

# [***SCOTUS Hears Case That Could Limit Fed Government Power; Fishermen Case Could Impact Key Fed Regulations; DOD Briefs As U.S. Returns Houthis To Terror List; White House: Lesser Houthi Designation Allows Aid To Yemen; Houthis (Voice over): To Attack Ships Despite Terror Label; Navy SEALs Missing During Iranian Weapons Seizure; Maine Court Waiting On SCOTUS For Trump Ballot Ruling; VP Harris Warns "We Should All Be Scared" Of Trump; Trump Teases Future Role For Ramaswamy At N.H. Rally; Two Senior Royals Facing Individual Health Issues; Dissatisfied Voters Seek Total Government Overhaul***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6B4D-J221-JCS1-60KX-00000-00&context=1516831)

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

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**Body**

SANDRA SMITH, FOX NEWS CHANNEL HOST: I'm Sandra Smith.

JOHN ROBERTS, FOX NEWS CHANNEL HOST: And I'm John Roberts. Set you DVR and never miss an episode of AMERICA REPORTS. "THE STORY" with Martha starts right now.

MARTHA MACCALLUM, FOX NEWS CHANNEL HOST: So, good afternoon everybody. I'm Martha MacCallum and this is THE STORY. A hugely consequential case because before the Supreme Court today that could impact the lives and businesses of Americans across the country in ways big and small by deciding how much of a hand does the government have in your business and in your lives.

This specific case that the court will hear, and as I said, has much larger ramifications across the board, involves fishermen here on the East Coast and whether or not they should be forced to pay to have the government board their ships and monitor them as they do their jobs.

In some cases, the amount they have to pay these monitors on board is more than the fishermen make themselves. Meghan Lapp, who we have spoken to before about other related issues is a fishing industry worker directly impacted by all of this. She's going to join us exclusively in a moment with attorney Mark Chenoweth.

And later, we'll be joined by Newt Gingrich on the larger picture here of the staggering theme that we saw in the Iowa polling numbers around the desire on the part of voters there and we'll see if this is a larger theme as we head to New Hampshire next week. But many of them expressed a desire for complete and total upheaval of the way that the government interacts with them in their lives and the way the government works.

First to Fox News Chief Legal Correspondent Shannon Bream back in Washington and live outside of the Supreme Court today for this very interesting and far-reaching case. Hi Shannon, explain to us how this is going to work and what's at stake here.

SHANNON BREAM, FOX NEWS CHANNEL CHIEF LEGAL CORRESPONDENT: So, Martha, there are more than 170,000 pages of federal regulations out there. So, whether you're a fisherman, an everyday American, a mom driving the kids around, whatever it is, there are dozens of decisions you make every day that are impacted by federal regulations and agencies telling what you can and can't do.

Now, both sides agree there's a need for regulation of health, safety, environment, that kind of thing, but they don't agree on how much deference there should be to these agencies. So, the court today is looking at a case that dates back to 1984 and whether it should be overturned. It gives agencies a lot of deference when Congress isn't concrete, clear, and there's an ambiguity of some kind. Justice Jackson said she's worried though about taking power from federal agencies and giving it to courts instead.

(BEGIN VIDEO CLIP)

KETANJI BROWN JACKSON, ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES: I'm worried about the courts becoming uber legislators.

(END VIDEO CLIP)

BREAM: So, the Biden administration is arguing that taking authority away from the federal agencies could impact dozens of previous decisions here and in lower courts, and they say it would serve as a shock to the system. Well, Justice Kavanaugh says that happens every time a presidential administration changes, because if an executive branch can change all these decisions through federal agencies, it leads to instability. Here's a bit of what he said.

(BEGIN VIDEO CLIP)

BRETT KAVANAUGH, ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES: But the reality of how this works is Chevron itself ushers in shocks to the system every four or eight years when a new administration comes in.

(END VIDEO CLIP)

BREAM: And you want to give businesses and everyday Americans stability about what these regulations mean to their lives. So, we'll get a decision by the end of June here at the Supreme Court. In the meantime, they are handling a lot of other things that they've got to nail down, like whether states can kick President Trump off their presidential primary ballot. So, a busy time here at the court, Martha.

MACCALLUM: Yes, they're very busy with election issues. I'm sure they'd rather not have to deal with those, but this one appears to be much more in their wheelhouse in terms of how the Constitution protects Americans and the businesses they run and all of that. Shannon, very interesting case. Thank you so much.

So, a story exclusive now with Meghan Lapp, a fisheries liaison for Seafreeze, one of the companies that's at the heart of this case. And Mark Chenoweth, an attorney working on the case, he is President and Chief Legal Officer at the New Civil Liberties Alliance. Meghan and Mark, thank you very much. It's great to have both of you with us.

Meghan, let me start with you, if I may. Explain to everybody watching at home right now, just sort of a day in the life. What is happening on these boats? How is the government walking onto the ship and asking questions and charging money for people to abide by these regulations? What does it look like on a daily basis?

MEGHAN LAPP, LIAISON FOR SEAFREEZE: Well, on a daily basis, before you leave the dock, you have to tell the government what you're going to fish for. You have a government ankle bracelet on your boat called a vessel monitoring system. They know where you are at all times. They know how fast you're going, what direction you're going in.

So, there's also a lot of reporting that is required by the government and we're also required by Congress to take fisheries observers on our when we're chosen. They collect fisheries data as well as enforce rules and regulations. We can be boarded by the Coast Guard at any time, with or without cause. And this is all going on while we're harvesting fish, we're hauling back nets, we're using heavy equipment, you know, on a platform that's moving.

It's going fishing is a dangerous profession, but it's also, you know, an extremely rewarding one. But in this particular instance, the government decided that it wanted to expand its monitoring program, but Congress didn't give it the money to do so. So, the agency's solution was to force those costs on us.

MACCALLUM: So, when this monitor comes onto the boat, how much does the fishing company, in your case, Seafreeze, how much do they have to pay for the privilege of having this government official come onto the boat for the day?

LAPP: The estimates, I remember, are about $710 a day. And that can be more per day than our crew actually working on the vessel are going to make and that's a huge problem.

MACCALLUM: It's incredible. And you know Mark, this is just emblematic of what companies all across the country go through in terms of how they have to pay the government basically in order to keep functioning as a company because of these layers and layers of regulation. How do you see this?

MARK CHENOWETH, PRESIDENT AND CHIEF LEGAL OFFICER, NEW CIVIL LIBERTIES ALLIANCE: That's right, Martha. I mean, Meghan and Seafreeze, the example that they have is just one example, what we see across these federal agencies where Congress has not given the agency the authority to do something, but the agency takes that authority for itself.

Here, Congress never said that these agencies can charge Meghan and her boats the relentless and persistence for the monitors to be on there, but the agency didn't have enough money to do it unless they charged the boats, and so they decided to read the regulation in a way favorable to the government so that they could go ahead and put more monitors on the boats than Congress approved.

MACCALLUM: Meghan, what's an analogy for people who are not in your industry to understand what this would be like for them in their daily life or in their business? How do you break it down for people?

CHENOWETH: Well, it would really be like if your local town police force wanted to hire more policemen but didn't have enough tax revenue to do that. So, they said, OK, well, we're going to make you pay directly for the salaries of these policemen, and it's going to cost you 20 percent of your annual income.

MACCALLUM: It's, you know, it's so interesting. And you know, businesses across the country, if someone gets, you know, injured, there's like 75 layers you have to go through. You have to bring people in to inspect your equipment and you have to pay them. So, it really goes across the board for so many businesses.

Mark, what's your take on this particular court? What you think they are likely to do? And what did you think of Justice Kavanaugh's take on the fact that this becomes these regulatory agencies sort of come at the whim of incoming and outgoing administrations and would this take that away the ability to, to, to dial them up or dial them down away from the government.

CHENOWETH: Yes, I mean, I think Justice Kavanaugh is exactly right that this these wild swings of how agencies interpret the law from one administration to the next, it's not really consistent with the rule of law. I mean, Congress didn't pass a law whose meaning changes 180 degrees every time a new president comes in.

But if the courts have to defer to the administrative agency's interpretation of the rule, you get these dramatic switches back and forth in the meaning of the law. That's very difficult for a fisheries company or any other company to deal with if the meaning of the law is changing 180 degrees every four years. And so, that's why we think judges need to be the ones who are deciding the meaning of the law, not federal agencies.

MACCALLUM: Well, these are private industries and we hear this president say that he embraces capitalism and the freedoms of capitalism. This is a major decision that will come down in June likely from this court. Meghan Lapp, thank you very much. Mark Chenoweth, great to have both of you with us today. We hope you'll keep us posted as this moves along. Thank you both.

LAPP: Thank you.

CHENOWETH: Thanks, Martha.

MACCALLUM: Very good to have you both here. So, we are in the middle of a Pentagon briefing now for the first time since re-designating Houthi militants as terrorists. Let's listen in to what Brigadier General Pat Ryder has to say here.

(BEGIN VIDEO CLIP)

BRIG. GEN. PAT RYDER, PENTAGON SPOKESPERSON: I'm not going to get into percentages or talking other than to say, you know, we employed over 150 munitions, targeted over 16 locations and had impact. Thank you.

UNIDENTIFIED MALE: Thank you, General. I have two questions. We've been reporting about a new attack today in the Gulf of Aden from Houthi- controlled areas in Yemen that targeted a U.S. merchant vessel. What can you tell us about the situation and any information you can offer on the situation?

RYDER: Thanks, Fadi. I am tracking reports coming out of the region. We're working with Central Command now to get more information on that, and so certainly we'll, as we have been, put that information out as quickly as we can.

UNIDENTIFIED MALE: But you confirm the attack happened?

RYDER: I'm tracking reports of an attack coming out of there.

UNIDENTIFIED MALE: As you mentioned, the strikes against Houthis in Yemen are trying to disrupt their ability to continue these attacks. However, since the first wave of those strikes in Yemen, two more for the first time, two U.S. ships have been targeted. Would you say the security situation in the Red Sea area is better or worse after those U.S. strikes?

RYDER: What I can tell you is that we've degraded Houthi capability to conduct strikes. As I highlighted and as we highlighted shortly after those strikes, we would not be surprised if we saw efforts on their part to continue to try to conduct retaliatory strikes. Ultimately, at the end of the day, let's you know, take a step back and look at how we got here mid- November.

We started seeing these attacks despite multiple warnings and multiple efforts. The Houthis have continued. And so, there was an international coalition, including the countries that I highlighted at the top, that have taken action to prevent these strikes or deter these kinds of attacks in the future. Ultimately, at the end of the day, again, the Houthis need to ask themselves how much of their capability do they want degraded and disrupted in light of these illegal, reckless, and dangerous attacks.

The United States, this is not about the United States. This is about the ability of the nations of the world to sail an international waterway through the Red Sea, through which 10 to 15 percent of economic trade transits, and do so safely and securely. That's what we're focused on and we'll continue to work closely with the international community to deter these attacks. It's an international problem that requires an international response. Chris.

UNIDENTIFIED MALE: Thanks, Pat. Iraqi Prime Minister Mohammed al-Sudani told the Wall Street Journal that the U.S.-led military coalition that is in Iraq to fight ISIS was no longer needed. He said, "We believe that the justifications for the international coalition have ended." Sudani didn't set a deadline for the departure of the coalition, nor did he close the door, but he said he was no longer worried that the departure of the coalition would undermine Iraqi military capabilities. So, what is the U.S. response?

RYDER: You know, I'm not going to comment on the Iraqi government's remarks other than to say U.S. forces are in Iraq at the invitation of the government of Iraq. We value Iraq as a partner. We'll continue to consult closely with them. At this time, I'm not aware of any official request by the government of Iraq for DOD forces to depart. I'll just leave it at that.

UNIDENTIFIED MALE: Have there been requests for any official talks to talk about departing?

RYDER: Well, as I highlighted at the last press briefing.

(END VIDEO CLIP)

MACCALLUM: OK, we're going to continue to monitor this news briefing at the Pentagon with Brigadier General Pat Ryder. In the meantime, continuing on this, the Houthis have conducted at least 33 attacks in the Red Sea since the start of the war between Israel and Gaza, disrupting international trade. That's the idea. You can see how tight this area is and such a large percentage of international trade goes through these straits.

They have threatened to ignite a larger conflict in the Middle East. Joining me now with his thoughts on this and reaction to what we're hearing, Retired Four-Star General Frank McKenzie, former U.S. Central Command Chief, now Executive Director of the Global and National Security Institute at the University of Florida. General, thank you very much.

It's good to have you with us today. If I may, General, I'd like to start by playing this from John Kirby, who's talking about the fact that the administration has now re-instituted the terrorist label for the Houthis at a slightly different level than they were designated as such under the Trump administration. Watch this.

(BEGIN VIDEO CLIP)

JOHN KIRBY, NSC COORDINATOR FOR STRATEGIC COMMUNICATIONS: Today's designation targets the Houthis, not the Yemeni people. The United States remains the world's leading donor of humanitarian assistance for Yemen. We recognize that more than 15 million people in Yemen are still in desperate need of food, water, medicine. And we are taking a range of steps to ensure that these sanctions preserve the ability of aid organizations to be able to deliver all those much-needed supplies.

(END VIDEO CLIP)

MACCALLUM: So, General, welcome again. And should this designation ever have been lifted and will the fact that some level of it is reinstated, have make any difference in terms of the Houthis' determination to attack here?

GEN. FRANK MCKENZIE (RET), FORMER COMMANDER, UNITED STATES CENTRAL COMMAND: Well, first of all, thanks for being with -- I'm happy being with you this afternoon.

I think the designation should probably never have been lifted in the first place.

I understand the logic behind of trying to do that. The Houthis have proven that they are a terrorist organization, ultimately funded and supported by Iran.

So, reinstituting this designation is probably timely and probably useful. I think it will be most helpful in terms of limiting some of the Houthi ability to move money around internationally to sort of fund their regime.

And that's where this will find its most -- its most use. it will have marginal effect. But it also has a powerful psychological effect, because it does identify them for what they are, a proxy terrorist regime funded by Iran.

MACCALLUM: So, here is a piece of sound from the Houthi military spokesman. Saying that American and British ships are "hostile" targets in the region. Watch this.

(BEGIN VIDEO CLIP)

BRIG. GEN. YAHYA SAREE, HOUTHI MILITARY SPOKESPERSON (through translator): The Yemeni Armed Forces consider all American and British ships and war ships participating in the aggression against our country as hostile targets.

The response to the American and British offense is certainly coming. And any new aggression won't pass without response and punishment.

(END VIDEO CLIP)

MACCALLUM: What is your reaction to that, General?

MCKENZIE: Well, let's remember that with the Houthis, you actually chose to escalate by beginning these strikes, as you noted earlier in your reporting.

It wasn't what you escalated; we're simply responding to a global requirement to keep international waterways open. But the Houthis have as their -- or there are fundamental things, the destruction of the State of Israel and the destruction of the United States.

So, we shouldn't be surprised that they're declaring U.S. targets in the region right now.

I'm glad that we started this program and going after their ability to launch these missile strikes, is going to have to continue.

And we probably, in the future, shouldn't telegraph when we're going to watch the strikes to give the Houthis time to reposition their forces.

MACCALLUM: Yes.

MCKENZIE: But I think we should continue strikes against their command control systems, against their radars, against their missile launching sites, and the missile assembly sites.

It's not going to be something that will be over in a day or two.

But the Houthis do have a finite capability, that is to say, unlimited political weapons, and we can really attract those if we stay with this program.

MACCALLUM: I want to get your thoughts on the tragic loss of two U.S. Navy SEALs, who according to reports, were in the process of boarding a ship up a side ladder that they believed was bringing in Iranian supplied weapons and material to the Houthis. And a tragic accident happened, it appears, we're still waiting to get more details on this. What's your reaction to this, General?

MCKENZIE: Well, first of all, what SEALs do at sea is inherently dangerous, and we honor them, we hope they are going to be found, and I certainly (INAUDIBLE) that.

Our hearts go out to their families during these difficult days. But what it carry, what it illustrates at the policy level is Iran is resupplying the Houthis. This is something that's been noted by various U.N. Security Council resolutions, we've acted against it with varying degrees of success in the past has tried to stop this movement of lethal weaponry into Yemen.

And, you know, we talked a little earlier about the humanitarian crisis that's in Yemen, many countries have put a lot of humanitarian goods into Yemen, including the United States and many other countries. Iran has never imported anything, but killing devices.

MACCALLUM: General McKenzie, always good to have you, sir.

Thank you very much. Hope to see you soon. Thank you.

MCKENZIE: Thank you.

MACCALLUM: So, breaking just moments ago, a decision out of Maine as for former President Trump awaits his fate on the state's primary ballot there, Andy McCarthy, standing by.

(COMMERCIAL BREAK)

MACCALLUM: So, just a short time ago, we got word that a judge in Maine is delaying the decision on whether to remove former President Trump from the state's ballot until the Supreme Court weighs in on the similar case that's playing out with regard to Colorado.

Now, remember, last month, Maine's democratic Secretary of State joined Colorado in dropping the former president from the state ballot, because they say that he engaged in an insurrection, something that in all of those 91 counts that we have seen, he has never been charged with.

Watch.

(BEGIN VIDEO CLIP)

SHENNA BELLOWS, MAINE SECRETARY OF STATE: No secretary of state has ever deprived a presidential candidate of ballot access based on Section Three of the 14th Amendment. But no presidential candidate has ever engaged in insurrection.

(END VIDEO CLIP)

MACCALLUM: OK, with that, we bring in former Assistant U.S. Attorney Andy McCarthy, and a Fox News contributor. Andy, always good to have you with us.

So, this has been stayed much like the Colorado situation was stayed.

(CROSSTALK)

ANDREW MCCARTHY, FOX NEWS CHANNEL CONTRIBUTOR: Thank you, Martha.

MACCALLUM: They are waiting in the state courts for the -- Supreme Court to weigh in on this. What's your take?

MCCARTHY: Well, I think it's a very good development because it not only increases the chance that the Supreme Court will, you know, rapidly issue a decision that will be decisive, which is what we hope.

I think that, you know, when multiple states do this, and then, like Maine comes out and says we're going to wait on the Supreme Court, that's a big encouragement to the courts to decide this.

And when I -- when I say that, what I mean, Martha is we've talked before about the fact that this could actually be two phases of chaos, because there could be one issue about access to the ballot with respect to the primaries. And then, access to the ballot with respect to the general election.

So, if you let this go, you let every state make their own ad hoc rules, and then, we have two waves of litigation. We're going to invite even more chaos than we've already invited from the legal system into the electoral ***politics*** of 2024.

MACCALLUM: So, you have two big issues that it looks like the court is grappling with.

One is whether or not a state can independently decide that a crime has been committed and taken an insurrection in this case, which as we said, he hasn't been charged with, and take him off the ballot. The others is question of presidential immunity.

Give us a sense of how you think the Court is going to manage all of this. And maybe while you're answering this, we can take a look at the very complex Trump campaign courtroom calendar, Andy.

MCCARTHY: Yes. Well, I think, Martha, the -- what the courts going to want to stay away from a million miles away from is, was there an insurrection?

MACCALLUM: Yes.

MCCARTHY: And did Trump participate in it?

So, the issue is really, I think are going to come down to does Section Three of the 14th. Amendment apply to presidents? Which I think is a -- is a profound question.

And then, secondly, if it does, what procedurally has to be done in order to establish whether the insurrection trigger applies?

I would also add a third thing into the mix just as long as the Democrats are raising this. The 14th Amendment Section Three doesn't -- is not a limitation on the public. It's a limitation on the office holder.

So, it says that no person shall be a president, or a senator or representative, you know, the list. It doesn't say that no person shall be elected. And I don't mean to be persnickety about this. But you know, in 2000, Mel Carnahan was elected to the Senate when he was dead. You know? Now --

(CROSSTALK)

MACCALLUM: That's right.

MCCARTHY: The Article One of the Constitution lays out what the qualifications are for the Senate, like you have to be over 30 years old, et cetera. I didn't hear anyone saying at the time that he needed to be taken off the ballot. Well, maybe they said it at the time, but certainly courts didn't entertain it.

They didn't say he did need it to be taken off the ballot because the qualification included being alive, in addition to, you know, checking the other boxes.

I just think it's very peculiar, wouldn't surprise me, if the Supreme Court ultimately said, you know, get back to us when Trump gets elected.

MACCALLUM: Yes, yes.

MCCARTHY: And then we can sort out whether he is a person who is qualified to take the office.

MACCALLUM: It's a creative effort, no doubt, and we'll see what the court decides to do with it. Andy, thank you very much. We're keeping you very busy these days.

MCCARTHY: Thanks, Martha.

MACCALLUM: And we'll see you soon.

Thank you so much.

MCCARTHY: Right.

MACCALLUM: So, the judge in Donald Trump's latest defamation case threatened to toss him from the courtroom if the former president didn't keep quiet, while E. Jean Carroll was testifying.

She is the author and columnist who sued Trump for sexually assaulting her at a department store back in the 1990s. Trump has insisted that he has done nothing wrong. But a jury found him liable for this charge. And then, separately, for defaming Carol in the aftermath of that charge, and awarding her to be paid $5 million by the former president.

In this latest case, Carroll testified that Trump's continued lies about her are ruining her career and her reputation. The former president made comments during her testimony that included the, "that's not true."

When the judge commented that Trump couldn't control himself, the former president replied, you can either and walked out.

So, some drama, once again in the courtroom surrounding this particular case that has been playing out in between the former president stops in Iowa and New Hampshire, and I believe back to New Hampshire again tonight for another rally.

So, we'll continue to cover all of these trials and tribulations and campaigns as they unfold. And we are less than one week from the next primary contest. Former President Trump seeks to win the New Hampshire primary for a second time, and team Biden is unleashing what they say is a fearful situation if that were to happen. Watch this.

(BEGIN VIDEO CLIP)

JOY BEHAR, CO-HOST, THE VIEW, ABC: Are you scared? First of all, what could happen if Trump ever became, God forbid, president again? And what are you going to do to stop the crazies?

KAMALA HARRIS, VICE PRESIDENT OF THE UNITED STATES: I am scared as heck.

BEHAR: Yes.

HARRIS: Which is why I'm traveling our country. You know, there is an old saying that there are only two ways to run for office, either without an opponent or scared.

So, on all of those points, yes, we should all be scared.

(END VIDEO CLIP)

MACCALLUM: OK. Brian Kilmeade and Sean Duffy, and former Speaker of the House Newt Gingrich, coming up next.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

DONALD TRUMP, (R) PRESIDENTIAL CANDIDATE: Thank you. It's an honor to have his endorsement. He's going to be working with us and he'll be working with us for a long time.

(END VIDEO CLIP)

MACCALLUM: Our ***politics***' great. All right. So six days out from the New Hampshire primary, former President Donald Trump sparking some intrigue with that comment as he leads the GOP PAC by 16 points in the Granite State, which of course is the next step along the way here to the nomination process, which is still playing out. The Biden White House continuing to hammer the message that voters should be scared about the prospect of another four years of a President Trump and what they say is the threat that he poses to democracy. Let's go over and watch the ladies on the view, folks watch.

(BEGIN VIDEO CLIP)

KAMALA HARRIS, VICE PRESIDENT OF THE UNITED STATES: We've got a guy right now, the former president, running for office, openly saying that he promises to essentially be a dictator.

UNIDENTIFIED FEMALE: Right.

HARRIS: A person running to enter in -- back into the White House who is proud that he stripped Americans women have the right to make decisions about their own body. A person running to become the commander in chief was admitting he would weaponize the Department of Justice.

I am scared as heck. But as we know, and certainly this is a table of very powerful women, we don't run away from something when we're scared, we fight back against it.

(END VIDEO CLIP)

MACCALLUM: Brian Kilmeade joins us, co-host of "Fox and Friends" and hosts of "One Nation" on Saturdays at 09:00 p.m. and Sean Duffy, co-host to "The Bottom Line" of Fox Business and former Wisconsin Congressman. Welcome to you.

So Brian, about this pitch to embrace the fear, is this as successful way to run in this race? You see the vice president there chatting with the extraordinarily intelligent ladies of "The View" as she characterized them.

BRIAN KILMEADE, "FOX & FRIENDS" CO-HOST: And they're hoping that people are watching aren't extraordinarily intelligent, like the people with "The View." Because if you looked at this thing he said to Sean Hannity, I'll be a dictator for one day, I want you to driven, I want you to build a wall. They said the other day -- he said the other day, hey, listen, I know it's cold out, I want you to go and vote and even if you pass away, at least you cast the vote for it. He said it a throwaway line.

They had a whole hours on the other networks on he doesn't care if you die voting for him, all he cares about is himself. And I think you alienate a lot of people when you do that. If you're Trump, though, just don't give him anything anymore. It don't even count on them understanding sarcasm, just do it the way you had your victory speech. Hey, I love Nicki. I love - - it was so good -- it was so good to see Ronnie. They really had fun together.

MACCALLUM: The first time we call them both by their actual names.

KILMEADE: Right. And you said -- and just do that where you say, OK, I'm not going to put my chin out.

MACCALLUM: Yes.

KILMEADE: I'm not going to be an easy shot anymore. But I just think it's comic book thing for the vice president come out there and act as if those were serious threats. This is comedy.

MACCALLUM: Well, what's interesting, Sean, is that they feel like this is their best tact, right, to sort of embrace these comments, you know, take these snippets out of the things that he says. You don't see her sitting there talking about what an amazing job she has done as vice president and the fact that she is creating a legacy for the future of Democrats.

SEAN DUFFY, FOX NEWS CHANNEL CONTRIBUTOR: That's right. So it's interesting that she's talking about weaponizing the Department of Justice. Does anyone look back and see what they've done to Donald Trump weaponizing the Department of Justice? That's exactly what they've done. But I think these attacks would work, Martha, if we didn't have four years of Donald Trump.

I mean, people saw what he was in the White House. Yes, he says things tongue in cheek, Brian, and he's a little off color, and he says the mean things. But the results were nothing like a dictator. He gave more power back to people and back to states to let them make decisions. He wasn't consolidating power in Washington.

That's what Joe Biden has done, but he was giving power back to people. That's the exact opposite of a dictator.

MACCALLUM: So, let's talk about this issue of Vivek Ramaswamy. And you hear that people chanting VP, VP, VP. I'd love to get from both of you, who you think the best pick for him would be given what he needs? Because we all see in these -- in the polling a Biden Trump matchup is something that a lot of Americans said they don't want to see and it looks very close. So Brian, what should he do?

KILMEADE: Well, not -- I think that Vivek Ramaswamy, in many ways, just a younger carbon copy of him. He's great communicator, be crude to go to college campuses. Great to confer with, how does this sound. They both know the business world and what frustrates him about the political world. Fine.

That's not going to help him. I think what helps him is Elise Stefanik. I think having a woman on the team would be great. Number two, Kristi Noem, very self-assured woman that's actually run a state that understands the issues. And the third one would be Byron Donalds.

To me, though the perfect pick would be Elise Stefanik. She is a Pitbull, she understands Congress and might be able to go like a hammer and maybe get some things through.

MACCALLUM: Well, I mean, an argument could be made, Sean, that all three of those people don't expand his -- you know, they're not picking up extra votes for him, which may exist in a more moderate lane.

DUFFY: So I don't think he's going to pick by the way Elise Stefanik. I think you want to expand the base. You're right, Martha, he has to win suburban women. And so how do you soften the image and I think, I hate to play, you know, sexist ***politics***, but I think he needs a woman on the ticket is what he needs.

But going back to Vivek, I don't think anyone communicates the America First Agenda better than Vivek, even better than Trump. He's remarkable at it. But that doesn't mean he has to be the VP pick.

MACCALLUM: But is that going to pick up women voters? You know, and I agree with you, I hate to say oh, we'll pick a woman, but a person who can get voters who's -- who are -- some of those voters in the suburbs in Michigan and Arizona and Georgia who voted for Trump the last time and say they won't go there again. But maybe they would if the other half of the ticket was somebody that they'd like to see come next?

DUFFY: It always doesn't matter. But I think with Donald Trump and some of his -- the tone and language uses, a woman does matter for him.

MACCALLUM: What about Nikki Haley?

DUFFY: No, I think they're diametrically opposed politically. She's an old school, George Bush Republican. She's a neocon. I don't think he goes there. He's going to pick someone more in line with him, but maybe a little softer.

KILMEADE: But she did work --

MACCALLUM: Kennedy and Johnson hated each other.

KILMEADE: What's that?

MACCALLUM: Kennedy and Johnson hated each other and he picked him and he was VP. I'm not saying they hate each other. I don't know.

DUFFY: It was in by gone time.

MACCALLUM: Yes.

KILMEADE: And Bush and Reagan were very similar, but Bush was able to bring in the people didn't vote for Reagan.

DUFFY: Yes.

KILMEADE: Bush 41.

MACCALLUM: It can be very interesting. I think it's a very significant part of the equation --

KILMEADE: Also Lee Zeldin is being vetted right now.

MACCALLUM: Lee Zeldin. Well, there's another name to throw on the list. We'll see where it goes. Thank you so much.

UNIDENTIFIED MALE: Welcome.

MACCALLUM: So, good to have both of you here, guys.

Breaking right now, President Biden about to hold a high stakes meeting with congressional leaders over funding for Ukraine and Israel. House Speaker Mike Johnson says that his biggest focus is the border. White House Correspondent Jacqui Heinrich just out of the briefing room and she joins us now.

Hi, Jacqui.

JACQUI HEINRICH, FOX NEWS WHITE HOUSE CORRESPONDENT: Hey, Martha, you know we have no clear idea whether this meeting is going to be productive or not because Republicans have said over and over again, that they're not going to pledge their support for this broader supplemental, which funds Israel, Ukraine and the South Pacific as well as the border until they get those substantive border policy changes, they are dug in on that. And from everything we hear from the White House, that's not even going to be a topic of discussion. They're focusing entirely on Ukraine in this meeting. They're saying that some of this information is going to be classified. They're sharing these top congressional leaders from both chambers, both parties, as well as relevant committee chairs to really lay out, you know, what the lack of continued support has done to Ukraine's posture on the battlefield and impress upon them that we've got to get this money through.

But there's nothing that they can tell them that hasn't already been said in terms of, you know, the need to get this Ukraine funding through. And if they're not going to talk about the border specifically, we don't really have any idea where this talk is going to go. We were told by White House officials, you know, you can talk to members of Congress when they walk out and see what was said, but we're not going to tell you, you know, what's up on the table for these border policy reforms, what's under negotiation? They have good things to say about Republicans who have come to the table, but they keep describing House Republicans is getting in the way on border reform.

And when we were pressing the White House about well, how do you, you know, pass a bill, if you see the lower chamber is just getting in the way? And they said, well, he's -- Mike Johnson is not the only lawmaker in that room. So, really, we don't know what they've been discussing, even though they've been generally saying things were headed in the right direction. And we don't know what all they're going to come up with. But we -- we're watching and waiting, Martha.

MACCALLUM: All right, Jacqui, very interesting and very important what comes out of all this. Thank you very much.

HEINRICH Thanks.

MACCALLUM: So two huge headlines out of the royal palace today, the Princess of Wales, Kate Middleton, is now in the hospital and is expected to be there for up to two weeks for surgery and the aftermath and is said to not be making any public appearances till Easter. So what's going on here? Then we get the word that King Charles III is also going to be in the hospital for a prostate condition. Live in London with Neil Sean, next.

(COMMERCIAL BREAK)

MACCALLUM: So some big news today involving the British Royal Family, Kensington Palace revealing that Kate Middleton will stay in the hospital for up to 14 days after undergoing a planned abdominal surgery. No details about her condition, but she is expected to miss events for more than two months. Shortly after that news came out, Buckingham Palace announced that 75-year-old King Charles will have corrective surgery next week for a benign enlarged prostate. U.K. Media Correspondent and Royal Reporter Neil Sean joins me now from London.

Neil, always good to see you. Thank you very much for being with us today. I know that you went over to the hospital where she is recovering. And there are some reports about how this went. What can you share with us from being over there today?

NEIL SEAN, U.K. MEDIA CORRESPONDENT: Good evening from London, Martha. Yes. Well, what's been interesting here, as you rightly said, Martha, it's the timings of this. And this is really important because what we had learned earlier today was that Catherine allegedly had visited the hospital yesterday for a private visit. Obviously, that was to check in. And that's what we later found out.

The big now, I think issue, that Catherine as obviously undergone surgery, that's proven very successful, thankfully. But by her saying that she doesn't want this discussed, this will lead to a lot of speculation about exactly what the condition is, all of that sort of stuff. So I would suspect, Martha, at some point, they will have to release further details to stop the swell of people, you know, literally adding on to this particular story.

But let's not forget that this is Catherine, the Princess of Wales, who has gone through a very stressful time. I know this from a good source recently. You know, only a few weeks back, she was named the royal racist. And this really had a big impact on her. And when we were at the Carroll concert at Westminster Abbey, you could see the zing had slightly gone.

I mean, obviously, she had other issues. But the bottom line is this has been a very testing time brought on by a lot of stress regarding.

His Majesty, the King, what I do find interesting about this particular time in Martha is that that wasn't meant to come out officially until another couple of days. What I find interesting there is I think this is a deflection to take the pressure off his much beloved daughter in law, the Princess of Wales. He is a kind man, King Charles.

MACCALLUM: So in both of these cases, the statements that were released, Neil, say that there is -- that this both are noncancerous, that whatever her situation is, it does not have to do with cancer. Am I correct in saying that? and his prostate situation also said to be benign. Can you confirm that that is the statement from the palace?

SEAN: One hundred percent the statement from the palace. And I do think this is a really brave move, actually, Martha, for the King to put that out there. But I do think is obviously sort of saying to all of his guys out there, you know, it can happen to anyone, you know, go and get checked. So there was a nice sort of side to that particular story.

But I do think he because, obviously desperately, for Catherine. And the bottom line is I think this was a good move by him to move this story back to him rather than the pressure on her.

MACCALLUM: Yes. Well, it's an awfully long hospital stay for a young healthy woman and a lot of time away from the public for her as well. So we'll continue to see what more we can learn about this. Obviously people respect anyone's wish for privacy.

It's also interesting that our defense secretary was missing for quite some time with a prostate issue. And we didn't learn about it until it was weeks in. But Prince Charles has disclosed that right off the bat. So, another interesting side note for those of us back here on this side of the pond.

Neil, always great to see you. Let us know what you learn. Thank you so much for joining us today.

SEAN: I will. Let's wish you well.

MACCALLUM: Absolutely.

So former Speaker Newt Gingrich on one of the most stunning takeaways, really from our Fox News voter analysis in Iowa about what voters seem to have top priority for in terms of the way the government operates, next.

(COMMERCIAL BREAK)

MACCALLUM: A New York judge denying a motion to dismiss charges against Daniel Penny, the Marine veteran facing manslaughter in the chokehold death of Jordan Neely this past May. Penny's attorneys say that Neely was menacing and was a threat to the passengers on the train. Lawyers for the Neely family say that he was not doing, quote, "anything harmful." Penny appearing in a court earlier with protesters at one point shouting murderer at him. The trial is expected to get underway this fall.

And Fox is tapping into voter sentiment in Iowa and finding that many are deeply dissatisfied with the direction of the country and with the way that the government functions. A stunning 89 percent favored substantial change or complete and total upheaval of the way the government works in our voter analysis. That's just in Iowa.

So now on why many Americans are feeling this way and whether or not it's going to extend past Iowa, Fox News Political Analyst Newt Gingrich, former House speaker and author of "Defeating Big Government Socialism, Saving America's Future." Newt, always good to have you with us. That the title of your book which we know well, I suggest that you think this is something more than just a one off among Iowa voters in this country?

NEWT GINGRICH, FOX NEWS POLITICAL ANALYST: Well, we have a project called the America's New Majority Project, and we've been doing polling since 2018. It's very clear that the gap between the elites and the rest of the country is enormous and getting bigger. The American people that showed up in Iowa, the American people are very worried about millions and millions of illegal immigrants, the American people are worried about the number of people dying from drug overdose, the American people are worried about crime, they're worried about going to the grocery store, not being able to afford things or going to fill up their car. Six percent of the country wants to buy an electric car. The Biden administration wants to coerce everyone into buying an electric car.

So all these things are compounding. And what you're seeing is people are saying, this ain't working. They're both rejecting the performance failure. And they're rejecting the radical values. And I think that's going to lead to a very big change election this fall.

MACCALLUM: So, you know, we heard earlier when we were watching a clip from "The View" and the Vice President Kamala Harris was on there, you know, telling people how scared and frightened she is for the future of the country. This was interesting, too, coming from Mitt Romney, senator from Utah, and former presidential candidate, obviously a nominee of the party. He says as a Biden campaign theme, "I think the threat to democracy pitch is a bust." He goes on to say, "January 6, will be four years old by the election, people have processed it one way or another. Biden needs fresh material, a new attack rather than kicking a dead political horse."

What did you think of that comment? And do you think he's right?

GINGRICH: Well, I think Mitt Romney has just about exactly right. I mean, there's something pathetic about Biden going to, for example, make a Valley Ford speech, which they postponed because the weather was too bad while 1000s of people were going out to vote in Iowa in a very cold night. It tells you the difference. You know, the Democrats are engaged in sort of shadow plays.

If you ask the average American, are they more worried about the Democrats destroying democracy or the Republicans? I think you'll be surprised how many pick the Democrats. And you look at Biden's Justice Department, you look at all these multiple lawsuits against Donald Trump, you look at the number of people being prosecuted over going to the Capitol compared to no one being going after in terms of the riots two years ago. I think the average American thinks Washington's corrupt, that it's dangerous, that it's out of control, and that that's Biden and the Democrats. And that's why I think you're seeing even among Latinos, African-Americans, Asian- Americans, steady shift towards Trump and away from the Democratic Party.

MACCALLUM: We'll see what happens in New Hampshire. I love that you made the point about the weather because I -- you know, there was this big walkout that was scheduled to happen in protest of the White House's take on and support for Israel. But then they didn't do it because they had a snow day. I mean, it just kind of tells you how strong -- how fiercely they feel about that right now, right?

GINGRICH: You can't express them.

MACCALLUM: Now, not in protest. We're going to take a snow day.

GINGRICH: Right. Look, you can expect liberals who are soft on everything to suffer bad weather. But I agree with Speaker Johnson. Anybody who walks out on the government should be fired.

MACCALLUM: OK. Speaker Newt Gingrich, always good to have you, sir. Thank you very much for joining us today.

GINGRICH: Thank you.

MACCALLUM: We'll see you soon.

GINGRICH: You too.

MACCALLUM: So that's the story for this Wednesday. As always, The Story goes on. We will see you back here tomorrow at 03:00. Our friend Neil Cavuto about to get started on "Your World" as we look at the close of the trading day. We will see you right back here tomorrow from New York.

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