Because I want -- I want somebody to protect the citizens.

UNIDENTIFIED FEMALE: When is this Oakland coming to -- everything is just getting worse. Things are closing down. You know, it's just terrible.

(END VIDEO CLIP)

PIRRO: Yep.

PERINO: Some business owners in Oakland say enough is enough and they are threatening to stop paying taxes until the city addresses the crime wave. But I'm sure they'll find the wherewithal to arrest them instead of the criminals.

Greg, it reminded me of the Hemingway quote because we've been covering a lot of these Oakland stories, In-and-Out Burger, etcetera. And it's like the Hemingway quote. It was like when did you go bankrupt or how did you go bankrupt. And he said gradually, then all at once. And I feel like people in Oakland are going to wake up one day and there's going to be nothing there to go.

GUTFELD: Mollie Hemingway has some good quotes.

PERINO: Yes, it's pretty good, right?

GUTFELD: Amazing. No, but the point is freedom doesn't just go away unless you have a disease to justify it. But it comes in these little bites, right? School closes, a mall shuts down, streets become unwalkable at night, then unwalkable in the daytime and restaurants move away. Freedom becomes smaller for you and larger for those outside the norms of legal behavior.

Black elderly women no longer have a Walgreens but a young White drug addict and shoot up in front of her barred windows. So, they got the freedom at the expense of her. And that's the irony of a police state, is that without police, you get a police state, right?

PERINO: Yes.

GUTFELD: Freedom requires a measure of safety and security. But since George Floyd, we allowed the intelligencia and activists to deem that common sense as racist. I'll probably be called racist for pointing that out. You can blame affluent White Liberals who claim to be defending minorities and then -- and then all of the things that they push, whether it's defunding or whatnot end up damaging those communities where minorities live, but the White affluent Liberal doesn't care because they don't go to Oakland.

PERINO: They don't?

GUTFELD: They don't. Do you know that at Berkeley, the parents have hired their own private security for the campus. Parents.

PERINO: Wow.

GUTFELD: Yes.

PERINO: So, Judge, is there a way -- like, if you were to suddenly have a change of heart in the DA's office in Oakland, how quickly would they be able to see changes?

PIRRO: Immediately because what we've been talking about here is that there's a small percentage that are repeat offenders that continuously commit the crimes. As soon as we start prosecuting them, as soon as we hold politicians accountable to change this so-call bail reform nonsense, then we're going to see immediately a change. It will not take that long.

And you know, honestly, think about it, these businesses that are threatening not to pay taxes, I don't blame them. But you and I both know the government is going to chase down those businesses for not paying their taxes.

PERINO: Right.

PIRRO: But they won't chase down the criminals who are putting those businesses out of business and making them unable to pay their taxes. And why is it that the law-abiding citizen has to change his or her behavior? Those people that we just saw, why do they have to change their behavior because some dirt bag decides that if you have cash, he's going to take it from you or makes it impossible for a business to run its business?

You know, government is in business not of changing our behavior but of changing criminals' behavior. That is their job. It is the first order of government to protect the people. And whether it's the President who will not stop fentanyl at the border, who could care less about pedophiles coming through five sectors -- five of them this weekend, or the Democrats who were saying, oh, we want bail reform, we don't want people in jail, they need to be held accountable and only we can do it.

PERINO: I think, Jessica, this is why a lot of people say crime is on their mind, it's on -- it's an issue. And then you have Democrats who will say, but the data shows crime is down. And like -- but if you're in Oakland, and you're seeing all of this happening, you see that young woman there interviewed by PIX saying it's not better here, why is everything getting worse? I just want people to protect the citizens.

So, should Gavin Newsom get behind the Proposition 47 which is basically the call to change all of these laws that allowed all of this behavior?

TARLOV: I believe because he gave that interview where he said how is this possible that you're allowed to come in and steal five times, right, before you get to the amount. And I think that there is a sea change afoot, and you did see that in the results in the San Francisco elections last Tuesday. And I wonder if there's some capacity written into their laws or if it could just be implemented to allow these people a snap referendum or a snap special election.

This isn't about changing parties, right? These people aren't going to wake up and say oh, I'm a Republican today. But they are going to say that there are laws that are negatively impacting our quality of life. And they don't necessarily have other options, right? It's a -- it's a privilege to be able to say oh, I don't like what's going on where I live, I'm going to move to another state, right, whether it's for taxes or crime, etcetera. And people are preying upon those with the least amount of options which is just devastating.

So, I hope that there's recourse for them. But I do believe that Gavin Newsom recognizes and has been speaking about this problem.

PERINO: Do you think President Trump could change some of their minds and even if they're -- if they're disenchanted with the government, the local government or their state government or even Joe Biden, they feel like it's a reflection, do you think that he should try to say we've got a better way?

WATTERS: If I were Trump, this is what I would say, Dana. I would say there was Taco Bell in Iraq that stayed open during the war. And Taco Bells shutting down right now in Oakland, California. That's what I would say. And I would point to specific stores, Whole Foods, Macy's, Bloomingdales, all of these great restaurants that we go to, and I would get specific.

Because Biden is going to get all tied up in the oh, the crime rate, the crime rate. No one cares about the rate. Everybody just sees that store that used to be there and it's not there anymore. And now, they can't eat there. And now, they have to go somewhere else to eat. And they don't want to go somewhere else because they like where the Taco Bell was, or they liked where the Whole Food was, or they liked shopping at that place.

And the saddest part is, Jessica, and we always mock it because we always read, you know, African-Americans and women hardest hit, but in this case - -

PIRRO: They are.

WATTERS: -- it's true. It's all of these inner city dining establishments and shopping establishments that are just vanishing into thin air.

TARLOV: Is there a Taco Bell that was open in Iraq during the war?

WATTERS: Yes.

TARLOV: Are you going to fact-check that?

WATTERS: I just looked it up.

GUTFELD: It was in the Independent.

WATTERS: And so far, it hasn't been retracted.

PERINO: All right, ahead, better slow down because your car may be spying on you.

(COMMERCIAL BREAK)

TARLOV: A new report claims that your car could be spying on you. Big manufacturers are allegedly secretly selling drivers' data to insurance companies who then use that information to jack up the rates on your bill. They can track how fast you're going, how hard you pump the brakes, and if you accelerate suddenly. Some drivers found their insurance rates doubled. Carmakers say they have permission from drivers to collect data, but I'm not really sure that anyone reads the fine print on that one.

Judge, what do you think about this?

PIRRO: I think no one is going to be buying a car for General Motors, KIA, Subaru, Mitsubishi. The whole thing is they gather information not if you're committing a crime necessarily or speeding or anything else, but if you drive fast or if you hit the brakes too often. They sell it to the insurance company, then the insurance company hikes your insurance rates. So, chances of me driving a GM or Kia or Subaru is slim to none.

And I get it. We live in a digital world. Everybody knows everything. And you know what? I got to tell you, I wish I were a prosecutor today. Between cameras and this digital information and everybody knows what everybody else is doing, I mean, just turn on the video and send the jury out for the verdict of conviction.

TARLOV: You know, this doesn't -- it doesn't surprise me I guess because of what the Judge was saying. I have no expectation of privacy with anything.

PERINO: No. I mean, when I'm scrolling on Instagram and every night I'm like oh, that looks cute. And I bought -- I know that -- like, how did that get to me? Well, because last night when I was scrolling and going through whatever I bought that night said hey, there's a sucker over there on 57th Street. You might want to see if she wants to buy this and then I'm doing it.

So, I think that we are conditioned to be a little bit more comfortable with it. Data is king. Data is very valuable. Data is what's being sold. I blame Biden.

WATTERS: Good answer, Dana.

PERINO: Thank you.

PIRRO: Yes.

TARLOV: Would you like to add to her answer?

WATTERS: Oh, I'm going to add.

TARLOV: Pat it a little.

WATTERS: Oh, I'm going to pat big time. So, I generally now drive slow because I read a book about how driving slow was classier. And people without class drive fast.

PIRRO: Thank you.

WATTERS: This is not personal. I'm sure you had somewhere to go. But now, occasionally when I'm just with Jesse Junior in my car, he'll ask me to go fast. And if there's really no cops around and I'm in a little spot, I'll just gun it to about a 100 just so he gets a little thrill.

PERINO: That's not true.

WATTERS: And now, I know that they're going to sell that to the insurance company, so I haven't been driving dangerously, I've just been showing my son a good time. There's a difference between dangerous driving --

TARLOV: Would that be your defense?

WATTERS: -- and giving my son a thrill.

PIRRO: What?

PERINO: Do you think your mom is calling you right now?

PIRRO: Emma is calling him right now.

TARLOV: Greg?

GUTFELD: Well, this is why I wear a disguise when I drive my E.V. Bentley. I put on a big I put on a big mustache, floppy hair. No, I looked at the -- it's amazing -- OK, so they take into account speeding, hard-breaking, sharp accelerations. This is an attack on men. Exactly. This is the --

TARLOV: No, no, no.

GUTFELD: This is misandrist..

PIRRO: Do you drive like that?

GUTFELD: It's misandrist. By the way, 640 -- this guy, it went it went over 640 of his trips, right? And it could tell you like you drove 7.33 miles in 18 minutes, and it'll say you have two incidents of hard-breaking. The only thing missing is if you picked your nose or not.

It's true though. You know what it is? It's not whether it's good or it's bad, it's just inevitable. We have to embrace the idea that we've lost our privacy. But we have to look at it as mutually assured destruction. Like, you know my dirty laundry, I know your dirty laundry. All virtue signaling now is going to be vice signaling which I've been doing for 20 years.

But just like let everybody know the things you do that are bad and you're no -- like, privacy is no longer a problem for me. You guys know my intestinal habits.

WATTERS: No, I do not want to know that. No one wants to know that. We want secrets, Greg. We want private lives.

PERINO: But this is like -- this is -- this is like the TikTok debate though, right?

PIRRO: Yes.

PERINO: Trying to get to know everything about us but we don't get to know anything about them. That isn't fair.

GUTFELD: It isn't fair.

PERINO: I really want to know about them.

GUTFELD: Invade China?

PIRRO: But think about it. The CCP can buy the data from GM.

PERINO: I bet they did.

TARLOV: Up next, it's Greg's other dream besides all of us having no privacy or worst nightmare. Hundreds of toilet paper rolls clogging up a highway in California.

(COMMERCIAL BREAK)

WATTERS: Welcome back to the show where Jessica's apologized once and I haven't yet. Here's more proof that Liberal California is just one big public restroom. A truck dumping hundreds of toilet paper rolls and clogging up a highway, caused traffic to be backed up. Cops eventually had to flush away the rolls. The T.P. spill might have been better suited for the streets of San Francisco where nearly half of the sidewalks have feces.

Greg, we'll go to you first.

GUTFELD: You know, this is a story I won't care about until I'm sitting on a toilet and realize there's no toilet paper. Isn't it the worst? And then you go through your -- the list of things within arm's reach that you can use.

PERINO: Oh, no.

GUTFELD: This is why -- this is why I keep a copy of Jesse Watters's book always by the plunger. You just pick it up, you tear out a page, you tear out a page, tear in half. Don't you like -- what do you have in your bathroom in case? Do you have any emergency thing?

WATTERS: I just yell for my wife.

GUTFELD: Yes.

WATTERS: Honey!

GUTFELD: But what if she's not home?

PERINO: Really?

WATTERS: I yell for someone else in the house. There's got to be someone.

GUTFELD: What if you're alone like me?

WATTERS: I don't do hypotheticals. That's How I Save The World comes in handy. Dana?

PERINO: I was just going to say I blame Biden because I couldn't think of anything else. I don't know.

WATTERS: Hey, nothing to be ashamed of, Dana.

PERINO: Thank you.

TARLOV: It's a really valid talking point.

PERINO: I'm working on it. Sometimes Tuesdays are hard for me.

TARLOV: I always want to know what brand of toilet paper. Everything is.

PERINO: I hope it's that one brand that I can't stand.

TARLOV: Scott?

PERINO: Scott is the worst.

WATTERS: It's the cheapest.

TARLOV: That's just -- it's like not wiping at all.

PIRRO: Oh.

TARLOV: No, I'm talking about --

PERINO: It's the worst.

TARLOV: It's not even --

WATTERS: Well, you're on a roll today, Jessica.

GUTFELD: Oh, nicely done.

WATTERS: I tried.

TARLOV: Oh, I get it.

WATTERS: Judge?

PIRRO: All the toilet paper in the world won't clean up the crap in California.

PERINO: Nice.

WATTERS: All right.

TARLOV: All right, guys.

WATTERS: When is it a day by the way?

GUTFELD: Oh, come on.

WATTERS: We got to go to commercial. "ONE MORE THING: is up next.

(COMMERCIAL BREAK)

GUTFELD: OMT. I'll go first. OK, what -- tonight 10:00 p.m. Emily Compagno, Hotep Jesus, Kat Timpf, and Joe Machi. Now, I don't do this often. Bad news. A music legend Eric Carmen passed away yesterday. He died in his sleep at the age of 74. His wife Amy announced it on his website. I loved the Raspberries. I love Eric Carmen. Of course, you know him for his most famous song, All By Myself. But he wrote some amazing songs. One of my favorites go all the way.

I interviewed him a couple of years ago on The One. And I retweeted it last night so you can find it on my X posting. I once asked Carmen what's the best way to learn guitar and he said it's easy, I first learned to play piano.

PERINO: Oh.

GUTFELD: Yes.

WATTERS: Even easier.

GUTFELD: But he will be missed. He was a brilliant, brilliant guy. Anyway, Dana.

PERINO: So, this happened to Greg and his mom when he was little, and then it happened to these ducks down in Florida. I just want to show you they slip through -- see the little ducklings? They slipped through the grate. And then, so the firemen had to come out and get all the little ducks and return them to the mother, just like when Greg slipped through on accident and they helped him get back to his mom.

GUTFELD: That was unnecessary to pull me into your sick little tale. All right, Jessica, are you going to apologize for your "ONE MORE THING?"

TARLOV: No. My "ONE MORE THING" is fine. And I did -- I'm not even using the you go girl next because I know it irritates everyone now. It shouldn't be overused. But you go girl. It's National Working Mom's Day. I didn't know they were going to do that. It's very cute.

This day recognizes hardworking mothers, founded in 1983 by the American Businesswomen's Association to highlight the need for support systems that allow women to excel in both their professional and personal lives.

PERINO: I think all moms work.

GUTFELD: I don't think they need to go to an office to be considered working, Jessica.

TARLOV: I didn't say that.

PERINO: Yes, indeed. Apologize.

TARLOV: How do you make this a bad thing? Whatever -- I think being a stay- at-mom is the hardest job in the world. I genuinely think that. I'm not even pandering to the audience.

PIRRO: I think that we should have -- we should have a day for all women.

TARLOV: We do.

PIRRO: Whatever their choices are.

TARLOV: The International Women's Day was last week.

WATTERS: And it's called Valentine's Day.

PIRRO: Yes. Well, it depends. Anyway, OK, have you ever been on the fourth hole and had this happen to you? OK, that's hundreds of kangaroos interrupting a golf game in Australia. And they pound in the -- in the sand. And apparently, they pounded a ball in the sand. See right there? And they weren't very happy. And that's the end of it.

PERINO: You've had some good "ONE MORE THINGS" lately.

TARLOV: Good animal ones..

GUTFELD: So, that's the fourth hole. Got it?

PIRRO: Yes.

GUTFELD: Jesse?

WATTERS: Well, Greg, it's not often that I'm discouraged but as many of you know, my book is coming out in one week exactly.

PIRRO: It is?

GUTFELD: Get It Together on the 19th. I was just told someone else has a book coming out on the 19th and they're going to be competing against me, and I'm a little concerned. Guess who has a book dropping the same day as I do?

GUTFELD: Kilmeade?

WATTERS: No.

PIRRO: Who?

WATTERS: The Pope.

PIRRO: Oh.

WATTERS: I'm up against the Pope, people.

(CROSSTALK)

PIRRO: Different demographics.

PERINO: Yes, you're more popular than the Pope.

WATTERS: Are you serious? He has fans in Africa, South America, Australia, Europe.

GUTFELD: And you know who wrote the foreword? God.

WATTERS: Oh, God.

PIRRO: Oh.

GUTFELD: That's it for us. Have a great night.

PIRRO: God wrote the foreword.

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