

# [***U.S. Warns Iranian Attack On Israel Imminent; Senate GOP Demanding Impeachment Trial; Jury Selection Begins Monday In Trump Hush Money Trial; FBI Director Warns Of Elevated Threats; Inflation, Abortion Key Issues In Presidential Election; Interview With Former U.S. Central Command Commander Gen. Joseph Votel; O.J. Simpson Dead At 76 After Battle With Cancer***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BSH-X151-F072-X1WM-00000-00&context=1516831)

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**Body**

NEIL CAVUTO, FOX NEWS ANCHOR: An iconic moment. O.J. Simpson is dead at age 76.

The former football pro rose to fame on the field and on screen, but it was that trial, the trial of the century, and a controversial acquittal of murder in the death of his ex-wife and her friend that mesmerized the nation.

O.J. Simpson's family announcing in a post on X today that he -- quote -- "succumbed to his battle with cancer. Apparently, it was prostate cancer."

Welcome, everybody. I'm Neil Cavuto.

And, of course, we all remember that trial in 1995 as something that captivated the nation. I want you to look back at this.

(BEGIN VIDEO CLIP)

ERIC SHAWN, FOX NEWS SENIOR CORRESPONDENT: The defense also claims the woman who says she heard O.J. yelling at Nicole on his cell phone the afternoon of the murders now says he was only speaking sternly.

But, tomorrow, they may have a lot more to be angry about, when they find out what new evidence the prosecution produces about the infamous missing bag.

I'm Eric Shawn, FOX News, Los Angeles.

(END VIDEO CLIP)

CAVUTO: And he looks exactly the same today.

Eric Shawn, very good to have you back. It's hard to believe that's almost 30 years ago.

SHAWN: Yes, really.

CAVUTO: It just -- it's the other side of the O.J. Simpson story that simply made most Americans to this day forget the prior one. What do you make of it?

SHAWN: Yes, it's stunning that people laud him. Of course, he had his accomplishments in the field. He was the lovable O.J. running through the airports for Hertz who we know.

But, having lived through that trial and this case so many years ago, it never leaves you. And I'm sure many of our viewers now remember exactly where they were when that verdict came through.

I choose, Neil, today to remember the victims, both his ex-wife, Nicole, and Ron Goldman, of course, as well as victims of domestic abuse. I hope that the legacy of O.J. Simpson is the fact that people remember domestic abuse victims, nearly 1.3 million women a year, like Nicole, victims, as well as roughly 17,000 murders, and not laud what -- O.J.'s accomplishments in sports.

I -- what really haunts me, I filed more than 2,000 live shots, anchored on the FOX network with the verdict, but I was never able to show the autopsy photos. If you see the autopsy photos yourself, you see the anger, you see the rage, you see the hatred in this vicious, brutal crime.

Nicole Brown Simpson's neck, I remember seeing her -- her side of her neck was a huge deep gash. She was nearly decapitated. Her carotid arteries had been cut. The knife back -- nicked her backbone, it was thrust so strongly into her. This was hatred. This was anger.

You had the blood pattern, this -- the blood drops going up the driveway to O.J. Simpson's Bronco. The index finger was cut two inches. You had the blood spot on the door handle. You had the blood spot on the console where he would have to put the Bronco in gear, blood going up at his house on the wooden floor of his home, blood on his sock and this sort of thing.

And, of course, the verdict that just shocked the country on both sides, no matter how you stand, and the racial aspect to this, but I prefer to think of -- to look at this more as the wealth aspect, that, if you're wealthy like O.J., you can hire the dream team, but so many other people are incarcerated who never have those type of resources.

CAVUTO: You know, I cannot believe the kind of evidence that you had a chance to look at that much of the nation some 30 years, 29 years ago did not.

And I'm wondering, since a lot of that stuff oftentimes tends to get out, and it might have gotten out in an environment like there is today, this great divide that really existed between Americans and African-Americans that was rather pronounced then. It might not have been the case.

SHAWN: That's a great point. You're right. We didn't have social media. You didn't have Twitter and X. You didn't have Facebook at the time.

Those photos very well would have been out today, and I do believe a percentage of Americans, not everybody, not all African-Americans or others, may have had a different view of this once they saw the shocking aspect of those photos, not to say also that there were mistakes by prosecutors.

The detective Philip Vannatter, for example, he took O.J.'s blood right at the LAPD headquarters.Then he goes to O.J.'s house with the blood vial in his pocket. That gave the defense an open -- like, an opening on the front line to go right down to the yard line to try and claim that perhaps that blood was planted.

There was no reason...

CAVUTO: Yes.

SHAWN: ... really for the detective to do that.

And there are other mistakes, Mark Fuhrman. And he took the Fifth not in the presence of the jury, whether he had planted evidence, the N-word, those type of issues, as well as other mistakes. And a preservative on a glove that was found also in the jury's mind, I'm reminded of.

So you have got a lot on that side, but the balance, I think, has to go to domestic violence victims and the travesty and misguided justice that, in my view, happened with that verdict.

CAVUTO: You know, the irony, of course, in retrospect, is, he did go to jail for close to nine years, but not for this, for trying to get a lot of his junk back, as he would say, in Las Vegas.

It's weird.

SHAWN: Yes, he did that. So there was some sense, perhaps, of justice.

But I think that -- we remember Ron's father, Fred Goldman, sitting every single day in the trial, and his sister, Kim. His father, Fred, had a very short tweet today about this, but you have to think that there is some justice in that God has taken O.J. Simpson finally, and he is no longer with us, and perhaps they would say there's some justice in that.

CAVUTO: Eric Shawn, thank you very much.

Now to other big developments we have been following today and we will continue to follow, threats that are ramping up, and worries that an attack right now could soon be coming down, U.S. officials warning that a strike on Israel by Iran or its proxies could be imminent right now. It follows Israel's own strike against Iran's consulate in Syria.

The head of the U.S. Central Command is reportedly in Israel as we speak meeting with Israeli defense officials on this, and much more.

To Trey Yingst in Tel Aviv with the very latest.

Hi, Trey.

TREY YINGST, FOX NEWS FOREIGN CORRESPONDENT: Hey, Neil. Good afternoon.

Tension remains high across the Middle East, as Israel braces for an expected attack by Iran or its proxies. Iran's supreme leader, the Ayatollah Khamenei, speaking this week, saying that this was the end of Ramadan. He spoke with constituents and then went on to say the Israeli strike against the Iranian consulate in Syria this month was like an attack on Iranian soil.

He called the Israeli government an evil regime, saying the country must and will be punished. Reports overnight indicate the Iranian retaliation could be imminent. This does align with comments from American officials, including President Biden, who have tried to send a message to Iran over the past 24 hours that the United States stands behind Israel.

Today, the head of U.S. Central Command, General Michael Kurilla, is in Israel meeting with defense officials. His visit is reportedly meant to coordinate what a joint defense to an Iranian attack might look like. There is an understanding on the ground that the Americans could help in case Israel's air defense is overwhelmed.

If such an attack directly from Iran does take place, there is an expectation the ground that Israel would respond and the region would get closer to a broader war -- Neil.

CAVUTO: You know, Trey, we understand from Antony Blinken, the secretary of state, that Israel has not detailed in any way, shape or form its specific date or plan of attack on Rafah. So, the ground invasion on, and we seem to be, for the time being, on a need-to-know basis.

What's the latest on that?

YINGST: Yes, absolutely.

All week, Israeli Prime Minister Benjamin Netanyahu has been saying his forces will enter Gaza's southernmost city of Rafah. President Biden earlier in the week called this a mistake. He then changed his tone. But it's important to note here, the Israelis say there will be Hamas battalions in Rafah when their forces enter.

The reality is that there will be Hamas fighters spread throughout Gaza still nearly 200 days into this conflict. And you have a major issue of more than 1.4 million Palestinians that are currently sheltering there with no safe place to go -- Neil.

CAVUTO: Trey, thank you. Safety, my friend, to you and your buddies and your crew who have been doing a great job, brave job, at that.

In the meantime, this was among many of the terror threats and real-world concerns that the FBI director was outlining, detailing today on Capitol Hill, some very, very scary stuff.

David Spunt has the latest on that -- David.

DAVID SPUNT, FOX NEWS CORRESPONDENT: Hi, Neil.

FBI Director Wray is someone who chooses his words incredibly deliberately. He's careful in what he says. Today, he warned members of Congress the consequences of not reauthorizing Section 702 of the Foreign Intelligence Surveillance Act, better known as FISA.

Here he is just about an hour-and-a-half ago.

(BEGIN VIDEO CLIP)

CHRISTOPHER WRAY, FBI DIRECTOR: Now, increasingly concerning is the potential for a coordinated attack here in the homeland akin to the ISIS-K attack we saw at the Russia concert hall just a couple weeks ago.

(END VIDEO CLIP)

SPUNT: Section 702, Neil, specifically allows the intel agencies in the United States to collect communications of foreign people overseas without a warrant.

And, yes, that foreign person could be talking to someone in the United States, but only specific communications between said foreigner and the American in the U.S. may be included in the sweep.

(BEGIN VIDEO CLIP)

REP. TROY NEHLS (R-TX): Donald Trump doesn't want it. I think, if we want to be more efficient up here and more effective, we need to start consulting more with the leader of our party.

(END VIDEO CLIP)

SPUNT: Former President Donald Trump told Republicans to kill FISA just this week, but in January 2018, he actually reauthorized it, tweeting: "Just signed 702 bill to reauthorize foreign intelligence collection. This is not the same FISA law that was so wrongly abused during the election. I will always do the right thing for our country and put the safety of the American people first."

Neil, Speaker Mike Johnson, used to sit on the Judiciary Committee, had many problems with FISA, criticized it over and over again. He said yesterday on camera on the record that after he went into a secure facility and saw some of the threats facing our country, he has changed his tune on FISA and reauthorizing FISA. He wants to do it now.

As for the future, it runs out one week from tomorrow. Intelligence agencies are concerned. And, right now, both sides are fighting it. It's not just Republicans and Democrats. Some Republicans are teaming up with Democrats they normally wouldn't, and other Democrats teaming up with other Republicans on the other side of the issue -- Neil.

CAVUTO: So, David, real quickly, on Donald Trump's position it, it seems to have hardened since those comments right before he left office. And if he doesn't change his mind, still finds it to be a mistake, still thinks that we should go ahead and kill FISA, it's still being used against me and was used against me and others, what happens then?

He's not softening that view.

SPUNT: Well that's right, Neil.

And President Trump, former President Trump, says that FISA was used to spy on his campaign. Apparently, he's talking about Carter Page, former campaign aide.

CAVUTO: Right. Right.

SPUNT: And Carter Page's situation is not related to 702. It's FISA -- this can all get a little complicated and very granular.

But Carter Page, there was a warrant that was approved to search Carter Page's communications. So the spying on Donald Trump's campaign actually has nothing to do with the 702 renewal. Critics of the former president say that he's conflating the issue and right now he wants to kill something that he praised back in 2018, when he reauthorized it.

He also said that he doesn't want to have to reauthorize it in the future. He just wants it to be something that's permanent in the future of the country to keep people safe. So we will see what happens.

CAVUTO: David, thank you for all that and the clarification.

General Joseph Votel joins us right now, the former U.S. Central Commander.

What -- general what do you think of the back-and-forth on this FISA thing? And the former president's views on this are that black and white. He did draw a distinction back right before he left office, a very different view now.

GEN. JOSEPH VOTEL (RET.), FORMER COMMANDER, U.S. CENTRAL COMMAND: Thanks. Thanks, Neil. It's great to be with you.

Well, what I can say is this, is that, as a senior commander who was a recipient of information derived by this authority, it was absolutely essential to the work we were doing, particularly those against -- that work against counter -- or countering terrorism.

And I agree with the FBI director that, without this reauthorization, we lack a tool, and we will be less safe as a result.

CAVUTO: You know one of the things that surprised me that we hear, General, is all these revelations about what the FBI has discovered even at our border or about other countries, China, for example.

It's the most dangerous time in our history, he says, and that FBI has investigations into China that commence every 10 hours. In other words, there's something new regarding China that generates an FBI investigation every 10 hours. That's incredible.

VOTEL: Yes, absolutely.

Neil, we're living in very complex times here. We have significant adversaries out there, people who want to harm the nation and now is not the time to be taking tools off the table. It's time to make sure that our men and women in the military and law enforcement, federal law enforcement and the intelligence community and Homeland Security -- Homeland Security have all the tools they need to defend the nation.

CAVUTO: You know, a lot of people look at the 9/11 experience.

One thing I found Christopher Wray doing today is saying, hearken back only to this attack in Moscow a couple of weeks ago, that that is something that could be in the offing, that that is something that's very analogous today. Forget about just focusing on things like 9/11 and that sort of stuff. What did you think of that?

VOTEL: Yes. No, I think that's exactly right.

I think one thing you learn after fighting terrorist organizations for a couple decades is that they are incredibly adaptable. They're very savvy. They're going to take advantage of every opportunity they have. And they're going to look for vulnerabilities in our systems and they're going to try to exploit that.

So, yes, we have to pay attention to this.

CAVUTO: Yes.

VOTEL: And we need to make sure we have the right tools for our men and women to protect the country.

CAVUTO: Real quickly, when I have you, Commander, and this is from your position as a former U.S. Central Command commander, this issue now that is that is increasingly coming about an Iranian attack on Israel, and Israel's vow that, if they are attacked, that they will counterattack Iranian facilities, nuclear facilities, and others in Iran itself.

What do you make of that?

VOTEL: Yes, I think this is a really precarious time for the region here, and I think all eyes are on Iran to see how they are going to respond to this attack.

Certainly, some type of large missile attack from Iranian territory, I think, would be a game changer in the region. And I think it would, if not bring us further to the brink of conflict, maybe even take us into open regional conflict here in the Middle East.

So I think this is an extraordinarily challenging time right now, and it's important to pay very, very close attention to this.

CAVUTO: And what do you make as well, General, of Benjamin Netanyahu apparently is not sharing any more details, outside of the fact that an attack on Rafah is going to happen, whether the President Biden likes it or not?

And, furthermore, if at least we were to take Antony Blinken at his word, the secretary of state, the Israelis have not telegraphed when that might happen or the degree to which it will be rolled out. They're not sharing that with us. We seem to be on a need-to-know basis, and I wonder if it hearkens back to just the increasing nastiness between the two leaders.

VOTEL: Well, that could be the case. I'm not sure I'm the right one to comment on that.

CAVUTO: I understand.

VOTEL: But my observation here is, is that the campaign is at a transition point here.

I mean, the departure of forces over the weekend, the retention of some forces in the middle of the country to kind of secure an area in there, the -- I think these are all indications that the campaign, particularly from the Israeli Defense Force side, is probably transitioning now to a different phase, to maybe perhaps a different approach, as they look to go on and address the threat of Hamas down around Rafah.

I think we're going to see something different. So, I'm not -- I can't make much of the back-and-forth in the political realm here, but it's very clear to me, as a military professional, that we're kind of at a transition point in the campaign.

CAVUTO: General, Commander, always good seeing you. Thank you very much.

VOTEL: Thank you.

CAVUTO: All right, well, this might be the battle of whose baggage is heavier and more damaging.

I'm talking about Joe Biden and whether inflation is dragging him down because it won't go away, and Donald Trump, well, not only his legal problems, but the party's battle over abortion and whether it will drag his numbers down. We report, you decide.

(COMMERCIAL BREAK)

CAVUTO: Welcome back, everybody.

I was talking to my staff today, what do we call this next segment? We were thinking back and forth. Maybe battle of the baggage? Because each of the leading presidential candidates has their own particular problems and issues that are going to come up in this campaign, so the issue then becomes, which weighs down more?

Joe Biden, of course, has this inflation thing that doesn't seem to go away, despite a better-than-expected wholesale inflation report. Bottom line, most Americans are of the belief and the trend certainly indicates that inflation ain't going away. Interest rates are getting higher, and a lot of folks are worried it's going to drag him down.

Donald Trump has his own issues to deal with. Leaving aside the court matters, he is also dealing with a party that is on the short end of the P.R. stick when it comes to abortion and that Arizona decision that just might hand Democrats a key edge and advantage going into the election.

Doug Schoen is here, the Democratic pollster extraordinaire, and Noelle Nikpour, the GOP fund-raiser, very good at doing just that.

Let me ask you, Noelle, since I end it with you on the fallout that Republicans hoped to gain, before we get into the president's issues and the party's issues, on just what's happening with the economy and inflation. We bounced back from our worst levels today on a better-than- expected wholesale inflation report, not that much better, but inflation is still a big worry.

So I'm sure, if you're Donald Trump or Republicans, you're seizing on that as the issue that's going to get you back in the White House. What do you think?

NOELLE NIKPOUR, REPUBLICAN FUND-RAISER: It is the issue.

And a lot of Americans sitting at the everyday kitchen table don't understand wholesale inflation. All they know is that when they go to the grocery store, they're paying more for groceries, and it's continuing. They know that it's costing more with everything they do, from trying to take a vacation to trying to get a mortgage.

So you're seeing this. And even though the Democrats are trying to tell you that inflation is pretty much in the rearview mirror and things are looking great, people don't feel it. And, also, a lot of people are remembering how better off they were under the Trump administration. They had more money in their bank. They had 3 percent mortgages. They are remembering this, and they are remembering where they were.

And I think this is going to help Donald Trump. And I actually think that he's playing on the fact that they were better off under his administration than they are right now, even though Biden is saying it's better.

CAVUTO: All right. Well, we can go back and forth on whether people were better off. We were knee-deep in the middle of COVID. Now, I'm not believing that on the former president, but, of course, the economy had ground to a halt. So you have to pick and choose your dates and times.

But, Doug Schoen, I am curious then how Joe Biden counters the inflation argument and all of that. I know he's focusing right now, and the party is focusing on the abortion stuff and how Republicans are on the eight ball on that.

But when he starts dismissing the inflation stuff and gets it wrong, that it was a lot higher under his predecessor, he's jumping off the tracks in a bad way, isn't he?

DOUG SCHOEN, FORMER BILL CLINTON POLLSTER: Yes, I think you're right, Neil.

And I would quote none other than Ron Klain, somebody I know and worked with in the Clinton administration...

CAVUTO: Sure.

SCHOEN: ... who said, Gore needs to -- Gore -- President Biden needs to stop talking about bridges and talk about everyday cost of living issues that people are facing.

It's hurting the president with young people, with African-Americans, Hispanics. And unless the president does what you're saying and I think Noelle is saying and focuses on the real here and now issue of costs at the pump and the grocery store, and also mortgage rates have gone back up to 7 percent -- this could jeopardize housing.

The president needs to acknowledge it and address it. Otherwise, I think it's going to be real serious baggage for him going forward.

CAVUTO: So, real quickly, then, to finish that thought, Doug, whose baggage is heavier or more difficult to drag around right now, Joe Biden's or Donald Trump?

SCHOEN: Well, elections are referenda on the incumbent. And I would normally say Joe Biden, until and unless you focus on the Republicans and how they have totally botched the abortion issue, combined with the Florida decision. Six weeks is legal.

CAVUTO: Right.

SCHOEN: The Arizona decision, it can be banned, the court decision in Alabama on IVF. So I think events are making them pretty darn close.

But I wouldn't want to have either one of those on my shoulders, as both candidates do. I think your staff was right that both are pretty heavy and pretty strong.

CAVUTO: Well, most baggage, you can roll it. So, on wheels, that makes it a little easier.

Noelle, how do you see it?

SCHOEN: Not these two.

CAVUTO: Well, OK. You're right about that.

(LAUGHTER)

CAVUTO: Noelle, how do you sort it out? I mean, as we get into the weeks ahead, the post-abortion thing, of course, Donald Trump has to deal with the legal and the court thing, and then, as we were saying, on the economy and concerns about inflation, how does this drag for whom?

NIKPOUR: Well, I will tell you, I think that Donald Trump got a Hail Mary.

Who ever gave him the advice to come out on abortion and say he's going to flip it back to the states? That was pretty crafty, because I think that Nikki Haley did so well because she had actually addressed abortion very thoughtfully and said, we need to have a very serious conversation and a real conversation, because this is an issue that affects women.

So, whoever told Donald Trump to come out and say, let's turn this back to the states, that's brilliant, because that means that he is open to a reasonable and open dialogue, because, remember, in the midterms, we lost because of this abortion issue, and it's going to rear its ugly head again in the elections.

And, remember, Donald Trump's base is secure. That evangelical vote is secure. The suburban women, that independent voter out there, that's not secure. And that issue, the abortion issue, is very important. And Donald Trump just got a big Hail Mary by saying, I'm going to turn it over to the states.

So I really think that that -- that was beautiful when it came to abortion for Republicans.

CAVUTO: All right, so it depends how you balance that out.

Guys, thank you both very much.

SCHOEN: Thank you.

CAVUTO: And you seem to be very good experts on suitcases, which can come in very handy this busy traveling campaign year.

(LAUGHTER)

CAVUTO: All right, we have a lot more coming up.

We were mentioning Donald Trump. We're mentioning this big trial that finally kicks off on Monday. We're also focusing on the president of the United States meeting, as you know, with the Japanese prime minister. They had a big din-din in Washington last night, also the Philippines president, because they are in a neck of the woods where China is a very big concern.

And they're about to address that and how to deal with that -- after this.

(COMMERCIAL BREAK)

CAVUTO: All right, Nasdaq hit an all-time high today, up about 1.7 percent, on news that looked better than that last retail inflation report we had yesterday, one that was more, well, calm on the wholesale front.

We will explain -- after this.

(COMMERCIAL BREAK)

CAVUTO: All right, in case you don't think that China still isn't a huge threat to this country, consider what FBI Director Christopher Wray said about the FBI opening a new investigation into China every 10 hours and put that in context with President Biden meeting with the Japanese prime minister, Fumio Kishida, and Philippines President Ferdinand Marcos Jr.

Those two leaders, the latter two, of course, are in that neck of the woods with China, very concerned about its more bellicose behavior and statements of late.

Let's talk to Dan Hoffman about the significance of this, the former station chief in Moscow, FOX News contributor, much, much more.

Dan, you know what's wild about this is that there's a consistent theme here on an international security level, a military level, what the heck are they doing in space level, China, China, China. What do you make of it?

DAN HOFFMAN, FOX NEWS CONTRIBUTOR: Yes, look, I think just the same way that we saw NATO expansion with Sweden and Finland after Vladimir Putin invaded Ukraine, we can thank Xi Jinping for reinvigorating the United States' alliance in Asia with South Korea, but also with the Philippines and with Japan.

Just when you look at what China is doing here in the United States, stealing our intellectual property, ubiquitous spying and then militarizing the South China Sea, and the largest, fastest-growing nuclear weapons program, they are a threat to peace all over the globe.

And they're aligned, of course, with Russia and keeping Russia in the fight in Ukraine. And so that's what we're seeing here, the Biden administration doubling down on our alliances with the Philippines and with Japan, who were right there dealing with China's bellicose behavior, as you note, in the South China Sea.

The Philippines have some brave soldiers out on Thomas Shoal in -- on a rusty warship, and the Chinese Coast Guard are aiming their water cannons at them. And, in spite of that, they're hanging in there and defying China's efforts to control that very important passageway for freedom of navigation.

CAVUTO: You know, Dan, I was wondering.

Earlier in the week, as you know, Fitch Investors -- it's a debt rating service -- came out with a warning and a potential downgrade, certainly for China's outlook, saying that it's running up a lot of debt, nothing to the degree that we are with our deficits and debt, but that they're a financial worry. Their economy's slowing down.

The Chinese president's had a devil at a time, even though a lot of American executives will still suck up to him and go there every time he tells him to, that he's in a world to hurt, that China's in a world to hurt. That could go both ways, right, because military actions have a nice way of sort of distracting your population, right?

HOFFMAN: They can, and they can also make things a lot worse.

Look, China relies on spying because they can't innovate themselves. They have had a real problem with their real estate market and a bubble that burst on that. And some China experts with whom I speak believe that this downturn in the Chinese economy might induce Xi Jinping not to mount more aggressive military operations, to the extent that he might want to invade Taiwan and conquer Taiwan.

He might hold back on that with an eye towards improving his economy. But at the same time, his focus has been on this communist iron grip on his own population. We have seen multiple laws passed in China where, if you're a foreign business doing -- trying to do some work in China, the Chinese intelligence service owns everything that you're doing.

And every Chinese business has to report to Chinese intelligence. And that makes it difficult for foreign business to want to work there. And that's what we're seeing.

CAVUTO: Dan, thank you. I always learn a lot.

Dan Hoffman, the former CIA station chief in Moscow.

HOFFMAN: All right.

CAVUTO: We're going to be looking at that, also looking at a trial that's finally coming on Monday for one Donald J. Trump. Now, as far as any way to delay it or push it back, it doesn't look like that's possible, but he has been uniquely able to get a Hail Mary pass victory at the last moment.

But it's all slated now for Monday in New York. Jury selection will begin. Then what happens?

After this.

(COMMERCIAL BREAK)

CAVUTO: All right, there's no pushing back this one.

The hush money trial for Donald J. Trump is still on, to commence next Monday, April 15, in New York, beginning with jury selection. They sort of lay things out. There -- I guess there are a couple of things that the former president and his legal team might be able to pull off to get that pushed back or to have some disruption, but doesn't look likely for now.

Tom Dupree is the former deputy assistant attorney general, expert on all things legal.

So I defer to you, Tom. Any last-minute type of Hail Mary past thing his team can take to push this thing off?

TOM DUPREE, FORMER JUSTICE DEPARTMENT OFFICIAL: Neil, at this point, I think it's almost a virtual certainty that this trial is going to begin on Monday.

The president's lawyers have left no stone unturned in pushing various arguments and reasons and theories to persuade courts to bring this trial to a halt. But, so far, they have been rebuffed at every turn. It seems like, almost every day, there's one judge or another in New York saying, no, this can't be delayed. This is going forward on Monday.

So I think, at this point, the teams, both sides are just going to get prepared. They're going to strap on their battle armor and get ready to join the fight on Monday.

CAVUTO: There is this other break glass moment, the last possible moment, where the president could fire his legal team and say, I have got to start from scratch or whatever. How likely is that?

DUPREE: I would say it's unlikely.

I mean, look, Neil, this is an extraordinary case, and I wouldn't put past extraordinary measures. But, by any standard, that would be pretty remarkable. And even if he were to do that, I don't know if even that would stop the trial.

It seems like pretty much every judge in New York has settled on April 15 being the day, and they have tried to stop it. So I think, at this point, it does seem pretty darn likely this is going forward come hell or high water.

CAVUTO: All right, then you have to find fair and balanced jurors, right, who are open-minded.

Of course, the president and the legal team, quite rightly, given the liberal nature, slightly liberal nature of New York, that that wouldn't be a very fair judging pool. What do you think of that?

DUPREE: Yes, and, look, it's -- to say that this is an unfavorable jury pool for Trump is an understatement.

CAVUTO: Right.

DUPREE: Probably, 90 percent at least of the potential jurors in this case are going to be Biden voters.

I think what it's incumbent on the president's lawyers teams to do is be very aggressive in what's called voir dire. That's the process where lawyers get a chance to question prospective jurors about their biases, about whether they really can decide a case neutrally and independently and impartially.

It's really going to be a challenge for them. They're going to have to figure out how to get to the bottom of whether each and every juror on that jury is capable of rendering a fair and impartial verdict.

CAVUTO: Let me ask you about if he is convicted on any of these matters. He has no prior legal history or anything, run-ins with the law. You could make the argument that he wouldn't go to jail upon a conviction. I guess depends on how many convictions that -- play that out for me.

DUPREE: Yes, look, the way I see it, Neil, it's technically possible that he would get sentenced to jail. Each of the charges he's been accused of does carry the potential for a jail sentence.

But I think, for the reasons you mentioned, I personally would be shocked if ultimately he were sent to jail in this case and that, as you point out, he would be a first-time offender. There are certainly circumstances that I could see a judge saying as being mitigating or at least extraordinary that would counsel against a long jail sentence.

And there's a lot of water that has to go under the bridge before we even get to that point.

CAVUTO: Right.

DUPREE: So, although, yes, a jail sentence is theoretically possible, seems a bit unlikely at this point.

CAVUTO: What if the judge has had it or will have it with him constantly talking about the case or bad-mounting participants in the case and just decides to say, you know what, you're going to cool your jets in jail for a little bit?

DUPREE: Yes, and, from time to time, I think maybe we're going to get to that point. We haven't yet.

And, look, this judge is aware of the need to run a tight ship. I understand why he doesn't want either Trump or, frankly, any party in the case trying this case in the media...

CAVUTO: Right.

DUPREE: ... or launching attacks on witnesses, on the court, on family members.

But, at the same time, he's got to preserve the president's First Amendment right to speak. And it's a fine line. And I think it's one the judge is going to have to walk throughout the course of this trial.

CAVUTO: All right, thank you very much, Tom. Great catching up with you.

Tom Dupree on all of that. And remember, kickoff time Monday.

All right, on to Alejandro Mayorkas. There is an impeachment effort to get him tossed from his Cabinet position. It is a Hail Mary pass to see -- talk about Hail Mary passes, to see that happen, but, right now, the fight is on even among Republicans and Democrats, some Republicans in the Senate who say, not so fast, this impeachment thing here in the Senate, not so soon.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

SEN. JOHN KENNEDY (R-LA): Senator Schumer wants to violate 200 years of Senate precedent and not hold a trial.

CAVUTO: There are many people who get the sense that Mitch McConnell isn't fired up about this, but maybe you could share. Do all of your colleagues share your same rage at this?

KENNEDY: Well, I will let Senator McConnell speak for himself.

All I can tell you is that I'm pretty fired up about it. I'm not fired up about it on the basis of the ***politics***. I think the Constitution gives the United States Senate the duty and the responsibility to conduct a trial.

(END VIDEO CLIP)

CAVUTO: Apparently, six of his Republican colleagues in the Senate are not too keen about demanding that Chuck Schumer hold this Mayorkas impeachment trial, at least any time soon.

Chad Pergram, who has been covering this soap opera, has the latest.

Hey, Chad.

CHAD PERGRAM, FOX NEWS SENIOR CAPITOL HILL PRODUCER: Neil, good afternoon.

The Mayorkas impeachment trial may have been concluding right about now had the House sent the articles to the Senate earlier this week, but conservatives demanded more time. This allows them to cast a spotlight on the secretary.

(BEGIN VIDEO CLIP)

SEN. JOSH HAWLEY (R-MO): We have had record numbers of known Chinese Communist Party members crossing the border, record numbers of people on the terrorist watch list crossing the border, and Alejandro Mayorkas says, what, that he's not responsible?

(END VIDEO CLIP)

PERGRAM: Democrats believe they have the votes to quickly terminate a trial, but, in protest, the GOP is now using procedural maneuvers to block the Senate from doing simple noncontroversial things, like recessing until Monday.

Republicans want to make things difficult to underscore problems with Mayorkas.

(BEGIN VIDEO CLIP)

SEN. RICHARD DURBIN (D-IL): What are they waiting for? I mean, there's no case there, and they know it, no high crimes and misdemeanors. This is a political stunt. And if they want to drag it out for publicity, that's their decision, but everybody sees through it.

(END VIDEO CLIP)

PERGRAM: But even moderate Democrats are not convinced the Senate should convict Mayorkas. They believe the trial is a waste of time.

(BEGIN VIDEO CLIP)

SEN. JOE MANCHIN (D-WV): It is basically something that I can't wait to vote against and get it out as soon as it comes here. Why did they wait until next week? We could have voted on it today or tomorrow. Why? They wanted to let it fester a little bit?

(END VIDEO CLIP)

PERGRAM: So, 43 Senate Republicans wrote to Senate Majority Leader Chuck Schumer calling for a full trial, but that also means that six GOP members did not sign -- Neil.

CAVUTO: Wild. All right, Chad, thank you for that.

Chad Pergram.

All right, you hear about some people sort of tightening their belt a little bit, but when it comes to the young, let's just say many are restless to spend.

(COMMERCIAL BREAK)

CAVUTO: All right, boy, that's a beautiful shot, Catalina Island in California. It's a very popular vacation destination for a lot of young people.

Anything with beach and sand and water is a good destination and a nifty alternative to simply, in a boring way, saving your money and not having any fun at all. In fact, it's such a trend that's getting out of hand that a lot of them are rocking up the debt to do it.

It's not isolated to the young and the restless. There are plenty of older folks who do the same, but we are seeing this as a pattern among some of the young who are restless.

George Kamel on "The Ramsey Show," co-host, very good at personal finance, and he tries to reach out to young people to simply tell them quietly, will you stop spending money like crazy?

(LAUGHTER)

CAVUTO: Anyway, George, very good to have you.

What's going on here? We just heard stories about some young people who are really tightening the belt and really being careful, but apparently not all.

GEORGE KAMEL, CO-HOST, "THE RAMSEY SHOW": Oh, absolutely. I won't yell like Dave.

(LAUGHTER)

KAMEL: I want to give them a hug and say, I get it. It's hard. You want to enjoy life.

But what this has really turned into, Neil, is this YOLO mentality, where the stats are showing us they're not only willing to spend more than any generation. They're also willing to take on debt to do it. And that's where this becomes a problem, because we're seeing credit card debt at an all- time high, over a trillion dollars, the average interest rate, the APR, over 22 percent now.

So when you put that vacation the payments, you come back and pay for it six months later. And that, to me, is the bigger problem.

CAVUTO: Yes, and you know what it is, George? When we look at the statistics -- and the economy is still very strong, almost too strong -- that's what has people worried about inflation -- is the fact that this is going on with abandon.

I was reading that a lot of flights are booked right now through the Christmas season, where people of all types are spending big, but they're putting it on their credit cards, and that can be a problem too, right?

KAMEL: Oh, yes. And the companies are cashing in on this.

CAVUTO: Oh, sure.

KAMEL: I mean, you have seen the marketing for all the rewards programs, the airline miles, and so they trick you into thinking you're being a smart consumer when you play these games.

But the problem is, you're doing this at the stake of your own future, your own retirement, and it's born out of a hopelessness and cynicism that these generations feel. They're going, well, Neil, I will never own a house, so I might as well take that vacation. And so it's not born out of a good, healthy place. It's just born out of this frustration with the economy, and it's the Boomers' fault.

And I want to tell them, there is hope for you yet if you're willing to make sacrifices.

CAVUTO: Boy, we Boomers, not you, we get it every time.

KAMEL: Not me.

CAVUTO: George, let me ask you about that, though, because you could understand that.

If they're so frustrated, I understand that 70 percent of millennials don't think Social Security is going to be around for them. And I said, whoa. And you mentioned concerns as well about all these other economic joys, like homeownership, that they might look at their parents and grandparents as enjoying, but they're not going to have it.

So you can understand. Well, what the hell, I'm just going to go for the gusto. So what do you tell them?

KAMEL: Well, first of all, I tell them, you're not going crazy. Things are very expensive. It is harder to buy a home these days...

CAVUTO: Yes.

KAMEL: ... when homes cost six times the average income, instead of two times the average income, like it was in the Boomers' days.

But that also doesn't give you a pass to just go deeply into debt and go, whoa is me, YOLO. So I want people to have JOMO, instead of FOMO, the joy of missing out, knowing, you know what, I'm doing what's right for me. In the next two years, I'm going to aggressively pay off that debt. I'm going to get on a budget and pay cash for that vacation and put it on a debit card, so that it doesn't burden me when I get back from that trip.

And these are things that we see people do every day on "The Ramsey Show." And it's very inspiring.

We talked to a couple yesterday, 28 and 30, on "The Ramsey Show," paid off their house.

CAVUTO: Wow.

KAMEL: And so these aren't crazy stories. These are everyday people who are choosing a different path.

CAVUTO: But you and your colleagues -- and I love you all, especially Dave -- I mean, but you're very cheap. You carry bags of cash around so you can see what you're spending.

(LAUGHTER)

CAVUTO: I get that. I get that.

But a lot of people just saying, that's crazy. I don't want any part of that.

KAMEL: Well, people do think you can't have fun if you live the Ramsey plan.

CAVUTO: Right.

KAMEL: And all we're saying is, be frugal for a season, so later you can live like no one else and go on the crazy vacations, because I will tell you, I have traveled with Dave. He's not frugal these days.

CAVUTO: Yes.

KAMEL: He may have been back in the day when he was broke.

But there's a time and a place for all of that spending. And it's not when you're broke. You got to get out of that and get your head above water. And that's why I wrote the "Breaking Free From Broke" to help people of all ages rise above that.

CAVUTO: Well said.

Yes. Well, I told my kids, George, your mother and I are keeping everything.

(LAUGHTER)

CAVUTO: And whatever's left over goes to the dog.

(LAUGHTER)

CAVUTO: But thank you, George, all wise advice.

George Kamel on that.

So, the spending continues, and so does it in Washington. We will explore that tomorrow.

Right now, here's "THE FIVE."

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