

# [***Iowa Caucus Just One Week Away; GOP Candidates Push For Votes As Iowa Caucuses Near; Rep. Jim Jordan (R-OH), Is Being Interviewed About Mexico's President Making Demands In Exchange For Border Help; Pentagon: Secretary Austin Out Of ICU, Still In Hospital; White House And Department Of Defense Left In Dark For Days On Austin In ICU; Migrants Head To United States As Surge Shatters Records; Migrants Head To US As Surge Shatters Records; House GOP To Start Hunter Contempt Process Weds; GOP Race Heats Up 1 Week Out From Iowa Caucuses***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6B2H-27B1-F072-X007-00000-00&context=1516831)

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

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**Guests:** Chris Sununu, Victoria Coates, Jim Jordan

**Body**

SANDRA SMITH, FOX NEWS CHANNEL HOST: Jam-packed two hours as we begin a brand-new week. John, set your DVR, never miss America Reports. Thanks for joining us. I'm Sandra Smith.

JOHN ROBERTS, FOX NEWS CHANNEL HOST: And I'm John Roberts. We will see you again tomorrow. And don't forget tonight at 6:00 at Big Town Hall with Nikki Haley and the woman who's going to be co-hosting that, Martha MacCallum, right now live from Iowa with "THE STORY." Martha.

MARTHA MACCALLUM, FOX NEWS CHANNEL HOST: Hi, guys. Thank you very much, John and Sandra. Good afternoon, everybody. I'm Martha MacCallum live in Des Moines, Iowa. And here is the story today. We are here all week. We are hours away from our first big town hall with one week to go until the first in the nation caucuses to decide the 2024 presidential election. Tonight, Republican candidate Nikki Haley. We will gather tomorrow night with voters to talk to Florida Governor Ron DeSantis.

And on Wednesday, we will join with former President Donald Trump and voters here on the ground in Iowa. The former president is way ahead in the polls right now but he is telling his supporters to "pretend we're one point down and do not stay home on caucus night." Former Bush adviser, Karl Rove, and former Obama adviser, Robert Wolf, standing by on the matchup.

Interesting reports today that say former President Obama went to the White House to meet with President Biden and expressed his concerns about the campaign and how things are being run from the Biden perspective. And he warned about the possible, possibility of a second Trump victory and said not to underestimate that possibility, according to these reports. So, we begin with congressional correspondent, Aishah Hasnie, reporting live here on the ground in Des Moines. Hi, Aisha.

AISHAH HASNIE, FOX NEWS CHANNEL CORRESPONDENT: Hey, Martha, I don't know if you can tell, there's a big winter storm coming and we are already getting slammed by these giant snowflakes out here in Des Moines. It's causing a lot of problems on the campaign trail. A lot of candidates today have to cancel their events this morning including Nikki Haley, had to cancel her Sioux City event. Trump had to cancel a couple of events as well. Vivek Ramaswamy couldn't make it to one of his morning events, but on his way to another one, he took the time to get on X and slam Nikki Haley. Watch this.

(BEGIN VIDEO CLIP)

VIVEK RAMASWAMY (R), PRESIDENTIAL CANDIDATE: No campaigns are cancelling events today. Not us. If you can't handle the snow, you can't handle Xi Jinping. I know Nikki Haley and others couldn't handle it. Well, let them do it their way. We're doing it our way.

(END VIDEO CLIP)

HASNIE: Oh Martha, it's cold out here but the attacks are coming in hot as Nikki Haley is outspending the entire PAC in ad buys here in the last week before the Iowa caucus. Ron DeSantis is actually out with the one today against Haley as part of his $2 million ad buy as well as this one from a Trump-aligned Super PAC attacking Haley over the border, claiming that she opposes a border wall.

Haley's camp says Trump should explain why he never finished the wall. Meantime, Ron DeSantis is trying to fight off a speculation here on the ground that he's going to drop out of the race if he underperforms in Iowa. He tells Fox that it's a total lie. Flagging for you though, Martha, that he has yet to release his quarter for fundraising. That should tell us a little bit more about how much money he has going into the Iowa caucus.

It's all about to get very, very serious here in the next couple of days. Commitment to caucus is very important, Martha, right now, because it's going to be in the negative digits on Monday. And if it's anything like this, you really have to have those tough supporters that are going to go out there and caucus for you. Martha?

MACCALLUM: Well, that is exactly what an Iowa live shot should look like, Aishah Hasnie. Days before the caucuses, standing out there in the snow. You're a good sport, great job as always, Aisha.

HASNIE: Mascara dripping.

MACCALLUM: Thank you. That's what we expect to see in Iowa, 100 percent, and in New Hampshire as well in January. Thanks so much, Aisha. Good to see you. We'll see you soon. So, let's bring in New Hampshire Governor Chris Sununu who has been campaigning for Nikki Haley here in Iowa. He gave her his support as governor of New Hampshire as well. That's a very important race for her just about a week down the road. Governor, very good to have you with us today. Thanks for joining us.

GOV. CHRIS SUNUNU (R-NH): You bet. You bet. Great to be here.

MACCALLUM: So, you heard Vivek Ramaswamy taking advantage of the fact that some of the others are off the campaign trail due to the weather this morning. He said if you can't handle snow, you can't handle Xi Jinping. Give us an update on how things are going and when the Haley campaign will be back on the road and we look forward to seeing her here tonight.

SUNUNU: Well look, a lot of the candidates you know postpone their events today not because of them because they don't want people driving you know hundreds of people to drive. It's more of a safety issue. With Vivek, only about six people are going to show up at that town hall anyway, so I guess it doesn't matter.

At the end of the day, this is a one-on-one race, right? This is Nikki Haley versus Donald Trump. I think she's going to do very well in Iowa. She's going to challenge Trump. I think she wins here in New Hampshire, and that's something nobody thought was possible just a couple months ago. So, there's all this momentum. There's a real movement where people are feeling optimistic and hopeful, and more folks are coming out of the woodwork.

They want to get on board because this national narrative of a fait accompli for Trump just doesn't pan well here. So, I think that because the voter turnout is going to be incredibly high, I think we'll probably break a record in a couple of weeks. I think it's going to come off a big showing for her in Iowa. And look, everything is just pointing in the right direction for Nikki Haley right now.

MACCALLUM: So, when you look at the polls here in Iowa, both DeSantis and Haley are about 30 points behind President Trump. But you heard him telling his caucus goers that he really needs them to turn out. He's hoping for a very strong finish here. What does a strong finish for Nikki Haley look like in Iowa and give us a little more depth on why you think she can win and pull out a huge surprise win in New Hampshire, Governor.

SUNUNU: Sure, well sir -- the only people that have set expectations in Iowa are Trump and DeSantis. They both said they're going to win the state, they've both set their expectations high. There's a reason why Trump is putting all of his negative ads towards Nikki Haley because he knows that she's the one that's surging. So, whether it's Iowa or New Hampshire, there's no doubt that she is over-performing, I think, what the media thought, what Trump thought.

They realize that this is a one-on-one race, and that's why they're attacking her so hard. Here in New Hampshire, her numbers have skyrocketed, you know, from five percent a couple months ago to, you know, within 10 points in some polls. I think some polls had her within like three or four points even, and we still have a few weeks to go. So, with all that time on the table, with her being the only one surging right now, that's just, momentum is real in ***politics*** as you know Martha, it is very real and folks want to get on board with the winning team.

When she does these town halls, she says, who hasn't come to one of my town halls, who's never heard me before? Every hand goes up. They're all new voters, they're all new people that are engaging here. They're Trump, Trump people are coming over, DeSantis people, all the Chris Christie voters are coming over. Chris Christie's race is absolutely dead. So, if you wanted to defeat Trump in the primary as a Chris Christie voter, now they're all coming behind Nikki Haley because this is the path to do it. So that's just, it's real. And she's connecting with voters very differently than all these other candidates. She's doing the one-on-one stuff that these other candidates aren't willing to do.

MACCALLUM: Well, it's going to be fascinating to watch. We are used to seeing some surprises in these early races that shake up the race. We also haven't seen polling quite like this for the front runner that we're seeing here in Iowa, so we'll see where it all goes, and we are excited to watch it all unfold. Governor, thank you very much. We look forward to tonight.

SUNUNU: You bet, thank you. Talking with Governor Haley as well, right here on this stage. So, joining me now is Karl Rove, former White House Deputy Chief of Staff for President George W. Bush and Robert Wolf, former Economic Advisor to President Obama, both are Fox News Contributors. Great to have both of you with us today, gentlemen. Some interesting developments as we look at the top of this race. Obviously, President Biden doesn't seem to be going anywhere.

There was a lot of speculation that he might drop out. He gave his second sort of campaign speech today in South Carolina at the AME Church. And on the Trump side, he's obviously in first place in the GOP race. And Karl, I'll start this with you. He's concerned, he wants his caucus goers to actually show up, he doesn't want anyone to get complacent, as both of these top frontrunners know what's at stake here. How do you see it, Karl?

KARL ROVE, FOX NEWS CONTRIBUTOR: Well, a smart decision by the former president to encourage his people to show up no matter what. He is ahead in the Real Clear ***Politics*** average with 51 percent, that's 32 points ahead of number two, which is in the Real Clear ***Politics*** average, DeSantis; Nikki Haley at 16. Now, this is an average of recent polls stretching over weeks and months, so it does underestimate in all likelihood where Nikki Haley is. But the president, former president, smart to say, don't take it for granted. After months of saying, I'm 60 points ahead, he's now saying the right thing, which is lower your expectations. We're in a fight. Please turn out and vote. Really important for him as he closes off the caucuses.

MACCALLUM: So, Robert, I want to pull up this quote from James Carville on ABC because there's been a lot of focus in the last few days around the January 6th anniversary and he is cautioning President Biden to not put all of his eggs in this threat to democracy basket. He says, "It makes sense on January 6th, but don't kid yourself. On January 8th and 9th, Americans will still be going to the grocery store. People live in the economy and experience it many times a day. They don't live on January the 6th."

And interestingly, this was also picked up on by Mitt Romney, who said as a Biden campaign theme, "I think the threat to democracy pitch is a bust. January 6th will be four years old by the election and basically calls it kicking a dead political horse." Is it a mistake to go so all-in on these threat to democracy themes, Robert?

ROBERT WOLF, FOX NEWS CONTRIBUTOR: I like James, but we know James has been wrong in 2008 with Obama, 2012 with Obama, 2016 with Hillary. In 2020, he didn't support Biden in the primary. So, I mean, honestly, I think that the campaign has to be more broader than just democracies on the line. I actually think, actually, Bidenomics is something he should be running on. I think the win is at the back in the economy. We've had wages outperform inflation, the entire 2023, and now into 24.

With respect to Democracy on the Line, I actually think it is on the line. And I think it's actually resonating. At the Valley Forge speech, he had over a million dollars in 24 hours in grassroots contributions. Actually, today at the Emanuel Church, that was a great speech. There was a lot of electricity in the air. They were yelling, four more years. So, I think, you know, his campaign is really less than a week old.

As Karl knows, you want to be president more than candidate. And so, he's just starting the campaign. He's President Biden. He made sure that he wasn't really running in 23. His idea was to start now. And this is what President Obama did. He also added Mitch Landrieu today, who's really strong, that ran his infrastructure group to become on the campaign. So, I think it's just beginning and it's been a great 72 hours.

MACCALLUM: Well, interesting to learn that President Obama went to the White House and that he was very animated in his concern about the way the campaign is being run and encouraged them to talk to his people and obviously expressing some concern about all that. So, we'll see where it goes. Gentlemen, thank you very much. Good to have you stop by today, Robert Wolf and Karl Rove. My thanks to both of you. So, coming up, we will speak with Congressman Jim Jordan and Trey Gowdy as President Biden stays tight-lipped on the secretive hospitalization of Defense Secretary Lloyd Austin and why he was kept in the dark for three and a half days.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: Are you still confident in Secretary Austin, sir?

(END VIDEO CLIP)

(COMMERCIAL BREAK)

MACCALLUM: So, is a very surprising revelation in this story. President Biden was not made aware that his Defense Secretary Lloyd Austin had been in the hospital, then he came home, that an ambulance took him back to the hospital at Walter Reed.

Now, the explanation that's being given for that lapse in communication today, is that the defense secretary's chief of staff couldn't communicate all of this because he was down with the flu. So, that's what the Pentagon is saying in terms of some greater transparency on this issue this afternoon.

So, they also say now that Austin is out of the ICU, but he's still not out of the hospital. He was admitted last Monday night, brought back there by ambulance, as I said, and President Biden was not made aware of this until Thursday, and has no plans when he was asked today whether there would be any ramifications for all of this, whether he wanted him to resign. He said no. Watch this.

(BEGIN VIDEO CLIP)

REAR ADM. JOHN KIRBY (RET.), COORDINATOR FOR STRATEGIC COMMUNICATIONS, NATIONAL SECURITY COUNCIL: No plans for anything other than for Secretary Austin to stay in the job and continuing the leadership that he's been exude -- that he's been demonstrating.

(END VIDEO CLIP)

MACCALLUM: During Austin's time in the ICU, there were at least 13 attacks on U.S. forces in the Middle East. And emerging reports now that Iran separately is perceived to be just a few weeks away from having the ability to have nuclear weapons.

This is a very disturbing report. These things are all moving very quickly in the Middle East.

Now, the New York Post editorial board wonders, "How could President Biden not notice that his Defense Secretary was missing," for several days?

With that, we bring in Victoria Coates, former deputy national security adviser. Victoria, welcome. Good to have you with us today. What's your take on all of this?

VICTORIA COATES, SENIOR FELLOW IN INTERNATIONAL RELATIONS AND NATIONAL SECURITY, HERITAGE FOUNDATION: Martha, good to be with you too. This is the most extraordinary development. I can't think of any equivalent of a Cabinet secretary taking that or so entirely into their own hands, in a rogue way since Al Haig declared himself in charge of the White House after President Reagan was shot. And, at least everybody knew it was happening. And General Haig resigned afterwards.

But in this case, to have the secretary of defense, while all of his obligations and authorities have to or take it upon himself to go into the hospital with no way to communicate back to the White House. And that's ridiculous about his chief of staff. All you have to do is look at one of your security guards and say, tell the Situation Room. They'll know what to do.

That's what the White House Situation Room it literally does is coordinate this sort of thing.

So, the notion that somebody was down with the flu and couldn't fill in this, this just egregious security breach for the American people. That doesn't pass the smell test.

MACCALLUM: Yes. So, what concerns you more that the Pentagon wasn't more forthcoming and making sure that everyone knew what was happening?

Or that the White House seemed to have no handle on all of this? I mean, both are obviously troublesome.

COATES: Yes. I would -- I would embrace the and there that, I mean, on the one hand, any one of those attacks that you described in the Red Sea and Syria in Iraq, could have been far more deadly and far more of a crisis. And when that happens, the president needs to convene a National Security Council meeting. And in this case of this crisis, the secretary of defense would be lead on it, and nobody would be able to find him.

But then, at the same time, as you say, it takes the president who already has the perception of being a little out of touch not really with a firm hand on the wheel, look completely out of control of his own Cabinet.

And, you know, for him then to come out and say no, or to Kirby to say no, that there is not going to be any change. There is not going to be any accountability for this. I mean that you have to wonder what you have to do in this Cabinet to get fired.

MACCALLUM: Let me ask you this a different topic very quickly, if I may. President Biden was at the AME Church in South Carolina today. There were protesters, they are calling for a ceasefire -- pro-Palestinian protesters.

And here is what the President said in response to them. This is sort of an ad lib, separate from the speech. Watch this.

(BEGIN VIDEO CLIP)

JOE BIDEN, PRESIDENT OF THE UNITED STATES: I understand their passion. And I've been quietly working -- and been quietly working with the Israeli government to get them to reduce and significantly get out of Gaza. Using all that I can of doing.

(END VIDEO CLIP)

MACCALLUM: Doing everything he can to get Israel out of out of Gaza and significantly reduce their footprint there. What do you -- what do you think about that, Victoria?

COATES: That's ridiculous. He should be doing everything he can help the Israelis bring this war to a successful conclusion. That's what's in the best interest of both Israel and the United States.

MACCALLUM: Victoria Coates, thank you very much. Always good to have you with us. Nice to see you. Thank you very much.

COATES: Thank you.

MACCALLUM: All right. So, coming up here on THE STORY, facing record disapproval on his ability to handle the southern border. The president turns to Mexico to help fix this crisis. This is a big story. That, as Mayorkas's future hangs in the balance as Homeland Security secretary, as he faces an impeachment test this week.

Congressman Jim Jordan is next.

(BEGIN VIDEO CLIP)

WAYNE KING, TEXAS RANCHER: That he is a traitor. He is an absolute traitor. He lies under oath. He says that the border is secure. It's not. He was -- he took an oath to protect us, and he is not doing it.

UNIDENTIFIED MALE: How do you --

KING: And it's clearly -- I mean, the whole administration is the same way. Even our president. The president of the United States, I call him a traitor too.

(END VIDEO CLIP)

(COMMERCIAL BREAK)

MACCALLUM: So, in an interesting turn of play, Mexico, is now making some big demands of the U.S. in exchange for helping to stop the record surge of migrants at our southern border.

President Lopez Obrador has a wish list that includes $20 billion he wants for Latin America and Caribbean countries in order to help tame this flooded our border. He wants us to give them $20 billion.

He also is requesting that 10 million Hispanic residents who been in the United States for more than 10 years, that all sanctions would be removed against 10 million people.

He also wants sanctions lifted against Venezuela and a suspension of the U.S. blockade of Cuba in return for being helpful on this flood of migrants who are coming into the United States.

So, with that, we bring in the House Judiciary Committee Chairman, Ohio Republican Jim Jordan. Congressman, always good to have you with us. Thank you very much, Chairman.

REP. JIM JORDAN (R-OH): Good to be with you. Good to have you.

MACCALLUM: What's your reaction to this report from NBC that these are the demands of Obrador if he wants to be helpful?

JORDAN: What is he now? The president Mexico is a member of Congress? For goodness. And what a contrast. I mean, President Trump told Mexico, you either help us with this Remain in Mexico policy, where they are detained and they wait in Mexico, while we evaluate their asylum claims.

You either help us with that or him -- he said we'll put tariffs on -- we'll take action. So, he was the one dictating how this was going to work. And now, we have the president of Mexico, telling the Biden administration -- I mean, what a contrast. Again, I think, it shows just how ridiculous this whole situation has become.

And frankly, Martha, the American people understand that. Recent polling shows eight out of 10 Americans know that what's happening on the border is a huge problem. It is a crisis, because they understand the magnitude of it.

We're on pace -- we're on pace in the Biden administration, to go to 12 million migrants coming into the country. That is the equivalent of the entire population of Ohio. And we're not a small state with the seventh largest state in the country. That's how big this problem is.

And now, we have the president of Mexico, acting like he's a member of the United States Congress, for goodness' sake.

MACCALLUM: It's pretty incredible. And when you think about the role of the cartels in all of this, a huge force of power within Mexico.

JORDAN: Yes.

MACCALLUM: And now, you obviously have the U.S. government, the president turning to Mexico and saying, OK, we need to talk about this and the word from the administration as well. We're on the same page about a lot of things Congress would have to do some of these things. You know, in order to get some of this negotiation through, I want to pull up a quote from Mary Anastasia O'Grady, who covers this issue deeply and has for a long time at the Wall Street Journal.

Here is what she says in a piece called "Is AMLO," which is, you know, the shortened version of the Mexican president's name, "blackmailing Biden?"

She says, "Mr. Biden needs Mexico's cooperation as he strives to preserve reckless U.S. immigration policy, and still get reelected. The world's bullies are on the move in Europe and the Middle East. Mr. Biden is signaling weakness, as if it's a secret progressive recipe for world peace. You don't have to travel seven time zone to see how the Biden administration forfeits U.S. leadership. Ground zero is the Mexico-US border."

JORDAN: Yes.

MACCALLUM: so, you know, how do you think these plays politically, Congressman?

JORDAN: Well, I think, again, the American people got common sense, they see it. But the point is exactly right. When you project weakness from the Oval Office, bad things happen.

You get the situation on our border, you get the exit from -- the debacle that was the exit from Afghanistan. I'll never forget the picture of people trying to jump on the wheels of that plane as this taking off.

You get -- yes, you get Russia coming into Ukraine. You get Hamas doing the terrible things they did to Israel. Three over three months ago now, and it continues to this.

So, you get all that when you project weakness from the Oval Office. I will never forget when Russia first went into Ukraine. Mike Pompeo was on your - - maybe I think might have been your show, but he's on Fox, and he was asked a question. Mr. Secretary, would this have happened in the Trump administration?

Mike gave the best answer. He says the short answer is I don't know. But I do know this, it didn't happen in a Trump administration. And that says it all. And what we see on the border didn't happen in a Trump administration. And what happened in Israel three months ago, it didn't happen in a Trump administration.

And the country, I think, understands that. And that will be a key element over the next 11 months as we go into -- go through this presidential election.

MACCALLUM: So here's another headline. NBC News says that Biden is "running out of options" to fix the border. The Biden ministration is asking Mexico to curb the huge flow of migrants into the US, as Biden runs out of options to fix a problem that's hurting his polling. But he has other options, congressman, than asking Mexico or trying to pay Mexico off, essentially, in order to try to stem some of this at their Guatemalan border. And all of that is part of part of the mix here.

There are things he could do with executive orders without any help from them, aren't there?

JORDAN: Yes. Detain people who come, that will -- the incentive now is if you get here, there's no wall to get over because Biden stopped building it. There's no Remain in Mexico while we evaluate your asylum claim. And once you get here, you will be released to wherever you want to go. So all the incentive is to come. If he says no, you're not getting released, we're going to go back to building the wall. And we're going to negotiate from a position of strength of Mexico to go back to remain in Mexico policy, you would stop the incentive, you would stop the flow.

But he's not willing to do that, it seems to me so he could do all those things. What we need to do in Congress is insist on those things and attach it to every single must pass bill. I think it can actually be one sentence, no money, no American tax dollars can be used to process or release into the country, any new migrant.

So we simply say suspend it, timeout. It's gotten so bad we're on pace for 12 million. Timeout, no more. That's what the position of the Congress should be. And frankly, the United States Senate should adopt that position and demand the White House, do it.

MACCALLUM: OK. Before I let you go, what should Americans expect when they watch the beginning of the Mayorkas, the Homeland Security secretary, impeachment hearing process that begins this week?

JORDAN: Well, this is the secretary who presided over all this. So I support Chairman Green and the Homeland Security Committee in what they're pursuing here. I also would add, this is also the federal agency that under Mayorkas who said we need a disinformation governance board. So not only is he blown it all on the border and created this crisis down there. He's also the same secretary said, oh, we think we should tell Americans what they can say and what they can say. That I think is why you see this push from the Homeland Security Committee.

MACCALLUM: Chairman Jordan, thank you. Always good to have you here.

JORDAN: You bet.

MACCALLUM: Thank you very much.

JORDAN: Thank you.

MACCALLUM: So we are one week out now from the first in the nation caucuses. The process of the 2024 presidential election is officially underway this week. So former President Trump could make not one but two courtroom appearances in the middle of all of this, we expect that's going to -- the first one will happen on tomorrow.

So our Fox Iowa Presidential Town Hall is sandwiched in between these two court dates which we will ask him about no doubt. Trey Gowdy on that and the new legal drama for Hunter Biden, which is heating up today. We'll get you caught up to speed next.

(COMMERCIAL BREAK)

MACCALLUM: So a big week in the Hunter Biden case, House Republicans kick off the process of holding him in contempt for defying their subpoena calling it a criminal act. Then the President's son has a court date in his tax evasion case. Sunday Night in America who is Trey Gowdy, former House Oversight chair and federal prosecutor is standing by but first let's go to the Justice Department to our correspondent David Spunt who lays all this out for us. The backstory live from Washington. Hi, David.

DAVID SPUNT, FOX NEWS CORRESPONDENT: Hi, Martha. The draft resolution is a one pager but holding the President's son in contempt of Congress is hardly a small story. The debate will take place in committee on Capitol Hill on Wednesday. The Hunter appeared on Capitol Hill back on December 13 but did not show up for a scheduled deposition via subpoena. Instead, he gave a late fee statement outside the Capitol dome. Chairman Jim Jordan and James Comer say contempt is the next natural step.

Now remember, both Steve Bannon and Peter Navarro from the Trump administration were also held in contempt and actually prosecuted by the DC US attorney Matthew Graves for ignoring a congressional subpoena. Their cases were a bit different Martha as they both claimed executive privilege. However, they were prosecuted by specifically the office of US attorney Matthew Graves who happen to be appointed by one President Joe Biden, in November 2022 -- 2021, excuse me. There he is right there.

Now before the Hunter contempt issue even gets to Graves' office, it must pass the Full House. We're told that could happen as soon as later this week. Then graves would need to decide whether or not to prosecute, not only in Congress but in a real court of law. And speaking of an actual court of law, Hunter will be as you mentioned in federal court in Los Angeles on Thursday to answer for 9 tax charges. Three of them are felonies, Martha?

MACCALLUM: Davis Spunt, thank you very much, David. With that we bring in Sunday Night in America host Trey Gowdy, former House Oversight Committee chair and federal prosecutor. Trey, always great to see you. Thank you so much for joining us on this --

TREY GOWDY, FOX NEWS HOST: Thank you.

MACCALLUM: -- Monday afternoon from Iowa.

GOWDY: Yes, ma'am.

MACCALLUM: So what do you think? Are they going to be successful at holding Hunter Biden in contempt? He sort of showed up at the Capitol but he didn't set foot inside which does exactly check that box.

GOWDY: Yes. It kind of depends on your definition of success. And here's what I don't get when you put that picture of Hunter Biden up, there's somebody to his right as I'm looking at it, that guy is a really smart lawyer. It's Abbe Lowell. He represented Jared Kushner and Ivanka Trump, and he got Bob Menendez a hung jury.

So his lawyer is smart, which is why I don't understand, Martha, why not just go invoke your privilege? I don't care what privilege attorney client, your fifth amendment privilege, marital privilege, priest penitent. I don't care what privilege you invoke, show up. He's being held in contempt, because he didn't even bother to calm. So whether or not you answer questions is a separate inquiry.

And remember, I mean, Eric Holder, the former attorney general for the United States was held in contempt of Congress, he did show up, he did talk. He just didn't produce documents, not even bothering to show. I mean, honestly, what choice does the House have if you're not going to even show up and assert a privilege? What choices the House have except to hold you in contempt?

MACCALLUM: But why do you think he's so brazen? Is he not worried about being prosecuted?

GOWDY: I think he's getting -- I mean, candidly just between us, I can get really lousy advice. Remember before he was indicted, in California, all the talk was about whether or not he was going to demand a public hearing instead of a private deposition. Your lawyer should have been actually focused on making sure you weren't indicted in California.

So playing this ***politics*** is a public relations game. I mean, let Kerry Washington and the folks from scandal handle that. You be a lawyer and keep your client from being held in contempt, because he's about to be.

MACCALLUM: Maybe the client doesn't listen to the advice, that's a possibility as well. I do want to ask you about another person who has a lot of legal jeopardy in front of him as well, and that's former President Trump. He is there going to be his cases before DC Circuit Court. And he says he will appear there tomorrow to press his case for immunity in the Georgia election fraud case. He says that as President, he is immune from prosecution that he was overseeing the electoral process and the sanctity of it, and that he can do that as a president. What do you say about that?

GOWDY: I'll say the only reason to go to a hearing at a Court of Appeals is if your Ambien prescription has run out. It is the most boring thing in the world. There is no jury, there are no witnesses. It's an appellate court. It's a bunch of smart judges asking really smart lawyers a bunch of esoteric questions.

So, look, I'm not the scheduler for President Trump, he can go wherever he wants to go. I don't think going to an appellate oral argument is your best use of time. I mean, nor do a jury trial where the jury can see you, that may be smart. But going in front of three judges where they're going to argue the most esoteric points of law, I don't get it. But, you know, the judges are not going to be intimidated by his presence, nor would they be offended by his lack of presence.

I just -- I get going to a jury trial. I don't get going to oral argument before a Court of Appeals.

MACCALLUM: So let me ask you this. This is the last stop likely before the Supreme Court deals with whether or not as president he was immune in this case, and that could have implications, obviously, for the other cases as well. Do you agree with his case for immunity as president in this?

GOWDY: I don't, but I have a pretty limited view. I'm not sure presidents ought to be able to pardon themselves. I have a more restrictive view of the so called plenary powers of a president that a lot of really smart lawyers that you have on like McCarthy internally and others.

I mean, I was a C student, they were A students. I just -- I don't believe that the conversations that I've heard, I'm not pretty judging his guilt. But the conversations I heard were not about ensuring election integrity in the future. It was about election that just took place. I don't think he's immunized from that.

MACCALLUM: Very interesting. Trey Gowdy, thank you very much. Always great to see you, sir.

GOWDY: Yes, ma'am.

MACCALLUM: C student and everything.

GOWDY: You too, thank you.

MACCALLUM: From one C student to another.

GOWDY: Yes, ma'am.

MACCALLUM: Thank you, Trey.

GOWDY: I doubt that but thank you.

MACCALLUM: All right. So coming up, we are now just two hours out from the first of three Republican presidential town halls. We've got a huge week coming to you in Iowa as the voters here will make their final choices about who gets the GOP nomination. Tonight we will talk to former South Carolina governor and UN Ambassador Nikki Haley. She will take questions from voters right here in this room that could make all the difference on how they decide to caucus. Bret Baier joins me next live from Iowa.

(BEGIN VIDEO CLIP)

CAMERON BARTH, IOWA VOTER: Single Governor Ron DeSantis just now was really exciting. But if the caucus were happening tomorrow, I would caucus for Governor Nikki Haley. She's the one who appeals to millennials, to independents, to voters in the suburbs.

(END VIDEO CLIP)

(COMMERCIAL BREAK)

MACCALLUM: So we're just about two hours away now from the first of three big Fox News events this week, town halls with Nikki Haley this evening, Ron DeSantis tomorrow and former President Trump here on Wednesday night with us in Iowa. So just one week out from the Hawkeye State's crucial first in the nation caucuses, I'll be co-moderating all of these evenings alongside Bret Baier, Fox News chief political anchor and executive editor and anchor of "Special Report." He's just been out on the street chatting with some voters. Right, Bret?

BRET BAIER, FOX NEWS ANCHOR: Yes. A lot of undecided caucus-goers in the snow and cold of Iowa, and they really don't care about the snow. They said this is Iowa, suck it up. And so they're going to caucus, some of them are going to make their decisions in coming days. And we'll play that, you know, as we get closer to the caucuses.

But I think that these events, Martha, and you know this, are really about the Iowa citizens asking the things that they want answered. And we have dozens and dozens of questions, really good ones, from Iowa voters who are really making their decisions in the final days.

I mean, we see the polls, obviously, the former president is well ahead in the polls. But what we've learned over the past several elections is that the outcome is generally quite different. I mean, I think back to the midterms when it looked like there was going to be a huge Republican surge in the House, turned out to be just a couple of seats that were won.

So, you know, how good of a handle might we have or have not on what's actually going to happen on Monday night?

BAIER: Obviously caucuses are different. It requires a lot of logistics, getting to the school, getting to the firehouse, you know, standing up for your candidate. But I was been through that. I don't think we've ever seen a candidate and a former president with this big lead heading into the Iowa caucuses. So that's the challenge for the Haley and DeSantis. Folks, and I think that these closing arguments are part of swaying an undecided independents.

MACCALLUM: So the last time that you and I were here, they have this fancy new system. They were going to tabulate all of the caucus results on apps on their phone. I remember the guy who was in charge of it is no longer working on that project anymore.

BAIER: Yes. He was very excited.

MACCALLUM: He was very excited about the new app and how effective it was going to be. But we went deep into the night with no results from Iowa. We didn't learn who won Iowa until several days, maybe even weeks later. What's your sense of how they've ironed those things out? Are we going to get a clean decision on Monday night?

BAIER: I think the party has said that they've had a reckoning technology wise since that time, and they feel confident about it. You know, Iowa is not that big of a state and usually they can get the results. But I remember a couple of cycles ago waiting for one white truck with ballots from one big district.

MACCALLUM: I remember that. And, you know, so listen, it's -- there are rural parts of the state that may come in a little bit later. But it'll be fascinating. I think it's the first real test and tonight is the kind of closing argument to that test.

MACCALLUM: So we're going to hear from Nikki Haley tonight, from Ron DeSantis tomorrow night. At this point, it seems like the two of them are fighting for second place. And there was a lot of discussion about Ron DeSantis, rumors over the weekend that he might drop out. He came out today and said that's a total lie, that that is not his plan. But things will shift in the coming weeks.

BAIER: Right. And, you know, the Haley campaign saying that he might drop out, the DeSantis campaign saying she'll be VP, maybe she has to answer all those questions. I think what really matters here is the substance of the issues. You know, the issues that these voters care about. And as we've seen, they track with a lot of issues around the country, or voters or, you know, us expressing themselves in those polls.

MACCALLUM: Yes. I think people will be interested to see tonight and in the coming nights, the things that really are on people's minds, the questions that they are focused on, and also is interesting, some of the things you might expect them to care about, that they are not that focused on. So we'll be able to reveal some of them.

BAIER: We should say, despite the weather, we have a full house tonight, we have a full House tomorrow and a full house Wednesday, but people can still try to be in the crowd and try to answer a question if they fill out the forms.

MACCALLUM: Absolutely. You can go to foxnews.com and get those last minute questions in. Also you can go to either one of us on X, formerly Twitter, and you can connect to that as well that way. So Bret's going to stick around for just a moment because we dug into the archive, this is scary. And we found a piece of my very first day here at Fox.

This is my 20th anniversary, which is hard for me to believe, but we'll see how that works out when we dig into the way back. We're going to go into the wayback machine right after this.

(COMMERCIAL BREAK)

MACCALLUM: So this is kind of a special day for me not just because we're here in Iowa kicking off the Presidential town halls, which I love to do. I'm also celebrating 20 years at Fox News Channel which I can't believe. Here's a look back at my first day, which apparently they found in the wayback machine. Watch this.

(BEGIN VIDEO CLIP)

MACCALLUM: May change a venue in a high profile murder case, I'm Martha McCallum. Double murder suspect Scott Peterson won't be tried in his hometown of Modesto.

A highway and auto safety group warns there are gaping holes in our nation's road laws. And folks trying to get a flight out of Portland Oregon's International Airport we'll have to wait another day. The airport says no flights will leave or land because of freezing rain and ice.

And those are your latest headlines for now, I'm Martha McCallum.

(END VIDEO CLIP)

MACCALLUM: Yes, give that woman her own show immediately, right?

BAIER: Congratulations. You don't age a day.

MACCALLUM: Oh my gosh, I'm glad we didn't do it side by side. Thank you for not doing the side by side on that note.

BAIER: Congrats. Do we roll out a cake now? Do we get a --

MACCALLUM: OK. But, you know, it's amazing how quickly the time goes, I must say.

BAIER: I know.

MACCALLUM: I mean, as you just wake up and go to work every morning and one day you're doing something for 20 years, but it's been an absolute pleasure working with you. I put out a whole bunch of pictures and like a third of them are Bret.

BAIER: That's right.

MACCALLUM: We do things together. So thank you for that. I look forward to tonight.

BAIER: 26 for me.

MACCALLUM: 26, alright. Well, guys, and we'll see you tonight the big town hall with Nikki Haley. As always, "The Story" goes on. We'll see tonight.

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