

# [***House GOP Intensifies Biden Impeachment Inquiry; Protesters Shout At GA Mayor After Student Murder; Georgia Attorney General: Laken Riley Murder A "Tragic Storm"; White House: GOP Got In The Way Of Biden Border Fix; White House: President Serious About Fixing Border Issue; Biden Talks Tough On Crime As Election Nears; Immigration A Key 2024 Issue Amid Border Crisis; McConnell To Step Down As Senate GOP Leader In November; OH, PA Residents On Toxic Train Wreck A Year Later; One On One With Presidential Candidate RFK Jr; Trump Gets Mixed Victory In New York Civil Fraud Appeal***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BFC-7BB1-JCS1-63H2-00000-00&context=1516831)

Fox News THE STORY WITH MARTHA MACCALLUM 3:00 PM EST

February 28, 2024 Wednesday

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**Section:** NEWS; Domestic

**Length:** 7979 words

**Byline:** Martha MacCallum, Gerry Baker, Paul Mauro, Gerry Baker, Paul Mauro, Jonathan Turley

**Guests:** Chip Roy, Chad Wolf

**Body**

MARTHA MACCALLUM, FOX NEWS CHANNEL HOST: Good afternoon, everybody, I'm Martha MacCallum. And this is THE STORY right now, my exclusive one on one with independent presidential candidate RFK Jr. We sat down yesterday in East Palestine, Ohio. Very interesting conversation with people from that town and with him as well. We're going to have our wide-ranging sit down one day after Democrats in Michigan warned President Biden that they are open to other options come November.

(BEGIN VIDEO CLIP)

ROBERT F. KENNEDY JR, INDEPENDENT PRESIDENTIAL CANDIDATE: I think he needs to show Americans that he, you know, a lot of these decisions are the products of complex and nuanced thought. And I do not think that that's happening now.

(END VIDEO CLIP)

MACCALLUM: Talking about the president's ability to lead and to do the job for another four years. But first, Hunter Biden, "defiant," but answering questions on the Hill right now, as we speak, as House Republicans continue their impeachment inquiry into the president, Hunter telling Republicans: "I did not involve my father in my business. You do not have evidence to support the baseless and MAGA motivated conspiracies about my father because there isn't any," says Hunter Biden. Earlier this month, Hunter's former business partner told Congress that Joe Biden was "the brand" being sold by the Biden family in all these international venues. Now, Democrats calling the ongoing deposition a "feckless enterprise." Watch.

(BEGIN VIDEO CLIP)

REP. JAMES RASKIN (D-MD): What we saw, I think, was a rather embarrassing spectacle where the Republicans continued to belabor completely trivial points.

REP. ALEXANDRIA OCASIO-CORTEZ (D-NY): What we just witnessed over the last hour was, I think, a deep-sea fishing expedition because the Republican case has completely fallen apart.

REP. ERIC SWALWELL (D-CA): One of their witnesses has been indicted for working with Russian intelligence. Another witness has been indicted for working with Chinese intelligence. Another witness is serving a 14-year felony sentence. This is fourth and 20 on their own 10, and they don't have Patrick Mahomes.

(END VIDEO CLIP)

MACCALLUM: OK, so Republican Congressman from Texas, Chip Roy, is participating in Hunter's deposition today, has been asking questions in there as a member of the House Judiciary Committee. Congressman Roy, always good to have you with us. Thank you very much for joining us again today.

REP. CHIP ROY (R-TX): Great to be on, Martha.

MACCALLUM: So, what's your response, first of all, to your Democratic colleagues who just say, look, this whole thing has completely fallen apart, it's an embarrassment for Republicans who are pressing this investigation, they're not going to find anything.

ROY: Well, this is more the same for my Democratic colleagues. They're all radical progressives and they're all trying to hide their radical agenda and they're trying to dismiss what we're seeing right in front of us. There's something in the law as you probably know, race (INAUDIBLE), right?

The thing speaks for itself. They want to dismiss all of these things by talking about the witnesses and how they want to try to disparage them, but they don't want to talk about the facts right they don't want to talk about that nothing we learned today changed questions about the exact dollar amount of an expensive sports car going into Hunter Biden's account.

The reality that when it says the big guy, who are they talking about? There is no good answers to questions like who is the big guy. There's no good answers to why Joe Biden was present when he was having these business dealings with folks. And there was no response when he was pressed on what on the world was he actually delivering and making all of this money in the tunes of millions of dollars flowing into the Biden family from overseas interests, right?

From foreign adversaries. So, my colleagues, by the way, are breaking House rules, not just some rules we set up for this deposition. United States House of Representatives rules by getting into the specifics and talking about specific questions during the deposition. I'm going to try to adhere to the House rules and not get into the specifics, but I will speak in broad terms.

And we didn't learn anything today that does not underscore the serious concerns that we can all see at the evidence sitting right in front of us, right? You can try to dismiss a witness, but you can't dismiss when you have actual text talking about 10 percent for the big guy, talking about the real concerns that we see in the form of where those dollars are flowing.

MACCALLUM: Can you answer, given what you just said, maybe not, but did he say who the big guy is?

ROY: Well, what's interesting, and again, I'm trying to be careful here while my colleagues are violating the rules, I'm going to try to adhere to them, but in broad terms, what you realize is there's actual text there that says 10 percent of the big guy. And when it says that, well, I don't know, that could be something in the zip code of somebody's speculation, right?

Oh, somebody wanted it to be 10 percent for the big guy. Oh, and then the next defense was, but wait a minute, he's now no longer a public servant after 48 years. He's private sector Joe Biden. Wait, which is it, right? Without getting into the details much further than that, which is it? You either know who it is or you don't. We know who it is. Everybody knows who it was, and everybody gets that of course he was selling the brand.

And you can't hide behind the fact that you had addictions, which God bless him, we hope that he's clean and sober, but you can't hide behind that and then obfuscate what dealings you were doing at the time when you might have been under the influence. And these are all issues that are going to continue to be flushed out.

MACCALLUM: Yes, I don't think anybody, you know, begrudges his personal situation or his addiction. The relevancy is doing these deals with China and Ukraine while you're under that situation personally, and how they might be able to use that against you. Obviously, you know, you'd have to dig and come up with the goods on whether or not there was any quid pro quo or they held anything over his head because of that situation.

We don't know you know whether any of that is going to come out. At one point, apparently, he, he suggested that Jared Kushner should be investigated because of the deal that business deal that he did with the Saudis. What did you think about that?

ROY: Well, he certainly is well within his rights to raise whatever he wants to raise, and that may have come up. Again, I'm trying to be careful here. But the reality is, what you heard in response from some of my Republican colleagues in broad terms, is like, look, follow the truth wherever it may lead, right?

We're concerned about any business dealings that might raise questions of foreign adversaries having some influence that's improper. So, we should seek truth wherever it may lead. But the fact is, that's an obfuscation. He's not dealing and he didn't want to answer the questions directly that were related to him.

Again, you can't hide behind the fact, you can't say in the one hand, hey, well I didn't even know that I might be sending something about a text saying oh, that my father was next to me. I'm not sure about all that because you know I'm under the influence. But then you try to say, right, you can't say that in the one hand and then not say, well, how did you know he wasn't sitting next to you?

Like, if you can't remember sending the text, and then you say that he wasn't sitting next to you, how do you know, right? This is all the kind of thing that you're seeing out of this with constant obfuscation.

MACCALLUM: Yes. So, on the one hand, he's either a super astute businessman who had lots of knowledge that he could sell overseas, or he was in such a fog that he can't remember whether or not his father was sitting next to him. So, you know, I don't know if both of those things can be true. Chip Roy, Congressman, thank you very much for your insight into what's going on in there.

ROY: Thanks, Martha.

MACCALLUM: Good to see you as always. Thank you, sir.

ROY: You too. Thank you, Martha.

MACCALLUM: Chip Roy, Congressman from Texas. So, coming up, a story exclusive with independent presidential candidate RFK Jr. and voters in East Palestine, Ohio, and nearby battleground, Pennsylvania, which is just a couple of miles away from this horrific scene. You know, it's easy to forget these stories, but it's not so easy for the people who have lived it, who say that they have had zero federal help in this situation.

They feel completely abandoned, despite the president's visit there just a couple of weeks ago. And that's why RFK Jr. was there, speaking with them about this. And we joined him to find out what's going on there as well, as they deal with the toxic fallout that is continuing, they say, to make them and their loved ones sick.

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: While they're fighting up there on the hill, they're playing ***politics*** with my 4-year-old daughter's life. That is not OK.

(END VIDEO CLIP)

MACCALLUM: Tempers flare also over immigration in Athens, Georgia. Quite a scene this morning when the mayor came to the podium to try to talk to the people of the town after the murder of 22-year-old nursing student, Laken Riley. Next.

(BEGIN VIDEO CLIP)

KELLY GIRTZ (D), ATHENS, GA, MAYOR: I understand in the wake of a great tragedy like this, we are all deeply hurt. And everybody expresses their hurt differently.

UNIDENTIFIED MALE: Who voted to make Athens-Clarke County a sanctuary city, sir, who? What's their name?

(END VIDEO CLIP)

(COMMERCIAL BREAK)

MACCALLUM: What an intense scene this was this morning. I don't know if you saw this live, but we're going to get you caught up on it because it was quite something. As protesters shouted down the mayor of Athens, Georgia, after the brutal murder of 22-year-old, Laken Riley, who went out for a run and never came back to her home. They held signs saying, stop lying, blood on your hands.

You can see the rest of these. The 22-year-old nursing student, as I said, was killed when she went out for a jog last week around an area that college kids go to run all the time. So, the feds say that the suspect, on the right-hand side of your screen, came here illegally from Venezuela. He was arrested in New York City six months ago, which is the point where he should have been deported for breaking the laws of this country, but as we hear too often, that didn't happen.

So, that has prompted a lot of questions about how our cities are being run, why they are still calling themselves sanctuary cities, and the mayor of Athens got huge blowback today. Watch.

(BEGIN VIDEO CLIP)

GIRTZ: No policies have been adopted by the mayor and commission that have created sanctuary city status in Athens.

UNIDENTIFIED MALE: Sir, you need to resign.

GIRTZ: One protocol that sometimes arises.

UNIDENTIFIED MALE: Resign!

UNIDENTIFIED FEMALE: Resign now!

UNIDENTIFIED MALE: You allowed this to happen, sir.

(END VIDEO CLIP)

MACCALLUM: OK, with that we bring in Chad Wolf, former acting Homeland Security Secretary under President Trump. Chad, good to have you with us. Just an interesting microcosm in one city in America, and you hear how very upset at least some of the people were in that room today, Chad. What did you make of that?

CHAD WOLF, FORMER ACTING HOMELAND SECURITY SECRETARY: Well, I think they're right, and they're right to be upset. Look, I think, most Americans are starting to catch on that. Sanctuary cities actually don't provide sanctuary and make their communities safer. They make them more dangerous at the end of the day.

And so, whether you see that, and in places like New York City, Philadelphia, Chicago, and elsewhere, citizens are starting to -- and Americans are starting to wake up to this notion. And of course, it takes a terrible tragedy, like we see here in Athens, to bring this to the forefront.

But, you know, as acting secretary in -- during the Trump administration, I went to numerous sanctuary city jurisdictions and trying to talk to the people about how it doesn't protect their communities and talking to law enforcement.

So, this, unfortunately, is not a new issue. This is something that we've been trying to educate people on that sanctuary city policies do not protect the residents of those communities. And I think people in Athens, Georgia are unfortunately feeling that very personally, right now.

MACCALLUM: The attorney general of Georgia was on "FOX AND FRIENDS" this morning. Chris Carr. And he sort of -- I think, got everyone prepared for what we would later hear when the mayor of Athens started to speak. Here is what he said this morning.

WOLF: Yes.

(BEGIN VIDEO CLIP)

CHRISTOPHER CARR, ATTORNEY GENERAL OF GEORGIA: This is the perfect tragic storm of a failed immigration system, dangerous sanctuary cities policies and an environment where D.A.'s won't enforce the law, such that law enforcement doesn't feel like it can do its job.

UNIDENTIFIED MALE: Yes.

CARR: And I heard about the press conference that the mayor is going to engage in it. He is part of the team that created the sanctuary cities that they said they knew better than federal law or state law.

(END VIDEO CLIP)

MACCALLUM: Yes.

Chad, we also -- on top of that, just heard from President Biden, and he was speaking at the White House about crime and safety in America. And he sounded a little bit like what I heard from the mayor in Athens this morning, who at one point in his statement started talking about how much safer Athens is than other cities.

And how people should feel like every -- that -- you know, that, that they are sort of out of step, if they don't have the right numbers, and they don't understand that things actually are better, but people don't. And what did you think about what President Biden said moments ago?

WOLF: Well, no, Americans don't feel that way. And you just have to look at what's going on, on the border, which has created a crisis, and it has allowed individuals like the suspect, to come in on parole program that should never been in place.

And then, you have sanctuary cities that allow these individuals to be released. And don't coordinate with ICE to remove these individuals.

So, the American people I think, have seen enough, and have heard enough.

(CROSSTALK)

MACCALLUM: They are fed up.

WOLF: And they are not reassured at this point. They want to see the policies change.

MACCALLUM: Yes, you now have a majority of Americans who want a border wall. 53 percent.

WOLF: Yes.

MACCALLUM: -- now want a border wall that keeps us safe.

Chad, thank you very much. Good to have you here.

WOLF: Thank you.

MACCALLUM: And as you mentioned that in my great, oh -- great to see you. Thank you very much, Chad.

I brought these issues up about whether or not we should have a secure wall at the southern border. And what should happen to people who come here illegally, and then, break our laws.

And I got some very interesting answers from RFK Jr. on this. You'll hear our conversation coming up next.

And the message today from President Biden, which I just touched on, about crime. As his former communications director admits, no matter what you say, or what you see in the numbers, many Americans feel unsafe.

(BEGIN VIDEO CLIP)

KATE BEDINGFIELD, FORMER WHITE HOUSE COMMUNICATIONS DIRECTOR: I don't subscribe to the Trump vision of America as a decaying wasteland where, you know, the packs of people are running wild committing crime. But it is true that people across the country, particularly in cities are concerned about crime.

(END VIDEO CLIP)

(COMMERCIAL BREAK)

MACCALLUM: OK. Jacqui Heinrich's in the front row, and she is asking a question about why Biden is -- the president is going to Brownsville, Texas. Listen.

(BEGIN VIDEO CLIP)

KARINE JEAN-PIERRE, WHITE HOUSE PRESS SECRETARY: As I said -- as I've said many times, it was support -- it's supported by the Border Patrol union, U.S. Chambers of Commerce. And that is not something that you see every day.

But what we ended up -- what ended up happening is that Republicans rejected it. They rejected it because of the last president and the ***politics*** around the last president.

And so, look, the person is going to -- he said, we actually even said that once that bill was killed by Republicans that the American people are going to hear directly from the American -- from the president.

JACQUI HEINRICH, FOX NEWS CHANNEL CORRESPONDENT: Well, the reason I ask is because Brownsville is one of the slower sectors. In the month of February, they averaged, I think, 17 illegal crossings a day for a little more than 450 in the month.

The number one sector has had more than 14,000 in the same time period. This administration has often criticized Republicans when they go to the border and hold similar press conferences as saying that they're doing publicity stunts and photo ops.

So, how is this any different?

JEAN-PIERRE: Well, it's very different. What House Republicans have done is nothing. Absolutely nothing. If anything, they consistently get in the way. They consistently get in the way of what the president is trying to do to get more resources. They are turning this into a political stunt by listening to Donald Trump and saying that they need to kill it. This is what they have been doing, and making it political.

Where the president got his team -- you know, directed his team to work with senators, both Republicans and Democrats to get a bill done.

HEINRICH: The president does not going to actually see the parts of the border where it's actually really bad.

(CROSSTALK)

JEAN-PIERRE: I think -- I think you are missing the point. The point is the president actually did the work to get a bipartisan bill done. That act -- that deals with an issue that the majority of Americans care about. He did.

It dealt with border security challenges, it dealt with immigration policy. He actually did that. Republicans got in the way. They rejected it. What Republicans in the House got in the way. And then it was rejected because of what they were told by the last -- by the last president, by Donald Trump to kill it.

They literally, literally, Jacqui, put ***politics*** ahead of the American people. That's what they did.

HEINRICH: What do you say to people, though, who think that this is just an election year stunt? Finally appearing about the border after it's been a problem for the last three years?

JEAN-PIERRE: Here is the thing, here is what I would say, on the first day of this president administration, he put out a comprehensive immigration policy to deal with this issue. He did that on the first day. That was his first piece of legislation.

I would hope the American people would see how serious this president was or is about fixing this issue. Not only that. Spent four months, four months, having a bipartisan conversation, doing negotiations to come up with a -- with a -- with a bill, with a proposal that was again, approved by the Border Patrol union. Right?

That was -- that supported by the U.S. Chamber of Commerce. We don't see that. And that's because of the president's direction of what he was able to do because he got involved and work with Republicans and Democrats in the Senate.

And then, when we got this bill done, by the way, it included a lot of things that House Republicans wanted. When we got that done, it was rejected because of ***politics***. I mean, that's where we are, that is where we are.

So, the president is going to make that very clear and take it directly to the American people.

UNIDENTIFIED MALE: Karine, is the president spoken to the family of Laken Hope Riley, the young Georgia student who was murdered allegedly at the hands of an undocumented immigrant?

JEAN-PIERRE: So, first of all, I do want to extend our deepest condolences to the family and loved ones of Laken Hope Riley. Given this is an active case, I'm going to be really careful about speaking to that case, more specifically, would have to refer any -- anything specific to the -- to that case to law enforcement, and obviously, ICE.

And I -- the president -- I don't have anything regarding to the president speaking to the family. But it was --

(END VIDEO CLIP)

MACCALLUM: All right, coming off of that discussion. I just wanted to hang there for a minute, and see if President Biden has spoken to Laken Riley's family. And it sounds like that has not happened yet.

And we also heard from the president earlier on crime in America, he basically said that things are really going so much better than they have in the past. And here is a little piece of that. Watch.

(BEGIN VIDEO CLIP)

JOE BIDEN, PRESIDENT OF THE UNITED STATES: Last year, the United States had one of the lowest rates of all violent crime -- of all violent crimes in more than 50 years.

Murder, rape -- murder, rape, aggravated assault, robbery, all dropped sharply, along with burglary, property crime, and theft.

(END VIDEO CLIP)

MACCALLUM: OK. Let's bring in Paul Mauro, retired NYPD inspector and founder of opsdesk.org. And Gerry Baker, Wall Street Journal editor-at- large, host of Wall Street Journal at large on Fox Business, both are Fox News contributor. It's great to have both of you with us today.

Gerry, your reaction to the president's -- he came out there with a lot of police chiefs and addressed the nation on the issue of crime. What did you make of it?

GERARD BAKER, FOX NEWS CHANNEL CONTRIBUTOR: Yes. Look, they are trying to tell people that what they see in their homes, and their streets, in their cities every day is not really happening, which is that there is a significant amount of crime here.

Now, the numbers, you know, some types of crime it's true have declined the last couple years. Remember, we had a big spike in crime in 2020. And some categories of crime have declined. But overall, serious crime in a many, many major cities, places that he like here in New York, Philadelphia, Chicago, Baltimore, other cities have seen a very significant spike crime.

People are aware of this. You can't tell people that what is happening is actually not happening. What they can see happening before their eye is happening. But it's the same, you know, it's -- these political stunts. I mean, you know, I applaud Karine Jean-Pierre there for sort of doing an impersonation of someone trying to sell someone a dead horse.

You know, that everybody knows that there is an immigration crisis. Everybody knows that there is a serious problem with crime in this country. And telling people that it doesn't exist, telling people actually that we've all blaming the Republicans for the immigration crisis, or saying, Actually, crime is fine, there is the crime is declining, and the country is fine, and we don't have a crime problem. It's just a denial of reality, and people don't buy it.

MACCALLUM: Yes. Let's take a look, Paul, at a couple of these videos. And we just grabbed, you know, a couple of these. I could actually take up most of the show showing these videos, sadly.

PAUL MAURO, FORMER INSPECTOR, NEW YORK POLICE DEPARTMENT: Yes.

MACCALLUM: Of smash-and-grabs, of a woman who is being wrapped around a pole, like, parking pole, by a believed Venezuelan migrant, who was grabbing her purse. You know, that's just two. Like I said, I could show you 100 of them.

MAURO: You know, so, very clearly, we have a crime and migration nexus occurring in the -- in the criminal justice world here that very clearly, the administration doesn't want to confront President Biden came out today. He gave this pretty long speech regarding crime and how much safer we're all supposed to feel without once addressing not only Laken Riley, but obviously the immigration issue.

And the fact that we very clearly have organize Venezuelan gangs operating here. That go back to the old country, the NYPD made a big arrest on it. But who remains absent in this? DOJ. These are international level organize crime groups, that generally you're going to need the federal reach to put these cases together.

They are completely MIA, because it doesn't work politically, because it redounds to the migration issue.

So, expect more willful blindness. They are not going back to Venezuela. Maduro is not taking them back. This is a problem for us that we're going to be dealing with for a long time.

(CROSSTALK)

MACCALLUM: I'm sorry. That's one thing I don't get. Why do we care if Maduro won't take them back?

Why don't we just take them to the airport, give them a ticket. When you get there, that's your problem. What -- why did we put up with these countries saying, oh, yes, sorry, we're not going to take them back.

MAURO: And not only that -- not only that, Martha. But we pay for them to come here. I mean, according to the Center of Immigration Studies, the NGOs are funded by American taxpayer money. And it's the NGOs that are bringing it. We are paying for our own invasion.

MACCALLUM: Yes. So, Gerry, big event at the border tomorrow. President Trump is going to be an Eagle Pass. He's going to talk to Sean Hannity.

Biden is going to Brownsville. And you heard Jacqui's question, why Brownsville?

BAKER: Because there's hardly anybody -- because there is hardly any illegal crossings, and he can appear to be there, saying, look, we've got no problem at the border. It's another part of this denial of reality problem.

Look, Paul is absolutely right. We have now this nexus of migration and crime. This all -- this -- and obviously, this terrible, terrible murder of Laken Riley in our primary, our hearts go out to also to her family, and our prayers are with her and her family.

But that is -- what's so striking about that story is, is not just that it was obviously the primary -- the prime suspect, is of course, the illegal immigrant. But the fact that he was actually released, having committed this crime here in New York City.

Thanks, again, this goes way beyond just the immigration problem. Thanks to the soft on crime policies that many of our cities have. Where they, you know, the so-called sanctuary city, where they're not going to actually move to a (INAUDIBLE) when someone -- and an illegal migrant commits a -- commits a serious crime, they are not going to do anything to cooperate with immigration authorities to get that person out of this country because they don't belong in this country.

And instead, what happens is they're allowed to carry on the --

(CROSSTALK)

MACCALLUM: Yes.

BAKER: That he disappeared, then, he goes to -- again, he is alleged to be the killer of Laken Riley. This is a -- it's an indictment of -- so, it's an indictment of the failed immigration policies of this administration. And it's an indictment of these soft on crime prosecutors, sanctuary cities, law and order -- so-called law and order policies that so many of these democratic (INAUDIBLE).

(CROSSTALK)

MACCALLUM: Yes. I only have a minute left. So, I'm going to stay with you, Gerry, and I just want to ask you about the reaction to Senator Mitch McConnell. The longest serving leader -- Republican leader in the Senate announced today that as of November, he will be leaving the Senate. Your thoughts.

BAKER: Yes, it's been a very long -- you know, long run for Mitch McConnell. And look, he has had a rough time over the last year or so. We've certainly seen that. And he's fallen out with obviously with President Trump, at various points, it looks like he's going to endorse him.

But he was one of the great sort of manipulators of the Senate. I mean, that in the best possible way. He was a master tactician, he managed to get -- I mean, I think probably most memorably, Supreme Court nomination through that would not have got to. This country owes at least one Supreme Court nomination to Mitch McConnell's genius in handling the Senate.

So he's got a good record overall, but that in particular his ability to do that, to get the kind of results that conservatives wanted. He was a master at it.

MACCALLUM: I should be clear, he's leaving leadership. But, Gerry, just wanted to get you to weigh into that. Thank you very much. Paul Mauro, always great to have you here.

PAUL MAURO, FOX NEWS CONTRIBUTOR: Thank you.

MACCALLUM: Thank you very much for joining us this afternoon.

And coming up, an interview that you will only see on THE STORY with Independent presidential candidate RFK Jr. And voters who are still dealing with the impact of one year ago's toxic train derailment in East Palestine, Ohio. You will hear their voices. They are very powerful. I promise you. They will speak about how they feel about their government, about the response, all of that coming up next. And RFK Jr. is in that conversation, then you'll hear our one on one coming up.

(BEGIN VIDEO CLIP)

ROBERT F. KENNEDY JR. (I), PRESIDENTIAL CANDIDATE: If I get elected in November, I'm going to find the people who are responsible for this, and I'm going to identify them. Why were you doing that? Who told you to do that? Who told you to avoid finding stuff? I'm going to find out who those people are, and I'm going to hold them responsible.

(COMMERCIAL BREAK)

MACCALLUM: It was the site of one of the worst environmental disasters in decades. East Palestine, Ohio, a town of the population of less than 5,000 people, where on February 3rd of last year, a Norfolk Southern train barreling through town as it does every nine minutes. This one was around 9:00 PM that night.

A wheel bearing overheated, came off, derailing 53 train cars carrying vinyl chloride and other chemicals, spewing them into the air and the ground. And then three days later, officials made the determination that rather than risk an explosion, they were going to do a controlled burn, a decision that many residents believe was devastating to their health and their property.

Shortly after that, they were told, it's safe. You can head back home now. So were on the ground yesterday in East Palestine, where I was joined by Robert F. Kennedy Jr., an environmental lawyer for more than 40 years. He is now an Independent candidate for the presidency of the United States. He is also of counsel with a firm that represents some of the victims in this case, not the people that we spoke to there, but in their cases against Norfolk Southern.

We sat down with the residents, which include people from Pennsylvania. So we got a take from Ohio and Pennsylvania voters just a few miles away over the border. Watch this.

(BEGIN VIDEOTAPE)

MACCALLUM: Let me start with Lori and Wayne, who actually are joining us from Pennsylvania today. But you're just three and a half miles away, right?

WAYNE O'CONNELL, DARLINGTON, PA RESIDENT: Yes.

LORI O'CONNELL, DARLINGTON, PA RESIDENT: Correct.

W. O'CONNELL: That's correct, yes.

MACCALLUM: What can you tell us?

W. O'CONNELL: Well, when it happened, we were dumbfounded. We didn't know what was going on, all we heard was sirens. We was all in bed. Fast forward, we started getting burning lips, watery eyes, nauseated and dry mouth, dry lips.

Fast forward, 18 weeks after the train was blown up, unnecessarily, I might add, that's been proven. I was diagnosed with breast cancer. So July 10th of 2023, I had to have a double mastectomy. Since then, I've gone through four rounds of chemotherapy. Our daughter, who's 24 years old, she's asking us questions like, am I going to be allowed? Can I have children after this?

We don't have the answers. We don't know. She's due to be tested as well next month.

L. O'CONNELL: She fears cancer. And she does ask us, am I going to be OK? Am I going to be able to have children? Am I going to get cancer? We can't answer those questions for her because we don't know.

MACCALLUM: I just want to play a soundbite. This is President Biden, who has just visited recently about a year later. Let's listen to this.

(BEGIN VIDEO CLIP)

JOE BIDEN, PRESIDENT OF UNITED STATES: Let me be clear, while there are acts of God, this was an act of greed that was 100% preventable. Let me say it again, an act of greed that was 100% preventable. We know multimillion dollar railroad companies transporting toxic chemicals have responsibility to do it safely. And again, Norfolk Southern failed.

(END VIDEO CLIP)

MACCALLUM: What's your reaction when you listen to that, Linda?

LINDA MURPHY, EAST PALESTINE, OH RESIDENT: I honestly don't know. I really don't believe anything anybody says anymore. I don't think anyone is genuine. And Biden had gone on to say as far as that sound clip, he went on to say that we're going to continue receiving the assistance that they've been providing all along.

We're not getting assistance from local government, from county, from state, from federal. We're not getting anything. So basically what he said is we're going to keep doing nothing.

MACCALLUM: What do you say to that, Mr. Kennedy?

KENNEDY: I like President Biden's pledge that he's going to hold Norfolk Southern responsible, but this occurred because of a failure of government. Norfolk Southern was paying its executives 80% of their salary comes from reducing costs. That's where their bonuses come from.

The company should be criminally-charged for what it did to this community. It was an act of theft. It stole the property values. It stole the health. It stole the pursuit of happiness from this wonderful community.

MACCALLUM: Yes.

MURPHY: They stole our lives.

KENNEDY: Yes, it stole the lives of people.

MACCALLUM: All of you were nodding your heads, but how does it impact how you look at this election?

CHANEY NEZBETH, THE WAY STATION EXECUTIVE DIRECTOR: We have seen so many people that have come through this community over the last year, and many of them have been just self serving. They've used this as an opportunity for their own personal and professional growth, and not anything genuine.

We have seen a few. We have seen a few genuine folks come in that have wanted to help us, but we're so tired of hearing they're going to make it right.

MACCALLUM: Yes.

NEZBETH: That it's -- we want specifics.

JAMI WALLACE, FORMER EAST PALESTINE, OH RESIDENT: Our human health, it's not a red issue, it's not a blue issue. This is an issue of human lives.

KENNEDY: Yes.

WALLACE: ***Politics*** has no business in this issue when it comes to children's lives. And the thing that I say, kind of what Chaney was saying, boots on the ground, that's the problem, is they don't know what's going on in the ground at the federal level. You have to be connected to the people.

MACCALLUM: Let me ask you a question, Mr. Kennedy. If this happened, and you were president, what would you do on day one? Do you evacuate the town? Do you let people go back? What do you do?

KENNEDY: Preliminarily, we need to unravel the corporate capture DOT that allowed this to happen. And right now President Biden says that he's going to fix his problem and hold them responsible. Why isn't the attorney general investigating this and filing criminal charges?

This is a crime, what happened here. This whole town is a crime scene. I mean, what I would love to see President Biden say is to come in and say, you know, this happened because of a failure of government. This happened because these agencies are captured. They're corrupt. And I'm not going tolerate it anymore.

And I'm going to expose the people and fire the people who are not doing the proper testing. I'm going to prosecute the people who are responsible at the outset, instead of kind of a vague promise that we're going to take care of everybody.

MACCALLUM: I want to thank all of you for joining us today. I'm grateful for your time and sharing your stories here. There's nothing like meeting people who have been through this firsthand, and helping all of us understand your story. So thank you.

(END VIDEOTAPE)

MACCALLUM: They talked about the fact that they believe that the EPA is basically in bed with Norfolk Southern. So they do the tests and they say, oh, the test hall came back fine. Then they bring in their own independent testers who give them different information.

So you can see why they are so frustrated. We asked Norfolk Southern for an update on how they're helping the residents of East Palestine. They told THE STORY, "We have been on the ground in East Palestine and the surrounding communities since day one. We made a promise to make it right. We're keeping our promises. To date, the company has committed $104 million to the community, completed major remediation work, and is making progress on long term health, water and housing commitments," according to the company.

But you can actually hear the whole conversation, which I really encourage you to do. It is very compelling. And more of my interview with RFK Jr. and what he says about President Biden's fitness for office, and also his efforts to secure the southern border. That is next.

(BEGIN VIDEO CLIP)

KENNEDY: We should end the catch and release program, and have a catch and return program at the border.

MACCALLUM: And build a wall?

(END VIDEO CLIP)

(COMMERCIAL BREAK)

MACCALLUM: Now back to my conversation with Independent presidential candidate Robert F. Kennedy Jr. from his battle to get on the ballot in more states, the accusations that he is a spoiler candidate, and what he would do about what he says is the crisis at the border. He has been there twice in recent months.

(BEGIN VIDEOTAPE)

MACCALLUM: So you're on three state ballots right now, how are you going to get on the others? I know you've started your own We the People Party, and then there's a libertarian area where you could get on ballots in that way as well. What's the plan and how quickly will it happen?

KENNEDY: We're going to be announcing new states every week from now on. We're way ahead of our benchmarks. We will be on the ballot in 50 states and the District of Columbia. I think we have 80,000 volunteers now on the ground. We're finding it extraordinarily easy, actually, to persuade people to sign, and we're ahead of all of our expectations.

MACCALLUM: What do you say to those who say you're just a spoiler? You were very critical of Ralph Nader back in 2000. You wrote a piece in the New York Times criticizing him and saying that he was going to hurt the environment by handing the election to George W. Bush. So, what do you say now to those who say that you're in the same position?

KENNEDY: I hope to be a spoiler for both President Trump and President Biden. I hope to take votes from each of them and win the election.

MACCALLUM: So you don't consider yourself a spoiler?

KENNEDY: No. I'm not in here to do anything except to win.

MACCALLUM: President Biden was in an ice cream shop and he was asked about Gaza. And he said, while eating ice cream, oh, there's going to be a ceasefire by the weekend. No, not by the weekend, by right after the weekend.

And it's not the first that we've heard him take on serious foreign policy issues in that kind of light environment. We don't hear from him a lot in terms of laying out his thinking on some of these big foreign policy issues. What do you think about his candidacy at this point?

KENNEDY: I think he needs to come out of the White House and show Americans that he has the cognitive capacity to -- and the mental acuity to handle this job at probably the most challenging time now. At least in recent American history, we're facing issues that are existential.

We're involved in two wars. We have AI coming down, which is going to change everything, and there's enormous dangers in it. We need a -- we have an economic crisis in this country where the middle class is disappearing. It's been torpedoed. Where 57% of Americans can't put their hands on $1,000, where an entire generation of kids cannot buy a home.

This is a crisis. We need a president who is thinking about these things, who is articulating the solution for the American people.

MACCALLUM: Do you not have confidence that he can serve?

KENNEDY: I think he needs to show Americans that he, you know, a lot of these decisions are the products of complex and nuanced thought, and those thoughts need to be articulated to the American people in a way that we all support him.

And I do not think that's happening now. Our children's lives are dependent on that 3:00 AM call. And we need to know that we have a president who can wake up in the middle of the night and who is on his feet, and thinking about those things. And I don't -- I'm not -- I don't think -- I think a lot of Americans have lost confidence in that.

MACCALLUM: So you're saying you don't think he's actually in charge?

KENNEDY: You know what, I have a personal issue, which is my Secret Service protection. And I've known President Biden for 40 years, and he was a friend. With all of the issues about, you know, about him, he was somebody who I thought at least had a kind of fundamental decency.

And the fact, I just don't believe that he would have personally made the decision to deny me for Secret Service protection. I think somebody else is making those decisions.

MACCALLUM: You've been supportive of Israel's battle in Gaza. What about now? Would you be encouraging Israel to stop the bombing in Gaza? Or do you support, as Bibi Netanyahu has called for this week, that they have to finish the job and eliminate Hamas?

KENNEDY: Well, you know, I think Israel, like every other nation, has a right to defend itself. I think we have to come down to the fact that Hamas has said, we don't want to negotiate. We want only one thing, which is the annihilation of Israel, the extermination of Jews in this part of the world.

I think, you know, I'm not a fan of Bibi Netanyahu's. I don't think most Israelis are. I think he would be voted out. But I think most Israelis are overwhelmed. Israel is today unified because they feel embattled. They feel that this is an existential risk to them.

I think it's a complex issue and it's not easy. But we have to look at what is -- how do you avoid civilian deaths over the long term, not just immediately.

MACCALLUM: There are some discussion that Joe Biden, the President, could lose the vote in Michigan based on a stance that's very similar to the one that you just presented, because he could lose 200,000 Muslim voters in Michigan. Michigan is a state that you think -- you just put on the list of one you might be able to win. Is that going to hurt you there?

KENNEDY: I think we need to make that distinction that Hamas is not the friend of the Palestinian people. Hamas is the abuser of the Palestinian people. And we need to point to -- Hamas, you know, when we see civilian deaths happening which are horrific and unacceptable, we need to understand that Hamas is at fault.

MACCALLUM: Let me ask you this. With regard to the border, there is a battle on Capitol Hill right now that conservative -- many conservatives believe that you should secure the border before you send another dollar to help Ukraine. Do you agree with that?

KENNEDY: I mean, I think the Ukraine war should be ended. And I think -- I wouldn't necessarily couple those issues, but I think that Ukraine war is a war of choice, that it's a war that's easily settled. And that we should not be spending any more money in Ukraine. We need that money here.

MACCALLUM: Do you believe that any person who has crossed the border and commits a crime should be deported from this course?

KENNEDY: Of course. Of course they should be deported. And the major thing is to shut down the border, which we can do pretty much overnight. And that through a combination of policy of reinstating the Migrant Protection Act, which requires people who coming through with asylum claims that their case be adjudicated in Mexico, not the United States.

We should end the catch and release program and have a catch and return program at the border.

MACCALLUM: And build a wall?

KENNEDY: We need the wall. We need a physical barrier as a wall in the urban areas and places where migrants can disappear very quickly. And then we need other infrastructure, including monitoring long range cameras, lights, fences and a lot of the other areas.

You don't need to put a wall 2200 miles from Brownsville, Texas to San Diego, but you need monitoring systems. And we had those in place and the Biden administration dismantled them.

(END VIDEOTAPE)

MACCALLUM: So a lot more there. And you can hear the entire discussion with the panel in East Palestine and also my one on one with Robert F. Kennedy Jr. on the Untold Story podcast. That's going to be available, both of those will be available, a double podcast drop this Friday. I encourage you to listen to it at foxnewspodcasts.com.

And this breaking news while were showing you that, we now have an update on former President Trump's appeal against his New York civil fraud verdict. A New York appellate judge has rejected the former president's request to put a pause on the $454 million civil fraud penalty. But the former president did win his request to temporarily delay rulings that banned him from running a business in New York State and taking out loans from New York banks.

With that, we bring in Jonathan Turley, constitutional law attorney and Fox News contributor. Jonathan, bit of a split decision there for the former president. His attorneys pushed this delay on the grounds that this amount is so enormous that it is exorbitant and punitive, were their words. What do you think about this decision?

JONATHAN TURLEY, FOX NEWS CONTRIBUTOR: Well, it does give him a little breathing room. It still leaves him with a rather onerous burden. But the decision of the lower court, in my view, was unfair. The judge imposed an unprecedented penalty under this law for this type of conduct. In fact, none of us have seen this law applied in this way.

And by doing so, he not only hit Trump with this massive award, but required Trump to put the money up front under a separate rule which requires you to deposit money or to get a bond. And then Trump was hit with a 30 day deadline to do so. And then on top of that, he was unable to do business with some of the New York banks.

Most of us felt that was really beyond the pale. I mean, at some point it becomes confiscatory just in order to bring an appeal. And the example is that if you're contesting an order taking your home, you shouldn't have to sell your home to appeal that order.

But people like Attorney General James were talking about precisely that. She was actually naming properties that she might seize or he might sell just to get the Court of Appeals to look at this opinion. So it is a mixed victory for Trump, but it does give him some more options he didn't have before.

MACCALLUM: She is very gleeful about the situation that he's in right now. She said, I look up at 60 Wall Street every single day. Basically, if he just sells that, he could solve this problem. She's also putting on her ex account every day the newly accrued amount, including the new interest that happens daily on this amount.

Does he have any further recourse on this amount, in your opinion? Which I think is due in a couple of weeks now.

TURLEY: Yes. It's very hard in order to get a further review. He can ask for it. I do think that he has very good grounds here to say that this was an excessive award. But also the conditions for appeal are beginning to shock the conscience, at least they should. So I think he can push further, but he's unlikely to succeed with the court of appeals.

MACCALLUM: Yes, it's extraordinary. The largest single judgment against any individual, I believe, in American history in this decision here against the former president. And it's a victimless crime, as they have admitted in this court, but they came up with an exorbitant judgment in his opinion. Thank you very much, Jonathan.

TURLEY: He will be able to get that appeal. That's the key. He just has to come up with money.

MACCALLUM: All right. Jonathan, thanks for hopping on with the breaking news. That's THE STORY for today. We'll see you back here tomorrow, and I'll see you on "THE FIVE" tonight.

**Load-Date:** February 28, 2024

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