

# [***Supreme Court Lets Texas Enforce Border Law For Now; Generals Who Carried Out Afghan Exit Face Scrutiny; New Push To Limit Medical School Diversity Efforts; Supreme Court Weighs Crucial Free Speech Case, Trump Assets Could Be Seized In New York Civil Case; Hearing On Chaotic Afghanistan Exit; New Docs Reveal COVID Lab Leak Smoking Gun; Royal Rumor Mill Churns As Kate Sighting Reporter***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BKM-7J61-F072-X0KW-00000-00&context=1516831)

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

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**Guests:** Don Bolduc, Sharri Markson, Neil Sean

**Body**

MARTHA MACCALLUM, FOX NEWS ANCHOR: Good afternoon, everybody. I'm Martha MacCallum and this is THE STORY. Two major stories breaking at this hour. The Supreme Court has just allowed Texas to enforce their own state immigration law. This is a very monumental decision, and this is in place for now before it goes to the next level of appeal. So, the state at this point can start arresting people suspected of crossing the border illegally while this legal battle over the law continues -- it's called SB4. You've heard us talk about it a lot in recent days. So, we're going to take you live to the border.

We're going to get reaction from about the Supreme Court decision and what the impact's going to look like in Texas coming up momentarily. But first, what happens when two top U.S. generals in charge of our deadly exit from Afghanistan testify for the first time before Congress as free speaking private citizens about what really happened as the Taliban swept the country and President Biden announced our unilateral pullout, timed in many ways to happen just before the anniversary of September 11th, to mark the end of 20 years of fighting in Iraq and Afghanistan. Now, that exit, and the way that it was carried out led to the death, the killings of 13 treasured U.S. service members and certainly treasured members of their families as well.

Afghans, remember this, apparently falling to their deaths in some cases after clinging to a U.S. military plane and a family mistakenly targeted and killed in an attempt to stop another bombing in Kabul. We also remember watching as American soldiers and Marines came to the aid of Afghans, frantic to get out of their deteriorating situation. Today, former Joint Chiefs Chairman General Mark Milley and former CENTCOM Commander General Kenneth McKenzie testified about the evacuation.

(BEGIN VIDEO CLIP)

GEN. MARK MILLEY (RET.), FORMER JOINT CHIEF OF STAFF CHAIR: On 14 August, the non-combatant evacuation operation decision was made by the Department of State and the U.S. military alerted, marshaled, mobilized, and rapidly deployed faster than any military in the world could ever do. It is my assessment that that decision came too late.

GEN. KENNETH MCKENZIE JR. (RET.), FORMER CENTCOM COMMANDER: If there's fault, it lies in a policy decision that placed the joint force in this situation and exposed the force overtime to the possibility of these kinds of attacks. I was the overall commander, and I, and I alone, bear full military responsibility for what happened at Abbey Gate.

(END VIDEO CLIP)

MACCALLUM: Retired Brigadier General Don Bolduc, who served 10 tours in Afghanistan, is standing by with his reaction to what he is hearing in that congressional hearing room today. First to congressional correspondent Aishah Hasnie, live on Capitol Hill. Aishah.

(BEGIN VIDEO CLIP)

AISHAH HASNIE, FOX NEWS CHANNEL CONGRESSIONAL CORRESPONDENT: Martha, we are hearing some headlines come out of this hearing. First and foremost, General Mark Milley is testifying that Afghanistan would not have collapsed, have fallen, had the White House, the administration just followed the assessment of the Pentagon by keeping those U.S. troops on the ground. Second, this is a big one, after three years, there's still no way to know the actual number of Americans and allies that we left behind because Milley says the State Department's original numbers were unclear, they were inaccurate. And both of these generals, Milley and McKenzie, are blaming the State Department for making the call to evacuate way too late.

MILLEY: It's one thing to have the plan. It's the second thing to do the actual coordination of the plan.

MCKENZIE: And that was too little, too late.

MILLEY: It was my judgment that it was far too little, far too late.

HASNIE: Now, Millie says he is here for the 13 U.S. service members who died in a suicide bombing at Abbey Gate. Some of their loved ones are here as well, including Steve Nikoui, who was arrested for shouting during President Biden's State of the Union address earlier this month. And he tells me, Martha, he is still facing charges for that incident and that the administration has not once reached out to him since Congressman Michael Waltz is telling me that he is going to do to everything in his power to make sure those charges get dropped. Martha.

(END VIDEO CLIP)

MACCALLUM: Aishah, thank you very much. So, let's bring in retired U.S. Army Brigadier General Don Bolduc, who served, as I said, 10 tours in Afghanistan. He ran for Senate in the state of New Hampshire two years ago as a Republican general. Very good to have you here. Thank you very much for, for joining us today. Obviously, there's so much heartbreak around this story. All of these families who lost these young service members, many of whom had never been in combat before they were sent in to protect this area, and the loss is enormous for them. What are you hearing as someone who is so familiar with these generals with this situation, what are you hearing in what they're saying today?

BRIG. GEN. DON BOLDUC (RET.), U.S. ARMY: Well, biggest thing I'm hearing is that, and this is a news flash for the American people it was a strategic failure before this exit. I don't even want to call it a military withdrawal, because that would be giving it some sort of military operation, connotation, but it was it was absolutely has been a failure except for the years of 2010 to 2013 in the beginning of 2014. We lost this war. And that's what Americans need to know. Now, what I'm hearing from these generals is and I thank them for you know recognizing the service members and the sacrifices of everybody because that's what we need to do. But they're not taking accountability and responsibility for their own actions in this.

They're pointing fingers at the State Department. This was a State Department, Department of Defense, National Security Council failure. It was a Biden administration failure. It was a failure over four different administrations. I was involved in Afghanistan from 2001 to 2013. As a matter of fact, it's easier to say, I wasn't in Afghanistan from 2003 to 2004, and I wasn't in Afghanistan from, you know, a small period between 2007 and 2008. Every time up to that point. I've worked for all of these guys. They make bad decisions at every single level, which led to the debacle of an exit that we see today, leaving millions of people in peril.

MACCALLUM: General, I want to play something. This is President Biden speaking with George Stephanopoulos on August 19th, 2021, about the issue of keeping troops in place in order to prevent this chaos. Watch this.

(BEGIN VIDEO CLIP)

GEORGE STEPHANOPOULOS, ABC HOST: Your military advisors did not tell you no, we should just keep 2,500 troops it's been a stable situation for the last several years, we can do that, we can continue to do that.

JOE BIDEN, PRESIDENT OF THE UNITED STATES: No, no one said that to me that I can recall.

(END VIDEO CLIP)

MACCALLUM: Is he telling the truth?

BOLDUC: I don't know if he's telling the truth I know that the magic number of 2,500 was also the number given when we withdrew from Iraq under the Obama administration which was a blueprint for this, for this exit, and both were a disaster, as we found out, as time went on. So, I'm not surprised that 2,500 may have been the number. That's kind of the number that they go with when they're looking at top-down counterterrorism operations, but still, it's a bad strategy. It's a strategy with no exit, no strategic victory, and that is the problem, and that's the failure of these gentlemen and the rest of the National Security Council staff and apparatus in America.

MACCALLUM: Yes. Well, we know that, and I have to leave it there, General, but I really want to thank you for being here. And we know that Sergeant Tyler Vargas Andrews tried to alert people that he had spotted a terrorist in the crowd outside of the Abbey Gate. He claims that no one listened to him, even after he was wounded in that attack. Nobody asked him for his after-action report, and there are just so many tragedies around this situation and our heartbreaks for the families who are involved in all of this. Thank you, General Bolduc. Always good to speak to you.

BOLDUC: You're welcome. God bless you.

MACCALLUM: Thank you.

BOLDUC: Thank you. God bless you.

MACCALLUM: You as well. Thank you very much. So also, breaking just moments ago, the Supreme Court will allow Texas to enforce their new immigration law, SB4, is what it is called, at least for now. The Justice Department challenging the measure that lets the state arrest people who are suspected of crossing their border illegally. Correspondent Nate Foy, live at the border at Eagle Pass, Texas. Hi, Nate.

NATE FOY, FOX NEWS CHANNEL CORRESPONDENT: Hey, Martha, yes this is a game changer. This Supreme Court ruling within the past hour allows Texas to implement SB 4 which allows them to possibly deport migrants who cross the border illegally without turning them over to Border Patrol. So, essentially, how it would work is they would have to see a migrant crossing illegally, and then they could just charge that migrant with criminal trespassing take them to a judge who then would give the migrant the option to go back to Mexico or go through the court process and be charged with that crime rather than how it works right now where the migrants go to border patrol to be processed and ultimately very often released into the country.

I was speaking to a source within Texas DPS who honestly is surprised at this ruling. And this is believed to be a strong deterrent. They believe this will make quite a big difference. Governor Greg Abbott on Twitter is already calling this a game changer, calling it a positive development so far. But as you have mentioned, this is not a final decision, this is still being considered by a U.S. appeals court, but again three liberal justices dissented. As part of that dissent, I can give you a quote from Justice Sotomayor, she said: "The court confronts a state immigration law that will transform the balance of power at the border and have life altering consequences for non-citizens in Texas."

But as you take a live look at our Fox drone above the Rio Grande right now, you already see the Texas DPS and Texas National Guard have taken control of Shelby Park and that has dramatically dropped the number of illegal crossings that have happened here in recent weeks as more and more migrants are pushing to the west. But this is expected to be a game changer. We have seen several crossings today. The first arrest from SB4 should be happening this week, and we will be covering it, Martha. We'll send it back to you.

MACCALLUM: Game changer, it appears to be. And we'll see what the reality is on the ground. Nate, thank you very much. So, joining me now on the phone, Jonathan Turley, G.W. Law Professor, Constitutional Law Attorney, and a Fox News Contributor. A lot of questions around this, Jonathan, but let me start with the first one, which is it's clear that Lieutenant Governor Dan Patrick was somewhat surprised that the Supreme Court went this route and that they're going to allow them to arrest people in Texas, sort of exerting states' rights in this issue. Why do you think this came out the way it did from the Supreme Court?

JONATHAN TURLEY, FOX NEWS CONTRIBUTOR: Well, I have no doubt that they're surprised. This is like winning the impossible hand. And literally, Texas holds them. I mean, they are really working against the grain of past Supreme Court cases. Going back to the Arizona case, the Supreme Court has consistently ruled in favor of the federal government's occupation of this field. That they preempted state laws that interfere with the federal policies with regard to immigration and border security. So, this is a considerable surprise. But the Fifth Circuit decision was also a surprise.

It indicates that the judges and these justices believe that there are serious questions here, impossible room for states to be operating in this area. Now, we shouldn't read too much into it, but usually when you deal with injunctions, the justices will look at the likelihood of prevailing on the merits and whether there are legitimate arguments here being raised to support that injunction. They clearly found that this is a question where Texas should be allowed to continue to operate under this law while it's being considered by the Fifth Circuit. So, it is surprising that heavy betting went against the state on that.

And I think you see that in the statement of the more liberal justices. They seem quite put out by this decision and they're suggesting that it's going to create great disruption. When people talk about it being a game changer, that is precisely what it is. The federal government has long assumed that the states cannot create a parallel system of enforcement. States have been trying to do that, particularly since the Obama administration. They've been saying that they should not be helpless in all of this, that as border states, they have a right to protect their citizens and to secure the border.

The Supreme Court has traditionally not been very sympathetic with those claims and have ruled with federal authority. So, this is a very significant change. The fact that Texas could start to arrest people is something that I doubt anyone in the federal government anticipate.

MACCALLUM: But they're doing it, I guess, and we have to wrap, Jonathan, but based on the law, I mean that's what they have to use before them to make this decision. They're not doing it, and correct me if I'm wrong, because they say, well this is just an untenable situation, national security is at risk, we have to step in. Quickly, if you can, Jonathan.

TURLEY: Well, yes. This is Texas is fighting very hard to say that this is a system of federalism, where states are sovereign powers, and we have a right to protect our own citizens and enforce our own laws. This is a major victory, even if it's a temporary one.

MACCALLUM: Well, it is likely to be a deterrent, at least, while it's in effect, because, you know, with -- if your choices, I can cross the border, and get a plane ticket and a hotel, or I can cross the border and get arrested, and goes straight to jail or go shortly to jail. My guess is that we're going to see far fewer people crossing in the coming days in Texas, but we'll see.

Jonathan, thank you very much.

TURLEY: My pleasure.

MACCALLUM: So, also breaking just moments ago, Republican lawmakers push to protect excellence in medicine, by stripping DEI initiatives: diversity, equity, and inclusion initiatives that have been part of getting accepted into medical school.

This doctor Congressman Murphy and Brad Wenstrup, also a doctor, saying you know what, this is not the measure for getting into medical school. Journalist Michael Shellenberger takes this on next.

(BEGIN VIDEO CLIP)

REP. BURGESS OWENS (R-UT): You don't want to go to see somebody just because of skin color. When you want to be healed you wanted to live, we need to make sure that we're not lowering the bar because we have such a low app -- low thought process of black Americans, raise the bar that everybody gets it in -- let everybody have an opportunity to grow and succeed.

(END VIDEO CLIP)

(COMMERCIAL BREAK)

MACCALLUM: Breaking moments ago, a push to crack down on diversity efforts at medical schools in this country. Two House Republicans who are also M.D.s backing a bill to ban federal funding to institutions with race-based mandates and diversity, equity, and inclusion, better known as DEI practice -- DEI practices.

In moments Michael Shellenberger, who helped expose the Twitter files in what he calls the censorship industrial complex joins us in a moment.

But first, to national correspondent Griff Jenkins, reporting live on this story for us from Washington. Hi, Griff.

GRIFF JENKINS, FOX NEWS CHANNEL CORRESPONDENT: Hey, Martha.

And at a press conference just moments ago, the lead sponsor of the bill, Representative Greg Murphy, who was a combat surgeon in Iraq, well knows you don't want to be worrying about the ideology of who's in the white coat lying on the operating table.

(BEGIN VIDEO CLIP)

REP. GREG MURPHY (R-NC): Come here today as a surgeon of nearly 35 years, someone who has devoted his entire life both here as well as abroad and taking care of patients of a large minority of individuals who do not look like me. Prescription pads and scalpels are now being weaponized.

(END VIDEO CLIP)

JENKINS: Murphy says this bill would cut off federal funding to medical schools or accredited institutions that force students or faculty to adopt certain beliefs discriminate based on race or ethnicity, or have DEI offices.

And take a look at this, Martha. A recent survey found 96 percent of 101 U.S. and Canadian medical schools are integrating DEI as a key learning outcome and going to great lengths to incorporate it in their admissions process.

Now, Dr. Stanley Goldfarb, who was at that press conference as well, a former associate dean at UPenn. Med School and chairman of the Do No Harm group says future doctors are learning divisive ***politics*** at the expense of life saving care.

(BEGIN VIDEO CLIP)

DR. STANLEY GOLDFARB, CHAIRMAN, DO NO HARM: The ideologues behind this trend don't want a doctor, they want lobbyists in white coats. Most of all patients deserve better. They need doctors who will treat their illnesses and cure their diseases, not discriminate by race and advocate for divisive political demands. DEI puts Americans lives at risk.

(END VIDEO CLIP)

JENKINS: But Martha, it's unclear if the bill can get bipartisan support in the House or co-sponsors in the Senate. Martha?

MACCALLUM: Griff, thank you very much. With that we bring in Michael Shellenberger, founder of Public at Substack. And he helped expose the Twitter files and what he calls the censorship industrial complex and it is complex. Michael, good to have you with us. Thank you for being here.

You know that Dr. Stanley Goldfarb, who wrote a piece for The Wall Street Journal, he also said in his statement today, DEI is dangerous everywhere. But it is most dangerous in medical school.

You know, it is stunning to think that meritocracy is not what is the judgement factor in acceptance at medical school?

What are your thoughts on this move?

MICHAEL SHELLENBERGER, AUTHOR AND JOURNALIST: Sure. Well, it's good to be with you, Martha.

MACCALLUM: Yes.

SHELLENBERGER: Let me -- I think it's -- first of all, it's -- I'm so happy to see the legislation introduced and you actually see a really diverse group of folks there, not just racially, but also ideologically. And it's important remember that meritocracy is necessary for civilization to function. There's a basic utilitarian need to be able to select people into different professions and different careers based on their ability and not on the color of their skin.

The second part, though, of course, is just a more basic moral point, which is I think the vast majority of Americans still agree with Martin Luther King's, I Have a Dream vision, where we are a color neutral society, you may never get to colorblind, but certainly color neutral.

I mean, we got to come back to that, I think, as a country, and you know, it's even in progressive states like California, my home state, we rejected racial preferences.

We don't want to have race-based ***politics***. So, I think it's a very welcome thing. I do hope it's a political issue, because I do think when you force these kinds of things, we will end up getting a lot more Democrats on the right side.

MACCALLUM: Yes. I would just throw in before I move to the next topic that if you want to have well-educated doctors in this country, we're going to have to start at grade school, with catching kids up from COVID learning loss and really rebuilding the foundation of education that's based on meritocracy.

Grades, you know, excellence, all of that if we really want to get back to a place where we have the very best doctors in the world, and the very best doctors that we can have.

I do want to ask you about this issue from the Supreme Court and the First Amendment, going into social media and discussing whether or not, basically, the government was heavy handed in its treatment, basically arm- wrestling, the social media companies to the ground, and saying you're going to print this and not print that.

Here is Justice Ketanji Brown Jackson on First Amendment hamstringing the government. Here is what she said.

(BEGIN VIDEO CLIP)

JUDGE KETANJI BROWN JACKSON, ASSOCIATE JUSTICE, SUPREME COURT OF THE UNITED STATES: Your view has the First Amendment hamstringing the government in significant ways in the most important time periods.

That the government actually has a duty to take steps to protect the citizens of this country, and then, encouraging or even pressuring platforms to take down harmful information.

(END VIDEO CLIP)

MACCALLUM: I mean, isn't that the point of the First Amendment, Michael, that freedom of speech allows us to say whatever we want about our government?

SHELLENBERGER: Yes, that's right.

I mean, the First Amendment there, is supposed to limit government's ability to limit or abridge freedom of speech. I think it's important to remember that our country was founded on the idea, not that the government gives us permission to say whatever we want, but that that's an inalienable human right. So, I was really disturbed by those comments.

It's one thing to have a politician, sell a newspaper, not to publish something. It's another thing to have a mass censorship initiative, which they operated that was censoring people, like top epidemiologists at Harvard and Stanford, without their knowledge about any debate, and on issues where they ended up being right. Perhaps, you know, for example, around school lock downs and vaccines.

MACCALLUM: Yes. That that's really the most painful part that the voices that were suppressed turned out to be right.

SHELLENBERGER: Yes.

MACCALLUM: And that we may have had a healthier recovery from all of this if we had allowed the freedom of speech to debate these issues out in the open.

Michael Shellenberger, always good to have you with us. Thank you very much for joining us.

SHELLENBERGER: Thanks for having me, Martha.

MACCALLUM: You bet. So, the fate of Trump's towers are in jeopardy as the former president's legal team fails to secure the required bond to cover an unprecedented judgement of nearly half a billion dollars.

James Freeman and David Asman join me next.

(COMMERCIAL BREAK)

MACCALLUM: This is an extraordinary story. We're waiting now to hear if the appeals court, here in New York, will pause the $454 million judgment against former President Trump in his civil fraud case. If it does not, Attorney General Letitia James says she is ready to start seizing his assets six days from now, in a case that had no obvious victims or major losses. No one claimed that they lost any money, none of the banks. They all were happy to do business with the Trump team.

So, this is an extraordinary case. You have to remember, and it's so important to this story that Attorney General Letitia James ran on getting Trump. Watch this back from 2018.

(BEGIN VIDEO CLIP)

LETITIA JAMES, ATTORNEY GENERAL: No one is above the law, including illegitimate president. And so, I look forward to going into the Office of Attorney General every day suing him, defending your rights, and then going home.

UNIDENTIFIED FEMALE: Please sue him for us.

JAMES: Oh, we're going to definitely sue. We're going to be real pain. He's going to know my name personally.

(END VIDEO CLIP)

MACCALLUM: The Wall Street Journal's James Freeman and David Asman are standing by, first to Fox News senior correspondent to lay all this out for us today, Eric Shawn. Hi, Eric.

Eric Shawn, FOX NEWS SENIOR CORRESPONDENT: Hello, Martha. Well, that bill comes due on Monday, pay $454 million or, as you said, Donald Trump will lose his properties like Trump Tower. Trump must fork over a bond to satisfy the judgment set by Judge Arthur Engoron in his real estate civil fraud trial. You may remember that Engoron found that the Trump Organization over valid its real estate assets to get better loan terms on banks. Trump is now asking an appeals court though to pause the judgment for now or accept a lower bond of only $100 million.

He posted this on his social saying, "Nobody has ever heard of anything like this before. I would be forced to mortgage or sell great assets, perhaps at fire sale prices. And if and when I win the appeal, they would be gone.

If Trump doesn't come up with the money, Attorney General Letitia James, who did bring the case, well, she could freeze his bank accounts and seize some of his real estate properties in order to satisfy that judgment. Her office wrote, "There is significant risks that absent a full bond or deposit, defendants will attempt to evade enforcement of the judgment or make enforcement more difficult after an appeal.

But to lawyers we talked to say James can agree not to even enforce the bond right now and wait for the outcome of Trump's appeal.

(BEGIN VIDEO CLIP)

FRED TECCE, FORMER FEDERAL PROSECUTOR: The notion that somehow Letitia James is going to wake up tomorrow morning and say, you know what, I'm going to do what's in the best interest of everybody and act reasonably here, I have a better chance of going to heaven. That's just not going to happen.

(END VIDEO CLIP)

SHAWN: Well, it turns out that insurance companies need cash as collateral. And since Trump apparently doesn't have it, his lawyers approached 30 insurance companies to get the bond. And, Martha, they all said no.

MACCALLUM: Yes. So, Eric, thank you very much. With that we bring in James Freeman on Wall Street Journal Editorial Page Assistant Editor and Fox News contributor and David Asman, Fox Business anchor. Good to have you all with us.

It is so stunning when you watch Letitia James say that she's going to get him, right? This is the goal. It is not, oh, a crime occurred, and so we have to figure out who's responsible for it. It's exactly the opposite in this case, James. Where do you see this going? And do you think we're going to start seeing Trump Tower sold off by Letitia James and company?

JAMES FREEMAN, FOX NEWS CONTRIBUTOR: I think he could. I'm really glad you pointed that out. Because sometimes we look at unelected officials and we say how -- it's terrible they're doing this abuse, but the voters of New York have themselves to blame for this disgrace. And Donald Trump is not the only one who's going to pay business flees as a result of this kind of outrage.

She promised it. She promised that kind of KGB style justice. We found our defendant now we'll go see if there's a case against him. She's brought it and now this abomination. 454 million, as you pointed out and others on this network, it's a made up number. It is a calculation directly contradicted, rebutted by the alleged victims. It's a fraud case where no one was defrauded, so an absolute outrage. And then the due process part where his rights are being trampled in the sense of he basically, as -- it makes it almost impossible to appeal given this bond situation.

And, yes, I don't know where he gets the money. And --

DAVID ASMAN, FOX NEWS ANCHOR: And maybe --

FREEMAN: -- for instance, she may be getting the keys to Trump Tower at 40 Wall Street.

ASMAN: Well, James brought up a very interesting point, they made up the number. That's what they're accusing Donald Trump of doing, of making up a number which every real estate salesman in the world does when over valuing their property and then the buyer comes down a little and the seller goes up. I mean, that's what happens.

The irony here, not only did they make up that number, Leticia James as Miranda Devine just came out with a great piece on Sunday, she found out that Leticia James is involved in the suit, in which a very beautiful property on Fifth Avenue was overvalued by tens of millions of dollars. And she's taking the part of the people who overvalued it. And the guy who lent this -- it's run by the Irish Historical Society, the guy who lent them $3 million, thinking that it was worth a lot more, now wants his money back. Letitia James is standing in the way of that.

So she's doing exactly what she claims Donald Trump did. And yet in her case, it's worse because there was an actual victim.

MACCALLUM: Yes. You know, somehow Judge Engoron basically claims that he came up with this figure through calculating, and Letitia James hired an expert who calculated the interest rates that the Trump team got on some of these purchases, and said that they would have been higher if the property had been correctly valued. So they added up what they say were ill gotten gains based on a slightly better interest rate.

But let's remember that these institutions have their own due diligence teams. When you say my house is worth X, and, you know, you want to borrow money from the bank for the house you want to buy, they're going to figure out how much money do you make, how much is the house worth. And it goes back --

ASMAN: And they were happy with the deal.

MACCALLUM: Absolutely.

FREEMAN: Yes. They said they didn't buy Trump's numbers, they did their own. And so there was no ill gotten gain, there zero according to the alleged offenders. And by the way, the other perversion of the law here is, you know, this is intended to protect unsophisticated consumers. These are large financial institutions that saw right through accurately, to the best of their ability value these things, not at the numbers Trump claimed. And so, it's an imaginary and really false number that the, again, the alleged victims.

MACCALLUM: What about the financial pain of having to sell all of these, you know, as he said, at, you know, at fire sale prices. So right now, commercial real estate is in deep trouble in New York, so you're forcing an entire company that employs a lot of people to basically help lower the prices of real estate in the city by fire selling these enormous properties.

I mean, is there -- so they're saying, you know, somehow that people were wrong because he got a better deal on this, but what about the people who are wronged if this starts happening?

ASMAN: Why is New York in trouble right now? It's in trouble because we got a terrible crime situation, because taxes are way up, and because we have these attorney generals and district attorneys who are more interested in these high profile cases than they are in solving the problems that New Yorkers have to deal with every day.

And by the way, New York is broke. New York is really broke because of the immigration crisis, which is causing $12 billion over the next couple of years. And they're not going to get the tax revenue because, as James pointed out, a lot of businesses are fleeting. And you have to be crazy if you're a business thinking of moving to New York right now, when you know that your assets could be seized just because you're not on the right side of a political divide.

MACCALLUM: One theory from James' editorial page. Insurers may also feel that Ms. James' legal retribution, they fear her retribution if they provide the bonds. So they said they went to 30 companies to seek, you know, can you guys do this for us? They got a script to get about 100 million in a bond, and abstained that's not enough. But these insurers are like, I don't want to be on Letitia James' naughty list?

FREEMAN: Yes, that's right. Normally, they're not going to like real estate as a collateral anyway. But on top of that, we have the issue, the spring courts are looking at it right now. This state went after banks that dealt with the NRA because of their ***politics***. So this is not a theatrical problem sadly in the state of New York.

MACCALLUM: Yes.

FREEMAN: It's a very real fear that I'm sure would enter the minds. And you look at all -- it's a lot of the insurers you've heard of --

MACCALLUM: Yes.

FREEMAN: -- well-capitalized companies, but this is politically radioactive and --

MACCALLUM: Well --

MACCALLUM: Douglas Kennedy is reporting on a piece that he says is a Supreme Court precedent that says if you have obvious bias, and then you go after someone in court as an attorney general or as a legal official, that it has to be thrown out. So that isn't very interesting precedent, which was not used by the Trump attorneys in this case, that we're going to watch for Douglas' reporting on that shortly.

Thank you very much, gentlemen.

ASMAN: Yes.

FREEMAN: Thanks.

MACCALLUM: Good to see you.

ASMAN: Voters will decide, as James said.

MACCALLUM: In the end, absolutely.

ASMAN: Hopefully.

MACCALLUM: So four years after COVID set the United States into lockdown, what the science now says about the virus' connection to the lab in China. Stunning new evidence, investigative journalist investigative journalist, Sharri Markson, who wrote the book, "What Really Happened in Wuhan" joins me next.

(COMMERCIAL BREAK)

MACCALLUM: OK. Let's dip in here for a moment and listen to Congressman Michael Waltz of Florida at the hearing with former Chair of the Joint Chiefs Mark Milley and former CENTCOM Commander Kenneth McKenzie, Jr. testifying on the Afghanistan withdrawal. Let's watch this for a minute.

(BEGIN LIVE COVERAGE)

MARK MILLEY, FORMER UNITED STATES CHAIRMAN OF THE JOINT CHIEFS OF STAFF: -- and the ANSF with the Taliban taking over --

REP. MICHAEL WALTZ (R-FL): Would collapse.

MILLEY: -- but I thought it was going to be -- I personally thought it would be going to be in the fall, somewhere around Thanksgiving. The assessments vary widely.

WALTZ: We're talking within months.

MILLEY: Within months of our withdrawal, that's correct.

WALTZ: That's the one. There's going to be no circumstance where you see people being lifted off the roof of an embassy -- in an Embassy of the United States from Afghanistan. It's not at all comparable with Saigon. I think this picture proves that, not to be the case, fair enough.

Joe Biden, July 8, 2021. Next one, Americans should understand we're going to try to get it all done before August 31st. And if you're an American, if there's American citizens left, we're going to stay to get them all out. Was that your understanding the operational planning at the time, to stay beyond August 31st? Or were you planning to get out by August 31st?

MILLEY: Plan to get out by August 31st.

WALTZ: Last, but perhaps the most egregious, we believe about 100 to 200 Americans remain in Afghanistan with some intention to leave. You both testified today, you just testified, General Milley, that it was impossible to know the number. In fact, is that accurate? It was very difficult to know the number.

MILLEY: Very difficult, and I don't think the numbers were accurate.

WALTZ: Yet, the State Department's revise that number sense to nearly a thousand Americans left behind.

Look, in July of 2021, Bagram is closing. We're withdrawing our four star Commander, General Milley, Ghani is visiting President Biden, practically begging us to at least leave our contractors and some little bit of air support.

General McKenzie, you've testified that you are so concerned in July of 2021, that you put up recommendations, including lily pads to get our allies out, putting pieces in place to process RSIVs faster, putting measures in place to get our American citizens out, to get our allies out, and to take care of what American military should do, which is protecting all Americans. You were so concerned in July of 2021, you put those recommendations forward. That's what you've testified today.

KENNETH MCKENZIE, FORMER COMMANDER, UNITED STATES CENTRAL COMMAND: That's correct.

WALTZ: And in fact, also the diplomats on the ground, Mr. Chairman, sent a dissent cable, 23 diplomat saying if you continue down this road disaster will ensue. Was that dissent cable shared with either of you? This is a formal channel, go into the Secretary of State himself. Was that shared with you as the Chairman of Joint Chiefs? Was that shared with you is the commander?

MCKENZIE: I've never seen it. I didn't see it at the time and I haven't seen it since. And I would like to see that dissent.

WALTZ: I think the American people would like to see that. Chairman, here's my question for you. Do you know where the Secretary of State was on August 13th? The day before Kabul fell, do you know where the Secretary of State was? Despite all of your concerns, State Department wasn't planning fast enough. We weren't getting our people out.

According to Washington Post, he was in the Hamptons. He was in the Hamptons on vacation. Secretary of State Blinken, I don't know -- I can't even imagine how that makes our Gold Star families feel.

Here's the bottom line, Mr. Chairman, and thank you for your indulgence. I'll close with this. The State Department, they use a military term, had its head up its rear. It wasn't planning. It, in fact, thought we could just have an embassy and the good Taliban terrorists will take care of the bad Taliban terrorists. I mean, that's essentially what happened.

And because of that, we didn't get our people out, we didn't get our citizens out. We didn't have the force posture. We don't have -- we didn't have the pacing. We failed and their loved ones are dead because of it. I apologize to you. To my Gold Star families, your government failed you.

There is a difference, gentlemen, and I know you both know this and taking responsibility and accountability. A lot of people have taken responsibility. No one has been held accountable and they deserve better. Your government failed you. And I'll give you an opportunity on my time remaining. Mr. Chairman, if there's anything you all would like to say publicly on the record --

REP. MICHAEL MCCAUL (R-TX): Witness' time to respond but the time has expired.

WALTZ: Thank you, Mr. Chair.

MCCAUL: The gentlemen -- they have a right to respond

MILLEY: Well I'd like to take you up on that offer. I've talked --

(END LIVE COVERAGE)

MACCALLUM: All right. We're going to keep a close eye on this hearing on Capitol Hill, very emotional. As we watch Mark Milley, the former chairman Joint Chiefs, and General McKenzie testify about the exit from Afghanistan, we'll stay with that.

But in the meantime, four years after the COVID shutdowns that American school kids are still trying to recover from newly released documents are boosting the theory that the virus came from the lab and was potentially intentionally developed in the lab, with the goal of preventing it from infecting people. That according to the former New York Times science editor Nicholas Wade, who has deeply researched all of this, covering COVID origins for the last three years.

He writes in the Wall Street Journal, "This clearly strengthens perhaps conclusively their contention that the virus is synthetic. Richard H. Ebright, a molecular biologist at Rutgers University, says it raises 'to the level of a smoking gun,' the genetic evidence that the virus was manufactured." Wade points out the US government rejected the proposal, but says researchers could have gone ahead with funding from China.

Here's what Dr. Anthony Fauci, former head of the National Institute of Allergy and Infectious Diseases, told Neil Cavuto in 2022 about where COVID came from.

(BEGIN VIDEO CLIP)

ANTHONY FAUCI, FORMER HEAD, NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES: As more and more data came in, including now recent papers from highly qualified virologist from many different countries have shown that it is much more likely that is a natural occurrence. Does that mean we know exactly the origin, no. You can keep an open mind and still have an opinion of what the most likely origin is. And a large group of highly qualified unbiased scientists feel that it is most likely a natural occurrence.

(END VIDEO CLIP)

MACCALLUM: And those were the people that we were basically instructed to believe. Let's bring in investigative journalist Sharri Markson from Sky News Australia, author of "What Really Happened in Wuhan." Sharri, it is great to have you with us today. Thank you very much for joining us.

SHARRI MARKSON, INVESTIGATIVE JOURNALIST: Thank you, Martha.

MACCALLUM: I'll just very quickly play this if I may. This is Dr. Robert Redfield in an interview that we did, the former CDC director, so he and Fauci were pretty much in charge, but they had very different takes. Watch this.

(BEGIN VIDEO CLIP)

ROBERT REDFIELD, FORMER CDC DIRECTOR: There were two hypotheses back in January 2020 that I discussed with others, one natural evolution, one a leak from the laboratory. And I was very rapidly sidelined, threatened and, you know, really put on sort of outed because somehow I believed as a virologist that this virus may have come from the laboratory. The scientific community in bulk said the only acceptable answer back in February was it was a natural event from natural evolution.

(END VIDEO CLIP)

MACCALLUM: Where they gave Dr. Redfield a very tough time, Sharri, and basically shut him up. Tell us, you know, in regular folk's terms, what the scientific revelation is here. What have we learned?

MARKSON: There is a growing body of scientific evidence that shows that the virus was originally -- did originate in the Wuhan Institute of Virology. It's not just the scientific evidence, though, we know from intelligence and government sources on the ground in Wuhan, that among the first cluster of people to ever fall sick in this pandemic, we're researchers at the Wuhan Institute of Virology, researching on bat coronaviruses.

And what we now know is that there was a massive cover up in the United States at the highest level from officials, including and surrounding Anthony Fauci, to divert attention away from a lab leak. And in fact, Robert Kadlec, who is technically Anthony Fauci's boss, has done two interviews with me on the record where he said that him and Anthony Fauci, and Francis Collins and others, made the deliberate decision to publicly tell America and the world that this was not likely to be a genetically manipulated virus, that instead it was a natural virus.

And so, those studies that you just saw Anthony Fauci is citing, well, Anthony Fauci was involved in the emails with those virologists. And the virologists themselves, even after their paper came out, claiming that it was a natural virus. They still weren't convinced. They were still privately discussing that it had been made in a lab. We now have that correspondence.

MACCALLUM: Yes. We know that Peter Daszak from EcoHealth Alliance was working on a project, which is basically trying to create ways to build these viruses and then try to cure them. And, you know, this new data that came out shows quite clearly that he was building viruses, with the bat lady who we've covered here as well. And that now it looks as if it really points to a leak that came from their work. But Dr. Fauci doesn't ever want anybody to interview Peter Daszak, Sharri.

MARKSON: I mean, the cover up is as much in China as it is in the United States. You know, there are still so many lawsuits to United States agencies, including Anthony Fauci's former agency, to try and get documentation for the extent of what he and his agency was funding in Wuhan. Because, you know, the most compelling piece of data that's come out is this leaked grant proposal, it's called Defuse, but it was a grant proposal that the Wuhan Institute of Virology scientists put together in 2018.

And it showed the work that they were planning to do with coronaviruses scientists to analyze this closely. And they say that it could be a blueprint for how SARS-CoV-2, the virus behind COVID-19 was made. So we know very clearly they were doing this sort of work.

And, Martha, don't forget that they have a database at the Wuhan Institute of Virology of 20,000 unpublished viruses that has never been made public still under wraps to this day.

MACCALLUM: Well, that's scary and the damage that everyone is still suffering. We talked about school kids and lockdowns, and all of how this is handled. Sharri, thanks so much for your work on all of this over the years in this latest story as well. Sharri Markson, great to see you today. Thank you.

So new video obtained by TMZ supposedly shows the Prince and Princess of Wales shopping near Windsor Castle this weekend. It would be the first video of Catherine actually out and walking around, not riding in a car, since her abdominal surgery two months ago. But not everyone is convinced, especially after she admitted the editing of the first photo that the palace released of her since her surgery.

Earlier today, Prince William made brief comments about his wife, saying she should be by his side as he spoke at two people at the event about where he was -- talking about fighting homelessness.

(END VIDEO CLIP)

PRINCE WILLIAM, PRINCE OF WHALES: We're venturing into my wife's territory. She needs to be sat here to hear this.

(END VIDEO CLIP)

MACCALLUM: All right. Let's bring in Neil Sean, UK media correspondent and royal reporter who has covered the royal family for more than 20 years. Neil, this is all over social media. People dissecting this video saying it is her, it isn't her. What do you say?

NEIL SEAN, ROYAL REPORTER: Hi, Martha.

MACCALLUM: Hi.

SEAN: Strange video, you've got to admit. And what's really interesting, I think, is this, you know, because it's now moved on as these stories do. People are saying, well, if she's able to visit the shop, why is she now not back at work? And literally about two hours ago, a very famous cricketer who actually teaches at the school where George goes has come out and said, look, I see the most days. So this becomes almost like a mystery for Scooby Doo.

And then the other side of it, isn't the most serious note, is that it's 50-50 over here. People believe it is her, people believe it's lookalikes. And what I would say to you, Martha, is this why isn't the palace confirmed, yes. Oh, is it invasion of privacy? How did you do that?

And the other side also which is really interesting is where's the person that sold this video? It looks like it was taken on the '90s Nokia phone, not very good, isn't it?

MACCALLUM: No, it's not very good. I mean, I thought when I saw it, it looks like her and looks like him. I, you know, wonder because I've covered this for a long time if maybe, you know, this is the palace just like let's leak a little video, let's show that she's out and about, just put everyone's mind to rest on this.

You know, these freaky stories about, you know, oh, it's a body double and they're putting someone else out there who looks like her, it just seems to me too easy to debunk that through the photography. And that would make them look 10 times worse than this edited video photo ever would, Neil.

SEAN: Totally agree, Martha. I just think the bottom line with that is a simple message maybe via Zoom, put out like the Queen used to do, everything done. Now, this is racked up to 11. People are thinking who is this? Who are they? Maybe they would have been better off with Madame Tussauds' waxworks, we might have believed them more.

MACCALLUM: All right. Do you think she's doing OK, before I let you go?

SEAN: We wish her the best. We, honestly, I just wish her all the best. She's a lovely lady. I know you love her. You know, really, let's just hope it moves on. And by Easter, we see her back really up and running.

MACCALLUM: Yes. Well, that would be nice. Neil, always good to talk to you. Thank you very much for being here today.

SEAN: Take care.

MACCALLUM: And the debate goes on -- on social media. So that is THE STORY for Tuesday, March 19. As always, THE STORY goes on. So we will see you back here at 3:00. "YOUR WORLD" get started in just a few seconds from now. Dow is in the green today, pretty substantially so up market day on this Tuesday in New York City. Have a great evening everybody, I'll see you back here tomorrow.

**Load-Date:** March 19, 2024

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