

# [***SCOTUS Rules Trump Can Remain On Colorado Ballot***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BGG-2V31-F072-X4H0-00000-00&context=1516831)

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**Guests:** Vivek Ramaswamy, Jordan Sekulow, Mike Huckabee, Matt Gaetz, Stephen Miller

**Body**

SEAN HANNITY, FOX NEWS HOST: And welcome to "Hannity".

And this is a FOX News alert. It is 9:00 p.m. on the East Coast, 6:00 p.m. on the West Coast, and we are awaiting the results of the GOP caucuses in North Dakota, where the polls are now officially all closed. We'll continue to monitor and update you throughout the evening.

And, of course, Super Tuesday is tomorrow. And these are the state that will be voting tomorrow -- Alabama, Alaska, Arkansas, California, Colorado, Maine, Massachusetts, Minnesota, North Carolina, Oklahoma, Tennessee, Texas, Utah, Vermont and Virginia. There'll be a test after the show.

But, first, former President Donald Trump scored a major victory today when the U.S. Supreme Court unanimously reversed that ruling that barred him from appearing on the Colorado ballot ahead of tomorrow's primary. Now saying in the majority opinion, quote, states have no power under the Constitution to enforce Section 3 with respect to federal offices, especially the presidency.

President Trump reacted to this decision on Truth Social, calling it a big win for America, and he's right. Based on the oral arguments, the decision is not a surprise. This should have been and was a slam dunk case, and while they issued a concurring opinion, even the three liberal justices, they sided with Trump.

Now, today's decision has ramifications well beyond just Colorado. Remember, a judge in Cook County in Illinois ruled that Trump was ineligible for the state's primary ballot just last week and, of course, in the state of Maine, they have a leftist secretary of state unilaterally decided to remove him from the ballot in that state without any legal proceedings. But today's decision from the Supreme Court, well, quote, no pun intended, it trumps those rulings and states had no business with this issue in the first place and even the courts well liberal justices agreed.

Now, this would have created nothing but complete chaos in color, if Colorado had done this and gotten away with this. And again, it was a slam dunk but what's extremely alarming is the left's reaction. Let's take a look at their collective meltdown today following this 9-0 decision. Watch.

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: The Supreme Court handed Trump a second gift in as many weeks on a constitutional technicality.

UNIDENTIFIED MALE: There are a lot of Americans out there, they're just -- their blood is boiling over what Donald Trump did on January, what he did leading up to January and they -- they just think that he's just getting let off the hook scot-free left and right.

UNIDENTIFIED MALE: The Supreme Court has just said it's up to Congress. So what have they done? Well, they've put it in the capable hands of folks like Jim Jordan, James Comer, Marjorie Taylor Greene, Matt Gaetz and others.

UNIDENTIFIED FEMALE: I'm glad we're a nation of the rule of law and the highest court in the United States has ruled on this, and that is important, right? We are still right now effectively a democracy. But in the court of public opinion, Trump will take this, spin it, spread the misinformation, disinformation on it.

JEN GRISWOLD, COLORADO SECRETARY OF STATE: I think the Supreme Court has issued bad decisions on democracy.

UNIDENTIFIED MALE: And here we have in this context, right, a hesitance, that's a reticence, a refusal to hold this man accountable.

UNIDENTIFIED FEMALE: Unfortunately, for America, the court isn't necessarily wrong that this is the way the framers wanted it to be.

UNIDENTIFIED FEMALE: I had far too much hope that the court would be united in this and not overstep in favor of Donald Trump. And I think what we saw was a court were justices that behaved in a partisan manner.

(END VIDEO CLIP)

HANNITY: Now in the majority opinion, the justices did acknowledge that a disqualification for, quote, in insurrection can occur but only when Congress enacts necessary legislation. And, of course, some House Democrats, well, predictably, immediately floated the idea. Here's what the radical Democrat socialist Jamie Raskin had to say. Watch.

(BEGIN VIDEO CLIP)

REP. JAMIE RASKIN (D-MD): The Supreme Court punted and said it's up to Congress to act and so -- I am working with a number of my colleagues, including Debbie Wasserman Schultz and Eric Swalwell to revive legislation that we had to set up a process by which we could determine that someone who committed insurrection is disqualified by Section 3 of the 14th Amendment, and the House of Representatives already impeached Donald Trump for participating in insurrection by inciting it. So the House has already pronounced upon that.

(END VIDEO CLIP)

HANNITY: This is just another pathetic, desperate ploy from the left to interfere in the election and take Trump down by any means necessary.

It is important to note, must -- we must all remember, with all the legal hurdles that they have thrown at Donald Trump, the former president, he's never even been charged with insurrection, which has a criminal statute. You want the specifics? It is Title 18 U.S. Code 2383 that reads: Whoever incites, sets on foot, assists or engages in any rebellion or insurrection against the authority of the United States or the laws thereof, or gives aid and comfort thereto shall be fined under this title or imprison not more than years or both and shall be incapable of holding any office under the United States.

That simply means that even Joe Biden's weaponized DOJ, they didn't even charge him, never mind convict him with all of this, likely knowing that they never get a conviction. But thankfully today, the Supreme Court issued the correct decision and preserved the integrity of the Republican primary process.

Now it's been a very busy few days in the court system. Well, earlier today also, the Supreme Court put the new Texas immigration law on hold until March 13th. And on Friday, a federal appeals court panel ruled that some January defendants had their sentences improperly lengthened.

All right. A lot of news today. Here with the first reaction, FOX News contributor Jonathan Turley.

Not a surprise. Are you surprised -- well, you have a lot of friends in the Democratic Party. I think you're still officially a Democrat. Are you surprised at the reaction because, it seems that for any reason, they don't care whether it's legal or not, they will use whatever means necessary to take out Donald Trump. And that should be the real threat to democracy in my view.

I was not surprised by the reaction for months. You've had networks and newspapers building this up as what some called an unassailable theory, that the only way that he would not be disqualified is if the Republicans on the Supreme Court protected him and acted like ideological robots. That whole narrative was shattered in oral argument and again today with unanimous decision.

And I think a lot of people were not quite sure how to spin out of that because they couldn't just say, oh, well, look it's just the six conservatives again. I think that the real winner here is not Donald Trump but rather it's -- the United States Supreme Court and ultimately the American people.

The court was designed for this moment. This was what the framers hoped what would happen. They wanted the to be able to transcend the ***politics*** of the moment, to be able to rise above that and to point citizens to a horizon, a constitutional horizon that unites them all.

And they did that. They said that this is not what the Constitution means. And if we go down this road, it's going to add a gross instability to the country and what you see with Representative Raskin and others is that you see this contrast where the court says we don't want chaos, and that what's the response from Representative Raskin -- well, then we'll try another way to bring chaos. We'll try to do this in Congress, which will never succeed.

HANNITY: Yeah, and it was also brought up -- what -- if it happens to a Republican in this case, what would stop Republicans from just declaring maybe one -- one elected official declaring, oh this Democrats ineligible for this reason or that reason. I don't think there would be any end to it, and the result would be obvious is chaos, which I think would in itself be a threat to democracy if I want to quote the left. You -- would you agree with that?

JONATHAN TURLEY, FOX NEWS CONTRIBUTOR: Absolutely. And these are really sort of constitutional short sellers, you know? They -- they go for these easy kills. They go for these impulse moves, and there's very little consideration of what this implicates for the future but also what it suggests for this country.

We have something that is really precious in this country. We have the most successful longest standing, most stable democratic system in history and yet people were playing with it here. They were trying to game it, to change it so that they could do this what I've called ballot cleansing.

And the court put a stop to it today. It won't necessarily be the last such effort but they stop them today.

HANNITY: Yeah. All right. Jonathan Turley, as always, thank you.

Now, also earlier today, former President Trump, he did call into my radio show to react to today's ruling. Here's part of what he said.

(BEGIN AUDIO CLIP)

DONALD TRUMP, FORMER U.S. PRESIDENT & 2024 PRESIDENTIAL CANDIDATE: It was a great decision. We're very honored by it and it basically said you have to win by getting the votes as opposed to some other way. And that's really what we wanted and it was a very powerful decision, very well-crafted and very well-respected, I must say.

(END AUDIO CLIP)

HANNITY: All right. Here with more on today's Supreme Court ruling, former presidential candidate Vivek Ramaswamy is with us.

Let's get your initial reaction, sir.

VIVEK RAMASWAMY (R), FORMER PRESIDENTIAL CANDIDATE: Look, this is a case about national unity and I think the Supreme Court absolutely ruled in the right way. Answering the question really, are we one nation or not? The Supreme Court held yes because the heart of the decision was about whether we can have a patchwork framework where certain states decide who's on the ballot, other states decides a different person's on the ballot for U.S. president. That doesn't work if we're one nation.

So that's what this case was really about. I thought President Trump did a great job in that press conference and that discussion he held afterwards, speaking about national unity. I think that's the heart of this case. I was with president Trump earlier today, and I do think that this is not just about President Trump, but about the future unity of our country itself and the Supreme Court 9-0 came down on the right side of that question.

And I do think that's a step forward, Sean. I don't think this should have ever gone to the Supreme Court, but the fact that it is shows how far we've fallen. But at the same time, the fact that they came out on the right side of it unanimously is a good step for this country.

HANNITY: What did you make in the concurring opinions of the three liberal justices and also that of Amy Coney Barrett who said the court has settled a politically charged issue in the volatile season of a presidential election, quote, particularly in this circumstance, writings on the court should turn the national temperature down, not up. For present purposes, our differences are far less important than unanimity -- unanimity in this case. All nine justices agree that the out -- on the outcome of this case. That is the message Americans should take home.

That was a pretty -- usually, justices will not acknowledge political circumstances surrounding a particular case. She did go there. Your reaction to that?

RAMASWAMY: I think Amy Coney Barrett's actual one-page concurrence was useful. Now, if you want to go a later deeper, Sean, and you're asking about this, what do I see in that concurrence? What you actually see is they said, okay, the states can't do this, but the federal government could do it even actors in the federal government outside of Congress.

So you want to read the subtext of this. What I think is happening is the court is buying themselves some political latitude to say, there's going to be other Trump-related cases that come before the Supreme Court now. So what you see from the liberal justices is saying that three of them did swing over for a 9-0 unanimous ruling here, but they say other actors in the federal government even outside of Congress could have had that authority anyway. I think they're buying themselves some leash for going in a different direction in some of those other cases, including the president presidential immunity case now making its way up to the Supreme Court next month as well.

So, that's what I think is actually going on. And the Roberts court in particular, more than any court in modern history, Sean, is really concerned with perceptions of its institutional legitimacy. So while I do think today was an outstanding outcome, it was the right outcome for justice and for this country and for national unity, 9-0, I think that that does that dissent -- it wasn't a dissent, it was a concurrence by the three liberal justices, plants the seeds for them potentially going a different way in future cases that are coming down the pike.

HANNITY: How dangerous -- Democrats as a part of their strategy I think they'll talk about January 6 and Trump, Trump, Trump is evil. Abortion and the obvious book that they always use, the Democratic Party, Republicans are racist and sexist and homophobic and the list goes on, I mentioned it many, many times.

But when you -- when you actually look at the heart of this, how would -- what would -- how would this -- what would the result be if in fact we have one politician having the power to just unilaterally for whatever reason declare a candidate ineligible to be on a ballot? What are the long-term consequences of this?

RAMASWAMY: The long-term consequence is undoing what we set this country into motion in in 1776, that's a monarchy, not a democracy, where one autocrat, one monarch, one individual gets to decide who the people can and cannot elect.

And 250 years ago, Sean, we have our Founding Fathers who fought a revolution to say that for better or worse, we the people decide who governs. We the people settle our differences at the ballot box, able to vote for whoever we want, where every person has a voice and a vote in that democratic process. If America means anything, that's what it was founded on.

That is what makes America great. That is what makes America itself. So what is at stake you ask?

HANNITY: Yeah.

RAMASWAMY: I think it is our national identity itself. That is who we are. That's where the Supreme Court came down on the right side of today. And I think President Trump gave one of I think the great speeches we've seen in a long time, solidifying that decision with the right tenor to say that this isn't about him, this is about the future unity of our country. That's what's at stake and I think that's where the Supreme Court came down today.

HANNITY: Imagine one elected official can declare somebody guilty of insurrection, a charge that was never even made against President Trump, let alone a conviction. Pretty scary scenario in my view.

Vivek Ramaswamy, thank you as always. Now, the Colorado ballot dispute is not the only case that President Trump has now before the Supreme Court. They also agreed last week to hear arguments on the issue of presidential immunity in his D.C. case.

Here now with more, executive director of the American Center for Law and Justice, Jordan Sekulow is with us. They represented, by the way, the Republican Party of Colorado in the ballot case, former Harvard Law professor Alan Dershowitz is with us, and FOX News legal analyst Gregg Jarrett.

Jordan, let me start with you. First, you were involved. The ACLJ was involved in this issue representing the Republican Party of Colorado. I did sense that a lot of the arguments you put forward were actually considered by justices. That was my take. Your reaction?

JORDAN SEKULOW, AMERICAN CNETER FOR LAW & JUSTICE EXECUTIVE EDITOR: Yeah, we actually have a side-by-side that we put up today on our broadcast you can see our brief and then see the joy the opinion today and he kind of language use, and I'm not saying that the justices took it verbatim. But I would -- I'd be pretty excited about -- what our ACLJ team, our legal team put together on this case.

And I think what Justice Barrett summed it up right, all that Americans need to take away as you said, Sean, is that all nine justices agree that this is the wrong process, and that's it. On this -- on this matter, that states -- secretaries of states and random officials at the state level should have no role in deciding, I -- what presidential candidates on the ballot.

Let's not forget it was not just Democrats but plenty of RINO Republicans who took the same position as those Democrats who wanted to remove President Trump from the ballot this way, and the Supreme Court told them, even three liberal members of the Supreme Court, no, you can't do this nine to zero.

Now, on to immunity. We've done those cases. We did those cases when the president was in office and you remember Adam Schiff was obsessed with getting his tax returns. It's all going to come down to that question presented.

And I said, you know, Jack Smith, that may have been his biggest problem with this whole issue is the question presented that was written by the court, Sean, which says, let's look at actual official acts of the president and whether or not official acts of the president are those acts then immune from prosecution. And I could see how this case gets a decision at the Supreme Court, Sean, and then has to get be sent down all the way back to a district court to decide official versus unofficial acts.

And again, this not affecting President Trump in his reelection efforts.

HANNITY: Professor Dershowitz, on the issue of immunity, all of us agreed that the court had an obligation to take that case up, but I know, Gregg, yourself, I felt the same way. I wasn't sure that they would. Rightly, they did take that issue up.

How do you see the arguments falling in that case?

ALAN DERSHOWITZ, FOX NEWS CONTRIBUTOR: Well, as you know, I predicted the outcome of this case exactly how the court would decide nine to nothing using the fifth section of the 14th Amendment.

On the issue of immunity, I'm going to make a prediction here, too. I think both sides argue too broadly. I think Trump was wrong to have his lawyers say that if a president orders the SEALs to kill his opponent, he can be immunized unless he gets impeached first. That went too far. The answer should have been, of course, not, now let me explain.

But I also think the lower court went way too far by having no immunity whatsoever and saying that whatever a president may have had immunity while in office, he loses that once he leaves office.

I hope and I suspect that the court granted certain in this case in order to come out with a nuanced decision that focuses on precisely what are presidential acts. And if they're within the scope of presidential acts, then they have to go beyond the presidency itself.

Let me give you an example. President Eisenhower in 1954 sends troops down to implement Brown versus Board of Education. One of the children or one of the police officers killed, and the new president coming in, a Democrat, years later wants to indict Eisenhower for having done that, even though it was in his presidential authority. I think we would all agree that there has to be some immunity and we would all agree that he can't have total immunity for everything he did as a politician or as an individual.

So I think the Supreme Court hopefully will come out with a nuanced decision that will give guidance to the lower courts as to when immunity is applicable, when it's not applicable. We can bring the country together on this issue as well instead of simply having extreme views on both sides.

HANNITY: You know, I actually concur with what you just said. And I think, Gregg, what Professor Dershowitz is saying is that the argument of absolute immunity probably is too broad and a more nuanced judgment of the court I think would probably be more appropriate in this case and maybe even the better argument for the -- for the court. Your take?

GREGG JARRETT, FOX NEWS LEGAL ANALYST: Well, I think the Supreme Court looked at the circuit court decision and said, hey, you went way too far. You're dismissing any notion of immunity even if a president acts consistent with his duties. That is absurd logically, and it's inconsistent by the way -- and this is the important part -- with the Supreme Court president four decades ago, that a president does have absolute immunity from civil lawsuits as long as his actions fall within the outer perimeter of his official acts.

Well, you know, Sean, the exact same reasoning applies to criminal prosecutions. If it's otherwise, my goodness, the chilling effect on presidential decision-making would trigger paralysis instead of a chief executive. America would be ruled by a committee of lawyers, they'd be afraid to do anything out of fear of future prosecution.

HANNITY: Gregg, let me ask you this with a more nuanced version versus the argument of absolute immunity maybe be of course you have freedom of speech but you can't yell fire in a crowded building? Would that be -- would there be an analogy there?

JARRETT: Yes.

HANNITY: And you would expect the court to do that?

(CROSSTALK)

JARRETT: And Jordan -- Jordan said this as well, I suspect the current justices will extend the existing immunity standard in civil actions to criminal cases, and then remand the Trump case back to the trial court to decide whether Trump's acts are covered as official acts. And I think he has a very good argument that they are if he believed there was election fraud, even a mistaken belief. He has a sworn duty to enforce all laws and receives protection.

HANNITY: Professor, real quick, you wanted to --

DERSHOWITZ: But it won't be unanimous. It won't be unanimous this time.

HANNTY: It won't be, I agree.

DERSHOWITZ: This will be a divided opinion.

SEKULOW: Probably not.

DERSHOWITZ: And I suspect it will be to 6-3.

HANNITY: I suspect you're probably right, too. You're so far 1-0. So let's see if your record holds.

Thank you all for being with us. Appreciate it. Great analysis.

All right. A new batch of bad polls for Joe Biden. It should make every single Democrat a little bit terrified tonight. We'll check in with Charlie Hurt. Mike Huckabee as we continue. Thank you for being with us.

(COMMERCIAL BREAK)

HANNITY: And this is a FOX News alert. The "A.P." has just called the North Dakota Republican caucuses for former President Donald Trump who beats Nikki Haley on the eve of Super Tuesday.

Now, meanwhile, several new 2024 election polls were just released. And long story short, former President Donald Trump beating Joe Biden in all of them. But if you really dig deep into the numbers, you will see that Joe Biden has a lot to worry about tonight, just 240 days away from November 5th. "The New York Times"/Siena poll, 10 percent of 2020 Biden voters now say they'll be backing Donald Trump.

In that same poll, 40 percent say Trump's policies helped them. Forty-three percent of respondents say Joe Biden's policies have hurt them. The CBS poll had an interesting question, how is the economy under Donald Trump? Sixty-five percent said good. Right now, under Joe Biden, 60 percent say it's bad.

"The Wall Street Journal" and their poll -- well, it's just the latest one to find immigration as the top issue for voters this year, and that's obviously not good for Joe Biden.

Meanwhile, our very own FOX News poll finds that Trump is enjoying huge amounts of support from voters that he hasn't done well with in the past. Trump earns 28 percent of the African-American vote, 51 percent of majority -- 51 percent majority among voters under the age of 30, young people. They tend to vote more Democratic.

Forty-eight percent support with Hispanic Americans. Forty-three percent support with suburban women. Plus, even 8 percent from Democrats.

If these numbers hold, if half of them hold, Joe Biden would be in serious trouble in 245 days.

Here with reaction, FOX News contributor Charlie Hurt, former Arkansas Governor Mike Huckabee is with us.

Governor, let me start with you.

Let's go to the CBS poll. A few things really stand out in this poll for me. Number one, Trump actually tops the 50 percent threshold, 52-48. How is the economy under Trump? Sixty-five percent say good. How is it now? 60 percent say bad.

Wow, don't people still vote peace and prosperity? Aren't they the two biggest factors in pretty much every presidential election?

MIKE HUCKABEE (R), FORMER ARKANSAS GOVERNOR: Well, what we seeing as something the best way to describe it it's a circling in the drain that hasn't been seen since Alfred Hitchcock's shower scene in psycho. It -- there's just nothing like this. It's -- it's unbelievable to think that Joe Biden is collapsing before our eyes among the very groups that normally would be his safe space.

But when people say, and this was the most interesting question that I heard in the poll, that his policies have actually hurt them, you start thinking only a political masochist would go vote for Joe Biden because they admit his policies are hurting me. They're not just being neutral and not helping, they're hurting me. Why would you vote for someone who hurt you? That's just bizarre.

HANNITY: You know, let me ask you. We saw last week, Charlie Hurt, 38 percent approval rating for Joe Biden, 86 percent think he's too old to do the job. I don't think it's really age. I think people now have come around to what we've been pointing out and that is the obvious cognitive decline. There has been a significant decline since I first started talking about it before the 2020 election.

CHARLIE HURT, FOX NEWS CONTRIBUTOR: Yeah, yeah. I think actually Democrats in the White House would rather talk about his health and talk about his cognitive decline because it's so much better than actually talking about the issues. The issues are so much worse for him in terms of what the American people are feeling and it's also I think makes it very clear as to why Democrats put all their eggs in this basket of trying to go to the Supreme Court, to try to put Donald Trump in jail or to bankrupt his family, do whatever they can to destroy him because if that -- if they can't do -- you know, they can't win on the issues because on the issues, on everything, across the board, whether it's the economy, whether it's immigration, whether it's crime, all -- on all of these issues, voters prefer the policies of Donald Trump.

And in the case of immigration, Donald Trump is the only politician who's ever come along and made this the issue that he made it and it turns out, he's -- he -- you know, the majority of Democrats agree with him, you know, Democrat voters rather, agree with him on this issue and -- and it's, you know, it's going to wind up being the probably the number one issue going into November, and you've got -- and Republicans have the best guy possible prosecuting the case.

HANNITY: Let me go back to the polls here. If we look at the FOX News poll in terms of Joe Biden, that 58 percent say he has mostly failed when it comes to helping the working class in the country; 61 percent mostly failed the U.S. image abroad -- in terms of the world.

His handling of the economy; 61 percent mostly failed. Making the country safer, 63 percent say he mostly failed. Unifying the country, 69 percent say he mostly failed. Improving border security, 71 percent saying he's mostly failed, Governor Huckabee.

If anybody's running for office and those are the numbers on the very specific issues of our time, how does somebody recover from that in 245 days?

HUCKABEE: Well, I'm not sure he can. I mean, this is a case where the candy bar in the pool in Caddyshack turns out not to be a candy bar after all, and people are beginning to realize it.

And I'm just convinced that there's a whole lot of Americans who voted for Joe Biden before who cannot bring themselves to do it again, because they - - they look at their lives, they look at their paychecks, they look at what it cost to buy a hamburger and fries, they look at what it cost to fill up their car with gas and they just say, why would I do this to my family? I love my family. And even if I don't like Donald Trump and I kind of like Joe Biden, I'm not sure why, but let's say that just on a personality basis, that's where they land, they ultimately have to say, I've got to vote for my family, not for some tradition and not for a party. I got to vote for what's best for the people I love the most.

HANNITY: All right. We'll give you the last word, Charlie Hurt.

HURT: You know, I think it's interesting. I -- you know, I don't think this election is going to turn on foreign policy this year, but I do think it's interesting that Joe Biden has been in Washington for 50 years. He is an expert on foreign policy and look at all of the catastrophes that he has spawned around the world under his watch, and he can be blamed for all of them.

HANNITY: All right. We appreciate it. Thank you, Charlie. Thank you, Governor. We appreciate you both being with us.

When we come back, Florida Congressman Matt Gaetz will join us to discuss his heated exchange with Hunter Biden during his deposition last week.

And wait until you hear what California is doing in terms of benefits for illegal immigrants in that sanctuary state. That's all straight ahead.

(COMMERCIAL BREAK)

HANNITY: All right. So in the transcript of Hunter Biden's deposition before the House impeachment inquiry was released, one thing that stood out right away was his interactions with Florida Congressman Matt Gaetz who questioned Hunter about his drug use which prompted a healthy dose of feign outrage from Hunter as you see there on your screen, with Hunter replying to Gaetz, quote, of all the people sitting around this table, do you think that's appropriate to ask me?

And this later exchange didn't get much coverage but take a look, Hunter says to Gaetz, quote, I contemplate that one day you and I are going to be great friends. Is that ever going to happen, Mr. Gaetz? I don't think so. Gaetz responded saying, hope springs eternal, Mr. Biden.

And now according to Miranda Devine at "The New York Post", a Chinese CEFC employee who allegedly paid Hunter $1 million for a legal retainer is now saying he's going to sue in seven days if he doesn't get the money back. Why? Because Hunter he says never did any legal work for him at all.

Here with reaction is Florida Congressman Matt Gaetz.

What I found particularly interesting about the exchange, remember, he was saying that he was either drunk or high, but definitely out of his mind as it relates to the WhatsApp message, the one where he says, oh, I'm sitting here with my father and then threatening the CEFC executive, days later, according to James Comer, millions of dollars goes to one of the bank accounts they have.

He doesn't remember sending that message. He doesn't remember even if he sent that message, but he knows with percent certainty that the message that they did send and that we now know about that his father wasn't there.

Now, if he doesn't remember anything else about it, doesn't remember sending it, says he was out of his mind, high on drugs or drunk, how could he possibly remember the fact about his father not being there?

REP. MATT GAETZ (R-FL): Yeah, isn't it convenient that all Hunter Biden seems to remember is that he was high and not with Joe Biden. There's something very revealing about Hunter Biden's testimony though. Whenever he's getting paid, he suggests that he's a brilliant lawyer, a financial wizard, a man about Washington.

But whenever he's demanding payment and that's where you see the references to Joe Biden, the shakedowns, the threats, well, then he can't be responsible for his actions because he's just a drug addled fool.

And so I wanted to drill into precisely when Joe -- or Joe Biden, Hunter Biden were using this drug-induced defense for really what is a bribe that is dressed up in drag and masquerading around as a business transaction. And the fact that the Chinese are now saying this wasn't a business transaction, there was no work done, that only reinforces the concept that this was a bribe the whole time.

HANNITY: All right. So we're supposed to believe that hunter who went on "Good Morning America" admitted he had no experience in energy, oil, gas at all, or any experience in Ukraine. He's doing these big energy deals with Burisma out of Ukraine and the CEFC, the oil conglomerate out of China -- now at a time when he's also addicted to drugs by his own admission.

Can you explain to me how dangerous that would be for national security? Because I would imagine that, especially the communist Chinese or Russian oligarchs he did business with would likely have a dossier on him that could be very compromising.

GAETZ: Well, this was all about leverage to the Chinese, to the Ukrainians. And here's what's so fascinating -- when we asked Hunter Biden, well, since you knew nothing about energy, why were you getting paid a million bucks a year to be on the Burisma board? And he said, well, I was -- I was an expert at compliance and oversight, and I was there to make sure the company was sufficiently transparent.

And so my brilliant colleague, Harriet Hageman of Wyoming, she said, well, if what were in charge of was transparency and oversight, were you ever transparent enough to share with the people who you sat in fiduciary for that you were on drugs, that you were high, that you weren't doing that job? And, of course, then, you know, Hunter Biden got very pious and suggested that it was rude to ask anyone afflicted with addiction these questions.

Remember, Hunter Biden is not a fool. He's a crook and those crimes inures to the benefit of many members of the Biden family. I believe a bribe is consummated if family members are paid off. I believe that should be the standard for impeachment, and I believe it's why we should send a criminal referral to the Justice Department for these things because remember, Sean, the statute of limitations on a lot of this hasn't run.

If we send a criminal referral now, that will be a live bullet that the Trump Justice Department can chamber and discharge in order to get justice for the crimes of the Biden family, notably Hunter.

HANNITY: Were you able to find any specific services rendered, for example, anything that he might have written, to any of these companies that were paying him millions. Have you found any examples of any services, according to James Comer, 10 Biden family members were paid money. Maybe -- do we know what the grandchildren did for their cut?

GAETZ: No, there -- there is no real uh deliverable here. And in fact, you continue to see these foreigners providing the money say you know being very vague and opaque about it. This was about getting money into the hands of people that could do the bidding of folks far away from this country at the expense of our country.

Remember, people don't pay bribes to not get something in return. In this case, what the Chinese got in return is that all of the Trump policies that targeted Chinese influence and malign activity, those were abolished. The China initiative was abolished day one in the Joe Biden presidency.

So, Hunter took the money and then Joe delivered on the promises so that the Chinese were paid off and the Americans were left in the lurch.

HANNITY: Is it true? Have you confirmed that in December of 2015, against what John Solomon said was official Obama administration policy, that Hunter was I believe in Dubai with Burisma executives and got on the phone with Joe, that's five days before he went to Ukraine, and in his own words, leveraged the billion dollars. You got hours, son of a B, they did it and got the prosecutor investigating Burisma and his son fired. Did he -- do we know for a fact that he did that against official policy of the Obama administration?

GAETZ: Well, we believe that those bribes actually changed policies in the Obama administration because as you correctly note, previously, there was the perspective that we wanted to see these prosecutions occur, we wanted to see the prosecutor successful. That prosecutor was fired, commensurate with Hunter getting paid a million bucks a year for absolutely nothing, while he claimed he was stoned out of his mind.

HANNITY: And no experience, I must add that, zero experience Hunter, hence the name.

All right. Matt Gaetz, thank you. We appreciate you being with us.

Straight ahead tonight, you're not going to believe this, the latest benefits illegal immigrants in the great sanctuary state of California may now be eligible for. We'll explain. We'll get reaction. Stephen Miller, Tomi Lahren, straight ahead.

(COMMERCIAL BREAK)

HANNITY: All right. A Democratic assemblyman from California introduced a bill that would expand a state program to provide first time home buyer loans to illegal immigrants. Now, the California dream for all shared appreciation loan program was launched last year in an effort to help low and middle income individuals buy homes and now a Democratic assembly member is now looking to expand the eligibility criteria to include illegal immigrants.

Now, his bill states that an applicant under the program cannot be disqualified based solely on the immigration status. Wow.

Anyway, California, in case you're interested, is facing a $73 billion deficit this year.

Here with reaction, former senior adviser to President Trump, Stephen Miller, along with the host of Outkick's "Tomi Lahren is Fearless", and very fearless indeed.

Tomi, we'll start with you.

Sanctuary city, sanctuary state, free health care for illegals, what, now this?

TOMI LAHREN, OUTKICK HOST: Yeah. Why would anybody come to this country legally anymore? I mean, it really doesn't pay to do it the right way and respect our laws and respect our nation. But what they're doing here to me is just so strategic. It's quite obvious.

In California, illegals can get driver's licenses. They can take part in health care. Now, you've got state loan programs. The whole strategy here is to get these illegal aliens addicted and hooked on government, to get them deeply embedded in the economy, in the country, in the community, in the city, in the state. And then it's only a short drive until, well, we need to give them voting rights because they can own homes, they can have driver's licenses.

To me, this is so simple, such a manipulation. This is all that pathway to get these illegal aliens voting and voting for the people that are delivering this prize to them, of course, Democrats.

HANNITY: Yeah. Well. I mean, you think of this, Stephen Miller, you can actually buy citizenship in many countries and some, it's very expensive, and others, it's very inexpensive. I would think that the United States, if it was selling passports or visas, probably could charge a massive premium in more than any other country perhaps on Earth. Is that the thing -- is that the ultimate goal, offer amnesty in the hopes of hey, we're going to give you something of great worth, I hope you'll remember us when you go vote?

STEPHEN MILLER, FORMER SENIOR ADVISOR TO PRESIDENT TRUMP: Well this is of course a scheme to get illegal aliens hooked on government largess and then make them into citizens. So you have free housing. You have luxury hotels, free airfare, free transportation, free welfare, free cash and subsidized home loans, all to get illegals dependent upon the government and then make them into full voting citizens.

What was Joe Biden's first bill that he sent to Congress? People don't talk about this. The first bill he sent to Congress was to make all illegal aliens into voting citizens. The only reason it didn't pass is because at that moment in time, Joe Manchin was not willing to get rid of the filibuster. If they had enough senators, they had the House, they had the White House, then they would ram through legislation giving the right to vote to every single illegal alien that Joe Biden is now letting into this country.

And that's why Donald Trump has correctly said that if he gets in, his highest priority is going to be to find and remove the illegal aliens that Joe Biden has brought into this country as part of this vote scheme.

HANNITY: I've not noticed yet that Governor Newsom has weighed in on this, Tomi, but he did support the idea of illegal immigrants getting free health care. Why would he be against this? He supported sanctuary state policies.

(CROSSTALK)

LAHREN: Right. He's going to be rather quiet maybe about this because as you know, Sean, I believe that he's trying to be the Democrat nominee. So he might be a little bit quieter about this. But I lived in California, I've heard this man speak. He believes in this because he knows that if he wants to get elected in '24 or maybe later on down the road, in 2028, he's got to find a way for Democrats to remain in power. And he's going to do that by making sure illegal immigrants are indebted to the Democrat Party, indebted to him -- very manipulative, very strategic, also in my opinion quite treasonous to the people that came over here the right way, and, of course, American citizens who are getting royally screwed.

HANNITY: Yeah, but he's got to be looking at these polls. It's the number one issue in every state so far.

Stephen Miller, we'll give you the last word.

MILLER: It is the number one issue, but this is the last chance for American voters, because they're playing the long game. We have to win in 2024, seal that border, and have President Trump restore American sovereignty or the long game will end up working out for the Democrats, 2024 or bust.

HANNITY: Oh, I think it's probably, I've said this many times, many elections, this is transformative, probably the most important election in our lifetime, as much as I meant it in the past, I really mean it now.

Anyway, thank you both. Tomi, thank you. Stephen Miller, thank you.

When we come back, guess what? "Saturday Night Live" finally did something funny. They actually poked fun at Joe Biden this weekend. We'll show you the tape, straight ahead.

(COMMERCIAL BREAK)

HANNITY: All right. Even "Saturday Night Live" is now realizing Joe 's age is a big issue as they poke fun at the president and his allies during this weekend's show. Take a look.

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: "The New York Times" poll today has him down five points and many voters still have concerns about his age. Can he make that case with the speed and sharpness that someone like you can?

UNIDENTIFIED MALE: Dana, he, Joe, can do it better. I was just with him, and behind closed doors, Joe is incredible.

UNIDENTIFIED FEMALE: I was just with him, and behind closed doors, he's a whirlwind.

UNIDENTIFIED FEMALE: You don't have to exaggerate to make voters feel better.

UNIDENTIFIED MALE: I'm not. Let's FaceTime him. I'll bet he's probably just right in the middle of the bike ride.

Mr. President?

UNIDENTIFIED MALE: Hey, hold on, I'm just going to turn up the volume. I just got to find a button. There we go.

(END VIDEO CLIP)

HANNITY: Remember, Joe gets more done in an hour than most Americans do in a whole day.

All right. Unfortunately, that's all the time we have left this evening. Please set in your DVR, never, ever, ever miss an episode of "Hannity".

Let not your heart be troubled. Greg Gutfeld standing by to put a smile on your face. Have a great night.

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