

# [***Trump's Past Comments on Russia, Putin in Focus; Houthi Attacks Continue; Trump Seeking to Raise Millions For Legal Appeals; Migrant Surge; Biden Administration Pulls Back on E.V. Push; Progressives Criticize Biden Over Israel Support***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BCF-7V51-JCS1-63BY-00000-00&context=1516831)

Fox News YOUR WORLD WITH NEIL CAVUTO 4:00 PM EST

February 19, 2024 Monday

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**Section:** NEWS; International

**Length:** 7276 words

**Byline:** Dan Hoffman, Jennifer Griffin, David Spunt, Kelly O'Grady, Bill Melugin, Alexis McAdams, Neil Cavuto

**Guests:** Julia Manchester, Noelle Nikpour, Doug Schoen

**Body**

NEIL CAVUTO, FOX NEWS ANCHOR: Well, it's nothing new, but it is getting old, my friends, the same old story about the same angry old men.

To Mark Meredith keeping score at the White House, where the older of the old men is making some news. We will get to the other guy running against him in a second -- Mark.

MARK MEREDITH, FOX NEWS CORRESPONDENT: Neil, I hope they're not talking about us when they about talk about angry old men.

Good afternoon to you, sir.

It's voters who get to decide the issues which matter in an election year. And on this President's Day holiday, for President Biden, voters are talking about his age, as well as progressives are outraged over his continued support for Israel.

And now you have got Democratic Congresswoman Rashida Tlaib making this pledge, urging people to not vote for President Biden in next week's Democratic primary in Michigan.

(BEGIN VIDEO CLIP)

REP. RASHIDA TLAIB (D-MI): Right now, we feel completely neglected -- neglected and just unseen by our government.

If you want us to be louder, then come here and vote uncommitted.

(END VIDEO CLIP)

MEREDITH: Congresswoman Tlaib's public spat with the president could have major repercussions for Democrats' efforts to hold on to Michigan in November.

Biden won the state four years ago by less than three points. The latest FOX News polling of Michigan voters shows former President Trump leading, but within the margin of error. Today, we heard from one Michigan Democrat who urged the White House to push back -- push back against the narrative that President Biden is simply too old to run.

(BEGIN VIDEO CLIP)

REP. DEBBIE DINGELL (D-MI): There's nobody better than Joe Biden. I think the campaign needs to let him get out there and be who he is.

And I also -- I'm sick and tired of everybody talking about his age.

(END VIDEO CLIP)

MEREDITH: Tomorrow, the president is set to travel out West to California for a set of political fund-raisers, clearly an effort to boost his campaign.

Congressman Dean Phillips, who's really the only Democrat still challenging Biden at this point, writes: "We force airline pilots to take their hands off the yoke past 65, but allow presidents to keep their hands on the nuclear button into their 80s."

So the age debate still playing out, not just with pundits, as well as Republicans, but Democrats, people that the president would count on in their support in November. There was report, Neil, in Axios that the White House is trying to do a reset of messaging by the State of the Union, which is in early March.

It will be here before it. But whether or not it works, Neil, or whether or not it'll be still two angry old men, we will find out soon -- Neil.

CAVUTO: I'm glad they don't, at least as far as I know, apply this standard to TV anchors.

MEREDITH: That's right.

CAVUTO: I mean, this could happen in a nanosecond for you, Mark. So, you just got to be ready. That's all I'm saying.

MEREDITH: You're the happy young man, right? That would be -- not the not the grumpy old man. That'd be you.

CAVUTO: Exactly. That's exactly -- something like that. But I forgot.

MEREDITH: Yes.

CAVUTO: All right, Mark, thank you. Great job, as always, my friend.

MEREDITH: You bet.

CAVUTO: Well, this issue of age has come up on both sides of the ledger here.

But Nikki Haley was front and center raising it with me this weekend. Take a look.

(BEGIN VIDEO CLIP)

NIKKI HALEY (R), PRESIDENTIAL CANDIDATE: The party that gets rid of their 80-year-old candidate is going to be the party that wins, mark my words.

CAVUTO: You have been a lot more aggressive speaking out against Donald Trump, but there's a concern that you're going to damage him if he ends up being the nominee. Do you think that's the case?

HALEY: I mean, that's just ridiculous.

First of all, if I got out of the race now, it would be the longest general election in history. We need to look at the fact, what are the American people saying? Not just what I'm saying. What are the American people saying?

Seventy percent of Americans have said they don't want Donald Trump and Joe Biden to be the nominees of this presidential; 59 percent of Americans have said they think Donald Trump is too old and Joe Biden is too old.

(END VIDEO CLIP)

CAVUTO: All right, this focus on age, right? But it's coming back again and again in spades.

Over this past weekend, we got it from both sides. We continue to get it.

Doug Schoen here, Clinton adviser, former Clinton adviser, Democratic strategist, Noelle Nikpour very big on the money front for Republicans and who's giving to whom in the Grand Old Party.

So, Noelle, for that reason, I want to pick your fine brain, not that the fellow next year there hasn't a fine brain of his own, but my point in asking you is whether donors are saying are -- young or old, you, Nikki Haley, at 52, have got to start delivering the goods, or you're old news. What do you think?

NOELLE NIKPOUR, REPUBLICAN FUND-RAISER: Yes, not one donor has ever expressed to me that they're upset that Trump is older. No one has brought up the age.

The only thing that they're bringing up is the fact that Joe Biden has got cognitive and mental disabilities playing on tape. And we can see it live. So, nobody, not one donor has ever expressed Donald Trump's too old, nor has any investor ever said that Warren Buffett is too old to be making investments, strategic moves.

So it has nothing to do with age. So I really don't think that Nikki Haley needs to focus on age. I think she needs to call it like it is. And she needs to say, I'm going to stay in this race as an alternative in case there are reasons why Donald Trump cannot run. And the donors behind me are hedging their bets and they're going to do it as well.

Saying this old man, Neil, this 80-year-old deal is just not going to fly. And she's running in a race. She has a right to stay in the race, but we all know that Donald Trump's numbers are dwarfing her existence. And there might be a slight chance that she can stay in the race if something does happen to Donald Trump.

But not one thing am I hearing from the donors, Neil, that Trump is too old. Everyone's talking about Biden and it has everything to do around his cognitive and his memory and goof-ups.

CAVUTO: You know, the one thing that came up, Doug, in my conversations with Nikki Haley really was the news at the moment, and that is these money and fine issues and punishment issues now in the hundreds of millions of dollars.

That, she seized on, because that is something she said that will be an issue, that will actually trump, no pun intended, age. I want you to respond to this, her talking about the president's growing legal troubles.

(BEGIN VIDEO CLIP)

HALEY: I'm worried about the RNC becoming his personal piggy bank. I mean, I think we saw that he spent $50 million of campaign contributions on his own personal court cases. Now he's taking over the RNC before he's even named any sort of nominee by putting his daughter-in-law as chair, by putting his campaign manager as the director, by them saying they're just going to focus on him.

You can give up the House and the Senate.

(END VIDEO CLIP)

CAVUTO: What did you think of that, Doug? What she's saying is, this money issue becomes not just a Trump issue; it becomes a party issue.

(CROSSTALK)

DOUG SCHOEN, FORMER BILL CLINTON POLLSTER: You know, with swing voters, Neil, as opposed to Republican primary voters...

CAVUTO: Yes.

SCHOEN: ... I think it is a real issue.

I think the Democrats are going to make an argument that Trump is distracted by his legal problems, that it adds to the chaos that surrounds him and makes it unable, him less able to govern in ways that raise additional questions.

Don't think it's going to make a difference in the primary. Could well be decisive in the general election.

CAVUTO: Still, I mean, there does seem to be a hint of financial desperation to this. The president's got to put up that collateral, whatever you want to call it, for this latest fine on his business activity.

And he's doing everything from hawking $400 sneakers to relying on outside sources who are coming up with GoFundMe pages. So it doesn't look exactly classy.

So, Noelle, I'm just wondering how that falls out.

NIKPOUR: Well, I will tell you a couple things, Neil. And this is -- these are facts. I have actually had donors very concerned about contributing to the RNC once they have a change of the guard. They're concerned that they're going to be giving hard dollars into the party that's going to be spent on his legal expenses, which is legal.

CAVUTO: Right.

NIKPOUR: But the problem is this. When you donate to a PAC or a campaign, you do it so that they can buy advertising to get the word out and spread the message, not to pay bills.

On the flip side of that, here's what I think ends up happening. Number one, I think you're going to see a lot of big check writers, a bunch of money go towards senatorial campaign PACs, anything supporting a senatorial movement, because that way they can sink their teeth into that while all this stuff plays out with the RNC, Trump PAC, Make America Great PAC, all the things surrounding -- by Trump.

But if I were somebody, if Lara Trump and Michael Whatley end up getting the chairman and co-chairmanship, here's one thing they can do. They can capitalize on that small donor just like Trump did with the $100 donors and see if that can't buck you up to millions of dollars.

CAVUTO: All right. We'll have to watch it closely. Guys, I apologize for the truncated time, but great job to both of you. Many thanks for that.

SCHOEN: Thank you so much.

CAVUTO: In the meantime, the push on the part of the administration to reverse its stance on trying to get everyone into an E.V. as soon as possible.

I guess, Hillary Vaughn, on Capitol Hill, that is being pushed back a tad.

HILLARY VAUGHN, FOX NEWS CORRESPONDENT: Yes, Neil, they might be pumping the brakes on that.

These tailpipe emission standards that the EPA was considering was a big part of their plan to try to get more electric vehicles on the road, we will have all the details on what they're considering instead next.

(COMMERCIAL BREAK)

CAVUTO: I think we just got a big N.G. on E.V.s, a no-go on a fast adaption plan to get E.V.s into Americans' garages, and very, very soon.

The administration, working with the EPA, is reportedly pushing that back. We don't know all the details, but that the earlier ones were, I understand, a tad aggressive.

Hillary Vaughn following that at the White House -- Hillary.

VAUGHN: Hey, Neil.

Well, part of President Biden's green agenda might be stalled after reports that the EPA is rethinking their tailpipe emission standards that they hoped would supercharge the number of E.V.s on the road. The original plan by the EPA was to make 67 percent of new car sales electric vehicles by 2032.

By comparison, last year, just over 7 percent of new car sales were E.V.s. So they were shooting for a 60 percent jump in less than a decade, something that major automakers warned was too ambitious. The group representing GM, Ford and Toyota called the goal at the time not reasonable or achievable.

So now the Biden administration is adjusting their expectations. Reports say the EPA is still finalizing the rule, but is considering slow-walking the requirements and lowering their E.V. expectations. The official rule expected to come out this spring, but, in the meantime, former President Trump is making this E.V. push a campaign issue.

(BEGIN VIDEO CLIP)

DONALD TRUMP, FORMER PRESIDENT OF THE UNITED STATES (R) AND CURRENT U.S. PRESIDENTIAL CANDIDATE: Biden's ridiculous electric vehicle mandate and his green new scam are the all -- I mean, these are -- what they're pushing, the green new scam.

You know all those cars are going to be made in China within three years. I hope they know that.

(END VIDEO CLIP)

VAUGHN: But the Biden campaign is responding to Trump's comments, saying - - quote -- "President Biden is keeping the U.S. at the forefront of car manufacturing by investing in the future to ensure good-paying union auto jobs end up in America, not halfway around the world."

The EPA relaxing their rules just before the November election as President Biden needs autoworkers to vote for him, many of whom have made their concerns known with this accelerated push towards E.V.s. -- Neil.

CAVUTO: Thank you for that, Hillary Vaughn, outside the White House.

So, this was a calculated political gambit. What will it mean to the president's base? We had the autoworkers who were no doubt pleased by this, but environmentalists not so much.

Julia Manchester, The Hill national ***politics*** reporter.

Julia, what do you think? How does this sort out for the president?

JULIA MANCHESTER, NATIONAL POLITICAL REPORTER, THE HILL: Yes, Neil, you're absolutely right.

So the labor unions in swing states like Michigan and Pennsylvania are probably happy about this. And we know that they were pushing for this and the Biden campaign has very much been trying to win -- keep their relationship with the labor unions going strong.

However, you're right. The environmentalists are not going to be happy about this. And I think particularly the youth climate community is going to be a bit unhappy about this.

We know that young progressives, a group that's already unhappy with President Biden's handling of the Israel-Hamas war, they're not going to be happy with this as well. So I think it's certainly a risk. But we know that labor unions for decades really have been the backbone in many ways of the Democratic Party.

CAVUTO: The unions are a little different, because, as you have astutely pointed out in the past, even with the UAW endorsement, we have learned in the past that the membership can often go to the Republican candidate, even though the leadership is urging otherwise.

Now we have this problem where some of the passionate Democratic voters, while they might not jump a fence, I'm talking beyond unions, they might just stay home. And that's the last thing that Joe Biden would want to hear.

MANCHESTER: It's the last thing that Joe Biden wants to hear.

And I'm really reminded of what's happening in Michigan, because, Neil, we talk about the labor unions and the labor class and that group of voters. But there's also the group of voters in Michigan, the Arab American community, the younger voter community, that are unhappy, like I said, with this handling of Israel and Hamas.

So if he's really ticking off both of these groups of voters that won't necessarily go out and vote for Trump, but instead they will stay home, that's essentially a vote for Trump in a way.

CAVUTO: Jill, when I have you, and we talked about this a number of times, but I know they keep referring to the strong economic numbers. We have had the steady jobs numbers, retail sales. They have not all been perfect.

And, again, there's no guarantee that this improvement will stick around. But the administration's view has consistently been, pretty much to a man or woman I have been talking to, that the trend is their friend and we have plenty of time even now for that to sink in for average Americans.

Now, it's not for average Americans yet who are polled on the subject. They say it will. What do you think of that?

MANCHESTER: Yes.

Look, this really depends on when your everyday American starts to feel the prices of goods and services start to go down.

CAVUTO: Right.

MANCHESTER: And when I say goods, I mean food you can buy in the grocery store. We hear a lot about the price of eggs still being expensive.

So, until voters are really feeling that in their pocketbook, they're not necessarily going to believe everything the Biden administration is saying. Now, if the Biden administration is right in predicting that prices will go down, that voters will feel this soon, that's probably going to be helpful to them with those voters.

But if they don't feel that, that's going to be a problem.

CAVUTO: Julia, let me get your take also on something else that we mentioned at the top of the show, this issue on the president and the presidential candidate, who are both up there in age.

And there's going to be an immense effort now to scrutinize each man on the stump, whether he slurs his speech, suddenly forgets a name. You know, I would be toast in that kind of environment, but that it's going to get more acute. Do you think it will? And do you think that this issue on age is festering and could be a problem for each candidate?

MANCHESTER: I think it's going to be difficult for Trump and Biden.

Just a year ago, Neil, I -- it felt like, talking with sources and people in Washington, bringing up the subject of Joe Biden's age was almost felt a bit taboo, or maybe some would say ageist. However, now people are openly talking about it.

Democrats are openly talking about it, that they are worried, they are concerned about this. And the same goes for Donald Trump, though I would say it's less so for Donald Trump, because we know Donald Trump's a few years younger and Donald Trump is not perceived as being as old as Biden.

But I think it's going to be a problem for both of them, because, at the end of a term, if -- whoever wins at the end of this term, they will both be in their 80s. And there's concern about in such a -- I guess a high- intensity job as being president of the United States, how functional can an 80-year-old or 80-something-year-old be in the end?

CAVUTO: Yes, it's tough enough to read a prompter, Julia.

(LAUGHTER)

CAVUTO: I mean, not that I would know, but, I mean, I have heard that.

(LAUGHTER)

CAVUTO: Always good having you. Thank you very much, Julia.

MANCHESTER: Thank you.

CAVUTO: All right, we have a lot more coming up, including this situation. We keep showing you what's happening at the border. We will show you what's happening at the California side of the border, as well the Texas side of the border.

But what if I told you it's gotten to be a big issue in Manhattan, and specifically as New York City Mayor Eric Adams tries to deal with a migrant surge and it's his own people turning against him?

Alexis McAdams has more -- Alexis.

ALEXIS MCADAMS, FOX NEWS CORRESPONDENT: Hi, Neil.

Yes, people here in the Harlem neighborhood of New York City were not happy, telling the mayor they did not want this luxury condo building to be home to migrants. So they pushed back and made some changes.

I will have that story coming up next.

(COMMERCIAL BREAK)

CAVUTO: All right, they say you will never be surprised at the stuff and the individuals you will find at the border. This time, we're talking about the California border with Mexico and the nations coming in.

(COMMERCIAL BREAK)

CAVUTO: All right, want to take you to Alexis McAdams.

She covers the darndest stories. And when they're really controversial, it seems like she eats them all up, as she should, and this one is controversial with a capital C, the Democratic mayor of the city tried to deal with a migrant surge that is beyond just a surge.

And, Alexis, now in Harlem, he's finding some sort of tough critics, his own voters, right?

MCADAMS: Neil, that's right.

Yes, people that actually told me they fund-raised for Mayor Eric Adams now pretty much fed up here after they found out the city was planning on moving dozens of migrants into this building here right behind me in Harlem. This is supposed to be a luxury condo building that has sat vacant, but the question these people had, Neil, for the mayor of New York City, was, why are you going to move migrants in when you have your own families here in New York City in need?

And they're also worried about safety. Listen.

(BEGIN VIDEO CLIP)

RUTH MCDANIELS, HARLEM RESIDENT: Everything is being given. These people are scratching to survive. We got a guy, a kid 15 years old running down 42nd Street with a .45 shooting at cops. We got enough gunplay in this neighborhood. What does this look like? What, are we going to have a full- out war?

(END VIDEO CLIP)

MCADAMS: So I want to show you right now, this is the building, Neil, at the center of this controversy in New York City. It was supposed to be a luxury condo complex in Harlem.

Hey, it has a pool, some marble bathrooms, and even an outdoor track up on top, but, according to reports, the developers went bankrupt, and the building sat empty for about 10 years now. Locals just finding out that the city was going to use those condos for temporary housing after they saw crews bringing in beds and mattresses, so they pushed for answers.

And New York City Mayor Eric Adams has now reversed course, saying there will no longer be a migrant shelter here, saying that Harlem homes are for Harlem residents.

(BEGIN VIDEO CLIP)

ERIC ADAMS (D), MAYOR OF NEW YORK: The law does not allow me to deport anyone. That's a federal authority. I'm getting no money from Washington. They promised 130-something-million dollars and didn't even give us that. And it's costing us $12 billion of taxpayers' dollars.

(END VIDEO CLIP)

MCADAMS: So the Department of Social Services saying this to FOX News in part.

"Instead of sitting vacant, this site will now serve as a high-quality transitional housing for long-torn -- long-term," rather, "New York City families with children experiencing homelessness"

In fact, our here live, we can tell you the people in this community say there is a big need for housing. So they want to use this for people who live in the area. The migrant crisis, though, shows no sign of slowing down, right? We see thousands of migrants coming in. And the mayor is saying he needs the president of the United States to do something about it, Neil.

CAVUTO: But the president hasn't. And it puts him in a pickle, to put -- to your point. Alexis, thank you.

Alexis in Harlem, New York.

MCADAMS: Sure.

CAVUTO: We will keep you posted on that.

Meanwhile, I want to switch to the other side of the country right now along the California, Mexico border in Jacumba, California. That's where you will find our Bill Melugin, who's discovered that, much like he was experiencing in the Texas side of the border, it's a much wider, diverse group of people trying to get into this country and not who you would think -- Bill.

BILL MELUGIN, FOX NEWS CORRESPONDENT: Hey, Neil. Good afternoon to you.

You're exactly right. They are coming in from all over the globe. It's no longer just a handful of countries. We will step out and give you a look at where we are right now. This is Jacumba, about an hour east of San Diego.

Photographer Thomas is going to pan the camera around. This is the group that just scaled this huge mountain behind us. Dozens of them all climbed over and down that mountain to across illegally here into San Diego sector. I had a chance to talk to every single person out here. Most of them are from Brazil, some are from China, some are from Kazakstan, some are from Kyrgyzstan.

It's my first time meeting anybody from Kyrgyzstan in my life. Two of them right here. These guys are from Kazakstan. You guys are Kazakstan, right? Kazakstan?

UNIDENTIFIED MALE: Kazakstan.

UNIDENTIFIED MALE: Kazakstan.

MELUGIN: Yes, all right, three Kazakstan guys right here. There were others from Ecuador, others from Colombia.

And we want to pull up the video of them coming down the mountain. If we can take a look at this video, this was less than an hour ago, a long line of these migrants literally from top to bottom of this mountain climbing over it from the Mexican side and then walking down it, very steep, very dangerous, and entering illegally here into San Diego.

We asked some of them, why did you guys decide to climb over that mountain? It's not exactly the easiest path. They told us they have been walking for a long time, kind of got confused and disoriented and just crossed where they could. There is an NGO out here that is assisting these migrants, giving them food, giving them water, giving them blankets and beanies, because it does get very chilly out here.

But they just arrived in this makeshift camp here, Neil, where there were already Chinese migrants who were camped out waiting to be picked up by Border Patrol. So this San Diego Sector has suddenly become in recent months a hot spot for these cartel smugglers, who now have a global clientele.

It's no longer just Central American countries in Mexico and South America. We are now seeing large amounts from Asia, from the Middle East. We had men from Turkey here last night, men from Syria yesterday. And you just saw we just had those few guys from Kazakstan, others from Kyrgyzstan, and a few more from China, and only a couple of Border Patrol agents here to process them.

So, as Texas locks its state down, a lot of the traffic is starting to move further West. Arizona was already very busy with illegal crossings. Now we're seeing the California border starting to really surge. Remember, California is a sanctuary state. There is no effort on the state level whatsoever to stop these illegal crossings, unlike what we have seen in the state of Texas -- Neil.

CAVUTO: So, Bill, to that point, the word apparently has not gotten out that we're clamping down on the border right now. To now everyone on the globe, it seems that we have got a green light. We're open for business. Keep them coming.

MELUGIN: Yes, and that's what it's been for over three years now, and it just keeps getting worse each year. Remember, 2021 set the record, then 2022 set the record, then 2023 set the record. Well, 2024 is on record to set a new record.

We're already -- the numbers are already about to set a record. And keep in mind, Neil, we're in February. We're in the traditionally snow -- slow, cold time of the year. Wait until we get to springtime, OK? Once we get to those warmer months, April, May, June, and get back into the summer, these numbers are going to skyrocket again.

And if the last three years have been any indication, this is likely going to be the worst year yet, because you're going to have the temperatures change, and then you're going to have potentially migrants thinking, well, this may be President Biden's last year in office. We consider him nice versus President Trump, who was harsh at the border. We got to get in while we can.

So you can expect there's going to be a serious surge later on this year.

CAVUTO: Incredible.

Bill, great reporting, my friend. Thank you very much, Bill Melugin, in Southern California on that.

In the meantime, the very latest right now with the former president, who is in a rush to raise some cash, actually hundreds of millions of dollars in cash -- that's a lot easier said than done -- to pay off a lot of these judgments, even while he's putting up money for collateral as he appeals.

And Kelly O'Grady has more from New York City -- Kelly.

KELLY O'GRADY, FOX BUSINESS CORRESPONDENT: That's right, Neil. A lot of questions, maybe a bumpy road ahead for President Trump on raising that money, but also concerns for what this ruling might be for businesses and industries that call the Big Apple home.

We will have that for you next.

(COMMERCIAL BREAK)

CAVUTO: All right, Donald Trump has to come up with $355 million to put up for a collateral for a $355 million fine.

That is despite the fact that he is appealing all of this, but you still got to come up with the dough. And that is quite an arduous process, because, while he has a ton of assets, having that kind of cash, well, that's another thing.

Kelly O'Grady following all of that from New York -- Kelly.

O'GRADY: It's great to see you, Neil.

And that's right. This could be a bumpy road ahead for former President Trump, for the New York business community. And I want to start there because there's a bit of a chill that has set in. The concern is at the most extreme, you could have businesses reconsider investing in the state, even leave the state altogether.

A spokesperson for the Trump Organization shared this -- quote -- "If allowed to stand, this ruling will only further expedite the continuing exodus of companies from New York."

Now, one major hedge fund manager is saying this sets the precedent for every property owner to be arbitrarily declared guilty. Others are questioning, well, why would you stay in New York, given the current business climate?

Over the weekend, New York Governor Hochul sought to calm some of those fears.

(BEGIN AUDIO CLIP)

GOV. KATHY HOCHUL (D-NY): The law-abiding and rule-following New Yorkers who are businesspeople have nothing to worry about, because they're very different than Donald Trump and his behavior.

(END AUDIO CLIP)

O'GRADY: Now, this also poses immediate challenges for the former president.

So he's facing $355 million in damages, but an additional $100 million in interest. And, by the way, that accrues at 9 percent annually until he pays up. He is going to appeal that decision, but he still must set aside that money in escrow or post a bond.

What makes this trickier, Neil, is the judge ruled he can't get a loan from any New York-chartered institution. So, essentially, that means he's restricted borrowing to his friends and smaller institutions.

Now, there is speculation that he may have to sell some of those New York- based real estate assets, like Trump Tower behind me. We are hearing from President Trump himself, as well as his attorney, that they do have that $450 million to post.

That 30-day deadline is approaching. So we will see -- back to you.

CAVUTO: Kelly, thank you for that.

Well, leave it to "Shark Tank" investor Kevin O'Leary talking to me a little earlier about this that a lot of businesses feel that the sharks are circling around them, that the state is very unfriendly to businesses of any type, whether they like Donald Trump or not. Take a look.

(BEGIN VIDEO CLIP)

KEVIN O'LEARY, FOUNDER, O'LEARY VENTURES: Just leaving the whole Trump thing out of it and seeing what occurred here -- and I'm no different than any other investor. I'm shocked at this.

I can't even understand or fathom the decision at all. There's no rationale for it. And so let me give you a real-time experience I'm having regarding this, and I'm not the only one. It doesn't matter what the governor says.

New York was already a loser state, like California's a loser state. There are many loser states because of policy, high taxes, uncompetitive regulation. It was already on the top of the list of being a loser state.

I would never invest in New York now, and I'm not the only person saying that. And here's a real-time situation. In development in real estate right now, the hottest asset class is very high-end data centers. They cost anywhere from $2.5 billion to $3.5 billion each. They are very expensive.

They require low power. You need permits. But most of the major institutions in the world need more data centers, and that's why developers like me are doing this. Now, you need power. So, New York has Niagara Falls. Normally, you would consider that to put in one of these facilities, create 400 jobs, five more jobs for each of one of those for auxiliary services.

I can't go to New York. So I'm going to Oklahoma, North Dakota, West Virginia. Governor Stitt, Kevin Stitt, my staff have met with him, Governor Burgum the same thing, Governor Justice. Those are winner states. They don't do things like this.

I have to syndicate that debt and all that equity. We're talking billions of dollars here. Do you think any foreign institution or any private equity firm or any pension fund would touch New York? No. And that's why New Yorkers should be concerned.

The fine people of New York should ask themselves, why are we such a loser state? How are we going to attract business? It's not just the existing businesses that are fleeing out to Texas and Florida. What about new money like I'm talking about, like a $4 billion data center?

Not a chance I would put that in New York, zero probability, never. And so they have got a lot of work to do to find themselves getting out of this situation. This has all occurred post-pandemic, winner states versus loser states.

Look at Tennessee right now, fastest growing city in America, Nashville, winner state, good policy, competitive taxes. You have got to start thinking about this in the context of winners and losers. New York, mega- loser state.

CAVUTO: So, Kevin, what did you think of Governor Hochul saying this is like a unique one-and-done, because Donald Trump went too far and was so nefarious? You guys, if you're just doing what you should be doing, you have nothing to worry about.

But they're very worried about it.

O'LEARY: Yes, we're very worried. Every investor is worried, because where is the victim? Who lost money?

This is some arbitrary decision a judge made. This policy and what this says -- what does this say about the bar, the legal bar in New York? Aren't they going to question this judge? What is this, $355 million dollar, and there's -- dollars -- as a penalty, and there's plus interest at 9 percent and there's no victim?

I mean, I'm sorry. Her words fall on deaf ears to everybody. There's nothing she can say to justify this decision. And this has nothing to do with Trump, nothing to do with Trump. Forget about Trump. This is not a Trump situation. This is a New York problem now.

The whole world is looking at this saying, what are you doing to yourselves?

(END VIDEO CLIP)

CAVUTO: All right, in the meantime, to Kevin O'Leary's point, the former president still has to raise a lot of money, and that's exactly what is alarming a lot of businesses who don't give a tinker's you-know-what for Donald Trump. They just find what's happening to him is unfair and not just.

In the meantime, Robert Hur, the special counsel who sort of exonerated President Biden, but not for the reasons that President Biden or his staff personally liked on the whole classified documents thing, well, Congress wants to hear from him, and the White House seems to be working overtime to avoid something like that.

What he wants to do now -- after this.

(COMMERCIAL BREAK)

CAVUTO: You probably know the name of Robert Hur, the special counsel who decided not to prosecute President Biden on the whole classified document thing.

A lot of it was based on his own interview with the president. And a transcript of that is floating around, to say nothing of the interview itself. But the fact of the matter is, the White House, Justice Department slightly resistant to getting any of that out there. That might prove easier said than done.

Anyway, David Spunt is following this fast-moving development because it -- I think it was Robert Hur who himself said that it was the age issue that stopped him from going further with the president, right?

DAVID SPUNT, FOX NEWS CORRESPONDENT: That's exactly right.

He thought that Joe Biden would be a sympathetic character for a jury, making it difficult for him to present the case to a jury and perhaps get a conviction. Neil, the DOJ met today's deadline to reply to Congress about the transcript of the interview between Hur and Joe Biden, but didn't provide the specific documents.

In a letter sent late Friday to the chairman of the three big committees looking into impeaching Joe Biden, the president, the DOJ official wrote: "The transcript of the interview that took place in October must be looked at by intelligence agencies to make sure there's nothing classified."

So the process is under way. After all, the whole premise of the investigation was special Robert Hur probing classified information found at the home and personal office of President Biden. Now, once any classified information is redacted, the White House would then be able to invoke any sort of executive privilege if warranted.

But that's subjective. If that happens, that could definitely slow down the process for DOJ turning over the transcript to Capitol Hill. When it comes to executive privilege, there's not much DOJ can do to stop the White House from invoking executive privilege.

The official wrote on Friday to the White House -- to Congress, rather: "The department is committed to responding to the committee's request expeditiously, consistent with the law, longstanding department policies and principles and available resources."

Attorney General Garland is essentially putting the pressure on the White House to make a decision. It gives the DOJ cover. The White House also has a copy of the transcript. By forcing the White House to make a decision, it somewhat takes pressure off the Justice Department.

Also, special counsel Robert Hur slated to testify on March 12 in public in front of Congress, and expect him to be asked about that interview -- Neil.

CAVUTO: I would imagine just that. David, thank you very much.

David Spunt.

Meanwhile, we keep attacking Houthi rebels, but they sure have the ability to come back and attack us.

Jennifer Griffin has been keeping track of that, joins us now at the Pentagon.

What happened now?

JENNIFER GRIFFIN, FOX NEWS NATIONAL SECURITY CORRESPONDENT: Well, Neil, since Friday, when the State Department decision to put the Iranian-backed Houthis back on the U.S.-designated terror list came into effect, the situation in the Red Sea has escalated.

On Sunday, the Houthis launched two ballistic missiles at the Belize- flagged, Lebanese-operated M.V. Rubymar bulk carrier, which was traveling from the UAE to Bulgaria. One of the Houthi missiles successfully hit the U.K.-owned ship, which is now at risk of sinking, according to a Houthi spokesperson.

The M.V. Rubymar was reportedly carrying 21,000 tons of hazardous fertilizer. Its crew was rescued by a nearby merchant vessel. U.S. military officials have been alarmed at how the Houthis continue risking a broader war with the U.S. military, whose fighter pilots and missileers are on constant alert facing a barrage of incoming missiles and drones.

The Houthis changed the course of naval history on November 27 by firing ballistic missiles at sea targets for the first time ever. Today, the Houthis claim to have shot down a U.S. MQ-9 Reaper drone off the coast of Yemen and claim to have recovered the wreckage.

This would be the third drone, third U.S. drone, shot down by Iranian proxies. On November 8, the Houthis shot down a $32 million MQ-9 Reaper surveillance drone over the Red Sea, and, on January 18, an MQ-9 Reaper was downed by -- in Iraq by another Iranian proxy.

A U.S. defense official told FOX earlier today -- quote -- "We can confirm that a U.S. Air Force MQ-9 crashed off the coast of Hudaydah in Yemen and are investigating the cause."

The U.S. military had some success this weekend, destroying two Houthi unmanned sea drones, one underwater, another on the surface. A senior U.S. defense official tells me they are concerned the U.S. public has gotten lulled into complacency, thinking it is easy for the Navy to keep defending its ships. If one missile gets through and hits a U.S. warship -- quote -- "The escalation that will follow is very serious and should give people pause," the source told me, adding, this is high risk right now in the Red Sea -- Neil.

CAVUTO: To put it mildly.

Jennifer Griffin, thank you for that.

Well, the killing of Alexei Navalny right now has changed a lot of things, particularly in Russia and our view of Russia, so much so that Lindsey Graham is parting company big time with Donald Trump.

We will explain and explore after this.

(COMMERCIAL BREAK)

CAVUTO: All right, this is kind of a day-after FOX News Alert, Lindsey Graham parting company with Donald Trump on Russia, and specifically Vladimir Putin. Take a look.

(BEGIN VIDEO CLIP)

SEN. LINDSEY GRAHAM (R-SC): Let's make Russia a state sponsor of terrorism under U.S. law. Let's make them pay a price for killing Navalny. It would allow the Navalny family to go to U.S. court and sue Putin's Russia for killing of their loved one.

A state sponsor of terrorism designation is a game changer. It would allow more sanctions. It would open up the American courtroom.

(END VIDEO CLIP)

CAVUTO: All right, so that get-tough approach doesn't sound anything like that of Donald Trump, right? Take a look.

(BEGIN VIDEO CLIP)

TRUMP: "If we don't pay, and we're attacked by Russia, will you protect us?"

I said: "You didn't pay? You're delinquent?"

He said: "Yes. Let's say that happened."

"No, I would not protect you. In fact, I would encourage them to do whatever the hell they want."

Putin and Xi and all of these very smart people -- the media hates when I say they're smart. But let me tell you, they're very smart and they're very cunning. I got along with Putin. Let me tell you, I got along with him really well. And that's a good thing, not a bad thing.

(END VIDEO CLIP)

CAVUTO: All right, so what to make of this.

Dan Hoffman, the former United States chief in Moscow.

What do you think, Dan?

DAN HOFFMAN, FOX NEWS CONTRIBUTOR: Well, the first thing I would emphasize is that I applaud Senator Graham for his very true comments about Vladimir Putin being an assassin and responsible for Alexei Navalny's murder.

But Vladimir Putin doesn't fear the U.S. court system. In fact, I think that Navalny's murder has everything to do with the upcoming elections in Russia, and Putin wants his own people to understand that, if they betray him, they will suffer the same fate, the same consequences as Navalny.

And I think we would be better served if we would provide Ukraine with the supplemental that they need so that they can resume fighting, as they should, against the brutal, vicious Russian unprovoked invasion. And I think that's what we should be doing. We should bring the House back into session.

And if you want to deliver a Vladimir -- a message to Vladimir Putin, that's the best one. We're moving chess pieces on Vladimir Putin's KGB chessboard right now, and Putin would like nothing more than to be designated a state sponsor of terrorism. He will portray himself as the defender of a besieged Russia.

We'd be better off painting Navalny on a bunch of missiles and sending those to Ukraine.

CAVUTO: But we're not doing any of the above.

And, Dan, the fact of the matter is, a lot of Republicans are leery of speaking out too aggressively against what's going on there, because they know that Donald Trump has not. What do you think?

HOFFMAN: Well, I was -- I grew up when President Reagan was calling out the Soviet Union for the evil empire that it was.

And in those days, the Republicans kind of owned the national security space. Remember the 1984 and 1980 elections, and not to mention the 1988 election. And I think it's good ***politics*** to emphasize the difference between the United States and everything that's enshrined in our Constitution and the Bill of Rights, liberty, freedom and democracy, none of which exists in Russia, not freedom, not liberty, not freedom of assembly.

Vladimir Putin's big enemy is democracy. That's why he refers to the United States as Russia's main enemy. And I think a smart politician would take up that fight and lead our country, as we should be led, to counter and defend and deter Vladimir Putin's KGB Russia.

CAVUTO: But, again, if that message isn't coming from the guy who could be the standard-bearer for Republicans as the next president, does that worry you? We don't have much time.

I'm just curious, from your vantage point, does it worry you?

HOFFMAN: Yes, it concerns me.

I'd love to ask him why, because it doesn't make a whole lot of sense to me. Now, maybe you think I'm biased. I spent many days in Russia. It didn't take long to remove the -- whatever scales were left from my eyes about what makes Vladimir Putin tick.

But, yes, if I -- I think President Trump should be held accountable for those -- for those words.

CAVUTO: All right, Dan, thank you very much. We will follow it closely.

Dan Hoffman, a former CIA station chief in Moscow.

That will do it for now. Let's go to "The Five."

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