

# [***Supreme Court About To Face Another Constitutional Showdown On Presidential Immunity; President Biden Fumes When Asked About The Status Of His Memory; Bipartisan Border Bill Collapses Despite The Media's Support, As Washington Remains Paralyzed; President Biden Tries To Assign Blame For A Bill On Life Support; Reporter Asks Kansas City Coach Andy Reid About Taylor Swift Conspiracy Talk; Buckingham Palace Announces King Charles Has Cancer; Country Music Star Toby Keith Passes Away; Bill Maher Takes A Stand Against Kanye's Bigotry***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6B9R-MYX1-JCS1-6000-00000-00&context=1516831)

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**Guests:** Robby Soave, Amesha Cross, Caroline Downey, Olivia Beavers, Charlie Lankston

**Body**

(COMMERCIAL BREAK)

HOWARD KURTZ, FOX NEWS HOST: Washington is a city in turmoil, paralyzed by gridlock, consumed by partisanship, and that's just the last few days. We have a Supreme Court hearing arguments on whether a single state can kick a former President of the United States off the ballot, and making quite clear the answer will be no. But the high court also about to face another constitutional showdown on presidential immunity.

We have the House attempting to impeach a cabinet officer, the Homeland Security Chief, for the first time in 150 years and falling shockingly short. We have the implosion of a bipartisan border bill and this will give you a sense of the media debate.

(BEGIN VIDEO CLIP)

JESSE WATERS, "JESSE WATERS PRIMETIME" HOST: At this point, "Jesse Waters' Primetime" is not sure House Republicans are capable of anything. Why are Republicans writing border bills with Democrats to keep the border open, dodging Fox and then selling it on CNN? Well, because senators hope nobody would read the bill.

JAKE TAPPER, CNN ANCHOR: The fact that this bill is failing is the fault of Republicans. I mean, that's just obvious to anybody covering it and it is the most conservative immigration bill or border bill that I've seen in this town. Twenty- five years I've covered this issue.

(END VIDEO CLIP)

KURTZ: We also have Republicans calling for the heads of their top leaders in the House and Senate and now comes the extraordinary Special Counsel's report on the incumbent President saying he willfully retained and disclosed classified documents, recommending no criminal charges, but saying his memory was so poor that he couldn't remember what years he was Vice President and that no jury would convict him.

It was then that the oldest President in American history has decided to hold a news conference and angrily took on the press pack.

(BEGIN VIDEO CLIP)

JOE BIDEN, U.S. PRESIDENT: I'm well-meaning and I'm an elderly man and I know what the hell I'm doing. I've been President and I put this country back on its feet. I don't need his recommendation.

PETER DOOCY, FOX NEWS WHITEH HOUSE CORRESPONDENT: How bad is your memory and can you continue as President?

BIDEN: My memory is so bad I let you speak. That's -- that's --

UNKNOWN: Do you feel your memory has gotten worse, Mr. President?

BIDEN: My memory is not good. My memory is fine. My memory -- take a look at what I've done since I've become President. None of you thought I could pass any of the things I got passed. How did that happen?

M.J. LEE, CNN SENIOR CNN CORRESPONDENT: Mr. President, for months when you were asked about your age, you would respond with the words, "Watch me." Many American people have been watching and they have expressed concerns about your age.

BIDEN: That is your judgment. That is your judgment.

LEE: This is according to public opinion.

BIDEN: That is not the judgment of the press.

LEE: They expressed concerns about your mental acuity. They say that you are too old. Mr. President, in December, you told me that you believe there are many other Democrats who could defeat Donald Trump. So, why does it have to be you now? What is your answer to that question?

BIDEN: I am the most qualified person in this country to be President of the United States and finish the job I started.

(END VIDEO CLIP)

KURTZ: The pundits are going to war over Joe Biden's mental acuity and Robert Hur's legal judgment.

LAURA INGRAHAM, "THE INGRAHAM ANGLE" HOST: What Hur revealed in this report is what we've been telling you for years -- the Democrat Party, the media, the party's plutocrat donors have all been behind closed doors with Biden. The entire Biden presidency has been a lie.

LEE: He was pretty ticked off when I asked my question to him.

JOY REID, "THE REIDOUT": We don't think that he would be convicted because a jury might empathize with him because he's a sympathetic, well-meaning elderly man with a poor memory. So, it really is sort of -- it's nasty and snarky for no reason.

ARI MELBER, MSNBC HOST: He has a political piece of bad news woven in there, which is what seems like cheap shot, derogatory attacks on him.

MARC THIESSEN, FOX NEWS CONTRIBUTOR: We are now beyond concern about whether Joe Biden can serve a second term, we should be concerned about whether he can finish serving his first. And this press conference made it worse.

(END VIDEO CLIP)

KURTZ: I'm Howard Kurtz and this is "Media Buzz". Joining us now to analyze the coverage, Robby Soave, Senior Editor at Reason Magazine, and Amesha Cross, Political Analyst for SiriusXM.

Robby, we in the media essentially knew that Robert Hur, the Special Counsel, wasn't going to bring any criminal charges against Joe Biden, but how much political damage did he do by saying Biden has a poor memory, he couldn't be convicted, he couldn't remember what years he was V.P.?

ROBBY SOAVE, "REASON" SENIOR EDITOR: I think it's so telling to see the mainstream media's frustration with him expressing a sentiment that most Americans also feel. Look at poll results. Two-thirds of Americans think Joe Biden is perhaps too old to be President. That includes a majority of Democrats, half, slim majority of Democrats.

Most Democrats would have preferred to see another candidate, but the DNC didn't hold any, you know, didn't do debates, didn't do real primaries. They're all behind Joe Biden. And so, people are going to ask this question that they -- that sentiment exists out in America that he is too old to be President and they can't -- they can't stop people from expressing that view.

KURTZ: Right, there are also no viable opponents at this point. Amesha, some in the media are saying, well, gee, this reminds me of what FBI Chief Jim Comey did to Hillary Clinton in 2016, saying, we're not indicted to you, but here's all the things I think you did wrong. I mean, there used to be a practice at the Justice Department, if you didn't indict, you'd just shut up.

AMESHA CROSS, DEMOCRATIC STRATEGIST: Exactly and that practice should remain steadfast. This was a spiteful hit job. It had no correlation to any level of criminality. We know that there are no charges that are going to be filed. At that point that is the end. That should be what we're reporting on.

But because of the fact that there is a considerable amount of Americans who honestly feel that both candidates are too old, it has taken off. It is problematic in reading it specifically because of the targets against his late son.

I think that as someone who also lost someone to cancer that was close to me, my own mother, there isn't a day that goes by that you don't know when that date is and it's in your head, it's in your heart. So, that was really frustrating.

But we've also seen time and time again, up to and including today, Prime Minister Benjamin Netanyahu coming out and talking about the strength and the agility of Joe Biden in conversations.

KURTZ: Right.

CROSS: He's had multiple conversations with him. Mark Milley did the same thing. We've seen it from Senator Mitt Romney. They've all talked about how strong Biden is and how on point he is in conversations and his plans.

KURTZ: Well, but then there's what the public sees. And Robby, I want to play Donald Trump's response at a Pennsylvania rally. Excuse me.

(BEGIN VIDEO CLIP)

DONALD TRUMP, FORMER U.S. PRESIDENT, REPUBLICAN PRESIDENTIAL CANDIDATE: If he's not going to be charged, that's up to them. But then I should not be charged. This is nothing more than selective persecution of Biden's political opponent me.

(END VIDEO CLIP)

KURTZ: So, some of the media are saying it's a double standard, but Robert Hur and the report made the point that Trump withheld documents on the subpoena and in other ways didn't cooperate. But the question is, will much of the public see these two cases as similar?

SOAVE: I think they will. Mike Pence had documents where he wasn't supposed to. This seems like a very routine problem, frankly, not particularly serious. I mean, Donald Trump did keep the documents. He should have given them back, and he would have not been in this whole situation.

KURTZ: But he was indicted.

SOAVE: Sure, and that speaks to a concern that a lot of Americans have, a lot of Republicans, conservatives right now, that the Justice Department is weaponized against them, against free speech and due process, and they want Donald Trump again to rein in some of these administrative excesses. He didn't do it the first time. He ran on it. And they're going to give another shot at it.

I think that's very legitimate and, you know, both these Presidents are very old. A lot of people wish we had other choices but it's going to be Trump or Biden. And you know, you look at the poll numbers, a lot of Americans are signaling they would be comfortable -- they would prefer another Donald Trump presidency.

KURTZ: Right.

SOAVE: Because they're hearing from Joe Biden every day --

KURTZ: I think they will have to choose a major one to pick up on your point about losing somebody close to you. Here is President Biden talking about his son Bo who died in 2015 and here is also Vice President Harris defending her boss.

(BEGIN VIDEO CLIP)

BIDEN: There's even reference that I don't remember when my son died. How in the hell dare he raise that? Frankly, when I was asked the question I thought to myself it wasn't any of their damn business.

(END VIDEO CLIP)

KAMALA HARRIS, U.S. VICE PRESIDENT: The way that the President's demeanor in that report was characterized could not be more wrong on the facts, and clearly politically motivated, gratuitous.

(END VIDEO CLIP)

KURTZ: Your response.

CROSS: It was a partisan hack job. We know that Hur was somebody who was appointed by President Trump, and at this point, when you were seeing these memories brought back up.

One, the death of Joe Biden's son has absolutely nothing to do with the documents case at all. But there's an incalcitrant part of you that comes to play when someone digs in something that is so deeply painful for you. And we've seen Joe Biden talk about Bo repeatedly. This is something that man lives with every day.

So, to argue that he does not remember, I think is extremely offensive. I think that it is egregious. It is beyond the pale. And again, I've watched my mom die from cancer. It is one of the most horrendous things you can see.

You cannot tell me or the rest of the public, particularly those who've had cancer deaths in their family, that you do not remember that. I think that it was extremely offensive and beyond pale.

KURTZ: Of course, Biden also did those five hours of interviews on the two days after the Hamas massacre, October 7th, against Israelis. I want to play a couple things real quick for you, Robby. The first one is, and we're just showing the tail end of it because there's like a 30-second pause and it's very painful, when Biden could not come up with the word Hamas.

(BEGIN VIDEO CLIP)

BIDEN: There's been a response from the opposition, but, yes, I'm sorry. It was from Hamas.

(END VIDEO CLIP)

KURTZ: A reporter helping him out there. And at this news conference where he was saying, my memory is fine, he said this about Abdul El Sisi.

(BEGIN VIDEO CLIP)

BIDEN: The President of Mexico, El Sisi, did not want to open up the gate to allow humanitarian material to get in.

(END VIDEO CLIP)

KURTZ: Mexico? So, how much is he hurting himself with these not being able to come up with the right name or mixing up more leaders?

SOAVE: He's hurting himself very badly and deservedly. Look, we all, you know, say the wrong words sometimes when he said Germany -- when he met France. Fine, we all do that in common. That's fine.

KURTZ: Right.

SOAVE: But then he went on to tell an anecdote about the wrong political figure. And listening to him talk about Hamas there being able to articulate a very basic point about where the negotiations stand for releasing the hostages and ending hostilities, I mean, this is -- the world is getting very dangerous right now. There are a lot of active conflicts everywhere.

American troops being fired on, being killed. And look, the American people need to have faith that their President can handle very important negotiations with our ally Israel as they're at war with this terrorist organization. These are sensitive and important matters.

And I don't think Joe Biden is sending a message to the country that he's up for the job. That's just the way people are receiving it. At some point, it's not even my opinion. It's just how most Americans feel about the job he's doing.

KURTZ: Right.

SOAVE: And he's chosen the poll numbers over and over again.

KURTZ: But Biden and his defenders counter that he is managing or trying to manage maybe Netanyahu and Israel's counter-attacks, that he got a lot of legislation passed. And you heard Biden say, how did I do that?

So, Amesha, you have Democrats and the White House damage control machine going after Robert Hur, as we noted, just like Bill Clinton went after Ken Starr, just like Donald Trump is going after Jack Smith. Letitia James, Judge Engoron and earlier, Bob Mueller. So, this drives media coverage, but does it sway public opinion?

CROSS: I don't think that it sways public opinion. The documents case for, in the case of Donald Trump, didn't really sway public opinion, and this one doesn't really sway it either. They see what Joe Biden is doing on the ground. He literally has pushed forth targets when it comes to really fighting against what happened where those three American soldiers died and he actually took out one of the leaders there.

That just happened last week. I think that when we're talking about Joe Biden, we have to talk about where the policy meets the road. He's somebody who's reduced the cost of prescription drugs, insulin being one of the main ones.

He's somebody who has worked to, you know, create environmental policy that makes our air safer, that makes the quality of our water safer. He's someone who has passed the most seismic infrastructure deal we have ever seen in this country. Those things matter.

KURTZ: Right, but I've never seen reporters so aggressive with this President. And Robby, you know, the Special Counsel didn't ignite this in a vacuum. You know, when you think about it, and the press has been questioning Biden's age, mental fitness for months. There was a long time when it was kind of only whispered about. And now comes this series of gaffes.

SOAVE: Yeah, I think I'm glad reporters are asking him very hard questions about the age issue because I do think frankly this issue is almost undercover. If you talk to real people out in America, Republicans, Democrats, they will express the sentiment that they see him on TV and when they do, they have a lot of questions.

I think he reminds people frankly of elderly friends and relatives, et cetera, when they at the end of their life when they start, you know, mixing up anecdotes and you have sympathy for them. It's not a, you know --

KURTZ: Yeah.

SOAVE: People feel for him like reporters help him and they gave him the answer.

KURTZ: Right.

SOAVE: But does that mean that person should be --

CROSS: Donald Trump mixed up Nancy Pelosi and Nikki Haley. Not only are they are not from the same demographic, but they're also a good thirty five years apart.

KURTZ: Yeah.

CROSS: It's very bizarre.

KURTZ: He's 77 but he kind of projects a more vigorous image. Let me just close on this. I've been saying for a couple years now that it is a mistake for Biden's inner circle to shield him from the press because then, when he does commit a gaffe, mix up names, can't remember a word, it gets huge attention because we hardly ever see him.

I mean, this is a guy who's turned down a Super Bowl interview. He's given up that megaphone and what people now say -- he needs to do more media.

CROSS: What matters to Joe Biden and what matters to voters is the policies. And at the end of the day, the guy who has been out on the campaign trail, he's going to the battleground states. His surrogates are in the battleground states.

We know what voters think, particularly the voters who are tried and true Democratic voters. We saw the results in South Carolina. These polls mean nothing when the rubber meets the road and people actually get to the ballot box. They've been proven false time and time again.

KURTZ: That may be true, but I still think it's not that we have the right to question the President, although it usually works that way, but I think that's how you reach the public.

When we come back, the Supreme Court hearing Donald Trump's appeal of Colorado's ballot ban, and it's pretty clear which way the justices are heading.

(COMMERCIAL BREAK)

KURTZ: But cable news networks took it all live, the audio that is, as the Supreme Court heard Donald Trump's appeal of Colorado's highest court kicking him off the ballot because of January 6th. And most of the justices, conservative and liberal, were openly skeptical about disqualifying him.

(BEGIN VIDEO CLIP)

JOHN ROBERTS, SUPREME COURT CHIEF JUSTICE: A goodly number of states will say, whoever the Democratic candidate is, you're off the ballot. And others, for the Republican candidate, you're off the ballot. And that's a pretty daunting consequence.

ELENA KAGAN, SUPREME COURT ASSOCIATE JUSTICE: I think that the question that you have to confront is why a single state should decide who gets to be President of the United States.

STEVE VLADECK, CNC LEGAL ANALYST: Justices from across the ideological spectrum, for better or for worse, saying, this really shouldn't be up to Colorado.

CHUCK ROSENBERG, MSNBC CONTRIBUTOR: It seems to me that the votes are clearly on the side of overturning the decision of the Colorado Supreme Court.

TRUMP: I listened today and I thought our arguments were very, very strong. And can you take the person that's leading everywhere and say, hey, we're not going to let you run? You know, I think that's pretty tough to do.

(END VIDEO CLIP)

KURTZ: First time I've listened to two hours of Supreme Court oral arguments. Robby, any question in your mind that the Supreme Court was extremely skeptical of Donald Trump being kicked off the ballot and is going to knock that down?

SOAVE: Not at all. They asked all the right questions they gave every indication that they think it would be too much of a blow to democracy, the thing the thing democrats are running on they say democracy during the last election. But you can't have the other candidate on the ballot.

We can't even give people the option to vote for him even though he's not been convicted of the thing that would take you off the ballot. Insurrection -- there's a question whether what happened actually is an insurrection. These are all questions that have not been litigated yet. So, to take -- to proactively strip Donald Trump from the ballot, would be an incredible move the justices were I think rightly skeptical of it.

KURTZ: Yeah, even such liberal justices, Amesha, like Elena Kagan and Ketanji Brown Jackson were a bit more sympathetic to the idea that Trump under the fourteenth amendment, you know, may have contributed to an insurrection skeptically challenge the all democratic appointees on the Colorado Supreme Court about saying you can't vote for this guy.

CROSS: No, and Colorado has an interesting past of not voting for Trump anyway, so they can just continue and carry on the same way they've been doing.

KURTZ: But there's also Maine and potentially other states.

CROSS: Exactly. So, I actually agree with Chief Justice Roberts here, because if this was something that they were to uphold in the Colorado -- Colorado ruling, there is nothing to say that another Democrat, another Republican, on down the line, so on and so forth, states could also kick them off. I do think that there is something to be said about letting the voters decide.

Donald Trump seems to be the Republican nominee. There's no signs of stopping that. And Colorado, again, has proven time and time again that at the ballot box, they reject Donald Trump. There's no reason to stop rejecting him now.

KURTZ: Now, most of the justices, when you get beyond the legal weeds about self-executing laws and precedents and so forth, just question how impractical this would be. What about if other states followed Colorado's lead? What if some tried to kick Joe Biden off the ballot? And I think, that may have been the crux of it for the nine members of the Supreme's.

SOAVE: Absolutely and it's -- look, at some level it's a political question if you want to hold Donald Trump accountable for anything he did in his presidency, for what happened on January 6th, et cetera, well then, you don't vote for him or you contribute to his opponent, campaign against him.

KURTZ: Yeah.

SOAVE: It's a fundamentally political question.

KURTZ: And the Supreme Court hates political questions. This nature.

SOAVE: Right. Exactly. And they think it should be left to the people and that's the whole premise of our -- of our democracy. So, it is incredible to me that ostensibly the Democratic Party, again, who has made this such an issue, has taken this elaborate step.

Also, the media taking steps to shield you from even hearing what Donald Trump has to say. You know, how many times do they cut away from his speeches now?

KURTZ: Get to that in a second. Okay.

SOAVE: I won't take away from your remarks.

KURTZ: But the other big case, Amesha, a federal appellate panel, two Democrats, one Republican appointee, ruled against Trump's claims of full immunity this week and saying this would be a license for any President or any former president to commit crimes and not be held accountable.

And Donald Trump has until tomorrow to appeal that ruling to the Supreme Court. So, could there be a split decision -- the former President -- maybe he loses on immunity but wins on ballot access?

CROSS: Absolutely and I had to, a hundred percent say that that's the way it's going to go.

KURTZ: Me, too. I can picture that.

CROSS: This blanket immunity claim was always ridiculous. There's nothing to say and it it's not written that way in our constitution or anyplace else that a President can create -- can, you know, have all types of criminality and never be held accountable. That is not how this country works.

He -- this is not a fiefdom. He is not a king. This is not a marquis. That's not how this works and he is being held accountable. I think that in this case, he's definitely going to lose and he's going to lose big because it was never really an opportune time to make that claim to begin with.

It was a little bit shady from the jump. And I think that what Donald Trump tried to do was basically say that because I'm President, all powers are invested in me, I am untouchable. And what the court is going to tell him is that it's absolutely incorrect.

KURTZ: I don't know if shady is the right word. I mean, there's arguments on both sides, but I think you may be right on the outcome now. You alluded to this earlier, Robby. I want to get a quick comment from each of you. MSNBC, which in the past has boasted about not taking Donald Trump live, did take his comments after the Supreme Court hearing. He started out by talking about ***politics***, and then this happened.

(BEGIN VIDEO CLIP)

TRUMP: In watching the Supreme Court today, I thought it was very, it's a very beautiful process.

ANDREA MITCHELL, "ANDREA MITCHELL REPORTS" HOST: And we've been listening to Donald Trump.

(END VIDEO CLIP)

KURTZ: So, he was just getting to the Supreme Court ruling, and some executive, I think, decided to cut away. Quick thought.

SOAVE: Their view is that they can't allow audiences to hear him say things that might be wrong or exaggerated or something, that they're protecting people from his words. I don't understand this strategy at all. Donald Trump is like more popular than ever. He's ahead in all of the swing states. Polls show him winning. It's not a good strategy.

KURTZ: Amesha.

CROSS: His words lead to extreme violence. We've seen that time and time again.

KURTZ: But now when he's talking about a Supreme Court case, which I think some in the audience, even if they don't like Donald Trump, might like to hear. Robby Soave, Amesha Cross, thanks so much. Up next, the press is stunned when House Republicans fall just short of impeaching Alejandro Mayorkas.

(COMMERCIAL BREAK)

KURTZ: As the House moved to impeach Alejandro Mayorkas, virtually everyone in the media assumed it would be a slam dunk. But with three Republican lawmakers breaking with their party, the press was stunned as the effort failed 216 to 214.

CHRIS HAYES, "ALL IN" HOST: It was a complete political stunt in election year. And still, somehow the Republican majority screwed up their own whip count.

INGRAHAM: Mayorkas is just the stooge carrying out the orders, right? So, I don't really -- I mean, I can't stand what Mayorkas has done. I think it's a disgrace, and it's reprehensible. Why isn't it Biden that's impeached? Why Mayorkas?

(END VIDEO CLIP)

KURTZ: The issue surfaced when the Homeland Security chief was taking questions at the Super Bowl.

(BEGIN VIDEO CLIP)

MATT FINN, FOX NEWS CHANNEL JOURNALIST: How do you feel this morning after narrowly avoiding impeachment yesterday?

ALEJANDRO MAYORKAS, SECRETARY OF HOMELAND SECURITY: The allegations are baseless, and I'm focused on the work, which was -- what brings me to Las Vegas today.

FINN: Republicans have indicated they may hold another vote and they might have the numbers at that point to impeach you. If that happened, would you consider stepping aside?

MAYORKAS: No, I would not.

FINN: Thank you. One last question for the --

(END VIDEO CLIP)

KURTZ: No last question. Joining us now in Palm Beach, Caroline Downey, a reporter for "National Review". And here in the studio, Olivia Beavers, who covers the Hill for "Politico". Caroline, everyone in the press, including me, thought Mayorkas would easily be impeached, and then the Republicans fall two votes short. Is -- are the media right to portray this as an embarrassing defeat?

CAROLINE DOWNEY, "NATIONAL REVIEW" REPORTER: No, despite the media's portrayal that this is a humiliating loss, it was a very close vote and House Republicans will get a second chance most likely. And if they succeed, it will bring political clarity to this issue even if Mayorkas is not convicted by the Democratic Senate.

The fact is that Mayorkas is the implementer and symbol of Biden's dereliction of duty and conspiracy against the country. The secretary himself has presided over an unprecedented border scandal, CBP in fiscal year2023 alone ceased over 27,000 pounds of fentanyl that has killed countless Americans. And all of that fits the definition for high crimes and misdemeanors.

KURTZ: Right.

DOWNEY: it's been it's very fitting that on the first day of Mayorkas' impeachment hearings, New York City kicked out its own students from Brooklyn high school to temporarily house 2000 migrants. So, yes.

KURTZ: Temporarily because of all that. I've got to jump in because I want to give everybody equal time. Look, the chances of Mayorkas being convicted in the Democratic Senate, I would say, are zero. But there was quite a scene on the floor, lots of shouting. When there was a tie vote, Republicans were trying to get Mike Gallagher of Wisconsin to flip.

OLIVIA BEAVERS, "POLITICO" CONGRESIONAL REPORTER: Yes, and you could see it. I was in the gallery. There was pointing, there was clearly yelling. Mark Green, the Chairman of Homeland Security, was going up to him -- Speaker Mike Johnson.

I was told the arguments forwarded like, you do not know what kind of blowback you're going to get politically if you do this. And Gallagher's arms were crossed, he was shaking his head. And then the next thing you know --

KURTZ: Yeah.

BEAVERS: Gallagher does not back off.

KURTZ: But also, he says two days later what?

BEAVERS: What? He's retiring. So, I think that was a little bit of --

KURTZ: Yeah. I think those two things may be related.

BEAVERS: So, I think that was a little bit of -- yeah. I want to ask him when I see him next, but --

KURTZ: All right.

KURTZ: Caroline, in the Senate you have Ted Cruz and others now saying that Mitch McConnell should step down from his leadership post. McConnell, now going up against what's become a Trump party -- is this, as the press would have it, a sign of chaos?

CAROLINE DOWNEY, "NATIONAL REVIEW" REPORTER: It's not a sign of chaos in the sense that there's this terrible disruption and lack of unity in the GOP. I think on the question of Mayorkas dereliction of duty alongside Biden, it's almost unanimous.

I mean, it's like the easiest issue at this point for both independents and moderates to agree on, as well as Democrats and Republicans. It's an absolute chaotic situation at our southern border. It's flooding into so many communities across this country.

And so, I think there is general consent among the Republican caucus. But yeah, Mitch McConnell, he's miscalculated a number of different things. And so, I think, you know, younger generations are recognizing that.

KURTZ: Well, almost unanimous among Republicans, but of course, almost often doesn't count. So, Olivia, how seriously should the press take these rumblings, moving to the other chamber, that the new Speaker, Mike Johnson, could lose his job like Kevin McCarthy, triggered by just one motion from one conservative hardliner?

BEAVERS: I think it's just making it really tough for him to govern, but watching him, you know, he'll claim that that's not something he's paying attention to, and yet ***politics*** always play a role, and Martin Taylor Green is starting to use it if he brings a Ukraine aid to the floor.

You just have to watch it, because sometimes when you're covering these stories, you see some bluster, you see some kind of public, maybe fundraising stunts, and then the next thing you know, they actually do pull the trigger. So, it's just something you have to track quite close, like carefully.

KURTZ: In other words, to quote a famous baseball player, "It's not over until it's over." So, we'll get more into this next block. Next on Media Buzz, the bipartisan border bill collapses despite the media's support, as Washington remains paralyzed.

(COMMERCIAL BREAK)

KURTZ: There's little doubt most of the media were rooting for the bipartisan border bill, which the Biden White House very much wanted. And while the out-of-control border remains a major liability for the Democrats, one casualty of the failed measure is that it also included military aid for Israel and Ukraine.

(BEGIN VIDEO CLIP)

JOHN AVLON, CNN POLITICAL ANALYST AND ANCHOR: They are playing ***politics*** with the border, and they are putting lives at risk in Ukraine and in the fullness of history, this is going to look like a Neville Chamberlain moment.

SEAN HANNITY, "HANNITY" HOST: The disastrous border bill is nothing more than a blatant attempt by Biden and the left. They just want to ship the blame for his border crisis squarely under the shoulders of Republicans. This is his and his alone.

(END VIDEO CLIP)

KURTZ: Many of the pundits and some of his fellow Republicans are unloading on Speaker Mike Johnson.

(BEGIN VIDEO CLIP)

MIKE JOHNSON, U.S. HOUSE SPEAKER: It was a mess what happened here but we're cleaning it up. The chasm between the two parties right now is wider than it's ever been. And there are lots of emotions and we live in the age of social media and 24-hour news cycle.

MITCH MCCONNELL (R-KY) SENATE MINORITY LEADER: It's been a -- pretty clear to us by the Speaker that it will not become law.

(END VIDEO CLIP)

KURTZ: President Biden in a rare television appearance tried to assign blame for a bill clearly on life support.

(BEGIN VIDEO CLIP)

JOE BIDEN, U.S. PRESIDENT: Donald Trump thinks it's bad for him politically. Therefore, he doesn't even know it helps the country. He's not for it. He'd rather weaponize this issue than actually solve it.

(END VIDEO CLIP)

KURTZ: Caroline Downey, do you agree that most of the media have been rooting for this border bill and therefore are portraying its defeat or apparent defeat at the urging essentially of Donald Trump as a Republican disaster?

DOWNEY: It doesn't matter what the media believes about Trump's sentiments on the bill. We have to be able to separate the legislative text on its merits. And despite the media's spin that this bill is a -- amazing bipartisan compromise, that Republicans are maliciously obstructing.

It's just simply not the case. Biden already had the authority to lock down the border. He just lacks the political will to do so. And so, the impression among House Republicans is that this is a Band-Aid bill.

KURTZ: Okay. Trump himself said, we killed it. And said, blame me. He's happy to take credit or blame, depending on how you see it. Olivia, some Republicans, it's true, didn't like the bill's text once it was finally released.

For example, Biden would have the power to shut down the border once the number of crossings, illegal crossings by migrants, reached 5000 a day. That seems absurdly high to me. But many others, I think, were following Donald Trump's lead.

BEAVERS: I think Donald Trump certainly had a huge influence, and that was sort of something that Republicans just did not expect him to do, which is to weigh in and kill it before it really had a chance to be pitched, to be sold, to hear people vent. And I think Senator Lankford and a few others sort of described that as something that -- surprise them as factoring into the bill.

Another thing that factored into this is -- which we've seen before we've seen this happen immigration bills before, you get a little detail and the reporters write something up and the next thing you know you already have people spinning the narrative about what that bill is.

KURTZ: Right. A lot of leaks.

BEAVERS: So, it was dead before the text was even out.

KURTZ: Interesting. That happens a lot on Capitol Hill that stuff gets leaked. Caroline, look, Joe Biden, let's be clear, best primary responsibility for the border debacle after three years in office.

But many pundits saying that Donald Trump handed him an issue by saying this would be a gift for the Democrats and a death knell for the Republicans. And so the Democratic spin is the border will remain a mess until next January.

DOWNEY: House Republicans argued that regardless of whether the bill was passed or not, unfettered illegal immigration would be perpetuated. And so, again, Trump's opinion on whether it's going to, you know, phase his electoral prospects is irrelevant here.

We have to be able to isolate what the text did. And the fact is, why do we need a trigger number to ask Biden to simply make sure that the laws of this country are faithfully executed?

He's engaged, his administration, including Mayorkas, are engaged in an open conspiracy to subvert our national sovereignty. And many Americans, I think, despite the fact that this bill failed, are wondering, why do we need Congress to intervene? Our laws are fine. It's a lack of will.

KURTZ: Well, I wouldn't call it a conspiracy, but it is fair to say why couldn't President Biden declare a national emergency and then crack down on the border?

Olivia, caught in the crossfire here is badly needed aid to Israel and especially Ukraine. Now, many Republicans are not supporting more aid for Vladimir Zelenskyy. And the Ukrainians are in a tough position. But that's why the media are portraying this as a huge foreign policy setback, as well.

BEAVERS: I mean, certainly there was the belief that if they tied border and Ukraine and Israel aid, they'd be able to get sort of it past the conservative base and be opposed to it.

KURTZ: A trade-off.

BEAVERS: A trade-off. Yeah. And then, the border bill didn't work -- and it didn't, that it was basically said Speaker Johnson was dead in the House and then it fails in the Senate. So, now, they're back to square one and they tried to pass a -- Israel Taiwan, Ukraine bill --

KURTZ: Right.

BEAVERS: -- Strait. Now, we have to see if it can have a chance in the House Speaker Johnson doesn't seem like he's open to it but then Democrats might try to do discharge petition which means they might have to get some Republican support.

KURTZ: Yeah, I mean, Mike Johnson, excuse me, had also tried to get an Israel-only military bill, figuring it's less controversial in Ukraine. That went down the other day.

So, I want to take a look at Senator James Lankford, the Republican who was the lead negotiator on this ultimately unsuccessful bill. He spoke on the floor about his conversation with an unnamed conservative pundit. And let's take a look.

(BEGIN VIDEO CLIP)

JAMES LANKFORD (R), OKLAHOMA SENATOR: I had a popular commentator four weeks ago that I talked to that told me flat out, if you try to move a bill that solves the border crisis during this presidential year, I will do whatever I can to destroy you.

(END VIDEO CLIP)

KURTZ: Caroline. That sounds like big-time pressure.

DOWNEY: Caroline, that sounds like big-time pressure. Well, it's kind of a fallacious speech because this bill would have not solved the border crisis. It would have continued effectively unrestrained because again, the idea of a trigger number is nonsensical at face value.

We have the authority in the executive to enforce immigration law, but Biden is flouting that. He's not detaining illegal immigrants coming into this country. And Mayorkas is extremely complicit in that.

And so, you know, I kind of reject the premise of Lankford's statement. Although, I will say, yeah, I think some pundits are maybe concerned about Trump's electoral prospects, but I think most Americans don't care about that.

KURTZ: Olivia, I didn't know media people were so powerful --those kind of threats.

BEAVERS: Well, you know, it depends who it is. If it's someone who has a lot of sway with the Republican base, then that's a different calculation than just the media writing up some sort of story that they can argue against with their voters back home.

KURTZ: Right.

BEAVERS: But it's -- we don't know who it is. I'd love for him to name it because we love naming names.

KURTZ: He says that this stuff happened. All right, Olivia Beavers, Caroline Downey, thanks so much for joining us. After the break, King Charles undergoing cancer treatment as the media turn on Prince Harry.

(COMMERCIAL BREAK)

KURTZ: It was huge news, not just in the U.K., but here in the States, when Buckingham Palace announced that King Charles has been diagnosed with cancer. Very sad news. Prince Harry flew to Britain to see his father, who put aside his duties to start a media treatment with Prince William, the heir apparent slated to fill in for the ailing monarch.

Joining us now from New York to talk about the coverage, Charlie Lankston, top editor at "The Daily Mail". And Charlie, why has the King's cancer diagnosis touched server nerve? Certainly he was more candid than the Pentagon's Lloyd Austin who covered up his prostate cancer. And do you think Buckingham Palace should disclose what kind of cancer he has?

CHARLIE LANKSTON, "DAILY MAIL" ASSOCIATE EDITOR: So, I think it's a very rare thing for a reigning monarch to be so open about their health struggles. And that's why the media has responded, quite frankly, with a fair amount of shock.

And then you add into the fact that the cancer diagnosis comes off the bat of a very troubling time for the royal family. Kate Middleton was in hospital, then Charles was having treatment for an enlarged prostate.

And something that the media on both sides of "The Atlantic" have been focusing on is just how bare the cupboards are in terms of royal family members who were able to step into the fray. And that's another aspect of this cancer diagnosis that has really caused some concern, especially among the British public.

KURTZ: Right. I think I'll answer my question and say, yes, I think the kind of cancer should be disclosed. Meanwhile, last night, the King's saying he's heartened that he's able to promote and draw attention to people struggling with cancer.

But the British press, as you know, have totally gone after Prince Harry for flying to Britain for a 26-hour visit, spending 45 minutes talking to his dad, and then returning to California and Meghan Markle. I mean, his father has a life-threatening disease. Does the press hate Harry that much?

LANKSTON: You know, it's less about hating on Harry and more about highlighting Harry's behavior when it comes to his interactions with the Royal family. Let's keep in mind, this wasn't a case of Charles saying, hi, hello, I would really love you by my side.

This was Harry doing what looked very much to be a press-facing trip to the U.K. He didn't stay there for a prolonged amount of time. It was very clear that schedules have to be hastily rearranged in order for this meeting between Charles and Harry to take place.

And the media is no longer going to let Harry have a pass. They're going to call him out when his behavior doesn't sit right. And in this case, it really didn't sit right. The fact that he didn't see William or Kate just highlights how hasty a trip this was.

KURTZ: Well, maybe he wasn't all that welcome. But look, a lot of media praise, well deserved, I think, for Prince William taking over some royal duties while his wife Kate recuperates from her surgery. But is the sum of the coverage kind of maudlin because he is next in line for the throne and maybe some are projecting what would happen next?

LANKSTON: You know, Charles ascended to the throne at a very old age, and I think it's only natural that people look to William as the next monarch, and they understand that William will be on the throne a lot sooner than Charles was, for example.

I don't think it's maudlin, more so than it is just people getting ready and looking to William for how he might act when he does become king. No one is really causing panic here. No one's predicting the worst. The palace has been very clear in their language --

KURTZ: Right.

LANKSTON: -- that they are very hopeful and positive. But William really has an opportunity to prove himself here. And I think the media is responding very well to that.

KURTZ: Thanks for your insights. Still to come, covering the Super Bowl and Taylor Swift, CNN blowing up its morning show and Bill Maher's ill- fated sit down with Kanye West.

(COMMERCIAL BREAK)

KURTZ: It's Super Bowl Sunday in Las Vegas for the first time as the Kansas City Chiefs with Travis Kelce take on the San Francisco 49ers. Now, a crazy amount of coverage has focused on Kelce's girlfriend, Taylor Swift, who, while everyone speculated whether she'd endorse Joe Biden, had herself a good week, winning a record fourth best album award at the Grammys.

(BEGIN VIDEO CLIP)

TAYLOR SWIFT, SINGER: I would love to tell you that this is the best moment of my life, but I feel this happy when I finish a song.

JESSE WATERS, "JESSE WATERS PRIMETIME" HOST: The women who run the Biden campaign want to set the big guy up. The most unpopular president of all time wants to have a relationship with Taylor Swift.

BRIAN KILMEADE, FOX POLITICAL COMMENTATOR: I mean, my goodness, if you need Taylor Swift to get you another four years, that's how bad your first four years have been.

JEN PSAKI, "INSIDE" HOST: For some conservatives, it was downright unconscionable that she would actually voice her opinions. How dare she? I mean, why wouldn't Joe Biden want her endorsement?

(END VIDEO CLIP)

KURTZ: A reporter even asked Kansas City coach Andy Reid about all the unfounded Taylor Swift conspiracy talk.

(BEGIN VIDEO CLIP)

ANDY REID, KANSAS CITY COACH: That's way out of my league.

(END VIDEO CLIP)

KURTZ: Can't get in trouble if you don't take a swing. Also, plenty of media salutes after the passing of country music star Toby Keith, a cultural conservative also known for his patriotic anthems.

CNN's new boss Mark Thompson has blown up the low-rated morning show created by his ousted predecessor Chris Licht. The program started out with Don Lemon, Kaitlan Collins, and Poppy Harlow. And after Lemon was fired and Collins moved to prime time, it's left to Poppy Harlow and Reporter Phil Mattingly, who are said to be discussing other roles at the network.

CNN is chopping the show up into three new programs, the last of which will be hosted by the opinionated liberal, Jim Acosta, who was openly hostile to President Trump. That's quite a break, with Licht's approach of a chummy show without an ideological edge.

Instagram will stop promoting political content, along with Meta's Twitter copycat threads and later on sister company Facebook. Instagram boss Adam Mosseri says, "If you decide to follow accounts that post political content, we don't want to get between you and their post, but we also don't want to proactively recommend political content from accounts you don't follow." Ouch.

HBO's Bill Maher sat down for a lengthy interview with Kanye West the rapper who blew up his career and Adidas endorsement deal with a long series of anti-Semitic comments so that, such as that he'll go "Defcon Three" on Jewish people. But we won't get to see that interview with Ye. Maher is spiking it. This is from TMZ Investigates, streaming on Hulu.

(BEGIN VIDEO CLIP)

BILL MAHER, COMEDIAN: I thought it was going to be a learning moment. I mean, we were here for two hours. By the way, we had an amazing, fun time. He's a very charming anti-Semitic.

(END VIDEO CLIP)

KURTZ: And with that decision, Maher is taking a stand against Kanye's bigotry. That's it for this edition of "Media Buzz" on Super Bowl Sunday. I'm Howard Kurtz. Enjoy the game. We always try to cram too much into this show, but this week was tough. You could subscribe to my daily podcast, "Media Buzzmeter", as we riff on the day's top five stories and have a lot of fun doing it. We are back here next Sunday, 11 Eastern, with the only media analysis show on national television.

(COMMERCIAL BREAK)

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