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Chris Hayes, Joy Reid, Sam Seder

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CHRIS HAYES, MSNBC HOST: Good evening from New York. I`m Chris Hayes. And at this hour, we have dueling rallies -- Donald Trump about to take the stage in an event in Reno, Nevada; Hillary Clinton about to hold a concert in Philadelphia with singer Katy Perry.

I can`t believe it, but we are just now three days from Election Day. And as of this morning, there have been nearly 40 million votes already cast. The data suggesting Latinos are already giving Clinton a big boost in key states. More on that in a bit.

National polls show Clinton with a three-point lead in this final weekend. Although, of course, it all comes down to the Electoral College. If you count the states where Clinton has a clear lead, she has 268 electoral votes in hand according to "FiveThirtyEight." She needs, of course, at least 270 electoral votes to win.

Clinton is closing her campaign accompanied by big names including, last night in Cleveland, Beyonce, rocking the pant suit, and Jay-Z. Also being boosted by her big name surrogates, among them President Obama, Bill Clinton, and Bernie Sanders.

Trump has been much more on his own with some prominent swing state Republicans keeping their distance. And Trump`s close ally, Chris Christie, canceling planned events in New Hampshire after two of his former aides were convicted by a Federal jury in the Bridgegate scandal.

Joining me now, Trump campaign senior adviser A.J. Delgado. You guys, I think, feel fairly confident. You got the candidate going all over the place, Minnesota, places that, I think, you know, you wouldn`t expect. Do you guys have internal data suggesting those states are more competitive than the public data is showing?

A.J. DELGADO, DONALD TRUMP`S CAMPAIGN SENIOR ADVISER: Absolutely. And I think, just based on trade deals alone, when you have working class Americans like those in neighborhoods across the country, regardless of whether it`s in a blue state, who have been affected by the trade deals that Hillary Clinton supports and the 5 million manufacturing jobs that were lost as a result of, for example, NAFTA, of course, Mr. Trump`s message, in addition to his anti-war message, to his anti-illegal **immigration** --

HAYES: Anti-war message?

DELGADO: -- yes -- to his anti-illegal **immigration** message, all of that resonates even in blue states.

HAYES: Wait a second. Can you tell me how "bomb the S out of them" is an anti-war message?

DELGADO: Can you tell me how playing chicken with Russia won`t lead to World War 3?

HAYES: No, but I didn`t --

DELGADO: And her policy with Syria --

HAYES: Right. But --

DELGADO: -- won`t lead to World War 3?

HAYES: You can say --

DELGADO: You know Hillary Clinton is a warmonger.

HAYES: You could --

DELGADO: I don`t think you could deny this. Bernie Sanders --

HAYES: I think that`s --

DELGADO: -- see this --

HAYES: I think that`s strong --

DELGADO: -- and her supporters see this.

HAYES: I think that`s a very strong --

DELGADO: I realize you have to day that.

HAYES: I think that`s a strong point, but he literally -- that`s a quote of him, "We`re going to bomb the S out of them." You can say that he has different judgment, different perspectives, but that is very hard to classify as an anti-war message. For this --

DELGADO: So we all agree that ISIS needs to be --

HAYES: For the --

DELGADO: We don`t agree that we need set up a no fly zone over Syria the way Hillary Clinton proposes --

HAYES: But bomb the S out of --

DELGADO: -- which will lead to military conflict with Russia.

HAYES: A.J. A.J., all I`m saying is, bomb the S out of --

DELGADO: She`s a warmonger, Chris. Everybody agrees on this.

HAYES: A.J., all right. I don`t think that`s true.

DELGADO: OK.

HAYES: First of all, clearly, not everyone agrees on it. But all I`m saying is, whatever you think of Hillary Clinton, right, you just characterized his message as an anti-war message. "Bomb the S out of them" is not an anti-war message. That`s all I`m saying.

You can say anything you want about -- but "bomb the S out of them," and take your loyal (ph) is not --

DELGADO: You`re using anti-war literally. I mean that some people don`t have a fervent interventionist approach --

(LAUGHTER)

HAYES: OK. Fine.

DELGADO: -- the way Hillary Clinton does.

HAYES: OK.

DELGADO: Which you have admitted on this show --

HAYES: I think she has --

DELGADO: -- that you have severe concerns, as do many Bernie Sanders supporters --

HAYES: Yes. I think she has interventionist instinct.

DELGADO: -- about her huge military intervention instincts.

HAYES: Yes. Right.

DELGADO: Which are very big problems, actually with Russia and the situation there.

HAYES: I think there`s also other problems with giving a lot of bunch of people nuclear weapons. Let me ask you this. A.P. has this story about Melania Trump working illegally. While she was here, she clearly was paid to do work without a work visa. That`s a violation of **immigration** law.

DELGADO: No.

HAYES: I don`t care. Why should she not be punished for that, but millions of Americans should be and millions of other **immigrants** should be?

DELGADO: Well, you`re assuming that report is correct. It`s not. She was here legally, worked legally. She`s always observed all the laws.

HAYES: So the --

DELGADO: And then the big issue is --

HAYES: Wait a second. Are the documents faked?

DELGADO: I`m not sure what documents you`re referring to. What`s in that article --

HAYES: The A.P.`s story --

DELGADO: -- I think we`d have to go back many years --

HAYES: The A.P.`s story has --

DELGADO: -- to see if the documents are correct. We`d have to go back many years.

HAYES: The A.P.`s story has documents of her getting paid while she`s not on a work visa to work, which is a violation of **immigration** law --

DELGADO: OK.

HAYES: -- which is something, let`s be clear, millions of people do every year. And I don`t think they should --

DELGADO: Chris, let`s be clear. The only issue we`re going to talk about Melania Trump is these two phenomenal speeches that she has delivered.

HAYES: No, no, no.

DELGADO: America has fallen in love with this women.

HAYES: She broke --

DELGADO: We can`t wait to have her as first lady.

HAYES: She broke the law.

DELGADO: She did not break the law. I`m sorry. Do you want to talk about breaking the law?

HAYES: You think --

DELGADO: Do you want to talk about Hillary Clinton --

HAYES: Wait, you`re saying --

DELGADO: -- bribes that she --

HAYES: Tell me --

DELGADO: -- accepted through the Clinton Foundation ?

HAYES: A. J. A.J.

DELGADO: Let`s talk about the million dollar gift --

HAYES: A.J., I understand this is --

DELGADO: -- from Carter.

HAYES: A.J., I understand this is a pivot.

DELGADO: Let`s talk about the Russia-Iranian deal.

HAYES: I understand this is a pivot. I know it. I know it.

DELGADO: Let`s talk about the Algerian arms deal.

HAYES: OK.

DELGADO: That`s the breaking of law --

HAYES: I understand that`s --

DELGADO: -- that concerns American citizens.

HAYES: I understand that`s a pivot. I get that. That`s the talking point.

DELGADO: It`s not a pivot.

HAYES: But my question --

DELGADO: It actually matters.

HAYES: No, no. But my question is --

DELGADO: It`s a pivot to relevance, to the American voters.

HAYES: No. A.J., you are --

DELGADO: To what actually matters.

HAYES: A.J., you are representing a candidate who has said that he would go door to door in this country and kick millions of people out --

DELGADO: When did he say that?

HAYES: -- because they broke the law.

DELGADO: Wait, wait. Fact check. When did he say that?

HAYES: When he said there was a deportation force.

DELGADO: When did he say -- a deportation force already exists. It`s called ICE.

HAYES: Right. Right. And they will --

DELGADO: So you`re saying Obama goes to all --

HAYES: And that`s going to be extended.

DELGADO: Oh, wait, wait, wait. Obama uses ICE.

HAYES: So my question is --

DELGADO: Is Obama going door to door?

HAYES: A.J.

DELGADO: Is that what you`re saying?

HAYES: My question to you is, for people that have broken the law in the way similar to Melania Trump, why should those people be deported?

DELGADO: She did not break the law.

HAYES: So the A.P. got the story wrong?

DELGADO: She did not break the law.

HAYES: The A.P. got the story wrong?

DELGADO: I`d have to look at the report and see what they have claimed. This is ridiculous that you`re claiming Melania Trump was working illegally. And as if this matters --

HAYES: I`m not claiming.

DELGADO: -- three days out.

HAYES: As if it matters? This is a person --

DELGADO: The only relevant issue is what a great first lady Melania Trump would be.

HAYES: A.J., this is a candidate who, for 15 months, has said that **immigrants** who are coming here illegally are breaking the law and have to pay the consequences.

DELGADO: Yes.

HAYES: That candidate, the candidate that you are supporting has said this for 17 months.

DELGADO: And this is a candidate, Hillary Clinton, who, for months, has said she didn`t lie to the FBI . She didn`t send classified information.

HAYES: Seventeen months, he has said, people that broke the law --

DELGADO: It turns out she did send classified information.

HAYES: Wait. Wait a second. Let me ask you this. Let me ask you this. Do you honestly think --

DELGADO: How did 650,000 e-mails end up in Anthony Weiner`s laptop? Is she --

HAYES: Do you honestly think --

DELGADO: Is she criminal or she`s just stupid?

HAYES: Do you honestly --

DELGADO: Which is it?

HAYES: Do you honestly think --

DELGADO: She`s either corrupt or incredibly inept.

HAYES: Do you honestly --

DELGADO: I don`t know which is worse.

HAYES: But do you honestly think it doesn`t matter whether Melania Donald Trump broke **immigration** law or not?

DELGADO: To the American voter right now, did she? No. Would it matter if she did, three days out? We don`t even need to have that discussion.

HAYES: No. Would it matter or not?

DELGADO: We`re much more concerned --

HAYES: Just answer that question.

DELGADO: -- about the Clinton Foundation being under FBI investigation.

HAYES: Answer that question. Would it matter?

DELGADO: To the Bernie Sanders supporters watching, I understand completely why you`re staying home and I salute you --

HAYES: Look --

DELGADO: -- because I would not vote --

HAYES: Let me ask this question.

DELGADO: -- for that corrupt criminal if my life depended on it.

HAYES: Just --

DELGADO: So I understand that obviously you support --

HAYES: Obviously, you are not. But my question to you --

DELGADO: They`re on to you now, Chris.

HAYES: My question to you --

DELGADO: Good for them.

HAYES: My question to you is, would it matter if she broke the **immigration** law?

DELGADO: Would it matter to you if Hillary Clinton accepted bribes?

HAYES: Would it matter if Melania Trump broke the **immigration** laws?

DELGADO: Would it matter to you if Hillary Clinton accepted bribes?

HAYES: I get --

DELGADO: Because it looks like she did.

HAYES: It is my show, and I get to ask the question. Would it matter --

DELGADO: And I`m here as a guest. I get to ask questions too.

HAYES: All right. A.J. Delgado, it`s good to see you.

DELGADO: Love you, Chris.

HAYES: Thank you very much. Joining me now, Eric Boehlert, senior fellow at the pro-Clinton group, Media Matters for America . Well, what do you think, Eric?

ERIC BOEHLERT, SENIOR FELLOW, MEDIA MATTERS FOR AMERICA: I think it matters. I`ll answer the question. Yes, it matters. It`s a question of - -

HAYES: I don`t think it matters.

BOEHLERT: It`s a question of hypocrisy.

HAYES: I mean, I don`t think it matters.

BOEHLERT: No, I don`t think --

HAYES: My point is that it doesn`t matter. My point is that it doesn`t matter and it doesn`t matter for -- I honestly think that those kinds of gray area infractions that happen all time are not things that are along a spectrum of infraction that almost are a crime without a victim. That, yes, a lot of people have done that for all sorts of reasons, and a lot of the people who`ve done that have made America great.

BOEHLERT: The hypocrisy matters is my point. You can`t run around the country saying we got to get rid of this people, and then it turns out, your wife happens to fall into that umbrella. That`s my point.

HAYES: Where are you right now on the state of the race in the last week? When you look at what has happened in the post, sort of, Comey --

BOEHLERT: Right, right, right.

HAYES: -- era, this sort of idea which is interesting, their closing argument, which we didn`t even get to because we were talking about all that stuff, this sort of idea of change, about sort of knocking off the globalist elite --

BOEHLERT: Right, right, right.

DELGADO: Where am I going? Oh, take --

HAYES: Where do you think --

DELGADO: Take my mike off.

HAYES: Do we have -- yes. I`m sorry. I`m still getting mic. Where do you see the campaign, post-Comey?

BOEHLERT: Oh, well, in terms of the status, I think it`s very similar to post pneumonia, right? There was this big Friday, Saturday blow up when Hillary Clinton had the pneumonia bout. The polls went south for about five days. It was a major interruption. And I think we`ve seen that same thing.

You know, some of those early polls after this Comey shocker, after people like my barber told me the FBI had reopened this investigation, when that false information got out, I think it interrupted the race. I think we`re back to where the race was now. I think she clearly has the momentum, as you talked about, the early voting states in Nevada and Florida. Forty million votes are already cast and she`s ahead in those, so I think the race is almost where it was pre-Comey shocker.

HAYES: There also, seems to me, that part of the strategy right now in talking about -- it`s very interesting to hear, there`s clearly a few strategies here. One is, as you can tell from A.J., target disaffected Bernie folks --

BOEHLERT: Right, right, right.

HAYES: -- about the anti-war, trade message. Part of me thinks there`s a sort of geographical push there for the Midwest for that reason.

BOEHLERT: Right.

HAYES: But there`s also, it seems to me, some sort of notion of, look, we`re going to make it terrible if you elect her.

(LAUGHTER)

HAYES: No, I`m serious.

BOEHLERT: Yes, I know. I know.

HAYES: I honestly think it`s a very -- and not necessarily a stupid tactic.

BOEHLERT: Right.

HAYES: I mean, they had basically, all that`s said, they`ll be -- Trump himself said there`ll be a constitutional crisis.

BOEHLERT: Right, right, right.

HAYES: And basically the argument is, we`re going to make it a brutal slog if you elect this woman.

BOEHLERT: Right.

HAYES: So, maybe, don`t do it.

BOEHLERT: Right. Again, pre-Comey, we saw reports they were going to try to suppress the vote. They`re going to try and suppress the African- American vote. We saw this tonight, this sort of suppress the Bernie Sanders vote.

But now, I think with Comey and this fake impeachment -- you know, we`ve got Fox News manufacturing these stories that she`s going to be indicted that Bret Baier had to walk back -- they`re committed, I think, to this talking point.

And look, if they think they can bully 40, 50 million Democrats, and they were going to say, you know what, you`re right, take it. You know, we don`t want it. We don`t want the presidency, we don`t want the Congress, you`re going to make it awful, that`s their strategy.

I can`t imagine Democrats and a lot of Americans are going to sit there and say, huh, I think I`m going to sit home and just give it to them. I don`t think anyone has ever bullied --

HAYES: Yes.

BOEHLERT: -- the presidency away from another party before.

HAYES: It`s also interesting to me --

BOEHLERT: Or scared them away from voting.

HAYES: In some --

BOEHLERT: Because --

HAYES: Yes, please.

BOEHLERT: And I`m just saying, look at those lines today.

HAYES: Right.

BOEHLERT: I mean, people are waiting two, three, four hours. They don`t seem to be afraid that we`re going to head into a morass. We`ll deal with that when sort of the Republican radicals get back at us.

HAYES: It`s interesting to me when you think about, you know, Clinton during impeachment. Actually, Bill Clinton was quite popular.

BOEHLERT: He was.

HAYES: And I think Hillary Clinton`s probably -- her finest moment probably in this whole campaign was the eleventh -- her Benghazi testimony.

BOEHLERT: That`s right.

HAYES: So maybe, you know, that`s actually -- in some perverse political way, this is actually good.

BOEHLERT: Well, look at Barack Obama. He`s at his highest approval rating since 2009, 2010.

HAYES: Sure. Yes.

BOEHLERT: And they spent eight years trying to block everything he wanted to do.

HAYES: All right. Eric Boehlert, thanks for being with me tonight. Appreciate it.

BOEHLERT: Sure.

HAYES: All right. We have a lot more. I`m going to be here for two hours. Settle in, grab a cocktail, do what you`re doing -- it`s Saturday night -- as we look towards Tuesday night, the early voting numbers that don`t bode well for Donald Trump.

Plus, could Republicans lose control of the Senate, or will they retain it? It`s hanging by a finger nail. We`ll take a look at the latest polling.

And Hillary Clinton`s last minute push to get out the vote, but does it achieve more than an admittedly epic photo-op?

All that and more ahead.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

DONALD TRUMP (R), PRESIDENTIAL CANDIDATE: When Mexico sends its people, they`re not sending their best.

We have to keep the families together --

CHUCK TODD, MSNBC HOST: But you`re going to keep them together out?

TRUMP: -- but they have to go. But they have to go.

TODD: What if they have no place to go?

TRUMP: We will work with them. They have to go.

A lot of Hispanics -- Latinos, they like to be called -- in that area. You know that right? Hispanics and Latinos.

Sit down.

JORGE RAMOS, UNIVISION HOST: And **immigrants** (inaudible).

TRUMP: Go ahead.

RAMOS: I have the right to ask a question.

TRUMP: No, you don`t. You haven`t been called.

RAMOS: I have the right to ask a question.

TRUMP: Go back to Univision.

They bring in drugs. They bring in crime. They`re rapists.

We`re building a wall. He`s a Mexican. We`re building a wall between here and Mexico.

The answer is, he is giving us very unfair rulings.

We have some bad hombres here and we`re going to get them out.

And who`s going to pay for the wall?

CROWD: Mexico!

TRUMP: Who`s going to pay for the wall?

CROWD: Mexico!

TRUMP: Who`s going to pay for the wall?

CROWD: Mexico!

GOV. MIKE PENCE (R), VICE PRESIDENTIAL CANDIDATE: You whipped out that Mexican thing again.

TRUMP: And some, I assume, are good people.

(END VIDEO CLIP)

HAYES: Well, the groups Donald Trump has insulted and even threatened over the course of this campaign, Latinos, particularly Mexican-Americans, were the first and perhaps the most consistent of his targets. Lucky for Trump, in the past, Latinos have typically voted at lower rates than other demographic groups. 2012, for example, only 48 percent of eligible Latino voters turned out to vote, compared to 64 percent of White voters and 67 percent of African-American voters.

This year, however, there are signs that may be changing. In a number of key battleground states that have early voting, Latino turn out is up so far over past years. As of November 1st, according to an NBC News analysis, Latinos made up 13.77 percent of early voting in Florida, a must- win state for Trump. That`s up from just 9.89 percent four years ago. And it`s possible those voters draw from the same pool of people who usually vote on Election Day. In other words, they`re just voting early instead of actually adding to the electorate.

But here`s the thing. Early data suggests that`s not the case. According to political strategist Steve Schale, who`s the 2008 Obama campaign Florida State Director, on Thursday alone, 82.5 percent of Hispanic early voters were considered low-propensity voters. "That`s literally nuts," in his words. Those are people who may not have voted in the last couple of presidential elections, who may have been excluded from recent polls of likelihood for the voters.

Joining me now, Matt Barreto, co-founder of the research and polling firm, Latino Decisions, and professor at UCLA, who`s done polling on Latino voters for the Clinton campaign. Harry Enten, senior political writer and analyst for "FiveThirtyEight."

And, Matt, let me start with you. So two states where we`ve got lots of early votes, probably more than half the voting population before Election Day and big Latino populations. That is Nevada and Florida. It seems like we`re seeing similar trends in both those states when you compare what the numbers say in early votes versus what, say, a model or polling would predict about the composition of the electorate. Spell it out for us.

MATT BARRETO, CO-FOUNDER, LATINO DECISIONS: Yes, absolutely. You know, we`re seeing far greater early vote numbers than what most of the main stream models are predicting. Latinos in particular in Florida, but also in Nevada, are over performing what the models are indicating.

You read that tweet from Steve, but there`s also a data point that Dan Smith, a professor at the University of Florida, put out. Thirty percent of the Latinos who have voted in Florida were either new registrants or had no previous vote history. They`ve never voted before. So these are, in many cases, a lot of new people coming into the system voting at very high rates, higher rates than we saw in 2012.

And I think that the models aren`t taking account of that. They`re not seeing this vote that we`re seeing, the swell that we`re seeing on the ground, in both of those two competitive, very critical, as you said, for Trump, battleground states. The Latino vote is very, very strong right now.

HAYES: So one of the things here, Harry, is that with early voting, right, there`s lots of data, and there`s lots of ways you can screw the data up.

HARRY ENTEN, SENIOR POLITICAL WRITER AND ANALYST, FIVETHIRTYEIGHT: Right, correct. Sure.

HAYES: Because we don`t -- we know partisan affiliation, we know some demographic information.

ENTEN: Right.

HAYES: But what we don`t know -- although the campaigns know, at least the Clinton campaign --

ENTEN: Right.

HAYES: -- is the propensity of these voters, right? So what you want as a campaign is you want to take people who are low-propensity voters and get them to vote early.

ENTEN: Of course.

HAYES: As opposed to just moving a person who is definitely going to vote on Election Day up to wit. That doesn`t do you any good.

ENTEN: Right, exactly. A vote on Election Day is worth the same amount as a vote that`s cast early. As you`ve said, there seems to be a lot of these low-propensity voters who are voting early. But here`s the question for Hillary Clinton. Is it nearly that we`re getting more Latinos into the electorate while African-Americans are voting at lower rates? If that`s the case, that`s a bad tradeoff for her because African-Americans vote in higher numbers for Democrats. That`s a question we don`t know yet, and it would be interesting to see as we head forward in this election.

HAYES: Yes. And Steve Schale in Florida had sort of raised some alarm bells, although it looks like the percentage of the electorate that`s Black has come up a bit in the early voting.

ENTEN: Yes.

HAYES: One thing about Nevada is fascinating, right? So you`ve got Jon Ralston, like, camped out last night, right?

BARRETO: Right.

HAYES: It was sort of fascinating to see. He`s live tweeting the last day of early voting. He`s live tweeting the numbers in Nevada.

ENTEN: Right.

HAYES: And he`s at one location, which is a Mexican grocery store.

ENTEN: Cardenas, was it?

HAYES: Cardenas. That`s the scene right there. And he`s tweeting, being like, this is nuts. These people are -- they`re going to -- you know, if you`re in line, it`s going to stay open. They`re going to bank another thousand votes. He`s sort of, in real time, watching this happen.

ENTEN: Right.

HAYES: And Latino Decisions pointed out in the poll, in 2012, the final polling average in Nevada was Obama plus 2.8, in reality won by 6.7. That almost four points they missed was bad Latino polling. Do you think there`s a case that the public polling is not capturing Latinos effectively?

ENTEN: It could. I mean, Harry Reid, just go back to 2010, right? All the public polls, for the most part, had Harry Reid --

HAYES: He was toast.

ENTEN: -- was toast. And then he won easily over Sharron Angle. So there`s definitely a case. And if you look at Nevada, what makes it different than, say, the other states is we have a trend line going back through history where we know most voters vote early in that state. We know the partisan affiliation of those voters, and we know that that partisan affiliation tends to hold through Election Day.

Right now, Democrats have a six percentage point edge in the percentage of people who have voted. And if that holds through Election Day, it`s just very difficult for Donald Trump to win in that state.

HAYES: So, Matt, what is your sense from this? Again, there`s the early voting data then the polling, then there`s stuff in Arizona. And I think the Arizona story is fascinating because if you look at Arizona and you look at Georgia, I said this the other day, Georgia looks more competitive in the last few public polls published than Arizona does. And yet, no one`s going to Georgia.

And a lot of people have been going to Arizona. And I know for a fact the Clinton campaign has Arizona in its target list. They are working that state in a way they are not working Georgia. What do you think is the story there?

BARRETO: Yes, absolutely. First of all, it`s Cardenas, is the name of the grocery store.

HAYES: Ah.

ENTEN: Yes, yes.

BARRETO: You guys should brush up on your Spanish in cycle.

HAYES: Yes.

(LAUGHTER)

BARRETO: In Arizona, you know, don`t forget about Sheriff Joe. There`s a very hot re-election there --

HAYES: Right.

BARRETO: -- in Maricopa County. That`s bringing out a lot of Latinos. You wouldn`t believe the number of people who are going door to door, who are motivated to just vote this year not just in the presidential election but a local county sheriffs` election. And I think that`s going to be a big upset. You`re going to see a huge Latino vote there. That down-ticket race may actually have reverse coat tails and may bring out more voters to vote Joe Arpaio out of office.

So I think Arizona`s absolutely in play. We`re playing very hard there. There continues to be ad buys and on the ground. And I think you`re going to see a really, really large Latino vote in Arizona.

HAYES: One of the things -- that`s sort of a double-edged sword here, right, when you go back to statistics. I mean, people talk about Black turnout, and I think people fail to appreciate that African-Americans turn out more than anyone.

ENTEN: Right.

HAYES: I think Jewish-Americans actually may have the highest turnout when you go down every demographic subgroup.

ENTEN: Right.

HAYES: But African-Americans turn out at very high rates, particularly in the south. Particularly controlling for education and income --

ENTEN: Yes.

HAYES: -- they turn out very high rates. The sort of issue for Democrats about Latino votes, from a tactical perspective is, a lot of them are in states that aren`t competitive.

ENTEN: Right, right.

HAYES: So they don`t give you the same electoral bang for the buck.

ENTEN: Right.

HAYES: And they`re not turning out at the same rates. But the flip side of that is, if you got Latinos voting at what African-Americans do, that would be a massive change structurally for the Democratic Party.

ENTEN: It would be a huge change. You know, Texas, obviously, is not in play this cycle, but Democrats are expected to do better there in large part because Latinos are finally motivated to vote in that state.

BARRETO: Right.

ENTEN: Arizona is, I think, a key example of that. And Joe Arpaio is, at this point, favored to lose re-election.

HAYES: Right.

ENTEN: So that`s a perfect example where you could see that up-ticket voting. Very interesting effect there.

HAYES: Yes. All right. Matt Barreto, thanks for your time. Harry Enten, if you can stick around.

After the break, the Republican senator who`s closing argument features praise from none other than President Obama. We`ll talk about that crucial race and look at where the Democrats could gain control of the Senate.

But, first, my kids are here tonight, Brian and David. And if you`re a regular viewer of the show, you know what that means. It`s time to play the animal videos they have asked for. Tonight`s picks, butterflies and tigers or mariposas and tigres because we`re learning Spanish.

First up, the butterflies. Oddly relaxing as we`re coming into the home stretch here, covering 2016. Next up, tigers. Here are some playing together at our favorite zoo, the Bronx Zoo, not too far from here. Very cute, both of them. We`ll be right back.

(COMMERCIAL BREAK)

HAYES: All right. Hillary Clinton is on stage in Philadelphia at a Katy Perry concert slash Hillary Clinton rally. Let`s take a listen.

(BEGIN VIDEO CLIP)

HILLARY CLINTON (D), PRESIDENTIAL CANDIDATE: So if you have some time and you want to really be involved in winning this election, sign up to help. Because when your kids and grandkids ask you what you did in 2016, when it was all on the line, I want you to be able to say, I voted for a better, fairer, stronger America where everybody has a chance at the American dream.

(APPLAUSE)

CLINTON: I am so excited about this election because I really think we`re going to send a message from coast to coast, east to west, north to south, about who we are as a country. And if we do what we should, then on November the 9th, this coming Wednesday, we can all wake up and say, I`m going to do my part to make sure that America lives up to its promise to every one of our people, especially every one of our children, who deserve the chance to live up to their God-given potential.

(APPLAUSE)

CLINTON: So tonight, tonight, it is a celebration for everything that you have already done to help us and all that we will do together, and I am thrilled to be able to introduce a performer whose music has a wonderful message.

(END VIDEO CLIP)

HAYES: Hillary Clinton tonight in Philadelphia. And in that state, this ad right now is currently running. Take a look.

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: In Washington, the rarest political quality is courage. On keeping guns away from criminals, listen to what President Obama says about Pat Toomey.

BARACK OBAMA, PRESIDENT OF THE UNITED STATES: We had a Democrat and a Republican come together and work together to write a common sense compromise on background checks. And I want to thank Joe Manchin and Pat Toomey for their courage in doing that. That was not easy.

UNIDENTIFIED FEMALE: Pat Toomey fights for us.

SEN. PAT TOOMEY (R), PENNSYLVANIA: I`m Pat Toomey and I approve this message.

(END VIDEO CLIP)

HAYES: Yes, that`s actually a Republican Senate ad spot, a news T.V. spot running for Pennsylvania senator, Pat Toomey, the incumbent, who is currently trailing Democratic challenger Katie McGinty by two points in the "Real Clear Politics" polling average.

It is notable Toomey has refused to say, will not answer, whether or not he will vote for Donald Trump. But his use of President Obama`s praise in that ad was not lost on the Vice President today.

(BEGIN VIDEO CLIP)

JOE BIDEN, VICE PRESIDENT OF THE UNITED STATES: That Republican Senator starts running positive ads now with Barack Obama with him? Oh, man, go figure, as my brother would say.

(LAUGHTER)

BIDEN: Isn`t that amazing, Bobby? He`s out there. He doesn`t know if he`s for Trump but he knows he`s now for Barack Obama. How things change. Isn`t it amazing?

(APPLAUSE)

BIDEN: You ask yourself, why not get the real deal with Katie McGinty?

(END VIDEO CLIP)

HAYES: After control of the Oval Office is up, the next biggest focus Tuesday night would be what happen in several close Senate races, like Pennsylvania, which will determine who controls the Senate.

Right now, it is basically a coin flip. Poll forecasters, "FiveThirtyEight" and "The Upshot," each give Democrats a slight edge in retaking the Senate, 52 percent and 54 percent respectively.

Back with me is Harry Enten, senior political writer and analyst for "FiveThirtyEight."

Here`s what I think has been interesting. There`s a bunch of different races.

ENTEN: Sure.

HAYES: And of all the polls I have been following and following the dynamics of the different races, they really haven`t moved --

ENTEN: Yes.

HAYES: -- in tandem in the way you would in the era of partisan polarization we have. When you would expect when, you know, Trump cresting, they do well. Trump falling, they do poorly. There`s a little bit happening really moving in different directions.

ENTEN: And Pennsylvania is a perfect example of that, right? You`ve seen Katie McGinty in the past two weeks open up a lead. I think there`s been one poll in the past two weeks that has Pat Toomey ahead. And there`d been a ton of polls conducted there. Versus, if you look at a state, say like Indiana, we`ve seen Evan Bayh`s chances dip. If you look at a state like New Hampshire, we`ve seen Maggie Hassan`s chances dip a little bit. So it`s been a very bizarre thing where it almost seems like voters are actually voting for candidates instead of their parties.

Isn`t that a wonderful thing?

HAYES: Well, I think -- well, I don`t know.

ENTEN: Or maybe not.

HAYES: Yes. I mean, I think it goes both ways. I actually think parties are pretty useful proxy.

ENTEN: Sure.

HAYES: And as -- for voters. But I do think it has been fairly candidate- dependent in Indiana. I mean, Evan Bayh has a sort of specific thing --

ENTEN: Problem.

HAYES: -- because sort of he`s a revolving door --

ENTEN: Right.

HAYES: -- as a senator and he went and he worked in D.C. and he`s getting hammered for that. In Nevada, again, that`s a race where, when you look at the math, when you look at public polling, you think Joe Heck, who is the Republican running for that open seat -- it`s Harry`s seat -- he looks like he`s ahead. When you look at the precedence, what Harry Reid is able to do --

ENTEN: Right.

HAYES: -- what the Democrats in that seat are able to do, what the unions are able to do, in terms of turnout, you`d think that maybe that can get Cortez Masto, who`s the sort of hand-picked Harry Reid successor over the hutch.

ENTEN: Sure. Remember, four years ago, Dean Heller who was the incumbent at that time, the Republican incumbent, was barely able to win, but vastly under estimated the polls. So it`s quite possible that Hillary Clinton wins, say, by four or five, and Cortez Masto barely sneaks five by one. And the polling average is so close at this point, it wouldn`t take a large polling error for her to win.

HAYES: And Nevada was an interesting state back in 2012 because Heller was the only Republican Senate candidate who outperformed Mitt Romney.

ENTEN: Right.

HAYES: And he just narrowly got over, even though he looked like a much more comfortable lead heading into that race.

ENTEN: Exactly, exactly.

HAYES: You`ve also got -- so I think the Missouri race is the most interesting.

ENTEN: I love that race.

HAYES: Because Missouri, kind of like Indiana, it`s not really on the map in the presidential, right?

ENTEN: Sure.

HAYES: It`s not really going to be a contested state, so there`s not a ton of presidential infrastructure there to turn folks out.

ENTEN: Right.

HAYES: Roy Blunt, I think, at the beginning of this cycle, who is the incumbent Republican, people didn`t really think he`d be challenged. You`ve got this State Senator, Jason Kander. He`s --

ENTEN: Secretary of State.

HAYES: The Secretary of State, Jason Kander, who is -- he`s a veteran. He`s got the best ad out of the cycle, probably, where he puts together a gun blindfolded.

ENTEN: Right.

HAYES: And he is giving Blunt an absolute run for his money.

ENTEN: An absolute run for his money. If you speak with Democrats and Republicans in that state, they`d tell you that that race is too close to call. The public polling suggests Blunt might be the smallest of favorites, but it`s really a race that could be too close to call.

And I`d also point out that the gubernatorial races in both Indiana and Missouri are very, very tight at this time. So it wouldn`t be shocking if you get two Democrats winning in the governor`s race and the Senate race even if Trump carries in the presidential.

HAYES: That`s very interesting. Although we should also say that they will not have the benefit, Kander won`t have the benefit in Missouri, of a full-fledged flooding of Democrats through the Clinton GOTV operation.

ENTEN: Sure.

HAYES: That, say, someone like Katie McGinty in Pennsylvania will have.

ENTEN: Right.

HAYES: All right. Harry Enten, thank you very much.

ENTEN: Thank you.

HAYES: Joining me now, Stephanie Schriock. She`s the president of EMILY`s List, Democratic organization supporting candidates advocating abortion rights and women`s equality.

Where are you, guys? What are the key races for you, guys? I would imagine Katie McGinty.

STEPHANIE SCHRIOCK, PRESIDENT, EMILY`S LIST: Yes.

HAYES: Maggie Hassan in New Hampshire. Cortez Masto in Nevada.

SCHRIOCK: Yes. I mean, EMILY`s List is supporting nine Senate candidates this year, eight would be new voices. But we`re at the end, where is the main focus? I mean, we always talk about these tight races. Can I just -- huge shout out to Tammy Duckworth, by the way.

HAYES: Yes.

SCHRIOCK: Who is in a double digit lead in Illinois.

HAYES: Yes.

SCHRIOCK: We always forget about Tammy Duckworth --

HAYES: Fair enough point. Let me --

SCHRIOCK: -- but she`s rocking it.

HAYES: Right. I should make the point that Tammy Duckworth, of course, who is both a veteran.

SCHRIOCK: Yes.

HAYES: She served in the Department of Veterans` Affairs. She`s now a congresswoman. She is running against incumbent Mark Kirk.

SCHRIOCK: Right. Purple Heart recipient.

HAYES: Right.

SCHRIOCK: New mom.

HAYES: She is almost certainly going to win.

SCHRIOCK: Yes.

HAYES: And the reason that I bring her up is because that`s probably the least contested Senate race that`s a contested one in the country, right?

SCHRIOCK: Yes. And it`s a pickup.

HAYES: Right. That`s right, yes.

SCHRIOCK: Yes, it`s a pickup for Democrats.

HAYES: Yes, yes.

SCHRIOCK: So it`s an important one, but it is fine. We all sort of leave that one to that corner.

HAYES: That`s true. Right.

SCHRIOCK: We just want to give her vision a big shout out because she`s done so incredibly well.

HAYES: Right, right.

SCHRIOCK: But you look at the races that are going to determine the Democratic majority in the Senate, and it`s really our EMILY`S List candidates who are smack in the middle. Catherine Cortez Masto in Nevada, must-win, hold seat but a must-win seat. You got Maggie Hassan in New Hampshire against Kelly Ayotte. You`ve got Katie McGinty, as you were just talking about, against Pat Toomey.

And then also, as you`ve talked about, Jason Kander. Sort of the other Jason Kander surprise race is Deborah Ross in North Carolina.

HAYES: That race is fascinating to me too.

SCHRIOCK: Yes.

HAYES: And here`s the reason. You know, Kander`s running this classic sort of up and coming fresh face versus the old creature of Washington campaign. That`s his campaign. Roy Blunt is this creature at Washington, I`m new, I hear you. Right? That`s not really what`s going on in that North Carolina race. Tell me about who Deborah Ross is because I find her resume fascinating particularly given that state, and she`s as competitive as she is.

SCHRIOCK: So, I mean, she has really been a champion, you know, for consumerism, for civil liberties, and women and families. She`s served in the state legislature. So some folks sort of forget that piece of it.

HAYES: Right.

SCHRIOCK: That`s she`s actually served in public office. But she`s --

HAYES: But she was a public interest lawyer, basically.

SCHRIOCK: Absolutely. Yes.

HAYES: I mean --

SCHRIOCK: Absolutely. And I think that`s really resonating when you`re up against Richard Burr, who`s somebody who has really sort of walked away from North Carolina, is tied to all this special interests.

HAYES: Right.

SCHRIOCK: Who, by the way, has had a terrible week after he suggested violence against Hillary Clinton. So he`s not having --

HAYES: He apologized for it and said it was a joke, just to be clear.

SCHRIOCK: Right. He did.

HAYES: Yes.

SCHRIOCK: He did. But enough of this kind of jokes.

HAYES: He also said --

SCHRIOCK: This is not something to joke about.

HAYES: Well, and he also said -- and I thought this was actually one of the most important pieces of news of the week -- that he would try to keep Scalia`s seat open for four years.

SCHRIOCK: Yes.

HAYES: Were he return to the Senate. That`s an incredible thing.

SCHRIOCK: And this is a huge thing at the end in a couple of this other races. I mean, I know we`ve got a long way to go in Iowa and Arizona. Though, Arizona, with the early vote numbers, you`re just talking about the Latino turnout. I get it, but she`s -- our Ann Kirkpatrick, who`s the Congresswoman running against John McCain, has put together an extraordinary campaign.

HAYES: Yes.

SCHRIOCK: But John McCain came out and said, if it`s Hillary Clinton who`s president, we`re not going to do it in the court. Chuck Grassley in Iowa has been saying it`s all about not putting anybody in there. These Republicans continue to just be obstructionists. And that`s a problem.

HAYES: Do you think that moves voters?

SCHRIOCK: I do.

HAYES: Do you think it moves Democratic voters?

SCHRIOCK: I think it also moves independent women. I think women voters are very, very frustrated with the non-action, and what is happening is not gridlock in Congress. It is Republicans causing gridlock.

HAYES: Yes.

SCHRIOCK: And they want to hold this Republicans accountable.

HAYES: Because they say --

SCHRIOCK: What Kelly Ayotte or Pat Toomey`s old gang.

HAYES: The reason they`re saying those things is they think it motivates their people. And in fact, they`ve sort of boot strapped the whole rationale for the Trump presidency out of holding the seat open. And sometimes I think there`s an asymmetry in how much it moves different parties.

Stephanie Schriock, thank you very much.

SCHRIOCK: You bet.

HAYES: All right. Still to come, the Clinton campaign grabbing big names in a series of get out the votes concert. As we watched, Katy Perry on stage. That`s not Katy Perry. That`s Bon Jovi. Then that`s Katy Perry. I know the difference between Jon Bon Jovi and Katy Perry. I`m not Will Ferrell in "Anchorman." I don`t just read what`s in front of me in the prompter.

More on this latest formula for using these events to boost voter turnout. And the woman who ran that effort for President Obama in 2008 joins me next. But let`s listen to Bon Jovi, not Katy Perry which is written in prompter as we go to break.

(COMMERCIAL BREAK)

HAYES: Right now, Hillary Clinton`s concert tour continues as you can see, a free Katy Perry show in Philadelphia.

Last night, the Democratic presidential nominee was on stage with Beyonce and her husband, Jay-Z. It`s all part of the Love Trumps Hate concert series in battleground states, which is Pennsylvania, Ohio, and North Carolina. It also includes artists like Stevie Wonder, Jennifer Lopez, and Jon Bon Jovi.

As "Politico" points out, these concerts are part of an under the radar tactic that Clinton`s Brooklyn team believes is a powerful organizing tool that`s already yielding results for the campaigns get out to vote efforts, especially in the critical counties and among the demographic groups Clinton needs most.

Joining me now, Teal Baker, who`s integral in organizing these types of events as the director of surrogates of the Obama campaign in 2008. She`s now running for local office in her neighborhood.

And, Teal, people go to the campaign, at the concerts, and they think, like, oh, well, that`s fun. I guess you get a lot of people to come. But there`s a pretty intense organizing strategy underneath these concerts. Explain what it is.

TEAL BAKER, OBAMA`S 2008 NATIONAL DIRECTOR OF SURROGATES: There absolutely is. Thank you for having me. So the value of surrogates is that they can talk to voters in a different voice with a different message and really drive home what`s at stake in the election and why their vote matters.

And the organizing value comes out in three ways. The first is, you know, organizing directly. So in states with early vote locations, you know, it was no coincidence for the Cleveland concert yesterday that, you know, they gave out free tickets. You had to pick it up in person, and oh, by the way, it`s across the street from the early voting location. So, you know, it would be great if you went across the street and got your vote in.

And as mobilization tools. So in places where there aren`t early vote opportunities, everyone who gets a free ticket has to share their name and contact information with the campaign. So when you look at mobilizing on Election Day, you have maybe a different group of voters than you had before you started to really energize and make sure they show up on Tuesday.

HAYES: Oh, so that`s interesting. I hadn`t thought of that, right. So you guys in field operations in swing states are quite sophisticated and developed.

But the idea is that a concert like this, if you use, say, Katy Perry in Philadelphia, right, which is a crucial place for Democrats to turn out votes to win the state of Pennsylvania, the thinking is, there`s going to be some people that show up, some percentage, that are people that you haven`t had a lot of voter contact with, or maybe aren`t are in the database, or you don`t have a good record of touches with, as organizers say, that come to you and that you can then go back to, two days later, to try to get them out.

BAKER: That`s exactly right. So, you know, a lot of these voters, for good reason this year especially, have tuned out this election and may not be following the ins and outs of either campaign, but, you know, they follow Katy Perry on Instagram . And so, you know, she`s promoting her presence in Philadelphia and how important it is to vote and why she`s with Hillary Clinton. And so, again, it`s just another channel to reach voters who may not be your traditional targets.

HAYES: This is something, it seems to me, that if -- one of the sort of most fascinating stories in politics, I think, over the last eight years is the increasing sophistication and refinement of the Democratic Party`s operatives in turning voters out. It just seems to me that each cycle from `08 to `12 to `16 are sort of built on it. There`s a lot of institutional knowledge that`s accrued. Is that a fair thing to say?

BAKER: That`s absolutely right. So, especially, you know, around these concerts, there`s an opportunity to, you know -- these venues are very large. Obviously, kind of having VIP access and being up front and in the first couple of rows is a very special thing for fans especially. And so the campaign has figured out that we can ask people to pick up a walk packet and canvass a neighborhood --

HAYES: Right.

BAKER: -- and be involved in the campaign in a new and different way, maybe for the first time. And in exchange, you know, they`ll get a ticket for the, you know, front couple rows of a concert that`s really important to them.

HAYES: Fascinating. All right. Teal Baker, thanks for joining me. Really appreciate it.

BAKER: Thank you.

HAYES: When we come back, why "The National Enquirer" would buy the rights to a story about an alleged affair between Donald Trump and a playboy model, only to never publish it. That`s story after this break.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

MELANIA TRUMP, DONALD TRUMP`S WIFE: Donald is a wonderful husband, father, and grandfather. He`s strong. He`s determined, bold, and decisive. He`s also compassionate, thoughtful, giving, and loving. Donald cares --

(END VIDEO CLIP)

HAYES: Melania Trump speaking on behalf of her husband there in North Carolina today. She`s been in the news a bit. We`ll get to that in a second.

Joining me now, Joy Reid, host of the one and only, "AM JOY." Sam Seder hosts "THE MAJORITY REPORT," an MSNBC contributor. And Matt Mackowiak, who`s a Republican strategist down in the great city of Texas.

Well, the "National Enquirer" story. Basically, a woman alleged having an affair with Donald Trump in 2006, and "National Enquirer`s" like, oh, totally, sell us that story, which is how it works in the tabloid world. They bought the story and then killed it.

JOY REID, MSNBC NATIONAL CORRESPONDENT: Yes.

HAYES: Which I guess is called catch and kill.

REID: Yes.

HAYES: Which is like a thing, I didn`t -- I learned this in tabloid world. The "Wall Street Journal" then reports it because I think she went to them, basically. The "Enquirer," of course, is very tied to Donald Trump, part of.

I got to say, what cracked me up was, like, of all the things, like, that Donald Trump has done and said --

REID: Yes.

HAYES: -- the 12 women on the record accusing him of unwanted sexual contact, the grab them by the whatever, you know --

REID: Yes.

HAYES: -- they probably can run the story and it would have been fine.

REID: At least it`s consensual.

(LAUGHTER)

HAYES: Exactly, at least it was consensual.

REID: And, you know, Donald Trump does have a habit of trading in the missus every few years. He traded in, you know, Ivana for Marla Maples, and he traded Marla Maples for the current model.

HAYES: Right.

REID: And it`s not shocking that, 10 years ago, which is around the time she was pregnant and not long after he made the "grab her by the" video, it was in `06 supposedly this affair, I guess, took place, that he was off to the races again.

And the thing that`s sort of so sad is that we`ve gotten to a point in our culture where it`s not even shocking anymore. This is a garden variety sort of minor scandal for a presidential candidate.

HAYES: Well, I mean, this is also a man who`s philandering. He boasted about it and everyone has known.

REID: Yes.

HAYES: And it`s -- I mean, like, you know, that is something that is baked into.

SAM SEDER, MSNBC CONTRIBUTOR: Right. I mean, on the list of things about Donald Trump, I mean, frankly, the philandering is so far down --

HAYES: It`s conscionable.

(CROSSTALK)

HAYES: I mean, literally, I was just like, well, that`s a messed up thing to do to your wife and family, dude.

SEDER: Right. But that`s OK.

HAYES: But both parties were at least consenting.

REID: Yes.

HAYES: Thank God.

SEDER: Right. And to a certain extent, like, that`s his business.

HAYES: Right.

SEDER: I mean, there are so many other aspects of Donald Trump --

HAYES: OK.

SEDER: -- that are far more important than that, that it would be disqualifying if the bar hadn`t been -- well, I wouldn`t even say lowered, it`s gone.

HAYES: Yes. Like, here`s the thing, Matt, this is, I think, one of the most amazing things that`s happened in this campaign. The "Access Hollywood" tape comes out and people`s initial reaction, I think, is the appropriate reaction. They`re aghast, they are horrified. That`s a terrible thing to boast about doing.

A cavalcade of Republicans come forward to say, I`m out, I can`t defend the guy. I mean, sorrowed, furrowed brow, moist eyes, Jason Chaffetz, I can`t look my daughter in the face. This is just --

MATT MACKOWIAK, REPUBLICAN STRATEGIST: Right.

HAYES: And, let`s be clear, after that, 12 women come forward basically accusing him of precisely the behavior that he said he did. And all those people, a bunch of them, after saying, I can`t, my soul, my soul is so destroyed by this, are like I`m totally voting for the guy. I mean, it is one of the most craven things I`ve ever seen, I got to say it.

MACKOWIAK: Yes. And it`s reflected in this bizarre contortion that so many Republicans are in where they don`t want to anger Trump`s voters, but they`re not really for him. They may vote for him, but they don`t want to endorse him. It`s just everyone`s in their own place. It`s kind of every man for himself. And that`s true for House candidates, it`s true for Senate candidates.

HAYES: But here`s my thing. It`s like, look, if you`re going to say, I don`t care about the guy`s moral character. I don`t care if he touched women against their consent because I`m that much of a believer of the Republican Party controlling the wheels of government. Fine, that`s a principled argument. I mean, you can make that. But spare me, spare me the soliloquys --

MACKOWIAK: Yes.

HAYES: -- about how offensive to you, how just anguished you are, give me a break. Like, if you`re going to support the guy, support the guy.

REID: Yes, yes.

HAYES: Do your thing.

SEDER: I think all of these Republican electives found out who they`re voters are. I mean, that`s basically what happened. They assumed that this would be disqualifying with their voters. And when they found out that it wasn`t, I mean, look, this has been the story since day one.

HAYES: Of this campaign.

SEDER: It`s not about Donald Trump, no.

HAYES: It`s about the voters supporting him, right.

SEDER: That`s my point, is it transcends this campaign.

HAYES: Right.

SEDER: These voters are not going anywhere.

REID: Right.

MACKOWIAK: Yes.

SEDER: They were the same voters who were here four years ago. They`re not going --

HAYES: Right. They`re not moving out of your district --

SEDER: Yes.

REID: Let me add to this.

HAYES: -- if you`re in Congress, and they`re not moving your state if you`re a Senator.

REID: And I don`t think it`s just not who the voters are. We found out who these politicians are, these men are. And we found out that their own moral character`s questionable. Everyone is going to have to answer the question, where did you stand when this person ran for president, saying I wasn`t really for him but I voted for him? Well, cut it. You were for him, Marco Rubio. For him, Paul Ryan. For him, for your --

HAYES: Well, that`s my question. Maybe they were --

REID: For him.

HAYES: Wait. They`re going to have to -- but, Matt, so Joy says that. And I think, at some level, that`s true, right?

REID: Mm-hmm.

HAYES: In a historical sense, OK? When they write the history books.

MACKOWIAK: Right.

REID: History books, for him.

HAYES: When they write the history books. But in terms of the parry and thrust day to day of Republican Party politics --

MACKOWIAK: Yes.

HAYES: -- do you think they`re going to have to answer that question? I think it`s just going to be, like, either two things are going to happen.

Donald Trump is going to win, in which case it`s going to, like, thank God. Like, Jason Chaffetz is going to be like, thank God I came back to Donald Trump. Or he is going to lose and people are just going to be, like, take out the men in black thing, and we`re all just -- everyone is going to be, like, that never happened. That was a fluke. He was a celebrity. That was totally weird. Let`s get back to it.

MACKOWIAK: Yes. Look, at 8:00 a.m. on Wednesday morning, if Trump loses, the Republican Party is going to drop Donald Trump like third period French. It`s going to happen immediately. And they`re going to try to move beyond that. And the Trump base will --

HAYES: And they`re going to try (ph).

MACKOWIAK: The Trump base will still be there. There`ll be maybe a third or 40 percent of the Republican primary electorate, and we`ll have to see what Trump decides to do at that point. Does he start a network? Does he start a movement? Does he do something like that? What happens --

HAYES: Right. But --

MACKOWIAK: -- to his base?

HAYES: Right. And --

MACKOWIAK: And where do they go?

SEDER: Right.

HAYES: Well, the big question, right? The big fight? Well, they`ll first fight on this, right? So this question about, like, everyone`s going to have to answer where they were, in the world of internal Republican politics, the first fight on that if Trump were to lose -- and even if he wins, frankly -- is that Ryan speaker?

REID: That`s right.

MACKOWIAK: That`s right. In this, yes.

HAYES: That`s the first question. That will be the next actual --

REID: And the Trumpers will -- we`ll see if they`re going to demand to pick the speaker. They`re already spoiling to do that. They already think that they want --

HAYES: Oh, my God, they want to --

REID: And you know who --

HAYES: They want to destroy him.

REID: And Jason Chaffetz now probably believes that he can walk up there and get --

HAYES: Right, if he came. He came back.

REID: -- the speakership.

HAYES: And you got Paul Ryan writing an op-ed today --

MACKOWIAK: Yes.

HAYES: -- after saying he wouldn`t defend him, which seems to me like, hey, dude, if you pull this out, like, we are cool, right?

SEDER: Oh, well, I think to a certain extent, he writes that because he knows that Trump is not going to win. I mean, I think this seems --

HAYES: Oh, that`s covering his bases with his voters.

SEDER: Yes, exactly.

HAYES: Wait. Well, Matt, quickly, do you think that`s true?

MACKOWIAK: Well, look, I mean, the vote within the house on the Republican side is November 15th. It`s exactly one week after the election. The speaker vote in the house, which would be a bigger threat to Ryan is January 3rd.

HAYES: Right.

MACKOWIAK: Ryan is going to win the conference vote by a large margin on November 15th.

HAYES: Right.

MACKOWIAK: I believe he`ll win the speaker vote as well, but, boy, you know, this is uncertain. We have to see where it goes from here.

HAYES: All right. All right. Joy Reid, Sam Seder, Matt Mackowiak, thank you for joining on this lovely Saturday night.

SEDER: Thank you.

REID: You`re welcome.

HAYES: Our special pre-election edition of ALL IN continues with a bonus second hour. Yes, you heard that right. It starts right after this break. We have much more to come. Don`t go anywhere.

(COMMERCIAL BREAK)

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**NEW\_DOCUMENT\_HERE**

Chris Hayes, Charlie Sykes

8948 speakers\_end

CHRIS MATTHEWS, MSNBC HOST: And that`s HARDBALL for now. Thanks for being with us. "ALL IN WITH CHRIS HAYES" starts right now.

(BEGIN VIDEOTAPE)

CHRIS HAYES, MSNBC HOST: Tonight on ALL IN --

HILLARY CLINTON (D), PRESIDENTIAL CANDIDATE: He has shown us who he is. Let us on Tuesday show him who we are.

HAYES: One week to go.

DONALD TRUMP (R), PRESIDENTIAL CANDIDATE: We must win on November 8th. We must win.

HAYES: Polls tighten as early voting continues.

REP. PAUL RYAN (R-WI), HOUSE SPEAKER: I already voted here in Jamesville for our nominee.

HAYES: Tonight what we know about where this race stands with seven days to go.

Plus, the fallout from the Trump tax bombshell with Michael Moore. Then --

TRUMP: So important that you watch.

HAYES: Why a federal judge just ruled the RNC must explain their ballot security plans.

TRUMP: When I say watch, you know what I`m talking about, right?

HAYES: And a United States senator`s plot to stop Hillary caught on tape.

SEN. RICHARD BURR (R), NORTH CAROLINA: If Hillary Clinton becomes president, I`m going to do everything I can do to make sure that four years from now we`ve still got an opening on the Supreme Court.

HAYES: When ALL IN starts right now.

(END VIDEOTAPE)

HAYES: Good evening from New York. I`m Chris Hayes. Exactly one week until Election Day, it`s an all-out blitz on the campaign trail. Today alone President Obama, Vice President Biden, Bill Clinton, Bernie Sanders and the Democratic candidates Hillary Clinton and Tim Kaine all barnstorming battleground states across the country while the Republican ticket Donald Trump and Mike Pence held events in Pennsylvania and Wisconsin. Trump wrapping up his last event of the day just moments ago.

Seven days out it`s clear the race has tightened significantly. ABC News- "Washington Post" tracking poll now has Trump ahead of Clinton by a percentage point than the margin of error, but it`s the first time Trump has led this poll since May.

Clinton`s margin in the RealClearPolitics polling average now stands at 2.2 percent down from a peak of 7.1 percent a couple of weeks ago right after the emergence of the 2005 tape on which Trump bragged about kissing and groping women without their consent, and after a dozen women came forward with stories of Trump doing exactly those things.

It`s not clear if the tightening in the polls stems from FBI Director James Comey`s widely condemned disclosure of new e-mails belonging to a top Clinton aide or it simply reflects Republican-leaning voters coming home to the party once Trump`s boasts of sexual misconduct and a series of on-the- record allegations of the same faded from the headlines.

With early voting under way in many states, we`ve been getting preliminary clues about who is actually getting to the polls this year. So far it`s a mixed bag for the Obama coalition. In Florida at least Latino turnout appears to be way up over 2012 race. But among African-Americans, particularly in Florida and North Carolina, the numbers are nowhere near where they were four years ago.

And the battle for control of the Senate, political forecasters still give Democrats a real edge. They`ve got a 59 percent chance of winning the majority of Senate seats according to Upshot, 68 percent according to Fivethirtyeight. But those odds have declined since Comey`s announcement last Friday. And now Democrats fear their quest for the majority may be in danger. Republicans sensing an opening just launched a pretty misleading new ad targeting Democratic Senate candidates.

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: It`s time to start asking why are Democrat Senate candidates still standing with Hillary Clinton? They already know about the smashed private e-mail servers, sketchy meetings, shady political donations, special immunity deals, now Hillary Clinton is under FBI investigation again.

(END VIDEO CLIP)

HAYES: Well, to be clear, Clinton is not really currently under FBI investigation. In fact, here`s the thing. We still don`t know if the newly discovered e-mails have anything at all to do with her or her private server.

Comey`s decision to inform Congress about the e-mails before having determine their significance or looked at them has drawn criticism from Democrats and Republicans alike. Even Senator Chuck Grassley, the Republican chairman of the Senate Judiciary Committee, wrote Comey a letter expressing concerns and demanding he release more information on the e- mails by this upcoming Friday.

We`ll see if that`s even possible.

NBC News justice correspondent Pete Williams now reports that despite earlier optimism the review would move quickly the process isn`t moving very fast. Amid a spate of leaks to the press about the Clinton matter raising further questions about the integrity and impartiality of the FBI , new reporting confirms what CNBC first reported yesterday, that Comey kept the FBI from publicly blaming Russia for recent hacks of Democrats allegedly because he did not want the bureau to appear partisan so close to the election.

Meanwhile, the Clinton campaign is trying to stay on offense. Campaign manager Robbie Mook calling on the FBI to give Donald Trump the same treatment it gave to Hillary Clinton.

(BEGIN VIDEO CLIP)

ROBBY MOOK, HILLARY CLINTON CAMPAIGN MANAGER: All that we`re asking, so that reporting can be fair, is that the information get released. Release whatever information they have, and then if you`re in the business of releasing information about investigations on presidential candidates, release everything you have on Donald Trump.

Release the information on his connections to the Russians. Maybe there are investigations now into his taxes.

(END VIDEO CLIP)

HAYES: According to the "New York Times" Trump`s taxes, or more specifically his method to avoid paying them. may not have been entirely legal. In essence, the "Times" in a remarkable report reports of the maneuver Trump used conferred enormous tax benefits on him for losing vast amounts of other people`s money by exploiting a loophole.

Today Clinton sought to remind voters of Donald Trump`s treatment of women. Campaigning in Florida with Alicia Machado, of course the former Miss Universe who Trump publicly shamed over her weight two decades ago and who he continued to berate after Clinton mentioned her at the first debate. Even instructing his Twitter followers to check out her nonexistent sex tape.

(BEGIN VIDEO CLIP)

ALICIA MACHADO, FORMER MISS UNIVERSE: He made fun of me, and I didn`t know how to respond. He told me that I looked ugly. He said to me, Miss Piggy, Miss Housekeeping, Miss Eating Machine. Soon it became a joke. Alicia Machado was the fat Miss Universe. It was really painful for me.

(END VIDEO CLIP)

HAYES: President Obama hit the campaign trail today in Ohio where he took a hammer to Trump`s populist sales pitch.

(BEGIN VIDEO CLIP)

BARACK OBAMA, PRESIDENT OF THE UNITED STATES: If you are out there every day working hard, punching a clock, the notion that this guy is your champion when his entire life he did not have time for anybody who wasn`t rich or a celebrity, who wouldn`t let you into one of his hotels unless you were cleaning the room, wouldn`t let you on one of his golf courses unless you were mowing the fairway, come on. This guy is going to be your champion?

(END VIDEO CLIP)

HAYES: I`m joined now by Congressman Elijah Cummings, Democrat from Maryland, the Ranking Member on the House Committee on Oversight and Government Reform.

And Congressman, it`s been a remarkable few days since the Comey announcement. We still basically don`t know anything about what it was. There`s a sort of, I think, a fairly strong consensus has emerged that it was -- it was probably the wrong judgment by Director Comey.

Are you worried about the integrity of the FBI right now as we have this sort of cascade of leaks emanating from the bureau unnamed sources pointing this way and that and we`re conducting an election under these circumstances?

REP. ELIJAH CUMMINGS (D), MARYLAND: I am worried about the integrity of the FBI . Mr. Comey, when he came -- Director Comey when he became before our committee, he made it clear back in July that he did not want to and would not subject Hillary Clinton to a double standard, and that`s exactly what is happening here. And as a lawyer, I can tell you the integrity of the FBI is very important.

The American people basically want fairness, but here it appears clear that there is a double standard. On the one hand, Chris, we have been informed through this very vague letter about the investigative steps being taken by the FBI with regard to Hillary Clinton and this evident, but on the other hand when it comes to Donald Trump and his advisers and the Russian government and their efforts to undermine our election system and our situation here in the United States, we don`t get a mumbling word. And a number of us in Congress have asked for months about information with regard to Mr. Trump, his advisers and the Russian government, any kind of coordination or cooperation going on between them. And we have got not a mumbling word, not one syllable.

HAYES: I want to play for you something that Donald Trump said tonight in Wisconsin. He`s having a rally in Wisconsin. He appeared there with Senate candidate Ron Johnson, your colleague in the Senate, not in the House, and Scott Walker, the Republican governor. He threatened a constitutional crisis if Hillary Clinton were elected. Take a listen.

(BEGIN VIDEO CLIP)

TRUMP: If she were to be elected, it would create an unprecedented constitutional crisis and the work of government would grind to an unbelievably unglorious halt.

(END VIDEO CLIP)

HAYES: You know, this strikes me as essentially a promise from the Republican Party that I think is sort of aimed at, you know, suppressing enthusiasm among Democratic voters, people believing that basically it`s going to be a disaster and a nightmare because we will make it so if you elect Hillary Clinton.

CUMMINGS: And that is not our way of government in the United States of America. We`re better than that. And when you put out those kinds of statements, I think they`re counterproductive, they`re not patriotic and they go against every single thing our democracy stands for.

And keep in mind, those kinds of words I think played right into the hands of Mr. Putin. No doubt about it. And so I think that the whole idea of telling people, like some of the senators have said, that they would not go along with appointing a Supreme Court justice for four years, those kinds of statements and then the whole announcements by Trump talking about he doesn`t believe in the elections and that they`re going to be rigged unless he wins, all of those things is like a hijacking of our democracy. And I for one will not stand for it. And I don`t think the American people will stand for it.

HAYES: All right, Congressman Elijah Cummings. Thank you, sir. Appreciate your time.

CUMMINGS: Thank you.

HAYES: Joining me now, Hari Sevugan, senior spokesman for the Obama campaign 2008. Now a Democratic consultant. Also as a middle reliever for the Cubs, but got left off the playoff roster.

All right, Hari, so you know Democrats, you know liberals, they get panicky.

HARI SEVUGAN, SENIOR SPOKESMAN, OBAMA CAMPAIGN 2008: Yes.

HAYES: So let`s start with the map. So you got this situation now where you got -- this is sort of a quadrennial tradition in which the Republicans said they`re going to campaign in blue states. Mitt Romney had a Minnesota visit. There was a huge rally in Pennsylvania. It didn`t work out for him. You got something similar this time around. And the question is, is this a head fake or is there real softness in a state like Michigan that Hillary Clinton herself is going to on Friday?

SEVUGAN: Well, listen, you know, the president visited Wisconsin in 2012, Bill Clinton was in Pennsylvania the day before the election in 2012. It`s smart for Democrats to really solidify their base and get to 270. I don`t see that as really any worry about Michigan. What I do think is needed is really rallying some enthusiasm, especially among African-American voters. I think that`s part of what this Detroit trip is about.

But you`re right, Chris. I mean, like, Democrats are bed-wetters and not unlike, you know, Cub fans and I can speak as both a Democrat and a Cub fan, we tend to worry. But the thing here is we have to go back and look at the fundamentals of this race.

The fundamentals of this race really are exactly the same. The map is exactly the same. We start out with 242 electoral votes if we win every state that we`ve won for the last six elections. That gives us a lot and past 270. The demographic map in each of these swing states is very much in our favor and moving more and more so.

And finally our organizing advantage is tremendous over Donald Trump. So we know based on the work and investment that we put in the data and our field and our organizing efforts, we know who the voters we need to reach are, we know the ones that have voted early, we know the ones that we need to turn out on Election Day. So, you know, the structure that Democrats have in place should give us great confidence just like the cubs starting staff did.

HAYES: Who -- OK, right. But to extend the metaphor, right, then bad stuff can happen. So if that`s the sort of structural advantage, right, I mean.

SEVUGAN: Right.

HAYES: For instance, one of the things we`ve seen is we have seen lower levels of African-American turnout in early voting in the states of Florida and North Carolina. Now North Carolina, much of that can probably be ascribed to the fact that early voting was cut back in predominantly black areas shockingly by the Republican government. But there is also a question about an enthusiasm gap and obviously this is the first time the Democratic Party is trying to preserve the Obama coalition without the first black president.

SEVUGAN: Right. No, that`s absolutely true. I do think there`s some cause for concern around African-American turnout in enthusiasm, we`re seeing that in a little bit of the numbers. But at the same time we`re seeing -- especially in these early vote numbers Democrats have pumped up their registration numbers and are turning out Hispanic voters, Asian voters at unprecedented rates. And so if you look at a state like Florida where as of Saturday or the equivalent Saturday four years ago, we`ve got 660,000 Democratic votes.

We have 1.4 million Democratic votes already in the bank, right? Same thing in Nevada where turnout is up, in Colorado where Democratic turnout outpaces Republican turnout in the early vote by 30,000 votes already. So yes, we do need to look at African-American voters and ensure that we`re able to drive out our base for the next seven days, but we`ve also identified other groups that are moving forward and actually producing votes.

HAYES: All right. Hari Sevugan who will be very happy when he checks his phone after this interview. Thank you very much. Appreciate that.

Coming up, why the constant flow of outrageous behavior from the Republican nominee doesn`t seem to have any lasting impact on his polling. Michael Moore joins me to talk about that after this two-minute break.

(COMMERCIAL BREAK)

HAYES: Amid all the talk of tightening polls, a reminder this race has been remarkably consistent in a certain way even if not particularly steady, even if the news has been otherwise. Every time the Republican nominee has done or said something seemingly beyond the pale from attacking a federal judge over his family`s Mexican heritage to starting a feud with the family of a fallen soldier, to mocking a former Miss Universe`s weight, even getting caught on tape bragging about sexual assault then having 12 women come forward and accuse him of sexual assault.

Every time Donald Trump has said or done something that would have ended any other candidate`s White House bid, the polls soften for the a period of time, but then they return to the status quo.

Our next guest has a theory as to why that`s happening. Joining me now documentary film maker Michael Moore. His latest "Michael Moore in Trumpland" is playing in select theaters and also available on iTunes.

And you`ve got this line about him being a Molotov cocktail. Right? And it`s -- and I think it jives with things I`ve heard from Trump voters and even folks who are not super hardcore Trump voters, which is people acknowledge his flaws. I mean, there`s a certain hardcore that have, like, a personality cult, but a lot of them are just like yes, he says dumb stuff.

MICHAEL MOORE, FILMMAKER: Right.

(LAUGHTER)

HAYES: Right. Like they would tell you that.

MOORE: Right.

HAYES: You said he`s like a Molotov cocktail. And then Donald Trump tweeted at you, "I agree, Michael. To all Americans, I see you and I hear, I am your voice. Vote to drain the swamp."

MOORE: Yes. Well, you know, there`s one thing about him. He has no filters. And the fact that he would acknowledge what I`m trying to point out to people, that he is intending to blow up the system.

HAYES: Right. You`re right.

MOORE: He tweets me, he`s a self-acknowledged anarchist who plans to go in there and just blow things up. So I think this is something that we need to be very concerned about.

The other part of this, though, too, is all those things you listed about every time something bad happens to him, he dips for a second, but then he just gets stronger. I can`t remember the name of that science fiction film from the `50s, but the creature --

HAYES: Right.

MOORE: Any time any negative energy.

HAYES: Right.

MOORE: Comes at him, it just makes the creature stronger.

HAYES: Although it doesn`t -- he`s not that he gets stronger. It`s that he returns to this kind of base of support. Right?

MOORE: Yes.

HAYES: Like it`s not like he gets -- he`d got --

MOORE: Well, that`s true. Yes. And what happened with Comey, you know, he hasn`t really picked up any new votes from that, she hasn`t really lost any. I think the real danger of what the FBI director did is that her -- and I hear this now, I`ve been out, you know, in the states in the last few days.

HAYES: Right.

MOORE: Her support, a small percentage of it has weakened in the sense that they`re still going to vote for her but --

HAYES: This enthusiasm.

MOORE: It`s a totally --

HAYES: It`s like it`s this bummer idea. Right?

MOORE: Correct.

HAYES: It`s the bummer.

MOORE: The bummer, it`s like, OK, yes, I`m still voting for her.

HAYES: Right. And it`s also -- it strikes me as awesome for folks that lived through the `90s. Right? It`s a sort of reminder of the sort of like Star Chamber Spanish inquisition.

MOORE: Yes.

HAYES: Kind of treatment of Bill Clinton.

MOORE: Right.

HAYES: And this idea in the back of your head even if you`re a partisan Democrat or a liberal or you`re supporting her, like, oh, my god, this is going to be the next four -- that`s part of it, too.

MOORE: Well, even people who support her or vote for her are going to go, I can`t believe she did --

HAYES: Right.

MOORE: And I go, like what? What did she do? What did she have to do with Anthony Weiner?

HAYES: That`s right.

MOORE: You know? It`s like -- she has nothing to do with him. Why are we talking about this? Why does he have anything to do with this? But it`s - - I just think that, you know, I watched on "MORNING JOE" this morning, they played this "The Way We Were" theme song.

HAYES: Right.

MOORE: Underneath all these Democrats who three months ago were praising Comey and --

HAYES: Right. Right.

MOORE: You`re the greatest thing since sliced bread. If I could take you home and marry you, I would, Comey, I love you. And then it`s like, oh, oh.

HAYES: But that -- I mean, that is part of the fundamental dynamic here and something you talk about in Trumpland, it`s something I think that you -- but I think you have a really interesting perspective on because I think you -- I think you find the polarization, the partisan polarization in the country unnerving and upsetting even if you have very strong political views, right? So I don`t think you think of yourself as some centrist, but I think you think that the degree to which we`re in this sort of partisan corners is upsetting.

MOORE: Well, it`s -- no, I think it`s OK. I think we -- I have strong feelings about the things I believe in.

HAYES: Right. Right.

MOORE: And those who don`t believe in what I believe in and feel strongly, but we`ve lost our way in the sense that we can just have the great debate and then get on with it. The Republican candidate has said that if he loses the debate, if he loses the vote, he`s essentially called for inciting riots, which I think is still against the law.

HAYES: Right.

MOORE: You know? This was a law that was set up mainly against unions and black people and, you know, lefties. But I think the -- I think the FBI director should be paying him a visit asking him what are you actually intending on November 9th should you lose? What are you telling the people?

HAYES: Right. Although we -- right. But we also don`t want -- look.

MOORE: No, we don`t want -- I don`t want him arrested or anything.

(CROSSTALK)

HAYES: A candidate to be hemmed in by the FBI director.

MOORE: No. No. But if he`s planning for -- he`s planning for riots, we need to plan for them ourselves.

HAYES: Look, I don`t think he`s planning on riots. I think -- what I think has happened is this sort of consistent undermining of the notion of the integrity of the process. Right? I mean, that has been the sort of common theme. If I`m losing, then it`s rigged, right?

MOORE: Yes. Yes. Well, listen, I think -- listen, here`s -- my big concern right now is that -- and especially with this ABC poll out today where he`s ahead by a point, I know -- just walking in here, liberals on the streets of New York, Mike, Mike, what are we going to do? I said, man, come on, buck up a little bit here. You know, yes, it`s -- yes, treat it - - I`ve been saying this for months, right? Trump can win.

HAYES: Right.

MOORE: I`ve been one of the few on the left that`s been saying this.

HAYES: Right. Right.

MOORE: OK. Now everybody gets it.

HAYES: Right.

MOORE: Nobody is sitting back watching us right now going, oh the heck with all this.

HAYES: That`s right. Complacency.

MOORE: Right? None of that anymore.

HAYES: Right.

MOORE: So we`re done with that.

HAYES: Right.

MOORE: Now let`s get excited about the fact that we live in a very liberal country. You go down any of the issues, the majority of our fellow Americans agree with us.

HAYES: Right.

MOORE: Climate change, paying women the same, et cetera, et cetera.

HAYES: And possibly poised on the six and seven -- six out of seven national elections, presidential elections with a Democratic plurality majority.

MOORE: Yes. Right.

HAYES: I want to --

MOORE: And two of those elections, by the way, our fellow Americans voted for a guy whose middle name was Hussein.

HAYES: Was Hussein. Who is a good segue because he said something today that echoed something you`ve been saying about how men feel about the first woman president. I want to play that for you if you`ll around.

MOORE: Sure. Sure. Yes. Yes. Thanks. Yes. Great.

HAYES: Great. Right. Stay with us.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

BARACK OBAMA, PRESIDENT OF THE UNITED STATES: Hillary Clinton is consistently treated differently than just about any other candidate I see out there. I want every man out there who is voting to kind of look inside yourself, and ask yourself, if you`re having problems with this stuff, how much of it is, you know, that we`re just not used to it?

So that, you know, like, when a guy`s ambitious and out in the public arena and working hard, well, that`s OK. But when a woman suddenly does something, why is she doing that?

(CHEERS)

OBAMA: I`m just being honest. I want you to think about it because she is so much better qualified than the other guy.

(END VIDEO CLIP)

HAYES: President Obama in Columbus, Ohio, earlier asking men to think about whether they are being sexist when it comes to scrutinizing Hillary Clinton.

Still with Michael Moore.

I thought it was an amazing moment for the president, sort of saying to men out there, ask yourself if you`re having some reaction to Hillary Clinton, what that`s about.

MOORE: Yes, what is that about? Well, I`ll tell you what it`s about. It`s the muscle memory of 10,000 years that`s in our DNA when we`ve run the show forever. And now in the most powerful country on earth, next Tuesday possibly, hopefully, a woman is going to lead the most powerful country on the earth. In other words, the 10,000-year reign is over.

HAYES: Right.

MOORE: And come on, I mean, give some of these guys a bit of -- a little bit of empathy here. It`s a bit of an adjustment to have it be one way for 10,000 years.

HAYES: Right.

MOORE: 250 years in this country.

HAYES: Although that`s isn`t -- that`s -- I mean, look --

MOORE: And now --

HAYES: I know this is sort of a slightly comedic conceit on your part.

MOORE: Yes.

HAYES: But, I mean, that is an oversimplification, obviously, right?

MOORE: No, I don`t think so. First of all, when you say oversimplification in men, you`re being slightly redundant. Let`s just be honest with men of our own gender here. It`s -- guys have got about a week to wrap their heads around the fact that Hillary Clinton is going to be president of the United States and this is going to be good for us.

Guys, seriously, guys, if you`re watching, this is really good. Let women run the show. It`s going to be a lot less stress on us. They live three years longer than us.

HAYES: But this is -- I`m sorry.

MOORE: You`re going to get the (INAUDIBLE) extra years now. Come on.

HAYES: I feel like this is the sort of Mars-Venus shtick, right? About, like, where it`s like, to me it`s more about the fact that we`re all independent-thinking citizens.

MOORE: Yes. Yes.

HAYES: And we should be making judgments about who we think are the best - -

MOORE: Yes. We should, but we`re still guys. See, I mean, there`s no -- there`s no getting around that.

HAYES: I know, but this feels like --

MOORE: Even though we all -- all of us guys have a little bit of estrogen in all of us.

HAYES: Yes.

MOORE: Right?

(CROSSTALK)

HAYES: But this feels like -- look, I guess my point is, there`s a certain amount of male privilege, right?

MOORE: Yes.

HAYES: This acclimation --

MOORE: Certain amount? Like yes.

HAYES: Yes. A huge amount, right?

MOORE: Huge. Yes.

HAYES: And there is this -- like, you can feel the palpable crisis of --

MOORE: Yes.

HAYES: Masculine authority happening in this election. You could feel it.

MOORE: Yes. And you know what, they`re going to have to get over it just like I`m old enough to remember signs that said "whites only" and "colored only." And those people had to get over it.

HAYES: Right.

MOORE: When segregation ended, when -- I mean, I grew up at a time when the N-word was used as often as you would say the word Kleenex. So that`s the era I grew up in as a child. That`s -- those people had to change.

HAYES: Right.

MOORE: The future came in. Everything moved forward. You can`t -- these men are not going to be able to stay this way. They`ll get on board the train.

HAYES: Yes.

MOORE: And they`ll realize that actually having women, having a say in what`s going on, makes the planet -- makes your life actually better.

HAYES: The movie is "Michael Moore in Trumpland." Available now in iTunes and in select theaters.

MOORE: And may I just add. As we close.

HAYES: Yes.

MOORE: Cubs fan, Chris Hayes, has a 200-inch -- I`m going to film this. 200-inch screen over there.

HAYES: Why are you blowing up my spot, Michael Moore?

MOORE: He has like the -- he has like -- look at this. Look at this.

HAYES: Almost certainly illegal to show.

MOORE: Look at this. He has a marching --

HAYES: We have no express written consent.

MOORE: The world --

(CROSSTALK)

HAYES: All right.

MOORE: The man loves the Cubs.

HAYES: Thank you, thank you, thank you.

MOORE: God bless him.

HAYES: Thank you for snitching. Michael Moore. Coming up --

MOORE: Vote for Hillary.

HAYES: Why a judge just ruled the RNC must explain their ballot security plan. More on that after this break.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

TRUMP: Go down to certain areas and watch and study and make sure other people don`t come in and vote five times.

So important that you watch other communities because we don`t want this election stolen from us.

Take a look at Philadelphia what`s been going on. Take a look at Chicago, take a look at St. Louis.

(END VIDEO CLIP)

HAYES: It is perfectly legal for presidential campaigns and political parties to send observers to the polls on election day to help, say, track which supporters have already voted, make sure election law is being followed and offer general assistance to voters. What is generally not legal is to send people to polls in order to intimidate certain voters in order to suppress turnout among a particular group, according to a legal ruling, is precisely what the Republican Party in New Jersey in1981 when it deployed off-duty law enforcement officers to polling places in minority districts wearing arm bands reading national ballot security task force and in some cases visible firearms. Democrats sued and as part of a so-called consent decree still in place to this day, the RNC in 1982 agreed to refrain from a number of tactics that could be used to intimidate voters.

But Donald Trump and his allies have been flirting with precisely with those sorts of tactics. Trump telling his mostly white supporters to monitor polling places in cities with largely black populations. And you can sign up on his website to be a Trump election observer and, quote, help me stop Crooked Hillary from rigging this election.

Trump ally Roger Stone planning to deploy volunteer poll watchers to a largely nonwhite polling places where they plan to videotape voters and conduct fake exit polls. Stone`s group even allowed poll watchers to print out official looking ID badges, though after questions from the Huffington Post, Stone took down that function.

Here`s Stone telling conspiracy theorist Alex Jones why he plans to conduct the fake exit polls.

(BEGIN VIDEO CLIP)

ROGER STONE, TRUMP SUPPORTER: The Clintons fear this program because they would like to, you know, get away with the perfect crime. Rigging the machines would be the perfect crime. And therefore, this really threatens them because it is the only tangible proof we may have of the hijack.

(END VIDEO CLIP)

HAYES: There is, of course, no basis for that accusation whatsoever. Democrats have now filed federal lawsuits against Trump, Stone and state Republican parties over intimidating voters in four states. They`re seeking, among other things, to block volunteer GOP poll watchers from harassing or photographing people and prevent aggressive question of voters waiting to cast their ballot.

And in a separate case, a federal judge is ordering the Republican National Committee to detail any agreements it has with Trump`s campaign to engage in, quote, ballot security efforts. After both Mike Pence and Kellyanne Conway indicated the Trump campaign was working with the RNC to monitor polling places in potential violation of that same consent decree.

Here`s Pence spelling it out in August.

(BEGIN VIDEO CLIP)

GOV. MIKE PENCE (R-IN), VICE PRESIDENTIAL CANDIDATE: The Trump campaign and the Republican National Committee are working very, very closely with state governments and secretaries of states all over the country to ensure ballot integrity.

(END VIDEO CLIP)

HAYES: Joining me now, Judith Browne Dianis, she`s executive director of the civil rights organization the Advancement Project, which is currently on the ground in Florida, Ohio, and Georgia working to prevent voter intimidation. And Judy, let`s start with this. So, you`ve got -- people can go to polling places to watch, right, campaigns, lawyers, different people can go there. It`s a public place. What were the kinds of activities that were being engaged in that led to that consent decree that tipped something over from being an observer to essentially engaging in voter intimidation?

JUDITH BROWNE DIANIS, ADVANCEMENT PROJECT: In 1982 or in 1981, the election, actually what they were doing was that they put law enforcement at these polling places, and they targeted black and Latino polling places in New Jersey. And so just by force of those officers being there with badges and, you know, calling this program ballot security program when in fact, you know, their ballot security is what we would call intimidation. And they targeted voters of color.

HAYES: right.

DIANIS: And then fast forward 2004 one of the things, the Advancement Project, my organization, we actually intervened in that case because the RNC and the state parties, including the state party in Ohio, had started conspiring again to do another ballot security program. And what happens is because that court order is still in place the GOP has to go to New Jersey and get approval of that court before they engage in any kind of ballot security program. They hadn`t done it in 2004 and I`m sure they haven`t done it this time.

HAYES: So, they had to go before a federal judge and say, hey, look, this is our plan, does this violate the consent decree? We don`t think it does, but you have to basically tell us if it does.

DIANIS: That`s right. But doesn`t want to make sure that they are not targeting voters of color again.

HAYES: So, I want to play you an example -- this is a little tape that came from Florida, an early voting site, these are Trump supporters outside sort of engaging in hectoring, I guess you would call it. Take a look.

(BEGIN VIDEO CLIP)

UNIDENIFIED MALE: How many Syrian **refugees**, Muslim **refugees** are you taking into your home? I want to ask of you hypocrites. You want somebody else to pay for it. You`re hypocrites.

(END VIDEO CLIP)

HAYES: Now, I want to be clear there, because they`re standing by the signs, right, we know that they`re the legally prescribed distance from the polling place such that basically that`s first amendment protected. We`re talking about people who are actually inside that kind of cordon, and inside polling places, right?

DIANIS: Right, right.

So most states do have laws about how close to the polling place you can get, like a hundred foot rule in many states, 100 feet from the front door. And so, if they have to stand outside of that. And of course, the first amendment does protect them.

But if their actions do get to the level of intimidating people or threatening people, that is where they have violated the law. The other thing is that we have to be careful about people who are inside the polling place, right? So poll watchers, and in many states there are rules by which they have to sign up to be poll watchers.

And then they can`t be inside intimidating voters either.

HAYES: Right, you can`t have people sort of just walking up to voters and saying, hey, are you registered? Let me see your ID? I mean, that would - - you can`t do that, right? Just to be clear.

DIANIS: That`s right. No, we cannot have havoc and chaos in the polling place. And so those are the kinds of things that we`ll be looking out for on election day as part of the election protection coalition because while we`re protecting voters, they are so-called protecting the ballot. And we want to make sure that people don`t get threatened and intimidated in the process.

HAYES: All right, Judith Browne Dianis, thanks for being with me tonight. Appreciate it.

DIANIS: Thank you.

HAYES: Still ahead, Republicans now suggesting they`ll hold the open Supreme Court seat hostage for four years if Clinton wins. More on that ahead.

But first, tonight`s Thing One, Thing Two starts right after this break.

(COMMERCIAL BREAK)

HAYES: Thing One tonight, it`s undeniable that a single social media platform is having an influence on this presidential election. Just consider one of Hillary Clinton`s most memorable lines at the DNC , a line the president even reiterated today.

(BEGIN VIDEO CLIP)

OBAMA: I think Hillary made a pretty good point. A man you you can bait with a tweet is not somebody you want to trust with nuclear weapons.

(END VIDEO CLIP)

HAYES: Twitter.com has driven stories this election. For instance, that time Trump retweeted someone with a handle @whitegenocide leading to questions about just who makes up the Trump electorate.

Or when Donald Trump lashed out and disparaged Alicia Machado after the first debate, keeing the story in the headlines. Check out sex tape.

And for a candidate who has never served public office, Twitter has served as a public record after Trump denied calling climate change a hoax in the first debate, fact checkers pointed to several times in which Trump in fact called global warming a hoax.

But given the prominent role Twitter has played in this election it`s easy to forget how relatively young the platform is. President Obama is the first president to even have a Twitter account in the Oval Office, his very first tweet Coming in May of 2015. "six years in they`re finally giving me my own account."

All this presents a new challenge as the White House prepares. What will become of @potus? That`s Thing Two in just 60 seconds.

(COMMERCIAL BREAK)

HAYES: So, as President Obama prepares to leave the White House, the pressing remains what will become of the president`s tweets and his handle. The White House is on it releasing this comprehensive summary on just what they plan to do with President Obama`s social media presence after he leaves office. The ruling is the @potus handle will remain with the White House and be available to the incoming president. President Obama`s tweets will move over to his own new handle @Potus44, live there as an archive after he leaves office.

Bonus perk, the new president gets to keep the 11.1 million followers already amassed on that account.

But all the existing tweets will be removed on inauguration day giving the incoming POTUS a fresh Twitter feed to fill as he or she pleases.

(COMMERCIAL BREAK)

HAYES: If someone asks you, who are you voting for? You respond with the name of the person you`re voting for -- Mitt Romney, Obama, Trump, whatever, or maybe you say none of your business.

But not if you`re House Speaker Paul Ryan. Just to be clear, when Donald Trump attacked Judge Gonzalo Curiel because of his Meican heritage Ryan said claiming a person can`t do their job because of their race is sort of the textbook definition of a racist comment. And after Donald Trump`s sexual assault bragging Access Hollywood tape was released Ryan told his caucus he would no longer defend Trump or campaign with him. Even prior to that, Ryan`s endorsement of Trump was slow in coming, ut now Ryan is basically saying this person, who he cannot bring himself to name, should be the most powerful person in the world.

(BEGIN VIDE OCLIP)

REP. PAUL RYAN, (R) WISCONSIN: I stand where I stood all fall and all summer. In fact, I already voted here in Jamesville for our nominee last week in early voting. We need the support our entire Republican ticket.

UNIDENITIFIED MALE: So, you voted for Donald Trump and you`re encouraging Republicans and Democrats and independents, anybody who will listen, to vote for Donald Trump to stop what you`re talking about, the Clinton corruption?

RYAN: I am supporting our entire Republican ticket. I have been all along.

(END VIDEO CLIP)

HAYES: He cannot bring himself to say the name of the man that he thinks should control the nuclear arsenal.

Republicans have also for nearlya year now been promoting a made-up rule that they needed to wait until after the election to consider a Supreme Court nominee. Now that they`re worried that Clinton will win, they are formulating a brand new completely untenable position. That`s after the break.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

HAYES: Some are already saying they won`t appoint a ninth Supreme Court justice boasting of their refusal to compromise as if that`s an accomplishment. How does that help you?

(END VIDO CLIP)

HAYES: Not to look too hard for the Republicans President Obama was describing tonight boasting about government obstruction. Take North Carolina Senator Richard Burr up for re-election right now, Republican incumbent in North Carolina, who said this at a campaign event on Saturday.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: In a lame duck session that you guys would appoint a Supreme Court justice?

SEN. RICHARD BURR, (R) NORTH CAROLINA: Well, my answer to you would be it isn`t going to happen. Period. And if Hillary Clinton becomes president, I`m going to do everything I can do to make sure that four years from now we still got an opening on the Supreme Court.

(END VIDEO CLIP)

HAYES: Burr is not alone in this. Senator Ted Cruz said, quote, there is certainly long historical precedent for a Supreme Court with fewer justices, that`s a debate that we`re going to have. And prior to that John McCain said that Republicans would be united against any Hillary Clinton nominee before suggesting that hearings would be had.

Now, it`s woth taking a step back to realize just how remarkable this is. Justice Antonin Scalia died with 340 days left in the sitting president`s term. And the Republican party announced it would take the entirely unprecedented step of not granting this sitting president`s nominee Judge Merrick Garland a hearing because Republicans had invented a new rule saying that in the final year of the president`s term they could refuse to give a hearing to the president`s nominee because the American people had to weigh in.

(BEGIN VIDEO CLIP)

UNIDENITIFIED MALE: The American people should be afforded the opportunity to weigh in.

UNIDENTIFIED MALE: We think that the American people need a chance to weigh in on this issue.

SEN. MITCH MCCONNELL, (R) KENTUCKY: Let`s let the American people decide.

UNIDENITIFIED MALE: It ought to be put off, put off until after the election.

SEN. TED CRUZ, (R) TEXAS: This should be a decision for the people, George. Let the election decide it.

(END VIDEO CLIP)

HAYES: OK. Very clear, let the election decide.

Now as we approach the election, the possibility they will lose this election looms, some Republicans are now changing their story and saying that even after they declared the election a referendum on the Supreme Court vacancy, they may ignore the result if it doesn`t go their way and proceed to take a sledgehammer to American constitutional traditions.

Joining me now Sabrina Siddiqui political reporter at The Guardian, MSNBC contributor Charlie Sykes, radio talk show host.

Sabrina, let me start with you. I`ve been having this debate for months now. I have been saying the Republicans will block a Hillary Clinton nominee if in fact she wins. And people said, you`re crazy. They`re going to have to come around. You`ve been doing some reporting on this. What are you hearing?

SABRINA SIDDIQUI, THE GUARDIAN: Well, I think there is a split that`s emerging and in part because you have a faction of Republicans who are creating this new litmus test that if you`re a true conservative you`re going to block any nominee that a potential Clinton presidency puts up.

You know, I spoke with Marco Rubio about this topic. He wasn`t willing to go as far as Ted Cruz and Richard Burr. He said he`s not going to predispose, is the word he used, any nominee appointed by Clinton to that kind of test, implying that they might get at least a hearing. And then you have Jeff Blake who has actually said we should just confirm Merrick Garland in the lame duck because Clinton will probably appoint a more liberal justice.

But the point here is the big question for Republicans is where do they want to go after this election and how do they want to resolve what we call Trumpism if in fact Hillary Clinton wins and this is how they created Trumpism by putting up promises that they were never going to be able to keep.

And, you know, if you are going to say we are not going to fill a Supreme Court vacancy for a period four years that`s not a tenable position and that`s precisely what will cause that kind of grassroots uprising that prompted people to select Donald Trump.

HAYES: What do you think of that theory, Charlie?

CHARLIE SYKES, CONSERVATIVE RADIO SHOW HOST: Well, listen, I think this obstructionism is almost inevitable. This is going to be the new dividing line in the Republican civil war. This will be a litmus test for anybody in 2020.

You know, I try to imagine how American politics would be different if Republicans would say, OK, we`re not going to overturn Row versus Wade, and Democrats would say we`re not going to overturn Heller.

But right now, look, there`s a reason why Republicans -- so many Republicans are rallying around one of the most repellent human beings ever to run for president of the United States. And the argument that I hear over and over and over again is we, well, but the Supreme Court. We have to save the Supreme Court.

So, this has now become the red line for conservatives and for Republicans. And if Hillary Clinton limps into that office, I think you can expect this ugly campaign to be followed by years of obstructionism. The weaker she is, the more emboldened they will be to hold the line on this issue.

HAYES: You know, I hear the same thing. There`s two things I would say. One is it`s remarkable that they`ve sort of bootstrapped this, right. So, basically they`ve said we cannot -- we absolutely cannot confirm Merrick Garland who, of course, has been praised by Hatch, is widely respected as a centrist jurist, et cetera. We have to keep the seat open. Then that becomes the reason to vote for what you just described, in your words, one of the most repellent human beings ever to run for office, because of the Court.

And now you have the escape hatch essentially being drilled into the back, which is...

SYKES: Yeah.

HAYES: Sabrina, think about what Burr is saying. And I want people to be clear about this, they are suggesting essentially a die-off on the Supreme Court. I want the be very clear. To say that we will keep that seat open is to say we hope the actuarial charts catch up with some of the Democratic appointees and they die so things can even up. That is what is implicit in that promise.

SIDDIQUI: Right. And Chris, the last that time you had a vacancy that was as prolonged as they`re suggesting was actually for over two years, about two years and three months. And that was in 1844. You have Ted Cruz saying there`s a historical precedent for having less than nine justices. For 150 years the composition of the Supreme Court has been to have nine members on the bench.

It is important, however, to note that Senate Republican leadership is not voicing support for this plan. In fact, Chuck Grassley who chairs the senate judiciary committee he tried to take it down a notch and say, look, I have said that the next president will be the one to appoint a nominee and I`m sticking to that commitment that I made, otherwise I would be going back on my word. And that`s notable.

HAYES: To Charlie`s point -- yeah.

SYKES: The pressure will be overwhelming. You know, Donald Trump and Steve Bannon, they`re creating this grievance movement. This will be their hot button. Ted Cruz needs to make himself relevant again. He needs an issue to set himself up. This will be his issue. The pressure will be overwhelming, particularly because conservatives and Republicans have convinced themselves -- I mean, think how many things they have given up. Think how many things they have embraced, think how many things they have enabled and rationalized by telling themselves it`s the court, it`s the court, it`s the court. That`s not going to go away after the election.

HAYES: That`s a great point. So, ex post facto psychologically, it`s like, you`ve done all these things to get yourself to support this person. You can`t just give it up.

SYKES: Right.

HAYES: And I think, Sabrina, to Charlie`s point, I mean, I agree there`s a split right now among the leadership and of course this may never come to pass because Donald Trump could be elected president and the Senate will -- if it`s a Republican-controlled Senate, probably confirm his nominee.

But this split I think is indicative of this sort of deeper thing which is just that the pressure of Trumpism if Trump doesn`t win is going to move into that body very quickly.

SIDDIQUI: Absolutely. And that`s why you see this jockeying, as Charlie mentioned, where Ted Cruz wants to find an issue where he can elevate himself again, curry favor among those grass roots conservatives whose support he may have lost with, you know, wavering on the endorsement of Donald Trump.

But ultimately, this is going further than ideology. This is essentially denying a democratically elected president, if it is Hillary Clinton, of fulfilling the obligations as president and they did that to Obama, too, obviously who was re-elected in 2012. And as you mentioned, there were more than 300 days when Antonin Scalia passed away for him to fill that vacancy.

HAYES: Right, Sabrina Siddiqui and Charlie Sykes, thank you both.

That is All In for this evening, the Rachel Maddow show starts right now.

**NEW\_DOCUMENT\_HERE**

Chris Hayes

9003 speakers\_end

CHRIS HAYES, MSNBC HOST: Thanks for being with us. "ALL IN WITH CHRIS HAYES" starts right now.

(BEGIN VIDEOTAPE)

HAYES: Tonight on "ALL IN" --

HILLARY CLINTON, (D) PRESIDENTIAL CANDIDATE: Why in the world the FBI would decide to jump into an election with no evidence of any wrongdoing with just days to go.

HAYES: FBI Director James Comey under fire.

WILLIAM WELD, (Lib) VICE PRESIDENTIAL CANDIDATE: Ten days to go? I think it`s disgraceful.

HAYES: Criticism coming from across the political spectrum.

REP. JIM JORDAN, (R) OHIO (through phone): I think this is probably not the right thing for Comey to do.

HAYES: But is the FBI decision actually impacting voters? We`ll breakdown the state of the race with over 23 million votes already cast.

Plus, from lock her up to --

GEORGE LINDELL, DONALD TRUMP SUPPORTER: Jew-S-A! Jew-S-A!

HAYES: A look at who makes up the Trump coalition.

BOBBY KNIGHT, DONALD TRUMP SUPPORTER: In a Donald Trump administration, there will be no bull (bleep).

HAYES: And what`s wrong with this picture? A Halloween tricks and treats.

(END VIDEOTAPE)

HAYES: "ALL IN" starts right now. Good evening from New York. I`m Chris Hayes. Happy Halloween.

Breaking news tonight. New revelations about the role of political considerations in decision making at the FBI.

Our colleagues on NBC News report the FBI has been conducting a preliminary inquiry, not yet a full-blown investigation, into former Trump campaign manager Paul Manafort`s foreign business ties. Manafort denies any connections to Putin or the Russian government, telling NBC there is no investigation.

Also today, a report from CNBC sourced to a former FBI official that Director James Comey kept the FBI from signing on to an interagency statement blaming Russia for recent political hackings. Comey reportedly felt it was too close to the election. A second source later confirmed that same story to "The Huffington Post."

Now, this all comes as Comey faces growing backlash for his decision three days ago to announce that the Bureau had discovered a new trove of e-mails belonging to top Clinton aide Huma Abedin, e-mails discovered during an investigation into Abedin`s estranged husband, Anthony Weiner, for allegedly sending elicit texts to an underaged girl.

Eight days until the election, a week and a day, we still have no idea what`s in those new e-mails. We don`t even know if they have anything whatsoever to do with the original investigation of potential classified information on Hillary Clinton`s private e-mail server.

According to "The New York Times," the FBI has now began to review Abedin`s e-mails after obtaining a search warrant last night, but it remains unclear if they are finished before Election Day.

What little we do know about the e-mails and about the decisions to make them public 11 days before the election has come largely from leaks to the press.

On Saturday, Fox News obtained an internal memo from Comey to the FBI in which he explains his thinking and acknowledges potential consequences, quote, "Given we do not know the significance of this newly discovered collection of e-mails, I don`t want to create a misleading impression. In trying to strike that balance in a brief letter and in the middle of an election season, there is significant risk of being misunderstood, but I wanted you to hear directly from me about it."

Anonymous sources told "The Washington Post" Comey had two main reasons for making the disclosure, a sense of obligation to lawmakers he testified before this summer and a concern that word of the new e-mail discovery would leak to the media and race questions of a cover-up.

According to a reporting by "The Wall Street Journal," and others, the Clinton probe has been the subject of an internal feud at the FBI, some investigators pushing for a more aggressive approach. And it`s been widely reported that, in disclosing the new e-mails, Comey acted against the guidance of his boss, Attorney General Loretta Lynch, and against Justice Department policy.

Earlier today, Clinton addressed the controversy during a campaign stop in Cleveland, Ohio.

(BEGIN VIDEO CLIP)

CLINTON: I`m sure a lot of you may be asking what this new e-mail story is about and why in the world the FBI would decide to jump in to an election with no evidence of any wrongdoing with just days to go.

(APPLAUSE)

CLINTON: That`s a good question. And I am sure they will reach the same conclusion they did when they looked at my e-mails for the last year. There is no case here.

(APPLAUSE)

(END VIDEO CLIP)

HAYES: Meanwhile, Comey`s prediction about the, quote, "risk of being misunderstood" has already come true, with Donald Trump out on the campaign trail wildly distorting the little that is known about Abedin`s e-mails.

(BEGIN VIDEO CLIP)

DONALD TRUMP, (R) PRESIDENTIAL CANDIDATE: This is the biggest scandal since Watergate. 650,000, you know what I call that? That`s the mother load. That`s some -- I think you`re going to find the 33,000 that are missing, the 15,000 that are missing, the backs that are missing two weeks ago. You know, they had boxes of e-mails missing two weeks ago. I think we hit the mother load, as they say, in the good old mining industry.

(END VIDEO CLIP)

HAYES: To clarify, it`s been wildly reported investigators found a total of 650,000 e-mails belonging to Weiner and Abedin going back years, their e-mail accounts. What is not known at all is how many of those, if any, if a single one, have to do with Clinton or the State Department, much less if any of them came from Clinton herself.

While Trump is praising the FBI Director saying it took guts to come forward, there`s been a growing backlash against Comey from Democrats, fellow law enforcement officials, even Trump`s own political allies.

Former Attorney General Eric Holder published a column in "The Washington Post" calling Comey a man of integrity and honor but saying he has committed a serious error with potentially severe implications. Former Justice Department and White House officials from both sides of the aisle have offered similarly damning assessments of Comey`s conduct, as has no less a figure than Karl Rove. Current Fox News Host Bill Hemmer is saying Comey was wrong in July and was wrong on Friday.

It`s been everyone from Libertarian V.P. candidate Bill Weld, formerly Republican governor of Massachusetts to Alberto Gonzalez, the A.G. under George W. Bush, to Fox Host Jeanine Pirro, an ardent Trump supporter.

(BEGIN VIDEO CLIP)

WELD: I think it`s disgraceful. Ten days to go? I think it`s disgraceful. And I`m outraged by what`s going on here because it`s such a violation of Justice Department policies, procedures, whatever.

ALBERTO GONZALES, FORMER ATTORNEY GENERAL: It was probably inconsistent with protocol. And so, in that sense, you have to question the decision. The protocols are put in place for a reason. It ensures more consistent decision making. It ensures that you take politics out of the decision making. And so, in that sense, you`d have to question this decision.

JEANINE PIRRO, FOX NEWS HOST: Comey`s actions violate not only long- standing Justice Department policy; the directive of a person that he works under, the Attorney General; but even more important, the most fundamental rules of fairness and impartiality.

(END VIDEO CLIP)

HAYES: Even some of the GOP`s most notorious flame throwers have been critical of Comey. Former Congressman Joe Walsh recently tweeted about grabbing his musket if Trump loses the election sent this tweet last night, "Look, I think Comey should have prosecuted her back in July, but what he did 11 days before the election is wrong and unfair to Hillary."

And then there`s sitting Congressman Jim Jordan, a member of the outspoken House Freedom Caucus who`s been floated as a possible replacement for Paul Ryan, in the case of a post-election leadership coup.

(BEGIN VIDEO CLIP)

REP. JIM JORDAN (R), OHIO (through phone): From the get-go, they`ve messed this up. So I actually agree. I think this is probably not the right thing for Comey to do, the protocol here, to come out this close to an election. But it`s consistent. This whole case, I think, they`ve mishandled.

(END VIDEO CLIP)

HAYES: I`m joined now by Senator Sheldon Whitehouse, Democrat, from Rhode Island, a former federal prosecutor. He`s a member of the Senate Judiciary Committee.

And, Senator, let me make the case on behalf of Comey, which was, basically, this would leak. So instead of the Director of the FBI writing a letter, you would have reports popping up from unnamed anonymous officials saying, we found a whole bunch of new e-mails. And then it would look like a cover-up, so he had to do something. What do you think?

SEN. SHELDON WHITEHOUSE (D), RHODE ISLAND: Well, if the Director of the FBI is saying that the FBI is not a safe place for classified information to go or confidential investigative information to go, that`s a problem that he needs to address in a very, very serious way.

There`s a very important public right at stake behind all of this, which is that prosecutors and investigative agencies, like the FBI, get incredible power to look through our personal lives, to look through our papers, to look through our e-mails, and they get that power at the price that they are not allowed to disclose it unless they`re bringing charges.

When I was the Attorney General of my state with broad criminal jurisdiction, when I was the United States Attorney, we had a very clear rule. Any derogatory information that we developed in an investigation had to be listed in the charging document, in the indictment or in the criminal information, or else we didn`t talk about it. And if there were no charges, then we would never divulge derogatory investigative information, least of all opinion about the suspect who had never been charged.

So Director Comey broke that rule right off the bat with his first press conference.

The second bright red flag is that you don`t engage with the legislature. He had no obligation to Congress to clarify anything. Once a prosecutor goes down the rat hole of trying to make sure that Congress thinks that what he`s doing is fair, there`s no going back. And Congress is perfectly able to manipulate that by denying its approval, by false criticism.

And so Comey is caught in a terrible trap now of his own making, and it`s stunning to people who are prosecutors if someone as experienced and honorable as him would`ve fallen into this trap.

HAYES: It`s fascinating to hear that from a member of the Article 1 branch, a U.S. Senator to say that this idea of sort of bending the Congress or being worried that he was misleading the Congress, you don`t think that`s a legitimate concern in this case?

WHITEHOUSE: That`s totally not a legitimate concern. Of all of the people that investigators involved in a criminal investigation should be concerned about, they have no obligation to Congress. What they have an obligation to is to the integrity of their investigation. And the integrity of their investigation includes keeping information confidential --

HAYES: Yes.

WHITEHOUSE: -- and within the investigation until it`s charged. You don`t get to be a smearer at large with derogatory information, and that`s what that rule is designed to protect against and that`s the trap that Director Comey fell into. And it`s astonishing.

HAYES: What`s so insane to me, and I`ve got to give kudos to the reporting team at NBC News that reported this Paul Manafort inquiry, but it`s the same problem there, right? I mean, this stuff should not be leaking. I mean, we`re journalists. We want to get information so it`s our job to go get it but from this sort of ethical standpoint about the sort of solemn duty.

I mean, what was crazy to me was, after the Comey letter, you then have three straight news days of articles still with nothing but warring factions of the FBIleaking info without an investigation anonymously and essentially prosecuting this in the court of public opinion and shredding any sort of presumption of innocence that might have existed.

WHITEHOUSE: This is a terrible week for the FBI. I have never seen the agency with such indiscipline, with such disregard for these basic prosecutorial principles. And ultimately, when the dust settles, whether it`s Donald Trump or Hillary Clinton, the institution that`s going to suffer the most will be the Federal Bureau of Investigation for having broken these very, very basic principles of fairness and of prosecutorial conduct.

HAYES: All right. Senator Sheldon Whitehouse, very strong words. Thank you for making the time, and I appreciate it.

I`m joined now by former Michigan Governor Jennifer Granholm, co-chair of Hillary Clinton`s transition team, and Richard Painter, Chief White House Ethics lawyer under George W. Bush, who published a "New York Times" op-ed yesterday on Comey`s potential abuse of power.

And Mr. Painter, let me start with you. I mean, I read your op-ed. It was somewhat surprising to me, but there does seem to be a kind of collective gasp happening about what we have seen played out in the last three or four days.

RICHARD PAINTER, FORMER CHIEF WHITE HOUSE ETHICS LAWYER: Well, absolutely. The FBI`s job is to investigate, not to play politics. And the FBI not only doesn`t have an obligation to report to Congress but should not be reporting to Congress. And the members of the House Oversight Committee have no business pressuring the FBI to deliver to them information on their political enemies. In this case, Hillary Clinton.

Now, in this situation, it appears that the FBI did not have any derogatory information about Secretary Clinton because they hadn`t even gotten a warrant to look at the laptop. So they didn`t even know what was in there, and yet they are firing this letter up to the Hill telling the members of Congress that they have all these e-mails. That was inappropriate. And not only that, it was a violation of the Hatch Act because the only use of that letter, only conceivable use, is political.

And that`s exactly what was done with it. And it went up on the internet and then they passed the torch to Donald Trump and this is a tragedy for the FBI.

HAYES: I mean, I want to ask you a question, Jennifer, in a second, but let me just follow up on that. I mean, the Hatch Act, of course, is the federal statute that guides essentially that bars political activity essentially while on the federal dollar. It creates bright lines between essentially civil service activity and political activity. It`s a very important part of the kind of civil service architecture of the country. You`re accusing Comey of violating that. That`s a very serious thing to say.

PAINTER: No, I -- well, he did violate it. The members of Congress, they are not subject to the Hatch Act.

HAYES: Right.

PAINTER: Neither is the President. But the President can`t order the FBI or pressure the FBI to investigate his political enemies. Neither can members of Congress. And that`s what`s been going on here, and we`ve had it going on for a year.

And the FBI`s conducted its investigation. They closed the investigation and, by the way, they did not reopen the investigation. I don`t know where that came from. But once this letter was sent, it`s been blown out of proportion in the media. It`s being used for politics, and the Hatch Act prohibits the use of official position to influence an election. And I can`t imagine a worse violation of the Hatch Act than the FBI getting involved in partisan politics in trying to influence elections.

HAYES: Jennifer, the Clinton campaign has been very aggressive on this. You know, they`ve organized several phone calls. They have been public in their frustration and condemnation of James Comey. They have accused him in the wake of the report about him keeping the FBI out of that letter about Russia of a double standard, that he was careful about that, not here.

Is the Clinton campaign sort of taking a sledgehammer to an important American institution in precisely the way that they`ve attacked Donald Trump for doing?

JENNIFER GRANHOLM (D), FORMER GOVERNOR OF MICHIGAN: Well, it certainly not just the Clinton campaign. You`ve got 50 state attorney generals who signed a letter. You`ve got 100 bipartisan investigation officials, people who are not affiliated with either camp, who have long spent their careers as professional investigators or prosecutors signing on saying this, as Mr. Painter has said, this is unprecedented.

I do think, though, Chris, the double standard issue is a really important one. Because, tonight, you`ve got this allegation, this acknowledgement that the FBI has opened an inquiry into Paul Manafort and his ties to Russia. And about a month ago, there was another report by "Yahoo" that the FBI and intelligence officials were investigating another official tied to the Trump campaign named Carter Page --

HAYES: Right.

GRANHOLM: -- and who was supposed to have ties to Russia. Those things are really explosive, and if Comey came out and sent a letter to Congress saying, yes, I`m investigating the FBI for this, there would be incredible outrage. But you don`t hear any of that happening. So there is really --

HAYES: But let me stop you right there because the only way that we have that reporting is someone`s leaking it, which itself is improper.

GRANHOLM: Yes. Well, that is definitely true. But my point is, you don`t have the Director of the FBI coming out and confirming that.

HAYES: Right, on the record, signing his name.

GRANHOLM: And he is the face of the FBI, which is why this is such a pickle and which is why only he, now that he has gone halfway through this door, he needs to step through and tell us what he has. I know that it may be -- you know, we don`t know how big the universe is, we don`t know if it`s just, you know, e-mails that Huma sent saying print this or something like that or your car`s outside.

HAYES: Right.

GRANHOLM: We have no idea what they are. But if it is an innocuous as I know the Clinton campaign believes it to be, then he has a duty to let the citizens know that there`s nothing here, if he can.

HAYES: Yes. This entire episode is a reminder of what a thin line it is between the FBI is independent and FBI is rogue, and we should, of course, remember that for much of his life, it was in the latter category. That`s something to keep in mind.

Jennifer Granholm and Richard Painter, thank you so much.

GRANHOLM: You bet.

HAYES: Still to come, from the shocking anti-Semitism shouted at the press during a Trump rally, the new unbelievable pro-Trump ad from White nationalists. We`ll talk about the emboldened Trump coalition or at least part of it, after this two-minute break.

(COMMERCIAL BREAK)

HAYES: A disturbing scene at a Donald Trump rally in phoenix this weekend as a man turned to the media and chanted, quote, "Jew-S-A."

(BEGIN VIDEO CLIP)

LINDELL: You`re going down. You`re the enemy. You`re the ones working for the devil. Maybe. Jew-S-A! Jew-S-A! Jew-S-A! Jew-S-A! Jew-S-A! Jew-S-A! Jew-S-A! We`re worried about the Jews, OK? No. Yes. Jew-S-A!

(CROSSTALK)

TRUMP: -- society will be a very, very high priority.

(END VIDEO CLIP)

HAYES: That man has been identified as 51-year-old George Lindell, and he told BuzzFeed News we all just misheard him. "That`s the way I say USA," he said, adding, "I`m around Mexican people all the time. I speak a lot of Spanish. That`s just the way I say it." Not making it up. The claim is somewhat less plausible seeing as Lindell ended his rant by telling reporters, "We`re worried about the Jews, OK?"

Trump Campaign Manager Kellyanne Conway described Lindell`s conduct as deplorable.

(BEGIN VIDEO CLIP)

JAKE TAPPER, CNN ANCHOR: We have seen a lot of anti-Semites and racists and misogynists who support the Trump candidacy. Do you --

KELLYANNE CONWAY, DONALD TRUMP`S CAMPAIGN MANAGER: Wow.

TAPPER: Would you call that man deplorable?

CONWAY: Well, yes, I would. He`s conduct is completely unacceptable and does not reflect our campaign or candidate. Wow, I have to push back on some of the adjectives you just used to describe. I hope you`ve been to Trump rallies. These are USA-loving Americans who just want their country --

TAPPER: Absolutely.

CONWAY: -- to be prosperous and safe again.

(END VIDEO CLIP)

HAYES: It`s certainly true, the vast majority of Trump supporters are not people who chant "Jew-S-A." But it`s also true an awful lot of bigots have been drawn to Trump, one of them, self-proclaimed White nationalist William Johnson, who leaves a, quote, "The White race is dying out;" today, released a homophobic robocall attacking independent conservative candidate Evan McMullin who is threatening to defeat Trump in Utah, polling neck and neck.

(BEGIN AUDIO CLIP)

WILLIAM JOHNSON, CHAIRMAN, AMERICAN FREEDOM PARTY: Evan has two mommies. His mother is a lesbian married to another woman. Evan is OK with that. Indeed, Evan supports the Supreme Court ruling legalizing gay marriage. Evan is over 40 years old and is not married and doesn`t even have a girlfriend. I believe Evan is a closet homosexual. Don`t vote for Evan McMullin. Vote for Donald Trump.

(END AUDIO CLIP)

HAYES: Bigots who support Trump seem to have been particularly energized by policies like the Muslim ban and Trump`s characterization of many **immigrants**as rapists and criminals.

In New Mexico yesterday, Trump falsely claimed Hillary advocates, quote, "open borders" and certainly suggested she would allow 650 million people to, quote, "pour in," twice the current population, in just one week. He also cited a baseless claim from a union representing a fraction of **Immigration** and Customs Enforcement officers who suggest **immigrants** will murder thousands of Americans if Clinton is elected.

(BEGIN VIDEO CLIP)

TRUMP: The **immigration** officers also warned that Hillary`s radical plan would result in the loss -- think of this -- of thousands of innocent American lives and an uncontrollable flood of illegal **immigrants** across the border taking jobs and crime would be rampant.

(END VIDEO CLIP)

HAYES: Joining me now, Morgan State University Professor Jason Johnson, who`s a politics editor at "The Root."

And, Jason, I mean, I guess that, you know, it`s one of these things where you have this conversation, you point to all of these various people, and you say, look, it`s really a thing that these folks are supporting Trump, and the Trump folks say -- and I understand why they do -- look, you`re painting with a broad brush and the overwhelming majority are not like that. But I`ve been covering -- I mean, people don`t stand at the rally of a major party nominee chanting "Jew-S-A."

JASON JOHNSON, POLITICS EDITOR, THEROOT.COM: Right. Right. Look, Donald Trump is a racist and he gets support by racists. And this has not been a question for a long time. He started his campaign by saying there are rapist Mexicans and there are good Mexicans.

And this is a problem. And it`s not because we haven`t had racist presidents before. We definitely have throughout American history. But because he has mainstream --

HAYES: Yes, I would say that would be the norm, actually.

JOHNSON: Exactly. It`s like he`s not going to be the first, but he has mainstreamed it. Even the term "alt-right." Now, we have got like hipster neo-Nazis and that`s considered fine and sexy. He has made being an open, hostile bigot perfectly OK for a major party nominee and that is something dangerous, no matter if he loses next week.

HAYES: You know, and part of this also, I think, is the atmosphere that is driven by the campaign, right? So they`re not, you know --

JOHNSON: Right.

HAYES: Campaigns are not responsible for everything their supporters do. That`s just a blanket, important rule. But they do not -- they have been slow to condemn certain things and there`s a way that those crowds are geared up.

Here`s Wayne Allyn Root who`s at a Trump rally as a sort of opening act talking about Huma Abedin and Hillary Clinton. Take a listen.

(BEGIN VIDEO CLIP)

WAYNE ALLYN ROOT, DONALD TRUMP SUPPORTER: I have a name for the future T.V. movie. It`s called "Driving Miss Hillary."

(APPLAUSE)

ROOT: And the ending, if we all get our wish, the ending is like "Thelma & Louise."

(END VIDEO CLIP)

HAYES: That`s a guy who is wishing, you know, on the record, at the podium that the candidate will speak of, the major party nominee, saying we all get our wish that these two people will die. That other party`s nominee will die. That`s --

JOHNSON: Right.

HAYES: That is sort of par for the course rhetoric.

JOHNSON: Yes, and it`s become normal. And I don`t know, maybe that Hillary -- maybe that`s his new Trump T.V. show, I don`t know.

But what we`ve seen here is that, whether it`s Bill Burr, whether it`s a candidate in Senate in North Carolina, whether it`s Donald Trump, the idea of sparking direct violence against your political opponents is a degradation of public discourse in this country. It`s the suggestion that I will jail my political opponent once I`m elected is a degradation of public discourse in this country.

And here`s what happens. The reason that we usually have peaceful transfers of power is because people don`t worry that if they lose an election, they`re going to end up in a gulag. So when you start saying those kinds of things, it makes everyone much more concerned. I would not be surprised if we see violence after this election next week, and that`s not something anyone wants to see.

HAYES: Yes, I`m praying that that`s not the case.

JOHNSON: Yes.

HAYES: Richard Burr, the incumbent Senator in North Carolina, who is in a neck-and-neck battle, has some audio coming out of him addressing, as you referenced -- I want to play that audio -- you know, making a joke about Hillary Clinton and a gun magazine. Take a listen.

(BEGIN AUDIO CLIP)

SEN. RICHARD BURR (R), NORTH CAROLINA: Nothing made me feel any better than I walked into a gun shop, I think, yesterday in Oxford. There was a copy of "Rifleman" on the counter.

UNIDENTIFIED MALE: Really.

BURR: It`s got a picture of Hillary Clinton on the front of it. I was a little bit shocked that that didn`t have a bulls-eye on it.

(LAUGHTER)

(END AUDIO CLIP)

HAYES: You know, and he says, look, that was a joke. He has since apologized, saying, I shouldn`t have said that, I apologize. But, you know, you cannot go to any event anymore where the range about the feeling about Hillary Clinton is either she should be in a jail or she should be dead.

JOHNSON: Right. And here`s what I see is ultimately the problem with this. You know, Kellyanne can say, look, the Trump campaign is trying to distance itself from it. This has been the problem in the Republican Party for years. This is what Reince Priebus tried to fix by saying, look, we need to open up the Party and make it a bigger tent. But instead, they have gone full bore and they embraced racists, they have embraced terrorist organizations like the Ku Klux Klan.

And, again, and the long-term consequences of this is, if you have sitting Senators who can make jokes about killing someone who may become President, what that does is embolden less stable, less intelligent, less invested people in this country --

HAYES: Yes.

JOHNSON: -- to attack, to shoot, to possibly try to capture a voting location and that`s a problem. And Trump is responsible for it.

HAYES: Yes. Let`s all remember, it didn`t start with Trump. Jesse Helms, former Senator from North Carolina --

JOHNSON: Right.

HAYES: -- joked about the President being assassinated if he came to North Carolina back when Bill Clinton was President. Jason Johnson, thanks for being with me tonight. Appreciate it.

JOHNSON: It`s nothing (ph), Chris.

HAYES: Still ahead, over 23 million ballots have already been cast this election. The state of the race just eight days out, coming up.

(COMMERCIAL BREAK)

HAYES: The legality of the actions of North Carolina elected Republican officials has once again been called into question, this time in a lawsuit alleging the state`s Board of Elections in three individual county election boards are purging voter rolls in a manner meant to disproportionately target African-Americans.

A lawsuit by the NAACP charges, quote, "canceling the voter registrations of thousands of North Carolina who have been targeted." The purge is based on so-called challenges to voter registrations. The lawsuit offers details on the disproportionate impact on Black voters. For example, in Beaufort County, Black voters make up 65 percent of the challenges even though the county is 26 percent African-American. There`s an emergency hearing on that lawsuit on Wednesday in U.S. District Court in Winston, Salem.

All of this may sound very familiar because it was past this past July that a Federal Appeals Court struck down a North Carolina voter I.D. law saying its provisions deliberately target African-Americans with almost surgical precision in an effort to depress and suppress Black turnout at the polls.

And it was only a week ago that an analysis by the Elect Project, a leading authority on voting rates, showed that, low and behold, the reduction in early voting sites in North Carolina, again, pushed through by the state`s Republican Governor, reduced the number of early votes. For example, Guilford County, home to the predominately African-American city of Greensboro cut early voting locations from 16 to just one. It saw in- person voting decline roughly 85 percent.

The picture is one of Republican-controlled state and local government making it harder for African-Americans to vote sometimes targeting the means of voting that they know will be disproportionately used by black voters.

Nationwide, there have now been 23 million early votes already cast in this election, nearly 12 million in battleground states and that early voting acts as a kind of hedge against wild fluctuations in the dynamics of the race in the final days.

What effect is James Comey`s October surprise having on those polls? We`ll talk about that, next.

(COMMERCIAL BREAK)

HAYES: One of the big questions at the moment is whether the FBI email review will affect the state of the race. In a newly released NBC News/Survey Monkey poll, Hillary Cslinton maintains her 6 point lead over Donald Trump. The week-long poll was conducting four days before and three days after the FBI news with no apparent movement in this particular poll.

Clinton maintained a similar lead in a two-way matchup, although surveyed over the weekend, 55 percent said the FBI email review was an important issue to discuss, while 44 percent said it was a distraction in the campaign. I can probably guess the partisan ID there.

Joining me now Harry Enten, senior political writer and analyst at FiveThirtyEight, and Christina Greer, associate professor at political science at Forham University.

So, let`s start with this -- the idea of how much this is going to affect the race, right, which a lot of people are thinking about. What`s your sort of general working theory right now?

HARRY ENTEN, FIVETHIRTYEIGHT: You know, we`ve looked back at October -- quote/unquote October surprises in the past, right, some of them move the polls, some of them don`t. And if they do move the polls, it`s one or two points. You go back to July when Comey initially made his announcement there would be no criminal charges and Hillary Clinton dropped two points in the polls.

So it`s possible we get slight movement but no movement works perfectly well.

HAYES: You know, one of the reasons, Christina, I wanted to have you here is because I feel like there`s sort of way the political scientist models look at these elections and there`s the way that the sort of stats folks and the modelers do, and then there`s a way that the sort of cable news does.

CHRISTINA GREER, FORHAM UNIVERSITY: Right.

HAYES: And so, you konw, the political science idea I think if you had to sum it up is like the fundamentals are the fundamentals and most of this stuff is noise.

GREER: Uh-huh.

HAYES: Is that your general working theory?

GREER: If you would have asked me any other political year, I would have said yes. And so this is the only caveat to this is that this year and this particular candidate, in DJT, I try not to say his name, he`s so peculiar and so unique in a lot of because he is a celebrity, because he has dominated the media, because he`s essentially created in some ways a party within a party.

HAYES: Yep. And because he has no record in public office at all, which is weird.

GREER: Not a drop. Not a drop. And so some of our theories right now are on hold.

We don`t know if essentially, they are out of the window in some ways.

HAYES: I mean, the basic dynamics of the race, as I`ve sort of understood it.

So, we should say right now that the polling average has Clinton up in the three or four-point...

ENTEN: We have her by five, but, yes.

HAYES: Somewhere around there, that with 300 plus electoral votes if the election were held today. My general feeling about the election has been that a lot of the moving up and down, particularly with Trump has been whether he`s getting 75 or 92 percent of self-identified Republicans. And that they`ve tended to sort of drift away when he goes for a week attacking a judge as a Mexican who can`t judge him, despite the fact the man was born in Indiana. Or he has a feud with a gold-star family or he boasts about sexual assault, which is later confirmed by 12 women saying on the record alleging he did similar things.

But that that number -- it`s like a rubber band, that like they want to come back because they are partisan force a reason and he`s the Republican nominee. That`s the basic dynamic.

ENTEN: That`s exactly right.

And before this Friday, October surprise ever broke, we did see Trump was moving up slightly in the polls before then. So, even if he does rise, we can`t necessarily say it was because of this. It was because he was getting more Republicans than he was before after he shut his mouth.

HAYES: Right. And this -- but this is the key dynamic, right, is that even when he comes up to that sort of ceiling, right, that is not -- and the thing that has is so fascinating, and if you talk to the sort of data folks on the Clinton side, particularly, or the Democratic world, right, who think about this a lot, is like they just think they have more votes. They think the Obama coalition is a bigger coalition and if they do what they`re supposed to do from a technical standpoint, which is identify those voters, turn them out, that they have the bigger slice of the pie.

GREER: So, I`m of multiple minds on this and this keeps me up at night. I do think that Hillary Clinton, if we look at the electoral math, if we look at the states that she needs, I think my political science brain says she has them. If people sort of turn out, not even at Obama levels, but you know if we`ve taken the average, say, essentially from 1992 to the present, I think that she`s pretty solid.

The issue is, I wonder if some of these Trump people, who are first-time voters, who have never been polled.

HAYES: Right.

GREER: I wonder if they will turn out and they are the noise that we actually haven`t been listening to.

HAYES: And there`s a lot of uncertainty here, right.

GREER: Exactly.

HAYES: Yeah.

GREER: And with Hillary Clinton in a lot of ways, less is more. So the less Democrats see of her and the less independents see of her, the more they like her. And so in some ways that`s been a strategy, to sort of keep her...

HAYES: Although, I would disagree in this way. I think the less coverage they see of her, the more they like her. The more they see her, the more they like her.

GREER: She`s great one on one and with crowds, but it is the coverage of her, because...

HAYES: That`s the point.

GREER: We have scandal, we have drama. We have sort of sort of this throwback to 1992 and it`s all of the baggage that the Clintons bring. So, it`s the coverage -- I agree...

HAYES: That`s what`s so fascinating, really, is that when you look at the polling charts, right, the two biggest things that have happened from a polling perspective are the conventions, which was...

ENTEN: Great for her.

HAYES: Here`s Hillary Clinton talking to you and the first debate, which is here`s Hillary Clinton -- so the best things for her have been her actually out there with sustained attention on her as a person and her candidacy and then then as soon as that sort of ebbs then we see that sort of moving back in the direction.

GREER: The emails are a proxy for distrust.

HAYES: That`s right, yeah.

GREER: And unfortunately, you know, the more stories we get about these emails, the more -- especially independents are sort of struck with the fact that...

HAYES: But then the question about that is one of the things I think we`re seeing is how strong the partisan fundamentals are even in parsing the email story at this late stage of the race.

ENTEN: It was -- you asked them about this whole thing, the October surprise and you see in fact the Clinton voters are saying, no, we actually like her more.

HAYES: Right. Yes, right. It`s like -- and that`s the question is the big uncertainty is how many persuadables are left, and how much this stuff affects them, and how much uncertainty is introduced by the sort of Johnson...

ENTEN: The only reason that Donald Trump has closed the gap over the past few weeks isn`t because Hillary Clinton dropped, it was because Donald Trump went up and as long as...

HAYES: That`s always the number to look at, you see -- if he`s consolidating the Republican base. The point, though, is if he consolidates it to the levels that he`s at his highest...

ENTEN: It`s not enough.

HAYES: It still has not been enough.

Harry Enten, Christina Greer, thank you for that.

GREER: Thanks.

HAYES: Still to come, candid new accounts from those who working closely with Donald Trump, including how they coax him away from angry tweets. More on that ahead, but first, tonight`s Thing One, Thing Two starts right after this break. Special Halloween theme.

(COMMERCIAL BREAK)

HAYES: Thing One tonight, the president and first lady celebrated their final Halloween in the White House today when a group of kids started performing a dance to the Michael Jackson hit Thriller, they just couldn`t help themselves.

(BEGIN VIDEO CLIP)

HAYES: The Obamas exit the White House. It`s no surprise this year, a lot of people based their Halloween costumes on two people who want to move in. Take this kid who is dressed as Donald Trump`s hair, that seems to stare at you no matter which way you look at it.

Katy Perry enlisted a whole makeup team to transform herself into pants suit wearing Hillary Clinton. And there`s my favorite so far, a woman this year who says she dressed up as 2016 in general with an amazing recreation of the this is fine dog based off this comic, which a lot of people have been sharing throughout the election. That is very well done.

There`s this costume, which has become a common theme at Trump rallies with Hillary Clinton -- haha, in a prison jumpsuit is getting arrested by two police officers, except not everyone in that picture is wearing a Halloween costume. That`s story is tonight`s Thing Two in 60 seconds.

(COMERCIAL BREAK)

HAYES: Even Halloween isn`t providing a reprieve of the all consuming nature of the 2016 election. Take, for instance, this costume from a fall festival in Medford, Massachusetts where someone dressed as Hillary Clinton wearing a bright orange jumpsuit with the word inmate on it is getting arrested by two police officers. There`s just one thing about that, those are real police officers in uniform pretending to arrest Hillary Clinton, and that guy on the right is also president of a Medford Police Union.

The pictures were originally posted to the union`s Facebook along with the caption, look who NPD grabbed at the fall festive in Haynes Square (ph) today.

Now, Hillary wasn`t the only nominee they posed with. There`s also this picture of police officers hanging out with someone dressed as Donald Trump, the caption reading, "making America great again in West Medford Square" with a flag emoji, which is sort of a different feeling than the other one.

Both posts have since been removed and the president of the police union apologized saying in an email with the Boston Globe, "these were Halloween costumes. It was meant totally as a joke. I apologize if this offended anyone in any way. I never expected this sort of reaction. It was poor judgment on my part."

Poor judgment.

In his defense, nothing quite brings out poor judgment like Halloween and our long national nightmare of an election.

(COMMERCIAL BREAK)

HAYES: The people closest to Donald Trump, the ones being paid to defend him whose main goal was to get him elected the most powerful office on the planet are the same people who have delivered some of the most damning assessments of his character.

In a piece our Saturday in New York Magazine, reporter Gabriel Sherman detailed the final days of the Trump campaign partly through the lens of campaign manager Kellyanne Conway. Sherman writes, "to hear Kellyanne Conway talk about managing her boss is to listen to a mother of four who has had ample experience with unruly toddlers. Instead of criticizing Trump`s angry tweets, for instance, she suggested he also include a few positive ones. I would say, here are a couple of cool things we should tweet today. It`s like saying to someone, how about having two brownies and not six."

This theme that Trump lacks self-control and discipline and is both easily manipulated but also wildly stubborn was illustrated again on Sunday when the New York Post first reported that Trump offered Chris Christie his vice presidential slot then rescinded it, something a Christie aid is denying.

According to that report, though, after tentatively deciding on Christie for the job, then campaign manager Paul Manafort tricked Trump into giving Indiana Governor Mike Pence a second look. Manafort reportedly concocted a story and told Trump his plane had a mechanical problem, campaign sources said, forcing Trump to spend another night in Indiana.

Pence then made his case to be Trump`s number two. Trump agreed to name Pence the next day.

If the petulance described by these advisers is one aspect of Trump`s profile, another is his very apparent obsession with revenge. We`ll tell you what his favorite bible verse is, and we`re not joking, next.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

TRUMP: If somebody hits me, i have to hit them back. I have to. I`m not going to be standing there like, oh, I`m wonderful, I`m a president.

What happens is, they hit me and I hit them back harder and usually in all cases they do it first but they hit me and I hit them back harder and they disappear.

(END VIDEO CLIP)

HAYES: That was Donald Trump back in April describing what NBC reporter Benjy Sarlin called a strict code of vengeance that seems to be borne from pride for Trump. Same month, Trump told a radio host the bible verse that influenced him most, an eye for an eye.

Joining me now, Benjy Sarlin, political reporter for NBC News and MSNBC, and Michael Steele former RNC chairman and MSNBC political analyst.

And Benjy, this is a really good piece, because it`s -- there`s such a through line here. And it`s also not like hidden. I mean, he is very much explicit about the role that vengeance, retribution, you hit me, I hit you, he has a whole thing about counter puncher, like, that is central both to the way that he`s conducted his campaign and his world view.

BENJY SARLIN, NBC NEWS: Yeah, this is part of what people like about Donald Trump and what Donald Trump thinks himself as his guiding principle. You`ve heard him say so many times things like the clip you showed. Iou know, I`m a counterpuncher, he`ll say. You have to fight fire with fire, he`ll say. And he applies this to so many different things that I thought it would be good to take a piece that looks at who this explains Trump`s campaign and his world view. And you see it politically where he`ll really attack opponents viciously, often waiting until they attack him first or coming up with some excuse saying they attacked him.

But you also see it on a policy level in the way he talks about things like torture, or taking out families of suspected terrorists. There`s there`s this very strong element of retribution that often can sometimes skirt the bounds of the law in certain cases in terms of, you know, how far he`s talking about here.

HAYES: Yeah, killing terrorist family members is quite illegal.

SARLIN: ...war crime, yes.

HAYES: Michael, I mean, the thing I keep thinking about this is, you know, there`s this sort of creation myth of Donald Trump`s campaign about how he went to the last Correspondents` Dinner, the president, you know, dressed him down and poked fun at him and I`ll get you back. And you wonder how that`s going to be directed at the Republican Party should he fall short or even if he doesn`t fall short, if he wins, either way, you know, we saw Kellyanne Conway when Mark Kirk said that, you know, very unfortunate thing about Tammy Duckworth throwing dirt on the grave, you know, this is the guy that didn`t like -- you`ve got to think retribution is going to be on the mind after this election, win or loss, against the people he feels wronged him.

MICHAEL STEELE, FRM. RNC CHAIRMAN: Well, I think you`ve already seen some of that. I think we can gather, from Benjy`s piece, that Donald T is an old testament guy. So, we kind of established that. And because he`s an Old Testament guy, it really is coming out of the world of an eye for an eye and sometimes that extends into a lot of things that it shouldn`t. And for example, you`ve already seen just in the last few weeks where the Trump campaign is like, you know, we`re not raising any more money for the party. We`re just not. And that`s just not what you do.

HAYES: Right.

STEELE: You know, with two or three weeks left in a presidential campaign.

So there`s some aspects of this where Donald Trump has had enough of the GOP. He`s been fed up with this as he would look at them sort of elitists, weak-minded leadership and sort of taking a strike out on his own to finish his campaign up on his terms in the way he wants to. And that, again, is a slap in the face to the party.

HAYES: You know, part of it, also, this other sort of aspect of his personality pretty well documented, the way that people who work for him talk about him. Let me say that, for the record, that there`s a sort of common theme like staffers on Capitol Hill tend to sort of infantalize their bosses sometimes, like you have to sort of manipulate them, moe them, producers in cable news think talent are idiots that need to be like led to water.

This is sort of a common sort of trope among people who have to staff folks, particularly if those people have big egos or can be difficult. But it`s another level with the way that Trump staff talks about him. I mean, everyone around him is always talking about trying to kind of get this completely unruly undisciplined person to do these like seemingly simple things. And Michael, it just seems like a tremendous condemnation of the temperament of a person that you want to give the nuclear codes to, like you need to cajole him with brownies. Like, we`re talking about the most powerful job in the world.

STEELE: Well, look, every president can use a few brownies.

HAYES: That`s true.

STEELE: It`s not like this hasn`t happened in other administrations.

HAYES: That`s true. There`s a baseline to that...

STEELE: Yeah, there is. But I take your point this way because there is something about the difference that has been a stark one for Donald Trump. Here`s a guy who`s basically done a lot in business and in the private sector on his own against the odds without a lot of people telling him how to do it and, quite frankly, not giving a damn what they thought about how he was doing it from the very beginning when his dad said don`t go to Manhattan. He was like, yeah right, I`m going to Manhattan.

So, it should not surprise us that you take this sort of asymmetrical out of the box person who has never had to account to anyone other than himself and bring him into politics and we`re asking why aren`t you doing what we tell you to do? It just doesn`t work like that. And the expectation that it ever would is basically a shame on us for thinking it.

HAYES: Right. Although, discipline, I think matters in the White House.

STEELE: Oh, it does. No, it does.

SARLIN: It`s not like he`s being wild and out of control, though, right? It goes back to this theme. One of the things they`ve had to fight with him to stop him from? It was Judge Curiel...

HAYES: It`s retribution.

SARLIN: It was Machado, it was the Kahns and then Paul Ryan.

HAYES: It`s like don`t fight with people other than Hillary Clinton.

SARLIN: Exactly. It`s been consistent every time, and it`s because he knows that, look, it`s like you just showed up in my life a minute ago. I`ve been living by this code my entire adult life. And it fits in perfectly, and that`s why they have trouble with him.

HAYES: Benjy Sarlin, Michael Steel, thanks for joining us. That is All In for this evening.

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CHRIS HAYES, MSNBC ALL IN HOST: Tonight on ALL IN .

HILLARY CLINTON, (D) PRESIDENTIAL NOMINEE: Is there anyone more inspiring than Michelle Obama?

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UNIDENTIFIED MALE: I`m out.

HAYES: Democrats raise fears of a constitutional crisis if Hillary wins. And Donald Trump`s October surprise.

TRUMP: She`s actually going to make two to three speeches.

HAYES: When ALL IN starts right now.

IVANKA TRUMP, DONALD TRUMP`S WIFE: Hello.

HAYES: Good evening from New York, we got some "BREAKING NEWS" as you can see right there, that is the plane for the vice presidential nominee of the Republic Party, Mike Pence. That is the campaign plane which just few minutes ago landed in LaGuardia and skidded off the runway. There are about 30-plus folks inside, everyone is safe and fine, but a scary moment. The plane skidded off the runway, an alarm was put out. As you can see, emergency personnel there evacuating the plane, as both the campaign staff that travel with Indiana Governor Mike Pence, as well as the traveling press that covers him, including some of our own, were on that plane when it hit the runway and apparently skidded off in the rain. We are now awaiting, hopefully, some more word, but as of now, it sounds like everyone was fine, and believed there were no actual injuries during that event.

We`re hoping to get a confirmation of that. We do have confirmation, at least early confirmation, that no one was hurt in any severe way. I do not know if we have made contact with the governor, himself, the vice presidential nominee, Mike Pence. Obviously, a little bit of a chaotic scene there on the runway on LaGuardia on this very windy and cold and stormy night here in New York City. Jeb Hensarling, of course, the congressman from Texas, who apparently was traveling on that plane on the financial house - Financial Services Committee. We believe that everything is fine and we`re going to get an all-clear and NBC producer Vaughn Hillyard who was on that plane is with us. Vaughn, what happened?

VAUGHN HILLYARD, NBC NEWS PRODUCER: I`m with - I`m with the campaign.

HAYES: Yup. Vaughn, what happened?

HILLYARD: Hey there, am I live, you guys?

HAYES: Yeah, you`re live.

HILLYARD: You got to tell me - I`m live. OK.

HAYES: You`re live, buddy. You`re live.

HILLYARD: We`re on the tarmac here at LaGuardia. The plane had a - had a tough landing. This isn`t the first time this plane has had a tough landing. But the flight was actually delayed by about two hours and in the plane that we`re going through the - going through the clouds, it hit the ground, and we started to skid. You just felt skidding. And the plane started to swerve to the right, and then there was sort of some bumping and then the plane stopped. I - as I said, this isn`t the first time. This is the 10th campaign plane, he`s been flying on this plane for three-plus months now, this isn`t the first time that the plane has had a - had a rougher landing. It`s become, I guess, almost sort of a joke, get ready for the landing. But obviously, the conditions were a little bit more difficult here in New York City tonight.

And we`re going to zoom in, and that is Karen Pence, that I believe you`ll be seeing. I think we`re on a little bit of a delay, but that is Karen Pence getting off the plane there. But then the plane swerved off and - we need to - OK. Hold. We need a shot of the governor. So we`re being taken away from the scene here. You`re going to see the governor here in a few moments. We`re being led away, but the plane slid off, everybody got up. There was no -- to be clear, everything flew around and flew forward, but the situation was not in which anybody was being thrown around. The governor got up quickly and he walked -- and he walked back to the back of the plane. Actually was making sure that everybody was OK. And even kind of gave some fist bumps in the air, just as, you know, everybody`s OK, everybody`s safe. But he is making sure that everybody was OK. And that`s - we didn`t actually realize that we were totally off of the runway when this happened. But it wasn`t until we started to see the lights, the ambulance -- or the fire trucks all out there. You can see the response. We`re just kind of going on with this at this point, you guys.

HAYES: Yeah.

HILLYARD: But the governor was OK. Mrs. Pence is on the plane, Karen Pence, the First Lady of Indiana, as well as Charlotte Pence, their oldest daughter who travels frequently with the campaign. Campaign staff, the Secret Service, who takes about up 10 rows and about 8 members of the press, and then, they brought up the stairs and obviously we just got off - I think who we saw earlier when the feed started coming in, you saw mud streaks, and we are - we`re being - we`re (INAUDIBLE) sorry. OK. So, we`re being taken away from the scene here.

HAYES: Vaughn, it was a - it`s basically - can you tell me, obviously, the governor and his wife and their daughter, it`s -- them, staff and press, is that basically who`s on that plane?

HILLYARD: Yep, that`s who`s on the Pence plane. He had a stop -- he was coming from Fort Dodge, Iowa, landing for a fund-raiser which we`ll see whether that happens. There was going to be at Trump Tower here this evening. And the flight - and I think actually, we sent some video a little bit earlier of the governor playing football on the tarmac, because of the weather conditions. I`ll let you, guys, handle what the actual weather, and whether what the situation was, but we are able to see here -- I`m going to actually go over here to the right, and you can see how close we are. Again, I think our video is on 20-second delay here, but you`ll see how close to the road we are over here on the right side. And literally, it`s inside of the grass.

HAYES: Wow.

HILLYARD: I don`t know if you guys are seeing that now.

HAYES: Yeah, we can now.

HILLYARD: But wait - and you see -- actually, I`m going to zoom in here to where the fence is. And you didn`t - you don`t - it`s actually pretty remarkable now. We`re just coming to grips with kind of looking at this to how close we were to -- how close we were to the road over there.

HAYES: That plane is pretty far off that runway.

HILLYARD: Yeah. It`s in the grass there, which I guess the impact of the plane created mud, which is the mud marks that we are able to see when we were - when we first got off of the plane there, but everybody -- I`m pretty sure I`ve still got - I`ve still got - I still have bags up on the plane. The Fire Department came and said, "Please, everybody, just get off the plane now." We were trying to establish a shot here. Again, we didn`t even realize honestly what happened right when it happened, but the governor got up immediately, made sure Secret Service, made sure the press was OK. I think we got the shot. We see him back over here. Sorry. It`s a little - and I may even have some raindrops up against the camera here.

HAYES: Vaughn, where were - where were you guys - where were you guys coming in from?

HILLYARD: We were coming in from Fort Dodge, Iowa, where he had a campaign event. We had about a two, three-hour flight. And so, we`ve been in the air for a little while. And we knew the storm was in here. He was already delayed for the fund-raiser, it was supposed to start earlier this evening here in New York City. Yes.

HAYES: And were there - were there announcements made, obviously you guys had no idea what was happening, felt the impact, didn`t quite realize the skid. Did anyone say anything about what was happening as it happened?

HILLYARD: Absolutely. And, you know, I`ll be honest, I had my phone out and was recording a fellow reporter was sleeping, and because it`s not abnormal to have these hard impacts, we were - we`re recording it, but then I literally turned it off, because I thought we were fine. And then suddenly we slid off, but everything, phones, water bottles, about two seconds after the landing, suddenly everything just shot forward. My seatbelt wasn`t fully tightened and I flew forward and was obviously caught by the seatbelt, but you realize pretty quickly that after skidding there - the part was that, it took the sharp right turn after about maybe four or five seconds, took a sharp right turn, and then maybe three seconds later, we came to a dead stop, which obviously the plane when you`re on the tarmac, you`re on for a little bit of while there, and - yes. Yeah. So, you can see that the governor is there right now. Mrs. Pence, Karen Pence, the first lady, was getting off the plane. We saw Charlotte Pence earlier, their eldest daughter. But he`s traveling with several campaign advisers. You just saw him get some photographs with some of the Fire Department here. Again, to be clear, there`s no injuries, everybody was fine, but as we zoom back out over, you`ll see here where the plane is, compared to -- and the response, we saw those lights immediately. And I was actually hearing that there was originally reports since we were on the plane, somebody had said that they heard there was a report that a plane had gone off the runway but not realizing that that was the plane that we were on. Again, this is the plane that the governor has been riding since July. It`s a 737. Those of us who ride on the Pence plane like to think that it`s a nice plane, but I`m not sure when this guy will be getting back up and going again. But we`re going to fast forward here, you`re going to see more staff and fire department getting off the plane.

HAYES: Vaughn, you had said that you guys had some bumpy landings on that plane. Am I recalling correctly, the captain of the -- the man who had piloted the Pence plane early on was replaced at some point, is that right?

HILLYARD: That is -- yes. We`ve actually had several pilots. I`m not sure the extent -- I know what you`re referring to, but I`m not sure the extent. There`s pilots that rotate in and out that fly this 737, the campaign plane. They`re good folks. I`m is not sure, to be perfectly honest, who was piloting this time around. The governor, though, did say when he came back to the back of the plane that they were able to see inside the cockpit and there was actually mud on the front window, which was our first indication that we were, in fact, definitely off the runway, because the governor, himself, came back and said that there was mud, but I do not know the extent to which this pilot - and I - and I don`t want to jump to any conclusions, but -

HAYES: Of course.

HILLYARD: -- the plane, this isn`t, you know - and obviously this is a specialist, who`s been a commercial airliner, but I don`t think - this is not just a one-time thing. It`s been happening in the past.

HAYES: Will you just tell me right now - we`ve got some images of first responders, I think, because obviously there`s police, there`s firemen, there are Secret Service, of course. There`s the Secret Service staff that travels with the governor at all times. About how many folks are in that detail?

HILLYARD: With the Secret Service detail? There`s probably about 15 of them that are on the plane.

HAYES: Wow.

HILLYARD: Again, at the front of the plane, there are about four -- three, four rows -- yeah, four rows in which campaign staff including the governor, Mrs. Pence and Charlotte Pence, their daughter, ride on, and then behind them is about eight rows of Secret Service and then behind them is where the press sits. And as you see, I mean, this is a -- it looks like a pretty standard plane, two seats on each side of the rows. And, again, immediately the governor got up, made sure that everybody was OK. But, yeah, no, this was probably about 30, 40 people that were on the plane.

HAYES: And that`s -- and so, it`s actually not that huge a staff the governor a traveling with at this point.

HILLYARD: No, no. The governor is traveling -- so the governor, Mrs. pence, Charlotte Pence, adviser Mark Schwartz, Michael Glassner who was an original from the Trump campaign was on the plane today. He typically does not travel with the Pence campaign, but his lucky day. Today`s the day that he jumped on the plane. As well as Mark Schwartz and Michael Glassner, you have Marc Lotter, the press secretary for the governor, you had Jordan Karem, who is their travel director, Bobby (INAUDIBLE) who is their tour lead, and Zach Bauer, who is a special adviser and body man for the governor. That`s pretty much his core -- the chair of the (INAUDIBLE) campaign (INAUDIBLE) was not on the plane, but is (INAUDIBLE) we`re 11 days out, he was doing a New York City fund-raiser tonight and then he`s going to be leaving tomorrow. He`s actually doing -- he`s actually going to be on, if I may promote, he`s going to be on "Morning Joe" tomorrow morning, as well as CNBC`s "Squawk Box." So, we`ll be hearing more from him tomorrow, I`m sure. But that`s the - it was poor contingency. They`re also now seeing - you`re seeing the airline attendants that are there, that are going out here. Hold on one second. I`m going to turn down my audio. Sorry about the -- we`re trying to operate the camera. I don`t know if I did some -

(CROSSTALK)

HAYES: Vaughn, I`m going to let you - actually, I`m going to let you go and -

HILLYARD: Sure.

HAYES: -- keep that camera because just so folks know, Vaughn right now is multitasking. He`s operating the camera that you`re seeing as he`s talking to me. And at the same time, I`m going to let you try to - try to maybe get some more information and hold that -- the pool camera there. I`m going to bring in NBC`s Tom Costello, who I believe we have on the phone at this moment, just to give a sense, obviously, the details of what exactly happened here, we are still trying to track down. How often does something like this generally happen, Tom?

TOM COSTELLO, NBC/MSNBC CORRESPONDENT: Well, listen, having a plane coming in, I`m watching the video come in as well, you know, they`ve clearly got a very rainy, difficult weather night there in New York. And whenever you`re coming in on a landing, and keep in mind, a 737 is going to come in somewhere in the neighborhood of 155 miles per hour or so, assuming this is a 737-300. And LaGuardia already is known as a - as a challenging airport when you -- whenever you come in for a - for a landing because it`s right there, as you know, sitting right on the water. And so, when you are dealing with coming in at 155 miles per hour in a rain-slick runway, these things can happen. You know, we get reports of planes off the end of a runway, across the country. I`d say probably almost once every week or two, somewhere in the country, and it happens so often, you know, we just don`t even -- it doesn`t even make news very often, because for the most part, they slide into the mud and nobody is injured, and you have a lot of people asking questions about how this happened. And what will happen now, of course, is you`ll have both the FAA and probably the NTSB, but surely the FAA will take a look at exactly what happened in the cockpit, how fast was the pilot coming in, did he or she hit that runway early enough, or did they hit it too late? And as a result, didn`t have enough runway space at the end? But the chances are -

HAYES: Did we lose tom there? Sounds like we may have lost Tom on the audio there. That`s live footage right now from the runway, if you`re just joining us outside in LaGuardia airport, where the charter plane, the 737 that flies Governor Indiana Mike - Governor of Indiana, Mike Pence, of course, the Republican V.P., just skidded off the runway during a rough landing. You can see there, the plane up in the upper-left-hand corner of that screen, that grassy field there is where the plane ended up stopping not too far from the fence that marks the end of the airport. So a pretty scary landing for the folks, 30-plus that were on that plane that includes the governor, his wife, their daughter, Charlotte, as well as about 15 Secret Service and about a dozen members of the press corps including our own Vaughn Hillyard who at this moment is directing that camera amidst the somewhat chaotic and rainy scene on the runway there in LaGuardia. Let me bring in A.J. Delgado, Trump campaign senior adviser. Well, very happy everyone`s OK.

A.J DELGADO, TRUMP CAMPAIGN SENIOR ADVISER: Absolutely. All`s well that ends well, but certainly a scary situation. I mean, this kind of makes you realize how much Governor Pence, and all candidates, really, put themselves out there, including even their safety with this constant travel. It`s a - it`s a grueling schedule that they all have, including even Secretary Clinton.

HAYES: Yeah. It is, the amount - the amount of travel that goes on to a modern campaign is pretty remarkable. Generally, campaigns have, you know, large chartered planes like this one, a 737. This is not an island hopper or something like that. These are significant pieces of aircraft that they use to get around. There`s a huge sort of almost kind of traveling universe. I`m sure you`ve been -- you`ve been on Trump Force One, of course.

DELGADO: Yes.

HAYES: And, you know, there is this sort of weird mobile village that kind of grows up amidst the campaign with everyone from people from all different vectors, campaign staff, the candidate, Secret Service, press, everybody sort of thrown into very intimate quarters and they spend a lot of time together.

DELGADO: Right. It`s a motley crew kind of entourage and with stakes that are very high. So, it`s an interesting experience on these planes. That`s for sure. And especially tonight, just glad to see everybody`s OK.

HAYES: Vaughn Hillyard, I believe, has a little bit more information. Vaughn, you there?

HILLYARD: Yes, I am. We`re here at -

HAYES: So what`s going on now?

HILLYARD: Yeah. So, our shot here, we are the marine -- we`re getting - we`re getting out of the -- we`re leaving the marine air terminal, so the motorcade is now leaving. Mike Pence is no longer going to his fund- raiser. The motorcade here has taken off, so Mike Pence is no longer going to the fund-raiser. We just talked to Mark Lauder, a spokesman, he said, yes, there were no injuries. He said that Port Authority is looking into it, everybody was on scene quickly. Now, you`re going to get a shot here in which this is -- we`re now being taken away. I think we`re going to be following the motorcade here. Are we going to be following the motorcade? No. So, Mike Pence -- we`re not sure exactly now where he`s going. We`ll work on getting that information, but he had originally, a fund-raiser for this evening planned. They said that they are going to reschedule the fund-raiser. It`s going to be at Trump Tower. I know that we had a camera actually there waiting for the governor once he arrive, but he`s no longer going. I guess, after all of this has taken place, the campaign says they`ll reschedule it.

HAYES: I think that probably makes sense. All right. Vaughn Hillyard who did incredible work tonight. Thank you, Vaughn, for all of that. I`m glad you`re safe, I`m glad everyone`s safe. Looks like you are pulling out of the airport there from what I can tell from that live shot in the back of that car. So, Vaughn, thank you very much. We are going to take a short break. We`ll be back with much more. Don`t go anywhere.

(COMMERCIAL BREAK)

HAYES: All right. As you just saw at this hour, the plane for vice president nominee, Mike Pence, Republican Party, skidded off a runway in LaGuardia on a very windy and rainy night. Thank goodness, as far as we can tell and confirm, there were no injuries, everyone`s OK. The Governor of Indiana, his wife, their daughter, their Secret Service detail, had headed off in a motorcade. Where, we do not know, but they`ve canceled a fund-raising appearance that he was scheduled to make tonight at Trump Tower.

Now, at this hour, Donald Trump, his running mate, is about to start his third rally of the day in a crucial Battleground State of Ohio, with Election Day now just 12 days away. Earlier, Trump claimed momentum in the race saying polls now show him with leads in Battleground States across the electoral map.

(BEGIN VIDEO CLIP)

TRUMP: We don`t want to take it for granted, but we are winning in a lot of states. I have to say, the media now, they`re going wild. The media`s going wild because they`re saying, you know, this guy`s winning in Florida? He`s winning in North Carolina? He`s winning in Iowa? He`s winning in Ohio?

(END VIDEO CLIP)

HAYES: The media isn`t quite saying that. Well, a rash of new polls suggest the race has tightened slightly, in recent days Hillary Clinton continues to hold the lead over Trump nationally, and a clear lead in enough Battleground States at this moment to put her over the top. The adjusted national polling average at Nate Silver`s FiveThirtyEight, shows Clinton with about a six-point lead over Trump overall. Its adjusted state polling averages show Clinton with leads in all four of the states Trump mentioned although the race is effectively a dead heat tied in Iowa and Ohio. Crucially in Pennsylvania, a state Trump desperately needs to win, he`s down more than six and a half points in FiveThirtyEight`s adjusted polling average. While the race is tied in Arizona, a state that should be a lay-up for a republican presidential nominee, in addition to refusing to admit publicly he`s down, Trump is now suggesting Clinton`s policies are so bad, maybe you shouldn`t even have an election.

(BEGIN VIDEO CLIP)

TRUMP: And just thinking to myself right now, we should just cancel the election and just give it to Trump, right? What are we having it for? What are we having it for?

(END VIDEO CLIP)

HAYES: In case it wasn`t clear from the context, that was a joke. While the candidate daydreams of that, his staffs is grappling with the picture they face in the real world. In a blockbuster new piece in Bloomberg Businessweek, Josh Green and Shasha Issenberg report that Trump`s San Antonio research team spends $100,000 a week on surveys and has sophisticated models that run daily simulations of the election. As a result, Trump`s staff knows he`s losing, badly. "Nate Silver`s results have been similar to ours," says Trump digital director, Brad Parscale, "except they lag by a week or to two because he`s relying on public polls." The Trump team`s plan to catch up reportedly involves using targeted Facebook posts and other means to attack Clinton in order to depress turnout amongst three groups she used to win by big margins, idealistic white liberals, young women and African-Americans. A senior official in the Trump campaign described this effort by telling Bloomberg, "We have three major voter suppression operations under way." What he seems to be talking about there is negative campaigning to depress turnout, not what is commonly called voter suppression. With Clinton by her side in North Carolina today, Michelle Obama lambasted the Trump camp`s effort to depress turnout, which she said included Trump`s claims, the election is rigged.

(BEGIN VIDEO CLIP)

M. OBAMA: That`s how we move forward as a nation. If Hillary doesn`t win this election, that will be on us. It will be because we did not stand with her. It will be because we did not vote for her. And that is exactly what her opponent is hoping will happen. That`s the strategy, to make this election so dirty and ugly that we don`t want any part of it.

(END VIDEO CLIP)

HAYES: If Trump does lose this election, don`t expect him to go away quietly. Bloomberg reports by Election Day, Trump`s campaign expects to have captured 12 million or 14 million e-mail addresses, contact information including credit card numbers for 2.5 million small dollar donors who together will have ponied up almost $275 million. Trump`s loyal supporters could become the audience for a new media venture or perhaps the backbone of a third-party political movement. They could also force the GOP to conform to Trumpism instead of moving away from a candidate who lost. In the words of Brad Parscale, Trump`s digital director, "We own the future of the Republican Party." Joining me now, the co-author of that piece, Bloomberg Businessweek senior national correspondent Josh Green. Josh, what I found so fascinating about this piece is, to some extent, I think the story about the Trump campaign is they`re basically winging it, and this was a window into the fact that they may be winging it in certain ways, but there is also an actual organization there doing some of the stuff that campaigns typically do.

JOSHUA GREEN, BLOOMBERG BUSINESSWEEK SENIOR NATIONAL CORRESPONDENT: Yeah, I mean, that was a real takeaway to me. I think the reason that they cooperated with this piece was that they were little miffed at the idea that their campaign is really no more than Trump and his Twitter feed and they have, in fact, built a pretty ambitious data operation down in San Antonio, they code-named it Project Alamo, and they basically showed off all the bells and whistles, which while it may not resemble a traditional campaign, has turned into a real monster small-dollar fund-raising machine, which is allowing Trump to build up this really valuable list, this audience of donors that conceivably can be transported over to Trump TV network or some new social media play, if he doesn`t win the election, or if he does win the election, you know, he`s got a big - he`s got a big list of supporters backing him up.

HAYES: Yeah, there`s a number of Bernie Sanders, sort of, ex-Sanders fund- raising and digital team folks that I know or follow on Twitter, and they have - they have basically looked at this operation being built in realtime, and they built an incredible operation, obviously. It`s what sort of powered that campaign in certain ways, and they say the metrics that they`ve hit in terms of the number of donors they have, the amount of money they`re able to bring in, is really remarkable in the short period of time they constructed it.

GREEN: You know, it really is remarkable what they`ve done, and I think the most interesting guy in the whole story is this guy, Brad Parscale, who we profile, who essentially is one of the most powerful people in the Trump organization. Crazy story. I mean, he used to build websites for Trump`s real estate properties and the Trump winery. And Trump trusts him, he likes him. You know, he gets a lot done. And eventually as various members of the Trump campaign, Corey Lewandowski, Paul Manafort got fired or left, you know, Parscale has wound up rising, getting more and more authority and really built this machine that is throwing off all these millions of dollars to the Trump campaign.

HAYES: It`s also interesting that he said to you, "Yeah, our numbers are the same as Nate Silver`s with a two-week lag." I mean, that was a sort of amazing moment of honesty and clarity.

GREEN: Well, they have built sophisticated data models. I mean, they have - they even hired this sort of Cambridge analytico which has real data scientist that know how to model the electorate. They`ve spent millions and millions of dollars doing this stuff. They haven`t really said this to the press, I think it`s one of the reasons why it`s so surprising, but look, if you put good scientists in a room and you use good polls and you crunch the numbers right, you know, you`re going to come out with I would assume a more or less accurate picture of the election.

HAYES: Right.

GREEN: And the numbers they showed us did not differ dramatically from the kind of numbers you see from good public forecasters like Nate Silver. The only point that the Trump people made was, look, we`re out there every night making thousands of calls in all these Battleground States.

HAYES: Right.

GREEN: We see this happening in realtime.

HAYES: Yes.

GREEN: Where a lot of these public guys, you know, have a two-week lag.

HAYES: Yes. Everyone who works inside campaigns thinks public polls are incredibly pa say because they get the data every night in realtime. Josh Green, thanks for your time tonight.

GREEN: Thank you.

HAYES: I want to check in now with NBC`s Hallie Jackson who`s at Trump rally in Geneva, Ohio where Trump is about to take the stage, and I understand Trump called Governor Pence to just check in and make sure everything was OK?

HALLIE JACKSON, MSNBC CORRESPONDENT: Yeah, that`s our understanding there, Chris. He was in the motorcade, he landed in Cleveland basically at one of the airports in the city, it`s like a 50-minute drive to Geneva, Ohio, where we are now. And at some point on that motorcade, we are told by a spokesperson that Donald Trump called Governor Pence just to check in to make sure everyone was OK. He said he was obviously happy that everybody was safe. So, that is sort of what you might expect from the top of the ticket with the running mate when an incident like this happens, an incident that obviously is now creating a ripple effect for travelers. Frankly, potentially including us, Trump typically would land back at the FBO at LaGuardia airport after his rallies and that is where we were set to head tonight. So, we`ll see how that unfolds. He is about to take the stage if I`m listening behind me correctly. I think his music is about to begin. I wouldn`t be surprised if he mentions what happened at the top of his remarks, Chris. And that is something that we are watching to see, as music flares up and Donald Trump walks on the stage right now. Chris?

HAYES: All right. All right. Hallie Jackson in Ohio. Thank you very much. Joining me now, republican political strategist Rick Wilson, senior adviser to third-party candidate, Evan McMullin`s presidential campaign and conservative columnist, A.J. Delgado, who`s a senior adviser to the Trump campaign. Thank you for your patience there. I`m glad that everybody is OK at LaGuardia. Rick, what do you think of this quote, "We own the future of the Republican Party"?

RICK WILSON, REPUBLICAN POLITICAL STRATEGIST: Well, look, the Republican Party has pretty sold itself lock, stock and barrel to Donald Trump and so they do in a way. But if you`re talking about the Trump demographic owning the future, it`s not a very long future since they`re about 65 years old median. So I`m not convinced that they completely control the future.

I think what we`re going to see is the Republican Party at the end of this, if Trump crashes and burns as it looks like he will, the Republican Party is going to -- a faction of it will split off and say, we needed more Trump, more Peppy the Frog, more alt-right, more white supremacy. There`s a fraction that`s going to say Donald who, what? They`re going to pretend he never existed and hope that they can just skate out of it.

And I think there`s a growing number of conservatives who are following folks like Evan Mcmullin who are looking at a future where a conservative center right third party that gets rid of the legacy code and the negative stuff that has accrued around the Republican Party, moves forward into the future.

So, I think you`re looking at a Republican Party crackup in a lot of these scenarios.

HAYES: All right. Donald Trump taking the podium right now. Let`s take a listen for a second.

TRUMP: And you`ve got thousands and thousands of people standing outside trying to get in. It`s amazing. It`s amazing.

And you know, when I came over, I was just watching the television, I watched one of the commentators say that we have a few thousand people here. A few thousand. You know what a few thousand people, that means 3,000 people. He said we have a few thousand people and I said, oh, these people. Forget it. This is not a few -- to me, a few thousand is 3,000. This is no 3,000. This is 13,000 or 15,000, but this is no -- this is 20,000 if we get them in. So we`ll try getting them in, but let`s start, right?

Thank you, everybody, for being here. In 12 days, we are going to win Ohio and we are going to win back the White House. Believe me. About time.

HAYES: Thought he might say something about the plane there, but big crowd there in Ohio which we should note is a state that he is sort of one of the states that he`s outperforming right now, looks like he`s outperforming Mitt Romney in 2012. It`s very tight there.

A.J., your response to what Rick said.

DELGADO: Well, I have to say as a Latina, I find the mention of (inaudible) any element of white supremacy in the Trump movement to be ridiculous and offensive.

Somebody in her 30s...

WILSON: I can show them to you.

DELGADO: That he mentioned -- well, I find the age you mentioned saying the average Trump supporter is in their 60s to also be ridiculous. This is what they do, because they can`t beat us on the issues, so they attack us...

WILSON: Except for you know research...

DELGADO: With the same old tired Democratic talking points of racist, ageist, whatever it may be.

The bottom line is, we do own the Republican Party. Brad Pascal, our secret weapon on our campaign, tremendous guy, when he said that he`s absolutely right. The Paul Ryan style of conservatism, the George Bush style of conservatism of being pro-war, pro-amnesty, pro-tax cuts only for the rich, which is maybe what Rick likes is dead. Thank god. Thanks to Donald Trump.

Look at Paul Ryan`s favorability numbers across the country. That conservatism is dead.

It`s now the Trumpian style of conservativism. Thank the lord.

HAYES: Rick, I`ll let you respond on just two little things, one is that the tax cut plan put forward by Donald Trump is actually more skewed to the rich than...

DELGADO: No, it isn`t.

HAYES: Than George W. Bush. It is.

But, and the second thing is...

WILSON: Yes, it is.

HAYES: I just want to distinguish between two claims, right, which is that if you`re a Trump supporter you are there for a racist or white supremacist which I would never say, which I don`t think Rick would say, and the fact that of the people out there that are racist and white supremacist, they`re overwhelmingly and very publicly supporting Donald Trump.

DELGADO: No, that`s not true.

And can we talk about the real issue?

WILSON: No, A.J., it is true.

(CROSSTALK)

WILSON: The people on the white supremacists all-right movement in this country have flocked to Donald Trump like...

DELGADO: Rick, as someone who doesn`t have a job right now, my good friend who`s a veteran, who doesn`t have a job right now, and stays home taking care of his father with Alzheimer`s, because they don`t have the money to find the proper care for him, do you really think he wants to watch this show, and see us bicker about who has two white supremacist Twitter followers, versus...

WILSON: Here`s a simple way to do it. Decry them. Denounce them.

The fact that David Duke and the alt-right have flocked to Donald Trump and that Republican leaders...

DELGADO: And this makes a difference in the average voters` lives how? Can`t say.

WILSON: ...failed to step up and consistently denounce the fact that Donald Trump -- this is...

DELGADO: He has denounced David Duke dozens of times.

WILSON: He appeals to these people. The dog whistling never stops from Donald Trump to these people. And the fact of the matter is this is a guy...

DELGADO: So being against illegal **immigration** is dog whistling according to them? This is how ridiculous the discourse has become, Rick.

WILSON: This is a guy who is feeding these people with a nod and a wink every single day. This is a guy who constantly denigrates women, Muslims, minorities of all kinds in a host of different ways.

And as Chris said, I`m not saying that every person who supports Donald Trump is a racist, that`s absurd. But every racist you turn over -- every time you turn over a rock and find a racist, they have a red MAGA hat on, OK.

There is not a -- there`s not a coincidence here.

HAYES: Let me ask you this about how folks are feeling inside the campaign. I mean, he`s talking right now about -- he watches a lot of TV, Donald Trump. Have you notice that? He watches a lot of cable news.

DELGADO: He enjoys being informed. That`s to his credit. He`s a voracious reader and he watches cable news.

HAYES: But there`s obviously sort of this perceptual thing. All campaigns, every campaign I`ve ever covered up until the day you`re there - - I`ve been with candidates who are down 40 points saying we`re going to win, we`re going to shock the world, like that`s just part of being a campaign. No one goes around 10 days being like, oh, we`re getting our butts kicked.

DELGADO: It does happen. People...

HAYES: I mean, no, no. People do come -- I guess my point is, like, there`s an interesting HuffPo, like you guys feel you are prepared, how would you characterize the race? Tied, close, Donald Trump is winning?

DELGADO: We`re winning in the key that I care about: Florida. So I would say -- I wouldn`t even say it`s a dead heat. I would say we`re slightly ahead.

HAYES: There`s one poll out today that had you up 2.

DELGADO: If you said it was a dead heat, I would say that`s fair. It`s anybody`s race right now.

HAYES: Rick, do you think -- how much does what happens on election day matter to the validity of that statement about we own the future of the Republican Party? Which is to say if Donald Trump wins, obviously, that`s one scenario, if he outperforms Mitt Romney or if he underperforms John McCain, does that -- does the range of options here matter in terms of what ends up happening to the Republican Party?

WILSON: You know, I don`t think it does, Chris, because Donald Trump`s brand is so deeply offensive to so many Americans that I think that, look, Republicans ran campaigns against Democrats for 40 years using Ted Kennedy and Jimmy Carter as sort of the demons out there, they represented the worst of liberal excess, et cetera.

Democrats are going to have Donald Trump to hang around the necks of Republicans because the Republican leadership in this country has failed again and again and again to hold Donald Trump to account, to make him conform to the values that the party claims that it represents, and to show some spine and backbone when this guy continues to do things that are profoundly offensive to women, to minorities, to Muslims.

This is a guy who`s -- he`s like a 360 degree offense machine. You can be -- this guy will attack people no matter who they are and that damage is going to spread throughout the Republican infrastructure because its leaders failed again and again to stand up and to stand for the principles that they claim the party represents.

HAYES: Do you think -- do you think it matters -- obviously if he wins, he becomes president of the United States, that matters a lot. Do you think it matters if he doesn`t win, what the non-win looks like?

DELGADO: No, we will win.

(CROSSTALK)

DELGADO: At the end of the day, Rick, getting back to what you said, though, about, look, maybe there is racists out there that wears a MAGA hat. There probably is. I won`t dispute that.

HAYES: I`ve encountered them.

DELGADO: The question who will actually benefit minorities more? They have to talk about things like this because they won`t beat us on the issues. Even with illegal **immigration**, it`s African-Americans who suffer from it most.

WILSON: You have no issues.

(CROSSTALK)

DELGADO: ...pro-minoritie, anti-racist platform and policies belong to Donald Trump, not to Hillary Clinton.

HAYES: I will conclude -- I will conclude this by saying...

DELGADO: I think voters of color will have some sort of referendum on that that we`ll find out on election day.

Rick Wilson and A.J. Delgado, thanks to you both.

Donald Trump speaking in Ohio there. He has not mentioned the brush with runway that his running mate`s plane had at La Guardia, although everyone is safe. He`s doing his spiel there. And we will be right back.

(COMMERCIAL BREAK)

HAYES: All right. as we just showed you moments ago, that`s the runway in La Guardia where the vice presidential nominee`s plane skidded off. Donald Trump speaking right now at a rally in Ohio, a state that is a dead, dead heat.

And joining me now is the Senator Sherrod Brown, a Democrat from Ohio. He early voted a couple of days ago with his wife, Connie Schultz.

And senator, before we get to Ohio, and also some important business taking place in Cleveland and Chicago, you had a close brush, yourself, you got into a car accident a few days ago. It sounded like it was scary. And I have to read the tweet after this -- your car accident. "Thanks for caring and concern. Doing fine. Grateful to PARA police, medical staff and my Jeep made with American steel by union workers in Toledo."

And I have to tip my cap for being on message in your response to a car accident.

SEN. SHERROD BROWN, (D) OHIO: Well, I also said better to happen to me than Corey Kluber, so somebody`s going to get hurt, that week, it`s better me than the Indians` Cy Young winner so I mean, you take one for the team.

I know you`re a Cubs fan. And I know everybody in America feels sorry for the Cubs because it`s been so many years. But Chicago wins basketball, they win NBA, they win NFL, they win -- I don`t know if they win hockey or not. I don`t know much about hockey.

HAYES: So much winning, your head will spin.

BROWN: But you guys just -- you know, the White Sox won 10 years ago. I mean, really. So, it`s Cleveland`s turn, man. Back off.

HAYES: You guys won. You guys had an amazing win last year for that city which I think you could palpably feel how incredible it was when we were there this summer.

The Cleveland Indians are playing great baseball in these playoffs. I am very excited.

I will be at Wrigley on Saturday night. So, I`m excited about that.

Now, let`s talk about your state. This is a heavy lift. It`s really interesting going through data, looking sort of getting in there. You`re seeing this interesting thing happen in this race where you got a state like Virginia where, you know, two cycles ago people said Democrats in Virginia, I can`t believe they`re going to win Virginia,

Democrats now, Hillary Clinton, they`re up by sizable portions. It is absolutely neck and neck in Ohio right now.

BROWN: Yeah, Virginia, actually -- I believe Virginia both in `08 and `12, I think the margins for President Obama were larger in Virginia than Ohio. Ohio has gone -- I mean, Ohio almost always goes with the winner.

Hillary is going to win Ohio. The polls are very close now. I can see two things happening. I can see union members who might have flirted with Trump a little bit are coming around to vote for Hillary. I`ve spent a lot of time in union halls, a lot of time talking to workers, and union activists are talking to their co-workers that also belong to the union and are not yet there and are moving toward Hillary.

The other thing that`s happening, a lot of young people that may have thought about Gary Johnson in July and August and September are now realizing that, one, he doesn`t really represent what they believe, and second, they understand that how important it is so vote for Hillary against Trump.

So she`s going to win the state. It`s going to be not as -- it`s going if to be closer than maybe Virginia, and certainly Pennsylvania, and Wisconsin, and Michigan. But she`s going to do well here.

HAYES: You know, it`s amazing when you look at how these -- when you look at county breakdowns in a state like Ohio where Democrats have enormous margins in major metropolitan areas. They then have to sort of fight to keep that margin in rural areas, particularly.

There was this moment on Fox News I wanted to play you in which it was sort of a cat out of the bag moment about what this is really about with Bill Hemmer talking to Sean Spicer. Take a listen.

(BEGIN VIDEO CLIP)

SEAN SPICER, RNC: I`m looking at early voting.

UNIDENTIFIED MALE: So are we.

You have good news in ohio.

SPICER: We do.

UNIDENTIFIED MALE: White share of the vote is up three points from four years ago, black share of the vote is down seven.

SPICER: Early vote is where Democrats do well. We do very well on election day, Republicans tend to show up. Democrats need to do very, very well.

HEMMING: I`m talking -- I`m talking about mail-in ballots, I`m not talking about in-person voting.

SPICER: I understand that.

(END VIDEOTAPE)

HAYES: I mean, at one level it`s true, right, that is good news for the Republican Party, but it`s also sort of just remarkable thing to think about in the context of where we are in terms of an American democracy.

BROWN: Yeah, they -- I mean, it`s about suppressing the vote for this crowd.

Look at Texas. I mean, Texas, if you have a University of Texas student ID, that doesn`t get you a ballot, but if you have a concealed weapon permit, that does get you a ballot.

And look at what they`re doing in North Carolina and Ohio, the Republicans eliminated what`s called golden week.

HAYES: Golden week.

BROWN: The week you could both register and vote. It was created bipartisanly by the legislature, signed by Republican Governor Bob Taft who is really a real moderate, decent Republican. He`s not the right wing that they`ve all become, the right wingers they`ve become.

But they`ve clawed all this back. So in Ohio it is a shorter window, it`s a smaller window to vote early, but the -- they`re going to be there. I mean, Democrats are going to be there. People of color are going to be there. People that want to support Hillary are going to be there in early voting. And we will catch up and do better, if in fact -- I`m not sure of those numbers, if, in fact, we`re not quite doing as well as we were four years ago.

HAYES: That a key point for folks, that golden week wasn`t some like lefty plot by ACORN to win the state for, you know, for Democrats. I mean, was just this idea you could go register and vote at the same time, it was the same period of time and it was good for turnout. It was good for participation.

The Republicans in control of the state just got rid of that and they didn`t get rid of it with some, any argument about voter fraud, they just got rid of it.

BROWN: Yeah, and there was a case that went to federal court and then it was overturned after one of these registration -- one of these rollback, clawback on registration on opening up registration, a George Bush judge voted in favor of keeping the registration more open and liberal and an appellate circuit judge, circuit court reversed it.

But you`ve seen it, the secretary of state now in Ohio has purged hundreds of thousands of voters.

So we`re seeing this effort all over the country. As you know, Chris, as you pointed out on the show, first time in 50 years the Voting Rights Act won`t be enforced in states around the country and it`s clearly suppressing the vote.

And the only way they can win is to do that. They know that their ideas don`t work. Even if they had a better candidate, their ideas aren`t selling so they suppress the vote.

HAYES: All right. Senator Sherrod Brown, thanks for joining us.

Go, Cubs.

BROWN: Enjoy Saturday night.

HAYES: I will.

BROWN: But not too much, Chris.

HAYES: All right. We will have more. We got some more information about that hairy moment about La Guardia that happened earlier this evening with the vice presidential nominee`s plane. We`ll have more on that just after this break.

(COMMERCIAL BREAK)

HAYES: All right. We`ve got an update from NBC`s own Vaughn Hilliard who took that footage on that plane on the vice presidential nominee, Mike Pence`s plane, after it skidded off the runway there in La Guardia.

And Vaughn, just let us know, what`s the latest?

VAUGHN HILLIARD, NBC NEWS: Hey, Chris.

So Mike Pence is headed back to his hotel for the evening. He had a Trump Tower fundraiser tonight that he is no longer going to, but he did call in to the people that were there. He was actually supposed to be there earlier in the evening, but because of the weather here in New York at La Guardia, the airplane was not going to be able to come into the airport and so he was already delayed, and obviously going off the tarmac made it a little bit worse.

But he called into the fund-raiser and talked to the people. And Hallie Jackson I know also reported that Mike Pence talked with Donald Trump in the motorcade back on the way to Manhattan. He is going to be in Manhattan overnight. He`s going to be doing some morning shows as well as on Morning Joe in the morning, or so is the plan now.

The campaign says that a new campaign plane is already on the way to La Guardia, which it will take off from tomorrow.

HAYES: All right, Vaughn, for folks who are just joining, can you just tell us again what happened on that plane?

HILLIARD: Sure.

So we were landing, and this is not the first time we`ve had a bumpy -- granted, we never gone off the runway before -- but we were flying into La Guardia, through the clouds, through the rain, plane. And we had a very sudden, rough impact upon landing, but then for about two, three seconds, it continued to go down the runway. At that point, it was kind of a sharp veer to the right, in which that`s the point where it really felt like we were swerving off the tarmac. And then there was a little bit of impact as we were going through the grass, which turned into mud, and that`s when we realized that we came to a very sudden stop and realized that we were in fact off the tarmac.

Fire trucks, ambulances quickly rushed to the scene, the lights went up and we could see how close, we saw some shots earlier in which you could see how close we were to the roadway. And that`s when it became real.

We`ve kind of taken it for granted rough impacts on the Pence campaign plane but that was obvious when you saw the road and the lights that this wasn`t a normal landing here at La Guardia.

HAYES: All right, Vaughn Hilliard, I am so happy you are safe. So happy everyone is safe. Mike Pence tweeting two minutes ago. So thankful everyone on our plane is safe. Grateful for the first responders and the concern and prayers of so many back on the trail tomorrow.

HILLIARD: They were there quickly.

HAYES: Yeah, Vaughn, you`ll be back on the trail tomorrow, I am sure. Thank you very much. And thanks for the great work you did taking that footage as well.

All right. So Donald Trump is in Ohio, Mike Pence traveling from Iowa back to New York. Meanwhile earlier today, Michelle Obama and Hillary Clinton on stage together for the very first time at an event in North Carolina. Here is what that looked like.

(BEGIN VIDEO CLIP)

MICHELLE OBAMA, FIRST LADY: Hillary doesn`t play. She has more experience and exposure to the presidency than any candidate in our lifetime. Yes, more than Barack, more than Bill, and, yes, she happens to be a woman.

(END VIDEO CLIP)

HAYES: Joining me now, Michelle Bernard, president and CEO of The Bernard Center for Women in Politics and Public Policy, my good friend and colleague Joy Reid, host of AM Joy right here on MSNBC and Charlie Pierce writer-at-large at Esquire.

Michelle, I want to ask you this. The gender gap we`ve seen open up, how much is that gender gap, because it seems like it`s working in both directions. It`s not only that Donald Trump has bragged about serial sexual assault and now been accused by 12 different women on the record. He used to run beauty contests, all sorts of things.

There`s also the first women nominee in major party history. How much of that wedge is each of those factors in your mind?

MICHELLE BERNARD, CEO, BERNARD CENTER FOR WOMEN IN POLITICS AND PUBLIC POLICY: You know what, it is -- it is really so hard to tell. I`ll tell you, from one day to another I change my mind.

You know, I would at first think that all of the things that we have heard come up about Donald Trump would push so many women towards Hillary Clinton, and we`ve seen that, for example, with Republicans for Hillary Clinton.

But when you look at Michelle Obama and Hillary Clinton on the stage today and you think about the nation`s history from the first women`s rights convention in Seneca Falls in 1848 to women being able to get the right to vote, to be able to get equal credit, to get an equal pay act, to get the violence against women act, to black women feeling sort of lost in the conventional women`s rights movement in the United States and having to form their own organizations and here we have two first ladies, African-American, white, one running for the presidency of the United States, it is a historic moment. And I can`t imagine that women did not watch this speech today and think to themselves that they -- that this is an opportunity for them to be a part of history like they were with voting for Barack Obama in 2008.

HAYES: Charlie, Michelle Obama, I saw her give -- do an event in Nevada in the primary in 2008 and she was great. She has only -- you`ve been covering politics for a long time, like she is very, very, very good at this.

CHARLIE PIERCE, ESQUIRE: Yeah. I thought she gave the best speech at the Democratic National Convention by a couple of lengths. And that was a pretty good row of speakers there, including most of the people who were out there now operating as surrogates for the Clinton campaign, who if nothing else --the Clinton campaign if nothing else has the 1927 Yankees of surrogates, because I saw Elizabeth Warren at St. Anselm`s the day before and she tore it up.

But I think, you know, Michelle Obama, Ii did not see her that much during the 2008 campaign. She`s become a very good public speaker and a completely different one from her husband, which I find fascinating.

He`s -- I mean his -- she`s a little bit less poetic and a little bit -- she`s a little bit less jazz and a little bit more rock `n` roll than he is.

I mean the emotion is very close to the surface every time she speaks.

HAYES: I found -- I found her to be one of the most effective surrogates for exactly the reason Charlie identifies, Joy. There`s -- first of all, she`s in a unique position, the first lady always does. Generally they have high favorability. They`re sort out of the daily parry and thrust of politics, but her as the vouch -- as the person vouching for Hillary Clinton, there`s some -- what is it about her vouching for her that has the effect it does?

JOY RIED, MSNBC NATIONAL CORRESPONDENT: Well, Michelle Obama, first of all, is a first for a lot of reasons. First ladies don`t do this. What she`s doing is not even what Eleanor Roosevelt did. And Eleanor Roosevelt was probably the most active first lady that we`ve had in politics our up until Michelle Obama. She certainly didn`t really do it in 2008 for a lot of other reasons. She was put upon by a lot of cultural baggage.

But what Michelle Obama did in 2008 was to take her magic wand and tap Barack Obama for black people. You know, I was doing radio back then. And a lot of African-Americans didn`t think he was authentic. His is Barack Obama. Black people see people with unusual names, but he had everything against him. They have the pedigree coming from, you know, not really Chicago, really Hawaii and an exotic figure in a lot of ways. And I know I was doing a show that had a mostly black audience who were more for Hillary than they were for Barack Obama.

And then Michelle came along, tapped him with her magic Michelle Obama wand and he seemed instantly authentic. She seems like your cousin. She seems like someone you know. She`s so real.

She`s now taken that magic and she has put that magic onto Hillary Clinton. She called her my girl. That was magic for Hillary Clinton.

HAYES: That is such a great point. And that history is so lost in many respects about what happened in 2008 and particularly down that South Carolina primary and getting there and her being able to sort of laying on hands role that she played then, reprising it now for Hillary Clinton.

REID: Absolutely.

HAYES: Michelle Bernard, Joy Reid and Charlie Pierce, thank you for staying with us on a somewhat hectic night. I appreciate it.

All right, that is All In for this evening. The Rachel Maddow Show starts right now. Good evening, Rachel.

**NEW\_DOCUMENT\_HERE**

Chris Hayes, Robert Costa

8860 speakers\_end

CHRIS HAYES, MSNBC HOST: Tonight on ALL IN.

DONALD TRUMP (R), PRESIDENTIAL NOMINEE: Congratulations, Newt, on last night. That was an amazing interview. We don`t play games, Newt.

HAYES: No country for old men.

NEWT GINGRICH, FORMER HOUSE SPEAKER: You want to go back --

MEGYN KELLY, FOX NEWS HOST: And we did.

GINGRICH: -- to the tapes of your show recently, you are fascinated with sex.

HAYES: The GOP civil war turns bloody. Tonight as Trump and his allies lash out more evidence that an actual GOP revolution could be happening. Plus, 13 days to Election Day, why republicans are already talking about another Clinton impeachment. Why are democrats leaving the Rubio race in Florida? Why President Obama`s campaign to punish republicans isn`t really anything new.

BARACK OBAMA, PRESIDENT OF THE UNITED STATES: We`ve got to close the gap a little bit between the rhetoric and the reality.

HAYES: And in Maryland, a master class on how to crash a debate.

REP. CHRIS VAN HOLLEN (D), MARYLAND: If you don`t mind leaving the stage at this point, so that we can continue with this organized debate.

MARGARET FLOWERS, GREEN PARTY SENATORIAL CANDIDATE,MARYLAND: Well, I am a candidate on the ballot.

HAYES: When ALL IN starts right now.

(END VIDEOTAPE)

HAYES: Good evening from New York. I`m Chris Hayes. 13 days to the election, republicans may be about to lose control of the senate. Their presidential nominee is trailing his opponent by almost 10 points in one new national poll. And while Hillary Clinton`s favorability numbers have polled about even, a big shift from six months ago when a majority of voters viewed her unfavorably. Donald Trump remains about 30 points under water, making him to this day, the least-popular major party candidate in modern history. With early voting already under way in some must win Battleground States, now would be the time for the Republican Party to try and get together to save its prospects. But as Election Day approaches and the pressure builds a civil war brewing over the past 16 months is now threatening to tear the party completely apart. The GOP crack-up was on full display during a Fox News segment last night, in which host Megan Kelly and Trump supporter Newt Gingrich discussed the sexual misconduct allegations against Donald Trump.

(BEGIN VIDEO CLIP)

GINGRICH: You are fascinated with sex, and you don`t care about public policy.

KELLY: Me, really?

GINGRICH: Now, that`s what I get out of watching you tonight.

KELLY: You know what, Mr. Speaker, I`m not fascinated by sex, but I am fascinated by the protection of women and understanding what we`re getting in the Oval Office. And I think the American voters would like to know --

GINGRICH: OK. And therefore, we`re going to send Bill Clinton back to the east wing, because, after all, you are worried about sexual predators. I want to hear your words, "Bill Clinton sexual predator." I dare you, say, "Bill Clinton sexual predator."

KELLY: Mr. Speaker, we`ve covered --

GINGRICH: Disbarred by the Arkansas Bar.

KELLY: Excuse me, sir.

GINGRICH: Disbarred by the Arkansas Bar.

KELLY: Excuse me. Excuse me.

GINGRICH: $850,000 penalty.

KELLY: Excuse me, sir. We on THE KELLY FILE have covered the Clinton matter as well. We`ve hosted Kathleen Willy.

GINGRICH: Fine. Try saying it.

KELLY: We`ve covered the examples of him being accused as well, but he`s not on the ticket. And the polls also show that the American public is less interested --

GINGRICH: He`ll be in the -- he`ll be in the east wing.

KELLY: -- in the deeds of Hillary Clinton`s husband than they are in the deeds of the man who asks us to make him president, Donald Trump. We`re going to have to leave it at that. And you can take your anger issues and spend some time working on them, Mr. Speaker.

(END VIDEO CLIP)

HAYES: A senior Trump aid responded on Twitter with what sounded a bit like a threat. "Megyn Kelly made a total fool out of herself tonight attacking Donald Trump. Watch what happens to her after this election is over." Unless we forget, like the Trump campaign, Fox News has been riven by allegations of sexual misconduct. In this case, against former Fox chairman Roger Ailes, lately an informal Trump adviser. According to reporting by New York Magazine`s Gabe Sherman and others, Megyn Kelly`s own testimony against Ailes was a key part of the decision to oust him from the network. The man now accusing her of being fascinated with sex, of course, Newt Gingrich, famously has led the republican crusade over Bill Clinton`s sex life in the 1990s, later admitted to have been cheating on his wife, Gingrich is now on a third marriage. There are all different kinds of divisions within the Republican Party, but since the release of 2005 tape on which Trump can be heard bragging about predatory behavior towards women, it`s become an all-out gender war. Over the past week or so, several dyed in the wool conservative women have written about their deep feelings of betrayal as many of their male political allies have remained silent or dismissed evidence of predatory behavior by the republican nominee. An elected district judge in Texas, Lauren Parish, went so far as to publicly announce she`s leaving the party.

(BEGIN VIDEO CLIP)

LAUREN PARISH, REPUBLICAN DISTRICT JUDGE IN TEXAS: Quite frankly, I cannot associate with a party that would tolerate such antagonism and hatred. I cannot sit idly by and watch as this abhorrent disease continues to infect what was once an honorable and respectable political party of the past.

(END VIDEO CLIP)

HAYES: As the Gingrich-Kelly confrontation underscored last night, Fox News`s itself a locus for the internal republican conservative strife. Of course, the host airing right after Megan Kelly, is vocal Trump promoter, Sean Hannity, whose advocacy for his candidate seems to know no bounds. Witness this tweet he sent out around midnight last night, a whole bunch of guns labeled with media outlets and other institutions all aimed at Trump`s head. Shout out to MSNBC. One of those institutions, notably, is GOP elites. In an interview with The Washington Post after the last debate, Hannity specifically name-checked House Speaker Paul Ryan, calling him, quote, "A saboteur who needs to be called out and replaced." and saying he would actively urge hard-line conservatives to challenge him for the speakership. Hannity`s not alone. New York Times reports today that forces both in the Trump campaign and on Capitol Hill are already planning to continue their battle against GOP leadership after Election Day.

A member of the House Freedom Caucus, Ohio Congressman Warren Davidson, told the Times, "You can`t ignore what millions and millions of people have expressed in this election cycle," Mr. Davidson said. Of course, millions and millions of people have also expressed virulent opposition to Donald Trump, and many of them live in Utah, a state that Mitt Romney won by almost 50 points 4 years ago. Trump is doing so poorly in Utah, virtually tied with independent candidate Evan McMullen in a new poll, he had to send his running mate there today less than two weeks before the election.

(BEGIN VIDEO CLIP)

GOV. MIKE PENCE (R-IN), VICE PRESIDENTIAL NOMINEE: The truth of the matter is, there`s only two names on that ballot that have a chance to be President of the United States of America. And a vote for any candidate other than Donald Trump, bottom line, is a vote to make Hillary Clinton the 45th President of the United States.

(END VIDEO CLIP)

HAYES: McMullin, a conservative Mormon and former congressional aide, works for the CIA, came out of nowhere to mount a real challenge in Utah. And as McKay Coppins reports today in BuzzFeed , he`s not just running a longshot for president, he`s building a brand-new political party. Joining me now, Jennifer Rubin, conservative columnist of The Washington Post who writes its "Right Turn" blog, and McKay Coppins, senior political writer for Buzzfeed. And McKay, let me start with you on the piece. I mean, it is sort of remarkable, the polling -- we don`t have a great and super reliable robust polling out of Utah. But the polling ad seems -- show the guy is -- this guy who has an impressive resume for someone that was mounting their first congressional run, right?

MCKAY COPPINS, SENIOR POLITICAL WRITER, BUZZFEED: When you and I first talked the day he announced, I remember I said something like he`s impressive for a Capitol Hill aide, which is what he was. He was the policy director for the house GOP.

HAYES: But you want -- I mean, this is the heart -- I mean, Mormons, particularly. Mormon voters were reliably republican, reliably conservative have complete rejected Donald Trump in a way that almost no constituency the Republican Party has with the same sort of fervor. And McMullin is trying to build some sort of new anti-Trump movement.

COPPINS: Yeah, it`s actually amazing. Well, so from the beginning he`s been saying that he wants to build a new conservative movement. He`s centered his campaign in Salt Lake City in the mountain west where there`s a large Mormon population. And it`s interesting, I had just came from Utah. I was out there. I went to a McMullin rally. By the way, the most Mormon seen I have ever seen, and I could say that as a Mormon.

HAYES: Right.

COPPINS: You know, young families and everything. But they -- but, you know, he sounds a lot like a traditional conservative republican, pro-life, pro-trade, except that half of his stump speech is about rejecting the strains of racism and religious bigotry that run through the conservative movement of Republican Party. And he got the loudest cheers from his crowd of like a thousand people when he talked about that stuff. And that -- I think that is really when you get down to the core of why Mormons are rejecting Trump. That`s a big part of it.

HAYES: Yeah. And Jennifer, I want to get your -- you`ve been writing particularly on this sort of -- this sort of misogyny that has been brought to the surface, I think, the reaction to Donald Trump. A party of angry, white, abusive males. That I want you to respond that Donald gets up there today at his hotel in a very surreal and bizarre event, even by the standards of Donald Trump 13 days before the election at his hotel, and one of the first thing he does is give Newt Gingrich a shout out for his Megyn Kelly interview. Take a look.

(BEGIN VIDEO CLIP)

TRUMP: Congratulations, Newt, on last night. That was an amazing interview. That was an amazing -- we don`t play games, Newt, right? We don`t play games.

(END VIDEO CLIP)

HAYES: I mean, what does that say to you?

JENNIFER RUBIN, CONSERVATIVE COLUMNIST, THE WASHINGTON POST: I mean, this is preposterous. This is exactly why women, married women, white women, non-white women, any kind of woman you can think of, are deserting the republican nominee in droves. The republicans for a while have had a problem with single women, now that`s spread really to the entire gender. And I think what they`re demonstrating here is a sort of behavior, and indifference, and cruelty, bulliness, that is really more than a problem for one election. It`s a tone and it`s an attitude. I think that`s going to have a taint that`s going to last long after this. It`s interesting that Evan McMullin has a vice presidential running mate who`s a woman, Mindy Finn, and they often talk about this. They are talking about a new generation, much more tolerant, perhaps more on the libertarian side on issues like gay marriage. I think there is a thirst for this, because women and other people are horrified by what they see from Donald Trump.

HAYES: So, we`ve got, you know, you`ve got both -- what Jennifer is saying and McMullin, right, so there`s a sort of rejection of this, sort of, very aggressive and explicit bigotry.

COPPINS: Sure.

HAYES: Explicit misogyny, right, in a way. But there`s also this question about, like, what the heck is this party? Which in some ways is the great subtext of this. And I think in many ways, the party also hasn`t reckon with the failure of George W. Bush as President of the United States. And I think in some ways, that`s what led Trump win. He was sort of the anti- Bush in a literal sense. He was anti-Jeb Bush.

COPPINS: Sure.

HAYES: That what you build after that, what you build is the alternative to Trump is still not clear to me if the answer is just tax cuts for the top, at the top marginal rate, foreign interventions and military deployments in the Middle East, et cetera.

COPPINS: Well, this is what I think McMullin`s, you know, play is Utah is so interesting and a success there is because Utah is a weird red state. It`s very conservative but it`s also a very communitarian state, that it`s a very flat income -- you know, there`s not -- there`s not a lot of income inequality of robust middleclass. I don`t think McMullin and his team have fully thought through. You know, they are really talking about building a third party after this election, the new conservative party. I don`t think they fully thought through what that stands for, but they`re going to have to grapple with more than just Donald Trump as the foil. They`re going to have to figure outside what they stand for beyond that.

HAYES: Well -- and Jennifer -- I mean, to me, you -- what you`ve said about sort of not putting the genie back in the bottle. I`m curious what you think of this. It does seem to me that all of these deep structural fissures in the party are going to be spackled over by anti-Clinton hatred, basically. That it`s the thing that unites everyone, even the conservatives I read and follow on Twitter , the one thing that unites everyone singing off the same hymnal, is how monstrous Hillary Clinton is. And pretty soon, probably, there`s going to be an opportunity to do nothing but do that.

RUBIN: Well, today, you had Jason Chaffetz announcing with -- for unknown reasons, he`s already going to begin investigating her. For what? I don`t know. She hasn`t won the election yet, which I found amusing. That is the danger that they simply go on a witch hunt after Hillary Clinton, and they don`t really look at these issues. Listen, the problem with the party is they have two halves of the party that have been smushed together that can no longer coexist. One is a populist lower scale white, mostly male, middle class, which is virulently anti-**immigrant**. It has the strain of misogyny. And the other sort of traditionally main street republican or country club republican who wants smaller government who are used to having professional women in their midst, who understand that **immigration** and trade are good for America, and I don`t think these two halves of the party can coexist.

HAYES: Well, this is -- this is the fascinating thing, Jennifer, is that what the Republican Primary taught is that there aren`t enough of those people, because in a country of rising inequality and stagnating wages, in a country in which affluence is increasingly circumscribed geographically, that string of people don`t give you enough voters.

RUBIN: They do if you don`t have 17 candidates. He didn`t get a majority of the GOP primary electorate. And he`s probably going to do an all-time rotten job in terms of the general electorate --

COPPINS: Right. But that`s enough to win the Republican Primary. It`s not at all clear that that`s enough to win the presidency.

RUBIN: Right. I think that the party, under whoever is going to -- whatever they call it and however they do, is going to have to figure out how to put together a coalition of people who on one hand reject perhaps liberal statism, on the other hand, reject this sort of clown show that has been going on in the party now for 8 or 12 or however long. So, I think it is going to be a challenge. Do I think that there`s an alternative somewhere, a sane alternative to the Democratic liberal party? I do. How that gets defined is really going to be the challenge for the next few years.

HAYES: Yeah. And I do think -- I mean, do you -- do you agree with me that the spackle is going to be applied immediately on November --

COPPINS: Oh, sure.

HAYES: Again, nothing set in stone. We`re looking at the probabilities like everyone else, but it`s just like it was amazing to me. I mean, you felt this at the RNC in Cleveland, right?

COPPINS: Oh, yeah.

HAYES: You went into Cleveland, you thought, "Wow, these people really hate each other and the Ted Cruz booing." The one thing that got everybody excited was like the locker --

(CROSSTALK)

COPPINS: It was -- it was like the safe space.

HAYES: Yeah. It`s like --

COPPINS: Like the one place you could go.

HAYES: Like talking about the weather.

COPPINS: Yeah, exactly. Like what`s the polite conversation? Oh, Hillary Clinton should be in jail. We all agree on that.

HAYES: Right. Right.

COPPINS: I mean, look, I think republicans are going to do that after this election. I don`t know, though. I mean, beneath the surface, there`s still going to be these divides, and it`s going to have to be figured out.

HAYES: And it`s going to manifest in deep, sort of, Freudian idea here that if you repress, the neuroses become even more pathological. And I do think that the repression will lead to even more insane acting out. Jennifer Rubin and McKay Coppins, thank you both.

COPPINS: Thank you.

RUBIN: Sure.

HAYES: Coming up, house republicans signal they have no intention of stopping the continuous string of investigations into Hillary Clinton. I`ll talk with Congressman Elijah Cummins of the plan to disrupt a potential Clinton presidency, after this two-minute break.

(COMMERCIAL BREAK)

REP. MARTHA ROBY (R), ALABAMA: Do you have a skiff in your home?

HILLARY CLINTON (D), PRESIDENTIAL NOMINEE: Yes, I did.

ROBY: OK. And who else was at your home? Were you alone?

CLINTON: I was alone, yes.

ROBY: The whole night?

CLINTON: Well, yes, the whole night.

ROBY: I don`t know why that`s funny. I mean, did you have any in-person briefings? I don`t find it funny at all.

CLINTON: I`m sorry, a little note of levity at 7:15.

(END VIDEO CLIP)

HAYES: That was more than seven hours into Hillary Clinton`s 11-hour testimony before the house Benghazi select committee last year. Clinton`s public testimony was supposed to be the shining moment for a congressional investigation that had already stretched on longer than the Watergate committee. Surely getting her on the record would justify the millions of taxpayer dollars spent trying to prove there was some scandal with regards to Secretary Clinton and Benghazi.

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: What new things did you learn today?

REP. TREY GOWDY (R), SOUTH CAROLINA: I think some of Jimmy Jordan`s questioning -- well, when you say new today, I mean, we knew some of that already. We knew about the e-mails, in terms of her testimony?

UNIDENTIFIED FEMALE: Uh hmm.

GOWDY: I don`t know that she testified that much differently today than she has the previous times she`s testified, so I`d have to go back and look at the transcript.

(END VIDEO CLIP)

HAYES: But the point of this investigation didn`t ultimately seem to be about the results it produced, but rather the whiff of wrongdoing that comes with constant continuous probes. And today, we learned house republicans are already preparing for quote, "Years of investigations of Clinton if she`s elected President."

The Chair of the House Oversight Committee, Jason Chaffetz, saying, "It`s a target-rich environment. Even before we get to Day One, we`ve got two years` worth of material already lined up. She has four years of history at the State Department and it ain`t good." The President of the Conservative Organization Judicial Watch, put it more bluntly to NBC News, "I know this generation of Republican leaders is loath to exercise these tools, but impeachment is something that`s relevant," said Tom Fitton , who has criticized GOP lawmakers for failing to pre-emptively impeach Clinton.

Joining me now, Democratic Congressman from Maryland, Elijah Cummings, Ranking Member of the House Committee and Oversight and Government Reform. And Congressman, given your role both on the Select Benghazi Committee and Darrell Issa`s Committee of Government Reform, what do you hear having been in the trenches of these investigations when you hear Jason Chaffetz and others talk like this?

REP. ELIJAH CUMMINGS (D), MARYLAND: I hear that they want to obstruct Hillary Clinton when she becomes president, and will do anything in their power to destroy her efforts. They have been obstructionists all along with regard to President Obama for the last six years, putting every kind of roadblock that you can imagine in his way. And they like the idea of being able to say that the President of the United States is under investigation. And so, they will spend millions upon millions of dollars as we already spent in Benghazi and other investigations of taxpayer dollars on this mission of destruction and distraction.

HAYES: In fact, I believe Congressman Jim Jordan on that Select Committee, who Chairman Gowdy referenced, I think even said today that the Benghazi Committee, which is one of the longest in American history released an 800- page report that that should keep going.

CUMMINGS: Yes, several -- about two months ago, we thought we were at our last meeting which the Benghazi Select Committee and they held that one in secret in a classified setting, and we thought we were coming to the last meeting, only to be told that it might be ongoing. And at some point, the republicans need to learn that the American people, both democratic, republican, independent and others, want us to be about the business of solving their problems. They`re tired of the destruction and distraction, distracting us from the issues that we need to be addressing like education and health care and things of that nature, and being able to put a halt to these unreasonable jumps in prices of prescription drugs. And so, it`s the same old, same old. And this cannot be. We`ve got to -- we`ve got to address this, because it`s very, very sad and very, very unfortunate. Before Hillary Clinton even becomes president, they`re already saying -- using the word "impeachment" and then -- and hopefully, we`ll have a democratic congress and democratic senate, hopefully we`ll be able to get around some of this.

HAYES: Yeah, when you raise the impeachment, which is a specter that`s been raised by, you know, some of the Judicial Watch , of course a veteran of the first impeachment of Bill Clinton. Do you think there will be immediate motivation impudence for that among some of your republican colleagues in the house?

CUMMINGS: Yes, I think that you have a situation where they have -- you know, they are disappointed in Mr. Trump. And so now, you`ve got people like Cruz -- I know he`s in the senate but -- and Ryan talking about the things that they want to do to continue all of these investigations. And they know that this is an effort to basically do what leader McCarthy said was being done before with the Benghazi Select Committee, that is to destroy any chances that Hillary Clinton will have, assuming she wins, of having a second term. So, they have a lot of incentive to do this. That is, from day one -- actually before day one, began this drum beat of investigation, investigation, investigation, trying to block her from the things that the American people will want her to do. And so, it`s a shame, but I`m going to do everything in my power to try to make sure that we stay on a course to achieve the things that the American people want us to achieve. It`s not -- it`s not going to be easy, but I think we have to stay focused on those things.

HAYES: It strikes me, too, that for a party that is very fractured right now, that has a lot of internal divisions, that uniting against Hillary Clinton, pouring the energy of the party across its entire geographical and ideological spectrum into investigating Hillary Clinton, is essentially the one most unifying element for your republican colleagues right now. It has to be a very attractive option to them.

CUMMINGS: Oh, no doubt -- no doubt about it. I mean, they are so splintered, they don`t know what to do. And so, rallying around Hillary Clinton is a thing that they can do. And again, keep in mind, what it does, it distracts us from doing the things that we need to be doing, and I think they kind of like that. They like the idea that, OK, we`re going to be obstructionist, we`ll spend all this time attacking Hillary Clinton and the public won`t notice that African-Americans and Hispanics are not -- are being denied the right to vote. People are not -- young people are not able to get -- pay for college, and things of that nature. And so, I often said, we -- you know, I try not to concentrate on so much who I`m fighting against. I tell my colleagues we must concentrate on what we`re fighting for. And so, hopefully, there will be some calmer minds that will come together that is on the republican side and join with us, democrats, to try to get something done.

HAYES: All right. Congressman Elijah Cummings, thank you for your time. I appreciate it.

Coming up, a third party candidate storms the debate stage. That amazing footage, next.

(COMMERCIAL BREAK)

HAYES: It is hard to be a third-party candidate in the American political system. Getting your name on the ballot with whatever requisite signatures or filing fees are required can be difficult. Getting attention for your candidacy with ads and voter outreach can be expensive. And getting a high up number in the polls to qualify for debates can be nearly impossible. As was highlighted in Maryland today, when the Green Party candidate for U.S. Senate , Dr. Margaret Flowers, who got 5 percent in the most recent Washington Post poll, didn`t meet the 15 percentage point minimum for today`s televised debate, and attempted to bypass the gatekeepers, and the following ensued.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: You shouldn`t be having a closed debate. She`s a legitimate candidate and should be included. (INAUDIBLE) respect her right to be here.

FLOWERS: It`s not a full discussion if you don`t have all viewpoints included and I`m a valid candidate on the -- on the ballot. So, I hope you -- and I`d appreciate you allowing me to be here today. Thank you.

VAN HOLLEN: Thank you. If you would -- if you don`t mind leaving the stage at this point, so that we can continue with this organized debate.

FLOWERS: Well, I`m a candidate on the ballot. I have a state-wide campaign. I don`t understand why I`m not here. I add a lot to the discussion.

(CROSSTALK)

VAN HOLLEN: The rules are pretty much --

FLOWERS: That doesn`t actually happen. So, how does this serve democracy or serve the public if I`m excluded from the discussion when I`m on the ballot?

VAN HOLLEN: Ms. Flowers, you have to leave now.

FLOWERS: It`s Dr. Flowers. I`m a candidate for U.S. Senate in Maryland, and this is how you`re treating a candidate? This is how you`re treating a supporter of democracy (INAUDIBLE)

KATHY SZELIGA, DEMOCRATIC SENATORIAL CANDIDATE OF MARYLAND: Can we -- can we open this -- can we open this podium to her? I think it`d be reasonable.

FLOWERS: Are excluded from this. You need to know this (INAUDIBLE) is going on, because those of you who are not aware that the policies are being put forth without a full discussion, people don`t know what they`re choices are.

(END VIDEO CLIP)

HAYES: Up next, we`ll look at another contentious senate race, the battle for Senator Marco Rubio`s seat in Florida, and why senate democrats have just pulled their financial support from his democratic opponent. That`s next.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

OBAMA: Why does Marco Rubio still plan to vote for Donald Trump? Why is he supporting Donald Trump? There has to be a point where you stand for something more than just party or more than just your own career.

(END VIDEO CLIP)

HAYES: There was a time when Marco Rubio`s seat was a prime target in the Democratic Party`s hopes of regaining control of the U.S. Senate , especially because soon after Rubio ended his presidential bid he said he would not run for re-election to the senate leaving his seat wide open.

Within a few months, Rubio reversed himself announcing a run for re- election. And he`s been polling ahead of his Democratic challenger, Congressman Patrick Murphy, ever since, averaging a four-point lead.

While, that may sound close when you look at the eight most likely senate seats for Democrats to pick up based just on polling averages, Rubio`s seat would be eighth, which helps to explain why last Monday the Democratic Senatorial Campaign Committee stopped spending money on the Florida Senate race, canceling the remainder of their ad reservations, a decision not without controversy.

In fact, the Florida Sun Sentinel, which has endorsed Patrick Murphy, strongly criticized the DSCC. The move is shortsighted. If Rubio wins this by a percentage point or two and goes on to become a top presidential contender in 2020, DSCC leaders will have no one to blame but themselves.

Joining me now to talk about the (inaudible) here. NBC News and political -- MSNBC political analyst Robert Costa, national political reporter for The Washington Post.

So there`s some reporting that this has been the subject of very intense dispute behind the scenes. Chuck Schumer saying, look, this money is better spent in other ad markets that are less expensive. Others saying you have got a shot to take Rubio out, the president may be even interested in that. What`s your sense of why this has become so hotly contested?

ROBERT COSTA, MSNBC POLITICAL ANALYST: It is hotly contested because the airwaves in Florida are expensive, and as Democrats look at the map, talking to consultants this week in Washington, Chris, they believe they can actually expand the map -- a place like Missouri with Jason Kander doing well against incumbent Roy Blunt and in other states you have a real chance for Democrats in the Midwest and the Rust Belt to come back. And they`re reluctant to pour this money into a race like Florida where Rubio seems to be doing pretty well.

HAYES: Yeah, the Missouri race is really interesting. It`s ads there are about I think a third of what they cost in those very expensive Florida media markets.

I want to play what I think is one of the best ads of the cycle. It`s for Jason Kander, a veteran and a state legislator who is challenging incumbent Roy Blunt. Take a listen.

(BEGIN VIDEO CLIP)

JASON KANDER, DEMOCRATIC SENATE CANDIDATE: I`m Jason Kander. Senator Blunt has been attacking me on guns. Well, in the army I learned how to use and respect my rifle. In Afghanistan, I volunteered to be an extra gun in a convoy of unarmored SUVs. And in the state legislature, I supported second amendment rights.

I also believe in background checks so the terrorists can`t get their hands on one of these.

I approve this message because I`d like to see Senator Blunt do this.

(END VIDEO CLIP)

HAYES: Kander was not someone that I think was on a lot of people`s radar screen, but he is giving Blunt a real run, as emerging as possibly the best candidate the Democrats have this cycle.

COSTA: and when you ask yourself why is he one of best candidates. It`s not just his age, he`s 35 and he`s charismatic. He`s running against Washington, and Missouri operatives in both parties say Kander has been very strategic in how he`s reaching out to Trump voters as well as Democrats in Missouri.

What he`s doing is saying I`m going to run against D.C. in general. And this is what you see a lot of Senate Democratic candidates doing. They`re not really running against Trump so much, they`re running against Washington trying to tap into that populism that sweeps across both parties.

HAYES: And the other -- and you know, what`s fascinating is you`ve got Portman, of course, in Ohio who is basically safe at this point. I mean, that`s barely being contested. He, of course, is a figurehead of the establishment. And then you have Evan Bayh trying to get back into the Senate in Indiana, looked to be the heavy favorite, but he`s on the wrong side of that kind of equation. His challenger going at him is basically as kind of pay for play revolving door guy. That was a -- Democrats thought it was a guaranteed pickup. That is going to be a very close race.

COSTA: Because when you look at Senator Bayh, he`s almost the opposite of Jason Kander. He`s a Washington veteran. He has lobbying experience, ties to D.C. consulting firms. And Rob Portman I think the model Republican not so much for his ideology, but for his organization. And he`s benefited from Governor Strickland not being as sharp on the stump as he has been in the past. And Portman is seen as someone who recognized early this was going to be a difficult year. He had to get ahead.

HAYES: You know, the Democrats need a pick up of four to tie. And if they were to win the presidency, then they`d tiebreaker in Tim Kaine the vice president. They need five to get an outright majority.

What are you hearing from Republicans about what their internal numbers show? Because often these races, particularly down ballot get polled internally a lot more and a lot more consistently than they get polled publicly?

COSTA: What they`re really looking at right now is trying to get out traditional Republican voters because if Trump is going to get swept in some of these states and he makes some unusual states competitive, that`s why when you see in this week on the trail, most of these Republican candidates are talking about the Affordable Care Act, they`re not about so much about Donald Trump.

They`re trying to find a way to survive, and to make sure if Trump loses their state by 6 to 10 points they are still in that competitive margins. They still have a shot. And they`re hoping Trump closes strong, too, even if they`re distanced from him, because they want to make sure it`s not some kind of wave.

HAYES: Yeah, they`re outperforming Trump almost by and large which is the opposite, of course, of Mitt Romney who outperformed all senate candidates except for Dean Heller in Nevada. But there`s only so much, right. I mean, the margin is going to matter a lot to those races.

COSTA: Well, I mean, there`s some fascinating races here. You look at Wisconsin. Ron Johnson has been behind for so long of Senator Feingold, but if you have the Republicans actually coming out in force in places like Waukesha County (ph), and Milwaukee suburbs.

In New Hampshire, great race up there. Maggie Hassan, the incumbent governor, really strong with Secretary Clinton. You see Democrats turning up in the polls in New Hampshire. But Ayotte, she`s been not perfect in navigating Trump, but she`s still seen as someone who is a little more toward the center.

A lot of these races could turn in the final week.

HAYES: Robert Costa, thanks for you time tonight. Appreciate it.

President Obama`s resounding I told you so to Republicans. How he foresaw the implosion of the right and even warned them it was coming still ahead.

But first, tonight`s Thing One, Thing Two starts right after this break.

(COMMERCIAL BREAK)

HAYES: Thing One tonight, Donald Trump at a rally yesterday in Florida, calling out some of his favorite signs.

(BEGIN VIDEO CLIP)

TRUMP: I love the signs behind me -- blacks for Trump. I like those signs. Blacks for trump. You watch.

(END VIDEO CLIP)

HAYES: Trump seen here kissing a woman for Trump`s sign while holding a Blacks for Trump sign is losing badly in the polls among both groups, but it`s a big country and there are in fact plenty of women and African- Americans who do support Trump.

However, it`s worth pointing out the signs don`t always match who is holding them. This guy in the blue who is clearly a guy holding a Women for Trump sign while taunting the media, then there`s this white woman holding a Blacks for Trump sign. This lady right here also proudly clutching her Blacks for Trump sign.

This lady down in the corner proudly holding up a Blacks for Trump sign of her own.

Now, sometimes people holding the Blacks for Trump signs are in fact actually black. The most visible being this guy on the right who Trump pointed out yesterday in Florida.

There he is again at another Trump rally earlier this month. He distributes the Blacks for Trump signs and runs the website you see on that sign. Well, there`s more to his story, which we will bring you in Thing Two in just 60 seconds.

(COMMERCIAL BREAK)

HAYES: Those Blacks for Trump sign you often see at Donald Trump rallies, many are handed out by this guy with a big smile who goes by the name Michael the Black Man. And if you check out the website on those signs, you`ll find rambling screeds deeming Hillary Clinton, quote, mother of harlots and imagery depicting President Obama, who he calls The Beast, as the anti-Christ and a member of the Illuminati.

Miami New Times reports Michael is a former member of the murderous Yahweh Ben Yahweh Cult who was charged for allegedly conspiring in two murders, though we should say ultimately not convicted.

Also been reportedly charged with Grand Theft Auto, carrying a weapon on a plane and threatening a law enforcement officer, though never convicted.

And he made a name for himself in the Miami area in recent years as virulently anti-gay, anti-liberal preacher.

He also wrote a book claiming Obama is the beast, 666, given power by the dragon serpent Oprah.

I guess they`ll take whatever they can get.

(COMMERCIAL BREAK)

HAYES: Hillary Clinton turned 69 years old today and she celebrated by attending an Adele concert in Miami last night where Adele told the crowd she is, quote, 100 percent for Hillary Clinton adding I love her. She`s amazing.

(BEGIN VIDEO CLIP)

ADELE, SINGER: I`ve got to be honest with you. I`m really glad I`m not American. It`s hard work. I don`t know what to do. I mean, I do know what to do, don`t vote for him. That`s what I`m saying.

(APPLAUSE)

(END VIDEO CLIP)

HAYES: Clinton responded in a tweet, "That was quite a birthday surprise, Adele. Loved the show last night."

This morning, Hillary Clinton appeared on Power 105.1`s The Breakfast Club radio show where she offered a novel proposal to bring the country together.

(BEGIN VIDEO CLIP)

HAYES: You know, I keep telling people I want to close the deficit, and one I want to close is the fun deficit. We`ve got to close the fun deficit. I`m sick of all this meanness and why don`t these people who support my opponent go out and have fun dancing. Do you think they dance? I think we need a big national dance.

UNIDENITIFIED MALE: I`m with you.

(END VIDEO CLIP)

HAYES: A big national dance. Well, we don`t know exactly what that would look like, we do have some idea what it might look like if Hillary Clinton led that effort.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: Just putting you on my Snapchat.

(MUSIC)

CLINTON: Woo, OK.

(LAUGHTER)

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

OBAMA: What I`m not going to do is to validate some notion that the Republican crackup that`s been taking place is the consequence of actions that I`ve taken.

(END VIDEO CLIP)

HAYES: It became clear that Donald Trump was actually going to be the Republican nominee for president conservatives started looking for ways to, not surprisingly, blame President Obama.

Former Louisiana governor and failed presidential candidate himself, Bobby Jindal, wrote an op-ed in The Wall Street Journal titled President Obama created Donald Trump.

New York Times conservative columnist Ross Douthet wrote that Obama era trends in liberal politics had helped feed the Trump phenomenon.

Even Jeb Bush hinted that Obama was to blame writing in The Washington Post this summer eight years of divisive tactics of President Obama and his allies have undermined Americans` faith in politics and government to accomplish anything constructive.

But Obama isn`t buying any of that, telling Jonathan Chait of New York Magazine earlier this month that, quote, "I see a straight line from the announcement of Sarah Palin as the vice presidential nominee to what we see in Donald Trump -- the emergence of the Freedom Caucus, the Tea Party and the shift in the center of gravity for the Republican Party."

This isn`t the first time the president has tied the evolution of Trump directly to the Republican Party. In a recent piece in The Republic, Brian Boitler (ph) argues Obama warned Republicans about this for years. The content of Obama`s argument shouldn`t be surprising to anyone who has been paying attention because he`s been making it for practically his entire presidency.

Perhaps most memorably in January 2010 when the president addressed Republicans directly during their house GOP issues conference in Baltimore.

(BEGIN VIDEO CLIP)

OBAMA: We`ve got to close the gap a little bit between the rhetoric and the reality. I`m not suggesting that we`re going to agree on everything whether it`s on health care or energy or what have you, but if the way these issues are being presented by the Republicans is that this is some wild-eyed plot to impose huge government in every aspect of our lives what happens is you guys then don`t have a lot of room to negotiate with me. You`ve given yourselves very little room to work in a bipartisan fashion because what you`ve been telling your constituents is this guy`s doing all kinds of crazy stuff that`s going to destroy America.

(END VIDEO CLIP)

HAYES: Joining me now April Ryan, White House correspondent and Washington bureau chief for American Urban Radio Networks , and Matt MacKowiak, a Republican strategist.

And April, I mean, you`ve covered presidents. You`ve covered this president up close. I mean, the case that he has made is essentially the Republican Party`s sort of core pathology is that it is immersed in a bubble. It is beholden to constituents in gerrymandered districts, particularly in the House and conservative media and therefore can brook no compromise, can`t work with him to get anything done and there`s a straight line from that to Trump.

APRIL RYAN, AMERICAN URBAN RADIO NETWORKS : I cannot agree more.

I`ve watched this president and I`ve watched this congress and there seems to be gridlock. Whenever someone makes a move to broker some kind of deal, be it trying not to have a government shutdown, we hear things like green eggs and ham. You know?

I mean, this president has gone golfing with John Boehner trying to broker deals. And then -- but you have to also remember, Chris, when this president first became president we heard Mitch McConnell say he`s going to do everything he can to make him a one termer.

So, this was the pervasive thought. We`ve heard people like Rush Limbaugh saying that he wanted the country to fail. I mean, he said that. This is not conjecture. This is not a myth. We have heard him say that. It`s on tape.

So the mind-set in much of the Republican Party was the fact that they wanted this man out and they weren`t going to work with him. And we see that in these waning days, i.e. was it Merrick Garland, over 200 some days this man has yet to have a hearing. And there`s the issue of constitutionality about this.

So the bottom line is whatever`s happening with this president, this historic presidency, a lot of it has to do with -- I don`t know if it`s hatred of him, hatred of race, I don`t know, but they just cannot seem to work it out.

And there within lies the problem or the phenomenon of Donald Trump rising to the top, because people are tired of the gridlock and that`s why Donald Trump, they want something totally new.

HAYES: Matt, I would guess that you disagree.

RYAN: He can`t.

MATT MACKOWIAK, REPUBLICAN STRATEGIST: For sure. I mean, well, it`s the job of the opposition party to oppose the party in power. So I`m not sure at what point April`s trying to make.

RYAN: But what level, but what level?

HAYES: The level of opposition -- the thing that I always come back to, right, is like what happened after George W. Bush was elected in 2000 in an extremely contested election, which he was -- he lost more votes, right. He didn`t have the vote of the majority in that, right?

Ted Kennedy worked with him on the signature centerpiece of his campaign, No Child Left Behind, education reform. Lots of Democrats voted for that bill. They sort of crafted the thing together. They didn`t just decide no, if he gets anything he wants, that will be poisonous. We should just withdraw consent.

MACKOWIAK: I think that unfairly presumes that it was a one-way negotiation, that Democrats moved in George W. Bush`s direction when, in fact, George W. Bush`s record as governor of Texas as former Democratic Lieutenant Governor Bob Bullack (ph) would have told you from those days was that he worked very well with Democrats.

And so that`s a big part of this is that I think -- look, you can make an argument Republicans have not been willing to work with President Obama, but I think it`s really been a two-way problem in a way that I think it wasn`t for George W. Bush.

Look at Medicare Part D compromise, even the tax cuts I think had some Democratic votes.

At the end of the day, though, Chris, keep in mind President Obama decided to use executive orders and to pass major legislation with only Democratic votes. He may have fell forced to do that, but I think it`s fair to say that he moved forward in a partisan way. And that`s part of why you have the division in Washington, D.C.

RYAN: Chris, I have covered three presidents now, for 20 years in January. And on the worst day for Bill Clinton and George W. Bush he did not have the problems that this president has.

George W. Bush has written more executive orders than this president, and yet they wanted to take him to court. So, yeah, there`s one thing when it comes to, you know, partisan sparring and verbal fisticuffs, but when it gets down to this kind of visceral dislike and hate, when parties are going at each other and things are not done, there`s a problem.

And someone -- a brilliant person told me this when I walked into Washington about 20 years ago, she said to me, you know what ultimate power is about? It`s about helping people. And the question is for both sides, are the people being helped right now? That`s the question for both sides. Not just for the Republicans, not just for the Democrats.

HAYES: You know, Matt, it seems to me that whatever -- there`s a sort of who started it question right, and there`s all sorts of narratives about the Affordable Care Act and should the Baucus committee work should have gone longer, and yadda, yadda, yadda. If you put that aside, to me, however we got here, right.

I mean, here`s Ted Cruz being asked about the fact that they`ve held open this seat for 300 days, unprecedented, basically saying there`s no legitimacy to confirm the president`s nominee to the Supreme Court. We`re going to need to have an election. Now being asked, well, if a Democrat wins he says, there is certainly long historical precedent for a Supreme Court with fewer justices. I would note just recently, Justice Breyer observed the vacancy is not impacting the ability of the court to do its job. That`s a debate we are going to have.

As in, OK, we`ve now said even when you win you`re not going to get a nominee.

Like, it is a one-way ratchet it seems to me from which there is no rebounding.

MACKOWIAK: Well, what I would say is that, keep in mind, you need 60 votes to move a Senate advise and consent nomination for the Supreme Court.

HAYES: Not for long.

MACKOWIAK: And so at the end of the day -- the first question will be who controls the U.S. Senate ? If the Democrats control it, they`ll control the senate judiciary committee and they`ll control the floor. And so they can get a vote on their own schedule.

Now, if Republicans control it, you have to be able to stop a filibuster. And so you have to hold those votes -- look, Cruz is on the judiciary committee. He obviously has an eye towards the future. I`m not convinced at all that Merrick Garland number one won`t be approved in a lame duck if Hillary wins, but number two won`t be approved in the first hundred days if he`s renominated.

Look, we are not going to go an entire presidency with only four justices regardless of who said what. I don`t think that`s likely to happen.

HAYES: You say that now. We`re going to check back on that, because I honestly think that`ll be a huge fight and they`re going to try everything they can to not confirm a justice.

April Ryan, Matt MacKowiak, thanks for joining us.

That`s ALL IN for this evening. "THE RACHEL MADDOW SHOW" starts right now. Good evening, Rachel.

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**NEW\_DOCUMENT\_HERE**

Chris Hayes, Steve Schmidt

9849 speakers\_end

(BEGIN VIDEOTAPE)

CHRIS HAYES, MSNBC HOST: Tonight on "ALL IN" --

HILLARY CLINTON (D), PRESIDENTIAL CANDIDATE: Nobody should want to wake up on November 9th and wonder whether there was more you could have done.

HAYES: Two weeks out, Hillary rallies and Trump keys off.

DONALD TRUMP (R), PRESIDENTIAL CANDIDATE: We`ve had tremendous success, the bookings are through the roof.

HAYES: Tonight, the Republican nominee kicks his self-promotion tour into high gear.

What we know about the 8 million votes already cast with Obama`s 2012 battleground director.

And Senator Elizabeth Warren, live in this hour. Plus ...

TRUMP: They`re bad and very evil people.

HAYES: The Trump war on the press continues. Tonight, the national cost of a conservative media bubble, now featuring **alien** conspiracy theories. And about those Obamacare headlines.

TRUMP: All of my employees are having a tremendous problem with Obamacare.

HAYES: Why Donald Trump repealed and replaced his own talking points.

UNIDENTIFIED MALE: Because of the law.

TRUMP: I don`t use much Obamacare, I must be honest with you.

HAYES: When ALL IN starts right now.

(END VIDEOTAPE)

HAYES: Good evening from New York, I`m Chris Hayes. We are now exactly 14 days from Election Day, two weeks from this very moment polls will have just closed in states around the country, results will be coming in, and depending how close things are, we may already know who will be the next President of the United States, but a lot can happen in two weeks. And so, tonight, Senator Elizabeth Warren is holding a get out the vote rally in Raleigh, North Carolina, where early voting has already been under way since last Thursday. She`s due to speak any minute now. We`ll bring you that as it happens. According to a couple new polls out today, Hillary Clinton is currently leading Donald Trump by between one and seven points in North Carolina, a state Barack Obama won in 2008, but lost in 2012.

There`s also new polling out of Arizona, another early voting state where Trump is barely clinging to a one-point lead. Among respondents who said they had already taken advantage of early voting, about 4 in 10, Clinton is ahead by 10 points. We`ve got a bunch of new data today on early voting, and we`ll talk about it in just a bit. Arizona is one of a handful of reliably republican states, including Georgia, Texas and Utah where Donald Trump is already scrambling the electoral map this year. In Utah, where the states` Mormon GOP electorate is especially unfavorable to Trump. His lead is down to 5.5 points in the polling average, prompting the campaign to dispatch his running mate Mike Pence to Salt Lake City less than two weeks before an election to do damage control, he`ll be there tomorrow. Mitt Romney himself, a Mormon, of course, won Utah by almost 48 percent in 2012.

Given Trump`s polling deficit, his reluctance for ads until very recently in his near total lack of any ground game to speak off, it came as a surprise today that according to The Washington Post, Trump has stopped holding high-dollar fund-raising events, relying almost exclusively on online donations, which, of course, tend to be much smaller. And that`s after campaign financial reports show more money spent than raised in the month of September. Report adds to growing speculation that Donald Trump is not in some very deep psychological sense, actually running to be President of the United States, so much as he`s running to build up a fan base for Donald Trump. With the advent of Trump Tower Live, the campaign`s new nightly broadcast, streamed over Facebook, rumors are once again, swirling of a potential Trump media empire to be launched after the election.

In a radio interview today, Trump flatly denied those rumors, but just listen to the way he talks about his supporters.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: Is this about you running for president, or is this about you setting up Trump TV and a media empire?

TRUMP: No, I have no interest in Trump TV. I hear it all over the place. You know, I have a tremendous fan base. I know we have a tremendous base, we have the most incredible people. But I just don`t have any interest in that. I have one interest, and that`s on November 8th. And frankly, right now, some people are voting right now.

(END VIDEO CLIP)

HAYES: A tremendous fan base. Today, New York Times published extensive audio recordings from interviews Trump gave his biographer, Michael D`Antonio in 2014. One of the most revealing clips, he describes how he uses the media for free self-promotion, especially for his businesses.

(BEGIN VIDEO CLIP)

TRUMP: When Barbara Walters called two years ago, she said, "Donald, I want to put you on as one of the top 10 most fascinating people." I could say no. And then, I could advertise a project that I`m doing, like doral or something. And spend half a million dollars on it or a million dollars, or I can do the show and spend nothing, and be on for a lot longer."

(END VIDEO CLIP)

HAYES: On the very day those tapes went public, that`s exactly where Trump was, Doral. His resort and golf club outside Miami. The event was ostensibly a campaign photo op with a group of employees, many of whom are Hispanic and support the republican nominee. For the most part, it sounded something like this.

(BEGIN VIDEO CLIP)

TRUMP: It`s 800 acres in the middle of Miami. If you look at the ballroom, that was brand-new ballroom that didn`t exist. And it`s, you know, one of the great places on earth. We had a construction crew here of 1,600 people. We rebuilt the whole place in about 14 months. We did it under budget, although I did increase the scope of the work, because we decided to use the finest marbles.

(END VIDEO CLIP)

HAYES: We should note that while Trump was hanging out at his golf course with the finest marbles, Hillary Clinton was also in Florida today, holding an event at Broward College on the second day of early voting in the state literally across the street from an early voting site, according to POLITICO`s Jennifer Epstein. This morning, Trump also took the opportunity to promote a big can`t miss campaign event taking place tomorrow in a crucial part of the country.

(BEGIN VIDEO CLIP)

TRUMP: I`m going -- tomorrow, we`re going to be opening up the old post office where we spent over $200 million, and built the most magnificent hotel, I think, anywhere in the country on Pennsylvania Avenue right between the White House and congress.

(END VIDEO CLIP)

HAYES: Trump campaign surrogate Steve Cortes joins me now. Steve, under what possible logic could it be a good idea less than two weeks in the election to go to your hotel opening in the not particularly contested District of Columbia?

STEVE CORTES, TRUMP CAMPAIGN SURROGATE: Chris, did you hear him say how great the marble is?

HAYES: Yes.

CORTES: Isn`t that a good a (INAUDIBLE)

HAYES: Yes, and I`m sure there`s wonderful things on the menu and finery in the details of The Washington Post -- the Washington Hotel.

CORTES: Right.

HAYES: But it just seems to feed into the narrative for people that think this guy is basically in it for himself.

CORTES: Sure. Of course, I`m kidding. Let me be serious here. And first of all, if anyone were to -- were to imagine -- let`s just presuppose that he`s truly into this for building Trump TV or future business ventures, this would be the most fanciful and wasteful expenditure he could ever possibly conjure. He has spent $100 million of his own money. Clearly, this is not a business investment. This is a dream for a better America, but to get to your specific question, why does he -- why is he going there? You know why he`s going there, I believe, is because he wants to show Americans once again that he has spent his lifetime building magnificent structures and employing people. The Clintons have spent their lifetime building IOUs and employing defense lawyers. And there`s a clear contrast there, and he`s going to show that to the American people.

HAYES: So, here`s my -- here`s what I think is interesting, right? So, the idea is, it`s either he`s doing this for all the right reasons, he wants to be president because if this were a business proposition, it`s a poor business proposition. But you`re excluding the third alternative, which is that it is a business proposition, it is a poor business proposition and he`s handling it terribly because he`s incompetent at doing the one thing he says he`s good at.

CORTES: Well, fine.

HAYES: That`s also a possibility.

CORTES: That is a possibly. I think he`s far too smart for that, and at 70 years of old, as a billionaire mogul, I don`t think that is obvious (INAUDIBLE)

(CROSSTALK)

HAYES: Billionaire? We`ll have to see the tax returns before I give him a break.

CORTES: That`s not on his agenda right now. Look, listen, I don`t think anyone can doubt this. Even if you have the most nefarious and malicious view of Donald Trump, you can`t doubt, I don`t think that he has poured his body and soul into this campaign. This is a man who keeps up.

HAYES: Well, but that`s -- everybody does that, who runs for president does that.

CORTES: No, no, no.

HAYES: That`s not some special thing about that.

CORTES: It is incredibly special. If you were to compare his schedule, for instance, to Hillary Clinton`s, you would see a frenetic campaigner on one side, a man who could be my father and I could never keep up.

HAYES: On his private jet all the time, yeah.

CORTES: I could never keep up his schedule versus Hillary Clinton who campaigns every few days and spends more of her time --

HAYES: She does not campaign every few days. But do you -- but do you see, realize this is like one of Trump`s sons said this is a huge step down for him to run for president. Like he`s not doing it -- let`s just be clear. Donald Trump isn`t doing anyone any favors by running to be the most powerful person on the planet, right?

CORTES: Well, listen, I disagree by saying a step down, of course. The presidency is never a step down.

(CROSSTALK)

HAYES: Good, I`m glad we agree on that.

CORTES: I think he misspoke there, Chris. Having said that, you know, I truly believe this, I do, OK? And I came to the Trump train, by the way, late. OK? I`m a convert to the Trump train, so don`t think I`ve, you know, been drinking Trump Kool-Aids since the very beginning, but I have become a true believer, and I really believe this. This man, do you think that at this stage of his life, of his fortune, of his career, that he needs any of this? You know, no, he doesn`t. He is doing this because he sees that our country is gravely ill. We are economically and national security sick --

HAYES: I understand -- I understand that that`s the theory of the case for Trump supporters and it`s what Donald Trump says, and it`s possible that that is actually the case. The other theory of the case -- and it`s not just one that people opposed to him politically believe, but also people who share the Republican Party`s beliefs or conservative, but don`t like Donald Trump, is that he`s fundamentally a narcissist who has become addicted to the attention, is sort of compulsively driven by attention, and this has given him an outlet for that attention, and crucially doesn`t actually care about the party that he is nominally representing in two weeks.

CORTES: All right. No, listen, and that`s an important point. And Chris, to your point, and I will concede this to you, there are some people whom I respect who hold those views. I would argue, though -- I would counter that by saying that generally, they are part of a Washington establishment that exists for its own self-aggrandizement. And that we are --

HAYES: And so, yes, I get that. I get that.

CORTES: -- a movement of the outsiders and the establishment can`t stand what we represent. And by the way, I`m glad they can`t because we`re not coming there tinker around the edges.

HAYES: I will respectfully -- I would respectfully say and I get that argument. There`s some truth to that. You`re talking about this sort of wired part of the conservative establishment. But the random Mormon voters in Utah that wanted nothing to do with the guy are now part of the establishment have come to the similar conclusions. Steve Cortes, thank you very much, appreciate it.

CORTES: Thank you, Chris.

HAYES: Joining me now, Michelle Goldberg, a columnist for Slate, and Tony Schwartz, Donald Trump`s ghostwriter, credited co-author on "The Art of the Deal" which congratulations, the campaign just bought a bunch of copies of that book. So, that`s money in your pocket.

TONY SCHWARTZ, DONALD TRUMP`S GHOSTWRITER: Well, no, it isn`t. I`ve given away so far $85,000.

HAYES: Oh, is that true?

SCHWARTZ: $85,000 in royalties so far this year, and I will continue to give it away to anti-**immigrant** -- to pro-**immigration** causes.

HAYES: So, in terms of that -- I mean, one of the -- I`m trying to make sense of he`s going to this hotel. He`s at Doral today. We`ve got the tape saying, you know, he`s going to his hotel tomorrow. There is a sense in which, like, it could be the case that the incentives of running for president and the incentives of getting maximum attention for yourself, sometimes align, and at a certain point, they stop aligning, and you just keep going with the incentives for maximum attention for yourself.

SCHWARTZ: I mean, that`s the only incentive he has. So, what you said, poor Steve Cortes. I mean, what a horrible, horrible job to have to defend this man. And you could see how impossible it is at this point. If that`s --

HAYES: Yeah. Although, let me just note on Steve`s behalf, and Steve believes in what he`s saying, and I don`t -- I don`t doubt for a moment that all the people that you see on television defending Donald Trump have not been drafted into it. So, everyone has entered it out of their own --

SCHWARTZ: Oh, I don`t mean -- I don`t mean he`s doing it against his will. I mean, it`s a -- it`s a crappy job. No, so I think this -- the point you were making about his need for attention. Listen, he has kept upping the ante in terms of getting attention. The New York Times piece about Michael D`Antonio`s interviews really brought that up again, this desperate feeling that if I`m not getting attention, that I barely exist. He`s like a -- he`s like -- it`s like as if he`s rowing a boat across a river and his -- the Promised Land is on the other side, but there`s a hole in the boat, and he`s bailing, bailing, bailing, and he`s bailing so much that he can`t actually row the boat. So the Promised Land is never going to be reached.

HAYES: And the way that -- it`s funny you said that, because the way that this gets understood in the campaign context when you look at, like, "Oh, he`s -- they`re not doing the blocking and tackling, they`re not doing the organizational operational things they needed to do in this election, why is he going to his hotel?" that that`s, like, called lack of discipline, but it`s obviously something even deeper than that.

MICHELLE GOLDBERG, COLUMNIST FOR SLATE: Right. I mean, lack of discipline, if you were just lazy, you would offload that to someone else, and let someone else do that work for you. I mean, it`s more of that. I think what you said his incentives are not aligned with the Republican Party. I mean, they are part of the time, but they`re not all of the time. I also wonder if at this point, I mean, given his noted inability to deal with shame, humiliation and loss, and what seem like epically deep psychic wounds that he carries around, that he just wants to go and be in a place that he feels like he created, and, you know, like --

HAYES: Right. Just go back to home.

GOLDBERG: Right. Go back to, you know -- go back to somewhere or something that he maybe can feel good about, because --

HAYES: Yeah, he did end today`s Doral event by just muttering rosebud over and over and over and over again.

SCHWARTZ: Yeah. No, I think the fascinating -- several different pieces of the Trump psyche revealed by what happened today and one of them is this decision not to hold more fundraisers. So, what`s that about? You know, more big finance fundraisers. That`s very simple. He is already in revenge mode. And he wants to get --

HAYES: Oh, exactly right.

SCHWARTZ: He wants to get the Republican Party, and if it means blowing up the Republican Party, the democracy, whatever it takes, Donald Trump is going to try to get back some semblance of self-worth.

HAYES: And to me, the biggest lesson I`ve learned up till now with two weeks to go before the election, and the thing I have to keep, sort of, taking myself back to kind of parse, is just how powerful a personality can be when it is as not worried about norms or shame as a normal person. Like that`s been the big lesson. Like, wow, you can really go pretty far and you can get away with a lot.

(CROSSTALK)

GOLDBERG: I mean, you know, when like -- at the risk of violating Goodwin`s law, right, this is the big lie, and that`s why it`s so powerful. That most people will not accept the fact that you are -- and who was it that said that eventually Donald Trump is going to go on television and insists he never ran for president?

SCHWARTZ: Yeah. Right, right.

GOLDBERG: Right. I mean his ability to be so shameless, I think that it`s impossible for most people to parse. They assume that there must be something to his grandiose self-presentation, because who could be a con man on that big of a scale?

SCHWARTZ: Well -- yeah, go ahead.

HAYES: Well -- and also, I mean -- I guess, my question to you is one of the -- the other thing you always have to remember about this guy, right, that is he`s not been a politician, right? Politics, running for electoral office is deeply humbling, and not in the fake, like, "I`m deeply humbled to be there." (INAUDIBLE) the people say when they`re actually not humble, it`s like actually humbling like you go and shake hands and beg people for their vote and things like that, and you lose races. He`s not gone through that, right? So, how he reacts these last two weeks is a totally open question.

SCHWARTZ: Well, I think it`s pretty clear how he`ll react. He will keep doing those things that make him feel like it`s somebody else`s fault that this has happened, and he`ll keep doing those things that serve his self- interests. You know, the kind of clash of civilizations that really this represents us between self-interest and a greater interest. It`s between me and we. And thank God it looks like we is going to win, because if it doesn`t win, the planet isn`t going to survive, and if Trump -- I really believe that, you know, I believe that we`re at a -- we`re at a -- you know, at a turning point here.

HAYES: And there are concentric circles of we, right? So, there`s the we of the planet, there`s also a we of the GOP, there`s a we of a whole bunch of stuff, you know, the down ballot races, which is what a lot of other people on the -- on the republican side (INAUDIBLE) Michelle Goldberg, Tony Schwartz, thank you both.

GOLDBERG: Thank you.

SCHWARTZ: Thanks.

HAYES: Up next, the early returns from early voting, President Obama`s 2012 Battleground States director on what eight million early votes tell us about where this race stands two weeks out, and why the odds that democrats take back the senate are getting better after a quick two-minute break.

(COMMERCIAL BREAK)

HAYES: As Donald Trump`s fortunes continue to slide, he`s increasingly dragging the fortunes of senate republican`s weapon. The Cook Political Report now predicting senate democrats are poised to pick up five to seven seats, which would give them the majority. Pointing out the history shows that races in the Toss Up column never split down the middle, one party tends to win the lion`s share of them. With two weeks to Election Day, there`s not enough time for republicans to recover toss-up seats in states where Hillary Clinton is currently leading, considering this, early voting is under way, and Trump won`t be any help especially since his campaign doesn`t really have a ground game to speak of. As "The Hill" reports, between Clinton`s presidential campaign, the DNC, and state party operations, campaign finance reports show democrats employ 5,138 staffers across 15 battleground states.

Trump`s campaign, the Republican National Committee and state parties employ just 1,409 staffers in 16 states. So, nearly for the one, democratic advantage in human resources, the big question now is, how well does that turn out machinery work for democrats for Election Day? Early voting data, in at least one Battleground State offers some potential insight. According to "The Washington Post," at the end of Saturday, Democratic staffers celebrated news that just over 39,000 people had voted in Clark County, compared to just over 33,000 in 2012. Now, the bulk of Nevada`s democratic voters are concentrated there. No wonder, Katy Perry held a rally for Clinton in Clark County last Saturday, literally gave a ride to some of the attendees to early voting sides afterwards. In a one- two punch, President Obama was in the same county the next day, imploring people to vote early.

If there is a single person on earth who knows this data inside and out, it`s Mitch Stewart, Battleground States Director for the 2012 Obama for America campaign, currently a Partner at 270 Strategies. All right, Mitch, I want to start with this before we get into the early voting data. I think it`s important for folks to understand when you were sitting at your perch in 2012 in that campaign, and the folks were running the operation in Clinton`s campaign, you`re not looking at the RealClearPolitics average of 538, you got internal data. What is that internal data made of and what does it say, and what does that tell you that we on the outside don`t know?

MITCH STEWART, BATTLEGROUND STATES DIRECTOR FOR OBAMA FOR AMERICA AND PARTNER AT 270 STRATEGIES: So, you have a voter file that has all kinds of different data information on these specific individuals. Their vote history, their likely candidate preference, all kinds of different things that you can look at. And what you get then from the either the county auditor or from the secretary of state are individual level returns. So, you know exactly who voted early, and many times you know how they voted early, either in person or by mail. And then you can match that information back to your existing database or your voter file.

HAYES: Right.

STEWART: And so, you`re going to look at two things, Chris --

HAYES: And you know those people -- you know enough about those people you`ve sort of profiled them whether it`s through their age, their education level, their ethnicity, to be pretty confident who they`re actually voting for based on the models you have.

STEWART: Yeah. No, exactly right. In fact, you look at two separate data points. The first is what we call a preference candidate model. And so, every single voter in that state will have a score from 100-1. 100 being out of 100 Mitch Stewarts, Barack Obama would get 100 votes. So, if I have supports score of 10, out of 100 Mitch Stewarts, 10 people would vote for Barack Obama, 90 for Mitt Romney. So, you look at that and then you also then look at your turnout score. How likely are you to vote if somebody were not to remind you? And then again, you have a score from 100-1 on every single voter in that state. And so, what you ultimately want to try do with early vote, in most states, is that you want your supporters who have, what we call, a middling turnout score. So folks that you`re not super confident will actually vote on Election Day unless you remind them. You want those folks to vote early. If somebody has a really high turnout score, you can rest assured that they`ll vote on Election Day, you know, irrespective if you remind them or not.

HAYES: So, this is the fascinating thing that for folks to understand. So, you`ve got the two scores, how likely am I to support the candidate that Mitch Stewart working for, in this case Barack Obama or it would be Hillary Clinton (INAUDIBLE) now? And how likely it`ll turn out, and what your -- the sweet spot for early voters is you want people you`re sure are going to vote for your candidate, but are in the middle of the propensity to turn out, because you can work on them in this sort of sustained fashion for this period and make sure they get their sort of in their own time and choosing.

STEWART: Yeah, that`s exactly right. And so, not only do you measure your success from a field operation, but you also measure your opponent`s success. And who are they getting to turn out early? Are they getting out this, you know, Election Day voters and they`re just doing it early, or are they also reaching into sort of this electorate people who would be less likely to participate, so are they growing their pie?

HAYES: So --

STEWART: And so you look at both. You look at both.

HAYES: So you`re -- yeah, so you`re -- you can do something like in 2012, I mean, you could have -- you could -- say in a state like Nevada, right? I mean, my understanding is your campaign basically knew who won Nevada before Election Day because --

STEWART: Well -- so, you`re going to have -- you`re going to have 80 percent of Nevadans vote early, and we had about, if you look at the models support scores, we had about a 12-point lead with 80 percent of the electorate in. So you have 20 percent in the electorate left to vote, meaning that`s the republicans would be like literally a 70-30 win on Election Day to make up for that early vote deficit. And Iowa is another example, just under 40 percent voted early and we had about a 10-point lead. And so, on Election Day, republicans had almost an insurmountable gap to fill. And so, you felt very, very comfortable with a couple of those states. Or another is just you just knew that Election Day, it`s going to be really, really close like Florida. And so, it does provide you some assurance of what`s going to happen on Election Day, but, Chris, frankly, more importantly from a campaign perspective, it allows you to allocate resources more efficiently. So, we stopped spending, you know, a ton of money in Nevada once we realized that 80 percent of the electorate voted. And so, we kind of wind down the budget there and focus on a state like Virginia, where about 90 percent of the state will vote on Election Day, because there`s very little early vote happening there. HAYES: Right. All right. Mitch Stewart, thank you so much. We`re going to check in as we noted on Elizabeth Warren who is speaking -- who`s speaking moments ago. Take a listen.

(BEGIN VIDEO CLIP)

SEN. ELIZABETH WARREN (D), MASSACHUSETTS: And she gets up every day -- no, I hope you heard Donald Trump in the debate when he said that it was -- he was smart not to pay any taxes. That`s right. He is smart and all of you who pay taxes are dumb. Everyone who pays taxes, to keep our roads and bridges working, is dumb. Everyone who pays taxes to support our world class military is dumb. Everyone who pays taxes to support medical research and scientific research is dumb. Dumb, because Donald Trump doesn`t plan to pay. He just plans to use all those things you paid for. What kind of man does that? A selfish little sleaze ball, a man who will never be President of the United States, you bet. You bet.

Now, Donald Trump`s been out there, he hasn`t been hiding who he is. He`s been out there from the very beginning. He`s been out there from the very beginning. He`s been out there, and where has your senator, Richard Burr, been all this time? You know, I wanted to look this up, make sure I got this right before I came here. Richard Burr said, "Make no mistake, I am fully supportive of Donald Trump." No dancing around that one. So, Donald Trump called Latinos rapists and murderers, and Burr fully supports Trump. Trump called African-Americans thugs and Donald Trump -- and Burr, fully supports Donald Trump. Trump attacked a Gold Star family and Burr fully supports Donald Trump. Trump praised Vladimir Putin and compared himself to dictators, and Burr fully supports Donald Trump. Trump calls women fat pigs and bimbos and brags about sexually assaulting women, and Richard Burr is like a puppy on a leash sticking right there with Donald Trump. You know, if Richard Burr is just going to be Donald Trump`s lapdog, then let him go off and do that, but the people of North Carolina need a strong, independent voice to fight for the families of North Carolina, and that is Deborah Ross, you bet.

(END VIDEO CLIP)

HAYES: All right. That was Elizabeth Warren speaking in North Carolina just a few moments ago in support of Deborah Ross, who`s the democratic senate candidate challenging the incumbent Richard Burr in a tightly contested race, yoking Richard Burr to Donald Trump that you saw. We`ll be right back with more, just after this.

(COMMERCIAL BREAK)

HAYES: Donald Trump has spent his entire presidential campaign both obsessed with media coverage and harshly critical of the press. His rhetoric has grown ever harsher in recent weeks as his poll numbers have collapsed.

(BEGIN VIDEO CLIP)

TRUMP: These people are among the most dishonest people in the world, the media. They are the worst. They`re trying to fix the election for crooked Hillary. The media is entitled, condescending and even contemptuous of people who don`t share certain elitist views.

(END VIDEO CLIP)

HAYES: Reporters are ritualistically booed when they`re escorted into the Trump rallies where they stand in pens and then heckled while they cover them. This video from NBC`s Ali Vitali shows the view from the press area yesterday as Trump claimed the media are trying to rig the election for Hillary Clinton. Reporters describe the vitriol they face at Trump rallies as increasingly menacing and hostile. With Trump`s supporters flipping middle fingers and lashing out in tirades often laced with profanity. A Trump rally in Cleveland over the weekend, BuzzFeed reporter Rosie Gray recorded two men outside the press pen were recording picking up right after one of the men said the word lugenpresse.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: That`s what you are, lugenpresse. Lugenpresse. You said it right. That`s right.

(END VIDEO CLIP)

HAYES: The word that man there was so excited to learn, lugenpresse means lying press in German. And it`s the term the Nazis used to demonize and discredit the media and stir anti-Jew hatred. While Trump has traveled further into the fact-free fever swamp than previous GOP candidates, a cocoon in which any information he doesn`t like is false and any outcome that doesn`t go his way is rigged, his rhetoric is not new.

According to our next guest, it reflects a sickness that has taken over the Republican base and must be cured if the party is to be saved.

We`ll break down her diagnosis next.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

SEAN HANNITY, FOX NEWS: They also claim that, in fact, Hillary did in fact have a romantic relationship with Vince Foster.

UNIDENTIFIED MALE: That, you know, that was pretty much of an open secret in our circles.

(END VIDEO CLIP)

HAYES: Lead story on Hannity on Fox News in primetime last night beamed out to million of viewers, an interview with a sci-fi writer and self-identified former fixer for Bill and Hillary Clinton named Jeff Rovin, who was recently featured as Hillary`s hit man in a National Enquirer cover story claiming, among other things, that Clinton is a, quote -- and I`m quoting here --a secret sex freak who paid fixers to set up elicit romps with both men and women.

Rovin is a former editor of the now defunct Weekly World News, which brought us both the story of Hillary Clinton`s **alien** baby adoption, and her steamy nights with another **alien** in the UFO love next, complete with photographic evidence.

Hannity gave Rovin a primetime platform on Fox News, despite admitting the network could not verify his claims, which had previously been amplified on the widely read conservative news aggregator The Drudge Report, and pushed by another central player in the right-wing echo chamber Rush Limbaugh who complained the mainstream media would not ignore this story if it was about Trump.

(BEGIN VIDEO CLIP)

RUSH LIMBAUGH, CONSERVATIVE RADIO SHOW HOST: Would you think that The National Enquirer allegation of a guy saying that he`s procured women for Hillary would even make its way -- well, of course not, but if the story was about Trump, it would.

(END VIDEO CLIP)

HAYES: This is how a pretty ridiculous story about Hillary Clinton from a, how to put this politely, less than impeccable source, makes the rounds of the right -- Limbaugh, Drudge, Hannity. This is the echo chamber championed by Drudge and who today called into the Limbaugh`s show to complain of what of all things, the mainstream media.

(BEGIN VIDEO CLIP)

TRUMP: These are vicious people. These are lying people. They`re evil people, the press, the media. They`re bad people. And nobody, nobody lies like they do.

(END VIDEO CLIP)

HAYES: Joining me now, Washington Post opinion columnist Catherine Rampell, whose latest column argues the only way to save the Republican Party is to, quote, drain the right-wing media swamp.

Give me the argument of your column.

CATHERINE RAMPELL, WASHINGTON POST: My theory is that after this election i over and Trump gets the trouncing that everybody seems to expect that he will get, the Republican Party will regroup and say, what did we do wrong? What`s our autopsy this time around? They`re going to lay it at the feet of Donald Trump and say, you know, if we`d only had a candidate with maybe the same package of policies, but like a little more empathic gloss, a little less boorish, a little less bigoted, hadn`t been caught on tape saying he was going to grope women, et cetera, we would be OK. And I think this is wrong.

The problem with the party right now is not Donald Trump, or at least not only Donald Trup, the problem is that a large share of their base believes completely bonkers bigoted things. And they have been fed this again and again over years by the right-wing media.

HAYES; What do you mean by bonkers bigoted things.

RAMPELL: Birtherism, data trutherism, widespread voter fraud...

HAYES: Explain those -- data trutherism is that like large significant parts of Fox viewers and conservatives and Republicans who think that like all the economic data is being essentially juiced and made up by the federal government.

RAMPELL: Yes, the polls are skewed. Even the Fox News polls are skewed these days according to the Republican base.

Beyond that, you know, that the weather numbers that we get are wrong. You know, that Matt Drudge had recently said that nobody should evacuate their homes when a hurricane was coming.

HAYES: Right, it was a liberal media conspiracy.

RAMPELL: Right, it was a conspiracy. The numbers were made up, the projections were made up specifically to gin up fear about global warming.

HAYES: And so the idea here -- I mean, I think, the idea is that there`s a sort of contextual environment in which Trump has flourished and the environment is the more important than Trump in some ways, because the environment is the environment that is so self- contained and untethered from connections to external reality that you can have a candidate like this flourish.

RAMPELL: Yes, basically the alt-right for years has created an alternate reality that has inevitably led to Trump.

HAYES: You mean the right.

RAMPELL: The alt-right.

HAYES: Explicitly the alt-right.

RAMPELL: The alt-right and the right.

HAYES: It`s bigger than what the -- I guess I would say that the sort of self-identified white nationalists of the alt-right, it`s larger than that.

RAMPELL: But I don`t mean to paint all conservative leaning journalists with the same brush, what I mean is those who are pedaling crazy conspiracy theories saying that Obama was not born in the United States, that sort of thing.

HAYES: I mean, that`s part of the issue, right, because there are tons of conservative journalists and writers and folks at Fox and other places. There are places that people that have integrity. That they`re opinionated with an ideological ax to grind but who doesn`t have one.

RAMPELL: The National Review...

HAYES: Right. And you can -- you know, Phil Klein, who I always talk about it a great -- he has been reporting on Obamacare, conservative, doesn`t slike Obamacare, is embedded in the facts of what Obamacare is. There`s knowledge. There`s subject matter knowledge, there`s expertise, there all these things.

That`s a very small group of these folks with a very small...

RAMPELL: And my concern is that Republican leadership has been playing along for years with these conspiracy theorizers.

HAYES: They`re controlled by them. It`s not even played along, they`re terrified of them. I mean, look what happened to Eric Cantor in his primary race with David Bratt when basically right wing radio decided to take him on.

RAMPELL: I think that`s -- so I think there are two issues going on here, why they haven`t been willing to take on the crazies essentially. One is that they desperately need the imprimatur of these places because they`re influential -- Hannity is influential, Rush Limbaugh is influential, Drudge is influential, whoever else, if they tick them off, they will potentially lose those voters.

The second is to some extent these conspiracy theories have served their interests in the short term. In the short term. So, you know, birtherism, to take one example, delegitimizing a popular mandate of the president, who happens to be the first black president, maybe that was useful to their cause in the near term. But of course in the long run it stoked a lot of racial resentment. The same kind of thing with claims of voter fraud in the near term...

HAYES: It has been extremely useful.

RAMPELL: Well, until a bunch of courts...

HAYES: Right, but as in the pretext by which they passed actual pieces of legislation that have actually made it harder for actual populations that actually vote for Democrats in large numbers to vote.

RAMPELL: Yes. And in the long run it set the stage for a presidential candidate to claim to his many voters that the election will be stolen from him.

And today, you know, a large share of Americans -- of Republicans in particular believe that that election will be stolen from them.

HAYES: I think that it`s absolutely the case and you`re seeing it in sort in its sort of death throes now as it was famously Karl Rove on election night in 2012 saying it`s not over. It`s not over.

But then they all just went back to the script. And the big question for the right I think after this about particularly conservative media is do they go back to the script or is there some sort of reckoning. Catherine Rampell, thanks for being with me. Appreciate it.

HAYES: Still ahead, the information vortex of Donald Trump`s campaign. The policy he doesn`t seem to know, but still promises to repeal and replace.

But, first, tonight`s Thing One, Thing Two, starts just after this break.

(COMMERCIAL BREAK)

HAYES: A bonus Thing One, Thing Two tonight without the commercial break in the middle: know your elected Republican and where he or she stands on their own nominee for president, because there are several distinct categories. For instance, there are those who have always backed Donald Trump like, for instance, Senator Jeff Sessions. There are a select few who have maintained never Trump like Senator Ben Sask, Governor Charlie Baker and a handful of congress members. There were those who decided this summer relatively early to oppose or unendorse Trump like Senators Mark Kirk, Lindsey Graham, and Susan Collins, next are those who stood with Trump until October, through all the offensive statements nasty statements, banning an entire religion, but finally threw in the towel after the infamous audio of Trump bragging about grabbing women by the genitals. That list of late Trump unendorsers includes Senators John McCain, Kelly Ayotte and Senate candidate Joe Heck of Nevada.

Which brings us to a really special category, the supporters who heard Trump on that bus bragging about sexual assault and defiantly proceeded to unendorse Trump, or call for him to step down only to then days or weeks later reverse their unendorsement and reendorse Trump. This crowd who supported and opposed in disgust before reendorsing him includes Senators John Thune, Deb Fischer and most recently Mike Crapo. So you have those categories.

But then there`s Republican Pennsylvania Pat Toomey. As millions of people decide who should hold the most powerful job who will be in charge of the nuclear codes. Pat Toomey has his own answer. And that`s Thing Two tonight.

See, for the entire general election, Senator Pat Toomey has simply refused to say whether or not he will support the GOP nominee. He won`t endorse nor will he rule out voting for Donald Trump. He won`t give a simple direct answer to the single most pressing question in all of politics, one that every single American has to answer for themselves all of which made for an interesting debate last night.

(BEGIN VIDEO CLIP)

UNIDENITIFIED MALE: I know you have been waiting for this debate, in fact, I know you`ve been waiting for this moment to say whether or not you will vote for the nominee of your party. So is it yea or nay?

SEN. PAT TOOMEY, (R) PENNSYLVANIA: So, Jim, unlike Katie McGinty, I a not a hyper partisan reflexive ideologue who thinks he has to give blind obedience to his party`s nominee.

UNIDENTIFIED MALE: So I guess that means you haven`t been waiting for this debate?

TOOMEY: I have refused to endorse Donald Trump. Katie McGinty says that`s supporting Donald Trump. That doesn`t make any sense.

UNIDENTIFIED MALE: Look, I`m not going to badger you to say something that you`re not going to say, but don`t you think your constituents, the people of Pennsylvania, deserve to know if you`re going to support the nominee of your party?

TOOMEY: I don`t think my constituents care that much how one person is going to vote. They`re going to make their own decision.

(END VIDEO CLIP)

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

UNIDENITIFIED MALE: Iraq`s elite counterterrorism troops trained by the U.S. are at the tip of the spear in the fight against ISIS. We join their commander, Major General Maan al-Saudi (ph), of a tour of their front line positions. The enemy has had two years to dig in for this battle, but General Saudi (ph) has an advantage: American air power.

ISIS is losing ground, fast.

(END VIDEO CLIP)

HAYES: American troops are on the ground in Iraq right now coordinating air strikes and aiding Iraqi forces as they move to retake Iraq`s second largest city from ISIS fighters. The battle for Mosul has already claimed the life of one U.S. service member, 34-year-old Chief Petty Officer Jason Feinan (ph) was attached to a Navy SEAL team advising Iraqi counterterrorism troops. According to the U.S. commander in Iraq, he was in a vehicle and telling other members of his team he had spotted a roadside bomb when he was killed.

Chief Petty Officer Jason Feinen (ph) leaves behind a wife and a 7-year-old son.

The stakes of this battle with both American and Iraqi troops in harm`s way are clear and progress has been steady in first week of the operation. Iraq`s prime minister says the offensive isgoing faster than planned.

U.S. command says Iraqi forces are making solid progress, but according to the Republican presidential nominee, quote, the attack on Mosul is turning out to be a total disaster. We gave them months of notice. The U.S. is looking so dumb. Vote Trump and win again.

That tweet prompting this response from Secretary Clinton.

(BEGIN VIDEO CLIP)

CLINTON: I was so appalled when Donald Trump tweeted that the new effort under way to push the terrorists out of the key city of Mosul is already, and I quote him, a total disaster, and that our country is again a, quote, looking dumb. Really? He`s declaring defeat before the battle has even started? He`s proving once again he is unqualified to be commander-in-chief of our military.

(END VIDEO CLIP)

HAYES: We are right now as a nation in the midst of choosing someone to command the most powerful, most deadly military on Earth. And it is not just Mosul or the fight against ISIS that will be in the new president`s portfolio. Right now the U.S. is, get this, conducting air strikes or missile strikes with special ops, troops the on the ground in at least six different countries. Right now Yemen, Libya, Somalia, Afghanistan, Iraq and Syria. That is what the next president will inherit in our era of constant war. That`s what`s front of mind for military members and their families and it should be front of mind for every voter.

(COMMERCIAL BREAK)

HAYES: There`s one thing that Trumpers and never-Trumpers have in common is their opposition to Obamacare, a shared interest even Senate Republicans can get behind. Back in May, according to The Hill The Trump and a group of GOP senators met and agreed that Obamacare will re-emerge as an explosive political issue before the November elections. And that could be a millstone around Hillary Clinton`s neck.

So with the recent news that Obamacare premiums in the exchanges, in the individual plans, are going up by more than 20 percent on average next year Trump stood before his Doral golf course in Miami this morning flanked by about 200 of his employees and tried to make the point that Obamacare is a disaster for them.

(BEGIN VIDEO CLIP)

TRUMP: I can say all of my employees are having a tremendous problem with Obamacare. You folks, this is another group, is that a correct statement? I mean, you look at what they`re going through, what they`re going through with their health care is horrible because of Obamacare.

(END VIDEO CLIP)

HAYES: Except the vast majority of those employees are not on Obamacare because their health care is provided by their employer Donald Trumps resort.

And when the resorts general manager said as much, it seemed to catch a local camera operator by surprise.

(BEGIN VIDEO CLIP)

DAVID FEDER, GENERAL MANAGER: I`d say 99 percent of our employees are insured through the hotel, through our insurance and maybe there`s a few that are insured through Obamacare. But very, very few.

I would say -- and I haven`t gone through the records, but over 95 percent, without a doubt.

(END VIDEO CLIP)

HAYES: A short time later on Fox News, Trump was asked how his employees are hurt by ObamaCare.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: A moment ago at your event in Florida we were watching it live here in New York, you said that it`s costing jobs within your business itself. Specifically how?

TRUMP: Well, I don`t use much Obamacare, I must be honest with you, because it`s so bad for the people and they can`t afford it. And like, for instance, I`m at Trump National Doral in Miami and we don`t even use Obamacare. We don`t want it.

(END VIDEO CLIP)

HAYES: Joining me now, Christina Greer, associate professor of political reporter at Fordham University and Nick Confessore, political reporter for The New York Times and MSNBC contributor. The perfect moment to me for two reasons. One, it displays Donald Trump`s general level of sort of policy expertise. And number two, most Americans still now in 2016 don`t know what Obamacare is, couldn`t tell you what it is, or who it affects. It`s become this kind of culture war issue, or like symbolic thing, like can you put a creche in the public square.

JOHN CONFESSORE, NEW YORK TIMES: You know, and if you called it Trumpcare, it would probably poll better or call it like Powellcare, and it would probably poll at 60 percent, right. It`s the association with President Obama that drove down a lot of the approvals. Obviously, for some people the premiums are going up, it is going to be a hardship, but it`s much more than the exchanges, right. It`s the guarantees on coverage and parent`s plans.

HAYES: You`re saying the bill itself, the law itself. So, the law does a ton of things. You can stay on until you`re 26. There`s a whole bunch of -- half the laws about sort of getting -- pushing the cost down and innovation in Medicare and Medicaid delivery and health systems and integrated care and there`s no lifetime maximums, yadda, yadda, yadda. But then there are the exchanges, which are somehow the focus of it, but a tiny percentage of voters are in them.

CHRISTINA GREER, FORDHAM UNIVRESITY: But if we`re dealing with a candidate who had any grasp of public policy or the idea of how to talk to voters 13 days before an election, we might see someone who could frame...

HAYES: Could make that argument.

GREER: Very clearly.

This is a horrible day for sort of Obamacare and ergo Hillary Clinton. So, Trump can`t help but make everything either, a, about himself, or he doesn`t much knew, know Obamacare. Again, the assault on the English language with this man is deplorable. However, he didn`t seize the opportunity to break it down to the public. Everyone is there asking him questions about it. He could have walked them through it very briefly.

HAYES: But the point here to me is just that it remains -- like, so we were talking about there`s 3 percent of the roughly of the insured get their insurance through the exchanges, right, 80 percent of them are subsidized, more or less, right. So, we`re talking about like less than 1 percent of people that are going to get the full hit of this subsidy increase.

Now, there`s another 7 million people who are not on the exchanges but are buying plans, right, individual plans or small plans, so they`re also going to see those premium hikes.

But the point is that this is the a small percentage of voters. And it remains the case, Nick, that this law is as controversial as the day it passed despite the fact it`s actually a thing out there in the world which I have to say continues to astound me, because I don`t think that was the expectation.

CONFESSORE: You know, I think President Obama was not great about selling it in the early years, that was one problem. And they tried to rectify that. I do think that the reason the focus is on the exchanges is that the exchanges are the broken part. And the interests that want to kill Obamacare would not want to focus on the parts that are very, very popular, such as you can`t be denied coverage for a prior condition and if the conditions were such that you could focus on the popular parts, it would probably be a different conversation. But for some reason, it`s kind of weird that none of the Democrats or the GOP has managed to really steer that conversation in the presidential election.

HAYES: But here`s what I want to ask you as a political scientist, it`s like I sort of feel in the long run that the sort of lines of politics and policy should converge, right? So, if there`s something that there`s a lot of scare tactics about this thing and it`s going to destroy America and turn us into this socialist monster and the thing happens and it`s not that, but maybe has some broken parts, that like opinion would converge on it.

But instead it`s like someone -- a health reporter I follow today called it like Roe v. Wade, like there`s no convergence in the sense it`s just as polarizing. People have their fixed views about these things despite the fact that it`s an operating thing that you can empirically assess.

GREER: Right, I think that goes back to Nick`s point which was when Obama did something that FDR couldn`t do, he did something that LBJ couldn`t do, he did something that William Jefferson Clinton couldn`t do and he passed Obamacare and he put his name on it and he took the negative and made it a positive.

HAYES: Right. He didn`t put his name on it.

GREER: Why not?

(CROSSTALK)

GREER: Exactly. But he never framed it. We saw it with the stimulus package and then we saw it with the Affordable Care Act. I mean, there is still so much confusion and misinformation from the very beginning we`re still sort of seeing how this has played out eight years after the fact.

CONFESSORE: There`s some fascinating social science that shows that people`s perceptions of what it is and what it constitutes and who it helps are crazy skewed. People perceive the stimulus bill and Obamacare to be aimed at black people to this degree that it`s not actually true. And I think that accounts for a part of the hatred and resistance to it.

HAYES: Right. There`s a sense of who benefits from it.

GREER: And he`s done very few racially targeted policies. You know, he is under the -- for better or worse, but you know all -- what is it, all tides lift all boats? And so, yes, there are going to be certain segments of the population that are disproportionately affected good or bad, but this is not a racially targeted policy by any stretch of the imagination.

HAYES: But that doesn`t mean the perception of it doesn`t...

GREER: And perception becomes reality.

HAYES: And so then what you have on the flip side right, is that Democrats I think thought this would be a real boon to them, right. I mean, Bill Clinton even said this, like pass it, it`s going to be good. People are going to like it. It`s going to be a political boon. That has not been the case.

It also is not the electoral Kryptonite that Republicans believe. Republicans keep thinking Obamacare is so terrible, right American, you want to reject this and that hasn`t played out either.

GREER: But look at your demographics. I mean, you know, it`s not getting Republicans rich. I mean, there are certain Republicans who are destitute and they realize a small segment realize that this is actually what`s been keeping them afloat.

I mean, so many people are one injury away from, you know...

CONFESSORE: But also like the people on the exchanges, the people benefiting the most are not high frequency voters.

(CROSSTALK)

CONFESSORE: Their benefit is muted, I think.

HAYES: Christina Greer and Nick Confessore, thanks for joining us tonight.

And that is ALL IN for this evening. Make sure to stick around, because it`s veep night on MSNBC. Both vice presidential candidates will be here.

**NEW\_DOCUMENT\_HERE**

Chris Hayes, Chris Matthews, Steve Schmidt

8733 speakers\_end

ANNOUNCER: Tonight on ALL IN.

SEN. ELIZABETH WARREN (D), MASSACHUSETTS: Nasty women are smart and nasty women vote.

ANNOUNCER: As early voting begins today in several key states, a full- court press by democrats.

UNIDENTIFIED MALE: What frustrates me about this election, Trump has so dumbed-down this election.

ANNOUNCER: For the White House and to take back congress.

BARACK OBAMA, UNITED STATES PRESIDENT: The other guy supporting Donald Trump. Heck, no! Heck, no!

ANNOUNCER: Then the rigged polling conspiracy theory.

DONALD TRUMP (R), PRESIDENTIAL CANDIDATE: Folks, we`re winning. We`re winning. We`re winning.

ANNOUNCER: Michael Moore joins me on the Trump Effect and his new movie.

UNIDENTIFIED FEMALE: A lot of people say that Trump is a clown. He won`t be when he`s president.

ANNOUNCER: "Michael Moore in TrumpLand."

MICHAEL MOORE, DOCUMENTARY FILMMAKER AND AUTHOR: Anybody from the - I don`t like Hillary camp that can say something nice about her?

ANNOUNCER: Plus, a look at the new early voting data at of swing states and a peek into the vault, what past presidential campaigns looked like 15 days out.

UNIDENTIFIED MALE: Hey, you guys, I didn`t name Taxachussets. The people named it Taxachussets.

ANNOUNCER: When ALL IN starts right now.

(END VIDEO CLIP)

CHRIS HAYES, MSNBC HOST: Good evening from New York, I`m Chris Hayes. Well, technically, Election Day is still a couple weeks today - away, 15 days, November 8th, two weeks from tomorrow. But for many states around the country, Election Day is already here. Early voting has already began - been underway in key Battleground States, Ohio, North Carolina, Nevada, Iowa, Georgia and Arizona. We`ve been getting some new data from those states which we`ll bring you in just a bit. Today, early voting kicked off in a number of other states, including three crucial Battlegrounds, Colorado, Wisconsin and parts of Florida. And cue steadfastly republican states, Texas and Alaska, where the presidential race just got a lot closer, prompting The Associated Press to take the unheard of step of moving them both to the lean column. Yet another sign of the way this presidential race is headed, barring some massive unforeseen disruption in the very near future, Hillary Clinton is currently being - beating Donald Trump by between five and eight points in the national polling average, only slightly smaller than President Obama`s average over John McCain at this point in 2008, according to RealClearPolitics and much bigger than his tiny edge over Mitt Romney at this point in 2012. According to the latest Battleground map from NBC News, between states that are current likely democrat or lean democrat, Clinton already has well over the 270 electoral votes needed to win, that`s if she can hang on to those.

And after the candidate spent months making their case, the American people, this is where the rubber meets the road. It`s time for the campaigns to actually turn people into voters. And the two key questions now, whether Clinton`s operation can seal the deal, and just how far can it press its advantage to help elect democrats down the ballot. They don`t appear to be taking any chances deploying one of the party`s top closers to tackle both fronts, President Barack Obama, who`s approval rating just spiked to 57 percent last week, not even Ronald Reagan was that popular at this point in his presidency. Last night, the president was campaigning in Nevada, where Harry Reid`s senate seat is up for grabs in a very, very tough battle between democrat Catherine Cortez Masto and republican Joe Heck.

(BEGIN VIDEO CLIP)

OBAMA: Catherine`s story is Nevada`s story. Think about it, here`s somebody who spent a career in Nevada, working with democrats and republicans and law enforcement to do right by you and make you safer. And meanwhile, you got her opponent, Joe Heck. Just a few weeks ago, her opponent was supporting Donald Trump, who was bragging about actions that qualify as sexual assault. What the heck? What the heck? Heck, no!

(END VIDEO CLIP)

HAYES: See, that`s his - that`s his last name. Under pressure due to the release, the infamous tape in which Donald Trump brags about committing sexual assault, Heck eventually withdrew his endorsement of Donald Trump. President Obama wasn`t just targeting Joe Heck and Donald Trump last night, he took on republican congressional candidates around the country.

(BEGIN VIDEO CLIP)

OBAMA: Now, the excuse they`re using for why they should be elected as well, maybe we did support Trump and now we`re being kind of quiet about it, but you should vote republican anyway because we`ll check Hillary`s power. We`ll be a - we`ll be a - we`ll be a counterweight. No, no, no, no. No, listen, they have been in charge of congress now for the last six years, basically. And what have they done then? How have they helped you? A vote for them is basically more gridlock, that`s their argument.

(END VIDEO CLIP)

HAYES: According to POLITICO, President Obama will personally weigh in on down ballet races this week, endorsing another 30 candidates for the House of Representatives. And get this, at the state level, he`ll be personally endorsing 150 candidates for state legislative seats across 20 states. On the opposite side of the country, another democratic powerhouse was on the trail today, helping to close the deal, that was Senator Elizabeth Warren, campaigning in New Hampshire with Hillary Clinton and Governor Hassan who`s running a very tight senate race against republican incumbent Kelly Ayotte, as she seems to do better than anyone else, Warren turned Donald Trump`s own words against him.

(BEGIN VIDEO CLIP)

WARREN: Get this, Donald, nasty women are tough, nasty women are smart, and nasty women vote. And on November 8th, we nasty women are going to march our nasty feet to cast our nasty votes to get you out of our lives forever.

(END VIDEO CLIP)

HAYES: It`s not just democratic politicians working to get out to vote over the next two weeks, of course, Clinton campaign just announced a series of celebrity concerts to help drive turnout in Battleground States with Jay Z performing Cleveland, Jennifer Lopez, Miami, and Katty Perry in Philadelphia, among others. Now, Clinton is backing from luminaries of pop culture and of her party, Donald Trump appears to be increasing the isolated, denying he`s losing, though his staff publicly admits the opposite, promoting evermore outlandish conspiracy theories, and telling his supporters it`s us against the world. It`s gotten so bad, Trump`s own running mate is now pleading with fellow republicans not to abandon them on Election Day.

(BEGIN VIDEO CLIP)

GOV. MIKE PENCE (R-IN), VICE PRESIDENTIAL CANDIDATE: It`s time to reach out to all of our republican and conservative friends and say with one voice, it`s time to come home, and elect Donald Trump as the next President of the United States. It`s time to come home and come together and do everything in our power to make sure that Hillary Clinton is never elected President of the United States of America. And Donald Trump and republican congress can move this country forward.

(END VIDEO CLIP)

HAYES: And joining me now, republican strategist, MSNBC contributor, Steve Schmidt. I`m curious what you make of that argument from Mike Pence, because at some level, the way that you can understand the fluctuations in Trump`s polling numbers are what percentage of republicans he`s getting, and in the latest CNN poll today, he`s getting up around 90 percent, and he`s still five points down. It seems to me that there will be some republicans filtering back coming home. The problem is, that doesn`t get him over the - over the hump.

STEVE SCHMIDT, MSNBC CONTRIBUTOR: No. Look, Chris, I`ve said for some time, the presidential race is effectively over. The question is how close Secretary Clinton will get to 400 electoral votes versus how close she`ll be to 350 electoral votes. Now, I think what`s interesting is a matter of political strategy, is Secretary Clinton, until the last couple of days, had kept this race focused squarely on Donald Trump and hadn`t expanded the argument to republican members of congress. And so, what I would say is beware of the law of unintended consequences. The result that the democrats were heading towards was they were going to take control of the senate, and they were going to do significant damage to the republican majority in the house. But moving away from Donald Trump and focusing on these candidates will have the effect of bringing republicans back home, and for democrats, it will have the effect of putting them out of reach, I think, in a senate seat or two that they would have won if they kept the race focused squarely on Donald Trump. Republican voters look at Elizabeth Warren, and they say, "Oh, my God, you know, this is not what we want. I`m not voting in my vote against Donald Trump as a vote for Elizabeth Warren. And so -

(CROSSTALK)

HAYES: So, you think your argument there is a kind of boomerang effect to the extent that essentially focusing on Donald Trump and essentially focusing on him depresses certain amount of republican turnout at the margin in key races that could benefit democrats that you believe there`s a kind of boomerang effect when you target them squarely as we`re now seeing in these last two weeks that will sort of motivate some marginal set of republicans who are not voting for Trump anyway.

SCHMIDT: Look, focusing on Trump is - gets them to the result they want. Shining a light on Warrenism, making this an ideological contest, is going to have the exact opposite political result of what they want to achieve. I think at a strategic level, it`s a mistake.

HAYES: Well - and there`s also - and so then, there`s the question, too, I mean, I`ve always sort of anticipated these last two weeks, we`d see the polls tighten a bit. Usually, that`s what happens in races just generally. Then there`s the question of - I mean, the most stunning fact of 2012 to me is that the RealClearPolitics average have Barack Obama up by less than a point, and he won by 3.8. There was about three points, that was essentially done - I mean, the turnout operation at that day, if you think the polls are basically right. Here is the GOP chairman of Washoe County, key county in Nevada, talking about his interactions with the Trump campaign. Take a listen.

(BEGIN VIDEO CLIP)

ROGER EDWARDS, GOP CHAIRMAN OF WASHOE COUNTY: A state with six is not going to get the same kind of attention. The attention I`m talking about is interviews from the campaign, yard signs, bumper stickers, hats, whatever.

REPORTER: You can`t get yard signs and bumper stickers?

EDWARDS: Correct.

REPORTER: So you called the Trump campaign and the RNC -

EDWARD: Every day. I call them every day. You want the number?

REPORTER: And you say, "Can I have yard signs?"

EDWARD: I say, "I am the chairman of a swing county and a swing state. You guys need to talk to me. I need 2,000 yard signs, I need 10,000 bumper stickers, and I don`t even get a call-back.

(END VIDEO CLIP)

HAYES: Now, stipulating the complaints about yard signs are perennial and ubiquitous in every campaign. There is something happening here in terms of what this turnout machine is or is not that we`re going to find out soon enough.

SCHMIDT: We sure are. Look, Stuart Stevens had the best - the best analogy for this. He say, the Trump campaign is like a rock concert tour. It doesn`t have any of the normal trappings of a presidential campaign. And the reality is, presidential campaign, Chris, is like an iceberg. 10 percent of the mass of the iceberg is what you see above the waterline, 90 percent of it is below the waterline. And 90 percent of the work of a presidential campaign in these final weeks takes place below the waterline. This is where your algorithmic data modelling, your vote targeting, your micro-targeting. The hundreds of millions of dollars that have been invested in the infrastructure of the campaign -

HAYES: Right.

SCHMIDT: -- all gets turned on. The Trump campaign has none of it.

HAYES: Yeah.

SCHMIDT: And there`s never been a campaign so inadequately prepared for the battle in the fall, and -- but for the RNC, there would be no effort anywhere in any state but for building the data for what I suspect will eventually be Trump TV.

HAYES: All right. Steve Schmidt, thanks so much, appreciate it.

Joined now by former Texas State Senator Wendy Davis who supports Hillary Clinton. And Wendy, I`m really curious what this looks like from Texas, right? Because when you`re talking about these Battleground States, you`ve got these operations, particularly on the Clinton side, that are quite developed and sophisticated. Texas is a state that`s been very, very hard democrats particularly state-wide and yet we`ve seen a raff of polls showing it very close. Like what does the campaign feel like in these final two weeks there on the first day of early voting in Texas?

WENDY DAVIS, FMR. TEXAS STATE SENATOR: I have to tell you, today, Chris, when I went to vote here in Texas, I had to stand in line, and that just doesn`t happen in presidential contests on the first day of early vote, and it shows you that there are a huge swath of people who are anxious to cast their ballot in this election. Half the battle that we`ve faced in Texas, as is the case in other red states, is the idea that many democratic voters have, that their vote just won`t matter.

HAYES: Right.

DAVIS: In this election, I think we`re going to see that they feel like, hey, you know, this is close. Let`s show up. Let`s make sure that we cast our ballots and see if we can make a difference here.

HAYES: Yeah, that`s a really important point about the psychology of this last part of the race, which is generally, if you`re in states - I mean, I grew up in New York - in New York State, which is - you know, it`s basically always, particularly in presidentials, it`s won by a democrat by 25, 30 points. On the other side, it could be sort of like, "Well, if I don`t get to the polling place today, we know what`s going to happen in New York." I mean, to the extent that this narrowing actually has a kind of incentivizing psychological effect on some sort of set of voters that normally wouldn`t be so motivated in a presidential?

DAVIS: That`s absolutely true. And of course, Donald Trump has helped that along. He`s **alienated** women and Latino voters and Latino voters, of course, in Texas being a huge voting bloc here, and he has given them a tremendous incentive added to the incentive that they long have had a great appreciation and love for Hillary Clinton. And that dynamic, I think, is going to evidence itself in Latino turnout at the polls here. So, that number should go up as well.

HAYES: And Latino voters in Texas -- and this is sort of one the keys to this whole election both in the way that Texas has deviated from the national GOP, that it`s become a - it`s a very diverse state that has retained GOP control, and it`s because Latino voters do not vote overwhelmingly for democrats in Texas the way we see them do that in other states and particularly increasingly in Florida. That`s been the key to that that the GOP`s lockhold on that state.

DAVIS: No question about it. We see in republican gubernatorial contests, for example, Latino vote in the 30s, sometimes even 40 percent range, when George W. Bush was running. And a lot of that, of course, is the fact that they have a unique appeal in terms of some of the catholic values of that particular voting bloc, but also that so many who disagree with the values and the platform of the Republican Party have just been staying home.

HAYES: All right. Wendy Davis, thanks for your time. I appreciate it.

DAVIS: Thanks, Chris.

HAYES: Still to come, Donald Trump claims democrats have been caught red- handed rigging the polls. What`s actually happening, coming up. And filmmaker Michael Moore October surprise and new movie, "Michael Moore in TrumpLand." It`s as good as it sounds, and he`s joining me to talk to about it right after this two-minute break.

(COMMERCIAL BREAK)

TRUMP: WikiLeaks also shows how John Podesta rigged the polls by oversampling democrats, a voter suppression technique, and that`s happening to me all the time. When the polls are even, when they leave them alone and do them properly, I`m leading. But you see these polls where they are polling democrats. "How`s Trump doing? Oh, he`s down." They`re polling democrats. The system is corrupt and it`s rigged and it`s broken, and we`re going to change it.

HAYES: Donald Trump`s latest defense of his sinking poll numbers, he says, "Democrats are rigging the polls against him." And that, which he was reading from prompter, let`s be clear, and here`s Trump`s proof, a 2008 e- mail allegedly from the hacked account of Clinton and John Podesta posted by WikiLeaks and picked up by a right-wing blogs and radio shows. If you recall, 2008 was the year in which Hillary Clinton was not her party`s nominee. The e-mail allegedly shows a democratic activist recommending oversampling certain groups of voters when conducting internal polling. Now, oversampling is entirely standard practice in the polling room, in fact, when pollsters want the survey, they`ll often try to interview more people from underrepresented groups like Latino, as well as African Americans, so end up with a large enough sample of those people to draw real, A.K.A statistically significant conclusions.

Oversampling does not affect the horse race numbers, those head to head numbers that Trump is complaining about, something that Trump should already know considering his campaign manager, Kellyanne Conway, is a pollster whose firm, like most polling firms, uses oversampling for underrepresented groups. This seemingly desperate assertion by Trump and his supporters that he`s losing because of an imaginary poll rating conspiracy reflects a far deeper truth, one that`s been haunting the entire election. But as the country`s demographics increasingly shift, conservatives are apparently no longer the majority of this country. Republican candidate for president lost the popular vote in five of the last six presidential elections, poised to make it six out of seven, and that new reality is something many voters are still struggling to accept. Joining me now, Documentary Filmmaker Michael Moore, his latest film, "Michael Moore in TrumpLand" is playing in selected theaters, also available on iTunes. And I want to talk to you about precisely this, because in some ways, it`s kind of the crux of this film, right?

MOORE: Uh-hmm.

HAYES: It - that it feels to me that part of what makes this election feel so viscerally intense, is that it feels like we`re answering question like who`s country is it? Who gets to say it`s our country and we run things?

MOORE: It`s a real changing of the guard, which actually started, as you pointed out, many elections ago, culminated in the American people, our fellow citizens, twice electing a man whose middle name was Hussein. And now, this is the end. This is the - this is their - they should play the door song at the beginning of every Trump rally, "This is the end," because they know it`s the end. And that`s why they`re so angry, that`s why it`s so crazy to share this so out of control, because if you`ve held power for so long, it was a conservative country, and the Nixon/Reagan era changed this country in such a profound way. And now, that`s over. We live in a liberal country. Our fellow Americans take the liberal position on every single issue, look -- whether it`s pro-choice, whether it`s women should be paid the same as men, whether it`s the environment, go down the line. And last week, the last issue that Americans weren`t liberal on, the latest poll now shows that the majority of Americans are opposed to the death penalty. So, they`re against the death penalty, they`re for legalization of decriminalization. I want to go down the whole list, it`s all liberal, liberal, liberal, and if you`re a conservative -

HAYES: Right.

MOORE: -- you`re republican, you`re a Trump supporter, this sounds like a cacophony of madness that you have let power slip away, and if you want to look at the macro of it, men -- white men have been in power for a very long time. A good 10,000 years at least, and it`s been a nice run, Chris, that you and I and the others have had, and now it`s over. And the thing is, we`ve let it - we`ve let it slip away on our watch.

HAYES: Right, right.

MOORE: Grand Papi and Papi handed this down to us, and now the men of our time (INAUDIBLE) the women and the gays and the blacks take over.

HAYES: Well, it`s funny, because you say that you have a rift in the -- in the film sort of along those lines, which gets a sort of great response and sort of interesting and awkward and funny response in the room. And I wonder like, do you think that is, in the Trump voters that you`re talking to, and I feel like you have this kind of affection for these folks or admiration or respect, because it`s partly people that you grew up with grew up with, came from.

MOORE: Still live with.

HAYES: Still live with. That it`s being understood as that, that like when you talk about this country is being taken away from white men, they`re not feeling it - those aren`t the word they would put to it.

MOORE: Yeah, of the 750 people in the theater in this film, where I`m performing a one-man show in a town that`s 80 percent republican, 100, 150 people are Trump supporters, and not one of them walked out. It was amazing. Now, granted, a lot of them were there with their wives and girlfriends who were Hillary supporters.

HAYES: And you make a great joke about this. You say - you say, well, everyone here has a conservative they know, your father, your brother, your brother-in-law, your uncle, your sister, and then you`re like, I`m just kidding, not your sister.

MOORE: It is kind of a guy thing. And - but they, you know, in the film, you see the women are, you know, in a manner of like, you know, sitting there like this, but by the end of it, through humor, and you know, my sense of humor, not ridiculing them, not putting them down because they`re thinking of voting for Trump, but understanding why they have a legitimate right to be angry. The people I grew up with who are auto workers, people who lost their jobs and used to be part of the middleclass, that`s all over for them.

HAYES: Right.

MOORE: And so, they are angry, and Trump, to them, and I`ve had many guys tell me this, in fact, I was just yesterday filming a thing here and three people - three guys on the crew told me they were voting for Trump, and I said, "Really?" and they said, "Yeah, we don`t really like him that much, but we want to see the system blow up. They want -- Trump is the human Molotov cocktail.

(CROSSTALK)

HAYES: Right. Yeah. It feels like throwing something (INAUDIBLE)

MOORE: That they - that they (INAUDIBLE) into that booth and go bing.

HAYES: I want -- there`s been this debate about Trump support, broadly on the left and about sort of the economic anxiety and racism, and I think you`ve got sort of really particular interesting perspective on this. So, will you stick around for another break?

MOORE: Oh, yeah, sure.

HAYES: All right. Michael Moore is going to stick around. We`re going to talk more about his movie right after this short break.

(COMMERCIAL BREAK)

MOORE: Whether Trump means it or not, is kind of irrelevant because he`s saying the things to people who are hurting. And it`s why every beaten down, nameless, forgotten working stiff, who used to be part of what was called the middleclass loves Trump. He is the human Molotov cocktail that they`ve been waiting for.

HAYES: Michael Moore in his latest film, "Michael Moore in TrumpLand" talking about the appeal of Donald Trump to white working class voters. There`s been this debate about, is this economic anxiety that the left or liberals could find a way to draw people away from the allure of Trump, or is it so bound up in essentially white identity politics, racist backlash that there`s no use? What do you think about that?

MOORE: I think it`s male identity politics. I think that that`s really what a lot of this - obviously, the racism of Trump and all of that, it`s quite evident, we don`t need to do much. You know, I didn`t want to make a movie just pointing out once again everything everybody else already knows about Trump. Go to New York Times, they`ve got those two wonderful pages of 6,000 words of insults from him. Everybody knows all that. I wanted to make a film that focused on the fact that we know we have a woman running for president, and she may be our first -- if she`s elected, she will be our first woman president. And she brings a lot to the table by having been a woman who went through the first wave of the modern feminist era. And the way she was treated, the way women of her generation were treated, they haven`t forgotten that, she hasn`t forgotten that. And I think that she`s going to bring all of that into the White House, and I hope, I think, do a lot of good with that.

HAYES: So, you really locate something central about gender and gender backlash in the entire story of what this campaign has been.

MOORE: Yes, I think that this is - this is a lot -- we don`t talk about it much. I`m surprised more people don`t talk about the fact or aren`t excited about the fact that we are going to have our first women president. And not just -

HAYES: A lot of a -- women writers do.

MOORES: Yeah, well.

HAYES: Men writers talk about it less.

MOORE: I guess, I mean, most of the pundits we see and well some of - I mean -- yes, we work in industries, as you know, we don`t need to go into what the gender percentages are, but they are pretty pathetic. But it`s there, and it`s a wonderful thing, not just the - not just the fact that she`s a woman, but look at all that she`s done. This - what is this -- the thing, too, with Hillary supporters who have this, "Yeah, you know, I`m going to vote for Hillary." The sort of lack of whatever that is, there`s not that thing that people had on the day we were going to vote for Obama, where it`s like, "I couldn`t wait to get to the polls." I need people to feel that way on this November 8th. You know, there`s no reason to be into this place with, you know, the sort of the knock on her has been unfair. She`s been attacked and harassed and abused in ways that I believe, honestly, if she were a man, she wouldn`t have to go through some much of this. And she did something -- she tried to do something 20 years ago -- 23 years ago for us, get us universal health care, real universal health care, and she was -- man, she was massacred. And it was sad. It was sad that we didn`t -- and we ended up with no universal health care for the last 20 years.

HAYES: We ended up with ObamaCare, which has insured about 20 million people, has been a success in many respects.

MOORE: Stay on your parents` plan until you`re 26. Good.

HAYES: But, we got the headline today that the benchmark premiums are going to rise about 25 percent. You`ve actually got a joke about the bronze plan in the movie.

MOORE: Yes.

HAYES: Is - well, how do you think about that in this? Because it`s like, "OK, mission accomplished, democrats did it, liberals did it." There`s still problems with this law.

MOORE: Yeah, because we didn`t go all the way.

HAYES: Right.

MOORE: FDR didn`t do half of Social Security. Went all of the way -- you have to go all the way. We have to have single payer universal health care. I`m hoping -- I`m praying that president Hillary Clinton is going to make that happen. We don`t -- first of all, we have this, you know, the gold, the silver and the bronze plan in ObamaCare. The bronze, where do they have to call it the bronze plan? You know, where --

HAYES: I had - I had an insurance executive once said to me, people basically order it, the way they order a bottle of wine at the hotel, which is they get the second cheapest. Like - or like at a restaurant, it`s like, no one knows, right? It`s like you`re looking at your insurance the way you`re looking at wine, it`s like, I don`t know, I`ll get the - I don`t want to be the cheapest, I`ll get the second cheapest.

MOORE: Well, this should not - we should not have a health care plan in this country that is the equivalent of Boone`s Farm.

HAYES: Right. The Movie is "Michael Moore in TrumpLand," available now on iTunes and in select theaters. Michael Moore, what a pleasure.

MOORE: Thanks so much, Chris. I appreciate it.

HAYES: Come by anytime. Still to come, our republican congressman went from blasting President Obama for corruption to tottering his partnership with Obama on a mailer for his own reelection, the struggle for down ballot Republicans is real ahead.

(COMMERCIAL BREAK)

HAYES: Early voting, as we said, is now under way across much of the country and those early voting states include many key battleground states. As of today, more than 6.5 million votes have been cast, six-and-a-half, more than 4 million in battleground states, according to the NBC News Data Analytics Lab, which has been monitoring all this.

Right now, Democratic registered voters are voting more than Republican registered voters in battleground states like Arizona, a battleground state this year, Virginia, Nevada, Colorado, Iowa, North Carolina, Ohio, Michigan and Wisconsin while Republican registered voters are voting early more often in Florida, Georgia and Pennsylvania.

That said, the voting landscape is marred by early voting restrictions in certain states, according to analysis by University of Florida political science professor Michael McDonald.

17 North Carolina counties reduced the number of early voting locations from 2012. Of those, 15 saw lower in-person turnout in the first two days of early voting. In at least six, the in-person voting rate declined by around 50 percent, and Guilford County, home to the predominately African- American city of Greensboro, cut its early voting locations from 16 down to just one.

And guess what happened? It saw in-person voting decline in the first two days by roughly 85 percent.

Joining me now, Myrna Perez, deputy director for the Brendan Center for Democracy program. And as we`re looking at early voting, one thing to keep in mind is that this has been one of the things that Republican legislators, particular, have really waged a kind of assault against.

MYRNA PEREZ, BRENNAN CENTER FOR DEMOCRACY: Right. We saw right after the 2010 elections where we had a change in those statehouses a number of voting restrictions reduced. Certainly cutbacks to early voting mattered.

One of the things most distressing is it seemed that these cutbacks were targeted. For example, cutting the Sundays before election day where many African-American churches had their get out the vote efforts, people call soul to the polls. And the political scientists are pretty clear about the fact that the more barriers you put in front of the ballot box, that`s going to decreases and depresses turnout.

Unfortunately, we`re seeing some of that. But I think that there`s a countervailing trend which is people are mad when their right to vote is being threatened and people want to show that they care about voting and that they are not going to let politicians manipulate the rules of the game, not to let them vote.

HAYES: Obviously the benchmarks here, are the important apples-to-apples comparison, is 2012 to 2016. And they vary according to different states, but it looks on the whole like Democrats are out-performing their 2012 benchmarks, which is maybe a sign about that sort of backlash effect you might get even if not in Guilford County where clearly that restriction had a significant effect, if that essentially you kind of bottle up the energy that then pours forth.

PEREZ: Right.

I think in this country, we need to change how we administer elections. Voting needs to be easier, it needs to be more accessible, it needs to be more fair, it needs to be better resourced and one of the things that needs to happen is that it should not be a political football among partisans. It should not be the case that instead of trying to compete for votes, people are trying to cheat and trying to change the rules so that some people can participate and some people can`t.

And one of the things that I, as a voting lawyer, take so seriously is I don`t want anybody seeing these lines or hearing this rhetoric of who they are going to have out there challenging and watching them to be deterred from voting.

This is an important election. People need to go out there. There`s a lot of federal laws protecting them. There are people like me and others all across the country that are ready to back voters up.

So, get out to vote. People will be there help you. The law is on your side.

HAYES: Quickly, a passing reference there, Donald Trump has talked about sending observers, whether it`s sort of citizen observers or lawyers, there`s actually a consent decree guiding the RNC which say they are very limited in what they can do, because they`ve used this sort of tactic of voter intimidation in the past.

PEREZ: Right. I mean, again, there have been politicians that instead of competing voters have been trying to shave some people out of participating. There is a consent decree that makes it very clear that intimidation and suppression of votes like this is illegal. And beyond that, there are additionally federal and state laws that also try to fill in the gaps.

So anybody that thinks that they are going to be a bully at the polls, that they`re self-appointing themselves as policemen of the polls, they need to know that they are on very, very shaky ground because there are very clear rules about what they can do and intimidating and discriminating against voters is not one of them.

HAYES: All right, Myrna Perez, thanks for your time tonight.

Still to com with just 15 days left to go, how does Trump versus Clinton compare to the elections of the past? Some incredible footage from precisely at this point in past campaigns coming up. But first, tonight`s Thing One, Thing Two starts right after this break.

(COMMERCIAL BREAK)

HAYES: Thing One tonight, Breitbart News, a conservative media organization whose top executive is Donald Trump`s campaign CEO has announced its latest hire. Former Boston Red Sox pitcher Curt Schilling will host the network`s first online radio show, "Whatever it Takes." The show will officially launch tomorrow, according to Breitbart, will, quote, "feature Schilling`s unfiltered and insightful commentary on a mix of topics ranging from politics and culture to current affairs."

We`ve seen that kind of unfiltered and insightful commentary before. He was fired as a baseball analyst for ESPN back in April for posting an offensive meme on social media about transgender Americans. Schilling could use the national platform to build momentum for his potential foray into electoral politics. He says he may challenge Senator Elizabeth Warren.

And this weekend, we got a glimpse into the political power Mr. Schilling might yield when he held a rally for Donald Trump in Boston.

How did it go? Well, his face might give you a clue. That rally is Thing Two in 60 seconds.

(COMMERCIAL BREAK)

HAYES: Ahead of today`s announcement that former Boston Red Sox pitcher Curt Schilling will host a radio show for Breitbart News, Schilling held a rally for Donald Trump on Saturday.

Now, keep in mind six days ago, Schilling said he may challenge Senator Elizabeth Warren. So in some ways this could be a window into 2018.

Well, this is what the scene looked like outside Boston City Hall, according to a local reporter who tweeted this photo, tens of people were in attendance.

The Boston Globe put the number around two dozen. Now, it was, as you can tell, it was raining.

But around the same time, Elizabeth Warren was in western Massachusetts campaigning for a local congressman and speaking to a crowd of roughly 200 people. Afterwards, she was asked about Schilling.

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: Curt Schilling said this week that running against you on 2018 and then he went on TV and some controversial statements about Jewish support for Democrats. I just wanted to get your take on your potential challenger.

SEN. ELIZABETH WARREN, (D) MASSACHUSETTS: Hmm.

(END VIDEO CLIP)

(COMMERCIAL BREAK)

HAYES: 15 days out from the 2016 election, the headlines are all about rigged polls yet another woman accusing Trump of unwanted sexual advances. So, once again, we wanted to see what the headlines in other presidential campaigns when election day was just two weeks from tomorrow.

(BEGIN VIDEOTAPE)

TOM BROKAW, FRM. NBC NEWS ANCHOR: The election day, two weeks from tomorrow.

The election is two weeks from tomorrow.

Two weeks from tomorrow.

Two weeks from tomorrow.

Tomorrow, two weeks until the election, tonight, the final scheduled man- to-man showdown among President Bush, Bill Clinton and Ross Perot.

ROSS PEROT, FRM. PRESIDENTIAL CANDIDATE: Now, you`ve got to stop telling these people who to vote for, you`ve got to stop telling these folks in the press tell you you`re throwing your vote away. You`ve got to start using your own head.

UNIDENTIFIED FEMALE: With the hours ticking away, suddenly it`s a two- front war against George Bush and a new headache, consumer advocate, Ralph Nader.

AL GORE, FRM. VICE PRESIDENT OF THE UNITED STATES: My task is not to tell those people that are going to vote -- that a vote for Nader is a vote for Bush, that may be true, but my task is to convince them to vote enthusiastically for me.

UNIDENTIFIED MALE: Mr. Bush came to New Jersey today, a state hard hit by the attacks to argue that the first presidential election since that day comes down to a simple question.

GEORGE W. BUSH, 43RD PRESIDENT OF THE UNITED STATES: Will we stay on the offensive against those who want to attack us, or will we take action only after we are attacked?

UNIDENTIFIED MALE: Democrats today kept up their charges. The Bush campaign is appealing to racial fears. In Michigan, running mate Lloyd Benson said the Republicans had exploited the case of Willy Hhorton.

LLOYD BENSON, FRM. VICE PRESIDENTIAL CANDIDATE: There were racist overtones in that commercial.

UNIDENTIFIED FEMALE: The vice president dismissed all of the charges as a sign of desperation.

GEORGE H.W. BUSH, 41ST PRESIDENT OF THE UNITED STATES: That is desperation, insidious and outrageous and so do the American people.

UNIDENTIFIED MALE: Negotiators for President Carter and Ronald Reagan met for several long hours today, but were not able to reach formal agreement on where the presidential debate will be held or when.

UNIDENTIFIED MALE: President Carter wants as direct a confrontation with Reagan as he can get. Reagan`s people prefer an indirect faceoff with a bigger role for panelists and a moderator.

Carter`s aides want the debate next Sunday, the 26th, believing that more people watch TV on Sunday nights. Reagan`s people have not responded to the league`s suggestion, Tuesday the 28th.

Also unsettled, what time the debate should be, how long it should run, and what they`ll talk about.

UNIDETIFIED MALE: Kennedy called for a greater student exchange program, especially with Africa, so this election was a contest between the contented and the concerned.

He left at 11:40, the students jamming against his car trying to touch him. Kennedy produces several effects on people, one of them is jumping. Reporters with a tendency toward categorizing things have called such types jumpers.

After a pause for lunch, Kennedy went to the east Peoria Caterpillar tractor plant where at 3:45 he picked up an enthusiastic lady on his car. People like this are not mere jumpers, they`re classified as leapers.

Up in his suite, where at 8:00 a waiter appeared with four glasses of milk. Kennedy was not just bidding for the farm vote, he really does like milk and consumes great quantities of it.

BROKAW: Today, President Reagan and Walter Mondale were each claiming a win in their final face-to-face meeting at last night`s debate in Kansas City.

UNIDENTIFIED MALE: They say in poker, that winners talk while loser say deal. Today, the Reagans talked, reflecting his advisers sense he may have clinched the election last night.

NANCY REAGAN, FRM. FIRST LADY. He won.

(LAUGHTER)

RONALD REAGAN, 40TH PRESIDENT OF THE UNITED STATES: She says I won.

UNIDENTIFIED MALE: What do you say?

REAGAN: It comes better from her than me.

(END VIDEOTAPE)

(COMMERCIAL BREAK)

HAYES: If you want to understand the weird existential crisis the GOP finds itself in with Donald Trump at the top of the ticket, look no further than this guy: Trump endorsing Republican congressman Darrell Issa of California, former car alarm magnate who, when he was chair of the House oversight and government reform committee, led investigations into the Benghazi attack, the IRS targeting conservatives pseudo scandal and the ATS so-called Fast and Furious gun sting.

In 2010, Issa called President Obama one of the most corrupt presidents of modern times two years into his administration, later amended that comment to say that Obama leads, quote, the most corrupt government in history.

Which is why people thought it was a little bit strange when Issa, seen here heartily shaking Trump`s hand back in May, recently sent out this mailer saying he`s, quote, very pleased the president signed legislation to provide sexual assault victims legal protection that Issa had co-sponsored.

That`s the same president Issa tried and failed to destroy and whose approval rating last week hit 57 percent.

Issa cruised to victory by an average of nearly 30 points in his past eight elections, but this year he`s in a tight race against Democratic newcomer Doug Applegate in a district that Mitt Romney won by just six points back in 2012.

And at a fundraiser last night, Obama descried Issa decision to embrace him as shameless, quote, "Issa`s primary contribution to the United States congress has been to obstruct and to waste taxpayer dollars on trumped up investigations that have led nowhere and this is now a guy who because poll numbers are bad has sent out brochures with my picture on them touting his cooperation on issues with me? Now that is the definition of chutzpah."

Joining me now, MSNBC contributor Josh Barro, senior editor at Business Insider, former Reagan official and syndicated columnist Linda Chavez.

Josh, let me go to you first on this, because this to me -- the Darrell Issa is two things. It`s, one, the political problems that down-ballot Republicans are worried about; but also, it`s like what is the Republican Party in 2016? What are you voting for? What are you getting when you vote for this party in 2016?

JOSH BARRO, BUSINESS INSIDER: It`s funny because usually people talk about a three legged stool of conservatism. It`s economic conservatives, social conservatives, foreign policy conservatives. Trump has sort of kicked out all three legs of the stool. He`s -- you know, he does not run on social issues at all. It`s not at all clear that if you`re a serious social conservative he`s your guy. He`s abandoned the conservative positions on trade, the economic aspects of **immigration**, doesn`t really talk about taxes very much, doesn`t embrace the Bush vision of foreign policy, says Bush made all these failures in his administration.

So if you take away all of the policy stuff, all you have left is sort of this anger. And that`s what Donald Trump has run on. And it`s left the down-ballot candidates a little bit awash as well.

HAYES: Linda, this is the thing, like, in 2012, I mean, the Ryan budget was this sort of manifesto in certain ways. And it was more than a manifesto, right. It was an operational document that was actually a plan for what the priorities were . And they got attacked over it. And I, for one, would -- not a big fan of it. But it was a thing that was - this is what the Republican Party is. I just don`t even understand what that case is in 2016.

LINDA CHAVEZ, CONSERVATIVE COLUMNIST: Well, I think that`s the big question and the real question is going to be what is the Republican Party going to be on November 9.

After the election is over, after Trump by -- if the polls are correct, does not become our president, then the Republican Party is going to have to decide whether it`s going to go back to that three-legged stool that Josh talked about -- and certainly on some key issues, such as trade, economic issues, foreign policy, it`s going to be very, very tough because Trump represents people who have grievances, they feel like they are victims and they like to promote their, you know, white national identity, but they don`t represent ideas or a platform that can be cohesive for our party.

HAYES: Well, an ethnonationalist mini state for white people is an idea. It`s a bad idea but it is an idea. I mean, this is the problem, right, if you ask Republicans who represents the views of the party, Donald Trump 51 percent, Paul Ryan 33 percent. Like, it`s sort of in the nature maybe in the heat of this kind of election that the titular head of the party insofar as he`s the nominee is the one that lays down the marker for what it is. But it`s not operationalizable for any of these other candidates.

BARRO: A lot of people have been pointing to that number as something that`s really alarming for Paul Ryan, because it shows a majority of the party siding against him. But it`s also really alarming for Donald Trump`s vision of the party, because sort of to your point about white nationalism being a thing, as the demographics of the country have changed, some people have looked at that and said, well, if you can win 70 percent of the white vote, then you can still win elections even with fewer whites.

The problem is that white people have all sorts of ideological diversity on things, which is why -- you know, for example, there are a lot of white people...

HAYES: Thank god they do.

BARRO: ...who like Social Security and Medicare a lot. And that`s one of the reasons that Donald Trump has deemphasized entitlement cuts. And it`s helped him do well in places like Youngstown, Ohio where you have a lot of white voters who are not really conservative on economics, but don`t like the way the country has been changing.

The problem is if you shed that 33 percent of the party, the people who really did care about that ideology, that`s people like in Darrell Issa`s district, which is a wealthy suburban district in California. You have a lot of those wealthy, educated professional Republicans who really were in the party for the ideology.

So, you basically -- you can`t build a majority coalition around the Ryan ideas, you also can`t build a majority coalition around the Trump identity politics.

HAYES: And then you end up -- Linda, you end up with all these folks who sort of caught between first and second base with a lead that was too large in trying to get back to the base. Mike Crapo, you know, U.S. Senator who had endorsed Trump, unendorsed him after that tape came out is now going to -- is re-endorsing him, I guess, they`re going to vote for him. And all those folks are going to have to kind of wear that after whatever happens on election day.

CHAVEZ: I think that`s really a problem. It`s become a kind of revolving door and you don`t know when they are actually going to come out and be where they are eventually going to be. I mena, they just keep flip- flopping and I think that`s always bad for a politician. There`s nothing worse for a politician than to be pegged as somebody who doesn`t stand firm on the issues.

So, frankly, I think they are really losing by this strategy.

HAYES: Yes. Standing firm on alternate days. Josh Barro and Linda Chavez, thank you both for your time.

That is ALL IN for this evening. Go Cubs, go. First World Series in 71 years. Very exciting. "RACHEL MADDOW SHOW" starts right now.

**NEW\_DOCUMENT\_HERE**

Chris Hayes, Chris Matthews, Sam Seder, Steve Kornacki

9005 speakers\_end

ANNOUNCER: Tonight on All IN .

DONALD TRUMP , REPUBLICAN PRESIDENTIAL CANDIDATE: I didn`t need to do this, believe me. This is work.

ANNOUNCER: Donald Trump stares down defeat.

TRUMP: Win, lose or draw, I will be happy with myself.

ANNOUNCER: Following defeat stumbles, sliding in the polls and a light- hearted dinner turning the ugly.

TRUMP: That`s OK. I don`t know who they`re angry at, Hillary, you or I.

ANNOUNCER: Why Trump`s last campaign filing shows even bigger problems. Plus .

TRUMP: We`ve got the best people.

ANNOUNCER: Bombshell testimony in the Bridgegate Trial. What Christie knew before the lane closures began?

CHRIS CHRISTIE, GOVERNOR OF NEW JERSEY: I had no knowledge or involvement in this issue, in its planning or its execution.

ANNOUNCER: Then, are there hidden Trump supporters?

KELLYANE CONWAY: I`ve been talking about it for months, the undercover Trump voters.

ANNOUNCER: Why others argue Trump is overperforming in the polls. And a look at the campaign`s closing arguments.

HILLARY CLINTON, DEMOCRATIC PRESIDENTIAL CANDIDATE: But we know in our country the difference between leadership and dictatorship, right?

ANNOUNCER: ALL IN starts right now.

CHRIS HAYES, MSNBC ALL IN ANCHOR: Good evening from New York. I`m Chris Hayes. After the most humiliating 48 hours of his campaign, it appears Donald Trump is actually starting to reconcile himself to the likely outcome on November 8th. At a rally today in North Carolina, the republican nominee almost sounded wistful as he talked about continuing to campaign for the next 18 days, vowing to leave it all on the field.

(BEGIN VIDEO CLIP)

TRUMP: I don`t know what kind of shape I`m in, but I`ll be happy and at least I will have known, win, lose or draw, and I`m almost sure if the people come out, we`re going to win, that I will be - I will be happy with myself, as I always said. I don`t want to think back, if only I did one more rally, I would have won North Carolina by 500 votes instead of losing it by 200 votes, right? Normally, I`d be, so I never want to ever look back, I never want to say that about myself.

(END VIDEO CLIP)

HAYES: For the record, Trump is now an average of 2.5 points behind Clinton in North Carolina, a state Mitt Romney won four years ago. Clinton has led every single poll there for the past month, about 13 in all. And Trump`s new perspective on the race follows back-to-back humiliations. First, his performance in the final debate on Wednesday drawing bipartisan condemnation for refusing to commit to abiding by the result of the election, a foundational principle of American democracy. And second, what has to have been one of the most excruciating experiences of his life. Absolutely bombing at last night`s Al Smith Dinner, and annual benefit for Catholic Charities. Practically getting booed off the stage by an audience of clergy members, Manhattan socialites and elected officials from New York, Trump`s home state. Something of a tradition for presidential candidates, the dinner provides an opportunity to poke fun at themselves and their rivals while showing off a sense of humor. But Trump included too many nasty barbs unleavened by humor and the audience just wasn`t having it.

(BEGIN VIDEO CLIP)

TRUMP: We`ve learned so much from WikiLeaks . For example, Hillary believes that it`s vital to deceive the people by having one public policy and a totally different policy in private. That`s OK. I don`t know who they`re angry at, Hillary, you or I. For example, here she is tonight in public pretending not to hate catholics.

(END VIDEO CLIP)

HAYES: Clinton, on the other hand, struck the light-hearted tone expected at the Al Smith Dinner, if canned in places, still landing a few sharp blows on her opponent.

(BEGIN VIDEO CLIP)

CLINTON: People look at the Statue of Liberty and they see a proud symbol of our history as a nation of **immigrants**, a beacon of hope for people around the world. Donald looks at the Statue of Liberty, and sees a four. Maybe a five if she loses the torch and tablet and changes her hair.

(END VIDEO CLIP)

HAYES: Look at some of these morning`s headlines of the event, just brutal reviews of Trump`s performance. Trump was greeted with even more bad news today. Two new polls showing Hillary Clinton was the decisive winner of Wednesday night`s third and final debate. At this point, it`s pretty much across the board in every single scientific poll taken after each the three presidential debates, voters said Clinton won the night, every single one. Nevertheless, Trump tweeted earlier today, quote, "The results are in on the final debate and it`s almost unanimous, I won. Thank you. These are very exciting times."

The response from the Clinton campaign, "Where was this kind of comedy last night?" Even before Trump`s debacle of the past couple of days, so many of the structural forces in the race were already aligned against him. Heading into the home stretch, his campaign has been trying to play catch- up, investing more in TV ads than voter targeting. According to his latest filing, the Trump campaign spent much more than it raised in September. Finishing the month with just $34.8 million cash on hand, that`s significantly less than the Clinton campaign had on hand at the end of the month. And just over half what Mitt Romney had at the same point in 2012. According to the Washington Post, analysis of both campaign`s filing, Trump had just 168 paid campaign staff by the end of September compared to almost five times that much, 815 paid staff on the Clinton campaign. Today that number is even smaller. Trump just lost his national political director, long-time GOP operative Jim Murphy who told POLITICO he hasn`t resigned, but for personal reasons has had to step back from the campaign three weeks before Election Day.

I`m joined now by Congressman Michael Burgess, republican from Texas and a Trump supporter. And congressman, I`d like to get your response to something that one of your colleagues in the house delegation of Texas had to say about Trump`s "nasty woman" line in the debate, which some people found rankled. This is Congressman Brian Babin speaking about that moment. Take a listen.

(BEGIN VIDEOTAPE)

ALAN COLMES, FOX NEWS THE ALAN COLMES SHOW HOST: He called her a nasty woman.

BRIAN BABIN, UNITED STATES REPRESENTATIVE OF TEXAS: Oh, well -

COLMES: Is that appropriate?

BABIN: You know what, she`s saying some nasty things.

COLMES: Do you think it`s appropriate to call her a nasty woman?

BABIN: Well, I`m a genteel southerner, Alan.

COLMES: So that means no?

BABIN: No, I think - I think sometimes a lady needs to be told when she`s being nasty.

COLMES: Oh, really?

BABIN: I do.

(END VIDEOTAPE)

HAYES: Congressman, do you agree that sometimes a woman needs to be told when she`s being nasty?

MICHAEL BURGESS, REPUBLICAN CONGRESSMAN OF TEXAS: You know what, that`s the first time I`ve heard that. I really don`t have a comment on that discussion.

HAYES: Do you think nasty woman was an appropriate term?

BURGESS: Look, this has been a tough campaign. And some tough things have been said on both sides, but that`s the way it is. I mean, this is a - this is abig job that requires someone being all in, as they say. You know what I mean?

HAYES: I do. Well done. But do you think it was an appropriate term?

BURGESS: It`s not some - a term I would have used.

HAYES: OK. Let me ask you this, what do you make of all this rigged election talk?

BURGESS: Look, here`s what I do know, Chris. 70, 75 percent of the country says we`re going in the wrong direction.

HAYES: Uh-hmm.

BURGESS: This is a changed election. I mean, you can - you can - you can layer it on all you want about how great Hillary`s doing and how badly Donald is doing, but this is the reason why we`re actually going to have the election.

HAYES: Right.

BURGESS: People I talk to, pretty disturbed about the direction of things. We`ve got a $20 trillion debt, and, you know, did you hear the news? $580 billion deficit for the last fiscal year. That`s on top of some of the largest tax collections that have ever happened. And what did we get for that money? Where are the new schools, where are the new roads, people are asking themselves these questions. We`re in tough shape in this country.

HAYES: Yeah. Congressman, do you think -- Congressman, do you think -

BURGESS: We`ve had one percent growth - one percent growth for the last 18 months.

HAYES: Right.

BURGESS: That`s no way to - that`s not a jobs program.

HAYES: Congressman, it`s interesting you talk about the debt, right? Because Donald Trump hasn`t been particularly concerned about the debt, and the independent scoring of his program shows that it would increase debt by far, far more, 160 percent, I believe, is the correct figure than Hillary Clinton`s. He`s got massive tax cuts, which are three times the size of George Bush. Today he`s in Pennsylvania talking about on top of that, also a big infrastructure program, doesn`t want to cut Medicare or Social Security, also wants to increase money for the military. If there`s one thing Donald Trump doesn`t seem to care about, it`s debt and deficits.

BURGESS: Well, I disagree. I mean, I think he has spoken about that and spoken consistently.

HAYES: Right. But the numbers don`t add up.

BURGESS: Well, look, here`s the - here`s the other happy part of this equation, whether it`s Donald Trump or Hillary Clinton in the White House, all of these proposals that you just ran through will, will come through the United States congress . Tax policy will originate in the House of Representatives.

HAYES: Sure.

BURGESS: All of the spending will come through both the house and the senate. It doesn`t just happen at the White House.

HAYES: But you just said before, which I think is key, right? That your sense is that it`s a change election because people are worried about the deficit, and that`s why people -

BURGESS: People are worried -- people are worried --

(CROSSTALK)

HAYES: That`s why people are going to vote for Donald Trump .

BURGESS: People are worried up and down about -- they`re certainly concerned about the status of national security.

HAYES: Yeah.

BURGESS: Certainly concerned about the fact that we have not secured our southern border and --

HAYES: If they`re so worried about change - let me ask you this. If they`re so worried about change in the red state of Texas, how is it the case that the latest poll out of the University of Houston has Trump up by just three points in your home state, a deep, deep red state where republicans dominate every level of government and a democrat hasn`t won state-wide since Ann Richards.

BURGESS: Chris, that`s a Houston poll. I mean, there are things that come out of Houston oftentimes baffle me.

(CROSSTALK)

HAYES: Well, it`s a University of Houston poll. There`s a bunch of poll that show within the margin of error.

BURGESS: Trump`s going to win Texas, and he`s going to win Texas big. So, just mark that down and we`ll visit about it after the election.

HAYES: Do you think that he`ll win it by more than Mitt Romney?

BURGESS: I think they`re - I think it`ll be a similar amount.

HAYES: Well, we`ll have - we`ll have you back after the election to see where we end up on that. Congressman Michael Burgess, I appreciate your time tonight.

BURGESS: Great. Thank you.

HAYES: Thank you. Joining me now, MSNBC contributor Sam Seder, host of The Majority Report podcast. Sam, I thought the - you know, there`s a sort of - there`s two ways this could go, as we head into these final days, first of all, nothing`s over, anything can happen, things can change, polls can be wrong, people cannot turn out, et cetera. But Donald Trump can sort of lash out increasingly or we could see him shrink over the next few weeks. And I saw him at the event today, and then Jenna Johnson write-up in The Washington Post made me think, "Well, maybe we`ll just see more of the latter."

SAM SEDER, MSNBC CONTRIBUTOR AND HOST OF THE MAJORITY REPORT: Yeah, I mean, that was - that was very whimsical. I mean, that`s the type of thing that I think you would anticipate him saying in a therapy session if he had one. I mean, my sense was that during the debate, when he announced that he was going to keep everybody in suspense as to whether or not he was going to acknowledge the results of the election, was he`s building a narrative. And that means, I mean, to me, that regardless of how he spends the next 18 days, on the 19th day, he`s going to continue what he`s doing. And I don`t think he`s going to stop. I mean, there`s this sort of great sense that once the election is over, Donald Trump goes away. I don`t think he stops. I think his schedule maybe gets a little bit lighter, but there`s no reason to believe that he`s going to stop with this narrative.

HAYES: You know, that moment last night in the Al Smith Dinner was interesting to me, because the country has been subjected to these debates in which Donald Trump has, I think strategically and intentionally, attempted to humiliate, degrade, debase Hillary Clinton to belittle her, to shrink her. And here was this sort of ritual opportunity to sort of do that if you do it with enough humor, and this just totally visceral rejection of it by the people in the room and everyone that I know that was watching.

SEDER: Yeah. I mean, he didn`t - he wasn`t making jokes. I mean, there`s just - there`s just too much anger there. And I think, you know, to a certain extent, it speaks to the argument that Hillary Clinton has been making that this guy doesn`t have the temperament to be president. I mean, you know, this is a diplomatic setting. Obviously, it`s not international diplomacy, but it`s one where you have to balance who you`re speaking to, and he didn`t seem to have any ability to do that. And so, it just sort of reinforced this narrative and I guess, you know, people there didn`t appreciate it.

HAYES: Do you think we are going to see - are we going to see a kind of backlash amongst Trump voters down the stretch towards the Republican Party, because that`s the thing we started to see brewing? And it`s so powerful that Ryan and McConnell, it was so notable to me, neither of them issued a statement after this routine condemnation around the horn for that moment when he refused to accept the results. I think that`s going to intensify in some ways. I think the anger is going to be directed most at them.

SEDER: Well, I mean, I think it`s going to be a function of what Trump`s strategy is. I mean, he is - I think as he comes to grips with the idea that he`s going to lose the election, if that happens, I mean, certainly the numbers point to that, he`s going to -he`s going to have this two- pronged strategy, right, which to delegitimize a Hillary Clinton. I think Rebecca Trace had a great tweet that said, that in some ways this is - this is the birther movement 0.2, I guess.

HAYES: Right.

SEDER: You know, the idea that this the way that he is going to attempt to delegitimize the Clinton presidency, but he also has to -- you know, he`s been hinting at this sort of stabbed-in-the-back narrative. And I would be surprised if he doesn`t start to speak more of that as we get closer to the election.

HAYES: All right. Sam Seder, who for reasons I can`t quite get my head around is still in Las Vegas lo these many days after the debate.

SEDER: Well, what stays here stays here, right?

HAYES: Yeah, I can`t help but notice you were not in Farmville for the whole week. Still to come, the question in the heart of the Bridgegate Scandal, what did Chris Christie know, and when did he know it? And the answer is right after this two-minute break.

(COMMERCIAL BREAK)

TRUMP: We`ve got the best people. I know the best people. I know the best managers. I know the best dealmakers. I have the most dedicated people. I have the best people. I have the best people.

HAYES: The so-called best people that Donald Trump has surrounded himself with at different points in this presidential campaign include current Campaign CEO Steve Bannon who boasted that he turned the website Breitbart into the platform for the white nationalist alt-right. Disgraced former Fox News Chairman and CEO Roger Ailes resigned amid widespread allegations of sexual harassment, though, appears not been speaking to Trump now according to reporting, former campaign manager Corey Lewandowski was charged for simple battery for grabbing a female reporter, though was not prosecuted, and of course, Trump surrogate Rudy Giuliani seen here, not enjoying Hillary Clinton`s jokes at the Al Smith Dinner last night, who falsely accused Clinton of lying about where she was on September 11th, and also has been known to spread unsubstantiated conspiracy theories about her health.

And then there are Trump`s best people dealing with possible legal trouble. That includes Maricopa County, Arizona Sheriff Joe Arpaio currently trailing badly in his re-election campaign, who faces a justice department criminal contempt charge for violating a court order to stop **immigration** patrols that included racial profiling of Latinos, and who is still, we should note, questioning President Obama`s birth certificate. And, of course, New Jersey Governor and Trump confidant Chris Christie, the head of Trump`s transition team, a potential attorney general in the Trump administration, who came within a whisker of being Trump`s vice presidential pick. Christie will appear in court on November 23rd, to answer a criminal official misconduct complaint tied to the Bridgegate Scandal.

(BEGIN VIDEO CLIP)

CHRISTIE: I had no knowledge or involvement in this issue, in its planning or its execution, and I am stunned by the abject stupidity that was shown here.

(END VIDEO CLIP)

HAYES: In court today, Christie`s former top aide Bridget Anne Kelly contradicted Christie`s unequivocal claim that he had no knowledge whatsoever about Bridgegate. Kelly testifying she told Christie about a conversation she have with former Port Authority executive David Wildstein, quote, "I said Governor, by the way, I spoke to Wildstein today. Apparently, the Port Authority is going to be doing a traffic study in Fort Lee. I explained the access lanes to him. He said, `OK. When are they doing this?` I said, Wildstein did say there`s going to be tremendous traffic problems in Fort Lee."

Joining me now, MSNBC host, political correspondent Steve Kornacki. You`ve been following this closely. I mean, give us the basic lay of the land which is Christie was unequivocal on the record in front of all the records, i knew zero before or after until it was in the press. What has the trial shown?

STEVE KORNACKI, MSNBC HOST AND POLITICAL CORRESPONDENT: Well, this was supposed to be the smoking gun. And for two and a half years nobody, and that includes the prosecutors until today, have heard - had heard from Bridget Kelly. Bridget Kelly has the e-mail. Time for some traffic problems in Fort Lee. It looks like, you know, case closed right there. Her lawyer has suggested for the last two and a half years that when she finally gets to court, there will be context added to this that will make it look very different. So, this is - this is a big thing she`s adding, and testifying today and saying, "Look, there is a history to that e-mail, and the history is Wildstein tells me he`s got this plan. The plan is going to ultimately improve traffic, let Christie take credit for solving traffic jam in North Jersey." She takes it to Christie, she explains the situation, and she says time for some traffic. So, she`s implicating Chris Christie a month earlier than the shutdowns. And she added a second detail, too. She said that during the shutdowns, this is September 2013, that in one of those days, Chris Christie came back from a 9/11 ceremony where he met with Wildstein, where he met with Baroni, and that Christie was talking about how the traffic issue came up in their conversation. And he knew there was a big traffic mess playing out in Fort Lee. And of course, Wildstein had testified earlier that he had this conversation with Christie at that ceremony on 9/11, because she`s -

HAYES: Basically saying, "This is what we did, boss."

KORNACKI: She is essentially corroborating what Wildstein said there. There`s two key things that she came out with today.

HAYES: Now, we should be clear. Wildstein`s story here and to remember this, right, this massive traffic jam happened. Wildstein`s story is basically this was cooked up as political punishment for Mayor Sokolich who would not endorse Christie. Bridget Anne Kelly saying, "I thought it was a traffic study, and governor as far as I know knew as traffic study," but still corroborates he knew about it and he was also talking about it after it was happening.

KORNACKI: Here`s the - now, Bridget Kelly, we have to say, when the prosecutor -- this was the defense attorney doing the question today.

HAYES: Right.

KORNACKI: The prosecution will get a chance at her. She`s vulnerable on a few fronts that we should -

HAYES: Right.

KORNACKI: -- we should point out, because during the shutdown, she was told that the mayor of the town that was being affected was furious, was baffled, was trying to get explanations, told of the problems he was facing. She has an e-mail where she said good. There`s also the fact that as this was coming to a head in December of 2013, and Christie sat people on his staff down and asked for explanations behind the scenes, she saw to it that this e-mail got deleted from somebody else`s. So, there`s also - if you`re looking for a gray area here, where if you say, you believe the essence of what she`s saying today, but maybe it`s more complicated? You know, there could be a gray area where she had some knowledge but she`s trying to say, "Hey, I wasn`t the only one. My boss did."

HAYES: The thing I keep thinking about is two different counterfactual earth Bs. Let`s call earth B and earth C. Earth B is Christie won the nomination and three weeks before Election Day, this is what`s in the news, the trial that saying the guy was a liar. Earth C, which is an even closer eventuality, is he became the vice presidential nominee and he`s on the ticket.

KORNACKI: Yeah. Well - and also, just think back a couple years, I mean, you could write a book on the rise of Trump and the history of the Republican Party 2012 to 2016, that book would start with Chris Christie as the front-runner. At the end of 2012 and through most of 2013, it was all gearing up toward this re-election campaign in New Jersey, and the whole idea, everybody in the Christie universe in New Jersey in 2013, was thinking about what can I do to make that margin on Election Day 2013 -

HAYES: A route, we need a route.

KORNACKI: Right. It was almost like Nixon in `72, the Watergate parallel. You do the small thing that`s going to raise the numbers so we can go and say, "Hey, I`m the republican governor in a blue state and I just got 60 percent of the vote, you need me to win.

HAYES: This is, we should note, Chris Christie, the guy who is overseeing the transition for Donald Trump right now should that eventually happen. Steve Kornacki, thanks for being here.

KORNACKI: Sure.

HAYES: Coming up, the latest polling isn`t looking good for Trump, but could results on Election Day be possibly worse? More on that, just ahead.

(COMMERCIAL BREAK)

HAYES: After telling some jokes at last night`s Al Smith Dinner, a white tie affair held by catholic charities, Hillary Clinton`s speech took a serious turn when she basically gave the closing argument for her entire campaign.

(BEGIN VIDEO CLIP)

CLINTON: You certainly don`t need to be catholic to be inspired by the humility and heart of the holy father, Pope Francis, or to embrace his message. His message about rejecting a mind-set of hostility, his calls to reduce inequality, his warnings about climate change, his appeal that we build bridges, not walls. Now, as you may know, my running mate, Tim, is catholic and went to Jesuit schools, and one of the things he and I talked about, is this idea from the Jesuits of the Magis, the more, the better. Well, we need to get better at finding ways to disagree on matters of policy while agreeing on questions of decency and civility. How we talk to each other, treat each other, respect each other. So, I`ve taken this concept of Magis to heart in this campaign as best as one can in the daily heat, the back and forth of a presidential campaign, to ask how we can do more for each other and better for each other. Because I believe that for each of us, our greatest monument on this earth won`t be what we build, but the lives we touched.

(END VIDEO CLIP)

HAYES: Won`t be what we build. Ahead, why what Clinton said is essentially a reminder about what her campaign thinks this election is ultimately about. A referendum on what kind of country we are.

(COMMERCIAL BREAK)

HAYES: 18 days before Election Day, Donald Trump is on the wrong side of the polls. And with each passing day, more early votes are cast. Data on early voting is thus far favoring the democrats. According to The Washington Post, in seven states for which returned ballot data was available by party, democratic ballots made up a larger percentage of what had come back by the 20-day mark than in 2012. That`s the apples to apples comparison. Trump would need something to radically shake up the race or for the polls to be very wrong, which is, of course, a possibility. There is the "Shy Voter" theory, the idea that some Trump voters might not admit their support to a pollster, but will cast that vote on Election Day. There`s even an opposing theory that Trump voters might underperform on Election Day compared to the polls. Here`s an example, it`s noted by Daily Coast, Missouri senate candidate Todd Akin 2012, whose poll numbers started slipping after his infamous legitimate rape - legitimate rape comment. The last polling average before 2012 election gave Akin`s opponent Senator Claire McCaskill an 8.7 percent lead. McCaskill ended up winning by a whopping 15.7 percent. Might be Akin effect be a play in this election? Joining me now Harry Enten, senior political writer and analyst for the - for FiveThirtyEight. You guys have written about this.

HARRY ENTEN, SENIOR POLITICAL WRITER AND ANALYST FOR FIVETHIRTYEIGHT: We have.

HAYES: About candidates that have some kind of disastrous character issue explode late in a race underperforming in the polls.

ENTEN: Sure. And I would argue even earlier. You know, David Duke, remember when he ran for governor in 1991, there was all this conversation. Oh, people don`t want to say that they`d vote for David Duke because obviously David Duke held some abhorrent views.

What happened on election day? There, in fact, were voters, African- Americans, who turned out in record numbers and David Duke underperformed his polls and the Edwards, the Democratic candidate, won rather easily.

HAYES: So, what you have in the Duke case is that he actually underperformed -- he was polling higher than he ended up performing.

ENTEN: Yes.

HAYES: And much of that is accounting of the fact that he was such a lightning rod and so to use a word: "deplorable."

ENTEN: Yeah.

HAYES: That he was more of a motivator -- he was more of a motivator for his opponents, essentially.

ENTEN: Exactly.

And it really wouldn`t take much of a surprise -- you know, really much to happen to say, OK, Latinos, for example. We`re seeing them register in higher numbers in a state like Arizona that`s much closer than you might have thought at the beginning of the year. Why would that be? It`s because of Donald Trump .

And so it wouldn`t shock me at all to see, oh my god, higher Latino turnout, these polls in fact could be skewed against the Democrats.

HAYES: So, what`s -- so then what is the deal, do you think, with this online poll versus live interviewer thing that we`ve seen, right. So, Clinton 48-38 according to HuffPo in live interviepolls much narrower lead, about four points, in online polls. That`s the evidence for the shy Trump voter theory, right, that when interviewers happen -- when you take away the interviewers, Trump does better.

ENTEN: Sure, but we saw this during the primaries as well and then we saw some convergence when the vote happened. And the polls were good in the primary, right. It was the pundits, such as myself, who though, oh there`s no way that Donald Trump could possibly win the nomination.

The polls, though, from August of 2015 onward they all said Trump was going to win and he did win.

HAYES: You know, you also got -- so we got the Aiken example, you guys cited Anthony Weiner, as well, where there was -- Weiner, even after when that mayoral race and the sort of texting scandal resurfaced for him, his poll numbers declined, but by election day he even underperformed his low poll numbers.

ENTEN: Right, you know, he was at about 10 percent, and then got about 5 percent of the vote. I mean, that`s a perfect example, right, of someone who has a real name, a real New Yorker, kind of that outer borough thing and voters at the end of the day said, uh-uh, not interested.

HAYES: So, is that -- what`s the theory of the case there someone like Aiken, for someone like Anthony Weiner, which is different than David Duke. David Duke is sort of polarizing to the opposition. In the Aiken case, is it that essentially late polls don`t just capture the amount of movement that`s happening downward in the trajectory when voters make up their mind that someone is beyond the pale.

ENTEN: Right. I mean, that would certainly be the case. I think it`s also that people who might say they`re going to vote for Aiken don`t end up showing up because they`re just so dissatisfied with what`s going on. And I think that could be the case for especially for Trump.

HAYES: Or just like so dismayed, right. You`ve watch this whole implosion happen. Why go to the polls if you think the guy is going to...

ENTEN: Especially if your candidate is arguing the whole thing is rigged anyway, right.

HAYES: Right, which is another thing that you and others have written about and there`s some political science data that actually telling voters that it`s rigged is a great way to suppress turnout among your supporters.

ENTEN: Exactly. So I just don`t really understand what`s -- this is one of these things that Trump does that nobody really understands what he`s doing. I just think he`s so upset, but in fact it could turn very much against him.

HAYES: In fact, most -- and I`ve been around a lot of political organizers. I`ve been around field organizers. My brother was a field organizer, I`ve actually back in the day was a canvaser. You want to send the opposite message. The message you want to send is literally every vote counts, even single one. It`s a pain. Maybe you have got to get child care on election day, maybe you can go early, but it`s so important to put in this effort precisely because every vote counts.

ENTEN: And Donald Trump is playing against the playbook because that`s what worked for him in the primary, but I have news for him. General election electorates are different than primary electorates, and it`s clear from the polling that whatever he`s doing is not working.

HAYES: Harry Enten, thanks for your time. Appreciate it.

ENTEN: Thank you.

HAYES: Still ahead, tonight`s Thing One, Thing Two is next.

And later, if you think this election is nuts just 18 days out how does it stack up against past elections at the same point? Some unbelievable tape coming up.

(BEGIN VIDEO CLIP)

MICHAEL DUKAKIS, FRM. DEMOCRATIC NOMINEE FOR PRESIDENT: I`m fed up with it. Never seen anything like it in 25 years of public life, George Bush`s negative TV ads.

(END VIDEO CLIP)

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

TRUMP: we`re doing something that`s incredible, it`s a movement. But if we don`t win, all it is is a little asterisk in history. There`s never been anything like this. So go and register, make sure you get out and November, 28.

(END VIDEO CLIP)

HAYES: November 28.

Thing One tonight, there`s a good reason why November 28, not November 8, actual election day, might be weighing on Donald Trump`s mind. You see there`s two big things happening for him next month. First, the presidential election, November 8. Then, the fraud trial for Trump University which begins on November 28.

Trump is being called to testify in federal court in San Diego against charges he deliberately set out to rip off students. The presiding judge is judge Gonzalo Curiel who Trump unforgettably attacked earlier this year.

(BEGIN VIDEO CLIP)

TRUMP: There should be no trial. This should have been dismissed on summary judgment easily. Everybody says it, but I have a judge who is a hater of Donald Trump , a hater. He`s a hater. His name is Gonzalo Curiel. The judge, who happens to be, we believe, Mexican, which is great, I think that`s fine -- this court system, the judges in this court system, federal court, they ought to look into Judge Curiel, because what Judge Curiel is doing is a total disgrace, OK.

TRUMP: I have had horrible rulings. I`ve been treated very unfairly by this judge.

Now, this judge is of Mexican heritage. I`m building a wall, okay? I`m building a wall.

JOHN DICKERSON, CBS NEWS: How does his Mexican parents have to do with him not ruling for you?

TRUMP: He`s a member of a club, or society, very strongly pro-Mexican, which is all fine, But I say he`s got bias. I want to build a wall. I`m going to build a wall.

This judge has treated me very unfairly. He`s treated me in a hostile manner and there`s something going on.

(END VIDEO CLIP)

HAYES: So how will that, not to mention everything else Donald Trump has been saying in his presidential campaign, affect what`s going to happen in Judge Curiel`s courtroom? Well, his lawyers have a plan and that`s Thing Two in 60 seconds.

(COMMERCIAL BREAK)

HAYES: So in anticipation of the upcoming fraud trial for Trump University -- you remember that,by the way? Where did that go? Donald Trump`s lawyers have filed a request, defendants respectfully move to exclude evidence and arguments relating to statements made by or about Mr. Trump outside of the adjudicative process.

Trump`s lawyers go on to specific exactly what they do not want brought up in court. That includes campaign speeches, statements at political rallies, including statements about this case, statements at debates, statements about individuals or entities unrelated to this litigation, campaign advertisements, tweets, statements by campaign surrogates, audio and video recordings made or publicized during the campaign, tax issues, comments about this case or the court Donald J. Trump Foundation or other business owned or managed by Mr. Trump not part of this litigation including Trump organization, personal conduct accusations, other politicians, state attorneys general or public servants, beauty pageants, casinos and corporate bankruptcies, other litigation. Basically Trump`s lawyers want to make sure that literally nothing that their client or presidential campaign has done or said or tweeted makes it into the courtroom next month.

Good luck.

(COMMERCIAL BREAK)

HAYES: Donald Trump waxing philosophical after getting booed at a charity dinner at down ballot Republicans distancing themselves and their party`s presidential nominee, the headline from the campaign trail today, just 18 days from the election are pretty shocking.

We made us wonder what was happening at this point in other American elections 18 days out. Here`s what we found.

(BEGIN VIDEOTAPE)

UNIDENITIFIED MALE: The two vice presidential candidates, Dole and Mondale have their debate tonight. Here`s what they were doing today.

UNIDENITIIFED MALE: Senator Mondale suffers some from hypertension. Today he was a study in relaxed confidence, out playing tennis early this morning.

The competition on the court came from members of his campaign staff. Some suggested it wasn`t quite as tough as the competition that Mondale might expect from the debate tonight.

UNIDENTIFIED MALE: Nixon makes the same speech everywhere he goes. All candidates do that, but Nixon is speaking on the issues of the day in only the most general way. He`s saying there`s lots of things wrong with this country and he`s promising to do something about it, but he`s not saying what.

RICHARD NIXON, 37TH PRESIDENT OF THE UNITED STATES: Time will not permit an extended discussion of those great problems in which you`re all interested.

UNIDENTIFIED MALE: Today, Gore hits the talkshow circuit, sitting down with Regis and Rosie, reaching out to their large female audiences.

AL GORE, FRM. VICE PRESIDENT OF THE UNITED STATES: The real key is the classroom experience.

UNIDENTIFIED MALE: In New Jersey, Bush used heckling by Clinton supporters to remind everyone of his draft controversy.

GEORGE H.W. BUSH, 41ST PRESIDENT OF THE UNITED STATES: I wish these draft dodgers would shut up so I could finish my speech. Pathetic.

UNIDENTIFIED MALE: As this highly negative campaign turned even more personal, Dukakis took another step, putting out a commercial to complain about a Bush commercial.

DUKAKIS: I`m fed up with it. I haven`t seen anything like it in 25 years of public life. George Bush`s negative TV ads.

JOE THE PLUMBER: I`m Joe the Plumber. It is going to fun for a couple of days and then it`s going to go away.

UNIDENTIFIED FEMALE: But not yet. Joe is still a useful symbol to the McCain/Palin ticket.

SARAH PALIN, FRM. GOVERNOR OF ALASKA: Now, our opponent wants to raise taxes because he thinks like that other Joe, that longtime senator from Delaware, that other Joe.

BRIAN WILLIAMS, NBC NEWS: On the broadcast tonight, 18 days and one last critical debate to go now. Tonight, there`s a new word in the political dictionary...

BARACK OBAMA, PRESIDENT OF THE UNITED STATES: I think it`s called Romney-sia.

Here`s the good news, Obamacare covers pre-existing conditions.

(END VIDEOTAPE)

HAYES: But it wasn`t all fun and tennis games. Take a look at the events 18 days out from the election day in 1968, at a campaign event for George Wallace, a candidate whose raucous rallies, shall we call them, many have cited as the best precedent for Trump.

(BEGIN VIDEO CLIP)

UNIDENITIFIED MALE: George Wallace rested today at his home in Montgomery. He had canceled today`s schedule. An aide said he is suffering completely exhaustion.

Wallace himself as he campaigned in Texas yesterday had told news men he was tired. NBC News correspondent Dave Burrington (ph) reports.

DAVID BURRINGTON (ph), NBC NEWS: George Wallace`s spirits appeared to be sagging as he arrived in Ft. Worth. For several days, he had run into overwhelming protests and he was shouted down in El Paso.

UNIDENTIFIED MALE: This is Wallace country, but he ran into one of the worst and one of the loudest protest demonstrations of his campaign so far.

GEORGE WALLACE, FRM. PRESIDENTIAL CANDIDATE: You`ve got some folks out here who know a lot of four-letter words, but there are two four-letter words they don`t know. W-O-R-K and S-O-A-P, you don`t know those two- letter words, I`ll say that much.

And you know the biggest bigots in the world? They are the folks that call other folks bigots, you remember that. They are the biggest bigots in the world.

Oh, yeah. You know what you are, you`re a little punk, that`s all you are.

Well, let`s talk about Vietnam a moment. You haven`t got any guts. You`ve got too much hair on your head, partner. You got a load on your mind, that`s right. And cut the floodlights off. And if you haven`t got anything to put on television, why don`t you just move on over here.

UNIDENTIFIED MALE: At one point, the secret service ordered the lights on Wallace turned out. They were fearful of an attempt on the candidate`s life and said the lights blinded them.

The shouting didn`t let up and after more than 30 minutes of it, Wallace gave up. He waved to his fans and then left without finishing his speech. He looked haggard and at times even frightened.

David Burrington (ph), NBC News, with the Wallace campaign in Texas.

(END VIDEOTAPE)

HAYES: 18 days later, Wallace came in third behind Richard Nixon and Hubert Humphrey with just under 10 million votes.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

KHIZR KHAN, FATHER OF FALLEN SOLDIER: Donald Trump consistently smears the character of Muslims. He loves to build walls and ban us from this country. Have you even read the United States Constitution? I will gladly lend you my copy.

(END VIDEO CLIP)

HAYES: For the fallout over the Access Hollywood tape or his degrading feud with the former Miss Universe, before the allegations of unwanted physical contact from at least maybe nine, maybe ten women, Donald Trump spent nearly a week of his campaign this past summer attacking the Muslim American parents of a fallen soldier.

Khizr Khan, and his wife Bizallah (ph) appeared at the Democratic National Convention in July to speak out against Trump`s proposed ban on Muslims and to tell the story of their son, captain Humayun Khan who was killed in Iraq.

Khizr Khan question Trump`s own sacrifices for this country. All that led the Republican nominee to attack the family for days while his allies launched a smear campaign against them.

Now, with 18 days left in this campaign, as part of Hillary Clinton`s closing message, Khizr Khan retells his son`s story in a new ad for Clinton that argues the election is ultimately about the character of this nation.

(BEGIN VIDEO CLIP)

KHAN: In 2004, my son was stationed in Iraq. He saw a suicide bomber approaching his camp. My son moved forward to stop the bomber when the bomb exploded. He saved everyone in his unit. Only one American soldier died. My son was Captain Humayun Khan. He was 27 years old. And he was a Muslim-American.

I want to ask Mr. Trump would my son have a place in your America?

(END VIDEO CLIP)

HAYES: Joining me now Washington Post columnist Catherine Rampell and Jamil Smith, senior national correspondent for MTV News. Obviously, unbelievably powerful ad. But also just like part of the reason this election feels so fraught and so wrenching is how existential it feels in that it`s not like there`s a big -- like the big fights are over a Medicaid expansion or the top marginal...

CATHERINE RAMPELL, WASHINGTON POST: Or the culture wars.

HAYES: Or even the culture wars. It`s literally who are we. And not even as subtext, as explicit text, as the argument of the campaign is Hillary Clinton is saying who are we as a nation, and that`s the closing argument. What kind of nation do you want it to be?

JAMIL SMITH, MTV NEWS: This election has been about identity politics, been about race, been about gender, this is an ad that`s about identity politics in the national sense. What are we as Americans? And in what way do we define American?

Is American too narrowly defined in a Trump universe?

HAYES: Yeah, and that`s -- you know, the Trump idea here is that, you know, change or status quo which they`ve sort of landed on as their closing message, but in fact what it has been is about what great Americanness really looks like.

RAMPELL: Well, I think this has been explicit -- maybe implicit, but it has been part of the campaign from the very beginning when he first started talking about making America great again, because the question was, for whom was it great.

HAYES: And when.

RAMPELL: And when. And when.

And if you`re talking about throwing back to a time when large sections of the American public were disenfranchised, were not allowed to vote, were not allowed to hold certain jobs, were not allowed to marry people of a different race. I mean, this is the kind of America that he`s nostalgic about and that he has been talking up about the campaign.

So, I don`t think it`s necessarily a new thing.

HAYES: There`s also this -- there is this degree to which I think there`s pundits buy into this and people covering the race about like this is a change election. And what they`ll point to is the people that want change over status quo. And it`s true, right. But then you look at something like -- and the Trump people and a lot of Republicans are like how is Hillary Clinton winning? And then you look at Obama job approval in Gallup: 55-42.

You look at the basically the Obama majority. You look at the fact that there is a majority out there that essentially wants the America that is the Obama`s America, for lack of a better word, and I think it drives people crazy to imagine they`re on the wrong side of that math.

SMITH: Which makes it even more confusing why Donald Trump is now persisting with a change message in this recent ad that he put out saying that, you know, essentially we need to change in every single way that Washington does business.

Well, a lot of people like how government works. They like government working for them. And they like to see government working for them.

And I just don`t understand if you`re actually trying to win, that`s the message you put up.

But I don`t necessarily think he`s necessarily trying to win. I think he`s trying to animate his base.

RAMPELL: But it`s not just about Washington, right, it`s also about the economy. And if you look at our economy, we have record high wage growth last year, like the highest in decades. We have unemployment at 5 percent. We have very low inflation, gas prices are cheap. There`s a lot of reasons to -- not to mention health insurance, you know, that we have the lowest rate of uninsured, you know, ever.

And there are a lot of reasons to say maybe things aren`t perfect, but they`ve been going in the right direction at the very least.

HAYES: And that story -- and Matt Iglesias had a good piece about this where he called it. He said there is a new silent majority and it`s voting for Hillary Clinton, that throughout the campaign,you know, particularly Bernie followers in the primary section for -- for I think understandable reasons got a lot of coverage because of the intensity, because of how surprising it was that Sanders was doing as well as he was, here`s a socialist who is competing.

We`ve seen an entire genre devoted to the Trump voter -- a million different magazine pieces, the sort of literary pastoral looks at the Trump voter. The Hillary Clinton voter, the voter of the continuity, the voter of, yeah, let`s keep the kind of Obama project going.

RAMPELL: Let`s not rock the boat.

HAYES: Let`s not rock, that`s a totally invisible person, but is probably going to end up being numerically the modal voter.

SMITH: Well, people think we already know those voters. They think they know the Obama coalition. They think that they know older women who have longed for a woman to be president. They think that they understand these voters, but they don`t really get involved in the nitty-gritty about what they actually want.

And it would be nice to see that explored a little bit more even beyond the campaign.

RAMPELL: I mean, just to push back a little bit, I think part of the reason why there is a genre of the Trump voter portrait is partly that the locus of media is on the east coast in relatively liberal places. And so it is hard for a lot of us liberal media elites so to speak to really wrap our heads around. why Trump is so appealing.

HAYES: I agree. What I think ends up happening, and I totally get that and I think it`s really important to talk to folks, and like something we`ve done, and I`ve done throughout the campaign. I talked to people who are supporters. But there is -- what ends up happening is you can go to the point where to prove the authenticity that you don`t have, but you want to get to ignore the story that`s there, right, which is that like why are these people voting for essentially a third term of Barack Obama when literally when you watch cable news, you watch pundits write about it`s like everyone wants change, everyone hates the way things are going.

That`s not true. That`s just not true.

SMITH: And all the people of color, especially you know people like me who come from the Midwest and have seen these Trump supporters in different cloth, so to speak, before this and been pleading, hey, America, this is the reality of racism in this country. This is the reality of white resentment in this country, and never been listened to until now until they`ve actually had a candidate to vote for? I mean, that I think is a big reason why people are seeing these pieces that are treating Trump voters as if it`s some kind of rare species, and wondering...

RAMPELL: Anthropologic there is, ethnographic aspect.

HAYES: Which can also in their -- also can sort of end up to me being a little condescending in their own way, right, because it`s like -- but I also think that, you know, ultimately because this final argument is going to be so existential, because the campaign has been existential, what kind of country are we? That`s been campaign question that`s being answered. The idea of putting that back together afterwards also seems really hard because there`s just...

RAMPELL: Trump has not seem keen on putting it back together afterward.

HAYES: That`s also true. Catherine Rampell and Jamil Smith, thank you both.

That is All In for this evening. The Rachel Maddow show starts right now.

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Chris Hayes, Chuck Todd, Hallie Jackson, John Ralston

9757 speakers\_end

CHRIS HAYES, MSNBC HOST: Good evening from the campus of beautiful University of Nevada, Las Vegas. Yes, it`s Nevada. Host of the third and final presidential debate of 2016, which kicks off here on MSNBC, just three hours from now. I`m Chris Hayes. Hillary Clinton`s campaign said it expects a "scorched-earth approach" tonight from Donald Trump.

(BEGIN VIDEO CLIP)

SEN. TIM KAINE (D-VA), VICE PRESIDENTIAL CANDIDATE: We know what we`ll see from Donald Trump. But he`s sort of -- he`s sort of telegraphed a little bit, it`s going to be scorched earth. It`s going to be scorched earth. Donald Trump has made the entire campaign about going after people.

(END VIDEO CLIP)

HAYES: Trump`s announced guests tonight include President Obama`s Trump- supporting half-brother, Malik Obama, Pat Smith whose son was killed in the Benghazi attacks, and former Navy Seal Marcus Luttrell, subject to the film, Lone Warrior who spoke at the Republican National Convention. Trump has also invited a woman who was briefly engaged in the 1990s to Ambassador Chris Stevens who was killed in the Benghazi attacks. Four people Trump calls angel moms whose relatives were killed by undocumented **immigrants**, and Leslie Millwee, who in a new interview with the website Breitbart today accused Bill Clinton of sexually assaulting her in 1980. Trump who skipped his debate walk-through this afternoon, enters tonight`s faceoff in a deep hole. Polling averages show Clinton leading by seven points nationally. A new Bloomberg poll has Clinton up by 9 points, 47 percent to 38 percent. In deep red Arizona, a new poll shows Clinton up on Trump by five, 39 percent to 34 percent. A new poll out of Utah shows trump trailing third- party challenger Evan McMullin and barely ahead of Clinton. According to Nate Silver, Clinton now has better chance to win Texas than Trump does to take his must-win state of Pennsylvania. And joining us now from inside the debate spin room, is MSNBC news correspondent Hallie Jackson.

Hallie, I have to imagine when the commissioner of presidential debates set forth the basic idea that could you bring guests to the debates, they did not foresee that they would be used for this kind of circus-like purpose.

HALLIE JACKSON, MSNBC NEWS CORRESPONDENT: OK. So, a couple of points to make here, Chris, because in the last -- I`m on my phone, I`m not looking at the camera because I`m getting some information here, just in the last few minutes of a couple of additions to that guests list. One, I am told by a Trump source is Sarah Palin. She has been an invited guest now to the debate tonight, which is very interesting. They`re working to reach out to Palin`s folks to sort of second sourcing on that, but I`ll share that with you as it comes to me from a source inside the campaign. The other person, Mark Geist, who is a survivor of the attack in Benghazi. So, clearly, there is a strategy here to try to put these people in front of Hillary Clinton in the audience at the debate hall tonight. We`re not in the debate hall, we`re in the spin room which is down from where the debate is actually happening, where it`s all going down.

And when you talk about through the strategy behind this, and what this is all about, Clinton`s campaign is responding here. My colleague, Kristine Walker, and I`m paraphrasing, saying the Clinton team is essentially saying, "Hey, what Donald Trump is doing, it`s a political stunt. What Hillary Clinton is doing is bringing real people who illustrate issues that matter to her and to what she wants to talk about tonight." So, it is an - - it is certainly a dichotomy in strategies between these two candidates, Chris, and a contrast that will likely be reflected over on that stage, next to us, later on tonight.

HAYES: All right. Hallie Jackson, thanks for that update. Joining me now is Kristina Schake, she`s Deputy Communications Director for Hillary for America. And since I just spent 60 seconds on the guest list of Donald Trump, is there a similar guest list from the Clinton campaign?

KRISTINA SCHAKE, DEPUTY COMMUNICATIONS DIRECTOR FOR HILLARY FOR AMERICA: You know, Hillary wanted to invite people that represent the fights of her life, the things that she`s taken on throughout her career in public service. She has a young man who`s here tonight who she met as a child. He came to the White House when she`s first lady, when she was advocating for Universal Health Insurance, and fighting to get children`s health insurance in this country. She is a young dreamer, she has people who really represent the fights of her life that she`s taken on, and the fights that she`ll take on as America`s president.

HAYES: So, as you face this down, right? I mean, look, in the -- in the second debate, I think, was a bizarrely dark chapter in American political history for a whole variety of reasons.

SCHAKE: Yeah.

HAYES: You know, there`s some question about how much Clinton engages, and where -- what -- when she has the opportunity to pivot, to what she pivots, does she spend a lot of time on the now nine women on the record accusing Donald Trump of some sort of unwanted sexual contact or sexual groping or assault, or does she talk about **immigration** policy? I mean, how do you see that?

SCHAKE: You know, she has a very clear view of this, Chris. She knows that the debate so far, the two that have taken place have been very meaningful. People got to see these candidates face to face on the stage for the first time. They got to hear about their experience, their values, and what they would do as President of the United States. And Hillary came out as the winner of both of those debates. So, she (INAUDIBLE) tonight as a real opportunity for her. She gets to speak to millions of Americans, including millions of undecided voters about her real plans, what she would do as president, to create good paying jobs in this country, to make college more affordable. So, she`s going in there tonight, she knows, you know, Donald Trump can do whatever he -- she -- he wants. We understand that he`s run a certain kind of campaign and that`s his choice. But this is her last chance to talk in a debate format to millions of Americans, so she`s going to take that opportunity.

HAYES: Do you -- I`m going to ask you a personal question, which I doubt you`ll answer honestly, but I`ll ask it anyway. Do you hate -- do you hate him?

SCHAKE: Oh, my gosh, no. This is -- this is -- we have -- we understand this is about American voters. This isn`t about Donald Trump. This is about our country. And Hillary believes this is an opportunity to bring people together and get something done for this country. And that`s where her focus is.

HAYES: There`s going to be a lot of attention, I think, paid to two things by Donald Trump tonight. One will be, the mass hack of John Podesta`s e- mail -- private e-mail and the WikiLeaks that have been rolling out. The vast majority seem to me, fairly mundane. The workings of the campaign, although there`s some places in there, I think he`ll highlight what he view are controversial. And then, of course, notes from the FBI investigation to Hillary Clinton, the now famous quid pro quo line, which was about a -- which has been denied by both state and FBI.

SCHAKE: It`s been -- tonight, it`s been debunked by both the FBI and the state department. It`s also important to keep in mind that this happened after she left as Secretary of State. There`s really just nothing there.

HAYES: Right. So, the question. It sounds like -- do -- how much time does someone spend on the Bureaucratic fight over retroactive classification when 60 million people -- no really, you have 60 million people watching.

SCHAKE: You know, again, Chris. She is -- she will answer anyone`s question. She`ll answer Chris`s questions, whatever he brings up tonight, but again, this is a chance for her to talk about what she would do as president. She`s not going to miss that opportunity tonight.

HAYES: All right. Kristina Schake of Clinton campaign.

SCHAKE: Thank you.

HAYES: Appreciate you come by. Thank you very much. Joining me now, former Nevada Assembly woman, Lucy Flores, and MSNBC contributor Jon Ralston, political analyst at KTNV. The home crowd, look. Yeah. Wow! Lucy apparently brought an entourage.

LUCY FLORES, NEVADA ASSEMBLY WOMAN: They`re very kind.

HAYES: Here`s what I find so fascinating about being here for the final debate, Nevada is in some ways, I think, the paradigmatic swing state of this election for these reasons. It has two large constituencies that each side over performs among, right? So, it`s a very Latino state, it is also a state with a very relative or large percentage of what pollsters call non-college whites, right? White voters without a college education.

FLORES: Right.

HAYES: And for that reason, Jon, it seems to me, it has been really neck and neck, far longer than maybe you would have thought going in based on the over performance Hillary Clinton has had among Latinos throughout.

JON RALSTON, MSNBC CONTRIBUTOR, POLITICAL ANALYST AT KTNV: Yeah. I mean, I`ve always thought the state leaned toward Hillary Clinton, Chris, because of what you talked about with the Latino voters and how well Obama did here in 2008 and 2012. But the words of Donald Trump are echoing in my ears from when he won the caucus, "I love the uneducated voters." Who says something like that, but that is one of the reasons because of Nevada`s demographics that Trump has been able to stay close, but he`s not anymore. There have been three polls out last 48 hours or so, that show Clinton ahead by six, six, and seven points, so she`s pulling --

HAYES: She`s pulling -- she`s pulling away.

RALSTON: I think she`s pulling away. And the real question here in Nevada, and I don`t know how much you want to talk about. This is what the down-ballot effect is going to be.

HAYES: Right.

RALSTON: Especially on what may be the most important U.S. senate race in the country, the race for Harry Reid`s seat. The only seat essentially the republicans have a chance to take.

HAYES: And that seat is extremely contested, and it gives you a window. I`ve been TV here. It`s crazy how many political ads there are. But for Catherine Cortez Masto, sort of, was sort of hand chosen successor by Harry Reid. She`s the democrat, she`s running against congressman Joe Heck. And Heck is -- and this is the exact thing that`s happening in senate races around the country.

FLORES: Right.

HAYES: The republican candidate outperforming Trump by seven points, somewhere around there. But there`s only so much you can outperform and keep your head above water.

FLORES: Right. Well, I think what`s really critical here is frankly, as Trump continues to plummet, he continues to drag down the rest of those candidates, and that`s very clearly happening here in Nevada. Based on the polls, now that you saw after Heck decided to disavow himself from Trump, where you now see that Catherine Cortez is actually pulling ahead. And frankly, the more he continues with his vile rhetoric against **immigrants**, against religious minorities, et cetera, the more he continues to being him, the better that people like Catherine Cortez Masto are going to continue to do.

HAYES: Well, that`s what -- and one of the things that I hope we get to tonight, it is remarkable to me, we`re 20 days before the election, somewhat improbably, **immigration** became a certain piece of this -- of this campaign in a way, I think, very few people anticipated, partly because of the extremely hard-line stance of Donald Trump. It hasn`t been discussed in the debate.

FLORES: Which is really important, because **immigration** was always cited as an important issue for the **immigrant** community and Latinos, but it was never actually polled at number one, it was always about jobs, the economy, education.

HAYES: Right.

FLORES: Now, it`s actually being polled at number one.

HAYES: Here?

FLORES: Yes, in the Latino decisions poll that just came out. In Nevada, you saw that **immigration** was actually the number one issue. So, -- and this is because -- this is because --

HAYES: Because of Trump.

FLORES: Absolutely.

HAYES: And we`ve seen, actually, in Ohio, Portman saying, now (INAUDIBLE) who`s winning that race and outperforming Trump in Ohio, flirting with the idea of a path to citizenship. You may actually see a kind of backlash effect to Trump in which he has managed to toxify his version of **immigration** policy for what happens in the fall.

RALSTON: Well, I think that`s right. You know, I also think that you could do a montage of all the different things that Donald Trump has said about **immigrations**since that press conference and in June of 2015, and how he`s tried to, you know, walk it back and go back the other way, Chris. What`s interesting about what Lucy Flores says about that Latino decisions poll, yes, **immigration** is number one, but again, in the senate race, Hillary Clinton is defeating in the presidential race in that poll, Donald Trump 72 to 17. In the senate race, Catherine Cortes Masto is defeating Joe Heck, 54 to 34.

HAYES: That`s the (INAUDIBLE) right.

RALSTON: That is fast.

HAYES: Lucy Flores and Jon Ralston, thank you very much.

FLORES: Thanks, Chris.

HAYES: Joining me now from the spin room, Mark Cuban who`s a guest of Hillary Clinton`s at tonight`s debate. And Mark, you`ve sort of emerged in this campaign as a -- as a kind of -- I don`t know what the proper term. A sort of freelance responder to Donald Trump. What do -- what do you expect to see tonight?

MARK CUBAN, OWNER, DALLAS MAVERICKS: Let`s just call -- let`s just call it what it is, Chris, "troll -- Trump troll extraordinaire."

HAYES: I was going to call that, but then I thought, well, maybe that`s sort of insulting, but I`m glad that you sort of --

CUBAN: It maybe, but it is what it is.

HAYES: -- grabbed that as a badge of -- a badge -- a badge of honor. What do you expect to see tonight?

CUBAN: I don`t know. I mean, to me, I think Donald is going to come out, at least trying to be a little bit presidential. And then, I think, the minute he takes the second or third punch, he`ll revert back to form, and that`s when things will get interesting.

HAYES: You know, you -- this now seems so long ago, because of how insane the cycle has been, that Trump`s tax returns, his business dealings, the three pages of the 1996 return that the New York Time acquired were really central, and that`s still there. I mean, if you`re thinking about how this man would be as president, how much do you still think about that, and sort of central learning about what his record has actually been?

CUBAN: Oh, it`s critical. Let`s not forget Trump University. To me, that`s even more of an indication. You`re talking, you know, 6,000 people that he took money from, and in return, gave nothing. And you know, that`s relatively recent. So, when you pull them all together, you know, you`ve got to really ask just how ethical is this man when it comes the dealing with, you know, every day people.

HAYES: You know, there`s something about watching this whole thing develop that`s been fascinating, which is how far you can get in life with a good sales pitch or with a sort of -- a kind of confident hustle without being cowed by folks and certain norms. I mean, I wonder if that`s a recognizable type to you from your business career.

CUBAN: You mean fake it `til you make it? Well, it starts when you --

HAYES: Yeah. Basically.

CUBAN: You know, you can`t get that far unless you start with, you know, a couple hundred million dollars from daddy. You know, a lot of people learn a lot, or could learn a lot if they could lose 50 something million dollars of their dad`s money by the time they`re 33. And that kind of gives you a little bit of a -- of a head start. So, for everyday people, I know in my experiences, you can`t -- you can fake it maybe for 10 minutes, but at some point, you got to deliver.

HAYES: Do you -- are you worried about what happens after this campaign, given the rhetoric that we`ve seen increasingly from the Trump folks about a rigged election?

CUBAN: You know, I`m glad you brought that up. You know, I`ve been trying to figure out what the benefit is to Donald for taking -- for taking that approach and discussing it being rigged. I can`t find one. But what I can find is a significant amount of benefit for Breitbart News. To me, it`s interesting that a lot of the attacks that`s he`s been taking, you know, rigged elections, you know, the -- everybody working against them, that`s Breitbart`s marketing plan. I`m a big believer that Steve Bannon is a lot smarter than Donald Trump, and he`s really driving this -- I think Steve Bannon has gotten to the point where he thinks there`s a high probability that Donald will not win. So, he`s playing this whole thing out to the benefit of Breitbart News. When you watch him tonight, you know, how many thinks he`s saying that Donald is saying that truly are Donald`s perspective and his positions, versus things that could they help Breitbart News? I`m telling you, when you listen to Donald talk in his speeches, it`s almost all far more beneficial for Breitbart.

HAYES: Interesting. Mark Cuban, thanks for joining us tonight. I appreciate it, man.

CUBAN: My pleasure, Chris, any time.

HAYES: All right. We have a lot more to cover. Live here in Las Vegas, I`ll talk to member of the Trump campaign about the nominee warning of a rigged election, along with Rick Wilson, senior advisor for Independent candidate, Evan McMullin, and later, Kareem Abdul Jabbar, the one and only, joins me to discuss the climate for Muslim Americans during this election. All of that and more coming up. Don`t go away.

(COMMERCIAL BREAK)

HAYES: This morning on MSNBC, Republican Senator Steve Schmidt predicted an Election Day disaster, and not just for the man at the top of ticket, listen carefully what Steve Schmidt is predicting.

(END VIDEO CLIP)

UNIDENTIFIED MALE: What`s the over/under on the Electoral College victory for Hillary Clinton?

STEVE SCHMIDT: I think she`s trending over 400.

UNIDENTIFIED MALE: Trending over 400.

SCHMIDT: Yes.

UNIDENTIFIED MALE: So democrats take the senate?

SCHMIDT: Yes.

UNIDENTIFIED MALE: Democrats take the house?

SCHMIDT: Close, they could take it. If they -- if this election was today, I think they`re down -- I think republicans are down 25 seats, as of today, with the trend line going in the wrong direction.

UNIDENTIFIED FEMALE: Very bad.

SCHMIDT: The poll numbers are not good on the internal numbers.

UNIDENTIFIED MALE: Really, for the house?

SCHMIDT: The panic is beginning.

(END VIDEO CLIP)

HAYES: Joining me now, A.J. Delgado, Senior Adviser of the Trump campaign and Republican Political Strategist, Rick Wilson, Senior Adviser for Evan McMullin`s campaign. Alright. So, here`s my question to you.

A.J. DELGADO, SENIOR ADVISER OF THE TRUMP CAMPAIGN AND REPUBLICAN POLITICAL STRATEGIST: Uh-hmm.

HAYES: Why -- here, Republican Party folks are saying, "Look, Donald Trump needs to get out of the Breitbart cul-de-sac. He needs to stop doing fan service like inviting Malik Obama to troll the president, to sort of pump up his base and he needs to be reaching to the voters between the 40 percent and 38 percent, he`s at now, and the 46 or 47 he needs to win. Is that a legitimate complaint, you think?

DELGADO: Well, I take issue with the fact that you consider it trolling that he is inviting Mr. Obama. He`s a voter of interest who has chosen not to support the person that his brother recommends the nation`s supports. I think that`s of interest and it`s worth inviting him. As for Trump reaching out, he does that every day. He`s on the campaign trail every day. Two, three cities a day, sometimes, speaking to the American public on the issues that matter; jobs, the economy, trade, **immigration**, so he is doing that.

HAYES: But Kellyanne talks about like this in the (INAUDIBLE) campaign but the thing he`s been talking about a lot recently is the polls are rigged, this is all a grand conspiracy.

DELGADO: And the media spent the last two weeks talking about the scandalous allegations that have all been debunked.

HAYES: They have not all been debunked.

DELGADO: So, yes. Yes, they have. Well, which one has been proven credible? Name me one that`s credible.

HAYES: I think they`re all pretty credible.

DELGADO: Name me one.

HAYES: Stoynoff from "People" magazine who had six people contemporaneously come forward --

DELGADO: No, they corroborated --

(CROSSTALK)

HAYES: -- to say that she told them --

DELGADO: That she told them --

HAYES: -- at the time that this happened.

DELGADO: That she told them. Nobody has corroborated that it happened, just like --

HAYES: No one was in the room.

DELGADO: That`s not corroborating anything.

HAYES: That`s her standard?

DELGADO: That`s not corroborating anything.

HAYES: But this is the problem, this is what -- if he wants to litigate this tonight, this seems to be a disaster for him.

RICK WILSON, SENIOR ADVISER FOR EVAN MCMULLIN`S CAMPAIGN: Of course, it is. And look, this -- what you`ll really seeing here in this campaign, is the last twitches of a dying animal. This is Steve Bannon trying to poke this bear one last time to get it to do something that doesn`t result a complete political disaster. And the fact that they`re bringing all the stunt casting in tonight to try to quote, "Rattle Hillary Clinton." They tried it in the second debate, it didn`t do a damn thing to rattle her. In fact, he embarrassed himself more thoroughly than it was even imaginable. And if he does the same thing tonight, it`s going to continue the trend line that Steve was talking about earlier, where we`re looking at a situation where Donald Trump starts to collapse in states like Georgia and Texas. And in Utah today, a reliably red state, my guy Evan McMullin is now leading Donald Trump as a conservative with principle in the State of Utah. This is a guy who`s collapsing everywhere. Trump is not improving his position anywhere in the country right now.

HAYES: You guys think that`s not true?

DELGADO: Well -- and it has been a rough couple of weeks because of the media-driven narrative. I`m not going to dispute that, we have had a rough couple of weeks, but now, I think starting point that tonight`s debate --

(CROSSTALK)

HAYES: That was remarkably reality based.

WILSON: Wow.

(CROSSTALK)

WILSON: I`m so glad you said that.

HAYES: You were actually honest about where Trump`s been.

DELGADO: And we`re not a dying animal, by the way, we`re up a point in Rasmussen. We`re up in Ohio, a critical state, we`re leading there.

WILSON: You`re down in -- you`re -- even in Texas.

(CROSSTALK)

WILSON: You`re down in Georgia.

(CROSSTALK)

HAYES: Good. Great.

(CROSSTALK)

DELGADO: And get away from this media narrative of these false allegations that you`re just using as a distraction.

WILSON: But A.J., it`s not the media -- it`s not a media narrative, it`s the actual facts on the ground. The state polls for Donald Trump are collapsing across this country, across the board.

DELGADO: And we still have three weeks left to go.

(CROSSTALK)

WILSON: And Donald Trump does nothing -- Donald Trump has done nothing about the issues. He is completely fact-free and issue-free campaign. Every day is one other outrage of Donald --

DELGADO: See, that kind of -- that kind of blanket statement is all they have.

WILSON: Every day -- but every day --

(CROSSTALK)

HAYES: OK. Fine.

DELGADO: The only one on trade -- that has a real policy on trade.

(CROSSTALK)

WILSON: Well, yes. He`s -- you know what his policy is?

DELGADO: You know what`s fact-free, Hillary Clinton has nothing about --

(CROSSTALK)

WILSON: His policy is a completely bat shit bunkers, crazy protectionist trade plan that would lead to an economic global disaster.

(CROSSTALK)

HAYES: Hey. All right. Let`s just keep -- let`s keep the language appropriate.

DELGADO: OK, OK.

HAYES: I know -- I know this campaign tends to do that to people, as we`ve seen. Sorry about that. It`s classic. OK. So -- but this is my point, right, like, OK, I think -- here`s what I feel like, I feel like Chris Wallace and Hillary Clinton, and you`re saying Donald Trump want to talk about the issues today. And I think -- like it`s going to be -- there`s going to be an opening for Donald Trump, right, like -- is he -- is he going to take the path to do that? He has not talked about his **immigration** policy in two debates so far, which is astounding to me.

DELGADO: The moderators haven`t brought it up on purpose --

HAYES: I agree.

DELGADO: -- because that`s his strongest issue.

HAYES: I agree that it`s strange that it hadn`t been a question, but it`s also something where you can take an opportunity, if you -- if that`s what you want to talk about --

DELGADO: And then he would be criticized for not answering the question directly.

(CROSSTALK)

WILSON: No, it`s called bridging (INAUDIBLE) technique in the debate where Donald Trump could ask -- answer question about the economy and say, "And by the way, on the subject of trade of which I wish to speak about, here are my three or four --

(CROSSTALK)

DELGADO: I look forward to when he pivots tonight to an issue of interest --

(CROSSTALK)

WILSON: Yes, yes, but what he is going to pivot to instead -- what he is going to pivot instead is saying things like, "Well, if crooked Hillary would look out at the audience at Barack Obama`s half-brother, it`s all these jerky, idiotic, small ball --

DELGADO: Did he reference the women during the last debate?

WILSON: Listen.

DELGADO: No.

WILSON: You guys put that out there front and center. You guys put that out there front and center, and he knows --

DELGADO: Did he reference it? You said he is going to say, "Look at Barack Obama`s brother." at the last debate (INAUDIBLE) did he say look at the women?

WILSON: By the way, he was saying -- he couldn`t say look at the women because --

DELGADO: Why not?

WILSON: The moderator said, you`re not playing this game and Frank Fahrenkopf told your guys very directly, he told Rudy and he told Bannon very directly, you`re not playing this game, we`re not having them on the stage where you want them. These people are part of the Trump side show, the Trump`s spectacle that`s gone on for a year and a half now --

DELGADO: Trump spectacle. More GOP vote than any candidate in the history of --

(CROSSTALK)

WILSON: Where he has degraded American politics in such a way that you couldn`t -- if Donald Trump was working for the democrats, you couldn`t have been more destructive to (INAUDIBLE)

HAYES: Let me ask you this -- let me ask you this, do you think your -- that your candidate -- do you think that Donald Trump is being sabotaged by the GOP at this point?

DELGADO: No, we`re working well with them. No, I don`t think so.

HAYES: You don`t think so? And you don`t think that -- I mean, I saw --

DELGADO: Ryan has been great. No.

HAYES: Ryan`s favorability plummeted among republicans about 30 points in the week after, two weeks after he --

DELGADO: How`s Paul Ryan doing, by the way?

HAYES: What do you mean by that?

DELGADO: His favorability -- I don`t know. I want to know what Paul Ryan`s doing.

HAYES: But that`s my -- but that`s my point, is that his favorability -- Donald Trump and him got into a -- you know, Paul Ryan condemned him after the tape came out. His favorability among republicans plummeted dramatically. What does that say to you?

DELGADO: That republicans need Donald Trump, they need Donald Trump`s face. We keep talking about Donald Trump -- he`s helping draw out voters to the GOP. The people that will come out to cast a vote for Donald Trump then will also perhaps cast that down ballot vote for other republicans. It`s the GOP that needs Trump.

HAYES: Do you agree with Kellyanne Conway, his campaign manager, who said -- who said that she did not believe there`s widespread voter fraud?

DELGADO: Correct, and Mr. Trump agrees that`s not widespread.

HAYES: That`s not widespread?

DELGADO: We all agree on that. Yes.

HAYES: OK.

WILSON: So that`s why Steve Bannon just hired the guy who (INAUDIBLE) black panther video eight years ago.

DELGADO: Well, because that`s not widespread doesn`t mean that it doesn`t happen. You know the difference, right?

(CROSSTALK)

WILSON: Listen. Here`s the thing.

DELGADO: Something that happened may not be widespread.

WILSON: Let`s go back on one thing you said a minute ago, republicans need Donald Trump, they need Donald Trump like they need herpes. They need Donald Trump like they need -- like they need --

(CROSSTALK)

DELGADO: Oh, play to the crowd. Oh, gees. Playing to the crowd.

WILSON: He is utterly poisonous to republicans and their brand. He is utterly poisonous to them.

HAYES: Right.

WILSON: This is a guy who --

(CROSSTALK)

DELGADO: That`s why he had more votes than any GOP nominee had ever had in a primary. A record breaking number of votes, he just get left out.

(CROSSTALK)

HAYES: I will say this. I will say this that A.J. did manage to get to the segment without cursing or mentioning an STD.

WILSON: Well, yeah.

HAYES: Which I think is --

(CROSSTALK)

HAYES: -- something that we`re hoping for tonight`s debate frankly if we can get through 90 minutes without either of those. A.J. Delgado and Rick Wilson, thank you both. I really appreciate it.

DELGADO: Thank you, Chris.

HAYES: Well, where are we now, folks? We have a lot more to come including the recap of the unshackled Trump campaign over in just the last 10 days in second debate. Plus, a very special guest Kareem Abdul-Jabbar joins me right after this break.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

KAREEM ABDUL-JABBAR, RETIRED NBA PLAYER: Hello, everyone. I`m Michael Jordan and I`m here with Hillary. I said that because I know Donald Trump couldn`t tell the difference.

(END VIDEO CLIP)

HAYES: Kareem Abdul-Jabbar got a big laugh at Donald Trump`s expense at the DNC this summer before the six-time champion and league most valuable player introduced himself properly, at which point he spoke about U.S. Army Captain Humayun Khan, an American Muslim soldier who died in combat while serving in Iraq.

Perhaps there`s no one more suited to reflect on the sacrifice of Muslims in this country than a man whose very, very public conversion to Islam, in his words, invited criticism of one`s intelligence, patriotism, and sanity. That was more than 40 years ago.

Still, today, discrimination persists for millions of Muslim Americans and have become a centerpiece in this campaign.

Joining me now, Kareem Abdul-Jabbar, NBA`s all-time leading scorer and New York Times best-selling author. It`s great to have you here.

ABDUL-JABBAR: It`s nice to be here. Thank you.

HAYES: You`ve taken a prominent role in this campaign. And you`re someone who has always had a very developed and engaged sense of politics. But you are engaged in electoral politics this time around in a way I don`t feel like you have recently. What is driving that?

ABDUL-JABBAR: I was just very concerned about the way things were going in our country with all the division and people, the hate speech that is started to grow up. And it has borne some fruit and it is very scary. I don`t like seeing that in my country and I wanted to do to what I could to speak to the issue.

HAYES: You know, the proposed ban of Muslims is something -- and I keep returning to in this campaign, because of everything that Donald Trump has done, to me that sticks out, but it is a proposed -- it`s an actual policy that he said he would institute as president. He is now massaged it at the margins. What do you think that that wasn`t the moment when we saw Republicans break with their nominee but later we have seen them break?

ABDUL-JABBAR: Well, I think the republicans were not going to get upset until Mr. Trump started to **alienate** people who could win the election for them. So, when he said the things that he has said about the way that he treats women, women are the majority of our electorate. So, he annoys them he`s going to annoy a lot of people who can vote him in or out of office and he is seeing the results right now.

HAYES: And yet one of the things to me that`s been disturbing about this campaign, and I am curious about how much we`ll see discussed about tonight is just how much you can say and generalize about Muslim-Americans, how much you can get away saying they saw the bombs in San Bernardino, didn`t say anything, even though that`s not true.

I mean, do you feel like there is a certain latent bigotry, or explicit bigotry has been unmasked?

ABDUL-JABBAR: Well, I think sometimes people really don`t realize how many targets there are out there. So, now that Muslims have been moved into the position of being targets, some people have really embraced that and started a whole new movement targeting Muslims.

HAYES: There is a line that Donald Trump uses in the speech about one people, one nation, saluting under one flag. And some people have interpreted it as a way of sort of rebuking Colin Kaepernick, and his protest of the national anthem. Donald Trump himself has spoken out about it.

Here is someone who is in the spotlight and took a bunch of stands were unpopular at the time. And I`m curious what you think as you watch thought play out.

ABDUL-JABBAR: Well, I think the people who understand what our constitution is about and what the founding fathers had in mind, I think they will come to the forefront in vote the way that they`re supposed to vote. And this will pass, hopefully.

That is what I`m hoping, because I know my country and I know the people in it. For the most part, they`re decent people who can see what`s going on.

HAYES: So, you seem confident and upbeat how this is playing out as opposed to scarred and traumatized, which I talked to some people who were in latter camp.

ABDUL-JABBAR: Well, I -- you can`t ever get through the whole day without dealing with certain negative aspects of what this campaign has drawn out of our population. But I think it is a good thing. We have to understand what the problems are before we can deal with them. And if we have people who really feel the way that some of these people feel, we have to do something about it.

HAYES: You know, Donald Trump obviously gets into a lot of feuds. After you had written something somewhat critical of him, he wrote you a note saying "Dear Kareem, now I know why the press always treated you so badly. They couldn`t stand you. The fact you don`t have a clue about life and what has to be done to make America great again! Best wishes, Donald Trump."

Is it weird to be on the receiving end of one of those?

ABDUL-JABBAR: Very much so, because I thought I was very much under his radar.

HAYES: Nothing gets past him. Kareem Abdul-Jabbar, a new book out called "Writings on the Wall." A phenomenal writer, I have to say. It`s great to have you with us. Thank you very much.

ABDUL-JABBAR: Well, it was nice talking with you.

HAYES: Really appreciate it.

ABDUL-JABBAR: Thank you.

HAYES: The last debate fell into the familiar territory of personal attacks. Will there be more of the same tonight. Plus the Clinton`s campaign`s plan to avoid a last-minute surprise from Trump. That and more ahead.

(COMMERCIAL BREAK)

HAYES: Back in Las Vegas, Nevada, the site of the third and final, finally, final Trump-Clinton debate.

The first two debates clearly did not do Donald Trump many favors. As FiveThirtyEight`s Nate Silver was pointed out today, before the first debate, Hillary Clinton was only leading by an average of 1.5. That grew to 5.6 points just before the second debate. Now going into the third, she is 7.1 points ahead of Trump.

After the ugliness of particularly that second debate, just about everyone, possibly including the candidates, wants to see more sober discussion of actual policy. But given, well, the insanity of the Trump campaign over the past week and a half, it may be hard to get to those issues tonight.

We made a list of all that`s happened, inspired by a tweet storm by former Obama speechwriter John Fabreau. Since the last debate, Trump has been accused of unwanted physical contact by at least nine women, according to NBC News`s count, called those women liars and tools of the Clinton campaign implying some of them were too unattractive to assault, gone to war with the highest ranking member of his own party, House Speaker Paul Ryan, accused his opponent of taking drugs at the last debate, accused his opponent of participating in a global conspiracy with the international banks, and media elites to undermine U.S. sovereignty, accused a Mexican billionaire of fixing the U.S. election, alleged that widespread, systemic voter fraud is taking place, especially in quote, unquote, certain communities. This list, in all likelihood is not comprehensive.

Let`s bring in our panel: Republican strategist Matt Mackoviak, Democratic pollster Cornell Belcher, Eric Beech co-chairman of Great American PAC, that`s a super PAC supporting Donald Trump, and former Michigan governor Jennifer Granholm who is a senior adviser to the pro-Clinton PAC (inaudible) co-chair of Clinton`s transition team.

Let me start with you, Matt, because you had a tweet storm today about your -- so you`re someone I would put in, you`re sort of a never Trumper, right?

MATT MACKOWIAK, REPUBLICAN POLLSTER: Effectively, yes.

And I`ve been very resistant to taking that stand. I`ve been never Hillary from thebeginning but I`ve really resisted calling myself never Trump. But to me the tape and the groping allegations were just too much. And so I`m now never Trump and never Hillary. I`ll be personally voting for Evan McMullin in Texas.

HAYES: So you`re a Republican politico down in Austin. You have a bunch of clients. You`ve been in the game awhile. You had a sort of tweet storm today about -- I think from an institutional perspective of the Republican Party, as people are looking at internal polling, that`s freaking them out in down ballot races . What you want to see out of the debate.

MACKOWIAK: Well, I mean, what I want to see and what he`s capable of doing I think are two separate things.

That said, it would be good tonight if, number one, showed some contrition. It would be good if he put a vision out there of what the country would look like after four years. It would be good if he demonstrated real discipline and if he just sort of let the debate go into a policy area.

I mean, I think Chris Wallace tonight is going to focus, make Hillary answer some tough questions. I do. And maybe that may be really the first time, I think. And so, the more of Trump there is, the less you can let the news around Clinton dominate. If this campaign is about Trump, he loses. If it is about Hillary, she loses. The last few weeks it`s been all about Trump.

HAYES: Eric, what about this idea of contrition and discipline from Donald Trump?

ERIC BEACH, CO-CHAIRMAN, GREAT AMERICA PAC: I think he got into the election. He had five major issues which I believe he was in tune with the American people: talking about illegal **immigration**, talking about protecting the board. I know his rhetoric sometimes overstates what his positions are. But you know talking about his tax policies and creating jobs.

So I think he -- I agree with him in that we need to come back to those five policy issues. There is no bigger discrepancy between Donald Trump and Hillary Clinton than on national security and creating jobs. He needs to get back to that message and being disciplined.

HAYES: And then at the same time it`s like -- today`s whole news cycle is driven by the cast of characters Donald Trump is bringing -- oh, here`s Malik Obama, you know, seen in a photo with a khafia (ph) that says Jerusalem will be ours from the river to the sea, which is a Hamas slogan.

You know -- here is a woman who, here it is. Jerusalem is ours from the river to the sea right there. That`s the sort of Hamas Khafia (ph) there.

There`s also a woman who was briefly engaged to Chris Stevens who tragically lost his life in Benghazi. A person whose family has asked this not be politicized. This woman who was engaged to him 17 years ago is being brought.

I mean, if that is the strategy, Cornell, it is not being shown in the run- up to the debate.

CORNELL BELCHER, DEMOCRATIC POLLSTER: You know, I`m not going to be partisan here, but just -- we are campaign professionals, right. You`re behind, right? You`re way behind in a lot of states, right, so there are four or five things that you have to accomplish today. You have to turn this thing back around and make it, like you said, make this a referendum on Hillary. And -- but then the campaign goes out and they spend resources, resources they don`t have a lot of right going to get Barack Obama`s half-brother from Kenya?

And by the way, I assure you Hillary Clinton could care less.

HAYES: Absolutely.

By the way, just to be laser focused on the important facts of this, I think he lives in D.C. So, I don`t think it was...

MACKOWIAK: A cheaper charter flight.

So Eric made this point about **immigration**. Here`s one of the things I find so fascinating. The latest Fox News poll internals shows plummeting support for his **immigration** policy. That you may, Jennifer, you`re ending up in a situation where what we`ve learned about the way that people reason is they don`t think about the issues and then find the candidate, they find the candidate and then they deduce the issues.

And if you have a candidate who is toxic, that candidate can make issues that might have been working in the beginning toxic.

JENNIFER GRANHOLM, FRM. GOVERNOR OF MICHIGAN: Much more palatable.

And in fact, and her contrast, today, she`s bringing a cast of characters you talked about earlier today, but it`s about **immigration**. She`s going to be talking about a path to citizenship. She`s also going to be talking about clean energy, we hope. She`s bringing the head of the League of Conservation Voters as one of her people that she`s invited.

I mean, the issues that she is talking about tonight are represented in the people that she`s inviting. And that`s why I think if this is on issues tonight, she totally wins, because she`s got a whole (inaudible) that people care about.

HAYES: Also, a demonstrable ability to talk about this for long periods of time.

I want to play a really fascinating piece of sound, a quote from Marco Rubio, about WikiLeaks, because I think obviously that`s going to come up tonight a lot as well as the investigation. We`re going to play that right after this break very quick. Don`t go anywhere. Panel is stick around. You come back, too.

(COMMERCIAL BREAK)

HAYES: All right, we are back here on the campus of the beautiful University of Nevada, Las Vegas. A lot of folks are very excited about tonight`s debate which starts in just about two hours, I think.

All right. I want to play this bit of sound from Marco Rubio talking about WikiLeaks, because obviously, it has been this kind of weird thrum in the background of the campaign. There hasn`t been anything explosive in it. But every day there`s some new set of things. And because we`re all natural voyeurs, there`s nothing more fun than reading other people`s mail, they have gotten a lot of attention.

Here is what Marco Rubio had to say about it. Take a listen.

(BEGIN VIDEO CLIP)

SEN. MARCO RUBIO, (R) FLORIDA: I personally will not be talking about any revelation that`s come about solely as a result of WikiLeaks. Our intelligence officials who are not partisan people have told us, this is work of a foreign intelligence agency. And we cannot be a country where foreign intelligence agencies can interfere or influence our political process.

What I would say to my Republican colleagues, some of whom may be disappointed by the position I`ve taken is, today it is them. Tomorrow it could be us.

I think there is plenty of material in which to line up and take on Secretary Clinton. I think this one is an invitation for chaos and havoc in the future.

(END VIDEO CLIP)

HAYES: What do you think, Eric?

BEACH: Yeah. I happen to agree. You don`t talk with the sourcing of information, but I do think there are some things that need to be questioned, and that come from the debate and comes from the media, but it also comes on turning this about, making it about Hillary Clinton, right.

HAYES: But what about it? I mean, so...

BEACH: But again, you look at, for example, we have Dorothy Woods, the wife of Ty Woods, as part of our group. And what happened in Benghazi? I know it`s been examined and examined, but there are some tidbits in there that actually lead to some things and that needs to be...

HAYES: But that`s what you think -- you think ultimately he needs pivot away from saying the women accusing him are too ugly to grope toward Benghazi.

BEACH: I think she pivot to basically five core issues, because he`s with the American people on all of those issues. And I think if he drives that and makes it more about what are her positions, you kept saying, oh, she`s going to talk about this. She`s going to talk about that.

But she hasn`t had to lay out an **immigration** plan. She hasn`t had to lay out what she`s going to do on health care. Is she just going to maintain the status quo?

HAYES: She did talk about it last time, though.

BEACH: Well, no, she didn`t. She said Donald Trump had to defend and be more substance than she did. So, I think if we can make it more about what she will offer to the American people, they may be disappointed. That`s what Donald Trump should do.

GRANHOLM: Chris, though, on this WikiLeaks issue, though, because what Marco Rubio said is absolutely right. I appreciate what you said about it, because Donald Trump has had the same briefings, right. He has been told that the Russians have hacked in. And he`s got to -- and I would wonder if she is going to put him on the spot tonight and say, will you acknowledge that our intelligence agencies have briefed you that the Russians have hacked in and didn`t this happen after you exhorted them to hack into email.

HAYES: Yeah, but we think the hack happened before he...

GRANHOLM: But the bottom line is you can trace this whole line of Donald Trump`s relationships to Russia and then ask the question, why is that it Vladimir Putin so wants you to be president?

HAYES: Well -- but here`s part of the issue to me, Matt, with sort of turning, this idea that like you`re going to make about it Hillary, right, this referendum on Hillary. It seems to me at this point 20 days before the election, it is all pricing to the stock. Like, yes, she has not great number in trustworthiness, for instance. There are all sorts of polling that shows that people associate her with sort of being an insider, all this stuff.

But that`s like priced in. I don`t think it is anything that you`re going to say to 55 million people tonight and think, oh, you know what, I hadn`t thought about that, but Hillary Clinton sure is an insider.

MACKOWIAK: If you remember back to the three week before the first debate, that was really probably the best three weeks Trump has had since the general election started, it`s because Hillary was on defense. The Labor Day FBI notes came out. She was on defense over the health question. Things like that.

The focus was on her. It got away...

HAYES: She was on defense -- let`s just be clear, she was on defense for having pneumonia.

MACKOWIAK: And transparency issues related to her health. But fine. My point, is, look, going forward. I agree with what Rubio said. I think it was very important for him to say it. And he is in a unique position to be able to say it.

HAYES: That`s interesting you agree.

MACKOWIAK: I do. I do. And honestly, and the point he made is, you know, they can go after Democrats now, but they may be going after Republicans next.

Russia should be a bipartisan issue. It should not be a partisan issue. That said, the FBI information that came out about the potential quid pro quo has nothing to do with WikiLeaks and that does raise important questions.

HAYES: You know, the FBI investigation, the notes which of have been released, right. And it was in the notes that one agents Patrick Kennedy, the undersecretary of state of proposing a, quote, quid pro quo. That has been denied by the FBI and the State Department, although I`m sure there will be questions about it tonight.

Also, Hillary Clinton was gone by that point so it is sort of a retroactive conversation happening.

BELCHER: And the voters` eyes are glazing over, right.

(CROSSTALK)

GRANHOLM: How much time are you going to waste on that?

HAYES: I got bored just reading that.

Yes, thank you for saying that.

So, that`s also the other issue to me. And it relates to this question, right, of there is a certain degree of the kind of like Breitbart bubble, we call it, right, and this world. And we saw it in the first Clinton administration, the airstrip in Arkansas, the governor was running drugs out of, et cetera, et cetera. You can`t get 45, 46 percent of the electorate with that, right. You`ve got to give them something between 38 his floor and 46, they`ve got to -- those 8 percent have got to hear something.

BELCHER: But, see, I would argue at this point. And I know -- I`m going to be an outlier here. But I`ve been one a lot in my life. I`m going to argue here that when you look at what Trump is doing right now, because it doesn`t make any straight campaign sense. He is not trying to win November, he is trying win post-November.

I think there`s something where he will try to take a piece of your party along with him post-November.

GRANHOLM: I agree.

BELCHER: I really think i think doubling down on the hatred of -- doubling down on the birtherism, doubling down on all this nasty vile stuff. That helps him post-November.

GRANHOLM: He takes 30 million people with him to create this sort of nationalist party, and media network around that, and that`s what he is going to do.

BELCHER: We`ll wager on this.

(CROSSTALK)

BEACH: You`re comparing the Tea Party movement, or the ceiling is -- oh, these conspiracy theories. It`s not. It`s these anti-government -- he tried to that in the first debate for the first 30 minutes. He was pretty successful in trying to pin her as the establishment candidate, government candidate that`s been doing 30 years and has done nothing. If he wants to run as a change agent and make it a referendum on her that she can`t a change agent, because she`s been part of a broken system for 30 years, he should continue to do that.

And I think that ceiling of ant-government -- or we don`t trust government is a lot higher than we think.

HAYES: Well, here`s what`s fascinating, though. In many ways, right, Donald Trump has part of what allowed him to win that primary was sloughing off a lot of the kind of orthodoxy around anti-government, right. I mean, a 45 percent tariff isn`t anti-government. In fact, that`s a very muscular intervention in trade by the government. You were sort of saying that was -- he also one of the thing tonight, Chris Wallace wants to talk about is debt and entitlements, or as I call them social insurance. Donald Trump has been very clear he doesn`t want them cut.

So in a lot of ways what Trump has represented I think to his credit in terms of where he was able to find where the Republican voter was is that they weren`t that into the whole anti-government orthodoxy they`ve been fed from folks like Paul Ryan.

GRANHOLM: Or the deficit. I mean, if you look at his plans on the deficit, $13 trillion worth of deficit.

BEACH: I mean, he was more libertarian at least talking in the primary debates. He`s saying we`re not going to waste $20 billion, you know, we`re going to reform a broken system.

He even railed against super PACs, in terms of the political process. So, I mean, he had a message out there that weren`t necessarily just for outliers, but I think really for people that said, look, I`m tired of this system and I want to try something new. And he represented that.

HAYES: A lot of the message also was about **immigrants** and other folks who looked like would take your jobs.

I will say, though, that was a better message than, I would never have groped that woman because she`s not attractive enough.

Matt MacKowiak, Cornell Belcher, Eric Beach and Jennifer Granholm, thanks for your time.

We are live from the University of Nevada in Las Vegas leading up to the presidential debate.

Our coverage continues right after this break. Stick around.

(COMMERCIAL BREAK)

HAYES: We are just two hours from the final presidential debate. But don`t go anywhere. Our special prime time coverage continues throughout the night leading up to the main event, which you can watch right here on MSNBC starting at 9:00 p.m. eastern. "HARDBALL" with Chris Matthews is next.

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Chris Hayes, Ben Ginsberg

9330 speakers\_end

ANNOUNCER: Tonight on ALL IN.

BARACK OBAMA, UNITED STATES PRESIDENT: I`d invite Mr. Trump to stop whining and go and try to make his case to get votes.

ANNOUNCER: On the eve of the final Presidential Debate .

DONALD TRUMP (R), PRESIDENTIAL CANDIDATE: I don`t believe the polls anymore.

ANNOUNCER: Donald Trump still questioning the legitimacy of American democracy.

TRUMP: They even want to try and rig the election at the polling booths where so many cities are corrupt.

ANNOUNCER: New backlash from the left and the right.

UNIDENTIFIED MALE: There is - there`s no evidence behind any of this.

OBAMA: If whenever things are going badly for you and you lose, you start blaming somebody else. Then you don`t have what it takes to be in this job.

ANNOUNCER: Obama`s 2012 campaign manager Jim Messina joins me. Plus, veteran campaign lawyer Ben Ginsberg on what happens if a candidate refuses to concede. Then as Melania Trump stands up for her husband .

MELANIA TRUMP, DONALD TRUMP`S WIFE: Did they ever check the background of these women?

ANNOUNCER: Six people come forward to corroborate one allegation of sexual assault. And previewing tomorrow`s debate, and the issue notably absent from the first two showdowns.

TRUMP: Who is going to pay for the wall?

REPUBLICANS: Mexico!

ANNOUNCER: When ALL IN starts right now.

(END VIDEO CLIP)

CHRIS HAYES, MSNBC HOST: Good evening from beautiful Las Vegas where the third and final Presidential Debate set to take place tomorrow night here on the campus of UNLV. I`m Chris Hayes. With Election Day now just three weeks away, Donald Trump finds himself in a historically large holes. National polling averages showing Hillary Clinton poised for either a comfortable win or perhaps a landslide victory. New survey finding Clinton holds solid leads in enough states to give her 304 electoral votes. Well clear the 270 she needs to claim victory. And Clinton now with a chance of victory in ostensibly red states no one thought would be close. Polls showing Clinton leading or within striking distance recently in Alaska, Arizona, Georgia and even Texas where Clinton has started running campaign ads. In Colorado today, a state-wide poll showed Trump down about eight points, Trump dismissed the pollsters.

(BEGIN VIDEO CLIP)

TRUMP: Now, even though we`re doing pretty good in the polls, I don`t believe the polls anymore. I don`t believe them. I don`t believe them. And if there`s 10 and if there`s one or two bad ones, that`s the only one they show. Believe me, folks, we`re doing great.

(END VIDEO CLIP)

HAYES: Trump also continues to assist - insist, without any evidence, that the election process itself is fundamentally illegitimate.

(BEGIN VIDEO CLIP)

TRUMP: But they even want to try and rig the election at the polling booths where so many cities are corrupt, and you see that. And voter fraud is all too common. And then they criticize us for saying that. And we have even republicans, oh, that`s such a terrible thing to say.

(END VIDEO CLIP)

HAYES: Indeed, there are republicans pointing out the indisputable fact that it`s pretty much impossible to rig a national election.

(BEGIN VIDEO CLIP)

SEN. MARCO RUBIO (R), FLORIDA: This election is not being rigged. And I`m going to explain to you why it`s not being rigged in Florida, and why I hope he stops saying that, why he should stop saying that. We have 67 counties in the state, each of which conduct their own elections. I promise you, there is not a 67-county conspiracy to rig this election. Second, the governor of the State of Florida is a Republican, who appoints the people that run the division of elections. Third, there`s no evidence behind any of this. And so, this should not continue to be said. And do I believe people should have confidence? Yes.

(END VIDEO CLIP)

HAYES: Another prominent republican defending the integrity of American elections. House Speaker Paul Ryan who Trump lashed out at in the interview that aired this morning.

(BEGIN VIDEO CLIP)

TRUMP: Well, I don`t want to be knocking Paul Ryan. I think he could be more supportive to the republican nominee. We`re doing well. I think we`re going to win the election.

UNIDENTIFIED MALE: Do you think he wants you to win?

TRUMP: Well, maybe not, because maybe he wants to run in four years or maybe he doesn`t know how to win. Maybe he just doesn`t know how to win.

(END VIDEO CLIP)

HAYES: There are plenty of republicans embracing Trump`s attempt to undermine American faith in the legitimacy of its democracy. POLITICO reports that many Republican National Committee members agree with Trump, the election is rigged. So does one of the governors backing Trump, Paul Lepage of Maine.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: Are you confident that we are going to have a clean election in Maine?

GOV. PAUL LEPAGE (R-ME), TRUMP SUPPORTER: No, I am not confident we`re going to have a clean election in Maine. And I`ll tell you why. The left, the Democratic Party, insists on not having I.D.s and will people from the cemetery be voting? Yes, all around the country.

(END VIDEO CLIP)

HAYES: That`s not true, just to be clear. No one from the cemetery will be voting. In truth, there are vanishingly few documented examples of in- person voter fraud actually taking place. A comprehensive investigation of voter impersonation between 2000 and 2014 found just 31 credible incidents out of one billion ballots cast. As Wisconsin Representative Mark Pocan pointed out in March, "More people are struck by lightning than commit in- person voter fraud." Despite that fact, Trump is pointing to cities with large African-American populations and urging his supporters people to go to the polling sites to monitor the vote. He`s reportedly hired a controversial republican named Mike Roman to run Trump`s election protection effort. Roman best known for publicizing video from 2008 showing apparent voter intimidation at a Philadelphia polling place in 2008. Footage of Fox News ran over and over and over again, the watcher claims a voter fraud. At an appearance in the Rose Garden today with Italian Prime Minister Matteo Renzi, President Obama was asked about Trump`s claims the elections is rigged.

(BEGIN VIDEO CLIP)

OBAMA: I have never seen in my lifetime or in modern political history any presidential candidate trying to discredit the elections and the election process before votes have even taken place. It`s unprecedented. And by the way, doesn`t really show the kind of leadership and toughness that you`d want out of a president. You start whining before the game is even over? If whenever things are going badly for you, and you lose, you start blaming somebody else? Then you don`t have what it takes to be in this job. I`d invite Mr. Trump to stop whining and go try to make his case to get votes.

(END VIDEO CLIP)

HAYES: Joining me now, 2012 Obama campaign manager Jim Messina, former White House Deputy Chief of Staff to President Obama, now consultant. Good to have you here, Jim.

JIM MESSINA, FORMER WHITE HOUSE DEPUTY CHIEF OF STAFF: Thanks for having me.

HAYES: What did you think of the president there taking this sort of needling turn on Trump from the Rose Garden podium standing next to the Prime Minister of Italy?

MESSINA: I think it`s Barack Obama at his best, calling balls and strikes where he sees them, and it`s exactly right. Donald Trump is running for President of the United States of America. In 21 days before an election, he`s about to lose, he`s whining like a school kid. He`s saying, "Someone took my Legos away. I want to go home from the playground." It`s unbelievable. And you know, for democrats, Chris, Donald Trump is the gift that keeps on giving. It`s like Christmas every day for this guy. He tweets out, he says things like this. Instead of talking to swing voters, we`re sitting here three weeks before the election. He should be talking to the 8 to 12 percent of Americans who are undecided, and instead, he`s just lighting himself on fire every day on national television.

HAYES: You know, this gift that keeps on giving, I understand in the political context, but it also seems to me, like, he`s doing significant damage. I mean, to the extent that he calls legitimacy of the process into question for the next 21 days. He has a big audience. He`s got about, you know, 25, 30 percent of the electorate really, really devoted to him, who believe what he says. That creates problems whatever happens in the actual outcome of the election.

MESSINA: Yeah, because no matter who wins in this election, you have to govern next year, right? You`ve got to bring a very contentious two-party system in together to try to get some major things done in the next six months. And the problem is if a third of all voters are saying this thing was rigged, we`re not part of this process, how do you bring America together? Al Gore is the best example of this. We`ve never had a more contentious election than the 2000 election.

HAYES: Right.

MESSINA: And when that was over, the next hour after the Supreme Court, he walked out and said, "It`s over. George Bush is president, let`s all come behind him." And democrats went and worked with President Bush to get some stuff done.

HAYES: Yes. No child left behind, which is basically since they`ve repealed, we should note. There`s this question about all these states that we see popping up now, right?

MESSINA: Yup. Right.

HAYES: And I - this is stuff that I know you know extremely well. So, I want to talk to you about it for a second.

MESSINA: Yup.

HAYES: Texas to me seems like fools gold. I mean, these three, two points, democrats have been talking about Texas forever. If you look at it demographically, it looks sort of like it lines up with Florida, if you squint your eyes, but Texas Latinos have been much more inclined about Republicans, the party has been much more sort of common sense about **immigration** there. How gettable do you think Texas is?

MESSINA: Well, long-term, Texas is coming to us, right? If you look at the map, Nevada, New Mexico, Arizona are all coming. Texas is coming next. But I agree with you, I think it`s hard this election cycle. I think it`s a bridge too far. But look, Donald Trump gives us a historic opportunity in Texas. He`s currently getting 17 percent of the Latino vote. George Bush got 44 and 46 percent of the Latino vote. You start to look at 17 percent and say, Jesus, maybe Texas is real.

HAYES: Georgia now is the - is the one that I`ve been a skeptic for a while. I remember back in 2008, I was down in the Obama campaign office in Georgia when Georgia was sort of a frontier part of the map.

MESSINA: Yup. Yup.

HAYES: And didn`t work out. Georgia is another one of these where you say, "Well, if you just look at the demographics, this should be a state that democrats have a shot at."

MESSINA: Yup.

HAYES: Now, we`re seeing Georgia - significant polling showing Georgia in play.

MESSINA: Look, I`m co-chair of Hillary Clinton`s super PAC. We went on television today in Georgia. We believe it`s a state we can compete in. We believe long-term, it`s a state that`s moving back to the Democratic Party. You know, lots of people gave me grief when we went after Virginia in 2008. Virginia is now the most swing state in country, and it`s not even a little blue, so much so that Donald Trump pulled out of it last -

HAYES: Virginia is the craziest thing.

MESSINA: That`s exactly right.

HAYES: I think when you look - when you look at - I mean - and there`s this interesting thing part about - think about the map. Josh Barro made this point between the places where democrats seem to have consolidated their advantage or a combination of pretty, good local economies, lots of people mobily moving in and demographics.

MESSINA: Right.

HAYES: You look at places like Colorado and Virginia compared to places like Wisconsin where Hillary Clinton sort of underperforming Barack Obama right now. Those seem the tougher states for her to crack.

MESSINA: That`s exactly right. You look at Virginia, North Carolina, Florida, we are moving long term into positions of dominance there whereas we`re struggling in the Midwest. I mean, right now, you look at early votes, Democrats are dominating in Virginia, so much so that Trump just pulled out. The numbers are four points better in North Carolina than they were for Barack Obama. In Florida, we`re off to a very good start, but we are underperforming in Iowa and Ohio in ways that are troubling.

HAYES: Fascinating. All right. Jim Messina, thanks for your time.

MESSINA: My pleasure.

HAYES: All right. Joining me now, republican strategist Katie Packer is deputy campaign manager for Mitt Romney`s 2012 presidential campaign, and Morgan State University professor Jason Johnson, politics editor at The Root. You know, Jason, let`s start will this talk about how the -- this is an old trope, right?

JASON JOHNSON, POLITICS EDITOR, THE ROOT: Right.

HAYES: In some ways Donald Trump sort of bring you to the (INAUDIBLE) this idea that the votes are being rigged in the cities is something that we`ve been hearing for a very long time.

JOHNSON: He`s been saying this for a long time. Of course, it`s racial coding, right? It`s the cities, black people are cheating. And apparently like the black walking dead like dead black people are going to come up -

HAYES: It`s always the dead. It always come back -

JOHNSON: Exactly. That no matter what you do, you hack them in the head, and they keep coming back. So, the problem is this, though, from a - from a political science standpoint, he is hurting himself. We have study after study after study that shows that if voters feel that their votes aren`t counted, if they feel that there`s no integrity to the process, why am I going to wait in line? Why am I going to deal with voter I.D.? So, I think this is really dangerous. And you`ve only got 38 percent of Trump voters who actually feel that their votes are going to be counted. That was a Pew study back in August. He needs to stop this. He needs to focus on getting votes.

HAYES: And now, I think it`s probably - I mean, both, I think at a first order, I think Paul Ryan and Marco Rubio don`t believe the election is being rigged, but I also think in their self-interest, to Jason`s point, there is pretty good data on this that this is a way of actually reducing your own support. If you tell people their vote doesn`t matter, why are they going to go vote?

KATIE PACKER, REPUBLICAN STRATEGIST: Well, I think that this speak to something that`s even deeper-seated in Donald Trump, which is this real kind of neurosis that he has and this insecurity that he has, that he realizes, I think, now that he`s not going to win. And so, he`s starting to look for excuses, he`s starting to look for scapegoats and this is perfect scapegoat for him, this is a perfect springboard for him post- election to say, "Look, the deck was always stacked against us. Let`s go on and start a revolution." He wants to lead something, he wants to monetize this thing. I`m starting to think that this has very little to do with actual Election Day results.

HAYES: Well - and there`s this sort of declared war now against the Republican Party, right? And today, you know, he rolled out this term limits idea and he`s got -- which, first of all, is a little weird to be like, "Hey, here`s a constitutional amendment 20 days out, that we just sort of whipped up, we thought would be a good idea." But it`s also to me is sort of about positioning himself in the next 30 - in the next 20 days and also afterwards to be sort of essentially the bane of both parties.

JOHNSON: Right. Well, you know, when he launches Trump TV, right? Because we - because we know that`s what this long-term plan might be. And it`s damaging. It`s damaging to not only his chances, it`s damaging to the party, but also, I think this is going to hurt Trump. And maybe he doesn`t care about this to be a kingmaker down the road. Because when you say that all of these are rigged, you`re insulting Rick Scott in Florida, you`re insulting John Kasich in Ohio, you`re basically saying that all these republican governors are in on this vast Scooby-Doo conspiracy to keep me from being elected president, and I don`t think that helps him if he wants have any kind of power and influence going forward.

PACKER: Well, he got LePage to insult himself somehow.

JOHNSON: Right, right. Exactly.

HAYES: Right. Paul LePage can`t vouch for the elections in his own state.

JOHNSON: I can`t control my own states, yes.

HAYES: So, Jim just said this point, you know, we`re talking about - we`re starting to get some of the early data, right? So, we have actual hard votes, right, not statistical samples from polling, but early votes, absentee ballot requests, absentee ballot returns. You know, I keep thinking about even when this race has fluctuated in various ways, one constant has been, whatever you think about Hillary Clinton as a candidate or the Democratic Party, those folks running those ground operations are staffed know of what they`re doing. And you guys were up against them in 2012. I mean, that is something the democrats have gotten quite good at. There doesn`t seem to be anything on the other side. And you kind of wonder, like, in the end, when you`re looking at these sort of statistical bars between the low end and the high end, how much that`s going to factor in down the stretch.

PACKER: Well, that stuff matters when elections are close. It`s probably not going to matter in a state like Virginia, which as Jim said, you know, has moved bluer and bluer with the - with the Trump candidacy. But the RNC is really sort of flying all on their own out there. In 2012, when I was working on the Romney campaign, our campaign was working hand in glove. We were up against the, you know, the toughest campaign operation ever in the Obama re-election campaign, but we worked closely together and, you know, had a - had a pretty darn good operation. This time around, it`s the RNC doing it all on their own and you can`t really do this without a candidate campaign that`s helping you.

HAYES: Now - and one of the things we`ve seen, we`ve seen these senate debates start to happen, right? And the senate balance is - it`s very tight. It`s tight in a bunch of different races, we`ve seen senate question after senate question of -- particularly in blue states sort of how does Pat Toomey and how does Kelly Ayotte, how do they navigate this? They`re probably, Jason, looking at their own internal numbers to make these decisions.

JOHNSON: Yeah, and they`re terrified - they`re terrified. Even in place like - like Strickland is probably going to lose in Ohio, right? But in a place where you need to work together with your party, you got the head of the Trump campaign in Ohio saying, "Yeah, I`m done. I`m done with this - you know, I`m done with state party. I`m done with -

HAYES: They divorce basically in Ohio.

(CROSSTALK)

JOHNSON: It`s like - yeah, they divorce in Ohio, you`ve got groups like the New Georgia Project which is a non-partisan group in Georgia, they`ve been registering people like crazy, they`re getting the early votes out, and these senators are saying, "I am being dragged down by this nonsense happening at the national level." And it`s also killing their fund raising, I feel sorry for a lot of these republicans out there who have done a good job, who are representing their states well, and they`re going to be dragged down by the top of the ticket.

HAYES: Do you think ultimately - how much can that change in the next 20 days, the scope of that?

PACKER: Well, I think that -- to the credit of our senate committee and our incumbent senators, we`ve got senators that are running outstanding campaigns. It is very tough to run 15 points ahead of the top of the ticket in a close state. It`s - you know, you can do this if it`s seven or eight points, but some of these senators are really struggling. I do think that if they stay the course that they can hold out.

HAYES: We should note Stuart Stevens loves to note this. So you work with (INAUDIBLE) campaign. Romney outperformed the senate candidates in every state except the one we`re in, where Dean Heller up (INAUDIBLE) four points if I`m not mistaken in 2012. Katie Packer and Jason Johnson, thanks to you both, appreciate it.

Coming up, what if Donald Trump loses the election and doesn`t concede? (INAUDIBLE) just alluding to that possibility -- all too realistic possibility. What we`re talking about after this two-minute break.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

OBAMA: I`d invite Mr. Trump to stop whining and go try to make his case to get votes. And if he got the most votes, then it would be my expectation of Hillary Clinton to offer a gracious concession speech and pledge to work with him in order to make sure that the American people benefit from an effective government. And it would be my job to welcome Mr. Trump regardless of what he said about me or my differences with him on my opinions, and escort him over to this capitol in which there would be a peaceful transfer of power.

(END VIDEO CLIP)

HAYES: President today delivering a sharp rebuke of Donald Trump`s talk of a rigged election. Amid a real concern out there now that this election won`t end on Election Day. Yes, there are a whole bunch of procedural hurdles ahead ending ultimately and the election results are certified in a joint session of congress next January. But what gives the electoral process legitimacy in a deeper sense, is really when the loser of the election concedes, a tradition honored by nominees of both parties.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: The way we see it, the country should see it that the people have spoken, and we respect the majesty of the democratic system.

UNIDENTIFIED MALE: I`ve said repeatedly in this campaign that the president is my opponent, not my enemy, and I wish him well.

UNIDENTIFIED MALE: I pledge to do my part to try to bridge the partisan divide. I know this is a difficult time for my supporters, but I ask them, all of you, to join me in doing that.

UNIDENTIFIED MALE: Senator Obama has achieved a great thing for himself and for his country. I applaud him for it.

UNIDENTIFIED MALE: At a time like this, we can`t risk partisan bickering and political posturing. Our leaders have to reach across the aisle to do the people`s work and we, citizens also have to rise to the occasion.

(END VIDEO CLIP)

HAYES: It`s difficult at this point to imagine that if Donald Trump loses, he will actually concede at all, certainly not in the fashion we`ve seen there, not as gracefully as the man who ultimately lost in the most contested election of our lifetime, Vice President Al Gore, who of course won the popular vote in the 2000 election, conceded after the Supreme Court stopped a Florida recount, ruling it unconstitutional by a five-four vote. In his concession, Gore quoted Stephen Douglas. "Partisan feeling must yield to patriotism. I`m with you, Mr. President, and God bless you." Weeks later when congress met to count the electoral votes, Gore in his role as president of the senate, presided over not only the certification of the results, but had to push back on protests from his most ardent supporters on Capitol Hill.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: Almost all of the objections came from members of the congressional Black Caucus in protest of alleged voting irregularities involving minorities, but they were destined to lose because federal law requires at least one senator to sign on to any objection from the house.

UNIDENTIFIED MALE: It`s a sad day in America, Mr. President, when we can`t find a senator to sign these objections -

(CROSSTALK)

UNIDENTIFIED FEMALE: The objection is in writing and I don`t care that it is not - it is not signed by a member of the senate.

UNIDENTIFIED MALE: But the count went on state by state with the expected outcome.

UNIDENTIFIED MALE: George W. Bush of the State of Texas has received for president of the United States 271 votes. Al Gore of the state of Tennessee has received 266 votes. May God bless our new president and our new vice president and may God bless the United States of America.

(END VIDEO CLIP)

HAYES: Joining me now, MSNBC Political Analyst Ben Ginsberg, he served as counsel of the Bush/Cheney campaign, played a key role in 2000 Florida recount, you can read about that in many of the accounts down there. I guess - so let`s start with this, right? If you don`t want to concede after an election, what are your options from a sort of legal standpoint, right? If you say - if you say I am convinced this was rigged in numerous states, my supporters think it`s rigged, and my staff think it`s rigged, and I`m going to hire a lawyer that will do my bidding, what do you do?

BEN GINSBERG, MSNBC POLITICAL ANALYST: Well, first of all, those moments we saw were amongst the most of important of our country in terms of the transfer of power and what our institutions have to do. But if you`re a candidate who doesn`t like it, each state has a procedure where you go through the canvassing of the vote and recounting of the vote potentially the actual contesting of the vote. So, each state has its own procedures for what to do.

HAYES: If you`re litigation minded, I mean, presumably you could string a bunch of stuff out in litigation for a very long time and create even if the numbers aren`t in your favor or even if they`re overwhelmingly not in your favor, I guess some sort of --

GINSBERG: Oh, you know, one of the impacts of Bush versus Gore and the fact that that did stretch on and really push the electoral college deadline is that a lot of states put in specific timetables so this does get dealt with in one, two, three weeks after the election in time to meet the December 19th, deadline of when the electors all meet in the various state capitols.

HAYES: So how important is this sort of basic idea of legitimacy to all of these, right. There`s a law on one hand, right, and then there`s a sort of deeper cultural sense of what an election means and how democracy sort of depends on a basically consensus agreement in the legitimacy of the process.

GINSBERG: Yeah, it is a compact amongst all the people and one of the - one of the foundational elements of what we do as a country is that you win an election or you lose an election. Sometimes elections are really, really close and people get passionate about it. That was certainly Bush versus Gore in Florida, but at the end of the day, the institutions of government -

HAYES: You see me biting my tongue.

GINSBERG: I did, I did and I appreciate it. I wanted to put you in that position.

HAYES: Yeah. Well, I mean, that is actually a great example, right, Bush v Gore, because there`s a lot of people who felt that they should have contested it longer, right? And one of the weird things about watching the Trump phenomenon happen is, it`s -- all of a sudden, I think, you go along sort of taking certain parts of the institutional framework of American democracy for granted, but all of a sudden it sort of have been thrown into relief this year. I mean, do you feel that watching this happen?

GINSBERG: Well, this is certainly a different kind of election, but again, the system that we were just talking about, does have elements of proof in it at various points. Now, we`re in the rhetorical stage before the elections, but if you do want to contest an election after, there are proof points.

HAYES: Right.

(CROSSTALK)

GINSBERG: If there`s really rigging with an election, you got to be able to prove it.

HAYES: Right, right. And so, when the numbers come in -- and I also think the other - the other thing I keep thinking about is this sort of social pressure. We remember this sort of famous moment when they walked down to the White House to tell Nixon he was sort of done, you can imagine - I would imagine there wouldn`t be a broad buy-in in the Republican Party for some sort of wildly contested claim, should Trump not have the sort of substantive argument.

GINSBERG: Yeah, look, I think you`ve seen many leaders of the party say that our elections are not rigged in the past few days. In fact of the 15 closest states right now, more or less, 11 of them have Republican Secretaries of State, so that the responsibility for counting the votes while there`s a check and balance system in every state really rests with republican elected officials.

HAYES: All right, Ben Ginsburg, thanks for your time.

GINSBERG: Thanks, Chris.

HAYES: Still ahead, as both Donald Trump and Melania Trump rebut the allegations of sexual assault made by a former writer for People, the magazine reels six other people who corroborate her story. What they said, after the break.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

MELANIA TRUMP, WIFE OF DONALD TRUMP: The story that came out in "People" magazine, the writer, that she said that my husband took her to the room and start kissing her. She wrote in the same story about me that she saw me on Fifth Avenue and I said to her, "Natasha, how come we don`t see you anymore?" I was never friendly to her. I would not recognize her.

UNIDENTIFIED MALE: That never happened?

M. TRUMP: It never happened.

(END VIDEO CLIP)

HAYES: Among the at least nine women who have come forward to accuse Donald Trump of unwanted physical contact, there`s Natasha Stoynoff, a one- time writer for "People" magazine. She published her first-hand account last week of what she described as being physically attacked by Trump while working on a profile of him and his new wife for the magazine back in 2005. Trump strongly denies all the allegations against him, including Stoynoff`s and none have been verified to NBC news. In the piece, Stoynoff recalls bumping into Melania months later on Fifth Avenue in front of Trump Tower, and she walked into the building carrying baby Barron, quote, "Natasha, why don`t we see you anymore?" she asked giving me a hug, that prompted Melania`s lawyers to demand a retraction and an apology, not for the assault allegations contained in the piece, but for that part about that warm interaction. Now, the magazine says it has a witness, a friend of Stoynoff`s, who says she was with her during that chance meeting in New York. According to Lisa Herz, quote, "They chatted in a friendly way and what struck me most was that Melania was carrying a child wearing heels." Herz is one of six individuals "People" magazine has put forward to corroborate Natasha Stoynoff`s account. Colleagues, close friends, who say, she told them about Trump`s alleged aggression right after the incident contemporaneously. And most of them state one main reason Stoynoff`s says she chose not to go public, fear of retaliation by Trump. Paul McLaughlin, her former journalism professor tweeted last week, "It was a tough decision but in a he said, she said, we believe she would lose. He seemed rather nasty at the time." Apparently, not much has changed since then, in the week since Stoynoff came forward, Donald Trump has repeatedly vilified her in public even suggesting she wasn`t attractive enough to assault.

(BEGIN VIDEO CLIP)

TRUMP: Take a look, you take a look, look at her, look at her words, you tell me, what do you think? I don`t think so. I don`t think so.

(END VIDEO CLIP)

HAYES: Now Trump says his former butler who Stoynoff claimed walked in on them during the unwanted encounter is refuting her story.

(BEGIN VIDEO CLIP)

TRUMP: She said the butler, so the butler`s a good guy who, you know, left, retired a long time ago. And he came back and he said, that never took place. That`s horrible. That never took place.

(END VIDEO CLIP)

HAYES: You may recall that Trump`s former Butler was investigated by the Secret Service several months ago after it emerged he had made multiple Facebookposts calling for President Obama to be executed and describing the president and first lady in openly racist terms.

For many survivors it`s been deeply painful to watch the way Trump and his campaign responded to these allegations and Trump`s own words caught on that Access Hollywood bus. How Trump is resurfacing someone`s traumatic experiences next.

(COMMERCIAL BREAK)

HAYES: The weekend after the release of the now infamous Trump tape on which the GOP nominee boasts about kissing and groping women without their consent, traffic to the rape, abuse and incest national network was up 45 percent, according to Slate`s Michelle Goldberg. Calls to the group`s national sexual assault hotline were up 33 percent. And just a few hours after author Kelly Oxford asked women on Twitter to tweet about their first assault, another response to the Trump video. She says a million women shared their experiences.

Slate columnist Michelle Goldberg who wrote about all this joins me now. Michelle, I thought your piece put -- sort of articulated something that I`ve been encountering in discussion after discussion that that I`ve had with women particularly over the last two weeks which is what you call essentially triggering, the sort of triggering effect of watching both the tape and the accusations play out.

MICHELLE GOLDBERG, SLATE: It`s just a really remarkable phenomenon. And you know I hate to use the word "triggering" because it`s a very overused buzzword but in this case I think that there`s really no other term for it. People all across the countrty, famous people, politicians and also just, you know, ordinary people talking to their friends talking on social media are saying that over the last week and a half all sorts of memories, memories that they either sort of half forgotten or thought no longer bothered them have been coming to the surface in this really devastating way.

And it`s one of the reasons that I think that a lot of women, you know, even though in some ways Trump is an ideal opponent for Hillary Clinton for people who sdon`t want to see Republicans in power, this isn`t a lot of fun, these last few weeks, for liberals and particularly for feminists. I mean, it`s really showing a sort of ugly underbelly of our society and our culture especially when you consider that no matter what happens it seems very likely that a majority of men are going to end up voting for Donald Trump.

HAYES: Yeah, and we then end up in the situation and part of what we`re seeing happen, right, is that women who have come forward. Obviously they`re being contested by the Trump campaign, they`re attempting to knock these down.

I should say this has happened in the past, it happened with women that accused Bill Clinton of either sexual impropriety or actual sexual assault. It is the sort of defense posture that we seen when women come forward. And it`s playing out on the biggest stage imaginable, in some ways confirming precisely the reason that so many don`t.

GOLDBERG: Right. I mean, you have this astonishing thing that Melania Trump, for example, said during her interview, which is somebody should investigate these women`s backgrounds and also why didn`t they come forward earlier?

You know, you hear something similar from other Trump surrogates. These women are too ugly to attack and why didn`t they want to come forward? Because they knew what was in store for them.

There is nothing to be gained for any of these women, right? There`s no book deals to be won of the classroom full of women who say that Donald Trump groped you at one point in your life. There`s kind of nothing in it, I think, except for the fact that these women have heard him deny something that they know for a fact happened, which is also part of what so many women find so painful about these last days of the campaign. It`s just the blatant, shameless denial. You know, what people in abuse circles call gaslighting. This just refuse -- this shameless denial of a reality that`s in front of all our faces.

HAYES: You mentioned the Melania Trump interview last night and she did one this morning as well. I have to say from my perspective it just seems -- it seems sort of impossible to judge her in any way in the position she`s in. It just seems like from her perspective, she believes her husband and I don`t fault her for that and she`s also in a totally impossible situation.

GOLDBERG: You know, Melania Trump -- I mean, what I would say about Melania Trump is that she seems very much like someone who would be married to Donald Trump.

HAYES: That seems true tautological.

Michelle Goldberg, thanks so much. Appreciate it.

Ahead of the final debate, news that Donald Trump has invited President Obama`s half-brother to attend? What we can expect from tomorrow night and the huge campaign issue that`s yet to come up.

But first tonight`s Thing One, Thing Two starts right after this break.

(COMMERCIAL BREAK)

HAYES: Thing One tonight, there are campaign surrogates and then there`s Senator Elizabeth Warren. Outside of the Obama family, she`s easily the Clinton team`s most powerful weapon. And Sunday in Denver she was squarely aiming her fire at Donald Trump.

(BEGIN VIDEO CLIP)

SEN. ELIZABETH WARREN, (D) MASSACHUSETTS: I never thought I would see a nominee who would attack his victims who came forward saying they were too ugly to have been the objects of his assault.

You know, I want to say this, some people say it makes them sick to hear Donald Trump talk like that. Well, not me. Donald Trump`s words don`t make me sick anymore, they make me furious. We`re here tonight to double down that Donald Trump will never be president of the United States. Yes.

(END VIDEO CLIP)

HAYES: Warren is so good at channeling Democratic fury at Donald Trump there was disappointment she wasn`t put on the ticket as Hillary Clinton`s running mate where she could regularly play that role quite prominently. But it turns out, Elizabeth Warren may soon have the chance to face her very own version of Donald Trump in her very own senate race. Elizabeth Warren versus Curt Schilling? That`s Thing Two in 60 seconds.

(COMMERCIAL BREAK)

HAYES: Senator Warren seems to relish going after Donald Trump. And soon she may have a mini-Trump nipping at her heels. Former baseball player Curt Schilling, who says he has decided maybe to run against her for the U.S. Senate.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: How much close are are you to making a decision about running against Elizabeth Warren?

CURT SCHILLING, FRM. BOSTON RED SOX PITCHER: So, I`ve made my decision.

UNIDENTIFIED MALE: You have?

SCHILLING: I`m going to run.

But I haven`t talked to Shonda, my wife, and ultimately it is going to come down to how her and I feel this would affect our marriage and our kids.

(END VIDEO CLIP)

HAYES: You should talk to your wife first.

Curt Schilling, baseball star, turned failed video game entrepreneur turned right wing Twitter troll who most recently was one of those who fell for the made-up story about a postal worker destroying Trump absantee ballots, which we featured in yesterday`s Thing One, Thing Two.

Good old post office. I think this is a federal offense, too, he tweeted.

Schilling helped the Boston Red Sox win the world series in 2004, but he`s not exactly beloved there or, well, anywhere else for that matter. In 2006, he was GQ`s in the 10 most hated athletes. And in April of this year, Schilling was fired from ESPN after posting an offensive remark on social media about transgender folks using the bathroom.

And yet it appears that Schilling has been thinking about getting into politics for some time now. Back in July, Dan Patrick even ribbed him about getting snubbed for a speaker role at Trump`s RNC.

(BEGIN VIDEO CLIP)

DAN PATRICK, ESPN: When they went Scott Baio that had to hurt you a little bit.

SCHILLING: I feel like I know what I`m talking about. I`m informed. I`m well read. I try to understand. He`s very much the same way. He`s not some actor just riffing like Susan Sarandon or some other dunce who`s saying you know, save the whales.

(END VIDEO CLIP)

HAYES: And now Schilling says he`s not afraid to take on Elizabeth Warren.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: You feel you could head to head with Dame Elizabeth Warren?

SCHILLING: I don`t know about going -- I`m not worried. It doesn`t scare me. Listen, I was a part of the team that came back and beat the Indians down three games to one. I`ve beaten the real ones before, so I`m not worried about that.

(END VIDEO CLIP)

HAYES: No, those aren`t the real -- nevermind.

Senator Elizabeth Warren is up for re-election in 2018, so Curt Schilling has a couple of years at least to get his game in shape.

(COMMERCIAL BREAK)

HAYES: Hillary Clinton and Donald Trump have both arrived here in Las Vegas for the third and final general election debate tomorrow. It might be Trump`s last best chance to turn things around.

He`s trailing Hillary Clinton across a slew of national polls by an average of nearly 7 percentage points. A recent NBC News/Wall Street Journal poll found that only 14 percent voters said the presidential debates made them more likely to support Trump compared to 31 percent who said it made them more likely to back Clinton.

So, how are the candidates getting ready for the final showdown? Hillary Clinton has spent five days, which is a long time, preparing for tomorrow`s debate. NBC News learned Trump did squeeze in some debate prep today backstage before his event in Colorado Springs and during a 35 minute flight. But he`s mainly spent his time on the trail escalating his attack on Clinton including his recent call for a predebate drug test.

(BEGIN VIDEO CLIP)

TRUMP: Athletes, they make them take a drug test, right? I think we should take a drug test prior to the debate. I do. I think we should -- why don`t we do that? We should take a drug test because I don`t know what`s going on with her.

(END VIDEO CLIP)

HAYES: When we come back we`ll look at the candidates` strategies, particularly with the first time ver a Fox News anchor moderating a general election presidential debate.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

TRUMP: She`s doing debate prep. Sort of funny, she`s been doing this for 30 years. Now she has to do debate prep for five days. You know what the debate prep is? It`s resting. It`s lying down, going to sleep.

(END VIDEO CLIP)

HAYES: Joining me now, Norm Ornstein, resident scholar at the American Enterprise Institute and contributing editor for The Atlantic and Sabrina Siddiqui, political reporter for The Guardian, both here for the final debate.

Can we take a moment to recognize. I think this is the 23rd debate that we`ve had in this election season. So, we`re coming to the close of something that`s been really quite something.

SABRINA SIDDIQUI, THE GUARDIAN: Remember when they were going to shorten the calendar and have less debates?

HAYES: Well, they did in the primary season. That`s the crazy thing, in 2012 they had so many, and they actually did manage to cut back a bunch this year, but it just seems like we certainly had a lot of these.

SIDDIQUI: Right. Well, I think that the thing about tomorrow night is that at this point we really don`t know what to expect from Donald Trump. As we`ve seen, regardless of the issues that they`re supposed to discuss on any given night, he`s more being pulled into doubling down on his base and settling scores by bringing guests just to try and rattle his opponent. First it was by bringing Bill`s accusers to the last debate, now he`s bringing President Obama`s Kenyan-born half-brother.

For him, I think at this point it really has to do with trying to frame the contours of this race as being fixed and just hitting back at the people who have been criticizing.

HAYES: Yeah. It would be very interesting to see, Norm, how much you get this sort of rigged talk, how much you get this kind of -- the fix is in talk during the actual debate.

NORM ORNSTEIN, AMERICAN ENTERPRISE INSTITUTE: Yeah, I think we will probably get a little bit of that as a Jill Stein supporter is going crazy behind us, one of three in the state, I think.

You know, it`s going to be all about optics, I think, with this debate. And we will have -- I think Chris Wallace is going to try to bring it to issues to some degree. But what Sabrina said is absolutely right, Trump found the Obama who actually was born in Kenya and is bringing him. And that just tells you how frivolous this has become.

And this is 23, thank god there`s not a 24th.

HAYES: That`s the other thing. I mean, right, so there`s a few things here. One is that -- the big issue that I think has not been debated, weirdly, is **immigration**. Right, so that`s on the -- and I really want to see that.

SIDDIQUI: And climate change.

HAYES: And climate change, right. But climate change, I mean, climate change -- the people who care about climate, such as myself, are so used to no one talking about it. **Immigration** has been front and center. That is the one thing that I do think there`s ground for a substantive good lengthy exchange for these candidates given how central it`s been in the campaign.

SIDDIQUI: Especially since that`s the basis upon which Donald Trump really framed his entire candidacy, you know, the idea that we have to build a wall and restrict our borders and basically change the way that we see ourselves in terms of our history as a nation of **immigrants**. And it`s been remarkable that it hasn`t come up before.

I also think, though, that because in recent weeks he`s essentially doubled down on his base and that restrictionist, you know, theme of his entire candidacy, you remember just several several weeks ago he was supposed to make this pivot, or a couple of months ago, you know, maybe announce some sort of proposal that he was open to doing something about undocumented **immigrants**. He was trying to soften his tone while he was appealing to these moderate and suburban voters he`s struggled with. That completely disappeared. That never happened.

And that`s all the more reason why it should be debated so he doesn`t get away with this notion that he`s changed.

ORNSTEIN: There`s another reason for this. And, you know, we saw it with the discussion in the last debate about health care, you cannot have a lengthy, substantive debate about an issue with Donald Trump. He doesn`t know anything about these issues.

And once you get past the, we`re going to build the wall, we`re going to strengthen the border patrol, we`re going to find a way to get them out of here and maybe we won`t do it all at once, there`s nothing there.

So, Clinton`s got detailed and nuanced ideas about these things. And it makes the role of the moderator I think even that much more difficult.

HAYES: Well, and that`s -- the sort of two different ways to think about this. So, when you think about the first debate, Clinton went out, she started with the strategy of attempting to bait him. It worked. She kept doing it. She destroyed him.

In the second debate he came out with that crazy press conference. He was extremely aggressive. She seemed a little taken aback, but she sort of held her ground. Polls showed her winning the debate, but he sort of was able to kind of consolidate his base.

And to your point here, his fluctuation in the polls, really is what percentage of Republicans are supporting him is it 78 percent or 94 percent. And where he can go up is with that which is why I think we`ll see more of the same.

SIDDIQUI: I also think that you`re also getting clues -- again, it goes back to bringing the president`s half-brother. He`s also bringing a woman who lost her son in Benghazi. So, clearly, Donald Trump is not arriving at this debate at least you know operating under some kind of of pretense that he`s going to engage in substantive discussion. He wants to again try and rattle Hillary Clinton. And he is, you know, as Norm said, not capable of having a policy debate.

I think that the thing is that one has changed is you`ve seen more and more Republicans pull away from his candidacy, and you`ve seen an absolute plummet since that second encounter they had in terms of his standing in the polls. So, it`s not even clear how much this one debate will change the trajectory of the race. If anything, just put him on that path toward continuing to lose more and more support.

ORNSTEIN: He is now all about settling scores, too. There may be a strategic element of trying to increase the number of base voters going for him, but my guess is he will bring up Paul Ryan and if he doesn`t, Chris Wallace or Hillary Clinton will. Bringing Obama`s half-brother has nothing to do with Clinton, it`s to settle a score with Obama who is going after him.

He is furious with all kinds of people, including the women who have made charges against him. And if I were Clinton, I would try to focus on bringing the country together, the stronger together theme and even talk a little bit about what you should do as president in terms of your agenda and your priorities and make that the contrast.

Hard to do.

HAYES: Yeah, although it`s going to be -- one of the things we know about him is it`s going to be a lot of -- and this is a challenge for him. Even when he has a decent case to make or to prosecute, right, he has a hard time getting his audience up to speed because he`s so deep in the weeds of sort of like Breitbart articles. So, if he is going to go on whatever in the classification battle happening between the State and FBI, he has to explain that before he can actually make that work.

SIDDIQUI: He not only has to explain that, but he still operates in conspiracy theories. So, he`s not only unable to capitalize on these leaked emails because his own campaign is imploding, but also because he`s just making up the contents of these emails by saying there`s collusion between the FBI and the Clinton campaign on emails, but there was not.

You know, just by saying oh they actually did see they acknowledged mistakes in Benghazi, that we`ve been talking about this whole time, there`s a smoking gun, there is not.

You know, he`s just not capable of acually presenting a real case and litigating what has come out in these Podesta emails.

HAYES: There`s going to be a huge sigh of relief I think from everyone after this debate is over. Sabrina Siddiqui, and Norm Ornstein, thank you very much.

That is all in for this evening. We`ll be back tomorrow live at 6:00 p.m. eastern as part of MSNBC`s all-day coverage leading up to the debate, which you will be able to watch live right here at 9:00 p.m.

"THE RACHEL MADDOW SHOW" starts right now. Good evening, Rachel.

**NEW\_DOCUMENT\_HERE**

Chris Hayes, Michael Steele

9278 speakers\_end

ANNOUNCER: Tonight on ALL IN .

DONALD TRUMP (R), PRESIDENTIAL CANDIDATE: It`s a rigged system. It`s a rigged election.

ANNOUNCER: The conspiracy theory campaign.

TRUMP: Let`s hope that our country gets a fair shake. This is a big mess.

ANNOUNCER: Donald Trump steps up his unprecedented charges that the media, Hillary Clinton, and now republican officials are stealing the election. Then, new polling shows an expanding battleground map for democrats, as they send the big guns into Arizona.

MICHELLE OBAMA, FIRST LADY OF THE UNITED STATES: I know it`s a campaign, but this isn`t about politics. It`s about basic human decency.

ANNOUNCER: Plus, the latest on the attack on the North Carolina Republican offense. And from cordial adversary to all-out enemy.

TRUMP: She should right now be in jail.

ANNOUNCER: The dangerous uncharted waters of 2016 when ALL IN starts right now.

UNIDENTIFIED MALE: If I have to be a patriot, I will.

(END VIDEO CLIP)

CHRIS HAYES, MSNBC HOST: Good evening from New York. I`m Chris Hayes. Donald Trump is now holding a rally in Green Bay, Wisconsin, where earlier tonight the crowd chanted, quote, "Paul Ryan sucks." Appearing on Fox News just before the rally, Trump repeated his last, best excuse why he is tanking in the polls.

(BEGIN VIDEO CLIP)

TRUMP: When I talk about the press taking people with absolutely no case whatsoever and trying to put it on front pages, that in its form, it`s a media rigging of the election. You look at certain areas of the country in terms of the voters and the booths and everything else and what`s taking place and illegal **immigrants** voting and people that have died 10 years ago voting.

(END VIDEO CLIP)

HAYES: There`s no specific examples he cited of that, and Trump`s unprecedented insistence the presidential election is being rigged is baseless claim that there`s now a conspiracy afoot involving thousands of officials of all political stripes to defy the American people (INAUDIBLE) Trump the White House is such a massive departure of the norms of American political discourse, but a fundamental threat to the foundation of democracy, that Trump`s closest allies and advisors are trying to pretend Trump isn`t actually saying what he won`t stop saying.

(BEGIN VIDEO CLIP)

RUDY GIULIANI, FORMER NYC MAYOR: When he talks about a rigged election, he`s not talking about the fact that it`s going to be rigged at the polls. What he`s talking about is that 80 to 85 percent of the media is against him.

UNIDENTIFIED MALE: Well, I don`t think he was saying the result was illegitimate. I think he was saying that there is a bias out there that has been against him.

UNIDENTIFIED MALE: Trump`s major complaint about the election is not polls -- it`s not at the poll level, it`s at the news media level. This election is being rigged by the national media.

GOV. MIKE PENCE (R-IN), VICE PRESIDENTIAL CANDIDATE: The American people are tired of the obvious bias in the national media. That`s where the sense of a rigged election goes here, Chuck.

(END VIDEO CLIP)

HAYES: So, the line is that Trump isn`t actually questioning the integrity of the election, he`s just talking about media bias, a claim that might be more effective were not for the fact Trump keeps explicitly contradicting his own surrogates, quote, "The election is absolutely being rigged by the dishonest and distorted media pushing crooked Hillary, but also at the many polling places, sad." In response to Trump`s rhetoric, house speaker Paul Ryan made clear this weekend, he is, quote, "Fully confident in the nation`s election systems." His spokesperson saying a statement, quote, "Our democracy relies on confidence in election results and the speaker is fully confident the states will carry out this election with integrity."

America had to decentralized election system with elections run by the state. Something that effectively makes it impossible to put rig a national election, not to mention the fact, the secretaries of state in many swing states are republicans, who it is safe to assume are not seeking to throw the election for Hillary Clinton. One of those Republican Secretaries of State, Jon Husted of Ohio, says, "It is utterly irresponsible for Trump to push the rigged election narrative."

(BEGIN VIDEO CLIP)

JON HUSTED, REPUBLICAN SECRETARY OF STATE OF OHIO: We have so many safeguards in place in our election system. It`s bipartisan, it`s transparent, and there`s just no justification for concern about widespread voter fraud.

(END VIDEO CLIP)

HAYES: Some Trump surrogates trying to thread the needle by insisting Trump is talking not about widespread voter fraud, but rather voter fraud in, quote, "inner cities" where, you know, black people vote.

(BEGIN VIDEO CLIP)

GIULIANI: You want me to tell me that I think the election in Philadelphia and Chicago is going to be fair? I would have to be a moron to say that. I found very few situations where republicans cheat. They don`t control the inner cities the way democrats do.

(END VIDEO CLIP)

HAYES: Numerous studies have found voter fraud to be a vanishingly small and rare phenomenon, including in inner cities. Putting that aside, Giuliani is trying to contain Trump`s rhetoric to say that Trump isn`t talking about large-scale voter fraud, but just fraud in certain areas, except once again, Trump is blowing that up, quote, "Of course, there is large-scale voter fraud happening on and before Election Day. Why do republican leaders deny what is going on? So naive." Despite the entirely baseless nature of Trump`s claims, they are gaining significant traction. A new poll finds that 41 percent of voters say the election could be stolen from Trump, including 73 percent of republicans who think the election could be swiped from him. In a video posted today, Trump suggested the rigging goes beyond the nation`s election officials, the media, and the pollsters, and the many women who have come forward on the record in the last week to accuse Trump of sexual assault, all the way to the top levels of our government.

(BEGIN VIDEO CLIP)

TRUMP: The Department of Justice, the State Department, and the FBI colluded, got together to make Hillary Clinton look less guilty and look a lot better.

(END VIDEO CLIP)

HAYES: Trump`s rhetoric is leaving some of his supporters to conclude that legal participation in the voting system is a mug`s game, and so they have no choice but to take matters into their own hands.

(BEGIN VIDEO CLIP)

DAN BOWMAN, TRUMP SUPPORTER: I feel like Hillary needs to be taken out. If she gets into government, I`ll do everything in my power to take her out of power, which if I have to be a patriot, I will.

UNIDENTIFIED MALE: What does that mean?

BOWMAN: I`ll take it any way you want to take it.

UNIDENTIFIED MALE: And that sounds like a threat.

BOWMAN: It`s like a patriot --

UNIDENTIFIED MALE: Is that a physical threat?

BOWMAN: I don`t know, is it? I won`t have to myself or there`s going to be probably a movement to where we will go and take them out of power.

UNIDENTIFIED MALE: But it sounds like you`re saying that it would be acceptable to assassinate a president.

BOWMAN: If she`s corrupt, why should she be able to stay in office? Answer that question.

(END VIDEO CLIP)

HAYES: Joining me now, MSNBC political analyst Michael Steele, former chair of the republican national committee. I mean, that`s the fear, right, Michael that to the extent that you essentially say that the legal mechanisms by which we establish elections are essentially rigged, you do, it seems, create the space for some segment of people to say, "Well, the only thing left for us is something like revolution."

MICHAEL STEELE, MSNBC POLITICAL ANALYST, FORMER CHAIR OF RNC: No. No. I`m sure that gentleman is having a nice conversation with men in suits from Washington known as Secret Service agents. You know, the reality of it is, it is this kind of hyperextended conversation in this election that is feeding this kind of negative thinking. Look, our system, are there flaws? Yes. Are there problems with it? Absolutely. But it`s not -- it`s not to the point where we can`t manage and control them. And it`s certainly not something that if you lose an election, it`s because it was rigged. Well, maybe your ideas weren`t good enough, or maybe you were talking about something you shouldn`t have been talking about and wasting the public`s time, and they just weren`t interested in what you were selling.

HAYES: Right.

STEELE: That seems to be really what`s animating this election more than anything else. So, I think this conversation turning on the dime of, you know, it`s rigged is just a bogus way of not dealing with the fact that you`ve actually failed to run a presidential campaign.

HAYES: And, you know, a lot of people feel that same way. Chris Christie basically saying that, Marco Rubio saying it in a debate just now in his senate debate with Patrick Murphy, that, you know, it`s not rigged, he should stop saying that. You know, it seems to me, there`s two things happening here. One is that, it seems like he`s laying down the story for should he lose, why it was. Does that strike you as part of what is happening, what`s being crafted here?

STEELE: Oh, absolutely. There`s always the Plan B, and there`s always -- you know, the art of the deal was not just about the deal that`s on the table, but the deal behind that deal, the opportunity behind that.

HAYES: Yes.

STEELE: And that`s really what this has turned into in some respects for a lot of -- lot of people looking at this now, that this is setting up the second act. Whether it is, you know, as you`ve heard reported and talked about, you know, some type of media empire, I don`t know, but the reality of it is we`re now stuck in this particular morass of an election, and this kind of conversation that is stimulating what we just heard from this gentleman needs to be checked. And the only way it`s going to be checked is by Donald Trump, but as we`ve seen before, he`s not going to do that because it doesn`t serve the ultimate purpose of carrying this thing out to the point where he can then move these people into a new space.

HAYES: You know, Paul Ryan did as he has sort of won`t to do, these sort of veiled kind of sub tweets at Donald Trump, you know, coming forward and saying the election is not, you know, not rigged, we have trust and integrity. I want to play this sound. This was remarkable to me. I mean, this is a rally for Donald Trump in Green Bay, Wisconsin, and this is the crowd chanting early in that event, take a listen.

(BEGIN VIDEO CLIP)

SEN. MARCO RUBIO (R), FLORIDA: Now, I need your help locally. The Wisconsin -- the Wisconsin Republican Party has set up 22, not 29 offices.

AUDIENCE: Paul Ryan sucks!

RUBIO: The Republican Party of -- All right. We said -- OK. Do -- I`ll ask you one question. Do you want to help get Trump elected? We need people to volunteer.

(END VIDEO CLIP)

HAYES: I mean, in case you couldn`t hear, they`re chanting, "Paul Ryan sucks."

STEELE: Right, right.

HAYES: The guy`s the speaker of the house. He`s the most powerful republican in the country at a rally in his backyard for the presidential candidate of his own party.

STEELE: Welcome to my party. Yeah, this is where we are. But this is the thing to keep in mind, the folks that you`re -- that are in that room, remember, this guy said, "I need you to volunteer to help get Donald Trump elected." They were more interested in singing, "Paul Ryan Sucks" than they were volunteering to help get Trump elected, one. Two, Paul Ryan won with 80 percent of the vote in the -- in the last election, so -- in his primary. So, the fact that he is, you know, probably going to get close to that or better this fall, I think kind of takes care of itself. This, again, is part of feeding that narrative, that negative narrative out there about the establishment. I get it. I understand a lot of folks are ticked off at the establishment. And for many reasons that are good. But the way we`re beginning to express this is detrimental for recovery and healing after this election. We`ve got to think beyond just the moment in front of us, Chris. We`ve got to think beyond that, too. OK. What kind of Republican Party are we going to be if Donald Trump wins or if Donald Trump loses? And that, for me, is the bigger battle ahead.

HAYES: Yeah. All right. Michael Steele, as always, thanks for your time. I appreciate it.

STEELE: You got it, buddy.

HAYES: Joining me now, Molly Ball, political correspondent for the Atlantic magazine. And, you know, look at -- we`re going to talk in a little bit about this sort of -- this threat of the sort of Trumped-up threat of voter fraud that has been actually a theme for a long time. But this sort of specific allegation repeated tonight, illegal **immigrants** are voting. I mean, this is pretty uncharted waters in the context of an American national election.

MOLLY BALL, POLITICAL CORRESPONDENT, THE ATLANTIC: Yeah. I mean, it`s not uncharted waters for, say, the comments section.

HAYES: Right.

BALL: But usually, you don`t have it being echoed by the nominee. Usually, you know, what you have is a responsible political actor as the nominee of the party who sees it as his function to tamp down this paranoia and to say, "No, we have to, you know, hold hands and believe in democracy, and everybody accept the results of the election." And so, to have a nominee actively stoking this paranoid mind set, that`s what`s uncharted. And you know, I heard your conversation with Chairman Steele saying, "Oh, this is strategic. He`s laying down a marker." I don`t even think it`s that. I think it`s just Trump`s mind set.

HAYES: Right.

BALL: In his mind, he is a winner, so if people are saying he`s not winning, they must be wrong, they must be cheating. I think it is purely psychological.

HAYES: And to that -- to that end, I remember the sort of behind the scenes reporting in The Washington Post after the debate debacle in which Trump is saying to his staff, if the reporting is true, he`s citing these like click polls as real evidence to say, "Look, I -- those -- I mean, he believes that, right? Then maybe it isn`t all strategic, it isn`t all for show. It is actually his natural and fervently-held belief and conclusion that he is winning and he is being done in.

BALL: We`ve seen this before. I mean, look at what happened with Judge Curiel, he could not conceive that he -- that the law was against him.

HAYES: Right.

BALL: So, it must have been the case that the law was somehow cheating or that the judge, you know, had something personal against him. It could not possibly be true in his mind that he was doing something that violated the law.

HAYES: You know, the thing that I keep thinking about is legitimacy and how important legitimacy are to functioning democratic nations. An election really doesn`t end when the votes are counted. It basically ends when the loser concedes. I mean, you can fight, and file a million different motions and a million different courts, particularly if you have a national election. I mean, that`s really what`s at stake here, is that core legitimacy, which under the color of law, you can fight for a very long time.

BALL: Yeah. Well, I mean, look, let`s not freak out about this too much, right? The people going to Trump rallies and saying incendiary things to reporters, I go to Trump rallies, I quote Trump reporters saying sometimes questionable things. They don`t all sound like that, even at the rallies.

HAYES: Nope, agreed.

BALL: And this is not, you know, the mainstream of even the people who I think are voting for Donald Trump.

HAYES: I agree.

BALL: So, I don`t think we should automatically panic and assume that people are going to take to the streets after the election. Like, yes, this is scary; yes, he should not be stoking it. And it is alarming when you see in polls that the majority of republicans believe it, because he`s telling him that. But I don`t want to get too panicked about something that hasn`t come to pass.

HAYES: I totally agree about that, in terms of -- particularly in Trump supporters, many of whom I`ve spoken to over the 17 months of election, I agree with you, they`re not just storming, you know, Sheriff Clarke had that, sort of, notorious tweet about pitchforks and torches time, and he reiterated that again tonight. To me, the issue is more that he -- the nominee of the party has a tremendous amount of power in terms of how much legitimacy they cede to the process. And one of the things we`ve learned in the Obama era is, you know, if you just unilaterally withdraw and say, "No, this is not legitimate," you have a huge effect on a large swath of the population, because of how polarized our politics are.

BALL: That`s right. And I think the really fascinating thing we`ve learned from this Trump versus Paul Ryan fracas, right, is that with apologies to Chairman Steele, most republican voters, the rank and file, have chosen Trump`s side over Paul Ryan`s side. That when forced to choose, when Trump said, "Paul Ryan sucks," instead of saying, "No, no, we like Paul Ryan, we like him four years ago, we like him as speaker," they said, "Yeah, Trump, you`re -- and they all turned on Paul Ryan. There was a poll that came out today, nearly 70 percent of republican voters, self- identified republicans, thought that republican leaders are not supporting Trump enough.

HAYES: Right.

BALL: So, when Ryan and other leaders in the party, Mitt Romney -- you know, I spoke to a Trump supporter in Florida last week who said, I used to love the Bush family, I supported them in all their elections, and now they`re dead to me.

HAYES: And that`s --

BALL: So, they`ve chosen Trump`s side in that battle, and that`s why it`s potentially so damaging for the Republican Party.

HAYES: Exactly. And that`s the precedent there for the legitimacy of the election, right, which is that if you can turn people`s opinions around on a dime on something like Paul Ryan, right, then you can --

BALL: Right, or the Bushes.

HAYES: People`s opinion (INAUDIBLE) Molly Ball, thanks for your time. I appreciate it.

BALL: Thank you.

HAYES: Still to come, brand-new polling showing the battleground map continuing to expand for the Democratic Party tonight. News that Michelle Obama is headed to a deep red state to try and flip it, that`s ahead, but first, while Donald Trump and republicans continue to perpetuate this myth of systematic widespread voter fraud, the actual cause for concern, this Election Day, is exactly the opposite, and I`ll explain after this two- minute break.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

TRUMP: Remember, we`re competing in a rigged election. This is a rigged election, folks. The media is trying to rig the election by giving credence -- and this is so true -- by giving credence to false stories that have no validity and make it the front page. They even want to try to rig the election at the polling booths and believe me, there`s a lot going on. Do you ever hear of these people? They say there`s nothing going on. People that have died 10 years ago and still voting, illegal **immigrants** are voting. I mean, where are the street smarts of some of these politicians? They don`t have any is right. So many cities are corrupt, and voter fraud is very, very common.

(END VIDEO CLIP)

HAYES: That`s not true. If this idea of unfair elections and voter fraud, being pushed almost incessantly this year by Donald Trump, which has led republican-controlled states, even before Donald Trump came on the scene, we should be clear, to pass laws making it harder for some people to register to vote. But voter fraud is practically non-existent. A professor at Loyola Law School in Los Angeles who tracks allegations of voter fraud has found only 31 credible incidents, someone who may have pretended to be someone else at the polls, out of 1 billion votes cast since 2000, which is also the average number of people who have died from lightning strikes in the past decade in the U.S. Perhaps the real concern of this election, is not the extremely vanishingly small number of incidents of voter fraud, but the vast swath, the electorate, that has been disenfranchised by new voting restrictions.

And the decision that strike down Wisconsin`s voter I.D. lobbyist summary, U.S. district judge, wrote, quote this, "A preoccupation with mostly phantom election fraud leads to real incidents of disenfranchisement, which undermine rather than enhance confidence in elections, particularly in minority communities. To put it bluntly, Wisconsin`s strict version of the voter ID law is a cure worse than the disease." In addition, Wisconsin`s voter ID law, federal courts struck down voting restrictions in five other states this summer, and yet still this year, 14 states will have new voting restrictions in place for the first time in a presidential election.

Joining me now, Judith Browne Dianis, who`s Executive Director of Advancement Project and Ari Berman, Senior Contributor Writer for "The Nation" author of "Give Us the Ballot."

[20:20:04] Judy, let me start with you. I want to play this clip of John McCain, because this is important, I think, to note that this idea, which is being explicitly articulated by Trump in a new and novel way, builds on something that`s been part of the conservative movement for years. Here`s John McCain back in 2008. Take a listen.

(BEGIN VIDEO CLIP)

SEN. JOHN MCCAIN (R), ARIZONA: We need to know the full extent of Senator Obama`s relationship with ACORN, who is now on the verge of maybe perpetrating one of the greatest frauds in voter history in this country, maybe destroying the fabric of democracy.

(END VIDEO CLIP)

HAYES: I mean, that`s good old John McCain. You know, everybody celebrates as the sober alternative Trump. This has been something that republican politicians and movement -- conservative folks have been talking about for years.

JUDITH BROWNE DIANIS, EXECUTIVE DIRECTOR, ADVANCEMENT PROJECT: That`s right. When all else fails, claim voter fraud. And then when you claim it, don`t forget to blame it on black people and people of color, especially undocumented **immigrants**. That`s really been -- that`s been the playbook for a long time. So Trump finally got around to it and dusted it off, and unfortunately, the courts have gone against him. I mean, we have court after court saying, if any rigging is happening, it`s republican legislatures who pass laws to make it harder for people to vote, not for fraud, but in fact because they wanted to discriminate against African- American and other voters of color.

HAYES: And we`ve got our crazy smoking gun evidence of this. In North Carolina, of course, basically as soon as the voting -- the key part of the voting rights act got struck down, the legislature says, what kind of voting tools do people use and different -- and the ones that were predominantly African-American were like, yeah, let`s restrict those.

ARI BERMAN, SENIOR CONTRIBUTING WRITER, THE NATION: Absolutely. Well, in North Carolina, for example, where Trump just claimed illegal **immigrants**were voting, falsely he claimed, we saw a month after the Supreme Court got into voting rights act. North Carolina didn`t just pass voter I.D., but they cut early voting, they eliminated the same day voter registration, they eliminated at a precinct voting, they eliminated (INAUDIBLE) for 16 and 17-year-olds. The fourth circuit court of appeals found that this targeted black voters with, quote, "Almost surgical precision." As you mentioned, some of the evidence was as close to a smoking gun as in modern times, like for example North Carolina limited voting on the Sunday before election, when black church has hold (INAUDIBLE) polls voter mobilization drives. And the court asked North Carolina, why did you cut early voting, and North Carolina said, "Well, some counties were using it more than others." And the court said, "Well, which counties?" and the state of North Carolina said, "Well, counties that had a larger African-American population intended to vote for democrats." and the fourth circuit said, "You just admitted to us in court that you did this to disenfranchise people based on their race and their political affiliation."

HAYES: And Judy, we now got this crazy situation in which all these states, the voting rights act section four which is a sort of define which areas got preclearance was gutted key section, a bunch of states have moved forward on new voting restrictions under republican stewardship. Many of those have been hung up in court, and we`ve got this crazy legal terrain in which court after court has said these are not legitimate, and yet they`re basically still intact or somewhat still intact. What kind of playing field are we competing on here?

DIANIS: Yeah, it`s been -- it`s been a mixed bag. I mean, you know, we have to say as voting rights advocates that we`ve had a lot of good wins. North Carolina and Texas, where voter I.D. was struck down, Wisconsin, you know, not so good. And so, this is a mixed bag, but at the end of the day, you know, we should not have these laws that are being passed to make it harder to vote for some Americans. You know, I think these courts are starting to understand that this actually is not about voter fraud. In fact, it`s not even just about partisan manipulation, but it is about race. There are particular groups of people that they want to go after to make it harder to vote. I mean, you know, Trump`s call around voter fraud and now really amping up his base to go into communities and be anti-democracy vigilantes, to come into communities of color to watch people vote, you know, one of the things that those people don`t know is that it`s actually against the law to intimidate people, and while they are trying to vote. And so, you know, we`re going to continue to see this, but I think we`ve been -- we`ve been winning, and we`ve been winning because they have been lying about why they`re doing it, and they are the ones who have been rigging the elections.

HAYES: You know, the -- what Judy just talked about, I mean, Trump has been telling folks, you know, after you vote, go to another precinct to watch it. You know, there`s obviously a really nasty history there about how that`s played out in the past.

BERMAN: A very long history. I mean, that`s why restricting voting is so dangerous because we`ve done it already in this country. We had things like poll taxes and literacy tests and cops patrolling black neighborhoods and preventing people from voting. We`ve been all -- we`ve been through this before, so we don`t want to go down this road again. And if Trump wanted to talk about the real voter fraud, the real election rigging, he would talk about the fact that this is the first presidential election in 50 years without the full protections of the voting rights act.

[20:25:04] He would talk about the fact this is the first election since the Supreme Court has gutted the Voting Rights Act. But since those are things that republicans did to try to benefit republicans, you don`t hear about that being the leading threat to American democracy.

HAYES: Yeah, I don`t want to be careful about this word, "rigging," right? Because it has a very specific meaning, right, this sort of like intentional behind the scenes manipulation of outcomes. What we`re seeing is a series of hurdles that have been put in place in front of certain populations. And finally, Judy, it strikes me that part of this also just make expression of the sense that conservatives and republicans, I think a lot of them really do believe that they`re the majority in this country and the way they square electoral defeat on a national scope is that there has to be something untoward happening.

DIANIS: That`s right. I mean, they conjure up the bogeyman, you know, it`s like if there`s UFO`s and bogeyman and the loch ness monster, everything but the fact that maybe your candidate didn`t appeal to people.

HAYES: Right.

DIANIS: You know, and I just have to take, you know, a little exception to, Chris, what you said. This is rigging that is happening by republican legislatures actually is intentional, and it is meant to make certain people not be able to vote.

HAYES: Yeah, I just want to be clear about like the difference between pre and post, right, because I think people have the sense that the valence of the word, "rigging," is that like there`s someone in the machines or behind the scenes. These are a series of intentional steps that have been taken to stop certain people from even getting to essentially to the ballot box.

BERMAN: Yeah. And they`ve been very clear about what the intent is here. I mean, republicans in Wisconsin said the voter ID was going to help them win. They`re behind closed doors, they said they were giddy about disenfranchising students and people of color. So, if there`s any kind of rigging, this was pre-emptively going on.

HAYES: Judith Browne Dianis and Ari Berman, thanks for joining us. I appreciate it.

DIANIS: Thank you.

HAYES: Still to come, in a campaign marked by unprecedented personal attacks, a look at what to expect on the third and final debate this week, more on that ahead.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: The American people are about to weigh in on who`s going to be the president, and that`s the person, whoever that may be, who ought to be making this appointment. We`re not giving lifetime appointments to this president on the way out the door to change the Supreme Court for the next 25 or 30 years.

(END VIDEO CLIP)

HAYES: After the sudden death of Supreme Court Justice Antonin Scalia earlier this year, senate republicans apparently discovered a new rule to justify their refusal to even consider or hold hearings for President Obama`s pick for a replacement, Judge Merrick Garland. No nominations during a president`s final year in office. Conveniently, it also gave them an argument to use on never Trump conservatives. There`s an open seat on the Supreme Court, so you better get a republican elected president to nominate the replacement. But if they can invent a rule banning Supreme Court nominations in the last year or presidents term, what`s to stop them from discovering a rule to ban them in the first year or ever? Today, John McCain called into a Pennsylvania radio station to his fellow -- to campaign for his fellow senate republican Pat Toomey, who is locked in a very tough re-election battle there. He said out loud with many have assumed republicans are thinking.

(BEGIN VIDEO CLIP)

MCCAIN: I promise you that we will --we will be united against any Supreme Court nominee that Hillary Clinton, if she were president, would put up. And I promise you, this is -- this is -- this is where we need the majority, and Pat Toomey is probably as articulate and effective on the floor of the senate as anyone that I have encountered.

(END VIDEO CLIP)

HAYES: We will be united against any Supreme Court nominee that Hillary Clinton would put up. So who knows? Maybe we`ll have eight justices from here on out. McCain later tried to walk back his comment according to A.P. Reporter Erica Werner, spokesperson saying he`ll vote for against, an individual nominee based on their qualifications, which is not at all what he said in the interview.

The Arizona senator is currently facing a re-election battle of his own. And while he`s favored to win, the state that he calls home is trending in a very troubling direction for Republicans. So much so the Clinton campaign is expanding its efforts in Arizona this week, pouring another $2 million into television, digital and direct mail advertising and sending one of its best surrogates, Michelle Obama, to campaign in Phoenix on Thursday.

Going back to 1948, Arizona has voted for a Democrat for president just once, and it`s one of a handful of red states now moving into the toss-up column. That`s next.

(COMMERCIAL BREAK)

HAYES: Some breaking news from Brooklyn tonight: President Obama is headed to Nevada this weekend to campaign for Hillary Clinton. Meanwhile, in the red state column, Arizona is just one of a few pretty solidly red states where the Clinton campaign is devoting its resources as of this week.

According to campaign manager Robby Mook, they`re directing a million dollars to Indiana and Missouri, two states Donald Trump is expected to win handily. But they`re doing it to help Democratic candidates down the ballot, specifically in hotly contested senate races.

And in Texas, which hasn`t voted for a Democrat for president since 1976, the Clinton campaign just took out a one week ad buy highlighting an endorsement from the staunchly conservative Dallas Morning News.

(BEGIN VIDEO CLIP)

ANNOUNCER: The Dallas Morning News has recommended Hillary Clinton for president. This newspaper has not recommended a Democrat for the nation`s highest office since before World War II.

Trump plays on fear and exhibits a dangerous lack of judgment.

(END VIDEO CLIP)

HAYES: Joining me now, Democratic pollster Margie O`Meara. She`s creator and co-host of the podcast The Pollsters.

Margie, let`s start with Arizona, which has been one of these stretch, reach states, one of these sort of idle daydreams of Democrats. If you look at the demographic breakdown, maybe if we perform, we can get that into competitive territory. It`s really starting to look like it is. I mean, clearly the campaign. Are you buying it?

MARGIE O`MEARA, DEMOCRATIC POLLSTER: Yeah, I mean, look, they would not mobilize not just the financial resources, but also the personnel resources and having Bernie Sanders go speak, Chelsea Clinton`s going to speak. I mean they really feel that there`s an opportunity here. You have a high Latino population that -- there was a new poll out today that showed Clinton nationwide with a 50-point lead among Latinos.

So there`s a lot of reasons to think that Arizona could be in play. There`s a really, you know, enthusiastic senate race. Ann Kirkpatrick is a great recruit, great candidate on the Democratic side.

So there`s lots of reasons to think it could be in play.

HAYES: You know, on the senate side -- so there`s the sort of predictions have gone back and forth. One really interesting bit of polling is out of Nevada, which is where Barack Obama will be headed. And when he goes to these states, tends to sort of combine presidential senate races.

Catherine Cortez Mastro who is the Democrat running against Joe Heck, she had been behind -- that`s Harry Reid`s retiring seat. It was one of the places Republicans looked most likely for a pickup. Harry Reid the whole has been saying, trust me, I got this. Don`t worry about it. We know what we`re doing here. And in the last two polls, she is now up. What do you think of that race?

O`MEARA: Well, the thing with Nevada, it`s important -- it`s such a battleground state. There are so many different factors in play that make polling particularly tricky. That it`s important to recognize that also has a...

HAYES: Why is that? Why are Nevada polls always so weird and flukey?

O`MEARA: So if you want the real pollster answer, there`s a variety of things. One, people work at all kinds of crazy hours. So the sort of usual polling time frame is a little bit different there.

You have a lot of movement. It`s a state that`s had a lot of population incoming and outgoing, so you have people are not on the voter rolls as easily, or they`re more likely to have cell phones. You have a high Latino population there, too. Not all polls have a Spanish language option in Nevada the way they might, say, in Florida or in Texas.

And then you also have a high Mormon population in Nevada. And if, you know, McMuffinmentum (ph) as they call themselves now, takes off, and you know you could actually see that change the race in Nevada too.

HAYES: OK, so there are two other states that are states that you think there`s no way that these states are going to be won by Hillary Clinton or anyone other than the Republican nominee -- Utah and Alaska. We`ve got a poll out of Alaska showing it a one-point race. This is by the sort of blue ribbon pollster there who called the Begich (ph) race and 100 percent of races.

And some polls out of Utah showing with Evan McMullin in sort of a three- way tie. Do those seem plausible to you?

O`MEARA: I mean, look, Donald Trump has put lots of states in play. There was a theory several months ago that, OK, well, maybe Trump would do badly in states like Florida, but then he would have some advantages in states like Michigan or Wisconsin or maybe New York and Pennsylvania. And that has not been borne out.

The same factors that make him endangered nationally and make the polls consistently show him behind nationally are the same factors that make all these red-leaning states now in play and the blue states not in play for him at all.

HAYES: All right, Margie O`Meara thank you very much. Appreciate it.

O`MEARA: Thank you.

HAYES: Still to come, the latest on the fire bombing of a GOP office in North Carolina and the responses from the two candidates. But first, tonight`s Thing One, Thing Two starts right after this break.

(COMMERCIAL BREAK)

HAYES: Thing One tonight, amidst all the irresponsible talk of a supposedly rigged election, the Drudge Report picked up this alarming headline: "Postal worker brags online about destroying Trump ballots."

Drudge linked to it for hours, tweeted out, worth repeating, postal worker brags about destroying Trump ballots.

Rush Limbaugh was on it making the necessary point of how outraged the authorities would be if Hillary Clinton were the target of such unfair election fraud. If a postal worker was bragging about destroying Hillary absentee ballots, do you think they`d be trying to hunt this guy down and put him in jail? They wouldn`t be stopping. They`d find this guy. They`d hunt him down.

Even Scott Baio got in on the action. Yes, the actor Scott Baio, Chachi, Charles in Charge, the one who spoke in support of Donald Trump at the RNC convention, that Scott Baio tweeted, cheating and corruption is their way @realdonaldtrump. And he linked to the story.

Baio also tweeted at the postal worker, I hope you get fired. Cheating is the only way she`ll win, @realdonaldtrump.

Hey, John Kasich, is this OK with you?

Even the Ohio secretary of state, whose job is to administer elections in the state said, I`ve contacted USPS about posts alleging destruction of absentee ballots. We`ll get the hashtag #facts, and if true, hold anyone guilty accountable.

What a story. An Ohio postal worker bragging online about throwing out Trump ballots. IKf true, it would really be a smoking gun. Wonder what the sourcing on that story is? That`s Thing Two in 60 seconds.

(COMMERCIAL BREAK)

HAYse: Postal worker brags about destroying Trump ballots, at least that`s what the headline says. There right-wing blog The Gateway Pundit seems to have caught someone red-handed.

There is a story behind that headline. The Gateway Pundit is basing its report on the Twitter account of the culprit himself, quote, "I love working at the post office in Columbus, Ohio and ripping up absentee ballots that vote for Trump," twees Randy.

Wow, what a confession.

And yet by merely clicking onto Randy`s profile, you would see Randy is located in California and not Ohio. Randy also happens to describe himself as the cool and chill guy of online.

There`s more as noted by Betsy Woodruff, the Daily Beast, Randy has also tweeted things like I`m a black man for Trump. That`s right, libs, we do exist.

And a case, if we`re not making this perfectly clear, Randy also recently tweeted this: Frank Luntz, can I be in your next focus group? I`m also a huge idiot.

It was all just a joke. It`s a joke. Randy makes jokes online, not a postal worker.

The Daily Beast asked @Randygdubs whether or not he actually works in an Ohio post office.

LOL, no, he replied. U.S. postal-service even put out a statement reading in part, the postal service has completed an initial investigation of the mentioned tweets and does not believe these tweets were made by a postal employee, however, the postal service will continue to monitor this situation, which I think means they`re now following Randy.

I think we can all rest easy knowing the situation will be monitored by the likes of Drudge, and Limbaugh, and of course Scott Baio.

(COMMERCIAL BREAK)

HAYES: It`s being called an attack on our democracy. Over the weekend, someone fire-bombed the Republican Party headquarters in Orange County, North Carolina. The office was empty. No one was injured, thank goodness. But the damage was substantial. Images show a burned couch and warped campaign signs, A swastika and the words Nazi Republicans leave town or else where spray-painted on an adjacent building.

Local and federal authorities are investigating the incident. No suspects have yet been identified.

A group of Democrats organized a GoFundMe campaign, raising money for the local GOP to reopen the headquarters.

Hillary Clinton strongly condemned the act of violence, tweeting, the attack on the Orange County HQ and GOP office is horrific and unacceptable. Very grateful everyone is safe.

Meanwhile, Donald Trump chose to blame the incident on his opponent and her supporters. Animals representing Hillary Clinton and Dems in North Carolina just fire bombed our office in Orange County because we are winning, NCGOP.

The fire bomb attacks comes just three days after three militia members in Kansas were charged with domestic terrorism for plotting to bomb Somali **immigrants**. According to federal investigators, the men stockpiled firearms, ammunition and explosive components, reportedly believe the attack planned for November 9, the day after the election would, quote, wake people up.

This as the Republican nominee for president shows no signs of letting up the rigged election talk and telling supporters his opponent should be in jail.

Yet amid a real sense of unease and legitimate fear, the threat of possible violence, the rituals of a normal election grind on, like the much anticipated third presidential debate in Las Vegas, Nevada, this Wednesday. Former Obama strategist David Axelrod suggesting Clinton shouldn`t even attend after Trump recommended she take a drug test beforehand.

The day after the debate comes another end of the campaign custom, the Al Smith dinner. Longstanding tradition, the nominees from both parties attend, sit at the same table, not only to pay tribute to the late governor of New York and first Catholic presidential nominee, but also to put aside partisan differences for a few hours and give speeches that are equal parts self deprecation and gentle ribbing of their opponent.

Well, how do you gently rib the person who has been lobbying to put you in prison? I`ll ponder that question with our panel next.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

OBAMA: It is an honor to be here with Al Smith. I obviously never knew your great grandfather, but from everything that`s Senator McCain has told me, the two of them had a great time together before prohibitions so.

SEN. JOHN MCCAIN, (R) ARIZONA: After all, it began so long ago with a heralded arrival of a man known to Oprah Winfrey as the one. Being a friend and colleague of Barack, I just called him that one.

He doesn`t mind at all. In fact, he even has a pet name for me: George Bush.

MITT ROMNEY, FRM. GOVERNOR OF MASSACHUSETTS: Let`s just say that some in the media have a certain way of looking at things. When suddenly I pulled ahead in some of the major polls, what was the headline, polls show Obama leading from behind. And I have already seen early reports from tonight`s dinner. Headline: Obama embraced by Catholics, Romney dines with rich people.

OABAMA: Ultimately, though, tonight is not about the disagreements Governor Romney and I may have, it`s what we have in common beginning with our unusual names. Actually, Mitt is his middle name. I wish I could use my middle name.

(END VIDEO CLIP)

HAYES: That`s the kind of self-deprecating humor good-natured ribbing that is expected of the two presidential nominees this Thursday at the Al Smith Dinner.

Joining me now, MSNBC contributor and senior editor for Business Insider Josh Barro and Liz Plank, the senior correspondent for Vox.

So, we`re -- so we`re looking at these old Al Smith footage, right. and someone said yesterday, we were like -- when is this -- like, oh it`s the day after the debate. Like, how are these two -- I mean, they couldn`t shake hands at the last debate. They`re going to have -- I imagine a terribly gross debate on Wednesday night.

Like, do you just get on...

JOSH BARRO, BUSINESS INSIDER: I think it`s going to be very awkward for Cardinal Dolan. He`s going to have to sit there in between the two of them for the whole thing.

I sort of wonder -- I mean, I wonder what -- how this works for the Archdiocese. Do they really want a nasty scene at their like giant gala fundraiser for charities for children between these two candidates? Like who knows what Donald Trump might say after being ribbed in -- you know, with good humor or if Hillary Clinton wants to provoke him, maybe not such good humor. It could be uglier than the debate.

HAYES: How do you think, Liz, about sort of her -- the sort of strategy going into this debate, right. So, the last debate was like, he shows up with the women who have accused Bill Clinton and there`s no handshake in the beginning. And the whole thing had this very like dark almost traumatic vibe around it.

how do you see her sort of forging through this debate on Wednesday?

LIZ PLANK, VOX: Well, I think it was, as you say, really uncomfortable to watch, not just if you`re a woman, but for anyone watching the last debate, and hopefully this will be a little less terrifying. But I mean lie the bar was pretty low. Donald Trump just had to like not appear to be a predator after the tape came out before even now we have nine women, eight women who are saying that he is in fact a predator, and he lurked behind Hillary Clinton. I mean, we have all these shots that made anyone watching uncomfortable.

So, this time around, I`m really curious to see what he`s going to do. If he`s going to take that one step further. I mean, in the last week he`s commented on Hillary Clinton`s behind. He`s ranked how sexually assaultable women are. I mean, he`s just gone off the rails. So, I have no idea what to expect.

HAYES: There`s also this deep tension here right between like these norms. These norms of like we are adversaries not enemies, you know, like we will respect each other after the election. And sometimes I find that backslapping bon ami like really annoying. But I weirdly come to appreciate it from an institutional perspective, because of how Apocalyptic this election has come to feel.

BARRO: Yeah, that`s a sign of a healthy democracy, that these people can treat each other as adversaries rather than enemies. They can go there and poke fun at each other and themsleves not get angry about it.

I think -- to think about how Donald Trump might handle this, it`s actually worth looking back at there has been a roast of Donald Trump. So we know what it is like for Donald Trump to sit on a stage for a few hours and listen to jokes about himself. And he got through that Comedy Central roast. I think he liked the attention of it.

So he kind of likes it when people talk about him even if they`re saying negative things. But we also know that when -- at the end of the roast you go and respond to people. And there was this whole joke writing process with him that -- it was Politico I think did an inside what this looked like. And he was rejecting a lot of the jokes that were written for him. And one of them -- the joke was, you know, what`s the difference between Donald Trump`s hair and a wet raccoon and the answer was like a wet raccoon doesn`t have $2 billion. And Donald Trump crossed that out and put $7 billion.

So, even when he`s being self-deprecating, it has to be all about building himself up. So I think he`s going to have great difficulty with that.

HAYES: Well, and this -- and this I think gets to Clinton on Wednesday and at the dinner, right, which is the degree I think a lot of people felt like she so successfully baited him the first debate. Then the second it was this more and more rope a dope strategy that some people said she`s rattled by all the craziness ahead of time.

Like, at some level, right, her best bet is to just not make news.

PLANK: right, exactly. That`s what she`s been doing for the last seven days. I mean, she hasn`t been out there. And she`s been preparing for the debate arguably. And she`ll be more prepared than he is for sure.

But there was that levity to the first debate, right, the shimmy and she was like OK, Donald. Like, let me talk now.

Hopefully we can go back to that Hillary Clinton and I think that Hillary Clinton shows that she is -- Hillary Clinton is funny, like she has a really good sense of humor. And I think we saw that in the first debate, and that makes her relatable, that makes her all the stuff that makes her so unfavorables so high. Hopefully she can breakthrough.

HAYES: Also, the levity is a great point because there was no levity in the second debate. I mean, it was so dark, it was so desolate. It was so airless. It was so -- it just felt so ominous all of it that you want there to be something in there that doesn`t feel quite so ominous, although maybe that`s impossible to be provided given the context of him saying I`m going to put you in prison and maybe our supporters will revolt.

BARRO: I think other reason there`s no levity is that there is a sense not just from Hillary Clinton and even Donald Trump at this point, but also from the voters that it`s just time for this to be over. There`s no need to learn anything more.

I mean, it`s sort of silly looking at these debates, because it`s supposed to be 90 minutes of talking about policy. The important question in this debate isn`t where there candidates stand on policy issues, it`s about whether Donald Trump is a dangerously unfit person to be president. So it feels on some levels pointless to delve into his Syria policy, and so I think given that everybody just wants this thing to be over, the exercise of going and talking for 90 minutes about this stuff feels a little silly.

And I think that`s going to make the Al Smith dinner feel especially silly., because normally reporters and people who are political junkies like the month of October in an election year. It`s exciting. It`s interesting. Nobody is having fun right now. So, I think even for the audience trouble to get into it at the dinner.

HAYES: Josh Barro, Liz Plank, thank you both. That is All In for this evening. The Rachel Maddow Show starts right now.

**NEW\_DOCUMENT\_HERE**

Chris Hayes, Nick Confessore; Josh Barro; Bonnie Schneider

9278 speakers\_end

CHRIS HAYES, MSNBC HOST (voice-over): Tonight on ALL IN...

(BEGIN VIDEO CLIP)

DONALD TRUMP, REPUBLICAN PRESIDENTIAL CANDIDATE: Mike Pence did an incredible job.

(END VIDEO CLIP)

HAYES (voice-over): Trump takes credit.

(BEGIN VIDEO CLIP)

TRUMP: I`m getting a lot of credit.

(END VIDEO CLIP)

HAYES (voice-over): And team Clinton takes aim.

(BEGIN VIDEO CLIP)

TIM KAINE, DEMOCRATIC VICE PRESIDENTIAL CANDIDATE: He is asking everybody to vote for somebody that he cannot defend.

(END VIDEO CLIP)

HAYES (voice-over): Tonight, all the fallout from the second debate of the season.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: Your 2020 campaign began last night. That`s what they`re saying in the drive-by media, Governor.

(END VIDEO CLIP)

HAYES (voice-over): Plus, new battleground polling and the state of the race. New questions about Donald Trump`s taxes.

(BEGIN VIDEO CLIP)

MIKE PENCE, REPUBLICAN PRESIDENTIAL CANDIDATE: He used the tax code just the way it`s supposed to be used, and he did it brilliantly.

KAINE: How do you know that?

(END VIDEO CLIP)

HAYES (voice-over): The fine art of projection politics.

(BEGIN VIDEO CLIP)

PENCE: Did you all just hear that? Ours is an insult driven campaign?

(END VIDEO CLIP)

HAYES (voice-over): And as Hurricane Matthew approaches Florida, today`s massive announcement on climate change from the White House. When ALL IN starts right now.

HAYES: Good evening from New York. I`m Chris Hayes. After Mike Pence managed to get through 90 minutes of last night`s presidential debate without insulting a single woman`s appearance or bragging that not paying taxes makes him smart, Republicans celebrated the fact their vice presidential nominee had managed to deliver a stylistically smooth, albeit though substantively challenged, debate performance. But almost immediately after the debate, many began wondering how the famously thin- skinned Donald Trump would react to being fairly clearly outperformed by his running mate. A Trump advisor telling John Harwood, quote, he can`t stand to be upstaged. And that quote, Pence won overall, but lost with Trump. At a campaign event in Nevada today, Trump complimented his running mate, but added that Trump deserves a lot of the credit.

(BEGIN VIDEO CLIP)

TRUMP: Mike Pence did an incredible job. And I`m getting a lot of credit because that`s really my first so-called choice, that was my first hire, as we would say in Las Vegas.

(END VIDEO CLIP)

HAYES: From Trump`s perspective, the problem with Pence`s performance could be that, as many have pointed out, Pence didn`t actually defend Donald Trump, prompting the observation that he won the debate by throwing Donald Trump under the bus, and the speculation that Pence is expecting a Trump loss and running for president himself in 2020. Pence was asked about just that today.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: The third thing they`re saying is you actually weren`t trying to help Trump last night. You already know Hillary`s going to win, so you were doing everything you did for 2020, Governor. Your 2020 campaign began last night. That`s what they`re saying in the drive-by media, Governor.

PENCE: You know, it`s what we`re used to.

(END VIDEO CLIP)

HAYES: At a rally today in Virginia, Pence sought to shift the spotlight back to his running mate after soaking in plaudits from his supporters.

(BEGIN VIDEO CLIP)

PENCE: Some people think I won.

(CHEERING)

PENCE: But I`ll leave that to others. You know, what I can tell you is from where I sat, Donald Trump won the debate.

(END VIDEO CLIP)

HAYES: Nice save, Governor. The other politician on the stage last night, Tim Kaine, faced criticism for being too eager to interrupt to slashing in his style particularly early on. But as the debate went on it became clearer and clearer that Kaine`s strategy, one he faithfully executed, was not to be likeable, but to repeatedly spotlight Trump`s extreme positions and awful statements for the more than 37 million who, Nielsen says, watched the debate, and then force Pence to try to defend them. When Pence declined to do so, Kaine pounced.

(BEGIN VIDEO CLIP)

KAINE: Six times tonight I have said to Governor Pence, I can`t imagine how you could defend your running mate`s position on one issue after the next. And in all six cases, he`s refused to defend his running mate --

PENCE: No, no, don`t put words in my mouth.

ELAINE QUIJANO, REPORTER, CBS NEWS: All right.

PENCE: No, no, if he`s going to do that, you`ve got to give --

KAINE: And yet he is asking everybody to vote for somebody that he cannot defend.

(END VIDEO CLIP)

HAYES: At a fundraiser in D.C. earlier tonight, Clinton sought to hammer that reality home.

(BEGIN VIDEO CLIP)

HILLARY CLINTON, DEMOCRATIC PRESIDENTIAL CANDIDATE: And so when your own running mate won`t defend --

(APPLAUSE)

CLINTON: -- the top of the ticket, I think that tells you everything you need to know about who`s qualified and temperamentally fit to be president. Even Mike Pence doesn`t think Donald Trump is.

(END VIDEO CLIP)

HAYES: Then there was Pence`s strategy of repeatedly denying that Trump had said things that Trump had in fact said, which set the stage for videos like this one from the Clinton campaign.

(BEGIN VIDEOTAPE)

KAINE: Donald Trump, on the other hand, didn`t know that Russia had invaded the Crimea.

PENCE: Oh, that`s nonsense.

TRUMP: He`s not going to go into Ukraine. All right. You can mark it down, you can put it down, you can take it any way you want.

UNIDENTIFIED MALE: Well, he`s already there, isn`t he?

KAINE: Donald Trump has said it, deportation force. They want to go house to house, school to school, business to business, and kick out 16 million people. And I cannot believe --

PENCE: That`s nonsense.

UNIDENTIFIED FEMALE: What?

TRUMP: We`re going to have a deportation force.

PENCE: Donald Trump and I would never support legislation that punished women.

CHRIS MATTHEWS, HOST, HARDBALL WITH CHRIS MATTHEWS: Should the woman be punished for having an abortion?

TRUMP: There has to be some form of punishment.

KAINE: More nations should get nuclear weapons. Try to defend that.

PENCE: Well, he never said that.

TRUMP: Wouldn`t you rather, in a certain sense, have Japan have nuclear weapons? We have --

UNIDENTIFIED MALE: Saudi Arabia nuclear weapons?

TRUMP: Saudi Arabia, absolutely.

(END VIDEOTAPE)

HAYES: Why not? At a rally in Philadelphia earlier this evening, Kaine reflected on his debate experience.

(BEGIN VIDEO CLIP)

KAINE: The debate was a little feisty.

(LAUGHTER)

KAINE: I mean, I got to admit, I am Irish. The key part of that debate was at some points I felt like both me and Mike Pence were debating Donald trump. I was going after Donald Trump and Mike Pence kind of was going after Trump with me. And I can`t imagine that that made The Donald too happy. So there may have been some interesting conversations about that today on the other side of the aisle.

(END VIDEO CLIP)

HAYES: Joining me now from Las Vegas, Nevada, tonight, NBC News Correspondent Katy Tur. And Katy, it seems to me that the Democrats have tried to spring another trap for Donald Trump, tried to get under his skin that his own running mate is not defending him. I`m curious the kind of mood in Trump world right now.

KATY TUR, CORRESPONDENT, NBC NEWS: You know, I have not heard that they are upset by Governor Pence`s performance in any way or that they`re worried that he might have upstaged Donald Trump. There`s a lot of pushback to that reporting from the campaign. But what I can tell you that was before they were deciding on who was going to be Donald Trump`s running mate, there was some concern about choosing somebody who would upstage Donald Trump, somebody like Newt Gingrich or Chris Christie who`s more of a politician, a more practiced politician, bombastic politicians who know a lot more about policy than Donald Trump does. So there is precedent for that feeling, but I`m not getting anything from the campaign about them feeling like Governor Pence did too good of a job last night. But what I do know is that they want to get Donald Trump better prepared for this next debate coming up on Sunday. I was talking to aides last week and they were talking about, you know, getting him a debate coach, perhaps. Also, standing him behind a podium to see what that would be like. Of course, this next debate won`t be behind a podium, but just to get him more used to that feeling. Also, finding a way to get underneath Hillary Clinton`s skin in a way that she was able to get underneath Donald Trump`s skin, taking her off her game, and also pivoting to territory that`s more comfortable for him. Governor Pence did all that decently, if you`re going to look at just style and the way that he was able to compose himself during his debate last night. Donald Trump did not do that. But I can tell you this, Chris. I`ve asked the campaign multiple times this week what they`re doing specifically for debate prep, and they are just not answering the question. They`ve gone completely silent on this idea.

HAYES: Hmm.

TUR: He`s also had a pretty robust schedule. He`s got a campaign rally tomorrow or an event tomorrow in New Hampshire. We`re going to find out if he`s doing anything else on Friday or Saturday. But remember before the first debate he had campaign rallies up until the days before. And that seemed to hurt him because he didn`t seem as prepared, certainly, as Hillary Clinton was. So we`re not entirely sure how much debate prep Donald Trump is doing. But I can tell you the campaign did feel like he needed much more going into this second debate.

HAYES: All right. Katy Tur, thanks for that update from Las Vegas, Nevada. Joining me now, MSNBC contributor Nick Confessore, political reporter of The New York Times, and Katrina vandenHeuvel, editor and publisher of The Nation, which endorsed Hillary Clinton today with a piece entitled "Why Progressives Should Vote for Hillary Clinton." So here`s the thing I found most fascinating about this debate. Donald Trump is this sort of maelstrom, this singular force, that directs so much attention. He so bizarrely fits into modern Republican and conservative orthodoxy and in certain ways he`s the apotheosis of it, in other ways he`s a rejection of it.

KATRINA VANDENHEUVEL, EDITOR AND PUBLISHER, THE NATION: Mm-hmm.

HAYES: But then you forget that, like, there`s an entire Republican Party.

(LAUGHTER)

HAYES: There`s literally thousands of people around the country governing at different levels --

VANDENHEUVEL: Right.

HAYES: -- that are not Donald Trump. And this was kind of like -- oh, what`s going on in that --

VANDENHEUVEL: Yes.

HAYES: -- world? Michael Brendan Dougherty had a great line today. He said it was as if Pence was the designated survivor of the Republican primary, a man held away from the carnage Trump has inflicted in the Republican Party, its conventions, orthodoxies, and pieties.

VANDENHEUVEL: So I don`t think this country will be the same, I don`t think either party will be the same after this election. It`s an upend- the-rules election. And we saw last night an element of the Republican Party which has been descending, not ascending, even before Donald Trump --

HAYES: That`s interesting.

VANDENHEUVEL: -- took this primary and just --

HAYES: And by that you mean social conservatives?

VANDENHEUVEL: Social conservativism. And if you think about what has roiled this election year, it has been populism.

HAYES: Yes.

VANDENHEUVEL: It has been economic issues, it has been the class divisions within parties, it has been economic insecurity and not the social issues, which so animated the Republican Party. So I think --

HAYES: Yes.

VANDENHEUVEL: -- we can talk all --

HAYES: That`s a great point.

VANDENHEUVEL: -- we want about preparation and this and that. Last night we did see an extremist give really extremist positions a reassuring face. But the big issues facing, I think, this country and both parties: disruptive globalization, populist nationalism, and the end of traditional work. And how these parties deal with it will be central to their future.

NICK CONFESSORE, REPORTER, THE NEW YORK TIMES: Look, I think that Trump has shown that faith voters are not the faith voters who we thought they were.

HAYES: Right.

CONFESSORE: You know, that faith and religiosity and social issues as they are normally constructed are not necessarily anymore the main drivers of politics in that part of that party. They have the same appetite on **immigration**, on trade --

HAYES: Right.

CONFESSORE: -- on populism --

HAYES: That`s exactly right.

CONFESSORE: -- and, frankly, on rage politics --

VANDENHEUVEL: Mm-hmm.

CONFESSORE: -- as the pure Trumpista. And so I think you can`t go back to that old model anymore.

HAYES: Well, but here`s what`s interesting, right, I mean, I remember 2004 when the whole idea was the first evangelical president, George W. Bush, Building Red America, a book by Thomas Edsall.

VANDENHEUVEL: Right.

HAYES: But there is a sort of new rising evangelical base that was going to cement this sort of permanent Republican majority. And my reminder last night was, look, Donald Trump, if he is elected president, there are going to be thousands of Mike Pence accolades, people with those politics on social issues who will be in the government.

VANDENHEUVEL: Yes, but I`m also thinking of -- we talk a lot about young people, Millennials, in this election. We`ve seen among younger evangelicals an unwillingness to go with climate denialism, which Mike Pence is all about, too --

HAYES: Yes.

VANDENHEUVEL: -- and Donald Trump. So we`ve seen an opening there. We`ve seen, though not as clearly as we`d thought, the Republican Party can no longer be the party of white sanctuary nationally, right? The demographic shifts aren`t coming as quickly.

HAYES: They think they can be, though, clearly.

VANDENHEUVEL: They think they can be, but I do think whatever -- and by the way, I think if Donald Trump loses, Trumpism is still with us. Because the economic insecurity in this country, the bad health outcomes, the end of a coal industry -- which is not due to Hillary Clinton --

HAYES: Right.

VANDENHEUVEL: -- but to fracking and --

HAYES: Right.

VANDENHEUVEL: So I think all of these conditions will persist. How we as a country come together to confront these challenges. Now, Donald Trump, I love -- we endorsed Hillary Clinton. I say that only in the sense that when you see someone heading the Republican Party, poking an eye in the Chamber of Commerce`s eye, and poking an eye at the orthodoxy of a failed, discredited foreign policy and economic establishment, even while he has failed and a spectacular loser, I think is important.

HAYES: Well, this is what I find so interesting. There`s this little seduction to the left of Donald Trump --

VANDENHEUVEL: It`s not left.

HAYES: -- for those reasons. No, there is. There is a seduction for certain parts of the left in Donald Trump precisely because he has, in many respects, the right enemies.

VANDENHEUVEL: We endorsed Bernie Sanders because he was about inclusivity and also shaking up the status quo. Donald Trump is about bigotry and normal (INAUDIBLE) --

HAYES: Right.

VANDENHEUVEL: -- hate. On the other hand (INAUDIBLE) --

HAYES: (INAUDIBLE).

CONFESSORE: But you can find the voters on the left who like Trump.

HAYES: -- pointing the finger in the eye --

VANDENHEUVEL: What I like --

CONFESSORE: There are voters on the trail who say my first choice is Donald Trump, my second choice was Sanders, and vice versa.

HAYES: That is -- well, let`s be clear (INAUDIBLE) tiny sliver (INAUDIBLE) --

CONFESSORE: It`s tiny, but it`s there.

VANDENHEUVEL: I like shaking up a discredited, failed, bipartisan establishment. Bernie Sanders did that --

HAYES: OK, but here`s what so fascinating about that argument.

VANDENHEUVEL: And, by the way --

HAYES: So here`s that argument right now. The Atlantic for the --

VANDENHEUVEL: Yes. Endorsed --

HAYES: -- third time is endorsing, right? You`ve got the establishment to the extent it exists. You don`t have a single Fortune --

VANDENHEUVEL: 500 CEO.

HAYES: -- 500, 100 CEO endorsing.

VANDENHEUVEL: Right, right.

HAYES: You`ve got basically every editorial board of major papers, The Atlantic now weighing in, The Nation magazine --

VANDENHEUVEL: Yes.

HAYES: -- (INAUDIBLE) --

VANDENHEUVEL: Yes.

HAYES: -- from the Civil War era. The establishment is pretty much lined up against Donald Trump. Isn`t that a credit to the establishment?

VANDENHEUVEL: No. Because the --

(LAUGHTER)

VANDENHEUVEL: -- neocon liberal interventionist talk establishment, which Hillary Clinton has amassed around her, is responsible, I would argue, for some of the failed forays into the, I am the indispensable nation.

CONFESSORE: And so why`d you endorse her?

VANDENHEUVEL: Well, if you read it, it`s about opening space for change. There`s a very tough --

CONFESSORE: Right.

VANDENHEUVEL: -- graph about her --

HAYES: Wait. But here --

VANDENHEUVEL: -- hawkish foreign policy. It`s incumbent upon us as a movement --

HAYES: But here`s the thing that I --

VANDENHEUVEL: -- but I do think she`s more moveable than Donald Trump.

HAYES: Here`s what I find fascinating. If you want to talk about hawkish foreign policy, last night we saw Mike Pence -- whatever Donald Trump thinks about Russia --

VANDENHEUVEL: I know.

HAYES: But that`s the point is, the base, all the people around them, they`re all still the same people. So as soon as Donald Trump went off stage, Mike Pence sat down at the table and said basically, yes, if we have to shoot down Russian planes over Syria, let`s shoot down Russian planes over Syria. Like, he was extraordinarily --

CONFESSORE: Whoa, whoa.

HAYES: -- hawkish on (INAUDIBLE).

VANDENHEUVEL: I know he was.

CONFESSORE: The reason you see all these party members and leaders who are behind Trump now, it`s not just that he is the presidential nominee. It`s that I think they think that if he is the president --

HAYES: Yes.

CONFESSORE: -- it is them in the driver`s seat.

HAYES: That`s exactly right.

CONFESSORE: It`s Paul Ryan on --

VANDENHEUVEL: Yes, no, I agree.

CONFESSORE: -- policy, it`s the usual office that we`ll --

HAYES: They think they`re going to get --

CONFESSORE: -- see on foreign policy.

HAYES: -- their trade deals. They think --

CONFESSORE: They do.

VANDENHEUVEL: They think they`re going to get their way because he will --

HAYES: Yes.

VANDENHEUVEL: -- go off and -- but I do think anything we can do to force a debate, to shake up the establishment, is important.

HAYES: (INAUDIBLE).

VANDENHEUVEL: Now, we have to defeat Donald Trump. But --

HAYES: You know, sometimes a (INAUDIBLE) shaking involves figures like Donald Trump.

VANDENHEUVEL: Yes.

HAYES: Nick Confessore, Katrina vandenHeuvel, thanks for being with me tonight. Appreciate it. Still ahead, how Donald Trump`s headline-grabbing personality overshadows the larger problems within the Republican Party and how Mike Pence, governor of Indiana, is a perfect reminder of that. First, did Donald Trump take advantage of a mistake in the tax code to avoid paying taxes after this nearly billion-dollar loss? We`ll talk about that right after this two-minute break.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

PENCE: His tax returns showed he went through a very difficult time. But he used the tax code just the way it`s supposed to be used, and he did it brilliantly.

KAINE: How do you know that? You haven`t seen his tax returns.

PENCE: He created a runway -- because he`s created a business that`s worth billions of dollars today.

KAINE: How do you know that?

(END VIDEO CLIP)

HAYES: When Tim Kaine kept hammering Mike Pence about Donald Trump`s tax returns last night during the debate, it wasn`t just about those tax returns. America has never in its history elevated someone to its highest office with less public service experience than Donald Trump. But Trump, of course, does have a long business career, which the American public might be able to accurately judge as the entirety of his resume, if he would release his tax returns. The New York Times revelation on Trump`s decades old tax return did shed some light on the subject. Donald J. Trump declared a $916 million loss on his 1995 income tax returns, a tax deduction so substantial it could have allowed him to legally avoid paying any federal income taxes for up to 18 years. Trump first responded to that news by saying he had, quote, brilliantly used the tax laws to his benefit. Mike Pence echoed that last night. And then he went one step further saying it`s actually the fault of -- wait for it -- Hillary Clinton.

(BEGIN VIDEO CLIP)

TRUMP: She complains about how I`ve used the tax laws of this country to my benefit. Then I ask a simple question, why didn`t she ever try to change those laws so I couldn`t use them? You know why? She could have changed the laws when she was in the United States Senate, but she didn`t.

(END VIDEO CLIP)

HAYES: But as noted by our next guest, it just so happens there was a particularly egregious tax loophole in the 1990s created by accident which was closed by the Job Creation and Worker Assistance Act of 2002, a bill that then Senator Hillary Clinton voted for and President George W. Bush signed. And it is entirely possible that is the exact tax loophole Donald Trump may have used, if he did indeed manage to avoid paying taxes for nearly two decades. Joining me now, the man who wrote about that tax loophole today, MSNBC contributor Josh Barro, senior editor of Business Insider. And we should note we are speaking in the hypothetical --

JOSH BARRO, SENIOR EDITOR, BUSINESS INSIDER: Right.

HAYES: -- because we don`t actually know.

BARRO: We don`t know. We`ve only seen the first page --

HAYES: Right.

BARRO: -- of his tax return. If we`d seen the whole return, we could talk more concretely about what`s in it.

HAYES: So there`s a sort of a mystery here, which is --

BARRO: Right.

HAYES: -- like, how do you lose that much money?

BARRO: Right.

HAYES: Right? That`s kind of the --

BARRO: And I think people haven`t quite grasped how big this loss is.

HAYES: It`s insane.

BARRO: I mean, obviously $916 million is an enormous amount of money. But the provision that he took, it`s called a net operating loss.

HAYES: Right.

BARRO: Basically, when your business has losses that exceed all your income, you have a negative income. When you look at all the tax returns in the entire country in 1995, there was about $49 billion of that. Which means Donald Trump accounted for two percent --

HAYES: Right.

BARRO: -- of the net operating loss in the entire country.

HAYES: -- of the entire GDP of the U.S., right?

BARRO: Right.

HAYES: Like, all the different firms and places that are operating.

BARRO: It`s just individual income tax.

HAYES: Right, right, right, yes.

BARRO: But, yes, anyone who has a business like Trump`s that`s owned --

HAYES: Right.

BARRO: -- as an individual business.

HAYES: Right, right.

BARRO: So 250 million people, he has 2 percent of it for the whole country. It`s an enormous loss. And so the question is did he really have $900 million of his own to lose in these businesses that we know did do very badly. In fact, in the early 1990s, his casinos, his airlines. He had three casino bankruptcies, so he did lose a lot of money. But there was this tax loophole. And what it meant was basically -- you know, when you`re like Trump and you own this business and it goes bust and you lose money and the people who loaned you money also lose lots of money --

HAYES: Right.

BARRO: -- normally, those losses are split. You know, the banks don`t get paid back, they take part of the loss --

HAYES: Right.

BARRO: -- and you take part of the loss.

HAYES: That`s right.

BARRO: And the part that was really yours, you get to write that off your taxes. But there was this error in the way that a specific kind of business form was taxed that basically allowed if there was a loss where, you know, Trump was out 100 million and the banks were out 800 million, he could have written off the entire 900 million off his taxes, even though he only really lost, in this example, $100 million.

HAYES: This is great. I love this.

BARRO: Yes.

HAYES: So he could write off the bank`s loss, essentially --

BARRO: Yes.

HAYES: -- on the loan?

BARRO: Yes. And so the banks --

HAYES: It was just a mistake in the tax code?

BARRO: It was a mistake in the tax code. And in fact, as people started filing their taxes using this provision, the IRS looked at it and said, well, this isn`t right, and, like, there were years of litigation in the tax courts. And it got to the Supreme Court in 2001. The Supreme Court looked at the law and said, well, the law does say this, even though that`s stupid, and so if you want to change it, you have to change the law. And so that`s how we got this 2002 change. But up until 2002, people -- including potentially Donald Trump -- could have used this provision to claim losses on their taxes --

HAYES: That was not their loss.

BARRO: Right.

HAYES: Right.

BARRO: Yes.

HAYES: So what I love about this story is, A, it`s a sort of window into how, like, complicated and screwed up the tax code often can be.

BARRO: Right.

HAYES: Although, in this case, it was actually fixed, right?

BARRO: Right.

HAYES: Like, they realized this was crazy and they fixed it.

BARRO: This is unusually bad.

HAYES: Right.

BARRO: Usually people who have a lot of income have to pay tax on their income. There are loopholes in the tax code, but this was a particularly egregious provision, which is why it got fixed by a bipartisan vote of 85 to nine. Nobody thought this was a good idea, it was just a thing that happened by accident.

HAYES: What I also love about this story, though, is this is, like, from two pages.

BARRO: Right.

HAYES: I mean, like, the amount -- like, Eric Trump and Donald Junior have at various times sort of let the cat out of the bag that the real reason they`re not releasing the tax returns is because it would be politically damaging.

BARRO: Right.

HAYES: I mean, the extent they`ve said as much, right?

BARRO: Yes.

HAYES: It`s not about the audit. You get a sense of just how much information would be packed into these returns if we saw them.

BARRO: Right. And the thing is if what the return said is the story that Donald Trump has told publicly, which is basically he built this big empire, he made all this money, he lost it, and then he clawed his way back through his own genius and now he`s making more money than ever, you`d think he`d want to release the tax returns because they would say that. But I suspect that what they say is actually that this loophole is what he used. And the reason for that is this isn`t the only tax information of Trump`s we`ve seen now. We`ve seen his tax returns from a number of years. We`ve seen tax information on him from nine different tax years --

HAYES: Right.

BARRO: -- going back to the 1970s. The highest income that he ever reported in any of those years was less than $120,000. That was back in 1977. We know of six years in which he reported no -- negative.

HAYES: So nuts.

BARRO: So the question for me is if this was a real loss, like Mike Pence said it was in the debate --

HAYES: Right.

BARRO: It was he had all this money.

HAYES: He had a bad year.

BARRO: He lost $900 million.

HAYES: Right.

BARRO: When did he make all that money?

HAYES: Right. That`s a great point.

BARRO: We have not seen any tax return that says, oh, Donald Trump made $200 million --

HAYES: Right.

BARRO: -- this year.

HAYES: That`s a great point.

BARRO: Yes.

HAYES: Josh Barro, thank you for explaining that.

BARRO: Sure.

HAYES: Still to come, new battleground polling, how the seemingly unprecedented volatile campaign is falling into a pretty familiar pattern. I`ll explain ahead.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

BARACK OBAMA, PRESIDENT OF THE UNITED STATES: The Paris agreement alone will not solve the climate crisis. But make no mistake, this agreement will help delay or avoid some of the worst consequences of climate change.

(END VIDEO CLIP)

HAYES: Today President Obama announced that enough nations have now signed onto the Paris climate agreement for it to be implemented, beginning in 30 days. The first of its kind global treaty requires each nation to set specific targets for carbon emission reduction and then report its progress publicly. It just so happens that earlier today the president was doing something else. He was meeting with FEMA officials to prepare for Hurricane Matthew, a massive storm that has already claimed 25 lives, primarily in Haiti where it made landfall yesterday. And after moving through the Caribbean, Hurricane Matthew`s expected to either hit or come dangerously close to the southeast coast of the United States where emergency evacuations are well underway. Joining me now, MSNBC meteorologist Bonnie Schneider. And, Bonnie, what is the latest for the path of this storm?

BONNIE SCHNEIDER, METEOROLOGIST, MSNBC: Well, the track hasn`t changed, Chris, but we have a new position statement. So right now the storm is still a category 3. It`s weakened just slightly at 115 miles per hour winds. The problem is, is that the storm is likely to strengthen to a category 4 before it becomes very close if not making landfall somewhere near the Space Coast in Florida. That`s where we have hurricane warnings now impacting 9 million Americans at this hour, just incredible. The hurricane watch extends all the way along the Georgia coast because we are anticipating those strong winds and really dangerous storm surge. The category 4 storm comes perilously close north of Melbourne by the time we`re at right around 2 o`clock on Friday. But it`s really going to ride the coastline, whether it makes landfall or not. We`re going to see just really dangerous conditions all the way across the southeast. The track eventually taking it further out to sea, but may do a loop. That`ll be next week. We have to get through the next few days. One thing I want to mention is the dangerous rainfall and flood threat that we`re seeing from Matthew. We`re likely to see it especially here in North Carolina where we could get ten inches of rain. That`s one of the reasons we`ve seen these evacuations happen into the Charleston area, particularly in the low-lying areas. So look for the impact continuing right now in the Bahamas where we can see 15 feet of storm surge. And then as we get closer to the Florida coast, unfortunately that storm surge will build in and that`s going to be a really dangerous threat, as well as the winds coming through from Savannah all the way to Charleston. So keep in mind this is a dangerous storm and it may be catastrophic for Florida. Chris?

HAYES: All right, Bonnie. Thank you for that. MSNBC meteorologist Bonnie Schneider. (INAUDIBLE) storm surge. Coming up, compared to Donald Trump, Mike Pence comes off as the sensible voice of the Republican ticket. What that means about the Republican Party as a whole, next.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

TRUMP: I am very underleveraged. I have a great company. I have a tremendous income. And the reason I say that is not in a braggadocios way, it`s because because it`s about time that this country had somebody running it that has an idea about money.

PENCE: I have to tell you, I`m a small town boy from a place not too different from Farmville. I grew up with a cornfield in my backward. I dream someday of representing my hometown in Washington, D.C., but I honestly, Elaine, I never imagined I`d never imagine have an opportunity to be governor of the state that I love let alone be sitting at a table like this in this kind of a position.

(END VIDEO CLIP)

HAYES: With his ousized polarizing personality and utter disinterest in issues of policy Donald Trump breaks the mold for candidates of either party. It`s not every election year we get a feud with an ex-beauty queen played out in 5:00 a.m. tweets.

Now, compared to Trump, his runningmate, Mike Pence, looks positively sensible. On the debate stage last night, Pence was the conventional face of the Republican Party, behaving like a reasonably competent politicians with a decent grasp of policy and political norms.

It`s a low bar, but it appears to have made an impression on the viewing public. In one instant poll of registered voters who watched the debate, 53 percent said Pence was more likable than Tim Kaine, who took a much more combative approach.

But if Mike Pence represents the kinder, gentler, more normal GOP, that party is as extreme and far-right as it has ever been. And it`s pushing an agenda that`s not especially popular with the American people broadly.

Consider Pence`s record as a governor of Indiana where before he joined Trump`s ticket, a flurry of recent controversies had dimmed his hopes for re-election. In the past few months, federal courts have struck down two of Pence`s key initiatives. In June, a judge blocked parts of a law banning abortions based solely on fetal anomalies or disabilities, including a provision that mandated funerary services for aborted fetuses. Think about that one for a second.

And just two days ago an appeals court halted Pence`s attempt to keep Syrian **refugees** from being resettled in Indiana even after he took federal money to do just that.

Then there was the furor over Indiana`s so-called religious freedom law, which would have protected discrimination by business owners by LBGT Americans. After sparking a massive backlash among Republican big business, Pence signed a modified version of the bill into law.

And joining me now, congressman Andre Carson, who is a Democrat from Indiana and knows Governor Mike Pence. And Congressman, I wanted to get your reaction -- I think a lot of people this was the sort of -- the first time they saw extended Mike Pence. And I will say he has a very kind of avuncular sort of manner about him that is very easy to watch. What kind of governor has he been?

REP. ANDRE CARSON, (D) INDIANA: Well, he hasn`t been that popular. He and I worked together in congress. We went to lunch quite often. Personally, we have a pretty good relationship, but he`s been unpopular in terms of his policies.

And I think what you`ve seen, as you`ve referenced the famous RFRA, Religious Freedom Restoration Act, during that debacle, the height of the debacle, we were hosting. We were hosting an NCAA tournament, and also it cost the city of Indianapolis over $60 million and lost opportunities to host future conventions.

I think also one has to remember that Governor Pence voted against a minimum wage increase in 2007.

And so I think that once one digs a bit deeper. He is likable personally, but I think his policies -- he tends to be a bit too dogmatic, and so I was pleased to see Tim Kaine firing back and being aggressive in terms of refuting the governor`s claims about Mr. Trump.

HAYES: There was a long extended part of the debate about abortion, which is something that has not been foregrounded by the Trump campaign.

I mean, Donald Trump didn`t mention abortion or life once in his RNC speech, which I found remarkable.

This governor has been, I would say, at the front edge of the anti-abortion movement across the country. Is that a fair characterization.

CARSON: Well, certainly. I think that he has been very pronounced in his statements and his actions. I mean, Mr. Pence is committed to his religious identity and principles and I respect that wholly.

What we have to be concerned with, as some of my colleagues on the other side love to quote the founding fathers, as complicated as they were, the founding fathers wanted to get away from a theocracy, and I think those of us who are elected officials and I think Tim Kaine outlined very clearly when he had to deal with an issue regarding the death penalty, as an elective representative, he had to put his religion aside and govern for the people.

he recognized that he represents Muslims, Christians, Jewish brothers and sisters, Sikhs, Hindus, non-theists even, and he has to uphold the constitution be it the United States constitution and

And so I think we have to be cautious of politicians who use their religiosity in a way that`s dogmatic and an attempt to politicize and even proselytize to other people, which to me is unacceptable.

HAYES: All right, Congressman Andre Carson of the great state of Indiana. Thank you very much. Appreciate it.

CARSON: An honor. Thank you.

HAYES: Thing One, Thing Two ahead. But first a funny thing happened at the Trump rally in Nevada tonight, and I pronounce it Nevada, because that`s how you pronounce it. I, and many a politician have learned the hard way do not under any circumstances pronounce it as Nevada. People from Nevada hate that.

(BEGIN VIDEO CLIP)

TRUMP: Heroin overdoses are surging and meth overdoses are surging in Nevada -- Nevada. And you know what I said? You know what I said? I said when I came out here, I said, nobody says it the other way, it has to be Nevada, right. And if you don`t say it correctly, and it didn`t happen to me, but it happened to a friend of mine, he was killed.

(END VIDEO CLIP)

(COMMERCIAL BREAK)

HAYES: Thing One tonight, there`s a single unifying theme for how the Trump campaign deals with criticism of Trump. It`s that old classic, I know you are but what am I approach.

Consider Donald Trump calling Hillary Clinton a bigot where the campaign suggesting it`s Hillary Clinton that treated women poorly or Trump saying at a rally, quote, unstable Hillary Clinton lacks the judgment, temperament and moral character to lead this country.

The strategy was in full effect last night during the vice presidential debate.

(BEGIN VIDEO CLIP)

KAINE: Donald Trump during his campaign has called Mexicans rapists and criminal. He`s called women slobs, pigs, dogs, disgusting.

PENCE: He says ours is an insult-driven campaign? Did you all just hear that? Ours is an insult-driven campaign?

(END VIDEO CLIP)

HAYES: That was happening while Donald Trump was retweeting insults about Tim Kaine looking like a batman villain.

The same with Russian connections. Trump has repeatedly praised Putin during his campaiagn and a former Trump campaign chairman resigned just this summer after questions arose about his business ties with Russia.

But Donald Trump tweeted Hillary Clinton is the one with the connections.

Then this morning the clear winning example, the constant interruptions last night by Tim Kaine should not have been allowed. Mike Pence won big.

So, just take a wild guess as to what we`re going to play as tonight`s Thing Two in just 60 seconds.

(COMMERCIAL BREAK)

HAYES: This morning Donald Trump praised his running mate`s debate performance but also offered up some constructive criticism for the debate`s moderator, tweeting out "the constant interruptions last night by Tim Kaine should not have been allowed."

Now, just let that sink in as we go back in time exactly nine days ago.

(BEGIN VIDEO CLIP)

CLINTON: Let me say...

TRUMP: There`s nothing crazy about not letting our companies bring their money back into their country.

LESTER HOLT, NBC NEWS: This is Secretary Clinton`s two minutes.

TRUMP: Well, he approved NAFTA.

CLINTON: A million new jobs, I wrote about that.

TRUMP: You called it the gold standard.

CLINTON: I wrote about that...

TRUMP: So is it President Obama`s fault? Is it President Obama`s fault?

But you have no plan...

CLINTON: Oh, I do.

TRUMP: Secretary, you have no plan.

I do not say that. You`re wrong.

CLINTON: No, I`m not.

TRUMP: Murders are up.

I never said that. Didn`t say.

CLINTON: Men support that. But when it was negotiated...

Donald supported the invasion of Iraq.

TRUMP: Wrong.

CLINTON: That is absolutely proved over and over again.

TRUMP: Wrong. Wrong. Wrong.

CLINTON: ...United States and...

TRUMP: Wrong. It`s wrong.

Would you like to hear?

HOLT: Since you supported it, why is your judgment.

TRUMP: Wait a minute, there`s a person with a temperament that`s got a problem.

HOLT: Secretary Clinton.

CLINTON: Whoo. OK.

(END VIDEOTAPE)

(COMMERCIAL BREAK)

HAYES: Fox News is no stranger to warranted critique over its racial politics. And now the network finds itself facing an actual firestorm of controversy over a segment featuring one of its correspondent. The correspondent was dispatched to New York`s Chinatown to ostensibly discuss the 2016 election.

But the segment that aired had little to do with political discourse. Instead it trotted out a whole host of tired and offensive Asian stereotypes half edited together with movie clips. As writer Suzy Kim put it, how much trolling, anti-Asian racism can you pack into one news segment? More than I ever thought possible.

(BEGIN VIDEO CLIP)

UNIDENITIFIED MALE: Am I supposed to bow to say hello?

i like these watches. are they hot?

UNIDENITIFIED MALE: JC Penney, $3,98.

UNIDENTIFIED MALE: Do you like Donald Trump?

UNIDENITIIFED MALE: Yes. Hillary Clinton basically is an extension of Obama.

UNIDENITIFIED MALE: Who are you going to vote for?

UNIDENTIIFED MALE: Clinton`s wife.

UNIDENITIFIED MALE: Clinton`s wife has a name. What is it?

UNIDENTIFIED MALE: Oh, man. I forget it.

UNIDENTIFIED MALE: Snap out of it.

(END VIDEO CLIP)

HAYES: This kind of shtick was played out and racist decades ago. And needless to say, a number of lawmakers and civil rights organizations are expressing anger over the segment.

The Asian-American Journalist Association is demanding an apology from Fox News. Quote, it`s 2016. We should be far beyond tired, racist stereotypes and targeting an ethnic group for humiliation and objectification on the basis of their race.

Sadly, Fox News proves it has a long way to go in reporting on communities of color in a respectful and fair manner.

Interestingly enough, Fox News has not defended the segment. In fact, it has not commented on the matter. As for the correspondent, he called himself in what I don`t think was meant to be a joke, a political humorist, and defended his segment on Twitter, "my man on the street interviews are meant to be taken as tongue-in-cheek, and I regret if anyone found offense.

In completely and totally unrelated news, Asian-Americans are the fastest growing racial group in the U.S. and could potentially influence key battleground states this election cycle, because over the course of two decades, the Asian-American vote in presidential elections has gone from being solidly Republican to solidly Democratic.

In fact, new polling shows Hillary Clinton up 41 points among Asian- Americans. In fact, that same survey found that Asian-Americans are more than twice as likely to identify as Democrats than Republicans.

And maybe, just maybe because they are completely repulsed by a political movement whose most high profile voices think it`s hilarious to punk and humiliate their grandmothers.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: Trump has been beating up on China. How does that make you feel?

BERNADETTE PETERS, ACTRESS: Speak, speak, speak, why don`t you speak?

(END VIDEO CLIP)

HAYES: Boy, it really is impossible to figure out how Donald Trump came to be the Republican nominee, isn`t it?

(COMMERCIAL BREAK)

HAYES: In the nine days since the first presidential debate, the polling has not look good for Donald Trump. Hillary Clinton has gained a point and a half in the RealClearPolitics polling average while Trump has lost a tenth of a point. And over that same period of time forecasting sites like FiveThirtyEight have taken Clinton from a 54 percent chance of winning to a 76 percent chance.

The New York Times Upshot estimates her chances of winning now at 81 percent.

Now, on its face the 2016 presidential contest has at times seemed unpredictable. And that`s largely because of the presence of Donald Trump and partly because Hillary Clinton is one of the most uniquely polarizing figures in American politics.

But when you widen the aperture a bit, the general shape of things doesn`t look that much different than 2008 and 2012. In each of those contests, Democrats surged ahead before some event late in the race showed polls tightening. In 2008, it happened after Sarah Palin was announced as John McCain`s runningmate. Polls tightened considerably and then Democrats regained theupper hand and Obama pulled out a pretty sizable win.

In 2012, it happened in October after that first presidential debate in which Romney was seen as the consensus winner. That race remained pretty close into the final stretch with Obama holding a consistent edge.

We saw tightening a few weeks ago when Clinton had her worst week of polling after she referred to trump supporters as, quote, in a basket of deplorables and fell ill at the 9/11 memorial service. The question now is will the basic fundamentals reassert themselves? And does that mean Democrats are on a glide path to victory?

Joining me now, Hari Sevugan, he`s former national press secretary for the Democratic National Committee and Katie Packer, former deputy campaign manager for Romney 2012 and an MSNBC contributor.

And Hari, maybe I`ll start with you. I remember listening to David Plouffe give interviews during those two weeks after 9/11. They were the two worst weeks of polling for Hillary Clinton and Plouffe was unflappable. His whole thing was you guys are all freaking out. The fundamentals are the fundamentals. We know how many votes we need in each of these states, each of these counties and swing states. We know what the demographic composition of the electorate is. Don`t worry about it.

That to me seemed unpersuasive then but maybe looks better now?

HARI SEVUGAN, FRM. DNC NATIONAL PRESS SECRETARY: Yeah, well look, I think he`s right. I mean, the fundamentals are the fundamentals. The map is the same and the math is the same. It`s a much harder road for him to get 270, but more than that Donald Trump isn`t doing what he needs to do, right. So, he hasn`t invested in data, and Kate can tell you how much a strong data program is going to help on election day, or on GOTV (ph), or field. And he hasn`t put the coalition he needs together to win.

Now Romney had 17 percent of the white vote in 2012 and he lost, because of the demographic changes in the country, Trump would need 22 percent of the white vote, according to FiveThirtyEight to win.

HAYES: I`m sorry, just to be clear, a lead of 17 percent, above the...

SEVUGAN: Yeah, I`m sorry. Margin.

HAYES: If Donald Trump was getting 17 percent of the white vote...

KATIE PACKER, DEPUTY CAMPAIGN MANAGER FOR ROMNEY 2012: I`d have heard about that math.

HAYES: We`d be looking at a 90-10 kind of election sort of situation.

So, wait, but just so the people are clear on that, right. So, Romney won white voters by 17 points. Just demographic change means that Trump would have to win white voters by 22 points just to stay even.

SEVUGAN: And he has 13. So, that margin is at 13 for him.

So that`s where my confidence in the fundamentals of this campaign are really high. And the biggest fundamental of this campaign that hasn`t changed is Donald Trump makes every single day about Donald Trump, and if it`s a referendum on Donald Trump, he`s not going to win.

HAYES: Yeah, Katie, this -- Hari`s point there I think is fascinating about white voters, because I think there`s been so much emphasis on -- particularly on race, particularly on Donald Trump and race and the idea that he can essentially boost his performance along white voters perhaps at the expense of non-white voters by sort of embracing this line on **immigration** or the Muslim ban.

But Romney, Romney was -- did better than Donald Trump is currently doing among white voters which is pretty remarkable.

PACKER: Well, that`s the fundamental problem. And you`re right, the fundamentals of the race are, as David Plouffe said, these battleground states are tough places for Republicans to win. You know, in spite of some of the mistakes that we made as a campaign in 2012, we did do most things correctly in terms of ground game in terms of get out the vote. And it`s just hard.

It`s hard in most of these states for a Republican to win. You don`t have any margin for error. And Donald Trump seems to be going out of his way every single day to **alienate** exactly the kinds of voters that you need to get you over the threshold.

The problem with his whole strategy is these so-called Reagan Democrats that crossed party lines back in the `80s, they`ve been voting Republican for the last two decades. So those aren`t new voters, those are the same voters that voted for John McCain and George W. Bush and Mitt Romney. we had to have the politics of addition if we want to win general elections nationally, and Donald Trump is failing that math.

HAYES: Well, that`s a great point. Now, there`s a more sophisticated version of that argument which is the David Wasserman missing white voter thesis, which he wrote after 2012, largely in response to what had happened demographically with Romney.

Which he points out, and this is factually true, there are millions and millions and millions of white non-college voters who just don`t vote, right. They`re either not registered or they`re registered and they don`t vote. And Hari, there was some sense that maybe Trump would be the person to bring those voters sitting offline online and there`s maybe some evidence in states like Wisconsin or Ohio where he is sort of overperforming where you would think he`d be that he is, but it still doesn`t look like it`s going to be enough.

SEVUGAN: Yeah, I think that`s right. The other problem there is I do believe that he`s energizing voters in certain demographics, but the problem is he hasn`t invested in registration efforts or get out the vote efforts, so sort of these fallout voters or the sporadic voters who don`t vote every cycle that you`re talking about are going to need extra help getting registered and getting to the polls and he hasn`t invested in those programs.

So them actually showing out the casting voters room is going to be much harder to do. And that makes his -- as Keith said, the challenge in swing states very, very difficult.

HAYES: And Katie, you know, I was -- just yesterday I was in Farmville, Virginia, which by the way, absolutely lovely place, Longwood University, Farmville, could not be a more lovely pristine little idyllic college town.

And, you know, talking to Obama veterans -- my brother was field director for the state in `08 for Obama. And, you know, at the time making a strong play for a Democrat in Virginia seemed a real stretch. We`re two cycles later and both in both Virginia and Colorado you have got states that have seen stretches that are now pretty solidly -- I mean, Virginia`s remarkably performing for Hillary Clinton in a way I wouldn`t have predicted.

That stacks the deck even more.

PACKER: Well, what you see in places like Virginia and Colorado is that for every voter that you were talking about that maybe hasn`t been energized to vote in the past that is, you know, working class white voter, that may be coming out for Trump, there`s one or two suburban white Republican women like me who have voted Republican their entire life and can`t stomach voting for a candidate like Donald Trump.

And so again it`s just the politics of basic math. If you`re losing a voter or two for every voter you`re bringing in, the math just doesn`t add up.

HAYES: Yeah, and then on top of that, there`s this sort of ground game question which we`re going to sort of get a sense of.

Hari, very quickly, do you think it`s possible for Hillary Clinton to do something like, say, lose Ohio and end up winning, say, North Carolina?

SEVUGAN: Yeah. I do. And, you know, the thing is, she can do that. The fundamental here is that there are a ton of routes for her to get to 270. There`s only one for Donald Trump.

HAYES: That would really be fascinating, losing Ohio and winning North Carolina.

Hari Sevugan and Katie Packer, great thanks. Really appreciate it.

That is All In for this evening. The Rachel Maddow show starts right now.

END

**NEW\_DOCUMENT\_HERE**

Chris Hayes, Michael Steele

9427 speakers\_end

(BEGIN VIDEO CLIP)

DONALD TRUMP (R), PRESIDENTIAL CANDIDATE: I understand the tax laws better than almost everyone, which is why I am one who can truly fix them.

CHRIS HAYES, MSNBC HOST: The fight over Trump`s taxes hits the trail.

TRUMP: I have brilliantly used those laws.

HAYES: Tonight, as Clinton moves ahead in key battleground states, why Donald Trump`s tax trouble is just starting.

Plus, from the Saturday night meltdown.

GOV. CHRIS CHRISTIE, (R-NJ) TRUMP ADVISOR: Give me a break.

HAYES: To Sunday morning hot dates.

UNIDENTIFIED MALE: The man`s a genius.

HAYES: The state of the Trump campaign as their top surrogate gets ready to debate.

(OFF-MIC)

HAYES: And another decision ...

LEBRON JAMES, BASKETBALL PLAYER: And this fall, I mean, it`s very tough.

HAYES: LeBron James takes his talents to Brooklyn.

HILLARY CLINTON (D), PRESIDENTIAL CANDIDATE: I was especially honored to receive the endorsement of LeBron James.

HAYES: I`ll ask Senator Sherrod Brown if the king can deliver Ohio when "All In" starts right now.

(END VIDEO CLIP)

HAYES: Good evening from Washington, D.C., I`m Chris Hayes. Tonight, Donald Trump and his running mate, Mike Pence, are both campaigning in battleground states ahead of tomorrow`s vice presidential debate, trying to rebound from the worst week for their campaign in months and possibly ever.

It`s been exactly seven days since Trump`s disastrous performance at the first debate followed by his voluntary feud with the former Miss Universe accusing him of mistreatment and attempts by his campaign to attack Hillary Clinton over her husband`s sexual history.

A bunch of new battleground state polls suggest this has all taken a toll. After watching her margins shrink in recent weeks, Clinton now holds sizeable leads in Colorado, Florida, Pennsylvania and just barely North Carolina, enough states to deliver an Electoral College win.

Trump still holds the lead in Ohio. And after all of that, this weekend came the New York Times bombshell report on Trump`s 1995 tax return and the loophole that may have allowed him to avoid paying federal income tax for almost two decades.

Today, the Republican nominee tried to explain it away during a campaign south (ph) in Colorado using language echoing a key line from his convention speech, "Nobody knows the system better than me which is why I alone can fix it".

(BEGIN VIDEO CLIP)

TRUMP: Many so-called experts, due to their sheer size and complexity of the code, don`t have a clue what these pages represent.

I understand the tax laws better than almost anyone, which is why I am one who can truly fix them. I understand it. I get it.

(END VIDEO CLIP)

HAYES: According to records obtained by "The Times" sent in by an anonymous tipster, Trump declared $916 million loss on his 1995 income tax return, a deduction so enormous it could have allowed him to legally avoid paying federal income tax for 18 years. Since Trump hasn`t made his tax returns public, we have no way of knowing if that`s what he actually did.

His campaign didn`t deny it. Though they said in the statement, "Mr. Trump has paid hundreds of millions of dollars in property taxes, sales and excise taxes, real estate taxes, city taxes, state taxes, employee taxes and federal taxes, along with very substantial charitable contributions."

Again, we have no way to know if any of that`s true without seeing his tax returns. As for his charity, more on that in a moment.

Like Trump himself, some of his top surrogates are spinning the apparent tax avoidance and the nearly billion dollar loss and enabled it as a positive.

(BEGIN VIDEO CLIP)

CHRISTIE: There`s no one who`s shown more genius in their way to maneuver around the tax code and this is actually a very, very good story for Donald Trump.

RUDY GIULIANI, FMR. NYC MAYOR: Don`t you think a man who has this kind of economic genius is a lot better for the United States than a woman? And the only thing she`s ever produced is a lot of work for the FBI checking out her e-mails.

(END VIDEO CLIP)

HAYES: Meanwhile in Ohio, Hillary Clinton is using "The Times" report to sell her broader argument about Trump`s character.

(BEGIN VIDEO CLIP)

CLINTON: Here`s my question. What kind of genius loses a billion dollars in a single year? This is Trump to a T. He`s taken corporate excess and made a business model out of it.

(END VIDEO CLIP)

HAYES: Just as the tax return story is being published on Saturday night, about 36 hours give or take after Trump`s early-morning tweet storm, smearing his ex-beauty queen nemesis, the candidate delivered an unhinged performance of a kind we haven`t seen in, well, quite a while. Weeks at least. Since before the campaign`s new management figured out how to keep him on teleprompter, an attempt to save him from himself. It was a classic Trump off script, calling Hillary Clinton crazy, making wild accusations about her behavior, even imitating her fainting spell at the 9/11 memorial.

(BEGIN VIDEO CLIP)

TRUMP: Here`s a woman, she`s supposed to fight all of these different things and she can`t make it 15 feet to her car. Give me a break. Give me a break.

Give me a break. She`s got bad temperament. She`s got -- she could be crazy. She could actually be crazy.

Let me tell you, Hillary Clinton`s only loyalty is to her financial contributors and to herself. I don`t even think she`s loyal to Bill, if you want to know the truth.

And really, folks, really, why should she be, right? Why should she be?

(END VIDEO CLIP)

HAYES: The tax return story and Trump`s own behavior have managed to overshadow a handful of other investigative reports that might have been campaign ending in any other election year.

The Associated Press talked to 20 former crew members, editors and contestants on "The Apprentice" who described lewd, sexist behavior by Trump behind the scenes, including rating female contestants by the size of their breasts and talking about which ones he`d like to have sex with.

According to Trump campaign, these allegations are without merit.

Another big story claims that Trump organization did business with an Iranian bank, later linked to terrorism, first, simply buying a building where the bank rented office space for them, keeping it as a tenant for another four years after the Treasury Department designated the bank as controlled by the Iranian government.

And Newsweek has a big scoop on how Trump sources these big construction projects reportedly buying steel and aluminum from manufacturers based in China instead of the U.S., today also brought consequences for Trump as a result of Washington Post reporter, David Fahrenthold`s dogged (ph) reporting on his charitable foundation. After Fahrenthold reported last week, the foundation lacks the proper certification to solicit donations in New York State.

Today, the State Attorney General offered order to Trump Foundation to cease raising money in New York.

Joining me now, Andrew Sullivan, contributing editor in New York Magazine, MSNBC political analyst, Michael Steele, former chair of the RNC, and Neera Tanden, president and CEO of Center for American Progress.

Well, I feel the way you sometimes feel at a big hotel breakfast, brunch, buffet, which is there`s so, so much. I`m not sure what to put on the plate first.

MICHAEL STEELE, FORMER RNC CHAIRMAN: How about we start with the sausage.

HAYES: Let`s start with the taxes because I think that`s ...

STEELE: And sausage.

HAYES: ... and I don`t want to talk about tax policy because we`ll talk about that a little later in the show. But, to me, the biggest thing here is, 900 -- it`s hard to lose $900 million in a year.

STEELE: Actually, it really isn`t, given -- I`m going to tell you, given the magnitude of the types of businesses and transactions he`s involved in, we don`t know if that`s a combination of, you know, losses that have added up to that, if that`s a single loss, we don`t know.

HAYES: Right.

STEELE: But the total is -- I mean, it`s -- and he has a lot of money.

HAYES: 2 percent of the reported losses (inaudible) in that year.

STEELE: But a lot of that was probably related to casino transactions that were going bad at the time in terms of the types of ...

HAYES: Which speaks to the point that at that time ...

NEERA TANDEN, PRESIDENT & CEO CENTER FOR AMERICAN PROGRESS: When does the house lose?

HAYES: Right, in the mid `90s ...

STEELE: I mean, why are we sitting here and shocked that businesses lose money? They do. And, businesses lose a lot of money and when you aggregate it over a period of time, it can add up to a lot of money.

HAYES: Do you think -- Andrew, do you think this -- I mean ...

STEELE: I`m not shocked by the number, no.

HAYES: Part of the stick (ph) here is that this guy is a great businessman. That`s his essential selling point, right, I mean, the guy ...

STEELE: You can still be a great businessman and lose money.

HAYES: I don`t think the record supports he`s a great businessman.

ANDREW SULLIVAN, CONTRIBUTING EDITOR NEW YORK MAGAZINE: He was a terrible businessman. We actually look at the history of this and you look at how much he spent in Atlantic City, you see how he organized it, how crazy the organization was, how he himself was losing it the first week ...

STEELE: But that`s not all of his casino properties. That`s not Mar-a- Lago, that`s not a whole lot of more successful transactions.

SULLIVAN: The only excuse he had today was that we had a real estate recession in the early `90s. This was `95, OK, this is way after the worst.

STEELE: Right.

SULLIVAN: The more you look at his actual business record, the more completely cap-handed (ph) amateurs, it`s fueled entirely by his political connections and by leverage.

STEELE: But you can`t deny the successes that he`s had as well.

SULLIVAN: No, I ...

STEELE: So you want to focus on the negative stuff as well as ...

HAYES: Well, no, but I think ...

STEELE: ... and not take in the context ...

HAYES: I think he`s had one major unmitigated success and that was playing a successful businessman on television.

TANDEN: Absolutely.

HAYES: That was an incredibly -- that was -- it`s very successful. Other than that, he had four bankruptcies, he left a whole bunch of ...

STEELE: Out of how many properties that he owns and manages ...

HAYES: Oh, so many things that went out. I mean, he ...

STEELE: I mean, I get ...

HAYES: He lost money ...

STEELE: Chris, I get what you`re trying to do but I`m just saying, you got to keep it all in context here. I mean, you can -- there are -- you know what, I don`t know the man`s -- all the man`s business. I`m just saying what I`ve read and what I do know, and I piece it all together, he has -- there are pockets where there`ve been failures, obviously, but there are also pockets of success.

(CROSSTALK)

SULLIVAN: Michael, it`s because he used his political connections to get special ...

STEELE: Well, who doesn`t?

SULLIVAN: Well, I`m sorry, but when you`re working for a living and you don`t have those connections, you can`t get at it, and the man used his tax lawyers, let me finish in a second.

STEELE: What world do you people live in, you don`t think businessmen don`t use -- particularly in New York ...

SULLIVAN: I`m saying ...

STEELE: ... don`t use their connections?

SULLIVAN: ... the core of his entire world ...

STEELE: Come on.

SULLIVAN: ... is built on connections and ...

STEELE: Of course.

SULLIVAN: ... and leverage.

STEELE: Of course.

SULLIVAN: And incredibly risky leverage.

TANDEN: I mean, at the same time, can I just point out that we -- he has a consistent history of not paying the people who work for him. So, at the same time that he was bilking is basically using the tax code to not pay taxes, he was stiffing, you know, small business after small business after small business. Don`t tell me he`s a good business ...

STEELE: We don`t know if he has to pay taxes, you don`t know that.

(CROSSTALK)

STEELE: (Inaudible) actually do not know that. You cannot make that statement.

TANDEN: At the time he was not paying taxes.

So let me just say, he has made this claim that he`s a fantastic businessman, but he will not show his taxes to prove it. So we have no idea. You have no idea (inaudible). This is all a charade as far as we know.

STEELE: I`ve been saying since the beginning, I said from the beginning, release the taxes because ...

UNIDENTIFIED MALE: Right.

STEELE: ... otherwise we wouldn`t be having this conversation. Oh, wait, yes, we would because ...

TANDEN: No.

STEELE: ... we`ll find something and then think about his taxes.

HAYES: Well ...

(CROSSTALK)

HAYES: ... lots of failures.

STEELE: Well, again, you say lots of failures, but he also has lots of successes.

TANDEN: How do you know?

STEELE: Because I look at the properties that are successful, I look at the casinos that are successful.

TANDEN: Really?

(CROSSTALK)

TANDEN: He uses his brand. You don`t know what he owns.

STEELE: Well, that`s success, isn`t it?

(CROSSTALK)

STEELE: If you could take your name and plaster it on a building and someone gave you $100 million, you wouldn`t call that success?

(CROSSTALK)

TANDEN: If I lost a billion dollars in a year, I would not be telling the American people I`m a great success. I would be saying, I`m a failure.

STEELE: He does, I mean ...

(CROSSTALK)

TANDEN: No, no.

HAYES: No, but this is the point. To me, what he`s been most successful at is presenting himself as a success and the guy has gone through nine lives. I remember growing up in New York City and the tabloids were ...

STEELE: Success, very success ...

HAYES: ... and there was a point -- exactly.

STEELE: Right.

HAYES: It washes out and he was washed out again and he kept coming back.

The biggest thing that made him really come back after a big stream of really bad embarrassing failures, I mean, you know, the down and out (ph) Donald Trump was The Apprentice.

TANDEN: That explains ...

HAYES: And the thing that he was best at, the thing that he has been best at in this campaign, he was really good on that show. That felt rated, that made money. And in this campaign, we have seen him able to successfully project success, which is part of the reason I think a lot of people think that he doesn`t want to release his taxes.

TANDEN: Yeah.

SULLIVAN: The only reason he didn`t crash and burn was because of his name. OK? And because he was too big -- let me finish. He was too big to fail. He got the banks around, they realized if they let him fail as he should have, they would have gone down, too.

STEELE: That`s right.

SULLIVAN: The amount of special breaks this man has gotten from his entire life ...

(CROSSTALK)

TANDEN: Don`t claim you`re a champion of the middle class and working people when you basically used a rigged system to advance yourself and don`t pay the people you owe.

HAYES: Let me ask you this, let me ask you this, Michael. So, we have the great teleprompter period, OK?

STEELE: Yes.

HAYES: Which was right around -- two things happened, right? That and Kellyanne Conway come on, Hillary Clinton faints at the 9/11 memorial, there`s the deplorable comment and Trump spends about three weeks on prompter.

He`s doing things like ...

STEELE: I know.

HAYES: ... boring, normal stuff, like he did an education day where he`s like, this, we`re rolling out our school choice policy." And it`s like, "Oh, you`re --, right, OK, I sort of know how this game goes."

That`s the -- I mean, that`s the thing to me that in some ways is most notable about this past week is, in the wake of the debate performance, all of that seems gone. Like, he`s got the phone back, he`s doing impersonations at the podium ...

TANDEN: (Inaudible).

HAYES: ... and that to me has to be the thing that if you`re a Republican down-ballot or Republican in the RNC, that`s the most terrifying.

STEELE: Well, let me -- number one, just -- there is no down-ballot problem the way everyone projected it would be before. I think ...

HAYES: There`s less, I agree.

STEELE: There`s less voters ...

HAYES: Yes.

STEELE: ... voters have bifurcated this race ...

HAYES: Yes.

STEELE: ... in a way and will continue to do so over the next 40 days.

You`re absolutely right, however, though in the turn that we`ve seen to have happened in this past week where he`s gone back into manic Trump, where he`s got to respond to everything and fixate on one person for seven days.

HAYES: Which -- and I got to say like, again, just to keep our eyes on the ball here, that is -- you can say, "Well, that`s bad politics." It`s unnerving in the person that wants to be ...

TANDEN: Yes, I ...

HAYES: ... the most powerful person in the world.

STEELE: I`m not disagreeing with you. Don`t get me wrong.

(CROSSTALK)

SULLIVAN: It`s incredibly unnerving, it make -- it sends waves of anxiety through me and through a lot of other people. The idea that someone this unstable, this unable to be controlled even by the people around him whom he trusts could possibly be president of the United States. But it`s also, Michael, it`s also sickening. When does a presidential candidate mock another person`s illness?

UNIDENTIFIED MALE: Yeah.

SULLIVAN: And what -- where will he -- how low ...

STEELE: I don`t ...

SULLIVAN: ... will this awful ...

(CROSSTALK)

SULLIVAN: ... stoop?

STEELE: We always find a new one, don`t we? We always find a new low to reach. So ...

HAYES: I think that was a new one.

STEELE: So the bottom -- but we do, because -- we, too, because you look at where the polls are and you look at where this election is, if it was that offensive, if people were that turned off, this would be a 30-point race, it will be a 50-point race. This would be a very different race than the one that we have now.

So, I get the frustration and anxiety we have with Trump, but this is also kind of a looking at ourselves and looking at the opponent that he has, that is not generating that kind of ...

TANDEN: Can I just say, first and foremost, we are in day seven of the meltdown. Polls are moving. We`ll see what it`s like in a few days on ...

STEELE: Oh boy, you know, we`ve been -- how many times have we been in day seven about Donald Trump meltdown.

HAYES: It is, you know, day seven of ...

(CROSSTALK)

TANDEN: OK, OK, OK.

STEELE: Do you ever post convention?

(CROSSTALK)

HAYES: No.

STEELE: Do you ever post ...

HAYES: Yeah.

STEELE: ... GOP debates?

TANDEN: Yeah, and you know what, those (inaudible), too.

I -- my point is, I think in about a week or two, people are actually going to be voting and I think the real challenge ...

STEELE: They already are.

TANDEN: And the real challenge here is that we are seeing what he would be like under stress.

STEELE: Right.

TANDEN: This -- you know, essentially, he just got baited by Hillary Clinton. You know, foreign countries try to bait as well.

STEELE: Yes.

TANDEN: And the reality is ...

STEELE: Yes.

TANDEN: ... he is in a campaign where he is restricted by a vote and he`s completely unhinged. Imagine what it`ll be like as president when there is no vote coming up and I think that scares a lot of people.

HAYES: How does the (inaudible) respond to that?

That is the open question and we`re 36 days out and some polling shows that it matters to the margins, but you`re right, there`s a bedrock for whom it does not. And ...

SULLIVAN: But Clinton is not running and particularly goes camping (ph) ...

HAYES: Yeah ...

SULLIVAN: ... OK, debate but she could have knocked him out after the debate.

HAYES: Well, I don`t think there`s ...

(CROSSTALK)

HAYES: ... any such thing as a knockout.

SULLIVAN: No. But this is a contest between two campaigns that are really bad and she`s not as bad as he -- he`s in a different category.

HAYES: (Inaudible) respectfully would say.

SULLIVAN: People want change. People really want change. He`s got that. People want an outsider. He`s got that. That`s why he`s a 45 ...

(CROSSTALK)

SULLIVAN: ... a terrible candidate. If Biden were running, he will be killing him like that (ph).

HAYES: Totally disagree, and I`ll just say the last point, the PBB polling that actually asks people about President Obama in Ohio had him running essentially equal with her, which I think is an interesting point to the sort of structural nature of this.

Andrew Sullivan, Michael Steele, Neera Tanden, thank you all very much.

Still ahead, campaign surrogates are scrambling to clean up Trump`s disastrous week. Well, what about when they make it worse. And what will the campaign`s number one surrogate be able to defend Donald Trump in his debate tomorrow. That`s ahead.

First, three pages of tax returns opens a massive Pandora`s box for the Republican nominee, the depth and breadth of Donald Trump`s tax problems after this two-minute break.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

CLINTON: Back in the 1990s, Trump apparently lost a billion dollars in a single year on bad investments and failing casinos.

Now, how anybody can lose a dollar, let alone a billion dollars in the casino industry is kind of beyond me, right?

But it`s just hard to figure. But as a result, it doesn`t look like he paid a dime of federal income tax for almost two decades.

(END VIDEO CLIP)

HAYES: Revelation from The New York Times that Donald Trump declared $916 million loss on his 1995 tax returns undercuts one of Trump`s primary selling points, his carefully cultivated reputation as a good businessman.

Trump today did not dispute that he lost nearly a billion dollars, he argued that like pretty everything else, it just wasn`t his fault.

(BEGIN VIDEO CLIP)

TRUMP: The conditions facing real estate developers in that early `90 period were almost as bad as the great depression of 1929 and far worse than the great recession of 2008. Not even close.

(END VIDEO CLIP)

HAYES: OK, that claim is ridiculous on its face. The brief recession in the early 1990s, which is followed by a long period of growth and prosperity was a minor blip compared to the great recession, which again, was driven primarily by real estate losses.

And Trump`s losses in the 1990s were truly historic. In 1995, Trump claimed nearly 2 percent of all the net operating losses on individual tax returns in the entire country. Think about that.

And, as Hillary Clinton noted, the guy was running casinos.

Trump likes to claim the system is rigged against ordinary Americans, but what a glimpse into his tax returns reveals is the massive degree where they`re actually rigged in favor of wealthy people like Trump. It seems to have exploited the tax code and managed to simultaneously maintain his extravagant lifestyle using his losses to deny the government revenue, and also whose tax plan would allow such practices to continue, while making changes that would likely benefit people like Trump and businesses like his own in a major way.

Remember, this is all based on just three pages of Trump`s tax records from 1995. Even after this weekend`s bombshell report, Trump is still refusing to release his tax returns which suggests, as her client points out, that whatever is in his returns is even worse than what the New York Times is telling the world is in his returns.

Joining me now, MSNBC chair (ph), Jared Bernstein, former chief economist and economic adviser to Vice President Joe Biden.

So let`s talk about the tax item. I`ll play devil`s advocate for a second.

JARED BERNSTEIN, FORMER CHIEF ECONOMIST: Sure.

HAYES: When you have a loss, you can`t get negative taxes, right?

BERNSTEIN: Right.

HAYES: The government doesn`t cut you a check. So, the way this works, you get a loss, you get to defray over a number of years, and what`s wrong with that?

BERNSTEIN: Well, there`s nothing wrong with that if that number of year is just a couple of years. Now, here, we`re talking about 20 years ...

HAYES: Again, we don`t know if he used it. So just ...

BERNSTEIN: Right, but he has a -- because of these carried back losses and carryforward, you have 20 years within -- actually, 18 years within what you can claim these losses against your tax liability.

Now, basically, the way this loss thing is supposed to work is that if you`re a small business, a startup, or even a large company that hits a recession for a year or two, you can get hit by a down economy and then you actually could use that year or two to make up those losses.

What we`re -- what we see happening here is by 1995, by the way, and the real estate market had completely picked up, Trump has not only looked, not only like he`s continuing to tap these losses year and year out, he`s making new losses. That was something that was also in the report. There was a $16 million loss in 1995. So, he continues to generate ...

HAYES: Wait, and part of this, too, is just -- is distinguishing between actual economic losses and paper losses, right? I mean, part of the game here and part of the reason the tax code, particularly for -- in real estate which is very complex and very shot through with loopholes, part of the game is actually trying to get real economic gains while creating paper losses ...

BERNSTEIN: Correct.

HAYES: ... so you don`t have to pay any taxes.

BERNSTEIN: Correct. So the Trump play is a very simple one. First of all, you borrow a bunch to buy a bunch of buildings and you can write off the interest on that borrowing. So that`s play one.

Play two is you can then start to deduct losses, which we`re seeing now. And part of those are just kind of a straight line depreciation that goes on in this -- in the real estate code, and even if the building is actually appreciating in real term, so you`re reeling in income ...

HAYES: Right.

BERNSTEIN: ... you can claim depreciation in paper losses and what his tax lawyer say that this is precisely what Donald Trump was doing back there in the mid `90s, he was building his income significantly while he`s claiming his losses.

HAYES: That`s the key, right? Because when you look at someone who says, you know, there`s a story that apparently he told about like 22 homeless guy thing, you know, that guy is worth more than me. I`m worth negative $900 million.

But the point is, he`s not on the street at this point. He`s living extremely well because there`s actual dollar income coming in.

BERNSTEIN: Correct.

HAYES: It`s just hidden by the paper losses.

BERNSTEIN: Right. So when you want to talk about carrying these losses in a way that`s actually kind of reasonable in the code, you can talk about a year or two either way while you`re actually really hitting hard times. But in this case, you`re talking about claiming losses in a period where you`re accumulating significant income.

HAYES: Right. You`ve also got the sort of ...

BERNSTEIN: Most people can`t do that.

HAYES: Right. The policy aspect of this is, of course, there are huge breaks for the top in his tax plan. About an average of about $120,000, I believe, for the top 1 percent.

There`s also getting rid of the estate tax. And the reason I find that so fascinating is, part of the play here is, if you can just hold on to your buildings and stuff and never sell them, you never have to essentially pay out the taxes. Then, if you could just -- when you die (inaudible) your family ...

BERNSTEIN: Right.

HAYES: ... and there`s no estate tax, you get away with it all.

BERNSTEIN: Right.

HAYES: Let me try to get rid of (inaudible).

BERNSTEIN: And that`s right. So getting rid of the estate tax takes care of that part. But there`s something else going on here. You may notice that what he`s done here in this tax return from 1995 is he`s taken his business losses and he`s brought them over to the personal side of the tax.

HAYES: Right.

BERNSTEIN: So it`s called pass-through income. His other play in his plan is to take the pass-through rate down from its current, you know, 40 percent, which is a top rate for a guy like him, to 15 percent.

HAYES: Right. So -- OK. So in his own world ...

BERNSTEIN: Basically (ph) huge ...

HAYES: ... he has smuggled a huge amount of income that would then be tax reduced under his plan.

BERNSTEIN: Yeah.

HAYES: Jared Bernstein, thanks for your time tonight.

BERNSTEIN: It`s my pleasure.

HAYES: But first, LeBron James says he`s with Hillary and why his announcement is much more than a celebrity endorsement. Ohio Senator Sherrod Brown joins me to discuss, ahead.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

CLINTON: Donald thinks that climate change is a hoax perpetrated by the Chinese. I think it`s real.

TRUMP: I did not ...

CLINTON: I insist ...

TRUMP: I do not say that.

(END VIDEO CLIP)

HAYES: Hillary Clinton and Donald Trump were not asked about climate change the last Monday`s debate, but the fact that Clinton brought up the issue on her own and then Trump falsely denied having deemed climate change a hoax was very revealing. Because particularly for young voters, this is an issue that matters, wrong (ph). And Trump who want to eliminate the EPA is very much on the wrong side of it.

Polling of Millennials in one (ph) of battleground states over the summer found that three-quarters of millenials are more likely to support a candidate who wants to transition the U.S. away from fossil fuels and toward clean energy.

Poll also found nearly half of those millenials wrongly felt there was no distinction between Clinton and Trump on the issue, which goes to why Clinton so often raises climate change on the campaign trail.

And as for Trump`s running mate, Indiana Governor Mike Pence, he is only recently acknowledged that human activity has "some impact on climate". Pence has consistently fought legislation to address climate change and long question the overwhelming scientific consensus on the issue.

(BEGIN VIDEO CLIP)

GOV. MIKE PENCE, (R) INDIANA: I`m keeping an open mind about the science of all of this, but, you know ...

UNIDENTIFIED MALE: Are you convinced that climate change is manmade?

PENCE: Well, I -- look, I don`t know that that is a resolved issue in science today.

(END VIDEO CLIP)

HAYES: And tomorrow night`s vice presidential debate, Democratic Vice Presidential Nominee, Tim Kaine, will likely press Pence on climate issues, though that maybe the least to Pence`s problems.

Pence is going to have to defend not just his own far-right record, but also all the things that Donald Trump has said and done over the course of this campaign, heck, in the last week.

The excruciating task facing Mike Pence in the debate stage, ahead.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

CLINTON: You know, it`s a great day to be here in Ohio for a lot of different reasons. One is, I am so thrilled that LeBron James has endorsed me and joined our campaign.

Now, one thing I know -- I`ll just say it, because I know it`s for sure, I hope to be elected president but I know, here in Ohio, LeBron will always be the king.

(END VIDEO CLIP)

HAYES: Hillary Clinton was quick to tout an endorsement from LeBron James today on her first trip to Ohio since Labor Day. James, one of the most popular athletes on the planet, perhaps the most beloved figure in the swing state of Ohio wrote an op-ed yesterday that stated, quote, "only one person running truly understands the struggles of an Akron child born into poverty. That candidate is Hillary Clinton."

James`s enthusiastic endorsement could help Clinton expand the electorate in Ohio, which enabled Barack Obama to win the state twice. And while a new Quinnipiac swing state poll out today finds Clinton ahead in three of those swing states, she trails Trump in Ohio by five points.

This is due in some part to Ohio`s demographics -- older, whiter, less educated than the nation at-large and continues to favor Trump. So today just in time to draw attention to the state`s voter registration deadline next Tuesday, Hillary Clinton delivered an economic speech indirectly at Trump support in Ohio

(BEGIN VIDEO CLIP)

CLINTON: I oppose TPP now. I will oppose it after the election. I will oppose it as president because it is one-sided and unfair to American workers. As president, I will appoint tough, independent authorities to strengthen anti-trust enforcement and really scrutinize mergers and acquisitions.

Consider the recent examples we`ve seen of egregious corporate behave. Look at Wells Fargo, one of the nation`s biggest banks, bullying thousands of employees into committing fraud against unsuspecting customers.

(END VIDEO CLIP)

HAYES: And joining me now is Senator Sherrod Brown, Democratic from Ohio.

Senator, I`ve got to start with LeBron James because the obvious metaphor here is that Hillary Clinton has been trailing in Ohio poll after poll after poll, I think somewhat surprisingly, a little surprisingly, but then of course the Cavs were down 3-1 and it looked like they had no shot. LeBron James comes riding in to save the day. His big endorsement yesterday, do you see a political repeat this year?

SEN. SHERROD BROWN (D), OHIO: Well, and I remember, too, being on MSNBC when LeBron signed back with Cleveland. People are excited about it here. And I think that LeBron will help with voter turnout. I think LeBron will help with young voters. And he`s committed to this. I mean, he`s a very public, spirited man.

I mean, he`s an athlete. Most athletes are not considered particularly engaged. And you can look at his charitable work in Akron, you can look at what he stands for. You can look at his commitment to civil rights and equal rights and I think LeBron just cares about people and I think you can see that something more than a professional athlete here and I think people will listen.

HAYES: There`s a story in Newsweek today that caught my eye. And I see that Hillary Clinton has now spoken about it, particularly given the context of Trump over-performing in a state like Ohio where manufacturing, trade, loss of jobs in industries like steel have been very front of mind. The fact that Trump himself has used Chinese steel it seems in two recent, big projects, Kurt Eichenwald reporting on this in Newsweek. What`s your reaction to that story?

BROWN: Well, my reaction is it`s all a game to Donald Trump. It`s always about him. It`s always about his bottom line. He buys his suits and his ties in China and Mexico. The suit I`m wearing, I bought 11 miles from literally made 11 miles from my house by union workers. I can tell you exactly where he can get steel about five miles from my house. He can buy aluminum about ten miles from my house. He can go to Toledo and buy his glassware in Archibald, Ohio and buy furniture.

I mean, for him it`s always about money, it`s always -- it`s about outsourcing jobs. The only thing made in America that Donald Trump -- that ever gets close to him is his hat that says Make America Great Again. I don`t know that he`s ever cared about this.

You and I have talked about this before, Chris. When I`ve worked against bad trade agreements for 20 years and I`ve never, ever seen Donald Trump weigh in and add to that chorus or help us organize to defeat these bad trade agreements. He just wants different trade policy now that he`s running for president.

And people in Ohio are starting to see that and people that make things in Ohio -- and we`re a state that makes things -- are going to increasingly move towards Hillary because they see through Donald Trump`s hypocrisy that way.

HAYES: Yeah. well, watching her in Toledo today was interesting. She was talking about Wells Fargo and about regulation, the importance of the Consumer Financial Protection Bureau. She also talked about anti-trust and competition and this sort of need to have the government sort of actively manage competition to avoid large monopolies, large domination of market sectors.

It`s something I haven`t heard a lot about in this campaign, but is actually a pretty huge issue. And there`s an argument it`s actually been a bigger part of what has happened to economies in places like Ohio than even the particulars of the trade deals.

BROWN: Yeah. What happens is small business gets squeezed, supply chain gets more expensive, driving up the price of whatever product is at the end product there and Ohio workers lose jobs so often and it`s partly outsourcing and trade agreements, it`s partly tax policy, which if you shut a company down in Akron, Ohio, or Canton, Ohio, and move it to Beijing or Wuhan (ph), you can actually get a tax break for doing that. That may be one of the things that Donald Trump is hiding in his taxes that he`s benefited from moving products offshore. There`s a lot of evidence for that.

And it ultimately hurts our small businesses. It hurts our workers. And it means the tax base is undermined. So a community -- I mean, come to most cities in the industrial Midwest, maybe the whole country, and you see infrastructure that`s decaying, you see police and fire is inadequate, just not enough police and firefighters, not enough teachers in the schools because of what happened to communities, because of trade policy and tax policy.

Donald Trump`s benefited from that. He`s shown no interest ever in joining the fight back on making those policies work better for working America.

HAYES: Let me ask you this. Barack Obama carried the state of Ohio twice. You`ve been elected and then re-elected in that state. You`ve got a situation right now where Donald Trump is polling ahead in that state. Rob Portman, which people thought that would be a competitive race with your Democratic colleague, of course, the former governor of Ohio, that that race doesn`t look that competitive.

Is Ohio fundamentally changing in some deep way away from the Democrats?

BROWN: Ohio maybe not -- Ohio is not particularly changing. I mean, the country`s getting less and less white, for want of a better term. Ohio is pretty much the same ethnic breakdown as it was half a generation ago. I mean, we were about 20 percent people of color, maybe 80, 81 percent white. We`re not changing as fast as North Carolina or Georgia or Virginia or Colorado in terms of **immigrants**, we`re -- you know, a, some Asians are moving in, some Latinos moving in, but not in huge numbers.

Part of it is we`ve turned the corner in Ohio, though, bringing young people back. And young -- we are blessed in this state with some of the best small college, four-year liberal arts schools dotting our states, lots of big universities who are starting to keep those graduates in Ohio. That`s going to fundamentally change the state.

But ethnic breakdown, the people of color moving in is not as rapid as other states by and large.

HAYES: All right, Senator Sherrod Brown, always a pleasure, thank you, sir.

BROWN: Good to be with you, Chris. Thanks.

HAYES: Still to come, defending Donald Trump, a tumultuous week for campaign surrogates as Trump`s top surrogate prepares to take national stage. More on that ahead.

But first, tonight`s Thing One, Thing Two right after this break.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

TRUMP: I`m putting the people on notice that are coming here from Syria as part of this mass migration, that if I win, if I win, they are going back. They are going back. I`m telling you.

(END VIDEO CLIP)

HAYES: Thing One tonight, Donald Trump has made his feelings about Syrian **refugees** very clear, keep them over there, even them send them back into the maelstrom of the worst war happening in the world right now.

His xenophobic fear about what the highly vetted **refugees** might bring into the U.S. is shared by his runningmate, Governor Mike Pence of Indiana. Before Pence became the Republican vice presidential nominee, he issued a directive to block the resettlement of Syrian **refugees** in Indiana.

(BEGIN VIDEO CLIP)

GOV. MIKE PENCE, (R) INDIANA: I directed all state agencies in the state of Indiana today to immediately suspend all resettlement efforts for Syrian **refugees**until we can receive the absolute assurance that individuals coming into our state do not represent a threat to our people.

(END VIDEO CLIP)

HAYES: It was a position shared by at least 30 other state governors, but today a huge setback to that position and a scathing denunciation to Mike Pence, perhaps as remarkable as the smackdown is just who was behind it. That`s Thing Two in 60 seconds.

(COMMERCIAL BREAK)

HAYES: So one day before the big faceoff between Tim Kaine and Mike pence, a huge appellate court ruling came down. The timing, we can assume, was coincidental. The message was deliberate and clear. Indiana Governor Mike Pence has no legal authority to stop the resettlement of Syrian **refugees** in his state, according to a ruling by a three-judge panel in the Seventh Circuit Court of Appeals.

The court sharply criticized Pence`s rationale for banning **refugees** due to terrorism saying it was evidence-free, quote, nightmare speculation. Judge Richard Posner writing, quote, "that`s the equivalent of his saying, not that he does say, that he wants to forbid black people to settle in Indiana, not because they are black, but because he`s afraid of them. But that of course would be racial discrimination, just as his targeting Syrian **refugees** is discrimination basis on the basis of nationality."

The three-judge panel, which unanimously ruled against Mike Pence`s discriminatory stance on Syrian **refugees** is also notable for this reason: all three judges are well-known conservatives appointed by presidents Ronald Reagan and George W. Bush, and one of them, Judge Diane Sykes, is on Donald Trump`s Supreme Court short-list.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP0

GOV. CHRIS CHRISTIE, (R) NEW JERSEY: No there`s no one who has shown more genius in their way to maneuver around the tax code. And this is actually a very, very good story for Donald Trump.

RUDY GIULIANI, FRM. MAYOR OF NEW YORK CITY: Don`t you think a man who has this kind of economic genius is a lot better for the United States than a woman. And the only thing she`s ever produced is a lot of work for the FBI checking out her emails.

(END VIDEO CLIP)

HAYES: Two of Donald Trump`s most prominent surrogates tried their darndest to spin possible tax avoidance and a massive, almost billion dollar loss as something positive for the Republican nominee. Needless to say it`s been a rough week for Trump`s big supporters who once again find themselves defending an increasingly erratic candidate on a whole host of issues. Former, New York City mayor Rudy Giuliani not only defended Trump for possibly not paying taxes for 18 years, but also backed up Trump`s recent attack on Bill and Hillary Clinton`s marriage.

Giuliani, whose second wife learned he was separating from her at a press conference while he lavished praise on his third soon to be third wife was asked by my colleague Chuck Todd whether he was the right person to level those kinds of charges.

(BEGIN VIDEO CLIP)

CHUCK TODD, HOST, MEET THE PRESS: With your past, you have your own infidelities, sir.

GIULIANI: well, everybody, does. And, you know, I`m a Roman Catholic and I confessed those things to my priest.

(END VIDEO CLIP)

HAYES: Giuliani`s defense aside, other Trump surrogates feel differently. Newt Gingrich, who as House Speaker led the charge to impeach President Bill Clinton on obstruction and perjury charges during the fallout over Clinton`s affair with Monica Lewinsky, now advises Trump it`s totally the wrong direction to go. He should not them bait him into a swamp where they can revel in the mud.

A little bit o a mixed metaphor.

Trump`s New York co-chair, Carl Paladino (ph), more succinct in his critique, quote, "I`m not sure anyone gives a hell about Monica."

While today congresswoman Marsha Blackburn on Tennessee dispensed this advice.

(BEGIN VIDEO CLIP)

REP. MARSHA BLACKBURN, (R) TENNESSEE: I think this is one of those things where he would be well-served not to talk about Mrs. Clinton, her relationship with her husband, talk about Miss Universe and focus on the issues.

(END VIDEO CLIP)

HAYES: Ah, yes, focus on the issues.

Of course, that last bit of guidance may have come too little too late. The Republican nominee spent the better part of last week attacking former Miss Universe Alicia Machado, even declaring without evidence she participated in a sex tape and you should check it out.

All this, of course, has unraveled ahead of the biggest night for Donald Trump`s number one surrogate, his runningmate, Mike Pence. Just which of Trump`s many issues he could be forced to answer for and what else we can expect in tomorrow night`s vice presidential debate is next.

(COMMERCIAL BREAK)

HAYES: He`s had to answer for Donald Trump and his campaign for nearly three months. And now, ahead of the only vice presidential debate, what will Mike Pence have to defend tomorrow night?

Joining me now to ponder that question, Sabrina Siddiqui, political reporter for the Guardian. Jonathan Chait, writer for New York Magazine. His latest must read, a conversation with President Obama titled five days that shaped a presidency. It is fascinating, fascinating rating.

So I mean I`ll start with you, Jonathan. So I think if you`re gaming this out from the Clinton side, you don`t care about Mike Pence and Mike Pence`s record much, right? I mean, you want to make Mike Pence have to defend Donald Trump.

JONATHAN CHAIT, NEW YORK MAGAZINE: I think you do but on the other hand this is a real opportunity for Democrats to hammer home some issues that have been obscured by the personalities. And I think the Democratic Party feels pretty good about the way it can stack up in a standard D versus R debate about tax cuts for the rich, health care, you know, abortion. And Pence is pretty far right on some of these issues -- climate change.

HAYES: That`s fascinating, right. So, what you`re saying is here you have the opportunity to basically run the generic R versus generic D debate that we`re really in many ways not getting at the presidential level because of the uniqueness of each of these candidates.

CHAIT: Right. And I don`t have any reporting that suggests that`s what they want to do, but it seems logical to use one of your four debates to remind people of the general, ideological policy stakes of the election.

HAYES: Yeah, particularly on taxes, particularly on minimum wage, things like that, environmental protections, regulation.

SABRINA SIDDIQUI, THE GUARDIAN: I think LGBT rights will be a big one, too. You have to remember, Mike Pence as Indiana governor signed that controversial religious freedom law that kicked off a lot of the protests to similar bills in other parts of the country.

HAYES: And the very similar version of that bill in North Carolina appears to be a real drag on Republicans there who were sort of swimming upstream.

I want play this sound that just came in of a debate with Kelly Ayotte and her trying to explain Donald Trump and it`s the classic Trump squirm, which is what I think we`ll see a lot of tomorrow night. Take a listen.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: Would you tell them to be like Donald Trump? Would you point to him as a role model?

SEN. KELLY AYOTTE, (R) NEW HAMPSHIRE: I -- well, I think that certainly there are many role models that we have and I -- I believe he can serve as president and so, absolutely, I would do that.

(END VIDEO CLIP)

HAYES: I mean, you can imagine Tim Kaine saying to Mike Pence, like, do you think we should check out the sex tape? Which, like, -- he`s going to be sitting across from him. Do you think...

SIDDIQUI: Yeah.

HAYES: Do you think she put on too much weight?

CHAIT: Let me roll the clip.

HAYES: Didn`t she put on too much weight, Governor Pence?

SIDDIQUI: Why is a nominee tweeting about a former Miss Universe at 3:00 in the morning.

HAYES: Right.

But that`s -- I mean, I think that Jonathan`s point here is that can also get played out very quickly right. I think obviously there`s also this possibility that the RNC today sort of put up this web video where they are going to go after Tim Kaine because he was a criminal defendant -- I`m sorry, a criminal -- criminal defense attorney.

He also commuted some sentences while he was governor.

I think it`s one of the most admirable parts of his career.

SIDDIQUI: Right. Well, look, at the end of the day, Tim Kaine was doing his job and opponents tried this when he was running for governor and when he was running for senate and voters found this actually to be unfair to point to his record as a criminal defense attorney where of course you have to defend criminals who have committed some very serious crimes...

HAYES: Yes, it`s right there in the name.

SIDDIQUI: It`s right there in the name. But the problem that Republicans face is that Tim Kaine is very well-liked even by conservatives. He had a lot of conservative votes when he ran for office in Virginia. He has a fairly centrist record in the senate. Where I remember when he was named as Hillary Clinton`s VP, everyone from Jeff Flake to Lindsey Graham to Marco Rubio, I went asked them about Tim Kaine as the pick and they said I don`t want to criticize him. He`s a great guy. You know, we hope he comes back to the Senate, basically. We hope that Hillary Clinton loses was their response.

HAYES: I`m particularly interested about trade and whether trade is a big focal point, Jonathan. Because you`ve got a situation in which Pence has been an extremely pro-trade deal legislator. Kaine has been fairly pro-trade deal. You`ve got -- now they`re both got tickets where -- that are opposed to TPP, they are both on tickets where sort of skepticism of these kinds of trade deals are the kind of guiding light. And particularly for Pence, I think, for really -- this has been something that he was really hammered home. Like, he`s going to have to explain that, I imagine.

CHAIT: That`s right. And it`s just like anyone layer of hypocrisy on top of an issue where everything is completely hypocritical to begin with. Where, you know, Hillary Clinton has already -- you know, has this very hard to defend disingenuous stance of I used to love TPP and now I hate TPP and Donald Trump, you know, didn`t care about this until five minutes ago.

HAYES: right.

CHAIT: You can`t name one thing that any of these laws have ever done.

HAYES: Ever.

SIDDIQUI: And Tim Kaine took the moment he was selected as her runningmate, that`s when they said, OK, well Tim Kaine will follow Hillary Clinton`s position on TPP. So, if she opposes it.

HAYES: You can have a disingenuousness off between these two candidates on this issue.

The other thing that I think is sort of interesting here is, when you talk about the sort of talk about the generic R/generic D is it -- you know Mike Pence in some ways represents the former future of the Republican Party.

CHAIT: Yeah.

HAYES: Like he was the person who was in the ideological sweet spot that I think a lot of people thought would be what we would see. And has been so moved to the side but is in some reassuring for certain parts of the Republican establishment.

CHAIT: I think it`s worth noting, as Sabrina mentioned, that he`s very conservative and Donald Trump had to reach out to the arch conservatives to reassure them that Pence would have his hands on the policy and Trump would just kind of be the blowhard in front whereas Clinton went more to the center. So, if you put these two against each other, you have got one of the more moderate Democrats versus one of the more extreme Republicans which is possibly advantageous.

SIDDIQUI: I also think that Mike Pence has just run this fascinating parallel campaign to Donald Trump where he said something completely different about Vladimir Putin, taking a completely different stance on...

HAYES: And he may try the same weird like gaslighting thing of like, oh yeah, I don`t know, yeah...

SIDDIQUI: Donald Trump is not the nominee...

HAYES: I`m Mike Pence and I`m running for president.

Sabrina Siddiqui, Jonathan Chait, great to see you here in person in our nation`s capital.

That is All In for this evening live from Washington, D.C.

**NEW\_DOCUMENT\_HERE**

Chris Hayes

9054 speakers\_end

CHRIS HAYES, MSNBC HOST (voice-over): Tonight on ALL IN...

(BEGIN VIDEO CLIP)

HILLARY CLINTON, DEMOCRATIC PRESIDENTIAL CANDIDATE: Who gets up at 3 o`clock in the morning to engage in a Twitter attack against a former Miss Universe?

(END VIDEO CLIP)

HAYES (voice-over): Late night Twitter takes over 2016.

(BEGIN VIDEO CLIP)

CLINTON: His latest Twitter meltdown is unhinged, even for him.

(END VIDEO CLIP)

HAYES (voice-over): Donald Trump gets an early start degrading a beauty queen for a fifth straight day. Tonight, new worries from inside the Trump campaign as new post-debate polling rolls in. Plus, new defections from Republican stalwarts as Clinton nabs more major endorsements. Then, the Donald Trump deposition tapes are out.

(BEGIN VIDEO CLIP)

DONALD TRUMP, REPUBLICAN PRESIDENTIAL CANDIDATE: We`ve beaten a lot of people, and I think people like that.

(END VIDEO CLIP)

HAYES (voice-over): And why a federal judge is ordering an investigation into Wisconsin`s voter ID practices.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: Hillary Clinton is about the weakest candidate the Democrats have ever put up, and now we have photo ID.

HAYES (voice-over): When ALL IN starts right now.

HAYES: Good evening from New York. I`m Chris Hayes. The Republican Party saw fit to nominate a tabloid and reality TV star for president in 2016, and sure enough, less than 40 days until the election, the campaign for the nation`s highest office has devolved into a full-blown reality show. This was day four of Donald Trump`s feud with Alicia Machado, an ex-beauty queen, actress, and fellow reality star, who accuses Trump of insulting and humiliating her when she was Miss Universe in the 1990s. After Hillary Clinton recounted Machado`s story at the debate, Trump could have apologized, he could have simply changed the subject and moved on. But as he`s shown time and time and time again, Donald Trump is incapable of responding to any perceived slight from whichever random person in any way other than lashing out. And last night, he was at it again. Trump started tweeting around 3:30 in the morning, as you do. A couple hours later, he was still going, sharing his latest thoughts on Clinton and the Machado controversy. Quote, wow, crooked Hillary was duped and used by worst Miss U. Hillary floated her as an angel without checking her past, which is terrible! Using Alicia M. in the debate as a paragon of virtue just shows that crooked Hillary suffers from bad judgment! Hillary was set up by a con. Did crooked Hillary help disgusting -- check out sex tape in past -- Alicia M. become a U.S. citizen so she could use her in the debate? Ladies and gentlemen, political conversation and discourse in 2016: check out sex tape. Quick fact check, Clinton never called Machado an angel or a paragon of virtue or anything else having to do with her sexuality or lack thereof or whatever`s happened to her life since. That`s all Trump claiming in effect that Machado is a slut, so it doesn`t matter what she says or how you should treat her. In fact, Machado`s own foibles have nothing whatsoever to do with whether Trump insulted or humiliated her. For that, we have plenty of evidence.

(BEGIN VIDEO CLIP)

TRUMP: When she won the contest, I had never seen anybody more beautiful, and she`s totally beautiful now. But I think come contest time, what are you talking about in terms of weight?

UNIDENTIFIED MALE: Our goal is to get her between 125 and 130.

(END VIDEO CLIP)

(BEGIN VIDEO CLIP)

TRUMP: She gained about 55 pounds in a period of nine months.

UNIDENTIFIED FEMALE: How`d she do that?

HOWARD STERN, HOST, THE HOWARD STERN SHOW: What does a girl eat to gain -- I mean, in less than a year to gain --

UNIDENTIFIED FEMALE: She must never stop.

STERN: I mean, what was she --

TRUMP: I think she ate a lot of everything.

(END VIDEO CLIP)

(BEGIN VIDEO CLIP)

TRUMP: She really has turned out to be one of the great Miss Universes --

ALICIA MACHADO, FORMER MISS UNIVERSE: Thank you.

TRUMP: -- I will say. And she had a little problem during the middle where she gained a little weight.

MACHADO: I don`t think so.

TRUMP: Yes, and she`s probably right.

MACHADO: I don`t think so.

TRUMP: OK.

(END VIDEO CLIP)

HAYES: And of course there is this new theory, if you could call it that - - well, that stretches the meaning of the word -- that Clinton helped Machado get citizenship just to use her as a campaign prop, which jives perfectly with Trump`s conspiratorial, fact-free worldview in general. According to Trump surrogate, Newt Gingrich, this is already a full-scale Clinton scandal.

(BEGIN VIDEO CLIP)

NEWT GINGRICH, FORMER SPEAKER OF THE HOUSE (voice-over): It`s, I think, as fascinating to look at how the elite media initially brought the -- this was the new Benghazi lie. I mean, with what Hillary tried to set up and what they spent apparently months preparing was an ambush that was as false as Benghazi. It was as false as her claim she was under fire in Bosnia. It was as false as the lie she told about her emails.

(END VIDEO CLIP)

HAYES: That`s the same Newt Gingrich who told the Log Cabin Republicans over a few days ago that you shouldn`t gain that much weight as a beauty contestant. Machado addressed those claims by Newt Gingrich in a statement today originally written in Spanish. "Through his campaign of hate, the Republican candidate insists on discrediting and demoralizing women, which is definitely one of his most terrifying characteristics. I became a citizen of this great nation because my daughter was born here and I wanted to exercise all my rights, among them, voting." Clinton called Machado this afternoon, according to the campaign, thanking her for continuing to speak out, even as she becomes a target. This afternoon, at a rally in Florida, Clinton landed a pretty easy shot at Trump`s behavior.

(BEGIN VIDEO CLIP)

CLINTON: I mean, really, who gets up at 3 o`clock in the morning to engage in a Twitter attack against a former Miss Universe? I mean, his latest Twitter meltdown is unhinged, even for him. It proves yet again that he is temperamentally unfit to be president and commander-in-chief.

(END VIDEO CLIP)

HAYES: This is what`s particularly stunning about Trump`s latest outrage, even with the Clinton campaign telegraphing every move, he just cannot help himself. In the weeks leading up to the debate, Trump`s campaign came under new management, and someone -- I don`t know who -- figured out how to save the candidate from himself. He was using a teleprompter, giving interviews -- only to friendly outlets, mostly Fox News -- and steering clear of unsupervised tweeting. As a result, the race tightened considerably. Then the debate rolled around. Clinton set her trap and Trump walked right into it, and he`s still there, thrashing around. And it worked. Clinton clearly won the debate. Almost every national battleground state poll released since Monday shows her taking a sizable lead, including Nevada, where she`d been trailing for the past month. The Machado story continues to inflect damage, but still Trump cannot stop. So this is my plea to Trump`s team: just take his phone away, get him back on the prompter giving policy speeches, making as little news about this particular feud as possible. Because to be quite frank, it`s not funny or enjoyable. It`s not amusing or satisfying to watch Donald Trump (INAUDIBLE) in this way. It is hurting the country, it is damaging to the thing that we are doing in trying to decide who should be the most powerful person in the world. This afternoon, some staffer appears to have regained control of Trump`s Twitter account, tweeting a reference to Clinton`s famous 3:00 am phone call ad from 2008. For those few people knocking me for tweeting at 3 o`clock in the morning, at least you know I will be there awake to answer the call. Joining me now, NBC News correspondent Katie Tur, who is covering the Trump campaign. What is the state of that campaign right now?

KATIE TUR, CORRESPONDENT, NBS NEWS: The state of the campaign prior to this past three days was they needed to get him back on track in terms of debate prep. They were saying that they were going to do more traditional prep, they were going to get him behind a podium, they were going to get him a debate coach. They realized that he didn`t do as well as he needed to do. They liked when he was talking about the economy and trade early on in the debate. They needed to find a way to get under Hillary Clinton`s skin. Since Monday, Donald Trump has, you know, extended the story one day, extended it another day and another day. And then today after reporters were getting source information about, you know, how they needed to get him a little bit more in line for the next debate, he just had a meltdown, it seems like, overnight in the middle of the night. And when he just started tweeting about sources and tweeting about Machado, I`m not sure what the state of the campaign is right now because nobody`s answering the phone right now. They are refusing to talk about what`s going on behind the scenes because Donald Trump has reportedly told them all that if they say anything negative about his debate performance in any way, you know, they`re going to have blank to pay.

HAYES: You know, look, there have been three incidents like this. There was the vendetta against Judge Curiel, entirely self-inflicted. Just apropos of nothing. He happened to be at an event in San Diego, which was near where the judge was presiding over the Trump University case, and was just like, oh, yes, this judge, this Mexican judge, and started talking about Judge Curiel. Went on forever, and everyone said stop doing this, stop doing this. Khizr Khan, DNC, right? Now Alicia Machado. I mean, I just find it a remarkable character study, if nothing else.

TUR: And there are three faces you can put either onto his sexism or prejudice or if some might want to take it there -- if the Hillary Clinton camp wants to take it there -- to racism. Saying that Judge Curiel can`t be unbiased because he`s of Mexican heritage. Initially, just called him Mexican.

HAYES: Right.

TUR: Didn`t even acknowledge that he was born Indiana. Then Khizr Khan talking about his wife, saying maybe she wasn`t allowed to speak, so there`s Islamophobia tied up in that, what somebody might argue. And now with Alicia Machado, not only is she Latina, but she`s a woman. And it allows Donald Trump`s detractors to go back and to dredge up every single thing he`s said about women in the past.

HAYES: I mean, the guy used to go on -- look, the guy used to go on Howard Stern --

TUR: He did, yes.

HAYES: -- to talk about, you know, the chest sizes and whether a woman could be a ten if they`re flat-chested.

TUR: He said, you know, it`s hard to be a ten if you`re flat-chested.

HAYES: Yes. Like, (INAUDIBLE).

TUR: He talked about Melania about whether she got into a car crash if he would still love her. He asked, well, as long as a certain part of her body was still intact, he`d be fine. You know, listen, he was an entertainer --

HAYES: Right, yes.

TUR: -- he was on Howard Stern.

HAYES: This is a very different context.

TUR: This is Howard Stern.

HAYES: Yes.

TUR: But if you look at the way he`s changed his rhetoric about women, it doesn`t seem like he`s changed it that much. I mean, he says he cherishes women all the time on the campaign trail -- he used to, at least. But, you know, on Tuesday he woke up in the morning and talking about the debate he says, she gained a massive amount of weight and it`s a real problem. Does that matter to those who support Donald Trump? Not at all.

HAYES: Right.

TUR: Not at all.

HAYES: No, of course not.

TUR: We talked to 20 women the other day in Florida.

HAYES: Yes.

TUR: Not a single one of them --

HAYES: Right.

TUR: -- cared. They thought --

HAYES: Right.

TUR: -- Hillary Clinton was worse --

HAYES: But he needs a lot more than the 40 percent that --

TUR: He is doing so poorly with women right now --

HAYES: Yes.

TUR: -- in general that he needs to find a way to connect with them, the convince them that he is on their side. The campaign knows this. He hasn`t done that.

HAYES: All right, Katy Tur, thank you very much.

TUR: Thank you.

HAYES: Joined now by Wendy Davis, former Democratic state senator from Texas, and Republican strategist, Matt Mackowiak, also from Texas. I am partial to Texans across the political spectrum, let me just -- let it be said. I mean, I guess, look, so there`s two ways to interpret this, what`s going on here, right? I mean, someone called this -- when Hillary Clinton called Alicia Machado, said this is the Sandra Fluke of this campaign, right? And Sandra Fluke, of course, was the young woman at Georgetown --

WENDY DAVIS, FORMER SENATOR OF TEXAS: Right.

HAYES: -- who had testified at a House hearing about birth control being covered without a copay. Rush Limbaugh went on this totally disgusting rant against her, and it became a huge issue in that campaign.

DAVIS: Yes.

HAYES: To you is this part of something larger with the Republican Party or is this Donald Trump being Donald Trump?

DAVIS: I think it is part of something larger, and I think that it`s why people are so afraid of Donald Trump`s candidacy from the right side. Because they fear that he is exposing in a much more out-front way a lot of the misogyny that`s really been behind so many of the policies of the Republican Party. If you look at what`s holding women back from full equality in this country, it is an attitude that women shouldn`t be provided the same opportunity. And it`s why we still don`t have equal pay, it`s why we still don`t have family leave or affordable childcare, and it`s certainly why we`re seeing the assault on our reproductive freedoms. And Donald Trump is bringing that all forward in a very out-front way.

HAYES: The two sort of rebuttals I would offer that -- and then I want to get Matt`s response, because I think he probably disagrees. But one is the guy was pro-choice for a very long time, and it`s unclear to me -- I mean, obviously he`s pledged to be anti-abortion up and down --

DAVID: He has.

HAYES: -- right? They`ve also offered this childcare policy, which when you dig into the details, I think, is actually not very good for a while lot of reasons --

DAVIS: Right.

HAYES: -- but seems to be a feint in that direction. Matt, what is your response to this as this is part of a broader problem with the Republican Party?

MATT MACKOWIAK, FORMER PRESS SECRETARY, U.S. SENATE: Well, keep in mind, you know, Hillary Clinton spent all summer including at the national convention in Philadelphia making the argument to Republican voters that Donald Trump was not a real Republican and he was not a conservative. So I don`t know if Senator Davis agrees with her now or agrees with her then. But at the end of the day, I think it`s pretty clear --

HAYES: Well, it`s possible she was wrong.

MACKOWIAK: Well, certainly --

HAYES: I mean, you, Matt Mackowiak, would concede that sometimes Hillary Clinton gets some things wrong.

(LAUGHTER)

MACKOWIAK: I guess we can all agree on that.

HAYES: Right.

MACKOWIAK: What I would say is I think the concern that you`re starting to see -- and there`s a Washington Post story just up a few minutes ago about the down ballot fear that this is now triggering, right. If you go before the debate, Trump had momentum, he had the wind at his back, battleground states were moving in his direction, the national polls were tightening, he was down to basically a 2 percent deficit to Hillary nationally. This has been an awful week, and he can, you know -- look, at the end of the day, Hillary set a trap for him over this Venezuelan former Miss Universe. The cosmopolitan profile was started before the debate. She had her (INAUDIBLE) to debate there. She mentioned it at the end of the debate, she set the trap, Trump walked right in, he fell to the bottom of it, he picked up a shovel, he started digging, and he kept digging for five days on something where there is no argument to make against this woman. She`s got nothing to do with anything. No one should be insulting her. She`s not a part of the public debate. Now, she did agree to go to the debate with Hillary, but to me when this campaign goes back to being about Trump, he loses. When it goes to being back about Hillary as it was the three weeks before, she loses. Because both candidates are viewed so negatively by the electorate.

HAYES: There is something to that, right, when he takes the attention off himself. But let me just follow up once and then I want to get your response, Wendy. I mean, Matt, here`s the thing that I got to say. I mean, you`re looking at this like everyone else. And I have Republican friends and I have Republican sources and I email with them and I`m talking to them. Everyone has the same reaction: what the heck is wrong with you? But they`ve had that reaction three dozen times over the course of this campaign.

MACKOWIAK: Yes.

HAYES: And yet the vast majority of Republicans in polls say they`re voting for him. The vast majority of electorate Republican officials say, yes, this is the guy that should control America`s nuclear arsenal, this is the guy that should make decisions, life or death, about whether to send young men and women into combat. This is the guy that should have his hand on the lever, the rudder, of the American government, even though they all feel the same way. How do you square that?

MACKOWIAK: It`s a great question, Chris, and it gives me some pause myself. But what I would say is that there`s an expectation that once he becomes president he will be surrounded by experienced people --

DAVIS: Oh my goodness.

MACKOWIAK: -- and a system. Look, I`m not sitting here saying he`s going to be perfect. And at this point, I think he has a 20 percent chance to win the national election. But that is one school of thought.

HAYES: Right.

MACKOWIAK: The other school of thought is he`s at least going to sign legislation that Republicans in the House and Senate pass and send to him, tax reform, perhaps entitlement reform, building --

HAYES: Yes.

MACKOWIAK: -- strengthening border security, things like that, right, building up the Army, obviously Supreme Court Justices. So we know Hillary won`t do those things.

HAYES: Right.

MACKOWIAK: And so for a lot of Republicans Hillary has unified them behind Trump, Trump has not unified them behind him.

HAYES: Well, that is true. What is your response?

DAVIS: I mean, this is who Republicans are. This is why Republican voters are sticking with him, with the exception of the **alienation** of a large body of women that he has brought upon himself, Republicans are still sticking to him. And they`re sticking to him because this is what this party is becoming. It is the party of Fox News, it is the party of the misogyny and anti-**immigrant** and anti-cultural diversity. And it is showing in large form through Donald Trump`s candidacy. And the way that people are responding so powerfully --

HAYES: Yes.

DAVIS: -- and positively to it within that party. And I think that`s why Republicans are so upset about him being the standard-bearer for their party. I think they understand that he`s calling out into the open --

HAYES: Showing out, yes.

DAVIS: -- something that has been pushed quietly for some time.

HAYES: All right. Wendy Davis, Matt Mackowiak, thank you both. Appreciate it.

MACKOWIAK: Thanks.

HAYES: Still to come, why a federal judge is ordering an investigation to Wisconsin voter ID practices. I`ll talk with the reporter who broke the story ahead. But first, Donald Trump loses out on another endorsement that has traditionally gone to the Republican nominee. The latest paper that chose to pick a Democrat for the first time in its history after this two- minute break.

(COMMERCIAL BREAK)

HAYES: Today, the San Diego Tribune, a paper that has not endorsed a Democrat for president in its 148-year history, endorsed Hillary Clinton, calling her the, quote, safe choice for president. And they are far from the first conservative paper to back her. Clinton has picked up the endorsements of the traditionally Republican Arizona Republic, Cincinnati Enquirer, Dallas Morning News, and Houston Chronicle. Consider the editorial board of USA Today, a paper that has never picked a side in a presidential race until yesterday when they published an op-ed under the headline, Trump is `unfit for the presidency.` That`s from their editorial board. But NBC`s count in the general election alone, Hillary Clinton has 15 major newspaper endorsements. Gary Johnson has six. Donald Trump has zero. If you count the primaries, Clinton has over 80 papers endorsing her. Trump did pick up the support of four papers in the primaries, Santa Barbara News Press, the New York Observer -- which, one should note, is owned by his son-in-law -- the New York Post, owned by Rupert Murdoch, and of course, lest us forget, the National Inquirer. All of this is part of a broader phenomenon, which is not only are elite institutions opposing Donald Trump, but America`s political and business elite as well. Zero current or living ex-presidents are supporting Trump. The former nominee`s not supporting him. Not a single Fortune 100 CEO has endorsed him. Well, the question is, amidst America`s ongoing crisis of authority, does elite opinion carry enough weight to even matter? Joining me now, C.D. Andrews, an opinion editor at the Cincinnati Enquirer`s editorial board, and David Mastio, who`s a deputy editorial page editor at USA Today. David, let me start with you. So, you know, you guys don`t do this. It`s not a newspaper that does -- every four years, it`s, we endorse -- how did this process work out that you got to this point?

DAVID MASTIO, DEPUTY EDITORIAL PAGE EDITOR, USA TODAY: We have an incredibly diverse editorial board, from progressives, liberals, centrists, conservatives, libertarians. We don`t agree on a lot of things. But as this campaign has played out, we tried to keep an open mind. We listened during the Republican convention as Donald Trump attacked a gold star family. We tried to keep an open mind. We listened to the debate and Donald Trump was unhinged again. We came back to the editorial board on the next day, and it was pretty easy to get to a consensus that Donald Trump did not belong in the White House.

HAYES: Cindi -- and I`m sorry, I mis-said your name.

CINDI ANDREWS, OPINION EDITOR, CINCINNATI ENQUIRER: Yes.

HAYES: Cindi, was it a similar process --

ANDREWS: No problem.

HAYES: -- for you guys? Although I imagine you`re mostly -- an editorial board at a paper like yours tend to lean to the right?

ANDREWS: Well, you know, we`ve had some changes over the years. And, you know, we described ourselves at the beginning of the year as a fairly centrist editorial board. And we kind of set the tone and we hoped the expectation`s that we would be very pragmatic. We have five members on our board. And we actually, you know, began this conversation obviously in the primaries. We endorsed Governor Kasich on the Republican side and Secretary Clinton on the Democratic side. And we`ve since been watching. And then we just, I`d say, about in August we started to have that conversation again. We, of course, made our decision a week ago, so it was in advance of the debate.

HAYES: Let me ask you this, you said Trump is a clear and present danger to our country, which is a --

ANDREWS: Yes.

HAYES: -- very profound phrase. In these uncertain times, America needs a brave leader, not bravado; real solutions, not paper-thin promises; a clear eye for the future, not a cynical appeal to good old days. Now I want to counter contrast with that. There`s a number of papers -- and maybe they`re more Republican leaning than your own -- that have taken the Gary - -

ANDREWS: Right.

HAYES: -- Johnson route, right? The Tribune Company of the --

ANDREWS: Right.

HAYES: -- stalwart Republican paper endorsing Gary Johnson today. Why did you guys not go with that?

ANDREWS: You know, again, I think it goes back to pragmatism. We felt that really at the end of the day either Trump or Clinton is going to be president. And so we wanted to weigh in in a way that we felt would really count. You know, we did consider whether to go a third-party route and we decided that Secretary Clinton`s, you know, foreign experience -- you mentioned the clear and present danger issue. -- and that her foreign experience in particular, I think, makes her the best candidate. Although, certainly, as we noted, a deeply flawed candidate.

HAYES: So, David, USA Today is a paper that is available, of course, across the country. It is a paper that, I think, is a pretty down the middle paper. I would imagine its readership is across the political spectrum. Have you gotten a whole bunch of, we`re canceling our subscription and you`re part of the liberal media response?

MASTIO: We`ve gotten some of that on Twitter and we`ve gotten some phone calls. I was kind of surprised that the response was as civil as it was. I was expecting a little bit worse.

HAYES: This was not an endorsement for any particular candidate, it was an anti-endorsement in which you say, our bottom line advice to voters is stay true to your convictions. Whatever you do, however, resist the siren song of a dangerous demagogue. By all means, vote, just not for Donald Trump. Do you think you have sway? Do you think people are listening to what is now, I think, a consensus chorus from so many parts of American life across an ideological spectrum that this is a dangerous demagogue?

MASTIO: I really hope so. I think we try very hard to be a centrist paper. One of the things that we always do is run an opposing view. And in this case, we ran an opposing view from Mike Pence. We try to be as fair or more fair than any other editorial page in the country. And it never happens that our editorial board is unanimous, and I hope that has some power.

HAYES: All right. Cindi Andrews, David Mastio, thanks for joining us. Appreciate it. Coming up, tapes from a Donald Trump deposition were unsealed today. What we learned, after the break.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: Please raise your right hand.

TRUMP: Yes.

UNIDENTIFIED FEMALE: Do you swear the testimony you`re about to give will be the truth, the whole truth, and nothing but the truth?

TRUMP: I do.

UNIDENTIFIED FEMALE: I imagine you`ve had your deposition taken a number of times?

TRUMP: I have, yes.

UNIDENTIFIED FEMALE: So you know the drill, and I won`t --

TRUMP: I do.

UNIDENTIFIED FEMALE: -- waste anyone`s time going through it?

TRUMP: Good. Thank you.

(END VIDEO CLIP)

HAYES: That is Donald Trump testifying under oath in June. Deposition video that was unsealed today after media outlets, including MSNBC and NBC, sued for their release. The case involves Trump`s Washington, D.C. hotel that opened this month, and two chefs that Trump sued for pulling out of restaurant deals following his notorious comments saying Mexico was, quote, sending rapists, among other things. During the deposition, a subdued Trump doesn`t say anything particularly offensive, at one point defending his comments about Mexicans by saying they can`t be that bad since they helped get him elected. One clear takeaway is the deposition is riddled with walk backs and inconsistencies. Trump insists he`d never seen a letter of credit and then admits he actually had signed it. He says he never discussed the restaurant deal with his kids, except later describes a discussion with his kids about it. But perhaps most puzzling is his explanation of a construction timeline saying it`s years ahead of schedule, a line he`s been using on the campaign trail.

(BEGIN VIDEO CLIP)

TRUMP: We`re opening the old post office, under budget, ahead of schedule --

(END VIDEO CLIP)

(BEGIN VIDEO CLIP)

TRUMP: Under budget and ahead of schedule.

(END VIDEO CLIP)

(BEGIN VIDEO CLIP)

TRUMP: Under budget and ahead of schedule.

(END VIDEO CLIP)

(BEGIN VIDEO CLIP)

TRUMP: Ahead of schedule, under budget.

(END VIDEO CLIP)

(BEGIN VIDEO CLIP)

TRUMP: Under budget and ahead of schedule. Isn`t that nice?

(APPLAUSE)

(END VIDEO CLIP)

HAYES: Earlier this year, the Huffington Post looked into this claim, noting three 2013 press releases on his website claiming the hotel would open either in 2015 or in 2016. A hotel spokesperson asked why Trump was saying it was ahead of schedule simply said, the hotel is opening more than one year in advance. So here`s Trump at the deposition answering that question and specifically presented a 2013 press release saying the hotel would open in 2015.

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: Says construction scheduled to begin in spring 2014 with an expected completion in late 2015.

TRUMP: OK.

UNIDENTIFIED FEMALE: OK. Was that accurate at the time?

TRUMP: Perhaps, yes. We were very much ahead of schedule. We`re actually ahead of schedule, and we also went higher end than we even thought in terms of finishes and materials.

UNIDENTIFIED FEMALE: Mm-hmm.

TRUMP: So we`re thinking about completion some time at the end of 2015. We wanted to take a little bit more time and make it, you know, just perfect, because we`re so far ahead of schedule.

UNIDENTIFIED FEMALE: Mm-hmm, mm-hmm.

TRUMP: Which was, I think schedule was 18, actually.

UNIDENTIFIED FEMALE: What do you mean by schedule was 18? What schedule?

TRUMP: Meaning we wanted to have it built prior to 18. We originally had -- you know, you had to be open, I think it was 18 is the specific date. And we`re going to be opening in 16.

(END VIDEO CLIP)

(LAUGHTER)

HAYES: So they claimed it would open last year and it opened this year, which is somehow two years ahead of schedule. Got that?

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: Take me forward to November. You know that a lot of Republicans since 1984 in the presidential races have not been able to win in Wisconsin. Why would it be any different for Ted Cruz or a Donald Trump?

UNIDENTIFIED MALE: Well, I think Hillary Clinton is about the weakest candidate the Democrats have ever put up. And now we have photo ID. And I think photo ID is going to will make a little bit of a difference as well.

(END VIDEO CLIP)

HAYES: He said the quiet part loud.

That was a Republican congressman from Wisconsin basically admitting the state`s new voter ID law was intentionally put in place to get Republicans elected. And you`ll never guess how it is working out so far. The law is meant to ensure Wisconsinites who lack required documents such as a birth certificate can still vote by providing alternate papers, but whether it`s constitutional hinges on state officials correctly informing the public about the process to get those alternate papers.

And in a new blockbuster investigative piece from The Nation magazine, Ari Berman reports, it appears that Wisconsin is violating multiple court orders by not promptly giving eligible citizens free IDs or certificates for voting.

Now, the day after the piece was published and with early voting already under way, a federal judge has ordered an investigation.

Joining me now, the writer of that Nation piece Ari Berman, senior contributing writer for The Nation Magazine, author of "Give us the Ballot."

All right, so walk us through the problem here that you`re reporting uncovered.

ARI BERMAN, THE NATION: So, the problem is that 300,000 registered voters in Wisconsin, which is 9 percent of the electorate, don`t have strict forms of ID. The state has relaxed the law based on court orders so that people who don`t have a birth certificate or some sort of documentation that keep them from getting a voter ID, but have other forms of documentation, should be issued certificates for voting within six business days.

HAYES: Just to be clear, this is a court order, right. So, the law was challenged in court. And the court said to make this law compliant with the United States constitution, you have to relax the stringency of your requirements and you have to give people the ability to have these alternate ID so they can go vote.

BERMAN: Absolutely.

HAYES: In six days.

BERMAN: Yes. Absolutely.

What we`re seeing instead happening is people are showing up at the DMV and they`re not being offered these certificates and they`re being told it will be six to eight weeks for them to get voter IDs, when early voting is going on and eight weeks is going to be too late. The election is going to be over at that point.

HAYES: So, you actually have a group called Voter Riders, which has been doing organizing and work around this in Wisconsin has this tape of someone encountering exactly this in a DMV. Let`s set up what we see in this tape.

BERMAN: So, what we see in this tape, and I got the recording from Molly McGrath of Vote Riders, is that this is a voter who goes to the DMV, is supposed to be offered a certificate for voting and is not offered it and they`re basically telling him it is going to take six to eight weeks to get an ID.

HAYES: Like, sorry.

BERMAN: Basically they`re saying we can`t do anything about it. Sorry.

Go back to Illinois and get your birth certificate.

HAYES: Take a look.

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: I`m just wondering how that would work if you initiate the petition process do you get an ID for voting?

UNIDENTIFIED FEMALE: No, you don`t get anything.

UNIDENTIFIED FEMALE: OK, so even if we start the petition process and it takes eight weeks.

UNIDENTIFIED FEMALE: Right.

UNIDENITIFIED FEMALE: He wouldn`t be able to vote.

UNIDENTIFIED FEMALE: Right.

UNIDENITIFIED FEMALE: Well, I don`t know. They`re working on that. So it`s kind of up in the air right now.

So if you want more information we can get you to the supervisor over there at window three. Why don`t we do that?

(END VIDEO CLIP)

HAYES: The point is the court order says if someone comes in, the court order says you got to get it to them in six days. That`s the whole point.

BERMAN: And this is crazy because people are already voting in places like Madison and Milwaukee, and they`re saying you are not going to get anything. It`s kind of up in the air right now.

Haven`t they worked this out before early voting begins?

But it`s not funny, because I talked to two different African-American voters, one who was 34, one who was 62, they both brought multiple forms of ID to get a strict voter ID and they were not able to.

So, they had documentation that should have allowed them to vote. They should have been given a voter ID either immediately or within six business days, but they walked out of the DMV with nothing.

HAYES: And now you have a federal judge who appears in response to this reporting, or saying without a motion just issuing an order saying the state of Wisconsin has to explain itself.

BERMAN: Yeah, well, the judge was clearly not happy. He cited my article, and a Milwaukee Journal Sentinel article and basically said Scott Walker`s administration needs to investigate what`s going on at the DMV, otherwise they`re basically in contempt of court. They`re not following the law.

HAYES: Al lright, Ari Berman with some great reporting in The Nation, thank you for this work.

BERMAN: Great to see you, thank you.

HAYES: Still to come, the vote Mitch McConnell regrets casting and now he`s somehow blaming the president for it. Those mental gymnastics ahead.

But first, tonight`s Thing One, Thing Two just after this break.

(COMMERCIAL BREAK)

HAYES: Thing One tonight, Donald Trump`s early morning Twitter rage included two tweets that particularly caught my eye. Any time you see a story about me or my campaign saying sources said, do not believe it. There are no sources. There are just made up lies.

And shortly after, remember, don`t believe sources said by the very dishonest media. If they don`t name the sources, the sources don`t exist.

This outburst of journalistic integrity likely comes as a result of this New York Times piece that came out after the debate and relied on unnamed sources within Trump`s campaign saying things like even as Mr. Trump`s advisers publicly backed him and praised his debate performance, they were privately awash in second guessing.

In interviews seven campaign aides and advisers, most of whom sought anonymity to speak candidly, expressed frustration and discouragement over their candidate`s performance Monday night.

Now, speaking off the record, when criticizing your party`s nominee isn`t unheard of during an election, but you know what, Trump does have a point, it can be very dangerous to make allegations without citing your sources. There`s one person in particular who might want to heed that advice. And that is Thing Two in just 60 seconds.

(COMMERCIAL BREAK)

HAYES: Donald Trump is warning his Twitter followers not to believe stories that rely on unnamed sources, which is great journalistic advice, advice he`s familiar with because it is a game he knows very well.

Just scroll down that same Twitter feed and see the time that an extremely credible source told him that President Obama`s birth certificate was a fraud, or when an extremely credible source told him President Obama listed himself as a foreign student on a college application.

Maybe it was the same extremely credible source that told him the president was involved in some real estate scheme or this confidential source that said the president went on a national spending spree.

And this source inside the New York attorney general`s office concerned about their lightweight boss.

Then there`s the time he specifically said five sources told him the Mexican government was intentionally sending criminals.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: I`d just like you to be as specific as you can in saying how do you know the mexican government is sending people over? What`s the evidence of that?

TRUMP: Because I`ve heard it from five different sources.

UNIDENITIFIED MALE: What are the five sources?

TRUMP: I`ll reveal my sources when you reveal your sources, Mark.

(END VIDEO CLIP)

HAYES: OK. So there are five, OK?

Let`s just remember Donald Trump`s advice. If sources aren`t named, then they don`t exist.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: On this vote, the yeas are 97, the nays are 1. Two thirds of the Senators voting, a quorum being present. Having voted in the affirmative, the bill on reconsideration is passed. The objections of the president of the United States to the contrary not withstanding.

(END VIDEO CLIP)

HAYES: On Wednesday congress voted overwhelmingly and for the first time to override a veto by President Obama. The bill at issue was a popular one for pretty obvious reasons. It`s known as the Justice Against Sponsors of Terrorism Act and allows the families of people killed in the September 11th attacks to sue the government of Saudi Arabia for any role that it may have played in the attacks.

No member of congress wants to be seen as opposing 9/11 families particularly in an election year. President Obama in the White House along with others fought hard to stop the bill. They had done so repeatedly and over a fairly long period of time.

In fact, when he vetoed the bill last week, the president sent a letter to congress, this letter, very clearly laying out his objections including fears the U.S. and its citizens could face retaliation in foreign courts.

Now, lawmakers overrode his veto anyway, but then almost immediately afterwards lawmakers started expressing second thoughts.

28 senators sending the letter to senate leaders urging them to re-examine the law that they had just passed over an override, and warning of, quote, potential unintended consequences that may result in this legislation, specifically, the very same consequences the president had been talking about.

The White House described the situation as embarrassing.

(BEGIN VIDEO CLIP)

JOSH EARNEST, WHITE HOUSE PRESS SECRETARY; So it`s hard to take at face value the suggestion that somehow they were unaware of consequences of their vote. But even if they were, what`s true in elementary school is true in the United States congress -- ignorance is not an excuse.

(END VIDEO CLIP)

HAYES: And you`ll never guess who Senate Republican Leader Mitch McConnell, who voted for it and whose whole caucus voted for it, blamed for what went down.

(BEGIN VIDEO CLIP)

SEN. MITCH MCCONNELL, (R) KENTUCKY: I think it was an example of an issue we should have, on a bipartisan basis, talked about much earlier because everybody was aware of who the potential beneficiaries were, but nobody really had focused on the potential down side in terms of our international relationships, and I think it was just a ball dropped. I wish the president -- I hate to blame everything on him, and I don`t, but it would have been helpful had he -- we had a discussion about this much earlier than last week.

(END VIDEO CLIP)

HAYES: OK, wait, wait, wait, just think about that a second. The Senate passed the bill, OK? Then they sent it to the House and the House passed it and they sent it to the president. The president vetoed the bill and said there are some real drawbacks here, you guys should think about. Then they overrode the veto and then Mitch McConnell said it was the president`s fault for not telling them what was wrong with their own bill.

In other words, Mitch McConnell went along with something primarily because it would embarrass the president only to then discover maybe it wasn`t such a great idea on the merits. Does that sound like anything else that`s happened in Republican politics recently? We`ll talk about that ahead.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

MCCONNELL: I wish the president -- you know, I hate to blame everything on him, and I don`t. But it would have been helpful had he -- we had a discussion about this much earlier than last week.

(END VIDEO CLIP)

HAYES: As I watched Mitch McConnell blame President Obama for congress overriding a presidential veto and passing into law a bill allowing Saudi Arabia to be sued for any role in the September 11th attacks, a bill the president had repeatedly warned could have serious negative consequences, I couldn`t help thinking to myself, this is the perfect illustration of everything that`s wrong with the Republican Party in the era of Trump.

McConnell, who famously said in 2010 that, quote, the single-most important thing we want to achieve is for President Obama to be a one-term president. His party have so committed themselves to a vision that`s no grander than destroying Barack Obama and now Hillary Clinton they`ve essentially abdicated any sort of responsibility for their actions, including the rise of Donald Trump.

Back in March, President Obama was asked about Republican efforts to blame him for Trump`s success with GOP voters.

(BEGIN VIDEO CLIP)

OBAMA: I have been blamed by Republicans for a lot of things,but being blamed for their primaries and who they`re selecting for their party is novel.

(END VIDEO CLIP)

HAYES: Joining me now, Democratic Congressman Hakeem Jeffries in New York and New York Times Magazine contributor Robert Draper, author of "Do Not Ask What Good We Do: Inside the U.S. House of Representatives." He`s also got a great new piece on the conservative civil war.

And congressman, let me start with you. So I want to make the distinction here on this particular issue on people who support the bill on the merits, you`re one of them, right?

REP. HAKEEM JEFFRIES, (D) NEW YORK: I do.

HAYES: You voted for the bill, you voted for the override.

JEFFRIES: Absolutely.

HAYES: So, if you think the bill`s a good idea, then you support the bill, you`ll support the override.

JEFFRIES: Yeah.

HAYES: But to turn around and say, you never told us there were problems, you had to vote on this bill. I mean, is that credible?

JEFFRIES: It`s not credible at all. From my perspective as a New Yorker, it was the right thing to do. 9/11 was an extraordinary event. It required an extraordinary legislative remedy in terms of allowing the families of these victims to be able to determine in a court of law the responsibility of Saudi Arabia.

But what Mitch McConnell has done and what the House Republicans have done is classic in terms of blame everything on Barack Obama.

I mean, if Barack Obama was able to walk on water they`d criticize him for not being able to swim. And from the very beginning they`ve tried to delegitimize him, dehumanize him, attack him, obstruct, and it`s led to the creation of Donald Trump and that`s what is impacting the Republicans right now.

HAYES: There`s also this desire to have a kind of sort of -- to get the political victory without the cost in this sense. Like, there was even talk about whether the House was going to hold it so the Senate could have the vote and then no one would actually have to the -- have the bill become law.

And in some ways, Robert, that`s a little bit what the Trump phenomenon strikes me as. You`ve got this great piece about the sort of conservative civil war where there`s so many conservatives who are -- it`s like Donald Trump has the right enemies and that`s kind of the primary driver. And whether the man is completely not up to the task of being president is secondary.

ROBERT DRAPER, NEW YORK TIMES MAGAZINE: Well, it seems that what`s happened with Majority Leader McConnell is -- I mean, it`s an illustration of a failure of leadership, but it`s also a crisis of identity as in who are we? What are we about? And it`s really been into that void that Donald Trump has walked.

And when he`s done so, he`s fractured, among other things. I mean, he`s fractured in a very broad sense of the Republican Party pitting voter against voter and congressman against congressman. It`s become a little more personal in the conservative media, which is what I wrote about because there are people like George Will and Erick Erickson, Ann Coulter, Sean Hannity may have been temperamentally very different but they were ideologically in lockstep.

Trump has caused them all to make a kind of choise about what conservatism is.

And I think that congress, the Republican-controlled congress, is caught in the crosshairs right now. They`re not sure what to do. They don`t want to get ahead of their skis. They don`t want to get ahead of the voters on this. And, of course, we`ve seen from congressman to congressman a reluctance to endorse Trump, a reluctance also to denounce him except in very few key congressional districts.

HAYES: You know, reading your piece, what it struck me as so much of what we do in politics -- and everyone is guilty of this, I`ll even admit I`m guilty of it is this sort of bank shot reasoning, right. Well, this person who I don`t like or don`t trust is against something so I`m for it.

And this election has completely destroyed the ability to do that, right? Because you`ve got Fortune 100 CEOs and Noam Chomsky on the same side. You`ve got Sean Hannity and Julian Assange on the other side together.

If you`re trying to navigate this based on who side I want to be on or who I disagree with, it`s going the be necessarily tangled.

DRAPER: Sure. Well, for some people, of course, Chris they`re just simply pet issues. I mean, like Ann Coulter, for example, has been hammering on **immigration** for some time, Laura Ingram about trade.

For other people there are more overarching conservative principles that Trump has violated by the score.

There are others, still, who may view themselves as ideologically pure but who reject Trump even when he does adhere to conservative principles just because they don`t find him temperamentally fit to be president. And I think that latter category is something that has really troubled a lot of Republicans even those who can`t stand Hillary Clinton.

HAYES: And yet the near shutdown, the battle over this CR that just happened, the JASTA bill to me is a reminder that, you know, Donald Trump has been cleaved off by the Clinton campaign in many ways in the Republican party. But, you know, it`s still going to be a Republican house almost certainly. The Senate is looking 50-50, if not leaning Republican. To me like you`re going to go to work with these folks the day after election no matter who is elected.

And let`s say your candidate, Hillary Clinton, is elected. They haven`t -- they`re not going to change. They`re going to be the same way with Hillary Clinton the way they were with Barack Obama.

JEFFRIES: Well, hopefully for the good of the country, that`s not the case.

HAYES: Well, what evidence is there?

JEFFRIES: There`s no evidence. And as Robert and others have documented, though, Chris, a day or two after Barack Obama was sworn in, House Republicans gathered off site, their leadership. And they said this our pathway back to power is to say not just no to Barack Obama`s agenda but hell no. That was in the midst of two wars and the worst economy since the great recession.

And they have been incredibly irresponsible ever since. And it`s gotten them Donald Trump, and hopefully they`ll learn their lesson.

HAYES: So, Robert, that`s the point, though, to me is that it seemed to me reading your piece is all that is -- all this disunity disappears if Hillary Clinton wins because everyone is going to suddenly be singing off the same hymnal which is that Hillary Clinton is the worst person in the world.

DRAPER: No, that`s right.

And I think, of course, that`s why a lot of Republicans are having difficulty even in their,you know, distaste for Donald Trump, to vote for him because they`ve been hearing for 25 years that she`s something right out of the book of revelations.

If she were to become president, it`s hard for me to imagine a scenario where the House, the Republican-controlled House isn`t already considering articles of impeachment.

HAYES: Yes. Before she even puts her hand on the bible January 20th, should that happen.

Congressman Hakeem Jeffries, and Robert Draper, thanks to you both.

All right, that is All In for this evening. The Rachel Maddow show starts now. Good evening, Rachel.

**NEW\_DOCUMENT\_HERE**

Chris Hayes, Sam Seder

9054 speakers\_end

CHRIS HAYES, MSNBC HOST (voice-over): Tonight on ALL IN...

(BEGIN VIDEO CLIP)

HILLARY CLINTON (D), PRESIDENTIAL CANDIDATE: Did anybody see that debate last night?

(END VIDEO CLIP)

HAYES (voice-over): The ecstasy and the agony.

(BEGIN VIDEO CLIP)

DONALD TRUMP (R), PRESIDENTIAL CANDIDATE: My microphone was terrible. I wonder was it set up that way on purpose.

(END VIDEO CLIP)

HAYES (voice-over): The fallout, the fact checking, and the ongoing fights from the most watched debate in history.

(BEGIN VIDEO CLIP)

CLINTON: Anybody who complains about the microphone is not having a good night.

(END VIDEO CLIP)

HAYES (voice-over): Plus...

(BEGIN VIDEO CLIP)

CLINTON: He called this woman "Miss Piggy", then he called her "Miss Housekeeping" because she was Latina. Donald, she has a name.

TRUMP: Where did you find this?

CLINTON: Her name is Alicia Machado.

TRUMP: Where did you find this? Where did you find --

(END VIDEO CLIP)

HAYES (voice-over): Hillary Clinton springs another trap.

(BEGIN VIDEO CLIP)

TRUMP: She gained a massive amount of weight, and it was a real problem.

(END VIDEO CLIP)

HAYES (voice-over): The Republican nominee`s stunning day two defense of his weight loss regimen for Miss Universe.

(BEGIN VIDEO CLIP)

TRUMP: She gained about 55 pounds in a period of nine months.

ELISABETH HASSELBECK, FOX & FRIENDS HOST: How`d she do that?

TRUMP: She was like an eating machine.

(END VIDEO CLIP)

HAYES (voice-over): And as some Democrats exhale --

(BEGIN VIDEO CLIP)

CLINTON: Well, just listen to what you heard.

(LAUGHTER)

(END VIDEO CLIP)

HAYES (voice-over): -- will the debate effect last?

(BEGIN VIDEO CLIP)

RUDY GIULIANI, FORMER MAYOR OF NEW YORK CITY: If I were Donald Trump, I wouldn`t participate in another debate.

(END VIDEO CLIP)

HAYES (voice-over): When ALL IN starts right now.

HAYES: Good evening from New York. I`m Chris Hayes. At this hour, Donald Trump is holding his first rally since last night`s big debate in heavily Republican Brevard County, Florida. In the wake of his widely panned debate performance, his handlers have him largely sticking to the script. Trump reading his speech off a teleprompter, which of course allows him to offer a far more coherent message than he managed last night.

(BEGIN VIDEO CLIP)

TRUMP: But I watched her and she was stuck in the past. For 90 minutes on issue after issue, Hillary Clinton defended the terrible status quo. Well, I laid out our plan, all of us together, to bring jobs, security, and prosperity back to the American people.

(END VIDEO CLIP)

HAYES: Last night`s debate was the most watched in U.S. history. An estimated 84 million people tuning in at home, according to Nielsen, millions more watching online and at public spaces around the country. And with the debate widely seen as a resounding victory for Hillary Clinton, Trump spent today doing damage control. GOP presidential candidate trying to explain away his worst moments and spin his performance as a triumph.

(BEGIN VIDEO CLIP)

TRUMP: We won almost every single poll, CBS and Drudge and Slate and Time Magazine and all of them, right? We won all of them. So that was a great honor.

(APPLAUSE)

(END VIDEO CLIP)

HAYES: The polls he`s talking about are not real polls, they`re online snap polls, the kind where you can vote over and over and over again for whichever candidate you`re seeking to boost. You shouldn`t put much stock in polls like that, they`re utterly unscientific. You definitely shouldn`t put stock in the CBS News poll Trump says he won, since -- as CBS News Major Garrett pointed out -- the network did not conduct a post-debate poll. Trump kicked off the morning with a phone call to just about the only news outlet he talks to these days, FOX News, where he suggested debate organizers may have intentionally tried to make him look bad.

(BEGIN VIDEO CLIP)

TRUMP: I had a problem with a microphone that didn`t work. I don`t know if you saw that in the room, but my microphone was terrible. I wonder was it set up that way on purpose. My microphone in the room, they couldn`t hear me. You know, it was going on and off.

STEVE DOOCY, FOX & FRIENDS HOST: Wow.

TRUMP: Which isn`t exactly great. I wonder if it was set up that way, but it was terrible. But when I tested it, it was beautiful, like, an hour before. I said, what a great mic. But in actuality --

DOOCY: You mean the people listening in the hall could not hear your full answers?

TRUMP: Well, it was on and off. And it was much lower than hers.

DOOCY: OK.

HASSELBECK: Hmm.

TRUMP: I don`t want to believe in conspiracy theories, of course, but it was much lower than hers and it was crackling, and she didn`t have that problem.

(END VIDEO CLIP)

HAYES: As for Clinton, she held a rally in North Carolina today as well as a press availability on her plane with both events having the feel of a victory lap.

(BEGIN VIDEO CLIP)

CLINTON: Did anybody see that debate last night? Oh, yes. One down, two to go.

(END VIDEO CLIP)

(BEGIN VIDEO CLIP)

CLINTON: I thought on several occasions he was making charges and claims that were demonstrably untrue, offering opinions that I think a lot of people would find offensive and off-putting. He can run his campaign and present himself however he chooses, but the real point is about temperament and fitness and qualification to hold the most important, hardest job in the world. And I think people saw last night some very clear differences between us. Anybody who complains about the microphone is not having a good night.

(END VIDEO CLIP)

HAYES: Over the course of 94 minutes last night, Trump interrupted Clinton 51 times, according to Vox, including 25 interruptions in the first 26 minutes. Then there`s the content of what he said. Trump falsely claimed he initially opposed the Iraq war, boasted about having prompted the first black president to produce his papers to prove his legitimacy, suggested he isn`t racist because he allowed people of color to join his Mar-a-Lago Club, defended his nasty comments about women by saying Rosie O`Donnell, and I`m quoting, deserves it, made no apologies for having rooted for the collapse of the housing market, claimed when confronted with his habit of stiffing contractors, they did bad work, and denied having described climate change as a hoax perpetrated by the Chinese despite this still live tweet from Trump reading, quote, the concept of global warming was created by and for the Chinese. Then there was Trump`s seeming acknowledgement in the course of defending the decision not to release his tax returns that he actually doesn`t pay any taxes, saying, quote, that makes me smart, a comment he later denied making.

(BEGIN VIDEO CLIP)

CLINTON: Maybe he doesn`t want the American people, all of you watching tonight, to know that he`s paid nothing in federal taxes. Because the only years that anybody`s ever seen were a couple of years when he had to turn them over to state authorities when he was trying to get a casino license, and they showed he didn`t pay any federal income tax. So if he`s paid --

TRUMP: That makes me smart. We don`t have the money because it`s been squandered on so many of your ideas.

LESTER HOLD, NBC NEWS HOST: We`ll let you respond in a moment, but --

CLINTON: And maybe because you haven`t paid any federal income tax for a lot of years. And the other thing I think is important to point out is --

TRUMP: It would be squandered, too. Believe me.

(END VIDEO CLIP)

HAYES: It would be squandered, too, seeming to concede the premise there that he doesn`t actually pay taxes. Those comments prompted Vice President Joe Biden speaking today at Drexel University to characterize Trump as lacking a moral center.

(BEGIN VIDEO CLIP)

JOE BIDEN, VICE PRESIDENT OF THE UNITED STATES: He acknowledged that he didn`t pay taxes because, he said, because he`s smart. Makes him smart. Tell that to the janitor in here who`s paying taxes. Tell him my dad who when he was alive busted his neck working 60 hours a week, paid all his taxes. Tell that to your mothers and fathers who are breaking their neck to send you here, who are paying their taxes. No, I really mean it.

(APPLAUSE)

BIDEN: It angers me. It angers me.

(END VIDEO CLIP)

HAYES: One thing that was manifestly obvious last night was that the pre- debate hype was accurate. It seems Donald Trump really didn`t prepare for the biggest night of his political life, and Hillary Clinton really did and she wasn`t afraid to say it.

(BEGIN VIDEO CLIP)

CLINTON: I think that Donald just criticized me for preparing for this debate. And yes, I did. And you know what else I prepared for? I prepared to be president, and I think that`s a good thing.

(END VIDEO CLIP)

HAYES: Joining me now, Republican Congressman Michael Burgess in Texas who supports Donald Trump for president. And, Congressman, my first question to you as a Donald Trump supporter is --

REP. MICHAEL BURGESS (R), TEXAS: Hey, good evening, Chris. How are you?

HAYES: Good evening. Good to see you. My first question to you is don`t you think he should have prepared? I mean, it was the most important 90 minutes of his campaign. His campaign made all this noise about he`s not really preparing, he`s sort of informally preparing. Shouldn`t he prepare for something this important?

BURGESS: Chris, he did prepare. I mean, you can believe whatever you choose to believe, but the campaign did prepare the candidate. Now I will say from both candidates` perspective, I think there was a pretty low bar that was set last night and I think each candidate achieved that bar. Your sound bite that you played leading into the segment, boy, nothing scares me more than Hillary Clinton being prepared to be president because of the activities of the last 30 years. I think it`s told us this is a change election. There`s a better way to do things.

HAYES: So let me ask you this, he talked about a change election. You ran in 2002, you`ve been in Congress since 2003. Aren`t you part of the problem, too? If the argument against --

BURGESS: Oh, yes. True.

HAYES: -- Hillary Clinton is that she`s been there too long and nothing`s gotten done, how does that target her and not, say, everyone from Mitch McConnell down to Michael Burgess?

BURGESS: I don`t disagree.

HAYES: So you think you probably should be out there as well?

BURGESS: I put my credentials up every two years if I choose to run again, and this year I am. The outlook is pretty good for me to be returned because people think I`m doing a good job. But, oh, for heaven sakes, if people didn`t think I was doing a good job, I hope they`d have the guts to send me home.

HAYES: But that`s a different issue. Because the case that he is pressing, he keeps saying, keeps talking, you`ve been up there for 30 years and America has basically gone to a hell in a handbasket during that time, that`s true for you as well. I mean, if things have gotten so bad in America -- if the Iraq war, for instance, was such a disaster -- which of course the Republican Party strenuously pursued right around when you were being elected -- that`s a much larger indictment than just Hillary Clinton, isn`t it?

BURGESS: Well, glad you brought it up because Hillary Clinton was in the Senate when the Iraq war was voted on.

HAYES: Right.

BURGESS: I wasn`t here. It was 2002. I hope she went and looked at the classified information that I went and viewed after I got here. I don`t know that anyone`s ever asked her that specifically.

HAYES: Right. But --

BURGESS: But it`s all well and good to take a sound bite from a Howard Stern show, but Hillary Clinton was on the floor of the Senate.

HAYES: That`s true, and --

BURGESS: She had access to all the classified information --

HAYES: Yes, Congressman, and so was --

BURGESS: -- and she cast the vote.

HAYES: -- basically every Republican, every Republican Senator and every Republican Congressman, if I`m not mistaken. What I find fascinating is all the sudden the Iraq war vote is disqualifying of Hillary Clinton and not an entire political party that pursued this as their number one goal.

BURGESS: Well, the issue is that she has made it the fact that she doesn`t make mistakes. And to the extent that Jeb Bush admitted that that was a mistake, she should admit that that vote was a mistake.

HAYES: She has. She talks about it as a mistake.

BURGESS: Look, I wasn`t here. I wasn`t here. I didn`t have that vote.

HAYES: Right.

BURGESS: I believe I would have voted in favor of that activity, but I wasn`t here.

HAYES: Yes.

BURGESS: Now after I got here, I did vote for every funding resolution because --

HAYES: You did.

BURGESS: -- once you send the folks over --

HAYES: Right.

BURGESS: -- you darn well better supply them the stuff they need to do the job.

HAYES: Could I ask, one of the things that Donald Trump talked a lot about last night was trade and how bad trade policy has been in the U.S. Do you agree with that? Do you think our trade deals -- we`re getting ripped off and that`s a huge reason why there`s not more American jobs?

BURGESS: Well, I`m not convinced we`re making smart deals.

HAYES: You voted for CAFTA, right?

BURGESS: That is correct.

HAYES: Right. You also voted for the Trade Promotion Agreement with Panama, with Columbia, with Oman, with Korea, with Singapore, the U.S.- Chile free trade agreement. You voted for trade agreement after trade agreement after trade agreement while you`ve been in the United States Congress. The candidate that you`re supporting says that`s all been a disaster. So is he right about that or were you right about that?

BURGESS: Well, in fact, before the candidate that I`m supporting was a candidate, the trade promotion authority came through the Congress this time. I looked at it very carefully. I`m, after all, on the Subcommittee on Commerce Manufacturing and Trade. I did go and look at the language of the proposed language for the Trans-Pacific Partnership and I thought, this is not going in a good direction. I was already concerned because I didn`t think we`d gotten a great deal after the CAFTA agreement, so, sure, I was quite skeptical this time going into it.

HAYES: So you think you got these wrong? You have changed your mind? These votes of yours reliably supporting these trade agreements have been part of the problem?

BURGESS: I think we can do better. And then when we had a candidate who said, yes, these are not good deals --

HAYES: But you changed your mind?

BURGESS: -- I can make better deals --

HAYES: I just want to hear from you that you now think you were wrong, that you have changed your mind, Donald Trump is right on trade, the old Michael Burgess was wrong?

BURGESS: I think you could get better deals than we have been getting, yes.

HAYES: So you were wrong and he is right now?

BURGESS: I think we could get better deals.

HAYES: OK. Representative Michael Burgess, thanks for being with me tonight. Appreciate it.

BURGESS: Sure enough. Thank you, Chris.

HAYES: Joining me now, Democratic Congressman Joaquin Castro of Texas who supports Hillary Clinton for president. What was your reaction to the debate last night?

REP. JOAQUIN CASTRO (D), TEXAS: I think she won. I think she won decisively. I think she was successful in staying poised, in not falling for any of the traps or the bait and getting frazzled by what is his very aggressive bullying style of debate. I thought she got her points across and she showed the American people that she knows her stuff.

HAYES: What do you think about this idea of a change election? I mean, there`re folks who say it`s a change election, Donald Trump convincingly is pressing a change case. As to whether he`s qualified to be president, that`s another question. Do you feel like the folks in your district and the folks in Texas more broadly, which is polling in a sort of interesting way, do you fundamentally think of this as a change election?

CASTRO: You know, it`s true that any time you have a party in power in the presidency for eight years that the American people on some level start to agitate for something else.

HAYES: Hmm.

CASTRO: That`s true whether you have a Democrat or a Republican. That said, people do not want to put in office a loose screw, and Donald Trump is a loose screw. He`s unpredictable, he`s a hothead. He showed that last night. And so if your question is, is this a change election and is Donald Trump the change agent? No, he`s the wrong guy for the job.

HAYES: There`s been a lot of nervousness among Democratic politicians, Democrats and folks about the tightening polls. And one of the things that people have looked at are the sort of Obama coalition, particularly the base millennials, people of color, women -- particularly single women, that they are not displaying the margins or the levels of enthusiasm that would be necessary to repeat Barack Obama`s victory. Do you think she did what she needed to do to speak to some of those constituencies last night?

CASTRO: I believe so. I think that you`ll see that Obama coalition come out for Hillary Clinton. In fact, today there were reports all over the Internet from different sources about a spike in searches for voter registration, for example, especially in the battle ground states, and also for searches on how people could contribute to Clinton`s campaign. So I think you`re seeing more of that excitement come on the closer we get to the election now.

HAYES: Wasn`t it kind of amazing that **immigration** didn`t come up last night given the fact that it has so far played, I think, to many a surprisingly outsized roll in the conversation? And I say this not because of any questions that Lester did or didn`t ask. The candidates each could have brought it up themselves, there were plenty of opportunities to. Were you surprised by that?

CASTRO: I was. Because it has played such a prominent role, especially because Donald Trump began his campaign with a slander against **immigrants** and against Mexican-Americans. So I was surprised, quite honestly, that he didn`t mention building a wall. I`m going to give him the benefit of the doubt and say that that was strategic. But also, Chris, I think he`s taken this election and this whole season to a very ugly place. He`s really racialized the election. He`s essentially trying to do what was done with the Southern strategy years ago where he`s essentially asking white Americans to see the race, to see this election from a racial perspective, which is completely unhealthy for the country.

HAYES: What do you mean -- explain that. What do you mean by that, see it from a racial perspective? He wants white people to exhibit white pride at the voting booth, is that what you`re saying?

CASTRO: Well, I think that you see some of that. But I think that he wants white Americans to identify the Republican Party and Donald Trump as the party for the white Americans and the Democratic Party as the party for minorities. And I see that again and again in his rhetoric. You see that by the groups that have come out strongly to support him, this so-called new alt-right movement that he`s essentially embraced. So I really think that just as there was a group of folks that came up with a Southern strategy years ago, he`s trying to nationalize that now.

HAYES: Representative Joaquin Castro, thanks for your time tonight. Appreciate it.

CASTRO: Thank you.

HAYES: Still to come, Donald Trump invokes New York City as an example of the benefits of stop-and-frisk, a statement that was so riddled with inaccuracies we asked New York City Mayor Bill de Blasio to respond, and he did. That interview`s ahead. But first, a look at Hillary Clinton`s carefully sprung trap in the final minutes of the debate that Donald Trump walked right into. More on that after this two-minute break.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

CLINTON: One of the worst things he said was about a woman in a beauty contest. He loves beauty contests, supporting them and hanging around them. And he called this woman "Miss Piggy", then he called her "Miss Housekeeping" because she was Latina. Donald, she has a name.

TRUMP: Where did you find this?

CLINTON: Her name is Alicia Machado.

TRUMP: Where did you find this? Where did you find --

CLINTON: And she has become a U.S. citizen, and you can bet --

TRUMP: Oh, really?

CLINTON: -- she`s going to vote this November.

TRUMP: OK, OK, good.

(END VIDEO CLIP)

HAYES: That story from Hillary Clinton with Donald Trump feigning incredulity came minutes before the end of the debate last night. And it soon became clear this was no mere afterthought just dropped into the debate. Not long after Clinton left the stage, her campaign released a web video about that woman, Alicia Machado, describing not only how Trump called her crude names but how he publicly humiliated her after she gained a few pounds.

(BEGIN VIDEOTAPE)

TRUMP: She weighed 118 pounds or 117 pounds and she went up to 160 or 70, so this is somebody that likes to eat.

ALICIA MACHADO, BEAUTY QUEEN, MISS UNIVERSE: (SPEAKING SPANISH)

UNIDENTIFIED MALE: Slowly go down towards your toes. That`s it.

MACHADO: (SPEAKING SPANISH)

(END VIDEOTAPE)

HAYES: Today in a press call scheduled by the Clinton campaign, Machado described the toll that episode took on her, including eating disorders she battled for years. For his part, Trump wrote about Machado in his 1997 book, The Art of the Comeback, describing her, quote, sitting there plumply in a Miss Universe green room. And he ridiculed her weight gain in an interview on the Howard Stern show.

(BEGIN VIDEO CLIP)

HOWARD STERN, HOST, THE HOWARD STERN SHOW: How did you whip this gargantuan woman into shape?

TRUMP: Well, you know, it was an amazing phenomenon. She weighed 118 --

STERN: That`s right.

TRUMP: -- when she won. I don`t know if you saw the contest last year. It was in Las Vegas, but --

UNIDENTIFIED FEMALE: She was beautiful.

STERN: Oh.

TRUMP: She was as beautiful a woman as I`ve ever seen, and then --

STERN: She looked like Cindy Crawford.

TRUMP: Right. She gained about 55 pounds in a period of nine months.

UNIDENTIFIED FEMALE: How`d she do that?

TRUMP: She was like an eating machine.

STERN: What does a girl eat to gain --

(LAUGHTER)

STERN: -- I mean, in less than a year to gain --

UNIDENTIFIED FEMALE: She must never stop.

STERN: I mean, did she -- where was she --

TRUMP: I guess she ate a lot of everything.

(END VIDEO CLIP)

HAYES: Now Trump`s worst moments in the general election so far have come when he pursued unseemly vendettas against private citizens, like Judge Gonzalo Curiel and the Khan family. And last night Clinton just straightforwardly set a trap for him to do just that. And this morning, Trump walked right into it.

(BEGIN VIDEO CLIP)

DOOCY: And going in, she was trying to get under your skin a couple of times. Did she?

TRUMP: No, not at all. I didn`t see it that way. At the end, maybe, the very last question when she brought up the person that became -- you know, I know that person. That person was a Miss Universe person.

HASSELBECK: Mm-hmm.

TRUMP: And she was the worst we ever had. The worst, the absolute worst, she was impossible. And she was a Miss Universe contestant and ultimately a winner who they had a tremendously difficult time with as Miss Universe.

DOOCY: Did not know that story.

BRIAN KILMEADE, FOX & FRIENDS HOST: Well, I didn`t know either.

TRUMP: She was the winner and, you know, she gained a massive amount of weight and it was a real problem. We had a real problem. Not only that, her attitude, and we had a real problem with her.

(END VIDEO CLIP)

HAYES: Joining me now, Jess McIntosh, director of communications outreach for the Clinton campaign. All right. There`s two things. Well, first I just want -- this is the least important part of the story, but I just for the record would like to enter into evidence, this is the photo of Alicia Machado when she was, quote, overweight, the massive amount of weight. I just -- like that. I mean, that`s literally the least important --

JESS MCINTOSH, DIRECTOR OF COMMUNICATIONS OUTREACH, CLINTON CAMPAIGN: It is the least important part of this, and yet I still feel it is --

HAYES: I want to just establish that for the record, the gargantuan woman, as Howard Stern --

MCINTOSH: Right.

HAYES: Here I want to talk about the substance of this. But first to me the zoom-out story here is your campaign just set a trap for him?

MCINTOSH: You know, I`m going to quote my boss quoting Maya Angelou, she says all the time when someone shows you who they are, believe them. Donald Trump has shown us over and over and over again exactly who he is, and that is somebody who is willing to attack American citizens for absolutely no reason. I mean, his incredulity when she brought it up in the debate, where did you find this, where did you find this -- you put it on national television. He brought a --

HAYES: You wrote about it in your book.

MCINTOSH: -- bank of cameras to watch this woman work out. He gave interviews about it extensively. He put it in his own book. No one`s digging through --

HAYES: OK --

MCINTOSH: -- opposition researchers are not digging through his trash to find this.

HAYES: But the other thing I kept thinking was, like, OK, the Clinton campaign clearly prepared for this, Hillary Clinton clearly was going to tell this story if she had an opportunity to do. It`s not a coincidence the video pops up on her press call. And I just thought about what if this man were president and, like, anyone who wanted to bait him into whatever - -

MCINTOSH: Yes.

HAYES: -- if he`s that predictable in this little -- like what -- that is a sort of remarkable personality trait to have.

MCINTOSH: No, she said that you can`t have somebody who you can bait with a tweet --

HAYES: Right.

MCINTOSH: -- in charge of the nuclear codes. And when I heard that line, I liked it, but I never thought that it would come to be so substantively meaningful. It is frightening how thin this guy`s skin is, and it is frightening his inability -- I mean, if you asked me if you put a raft of things that I said 20 years ago in front of me, there would certainly be a few for which I would like to offer an apology. But the man is congenitally incapable --

HAYES: That`s right.

MCINTOSH: -- of saying that he has ever done anything wrong.

HAYES: Right. And you would say, yes, that was, yes, my bad.

MCINTOSH: Yes, yes.

HAYES: Like a human being.

MCINTOSH: Absolutely. And who are, frankly, like, someone with any sort of political sense.

HAYES: Right.

MCINTOSH: I mean, you would just want to move off of it. But instead he made fun of this woman`s weight again this morning as the Republican nominee.

HAYES: Unbidden and unprompted, we should note --

MCINTOSH: Yes.

HAYES: -- the Fox & Friends --

MCINTOSH: I have never felt sorry for the Fox & Friends --

HAYES: -- couch sitters --

MCINTOSH: -- couch sitters before this morning, but watching, you know, the terrific --

HAYES: Their faces.

MCINTOSH: -- and watching their faces -- they can`t believe that this man that they are trying so hard to make palatable to the American public is demonstrating how temperamentally unfit he is for the job.

HAYES: You know, there`s a broader issue of misogyny here around --

MCINTOSH: Yes, yes, right.

HAYES: -- this campaign. Here`s Rudy Giuliani today talking about Hillary Clinton. Take a listen.

(BEGIN VIDEO CLIP)

GIULIANI: President of the United States, her husband, disgraced this country with what he did in the Oval Office. And she didn`t just stand by him, she attacked Monica Lewinski. And after being married to Bill Clinton for 20 years, if you didn`t know the moment Monica Lewinski said that Bill Clinton violated her, she was telling the truth, or you`re too stupid to be president.

(END VIDEO CLIP)

HAYES: You think a lot more of that is coming down the pike? That is what they are telegraphing.

MCINTOSH: It certainly seems to be what they`re telegraphing. I think we`re already seeing Republicans saying, don`t do this, it`ll backfire. And I can only hope that he`ll take that into account. That`s not what anyone wants to hear about. There is a divide between the American public and our political system right now. There are folks that don`t know enough about these candidates, aren`t sure about the candidates. And the thing that they say over and over again is that they want to know what the candidates are going to do for them. Hillary Clinton took the opportunity last night to take that massive audience and that air time and talk about her plans for the economy.

HAYES: Right.

MCINTOSH: If Donald Trump chooses to use his bully pulpit like that, he`s only going to turn off more voters.

HAYES: I can`t tell if this is a (INAUDIBLE) in the brier pad response, but we`ll find out the second debate. Thank you, Jess McIntosh.

MCINTOSH: Thanks.

HAYES: Still to come, the Clinton campaign offers a peek behind the campaign curtain showing how Hillary Clinton prepared for debating Donald Trump. We`ll show you that ahead.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

HOLT: Well, we`re well behind schedule, so I want to move to our next segment. We move into our next segment talking about America`s direction. And let`s start by talking about race.

(END VIDEO CLIP)

HAYES: If you`ve been following this campaign, you probably figured there`d be a moment in last night`s debate when the candidates would be asked about race. And it was that moment, I think it`s fair to say, that things really started to go south for Donald Trump. Hillary Clinton in her response talked about reforming the criminal justice system, restoring trust between black communities and police, while Trump pitted a dire, misleading picture of black life in the United States, comparing it to hell. That`s a quote. Lester Holt followed up by asking Trump why after pushing the conspiracy theory for five years that the first black president was not born in the country did he suddenly change his mind? Trump first reiterated the false claim the Clinton campaign started the so-called birther movement. But then he could not resist bragging about his birther quest.

(BEGIN VIDEO CLIP)

TRUMP: I figured you`d ask the question tonight, of course, but nobody was caring much about it. But I was the one that got him to produce the birth certificate, and I think I did a good job.

HOLT: We`re talking about racial healing in this segment. What do you say to Americans, particularly people of color --

TRUMP: Well, it was very -- I say nothing. I say nothing because I was able to get him to produce it. He should have produced it a long time before. I say nothing.

(END VIDEO CLIP)

HAYES: I say nothing. Clinton responded saying that Trump had persisted in engaging in a, quote, racist lie, and then aimed to tie it to a broader narrative about her opponent.

(BEGIN VIDEO CLIP)

CLINTON: Donald started his career back in 1973 being sued by the Justice Department for racial discrimination because he would not rent apartments in one of his developments to African-Americans, and he made sure that the people who worked for him understood that was the policy. He actually was sued twice by the Justice Department. So he has a long record of engaging in racist behavior.

TRUMP: I settled that lawsuit with no admission of guilt. But that was a lawsuit brought against many real estate firms, and it`s just one of those things.

(END VIDEO CLIP)

HAYES: Everybody was doing it.

We`ll talk more about Donald Trump`s foray into race, particularly his calls for more stop and frisk, because of his attacks on a certain mayor who rolled back that policy in New York City. That mayor joins me to respond just after the break.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

TRUMP: Now, whether or not in a place like Chicago you do stop and frisk, which worked very well -- Mayor Giuliani is here -- worked very well in New York. It brought the crime rate way down.

HOLT: I do want to follow up. Stop and Frisk was ruled unconstitutional in New York, because it largely singled out black and Hispanic young men...

TRUMP: No, you`re wrong. It went before a judge who was a very against police judge. It was taken away from her, and our mayor, our new mayor refused to go forward with the case.

(END VIDEO CLIP)

HAYES: At Donald Trump last night pushing for more stop and frisk as the, quote, law and order candidate. As The New York Times pointed out by the end of 2013 the federal judge hearing the case ruled the city`s wholesale search practices violated the constitution, as Lester mentioned.

Trump went on to falsely claim that stop and frisk is responsible for lowering crime in New York City and that crime has risen since the policy was rolled back.

(END VIDEO CLIP)

TRUMP: In New York City, stop and frisk, we had 2,200 murders and stop and frisk brought it down to 500 murders. But we went from 2,200 to 500, and it was continued on by Mayor Bloomberg and it was terminated by the current mayor.

But stop and frisk had a tremendous impact on the safety of New York City, tremendous beyond belief. So, when you say it has no impact, it really did. It had a very, very big impact.

CLINTON: Well, it`s also fair to say, if we`re going to talk about mayors, that under the current mayor, crime has continued to drop including murders.

TRUMP: You`re wrong, you`re wrong.

CLINTON: No, I`m not.

TRUMP: Murders are up.

(END VIDEO CLIP)

HAYES: Moments after that exchange, an NYPD spokesman fact checked that on Twitter. Stop question and frisk has decreased nearly 97 percent in New York City since 2011. Crime, murder and shootings has decrease significantly during the same period.

Joining me is New York City Mayor Bill de Blasio. And mayor, it`s great to have you here.

It was somewhat remarkable I think to watch a nationally televised presidential debate. 84 million people watching, an extended exchange on the crime policies of New York City.

BILL DE BLASIO, MAYOR OF NEW YORK CITY: Yes.

HAYES: so let`s maybe start with stop and frisk.

Donald Trump`s contention is that stop and frisk is what is responsible for the decline in crime in the first place and that stopping stop and frisk in the way that it had been operating in New York has led to an increase in crime, including murders going up. What`s your response to that?

DE BLASIO: All wrong. Literally all wrong. Simple history: crime comes down because Mayor Dinkins has a lot of police and then Bill Bratton, under Giuliani, puts in the comstat system, a much more strategic approach to policing. Crime goes down.

Stop and frisk is not part of that policy in the way it was used during the Bloomberg, the unconstitutional overuse of stop and frisk. When that pump up, starts to drive a wedge between police and communities.

Indiscriminate stopping, primarily of young men of color, 90 percent plus had done nothing wrong according to police statistics, a huge frustration starts to build in the community and very little practical positive impact. So, this becomes a flashpoint, it becomes one of the dominant issues of the 2013 election for mayor. That was under Bloomberg and Ray Kelly as police commissioner.

I reverse that policy. We greatly reduced the stops, 700,000 at the high point in the year 2011, this year we`re on a track for about 20,000 stops. And then ones that are happening now are based on much more careful usage and rules.

But here`s what`s happened since that high point in 2011, murders have gone down steadily, 500 plus murders in 2011, last year 350 murders or so. Shootings have gone down steadily. We`re on track to have the lowest amount we`ve ever had in the history of New York City. Crime overall has gone down, and police in the neighborhood are having a chance to actually work together now.

So, Trump literally has the entire equation backwards.

HAYES: Just for the numbers, 2015, 352 murders, 2016 so far we`re at 246, which is below 257 this year. It`s around track to be a lower this year.

Then there`s also this issue of the federal district court judge Shira Scheindlin finding it unconstitutional.

DE BLASIO: Right.

HAYES: And basically saying, oh, an appellate court said she was bad, she was anti-cop judge, and you were the one that bailed out this judge by refusing to appeal.

DE BLASIO: The judge was right. It was an unconstitutional use of a tactic. It was not stopping someone because there was a specific reason or cause, it was indiscriminate stopping of young men of color. And it was ineffective on top of that.

HAYES: And there were -- we should note, there`s police officer testimony and whistle blowers at the trial saying they felt like this had become essentially bureaucratized quota system that they did not like.

DE BLASIO: The police union said the same thing, that was a quota system and it was actually causing immense tensions between police and community. Imagine if police are stopping innocent young men constantly. I mean, you had young men in this city who were stopped 5, 10, 15 times in their youth. Imagine what that does.

HAYES: And never having anything.

DE BLASIO: And never having anything. Kids on the way to school, all this -- you know, perfectly innocent kids -- create tremendous anger from their parents and grandparents, it demoralized the kids, who were supposed to be trying to help forward. And it didn`t work. It rarely resulted in the kind of policing outcomes that one wouldwant.

HAYES: More broadly, what`s your reaction to Donald Trump and a question about of how we sort of get to racial justice, equity, reconciliation and healing invoking stop and frisk?

DE BLASIO: You know, it`s such a backwards dynamic. Communities of color, all communities, want safety, want a working relationship between police and community, but what no one wants is to have their privacy invaded for no reason. No one wants to be degraded or treated like a suspect when they haven`t done anything.

And imagine if it was happening en masse in your community, whoever you are. Imagine if it was normal to see your young people treated that way. That`s no way to build a trusting, respectful relationship.

So, I think what people want all over the country is, you know, strong policing in partnership with communities that also respects people`s individual rights.

HAYES: Mayor Bill de Blasio, appreciate your time.

Still to come tonight`s Thing One, Thing Two right after this break.

(COMMERCIAL BREAK)

HAYES: Thing One tonight, Hillary Clinton forcefully defended her decision to take more days off the campaign trail than Donald Trump to prepare for the debate saying preparation is good for a debate and for the presidency, and perhaps the best example of that preparation came during her response on criminal justice reform.

(BEGIN VIDEO CLIP)

CLINTON: I`m glad that we`re ending private prisons in the federal system. i want to see them ended in the state system. You shouldn`t have a profit motivation to fill prison cells with young Americans.

(END VIDEO CLIP)

HAYES: Voicing that strong stance against private prisons, a position Clinton has held since last October, she wasn`t just speaking to her supporters about the morality of this issue, she was playing chess while Trump was playing checkers. And I`ll explain in 60 seconds.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

CLINTON: I`m glad that we`re ending private prisons in the federal system. I want to see them ended in the state system. You shouldn`t have a profit motivation to fill prison cells with young Americans.

(END VIDEO CLIP)

HAYES: That was part of Hillary Clinton`s discussion of criminal justice reform at last night`s debate. Trump didn`t respond. It was not a point of contention. But as The Daily Beast`s Betsy Woodruff reported today, Clinton`s pitch to end private prisons is the surprise hit of the presidential debate. A focus group in Pennsylvania loved Clinton`s attack on prisons that profit from inmate, probably because in Pennsylvania swing voters in that focus group weren`t only responding to her argument there shouldn`t be a profit incentive for locking people up, as Woodruff writes, focus groups participants explained why they like Clinton`s answers on private prisons so much.

In 2011, a Pennsylvania judge got a 28-year sentence for accepting bribes from a private prison company owner. The owner paid him to send children to his prison, often violating their rights to have an attorney. Following the so-called kids forcash scandal the Pennsylvania Supreme Court tossed about 4,000 convictions. Evidently, five years later, that private prison scandal still registers with Pennsylvania voters.

And on the biggest night of this campaign they heard where one candidate stands on it. It`s amazing what preparation makes possible.

(COMMERCIAL BREAK)

HAYES: Going into last night, liberals, Democrats, fans of Hillary Clinton were having fits about the debate. I was getting texts from people I know saying I can`t see straight. People looked at yesterday`s polls prior to last night`s debate and tweeted things like stressing me out. Already getting nervous. Too scared to watch. Definitely drinking.

They were worried about which Donald Trump would show up and how Hillary Clinton would handle him, but then this Hillary Clinton showed up.

(BEGIN VIDEO CLIP)

CLINTON: I think that -- I think Donald just criticized me for preparing for this debate. And yes, I did. And you know what else I prepared for? I prepared to be president. And I think that`s a good thing.

TRUMP: She doesn`t have the look, she doesn`t have the stamina. I said she doesn`t have the stamina. And I don`t believe she does have the stamina.

CLINTON: well, as soon as he travels to 112 countries and negotiates a peace deal, a cease-fire, a release of dissidents, of opening new opportunities in nations around the world, or even spends 11 hours testifying in front of a congressional committee he can talk to me about stamina.

TRUMP: I think I did a great job and a great service not only for the country, but even for the president in getting him to produce his birth certificate.

HOLT: Secretary Clinton.

CLINTON: Well, just listen to what you heard.

(END VIDEO CLIP)

HAYES: Up next, Maya Wily, Sam Seder are here for the great Democratic sigh of relief.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

CLINTON: And he made it very clear that he didn`t prepare for that debate. You know, at one point he was kind of digging me for spending time off the campaign trail to get prepared, but just trying to keep track of everything he says took a lot of time and effort.

(END VIDEO CLIP)

HAYES: Clinton did prepare. It was expected she would, and the follow- through proved it. After Clinton stepped off the debate stage last night she said, according to NBC News`s Monica Alba, quote, "wow, that sounded exactly like Philippe." That was a reference to Clinton`s long-time aid Philippe Reines who played Donald Trump in Clinton`s mock debate sessions, even mimicking Trump`s mannerisms.

Joining me now, MSNBC contributor Sam Seder, host of Majority Report with Sam Seder, Maya Wiley, who is chair of the New York City Civilian Complaint Review Board, the independent oversight agency of the police department here in New York City.

Well, what was your -- we can just be emotional for a second and you guys can be emotional about how you felt watching it.

SAM SEDER, HOST, MAJORITY REPORT: I enjoyed it. I mean, I enjoyed the debate. And I think like within 15 to 20 minutes I was like this is going to work out fairly well.

And, you know, for me, the big question was always where -- what playing field was the moderator going to set? And were the questions going to be of the sort of less substantial ilk or were they going to be issue oriented so that at the very least the two debaters would have to fight it out on the terrain of issues.

And when it became clear that`s where it was heading, and I was -- you know, I think at that point you have faith in Hillary Clinton that she`s very comfortable on that terrain.

HAYES: Yeah, that to me, the comfort was sort of evident.

And I would even say, you know, people -- there are some people who were trying to say, well, Donald Trump won the first 20 minutes. And I don`t think that`s true. I think the first 20 minutes were his best 20 minutes.

SEDER: That`s right.

HAYES: But even that period, which I think were his best, because he sort of knew what he was talking and he had something to focus on in terms of trade, it just was evident that she really was comfortable doing this. She was ready for the job.

MAYA WILEY, NEW YORK CITY CIVILIAN COMPLAINT REVIEW BOARD: She has been ready for the job from the beginning. And I think the fact, as I totally agree with Sam, the fact that there was an actual focus on policy and issues meant that she could actually demonstrate her readiness in a way that Donald Trump`s kind of loud, outspoken comparison of hand sizes kind of covers up.

What was particularly important I think in that 20 minutes, that first 20 minutes that people say made Trump look good was only that he was speaking to an issue in which he actually crosses the aisle. It`s not so much that...

HAYES: Right.

WILEY: ...that it was other than the one issue he gets some traction across the aisle on.

I think it was particularly important was the fact that that very quickly falls apart. And I just couldn`t quite get over the continuing and ridiculous repeats of proven lies.

HAYES: I just -- I mean, look, here`s the thing that I keep coming back to. You know, there`s ideology, people have different belief systems. I think there are people, you know, across the political spectrum have very different beliefs about how America should protect its forces in the world, about abortion and its morality. That`s a totally different thing from just a person -- how you feel about how well someone prepares or how hard they work, or how disciplined and diligent they are. Those have nothing to do with each other.

I know conservatives who are incredibly hard working and smart and diligent and prepared and I know liberals who are like -- and I just cannot get over the fact that this person who clearly has the work habits he has is in the position he is.

WILEY: Isn`t it worse than that? I mean, it`s not that he doesn`t -- he`s flip, he doesn`t prepare, and he`s often making statements based on fact.

HAYES: He doesn`t know things.

WILEY: He doesn`t know things.

And he`s perfectly willing to say things that are wrong.

But more importantly I think for this particular race given the undecided voters, who are really the primary audience.

HAYES: And there are a lot of them.

WILEY: ...for this debate, is that he is completely lacking in compassion. And the fact that he makes statements in this debate when Hillary Clinton is making a point about the housing crisis, the recession, what people lost, for him to say in response to his making money off of the housing crisis, that`s good business, by the way, that`s just callous.

SEDER: Right. And I don`t think people are going to appreciate that.

But I will say this, I think he worked as hard in preparing for this debate as he has for probably anything in years. I mean, I think from the standards of what we would expect, he maybe didn`t work so hard, but I bet you in his mind, he did work hard. And you know, he had people coming there and telling him -- I just thing his sense of reality -- look, the big tell for me was when he talked about his temperament.

HAYES: Yelling, I have the best temperament.

SEDER: Cutting off the moderator saying, no, shut up, I have got the best temperament.

HAYES: He did not for the record say shut up, just to be clear.

SEDER: Right, for the record.

But even his fans I think would say, like, no, he doesn`t have a great presidential -- that`s what I like about him.

HAYES: Right, right, that`s so true.

SEDER: And he doesn`t have the ability to realize like that I don`t just have to win this argument, like he could have said, I don`t have a typical temperament, that`s why people like me, because they said that she has the best temperament. And I think that undercuts his credibility with his own people in a way that maybe nothing else did in that debate.

HAYES: Maya, how much do you see the important -- I mean, there`s two tracks here. There`s he is temperamentally unfit and there is we`re the Democratic Party and they are the Republican Party and we`re going to stand for the middle class.

WILEY: And that he`s racist. And we should haven`t a man...

HAYES: That`s exactly right. So, there`s the -- right, he is -- there`s sort of -- he`s tempermentally unfit. He is a bigot. And he is cruel, he`s a misogynist and also we`re the party who is going to fight for the middle class and working people.

That third -- how much of the -- did she get the job done on that third item to you?

WILEY: I think she got part of the way. And I think there`s more that she can do in the coming days. And I think it`s critically important that she focus on that.

SEDER: Yeah, I would agree with that. I mean, she got there a little bit with the trickle down, but I want to see more. I want to see Paul Ryan have to come out the next day and say, well, wait a second, we don`t believe what Donald Trump believes.

HAYES: And get tied to him.

That`s a question I keep asking, like, wait has the whole Republican Party changed its mind on trade? Because I would like to know that just as a person who has to cover this, because right now it`s very unclear. We`re in some through the looking glass universe.

Sam Seder, Maya Wiley, thank you very much.

That is ALL IN for this evening. "THE RACHEL MADDOW SHOW" starts right now. Good evening, Rachel.

**NEW\_DOCUMENT\_HERE**

Chris Hayes, Gabe Gutierrez, Trymaine Lee, Tammy Lightner

8930 speakers\_end

CHRIS HAYES, MSNBC HOST (voice-over): Tonight on ALL IN...

(BEGIN VIDEO CLIP)

HILLARY CLINTON, DEMOCRATIC PRESIDENTIAL CANDIDATE: We`ve got to do better, and I know we can.

(END VIDEO CLIP)

HAYES (voice-over): After two fatal police shootings of black men, race and policing again in the spotlight.

(BEGIN VIDEO CLIP)

DONALD TRUMP, REPUBLICAN PRESIDENTIAL CANDIDATE: This young officer, I don`t know what she was thinking.

(END VIDEO CLIP)

HAYES (voice-over): Congressman Keith Ellison on that, and how Trump just tipped his hand on **immigration**.

(BEGIN VIDEO CLIP)

TRUMP: This isn`t only a matter of terrorism, but also a matter of quality of life.

(END VIDEO CLIP)

HAYES (voice-over): Then, David Fahrenthold joins me with his bombshell new reporting, Trump using charity money to buy self-portraits and more.

(BEGIN VIDEO CLIP)

TRUMP: There`s nothing like doing things with other people`s money.

(END VIDEO CLIP)

HAYES (voice-over): Plus, Clinton extends her lead nationally and in a key swing state. And stunning details from the Bridgegate trial. Michael Daly explains what Christie knew and why this photo matters.

(BEGIN VIDEO CLIP)

GOV. CHRIS CHRISTIE (R), NEW JERSEY: I am stunned by the abject stupidity that was shown here.

(END VIDEO CLIP)

HAYES (voice-over): When ALL IN starts right now.

HAYES: Good evening from New York. I`m Chris Hayes. We are monitoring live pictures right now from Charlotte, North Carolina, as a second night of protests unfold in the wake of the fatal shooting of a black man in Charlotte yesterday. That coming just days after another fatal shooting of another black man in Tulsa on Friday, once again putting the issues of race, policing, front and center in the presidential campaign. Last night, protests in Charlotte led to property damage. Authorities said 16 police officers and at least 11 protesters were injured. Those demonstrations followed the shooting death of Keith Lamont Scott. According to police account, the incident unfolded while officers were searching for someone else with an outstanding warrant yesterday afternoon when officers say they saw Scott holding a handgun near his car at The Village at College Downs apartment complex. Police say Scott returned to his car, but when officers approached, he exited the vehicle with the firearm. According to Charlotte-Mecklenburg police chief, Scott, quote, posed an imminent deadly threat to the officers who subsequently fired their weapon, striking the subject. Scott was later pronounced dead at the hospital. Family members say Scott was holding a book, not a gun. And an eye witness, speaking to our own Gabe Gutierrez, made the same assertion.

(BEGIN VIDEO CLIP)

UNIDENTIFIED WOMAN: He got out his truck and walked behind his truck like this and was asking the police what is the problem. When he got out his truck and walked back there, before he got out, the book fell off his lap.

GABE GUTIERREZ, CORRESPONDENT, NBC NEWS: And did you see any gun on him?

UNIDENTIFIED WOMAN: I did not. No gun. It was a book.

(END VIDEO CLIP)

HAYES: Police say they recovered the firearm in Scott`s possession. Now this happened just four days after the fatal shooting of Terence Crutcher in Tulsa, Oklahoma. Crutcher was unarmed, walking near his SUV in the middle of a road. Police say he was not following verbal commands. His family strenuously disagrees, citing among other things, this footage. Both presidential candidates responded at length today. Hillary Clinton who was making an economic speech in Orlando took time to address both shootings.

(BEGIN VIDEO CLIP)

CLINTON: There is still much we don`t know about what happened in both incidents. But we do know that we have two more names to add to a list of African-Americans killed by police officers in these encounters. It`s unbearable, and it needs to become intolerable. We also saw the targeting of police officers in Philadelphia last week. And last night in Charlotte, 12 officers were injured in demonstrations following Keith Lamont Scott`s death. We are safer when communities respect the police and police respect communities.

(APPLAUSE)

(END VIDEO CLIP)

HAYES: Donald Trump kicked off his day at a genuinely surreal event, a pastor`s roundtable in Cleveland, Ohio, in which the self-proclaimed law and order candidate`s warmup act was convicted murderer Don King, who also dropped the N-word in the course of his remarks. Trump, while taking questions, addressed the Tulsa shooting.

(BEGIN VIDEO CLIP)

TRUMP: I must tell you, I watched the shooting in particular in Tulsa. And that man was hands up, that man went to the car, hands up, put his hand on the car -- I mean, to me it looked like he did everything you`re supposed to do. This young officer, I don`t know what she was thinking. I don`t know what she was thinking. But I`m very, very troubled by that. Now did she get scared, was she choking, what happened? But maybe people like that, people that choke, people that do that, maybe they can`t be doing what they`re doing, OK?

(APPLAUSE)

They can`t be doing what they`re doing.

(END VIDEO CLIP)

HAYES: That was not the only event on Trump`s schedule today. At a town hall with Sean Hannity on African-American life, a crowd of which you can see here -- look carefully -- Trump was asked a question about how to stop, quote, black-on-black crime. Trump replying, "Right, well one of the things I`d do, Ricardo, is I would do stop-and-frisk. I think you have to. We did it in New York, it worked incredibly well." We should note, of course, the highly controversial stop-and-frisk policy was ruled unconstitutional by a federal district court judge in 2013. And since curtailing the practice, New York has seen a moderate reduction in crime, not an increase.

Joining me now, Congressman Keith Ellison of Minnesota. Congressman, I find myself -- all of us, I think -- in a little bit of a Groundhog`s Day situation. It seems that once again we find ourselves in a somewhat similar situation after yet another incident like this. What is your response? Do you feel like the conversation happening in Washington D.C. among your colleagues is responsive in any sort of affirmative policy direction?

REP. KEITH ELLISON (D), MINNESOTA: Well, I can tell you that people -- I`m outraged. But sadly, we`ve seen this so many times, it`s -- clearly the criminal justice system, you know, just seems to mete out its harshest consequences to African-Americans. But yes, colleagues, we`re discussing this. The members of Black Caucus were talking about it pretty extensively today, and other members as well. And we have set up a bipartisan taskforce on policing, which has -- Republican, Democratic members, we have a meeting tomorrow. We were in Detroit about a few weeks ago. So there is attention on this problem, but it just seems like it`s one of those problems that just never ends. And, you know, you feel really vulnerable, Chris, because as you look at these two incidents, you just feel like, you know, how did these guys have this coming, you know, given all the facts? And of course we want to learn what the facts are. Investigation should continue. But again, a disturbing situation.

HAYES: I want to ask you about something. Donald Trump has been, according to his campaign, making an outreach to African-American voters, according to other observers not really making an outreach but sort of performing an outreach. He keeps talking about the depths of how terrible life is for black Americans. And I want you to take a listen to what he said yesterday on that topic.

ELLISON: Right.

(BEGIN VIDEO CLIP)

TRUMP: We`re going to rebuild our inner cities because our African- American communities are absolutely in the worst shape that they`ve ever been in before, ever, ever, ever. You take a look at the inner cities, you get no education, you get no jobs, you get shot walking down the street.

(END VIDEO CLIP)

HAYES: What`s your response to that?

ELLISON: Well, he`s just perpetuating an ugly, racist stereotype, to tell you the truth. And I don`t believe he`s talking to African-Americans when he says those things. I think he`s trying to fake concern to people who are responsible Republicans who want to support their party but who are not comfortable with him. I mean, look, I wish he would actually come visit people in the African-American community. He`d see a lot of success stories. And when he says worse than ever, ever, ever, three times, you know, America was a slave holding nation for 246 years, and was a second- class citizenship Jim Crow nation for a hundred years after that. We`ve only had about 50, 60 years of any other kind of system relative to African-Americans. So you can`t tell my mother this is the worst ever because she lived in the Jim Crow South. You can`t tell my father that because he lived in the North that didn`t have signs, but they sure told you where you could and could not go. And so it just shows he doesn`t know any history, doesn`t know the country very well, and clearly he`s not in touch with African-Americans.

HAYES: Congressman, you`ve been very outspoken about **refugees** --

ELLISON: Right.

HAYES: -- about the need to welcome them. You`ve been quite involved in policy on the Middle East and Syria particularly. Donald Trump said something today about why we shouldn`t let **refugees** in that I thought was revealing. He`s talked about safety, but he talked about something else today I`d like you to take a listen to. Take a listen.

ELLISON: Sure.

(BEGIN VIDEO CLIP)

TRUMP: This isn`t only a matter of terrorism, but also a matter of quality of life. We want to make sure that we`re only admitting those into our country who support our values and love --

(APPLAUSE)

TRUMP: -- and I mean love -- our people.

(END VIDEO CLIP)

HAYES: What do you think he means by quality of life?

ELLISON: Well, I think that he wants to keep a certain kind of lifestyle for the people who he has been appointing his campaign towards. I mean, everything he`s done has been overt and dog whistled sort of, you know, nativism, racism. And, you know, when he says love our values -- look, the United States, the only value you have to have in common with all other Americans is to defend and support the Constitution. You can come from different religious background, you can come from different political ideas, you can have all kind of views and be welcome in the United States. I mean, the criteria is the Constitution and your support of it, which is something he doesn`t support very much. I mean, he`s openly undermining the Equal Protection Clause, you know, he`s calling for stop-and-frisk, which I think undermines due process. I mean, again, I think he`s dog whistling xenophobia, nativism, racism. But he`s been doing that for a year, and it doesn`t seem to hurt him, sadly. He`s competitive in the polls, and it continues to shock me every day.

HAYES: All right, Congressman Keith Ellison, thank you very much.

Joining me now, MSNBC national reporter Trymaine Lee, Sherrilyn Ifill, president and director-counsel of the NAACP Legal Defense Fund. Sherrilyn, let me start with you, and let`s start with the case of Terence Crutcher about which we have some more facts than what happened in Charlotte where there`s a key fact that`s currently somewhat in dispute, the presence of a gun. Let`s talk about Terence Crutcher. You know, it strikes me -- there`s a sameness to these scenarios insofar as the police officer in question says they were fearful, they thought he was reaching for a gun. And I don`t even think you have to think they`re not telling the truth. I mean, it seems entirely plausible they were telling the truth. But it also seems like that is more exculpatory perhaps than it should be.

SHERRILYN IFILL, PRESIDENT AND DIRECTOR-COUNSEL, NAACP LEGAL FUND: Well, Chris, this is the problem. The United States Supreme Court has set the standard for a police officer use of force and it`s now become known, it`s almost a formula, police officers know that they have to say that they were in fear of their lives, that they thought that the individual was a threat to them or a threat to others. And as you say, they may in fact believe that. But what we don`t actually see in these cases in which --the very few cases in which police officers are actually indicted and/or tried, is we don`t see any exploration of the way in which racial bias, implicit bias, actually affects an officer`s view of whether or not he is in threat. You`ll remember, you know, from the Rodney King case decades ago in which the officer said they felt Rodney King was in control of the whole situation. One described him as a Tasmanian devil. It`s this way in which race infects the sense of fear --

HAYES: Mm-hmm.

IFILL: -- and the sense of danger. And until we begin to really get to that, until we`re honest about the way in which there are these tropes about who African-Americans are, especially African-American men, we`ll never be able to get real accountability for the taking of these lives.

HAYES: You know, Trymaine, you`ve covered a number of these now. What goes through your head when you see a new video like the Crutcher one?

TRYMAINE LEE, MSNBC NATIONAL REPORTER: I mean, I think when you talk about, you know, splitting the hair of the journalist and just the man, the black man, it`s troubling because on one hand we know what trauma does to the psyche. And this repeated exposure to these images, these violent images of people being gunned down, being murdered, justified legally, have a ruling and, like, kind of parse it out --

HAYES: Right.

LEE: -- of actually people dying. On the other hand, I think of what I heard today when I saw a group of pastors and community leaders in Charlotte talking about the protests and moving forward. And one of them said, you know, quoting Fannie Lou Hamer, you know, I`m sick and tired of being sick and tired, and that he couldn`t in good conscience go out and tell these young people not to go out and protest. And so while we`re shocked and surprised when it devolves into violence, there`s all kinds of abstract violence before that that they witnessed in their encounters with the police and not seeing any justice.

HAYES: I also am struck by -- I mean, we tend to focus, I think for obvious reasons, Sherrilyn, on these fatal shootings, obviously because they`re so tragic and horrible to view and to contemplate and to mourn the loss of for those around the individual involved. But there`s sort of the point of this much larger sphere of just routine police interaction. And I`d like to hear your response to Donald Trump calling for stop-and-frisk, touting stop-and-frisk as a means of crime prevention when that`s on the other end of what is a same sort of vision of policing that is at the heart of a lot of this.

IFILL: Well, I think it`s evidence of the fact that Donald Trump has only become acquainted with this issue since he`s begun running for president. Because it`s almost like being in a time machine when I listen to him and I listen to Rudy Giuliani. Stop-and-frisk has been wholly discredited, was the subject of litigation in which we were involved in New York. And as you pointed out at the top of the show, was found unconstitutional by a federal district judge. And even after she was removed from the case, the city decided not to appeal and that is the subject of a consent decree. New York City`s under a federal monitor to address stop-and-frisk and to transform policing in the city as a result of stop-and-frisk. In Baltimore, the twin brother of stop-and-frisk, zero tolerance, is really the subject of the Department of Justice report. Zero tolerance pursued by then Mayor Martin O`Mally, which the federal government has found in that report really lies at the heart of the broken relationship between police officers and the police department and residents of Baltimore city that produced the excesses in which hundreds of thousands of stops were made, even though they resulted in no real arrests, no real convictions, in which the police department was essentially preying on the African-American community. So to return to a policy that has been completely discredited and found to be constitutionally infirm shows the lack of real thought that has gone into how we resolve these problems in our country today. And that`s why I think it`s important not to immediately just go to, frankly, the Donald Trump, you know, solution. People have been working on this.

HAYES: Yes.

IFILL: Many of us have been working on this for years and for months and we are making progress and we will make progress. We won`t make it, however, by going back to the place that Rudy Giuliani and Donald Trump want us to for their own purposes, which is to talk about something that`s in the rearview mirror. We`ve got to move forward now.

HAYES: You know, one of the things that we heard a lot of when we were in Ferguson and I`ve heard it in Baltimore, I`ve heard it in Charleston, other places, is there`s the fear of death at the hands of police, but then there`s the broader friction of interacting with police a lot. And I think you heard that in Baton Rouge.

LEE: Mm-hmm.

HAYES: And just looking at what was going on in Charlotte last night I felt like you could tell there`s a lot built up that wasn`t just happening --

LEE: That`s right.

HAYES: -- in that one night in that shooting.

LEE: There`s a high-profile case in 2013, Jonathan Ferrell, where a --

HAYES: Yes.

LEE: -- young man, former football player, Florida A&M University gets in a car accident. He goes to the closest neighbor, he knocks on the door. The woman is panicking. We later saw in the transcripts from her call that she says that, my husband has a gun and I don`t know where it is. I`m afraid. Three cops arrive, they end up shooting him dead. This man was reaching out for help.

HAYES: Literally, after a car accident trying to get someone to help him.

LEE: He literally was knocking --

HAYES: Yes.

LEE: -- on the door to try to get some help. We`ve seen this time and again. It`s almost like you mentioned earlier, deja vu all over again where every community seems one shot away --

HAYES: Right.

LEE: -- one killing away. I spoke to State Rep Carla Cunningham earlier today whose district includes Charlotte. And she said the day before she met with the mothers of the movement, Sandra Bland`s mother, and she ran down the list of mothers and said that, you know, this could happen to us because we`re just so close and the pain is still there.

HAYES: The day before the shooting?

LEE: The day before the shooting.

HAYES: All right. Trymaine Lee and Sherrilyn Ifill, thank you both. Appreciate it.

IFILL: Thank you, Chris.

HAYES: Coming up, after allegations that Donald Trump used charity money for personal gain, a major breakthrough, it has to do with a giant Trump self-portrait. David Fahrenthold joins me to talk about it ahead. But first Clinton extends her lead in a key swing state. Some important polling updates after this two-minute break.

(COMMERCIAL BREAK)

HAYES: After the worst week for Hillary Clinton`s general election campaign so far, a handful of new polls suggest at the very least the bleeding has stopped. In a national NBC News Wall Street Journal poll of likely voters, Clinton leads Trump by six points in a four-way matchup, 43 to 37 percent. Libertarian Gary Johnson and the Green Party`s Jill Stein receive a combined 12 percent while 8 percent remain undecided. In Wisconsin, according to a new poll, Clinton leads Trump by just three points among likely voters, 41 to 38, Johnson 11, Stein at 2, and 7 percent not giving a preference. Those numbers are virtually unchanged since the last time this same poll was taken in late August. New Hampshire had shown some signs of tightening recently. A new poll has Clinton up nine points over Trump among likely voters, 47 to 38. Johnson gets 10 percent and Stein gets 1 while just 3 percent remain undecided. With fewer than 50 days to go until the election, this is the time of the year when political junkies -- I`ll include myself in this -- are obsessing over every poll coming out of battleground states, constantly hitting refresh on election forecasting sites like FiveThirtyEight whose last checked polls only model has a race pretty close, giving Clinton a 56.8 percent chance of winning on November 8th, and Trump 43.2. The spread is much larger over at The Upshot, which gives Clinton a 75 percent chance of winning and Trump just 25. Of course, each site uses its own proprietary model with different weight attached to different individual polls, and the polls themselves are subject to interpretation, as The Upshot points out this week. They gave the same raw polling data, the raw data, the responses from the people that were called, to four good, reputable pollsters and each one of them turned up a different result. Joining me now, Harry Enten, senior political writer and analyst for FiveThirtyEight. Sometimes I think that, like, you guys are just fortune tellers with, like, computers.

HARRY ENTEN, SENIOR POLITICAL WRITER, FIVETHIRTYEIGHT: (INAUDIBLE).

HAYES: Like, human beings want, like, some priest to go read the entrails and tell them what happens in the future, and you`re sort of filling that cultural role.

ENTEN: Well, for me it`d be a rabbi. So I don`t --

HAYES: Yes, right, yes. Or a prophet.

ENTEN: Or a prophet, maybe. But yeah, sure. I mean, all these numbers are open to interpretation. And our model is somewhat different from The Upshot`s model. But I should point out that if you compare where our model was to a few weeks ago and you compart where The Upshot`s model was from a few weeks ago, we do see a tightening of the race in both of those models.

HAYES: Yeah, I mean, it does -- what seems to me is when you aggregate it all out, right, certain things are pretty clear across all data. Like, the race gets tighter. Like, during the Khizr Khan --

ENTEN: Yes.

HAYES: -- it was pretty clear the race was opening up.

ENTEN: Right.

HAYES: In the wake of her almost fainting at the 9/11, the race has tightened.

ENTEN: Right.

HAYES: When you get down to the states -- so here`s what`s fascinating to me right now. New FOX News battleground polls, Trump up in Nevada, North Carolina and Ohio. Now here`s what`s crazy to me -- now this is just one poll -- a world in which Hillary Clinton is up six points nationally and down five in Ohio is a very hard world to make sense of unless something very significant is happening in a kind of realignment sense of what`s happening in this election.

ENTEN: I think that there`re probably two things and you can split the baby in two. Number one, I do think Ohio has moved to the right relative to the nation as a whole, compared to four years ago. But I also think that probably you`re not going to be leading by five in Ohio and then down six nationally, as the NBC News poll put out. I say you average the polls, you put them all together -- that`s why you have a model --

HAYES: Right.

ENTEN: -- and what you come out with in a model, whether you look at The Upshot`s model or our own, is Clinton is ahead but by a shrinking margin.

HAYES: There`s also the question of which states would put her over the top. And the reason the New Hampshire poll was so key is that --

ENTEN: Sure.

HAYES: You know, I remember back in 2004, Ohio was everything, right? This time around, if she holds Pennsylvania, New Hampshire, Virginia and Colorado, as long as she has Wisconsin, that gives her the number she needs. So she can actually lose both Florida and Ohio, which was not a situation that John Kerry was in back in 2004.

ENTEN: That`s exactly right. And that was the same thing that held true for Barack Obama four years ago. He didn`t need to carry Ohio and Florida. He did. This time around, we see Hillary Clinton almost certainly trailing in Ohio. Florida`s a little closer.

HAYES: Quickly, here`s 2012 -- this is fascinating -- this is a final RCP average versus the final result, Obama outperforming by quite a bit, an average of three points. I mean, that`s a big difference, right? Outperformed the last real clear politics polling average. Is that turnout bump in your model, or is that just essentially a question mark?

ENTEN: It`s a question mark. We don`t try and guess which way it`s going to go. In 2014, I heard a lot of arguments that Democrats were going to outperform their final polls. What happened? It was actually Republicans who did. So we`re not going to try and guess which way.

HAYES: So right now your model is not -- that data is exterior to the model, right, you`re using it just off the polls? But it could be the case for either side, right?

ENTEN: Sure. Absolutely.

HAYES: At the turnout operation we saw pretty clearly a good turnout operation of the Obama campaign, probably netted them a bunch of states.

ENTEN: Exactly. I would keep my eye out right now on North Carolina, the early voting data that`s coming in from there. Right now Democrats are doing fairly good. It`s a good early sign, but it`s very early.

HAYES: It`s very early, it`s a small sample, but it`s the first hard data we`re getting on votes in this election. Harry Enten, thank you very much.

ENTON: Thank you.

HAYES: Coming up, new details coming out of the Bridgegate trial, including a disturbing allegation of Chris Christie laughing about the operation while attending a 9/11 memorial. More on that ahead.

(COMMERCIAL BREAK)

HAYES: The Washington Post`s David Fahrenthold has been all over the story of the shady dealings of the Trump Foundation, which is, of course, supposed to be a charity, but which nonetheless spent tens of thousands of dollars on two paintings of Donald Trump. In 2007, Trump spent $20,000 of Trump Foundation money on a 6-foot-tall portrait of himself. We have yet to lay our eyes on that painting, though it was reportedly shipped to one of Trump`s golf clubs in New York. As for the other painting, a 4-foot $10,000 portrait of Trump, that one has now been tracked down with an assist from the travel review website TripAdvisor. Someone who stayed at a Trump hotel in Miami posted this photograph, showing the portrait to the website, prompting Fahrenthold last night to triumphantly tweet the photo along with a caption, I found it. And that prompted Univision anchor Enrique Acevedo to check into the Trump hotel last night to track down the painting for himself. He discovered it in a restaurant called the Champions Bar and Grill. And then he said, "Stood in front of the painting for five minutes trying to wrap my head around why a charity might spend $10,000 to hang such a work in a restaurant." That`s a very good question, because it is illegal to use charity money to buy a painting of yourself to hang your business. That is not considered, you know, charity. And when it comes to the Trump Foundation, that is just the tip of the iceberg. Fahrenthold`s reporting has exposed how the Trump Foundation -- which Trump himself has not donated any money to since 2008 -- has essentially been used as a slush fund for Trump`s personal interests. The Trump campaign is not happy. Up next, David Fahrenthold responds to the Trump campaign`s attacks, right after this break.

(COMMERCIAL BREAK)

HAYES: Like a lot of rich people, Donald Trump has a charitable foundation. Now, most rich people give money to their foundations, but Trump hasn`t given any money to his since 2008. It is largely full of other people`s money.

As The Washington Post`s David Fahrenthold has exposed, Trump has used some of the foundation`s money not for charity but for lots of things that seem to directly benefit Donald Trump himself, including two portraits of himself, a signed Tim Tebow football helmet and we learned yesterday more than a quarter million dollars to settle lawsuits that involve Trump`s for- profit businesses.

Again, this money from Trump`s foundation being used not for charity, but to settle lawsuits against businesses owned by Trump. For obvious reasons, it`s against the law for a leader of a non-profit, such as the Trump Foundation, to use charity money to benefit his own private interests.

Asked about the story on this network last night Trump`s runningmate Mike Pence claimed The Washington Post got it wrong.

(BEGIN VIDEO CLIP)

GOV. MIKE PENCE (R-IN), VICE PRESIDENTIAL NOMINEE: I think what we found is that there`s a number of factual errors in that story as there were in previous stories about the Trump Foundation.

I`m confident they`ll be able to address those and demonstrate that they fully complied with the law.

BRIAN WILLIAMS, NBC NEWS: To back up right quick here for just a minute, do you know what the factual errors are that the campaign is alleging in The Washington Post story?

PENCE: Well, I think the Foundation will be able to lay those out.

(END VIDEO CLIP)

HAYES: In a statement released last night, Trump campaign said, quote, in typical Washington Post fashion they`ve gotten their facts wrong, adding the Post reporting is peppered with inaccuracies and omissions from a biased reporter.

The statement did not detail what specifically was supposed inaccurate and omitted. And the Trump campaign did not respond to an NBC News request for specifics. Trump himself didn`t offer much clarity when asked about the story today.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: Could you explain to people why you may have used some charitable donations for some personal uses?

TRUMP: Yeah, well, the foundation is really there, it sets up money, it gives money to vets and it`s really been doing a good job. And I think we can put that to sleep just by putting out the last report.

(END VIDEO CLIP)

HAYES: Speaking at the rally in North Carolina yesterday, though not about his foundation, Trump extolled the general benefits of using other people`s money.

(BEGIN VIDEO CLIP)

TRUMP: We`re going to get the Gulf states to pay for safe zones. We`ll lead the project -- like it`s called OPM. I do that all the time in business. It`s called other people`s money. There`s nothing like doing things with other people`s money.

(END VIDEO CLIP)

HAYES: Joining me now, Washington Post`s national politics reporter David FAHRENTHOLD who has meticulously covered the Trump Foundation and broke yesterday`s story.

David, first I want to start with have you -- has the Trump campaign identified for you concretely what the inaccuracies or omissions are in your very copious reporting on this topic?

DAVID FAHRENTHOLD, THE WASHINGTON POST: No. In this case, we had sent them a number of questions before that story ran, sort of laying out all the different scenarios we were going to describe. And then we heard nothing. We got no response at all. After the story ran, you saw that statement that came out 12 hours later. Since then, we`ve heard nothing from them. I don`t think anybody has heard anything from them about specific things they believe are wrong.

HAYES: There was a little bit of -- it appeared a break in the case today. You`ve got this foundation. The foundation has to have a public and charitable purpose and self-dealing laws require that you can`t use it to benefit yourself.

This -- and the Des Moines Register, this was Lynn Patton who is an aide. She`s sort of an assistant to three of the Trump children. She says that basically the money should count as Trump`s money. She says a lot of times Mr. Trump will give a speech somewhere or he`ll raise money in some way. He at the entity instead of cutting a personal check to him, cut it to his charity. That`s money that otherwise would have been in his personal account, right.

So, when he cuts a check from his foundation for, let`s say, St. Jude, it`s his money, no ifs, ands or ways about it.

What do you make of that?

FAHRENTHOLD: Well, it`s interesting in that it doesn`t really -- a lot of the more recent donations to the foundation in the last five years or so have really been mysterious. The people who give them, Vince McMahon, the wrestling mogul, ticket broker in New York City Richard Ebers (ph), NBC Universal, haven`t wanted to explain why they give these big donations to Donald Trump.

It`s possible that those are somehow some income that those people owed to Donald Trump and instead he said no put it in my foundation. But those people haven`t commented, so I haven`t been able to confirm that.

There are a few cases, if you look back further in the Trump foundation, where it seems like in truth somebody paid money to Trump`s Foundation instead of him. One example I think is the Comedy Central roast in 2011. Trump had said that he gave a $400,000 appearance fee and he had them give that money directly to charity.

But she`s talking about a broader pattern. Nobody else has identified that pattern so far.

HAYES: Has there been any follow up? I mean, to me the sort of smoking gun in all your reporting here, aside from the entertainment value of the paintings and the Tim Tebow helmet is that the two legal settlements used money out of the Trump Foundation, which seems a very clear facial violation of self-dealing laws. Has there been any further developments on that?

FAHRENTHOLD: No. Kellyanne Conway, who is Donald Trump`s campaign manager, has made some references in some interviews to maybe there being more to one of these stories. There`s a case where somebody sued Trump`s golf club after being denied a million dollar hole in one prize. And the settlement with that guy, the hole in one hitter`s foundation, that money was paid by the Trump Foundation and not Trump`s golf course.

Kellyanne Conway said something about how that was sort of a clerical error on their end. It didn`t seem to explain why $158,000 came out of this foundation to a guy who just settled a lawsuit with Trump`s golf course.

HAYES: I just want to sort of zoom out here and just be clear. I mean, you have tried to locate personal donations from the pocket bank account of Donald Trump. You only found one $10,000 check, if I am not mistaken. He has given some money to his our own foundation but stopped in 2008, instead we have a big pot of money, other sources are coming in and he is in clear instances used taht pot of money in ways that personally benefit him. That is the story thus far.

FAHRENTHOLD: That`s right.

HAYES: All right, David Fahrenthold, who has been dogged and will continue to be dogged. Thanks for being with me tonight. We`ll have you back soon.

FAHRENTHOLD: Thank you.

HAYES: Still ahead, even after staging a big rollout of his new child care policy, it`s still difficult to pin down Trump`s position. What we know and what appears to be suddenly changing about that policy coming up.

But first tonight`s Thing One, Thing Two after this break.

(COMMERCIAL BREAK)

HAYES: Thing One tonight, I`m sure you remember that on this day four years ago Mitt Romney released his tax returns. It was a big day. It was circled on my calendar. Came after months of then Senate Majority Leader Harry Reid shaming Romney for not being transparent with his finances. In the process, completely making up claims seemingly just to provoke a response from the nominee, such as an anonymous source telling him that Mitt Romney hadn`t paid any taxes for a decade. Not true. But Romney did budge. And finally he joined the ranks of presidential nominees that released their tax returns.

Now, how do I remember such an obscure date? Someone was lashing out at Mitt Romney this February after Romney insinuated Trump was hiding a bombshell on his tax returns and that person decided to vent their anger on Twitter.

Mitt Romney didn`t show his tax return until September 21, 2012, and then only after being humiliated by Harry R. A bad messenger for the estab!

You might be thinking to yourself, wait a second. Donald Trump still hasn`t released his tax returns, right? Correct. But don`t worry, because now Senator Reid is once again on the case.

(BEGIN VIDEO CLIP)

SEN. HARRY REID, (D) NEVADA: Donald Trump desperately wants people to believe that he`s a brilliant, rich, rich businessman. In reality he`s a silver spoon doting fraud who would never make in it the real world without his father`s money.

(END VIDEO CLIP)

HAYES: On the floor of the senate, Harry Reid`s full assault is Thing Two, in just 60 seconds.

(COMMERCIAL BREAK)

HAYES: Senator Harry Reid managed to shame Mitt Romney into releasing his tax returns in 2012. It looks like he`s taking up the cause again. Both yesterday and today Reid spent a lot of time on the senate floor taking aim at Donald Trump`s financial background.

(BEGIN VIDEO CLIP)

REID: Trump is a fraud, that`s a word that I chose. He was born with an inheritance, but lost his daddy`s wealth. The Trump Foundation isn`t so much a charity as it is Donald Trump`s personal ATM machine.

He`s always looking for a mark, some victim for one of his schemes, because he`s incapable of making money honestly.

Now, our country`s Trump`s next target. But Trump won`t release his tax returns. He refused to release his returns. He comes up with one excuse after another to not release his tax returns. Perhaps the most damning evidence of Trump`s tax records would be that he lives off the American taxpayer. Donald Trump is a freeloader. There`s no question about it Donald Trump is a welfare king, but the welfare king doesn`t want voters to see that he doesn`t pay taxes. Prove me wrong. Prove Mitt Romney wrong. I dare you to come clean and show us your tax records.

What do you want?

(END VIDEO CLIP)

(COMMERCIAL BREAK)

HAYES: All right, we`re following some breaking news right now out of Charlotte, North Carolina. We told you earlier the second night of protests unfolding in the wake of a shooting of a black man in Charlotte yesterday.

Joining me now is Tammy Lightner who is on the scene. And Tammy, what`s going on down there?

TAMMY LIGHTNER, MSNBC CORRESPONDENT: Hey, Chris, we are downtown. We actually just got hit with tear gas. They tear gassed this entire area. There was maybe 300 people protesting downtown. Things started getting out of control. It started getting violent. Windows started getting broken in some of the businesses as well as some cars. Police showed up in riot gear. They set off tear gas multiple times, and people started talking to us getting very upset. They didn`t want the media here.

Some people stopped, talked to them. We explained we`re just here to tell a story. The only violence that we saw was some windows and some businesses getting broken out.

If you take a look down here, this is where the tear gas was set off at the very far end of the street, you can see people leaving. I would say there was probably 300 people when we all got hit.

HAYES: And you`re in downtown Charlotte. There are people that had assembled there. Had the protest sort of originated there? Were people coming from a different part into downtown?

LIGHTNER: So Chris, the protest started about two-and-a-half hours ago in a park. And it was billed as a vigil for the man who was killed. It moved about 15 blocks. People walked. It was still peaceful. You can see we`ve got some protesters out here. Police lined up. A show of force. These police are not in riot gear.

Earlier, 10, 15 minutes ago we had police in riot gear. They made a stand outside of a hotel, didn`t want anybody to cross it. Some of the protesters started throwing bottles, and that`s when the police officers set off the tear gas -- Chris.

HAYES: All right.

Tammy Lightner, thank you for bringing us that. We`re going to obviously be maintaining an eye on that situation. And please stay safe down there. We will be right back.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

GOV. CHRIS CHRISTIE, (R) NEW JERSEY: She`s a disgrace. She`s a disgrace, and those comments are a disgrace. It`s typical of Hillary Clinton. She knows nothing but the mouth never stops. I`m just appalled. And as someone who spent seven years in law enforcement, she`s exactly the kind of politician that law enforcement loathes. Loathes her. Because she jumps to conclusions for political gain and doesn`t care what careers or lives she ruins in the process.

(END VIDEO CLIP)

HAYES: Chris Christie in a radio interview responding to earlier comments by Hillary Clinton about tackling implicit bias after two more shootings of black men caught on tape within the past week.

Now, let`s take a minute to unpack some of what Christie said. First, it`s pretty rich for him to accuse Clinton of jumping to conclusions for political gain when the candidate that he`s so devoted to announced at a campaign rally on Saturday a bomb had gone off in New York long before law enforcement had confirmed what had actually happened.

That same candidate, of course, also congratulated himself after Orlando and declared the downed EgyptAir flight a result of terrorism, four months later investigators have yet to determine what happened.

And then there`s Christie`s belittling remark that, quote, knows nothing but mouth never stops. Again, Chris Christie, have you seen the guy you`re supporting?

And speaking of mouths never stopping, how about the two years Christie himself spent denying anything to do with the bridgegate scandal.

(BEGIN VIDEO CLIP)

CHRISTIE: I worked the cones actually on that. Unbeknownst to everybody, I was actually the guy out there. I was in overalls and a hat, so I wasn`t -- but I actually was the guy working the cones out there. You really are not serious with that question.

I had no knowledge or involvement in this issue, in its planning or its execution. And I am stunned by the abject stupidity that was shown here.

I think that anybody who works for me who believed that something like this was going to be something that would be pleasing or acceptable to me, didn`t know me in the first place.

(END VIDEO CLIP)

HAYES: Well, it turns out that long-term performance was not entirely convincing for some.

(BEGIN VIDEO CLIP)

TRUMP: The George Washington Bridge. He knew about it. Hey. having had breakfast with people every day of your lives. They`re closing off the largest bridge in the world, the biggest in the United States, traffic flowing during rush hour.

I would say there`s less than 1 percent chance. It could be, but I doubt it. He knew about it.

(END VIDEO CLIP)

HAYES: You`ve got to -- you know, tip your cap, when he`s right, he`s right.

In the end, we learned this week taht both the defense attorneys and the prosecutors in the Bridgegate trial, people who work in the office that Christie himself used to run, that`s the prosecutors, believe the governor knew about the lane closures on the George Washington Bridge as they were happening.

According to prosecutors, two of the main players bragged about the stunt to Christie at a memorial marking the 12th anniversary of 9/11.

I`m joined now by long-time New York reporter and columnist Michael Daly, now a special correspondent for The Daily Beast. Michael, good to have you back.

That photo, what do we know now about what was going on at that event?

MICHAEL DALY, DAILY BEAST: Well, if you are down there and you saw these guys yukking it up in the middle of a memorial, I mean, that was offensive enough.

And now they`re saying in court that what they were yukking about was that this bridge was closed up -- The George Washington Bridge, the lanes were closed, but worse than that, what they were specifically laughing about, according to the prosecutor, was that the mayor kept calling and calling and calling saying it was a public service emergency.

In other words, the mayor is worried that first responders would be unable to respond. So, they`re standing in a place where hundreds of first responders were killed trying to save thousands of people and they`re laughing about oh, this mayor keeps calling.

HAYES: Yeah, he`s got ambulances stuck in traffic.

DALY: I mean, you know, you don`t even know what to say. It`s beyond offensive. I mean, it`s obscene. It really is.

HAYES: You know, people I think have forgotten that Chris Christie right now is running the transition operation for Donald Trump`s campaign. He is the guy, you know, I have been around transitions before. What those people focus on are personnel.

Who are the people that gets the jobs.

DALY: Who gets the job.

HAYES: That`s the transition.

So this guy who -- you have federal prosecutors making a case in court right now that his sort of direct underlings pulled off this massive abuse of power, luckily no one got hurt, but this is sort of penny ante stuff compared to what you could do with the federal government and he`s the one who is going to be selecting personnel.

DALY: Think what you can shut down then.

HAYES: That`s right.

DALY: You know, when he talks about -- I was in law enforcement. I mean, when they were yukking it up, not too far from where they were, there was a port authority police officer who worked in the recovery effort. And he was -- four months after the attack he was digging down, 60 feet down, and they see a little patch of blue. And they keep clearing and clearing, and they cleared for about 12 hours and they find five Port Authority police officers dead surrounding a woman who was strapped in a rescue chair. And one of those police officer was captain Kathy Mazza (ph). And she had -- when people were bottlenecked in the north tower trying to get out, she shot out the windows so they could get out. She made sure they get out. She goes back in. She goes up to the 29th floor and she gets found 60 feet down with four other Port Authority police officers, and with the woman they were trying to save.

And this guy is using the Port Authority to close down that bridge, and they`re all down there at the site where Kathy Mazza was killed and they`re laughing about it.

HAYES: You also have got this situation now where you`ve got these emails about them threatening reporters or talking about what reporters they like and don`t like. You really get this kind of like -- you`re getting a window into what kind of operation they were running over there.

DALY: Yeah. I mean, you know, if you think back to him when people started taking notice of him. Remember that school teacher he abused?

HAYES: Yep.

DALY: Remember that, she was on her lunch hour.

HAYES: Dressed her down, right.

DALY: She was on her lunch hour, school teacher. And she went to see what he was saying. He ends up bullying her and shouting at her. And everybody is like, oh, you know, Chris Christie is a tough guy. And he talks about Jersey style.

Well, Jersey Style apparently is closing down a bridge, having the mayor worried that people are going to get hurt, and then going down to where thousands of people were murdered and laughing about it. That`s Jersey style apparently.

HAYES: Have you ever covered a more head-snapping reversal of political fortune than Chris Christie? I mean, this was the guy who was the next big thing after he won that race and people thought, he`s the future of the Republican Party.

And I sometimes peek into the alternate universe in which he is the nominee and 50 days before the election they`re starting a trial in which federal prosecutors say the nominee of the Republican Party lied about this abuse of power.

DALY: And it was interesting this, past 15th anniversary, he`s down there with Donald Trump and Rudy Giuliani. And Donald with his little ducktail thing goes, they are like panicked behind him. He`s like their last hope. He`s like, you know -- he`s the guy that will keep them in the spotlight. He`s the guy that will keep them being able to give people jobs and do this and that. And it was like -- here`s these two guys that acted like they were mano a manos. And they were staring. They looked like little ducklings going behind Donald Trump.

HAYES: You are saying Giuliani and Christie.

DALY: Yeah.

HAYES: Do you think that`s what it`s about. Do you think for them it`s this is a shot at a political future?

DALY: Well, I think it`s just a political life. I mean, I was surprised by how kind of frightened they looked. I mean, it was really kind of unsettling -- that kind of a little unsettling to see with Trump anyway. But...

HAYES: No, but they both have projected sort of tough guy independent, you know, sort of attitudes or personas for so long in their political life. It is amazing to watch them be so sort of supplicant and to play this role essentially they`re sweeping the carpet in front of him.

DALY: They really looked like little ducklings. It was the strangest sight.

HAYES: All right, Michael Daly, always a pleasure to have you. Thank you very much.

DALY: Thank you...

HAYES; That is ALL IN for this evening. "THE RACHEL MADDOW SHOW" starts right now.

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8907 speakers\_end

CHRIS HAYES, MSNBC HOST (voice-over): Tonight on ALL IN...

(BEGIN VIDEO CLIP)

DONALD TRUMP, REPUBLICAN PRESIDENTIAL CANDIDATE: They`re bringing in -- in many cases, this is cancer from within.

(END VIDEO CLIP)

HAYES (voice-over): Donald Trump`s descent into darkness continues.

(BEGIN VIDEO CLIP)

TRUMP: We want to make sure we are only admitting people into our country who love our country.

(END VIDEO CLIP)

HAYES (voice-over): Tonight, filmmaker Ken Burns on what he sees when Donald Trump speaks, and the dangerous logic behind the Trump campaign.

(BEGIN VIDEO CLIP)

DONALD TRUMP, JR., EXECUTIVE VICE PRESIDENT, TRUMP ORGANIZATION: If we had a bowl of Skittles on this table and three of the thousand in there were poisonous, would you take from the bowl?

(END VIDEO CLIP)

HAYES (voice-over): Plus, if you thought that Donald Trump`s charity looked like a slush fund before, wait until you hear the latest from the Washington Post. Then, Hillary Clinton on the shocking Tulsa shooting.

(BEGIN VIDEO CLIP)

HILLARY CLINTON, DEMOCRATIC PRESIDENTIAL CANDIDATE: Maybe I can by speaking directly to white people say, look, this is not who we are.

(END VIDEO CLIP)

HAYES (voice-over): Senator Sherrod Brown on today`s grilling of the Wells Fargo CEO. And you`ll never guess which ex-president is now ready for Hillary.

(BEGIN VIDEO CLIP)

TRUMP: Excuse me, Jeb --

(END VIDEO CLIP)

HAYES (voice-over): When ALL IN starts right now.

(BEGIN VIDEO CLIP)

JEB BUSH, FORMER GOVERNOR OF FLORIDA: That is not a fact.

TRUMP: Am I talking or are you talking?

(END VIDEO CLIP)

HAYES: Good evening from New York. I`m Chris Hayes. Donald Trump and his surrogates have said so many offensive things in this campaign, it can be easy to start tuning out each new outrage, to stop thinking about what`s really being said and what`s really at stake. Especially if the new outrage is over something as seemingly benign as a bowl full of candy. In the wake of the bombings in New York this weekend, the candidate`s son and one of his top advisors, Donald Trump, Jr., tweeted out this image last night, complete with Trump campaign branding, which reads, quote, if I had a bowl of Skittles and I told you just three would kill you, would you take a handful? That`s our Syrian **refugee** problem. Now keep in mind the man who allegedly planted the bombs was a U.S. citizen and not a **refugee**, and he came to the country from Afghanistan when he was 7 years old. And also keep in mind the Skittles analogy wasn`t just an offhand tweet. It is, for Donald Trump, Jr., a talking point.

(BEGIN VIDEO CLIP)

TRUMP: We have to be able to vet people coming into our country. If we had a bowl of Skittles on this table and three of the thousand in there were poisonous, would you take from the bowl? You wouldn`t, until you could figure out which ones were bad.

(END VIDEO CLIP)

HAYES: Now there`s a glaring problem with this analogy, which was, funnily enough, I suppose, pointed out by the very people who make Skittles. It was said in a statement, quote, Skittles are candy. **Refugees** are people. Because, you see, a Skittle doesn`t care if you eat it or not. A human being, like this little boy covered in dust and blood pulled from a bombed building last month in the Syrian city of Aleppo, he cares if you take him in, keep him safe from harm, maybe even give him a chance of a secure life. The logic being pushed by Donald Trump, Jr., it isn`t new. I mean, for years the basic promise of body hair has been used to justify treating members of some specific other group, some minority group, with suspicion or fear, contempt. To argue, for instance, that because some black people are criminals and you don`t know which black people are criminals, well, then you have to treat all black people like criminals. White supremacists have explicitly used this argument with a bowl of M&M`s standing in for the Skittles. And we should be very clear, it`s the same logic at the heart of one of Donald Trump`s signature policy proposals.

TRUMP: Donald J. Trump is calling for a total and complete shutdown of Muslims entering the United States until our country`s representatives can figure out what the hell is going on.

HAYES: Trump and his campaign has sought to tweak or obfuscate this policy, but they`ve never withdrawn it, they`ve never repudiated it, this call for total and complete shutdown of Muslims entering the United States. It`s still right there up on the Trump campaign`s website. Just yesterday in the wake of this weekend`s attacks, Trump was warning darkly of this menace.

(BEGIN VIDEO CLIP)

TRUMP: I`ve been saying this is going to be like the Trojan horse. We`re letting tens of thousands --

UNIDENTIFIED MALE: Right.

UNIDENTIFIED FEMALE: Mm-hmm.

TRUMP: -- of people flow into this country. And they`re bringing in -- in many cases, this is cancer from within. This is something that`s --

UNIDENTIFIED MALE: Right.

TRUMP: -- going to be so tough. And you know, they stay together. So nobody really knows who it is --

UNIDENTIFIED MALE: Yes, right. OK.

TRUMP: -- what`s happening. They`re plotting. They keep plotting --

(END VIDEO CLIP)

HAYES: The logic that undergirds this kind of thinking is flatly and unambiguously the fundamental logic of bigotry, of ethnic, racial and religious hatred. It has a very dark history. In 1938 in Germany, Julius Streicher published an anti-Semitic children`s book called The Poisonous Mushroom. And in it a mother tells her son, quote, just as a single poisonous mushroom can kill a whole family, so a solitary Jew can destroy a whole village, a whole city, even an entire volk of people. Streicher, a close ally of Adolf Hitler, was executed in 1946 for crimes against humanity. Donald Trump is not a Nazi. He is not espousing Nazism, the horror and evil of which has a singular place in history. But the rhetoric that Trump and his campaign are routinely trafficking in, the characterization of entire groups as appearing on the outside to be harmless, but containing potential poison within of infiltrating our pure people with their poison, with their cancer? That is dark stuff. It plays to the most elementally based instincts in human history, the fuel of fear and hatred for the stranger and the other that burn in the darkest chapters of human memory. That is what is powering this campaign right now as we live through this moment of what feels to me like capital H history. And we don`t know where it goes. Here with me now, award-winning documentary making filmmaker Ken Burns, co-director of the new film Defying the Nazis: The Sharps` War, which airs tonight on PBS. It`s about an American couple who repeatedly risked their lives to rescue Jews, dissidents, and other **refugees** from Hitler`s regime. Look, there`s a thing called Godwin`s law, right, on the Internet? You don`t want to make analogies to Hitler, for I think really good reasons. Arguments end up in these sort of dead ends, it`s very easy to invoke. So I want to just sort of bracket that and just talk a little bit about working on this film, how you are viewing this election with that sort of going through your mind as you`re working.

KEN BURNS, FILMMAKER, DEFYING THE NAZIS: THE SHARPS` WAR: You wish that you could say that you planned to do a film on **refugees** the day the president`s in town talking about **refugees**. We didn`t. We`ve been working on it for years and years and years, my partner Artemis Joukowsky and I. Mark Twain is supposed to have said history doesn`t repeat itself, but it rhymes. And what`s very clear is that we`re hearing some rancid rhymes from the past. It isn`t Nazism. But the tropes are too similar to not put us or those of us who spend our time sifting through history in an incredibly uncomfortable position where we have to sort of wave a flag and say wait, wait, this is going on again. It may not be exactly the same thing, but we`re poised to be in a position where these things can happen. So working on a film about people who have sacrificed their lives, who have given up their home life of, you know, a middle class Unitarian minister and his wife in Wellesley, Massachusetts, the most difficult thing before them is what they`re going to say on Sunday. They get a call from the church elders a month later, she`s dodging Gestapo agents, he`s laundering money, they`re writing in code, they`re burning documents. They appealed to the better angels of our nature. This does not.

HAYES: When we think about **refugees**, and people have talked about the U.S.`s history of **refugees**, and indeed our **refugee** policy is largely born of guilt over what we failed to do --

BURNS: That`s right.

HAYES: -- during that period. People say to me -- I even said this today -- you know, replace the word Jew in any of this language about these groups and it suddenly strikes you in a different way. And they say, well, that`s different.

BURNS: Yes.

HAYES: That`s different. You know, there`s the Islamic State and there`s this single religion that`s focused on terror. People had arguments back in the 1930s --

BURNS: It goes back to --

HAYES: -- about why it`s bad to let Jewish **refugees** in.

BURNS: It goes back to the 1830s. You`ve got Irish and Catholics and Germans were demonized around the First World War. Jews, everybody. But we made excuses about why we couldn`t let them in, which is what makes the Skittles analogy of today so fraudulent and so perilous. And we now have to just invoke those better angels. We have to say enough, this is not who we are.

HAYES: The subjects of your film are operating in a time when Americans are not that into the idea of taking a lot of **refugees**. I mean, in some ways they stand out for exactly that reason.

BURNS: It echoes the period that Franklin Roosevelt and particularly Eleanor Roosevelt were so frustrated that -- a clearly anti-Semitic State Department, laws passed by Congress that were excluding quotas the number of people that could be let in. And so we`re facing the same kinds of things today, and we`re watching ourselves go through that again.

HAYES: What do you say to someone who says, look, I`m not a bigot, I don`t care --

BURNS: But.

HAYES: Well, no. But someone who just says, look, I`m scared. Look, it looks like this guys just tried to set off a bunch of bombs. There but for dumb luck we would be looking at dozens of people dead.

BURNS: Right.

HAYES: And, you know, sure, OK, most of them are fine. But I don`t know, it makes me uneasy to think that one of them might not be.

BURNS: Right. But you don`t want to invent an entire superstructure of attitudes towards whole groups of people based on that one action. It`s like saying all black people are...

HAYES: Right.

BURNS: It just doesn`t happen. I mean, you would turn around and -- let`s just take Dylan Roof, the man --

HAYES: Yes.

BURNS: -- accused of killing people in Charleston a year plus ago. And would you say does he stand in for all white people? Do we now have to be very careful about --

HAYES: Yes.

BURNS: -- white people now? Of course not, we don`t say that. So we have to be very, very careful.

HAYES: Does that word cancer that Donald Trump uttered, does that strike you in a particular way?

BURNS: It does indeed. I`ve made a film on cancer, my mother died of cancer. But I also know what metastasis is within a body politic. And I think that for Donald Trump to be speaking in that way is itself the cancer. That`s the problem right now. We do not wish these attitudes to grow in the United States here where we are an alloy. We are stronger because of all the things that have made us. That makes us the strongest nation on earth. And once you begin accepting people, you`re Orwell`s Animal Farm, all animals are created equal except some animals are more equal than others.

HAYES: As someone who has been making films about history in America in all different periods, particularly sort of famously probably the most wrenching period, the Civil War, how do the stakes of this election feel to you?

BURNS: I`ve just finished a film that`ll be out next year on Vietnam, and I feel like that was the second civil war. And I sort of feel like we`re in a third --

HAYES: Hmm.

BURNS: -- civil war right now. And I think that despite all the divisions, the sides, they appeal to our basest instincts in this election, that all of us, whatever the side, yearn for the things that we share in common, yearn for those mystic cords of memory, for those better angels of our nature that Lincoln in our first Civil War articulated. And I have been struggling all of my professional life, but particularly now to find the words to try to describe how powerfully objective an awareness of the past can be for dealing --

HAYES: Yes.

BURNS: -- with these things. To take the examples that we already know. We`ve been here before, folks, we know what this looks like. We don`t want to go through that door. We want to go through this door. We want to bring people together --

HAYES: Yes.

BURNS: -- and try to do things in common. And it`s not a red state or a blue state issue.

HAYES: Yes.

BURNS: This is just an American issue. And I would just refer people back to the Constitution. It`s very, very clear. It`s not a beautifully written document --

HAYES: For what it protects, yes.

BURNS: -- it`s just an amazing machine. Preamble`s nice. Go to the Declaration for poetry, the Gettysburg Address for poetry, but if you want a mechanical manual for how to fix things, it`s right there. It`s right there, and it`s just four pieces of parchment --

HAYES: Yes.

BURNS: -- written in the 18th century that`s able to adjudicate our most complicated problems in this the new 21st century. It`s the best thing there is. But you got to know it and read it, and you`ve got to be willing to say sometimes it doesn`t fit in with a convenient binary --

HAYES: Right.

BURNS: -- approach to politics.

HAYES: Right. Ken Burns, the new work airs tonight on PBS. It`s really a pleasure. Come back anytime, all right?

BURNS: Thank you.

HAYES: Authorities said today that Ahmad Khan Rahami, the man accused of setting the bombs in New York and New Jersey over the weekend, including the attack in New York City that injured 29 people will be charged with federal counts of using a weapon of mass destruction and bombing public places. Rahami is believed to have purchased bomb material off eBay, used his own name. And law enforcement sources tell NBC News when he was arrested he was carrying a notebook containing a rambling missive that praised a slain al-Qaeda leader and mentioned deadly terror attacks. NBC News also learned Rahami`s father, Mohammed, once branded him a terrorist during a family fight. Though questioned by the FBI, the elder Rahami said he made the statement out of spite, that it was not true. The FBI, which had opened what`s called an assessment then dropped the case. I`m joined now by author and activist Zainab Salbi, Editor-At-Large Women in the World, founder of Women International, Malcolm Nance, career Naval intelligence officer and now an MSNBC terrorism analyst. And, Malcolm, let me start with you. So first let`s sort of start with the numbers here in this sort of Skittles analogy and then we`ll talk about Rahami, right. So we should just be clear there`s over 700,000 **refugees** that have been taken since 9/11. None have ever been linked to a deadly terrorist attack.

MALCOLM NANCE, MSNBC ANALYST: Right.

HAYES: The odds people put of somewhere one in 10 billion. There are **refugees** that in Europe have appeared to play some role in terrorist plots, but we`re talking about huge and massive numbers. From an intelligence perspective, why is this bad logic? From an intelligence prospective, from doing the job that you were tasked with doing and that so many people are tasked with doing, which is protecting American lives, why not think like the Skittles bowl?

NANCE: Well, right off the bat, the first thing it does is it -- first off, it`s racist. It`s just plain, strait out, flat out racist. Now I cannot operate in the Middle East and the rest of the world in a fish bowl of 1.6 billion innocent people whom we are assisting as war fighters and intelligence officers in the field with our Muslim allies, who are our partners in this fight, who we have shed blood for, who we have fought together with to get rid of this scourge of ISIS and al-Qaeda, right? That being said, I need everyone in the United States and as our allies to work together with this.

HAYES: Right.

NANCE: And if you separate this 10,000, you know, Syrian **refugees** or however many people and you say that they`re a plague and they`ve got poison in them and they`re coming to this country and doing that, well, right now what you`ve done is you`ve condemned -- as Ken Burns so eloquently put -- our entire history of **immigration**. But as an intelligence officer and a war fighter, you are taking resources from me. You are taking --

HAYES: Right.

NANCE: -- people who could help me.

HAYES: Who could tell you things.

NANCE: Let me tell you, foreign broadcast information service, we can use every person who is fluent in Syrian dialect Arabic right now.

HAYES: Zainab?

ZAINAB SALBI, FOUNDER, WOMEN INTERNATIONAL: But may I say, but **refugees** are the most vetted people who enter America, just so we know.

HAYES: This is, of course, the irony. Yes.

NANCE: (INAUDIBLE) steps.

SALBI: Exactly. It takes about two years` process. They`re vetted by several government agencies. If anybody can squeeze in are the illegal **immigrants** --

HAYES: Right.

SALBI: -- you know, they are the ones who can, you know.

HAYES: Right.

SALBI: But **refugees** are the most vetted. It`s impossible that they -- like, this is the best way to enter the country. The safest people are the **refugees**, actually.

HAYES: What do you think, Zainab, of this story -- you know, we began in this very interesting territory with this sort of thing. The father said at some point that he thought he was a terrorist. There`s all these questions that then why wasn`t he caught. And, you know, they talk about ideological vetting. You know, this man came when he was a 7-year-old kid. You know, you`re coming from a part in the world -- you once lived in Iraq -- that has been torn asunder by brutal violence perpetrated by ISIS, among others. You know, in that part of the world, obviously, the conversation about this is very different.

SALBI: The conversation about that part of the world is very different, and the damage Mr. Trump has done is actually very long-term damage in the Middle East. For example --

HAYES: What do you mean by that?

SALBI: Well, for example, public sentiment in the Middle East believe that ISIS has been supported by America. This is conspiracy theory, very popular in the Middle East. They say Muslims in the Middle East believe that.

HAYES: Yes. The leader of Hezbollah, in fact.

SALBI: Well, but normal people.

HAYES: Yes, right.

SALBI: Both believe that. But when Mr. Trump goes on TV and says it`s been founded by President Obama and Mrs. Hillary Clinton, this all the sudden makes it real. And that is long-term damage for America.

HAYES: This is essentially -- you know, I saw the leader of Hezbollah saying in a speech after that, look, the American presidential nominee has said what we`ve been saying all along --

SALBI: Exactly.

NANCE: Yes.

HAYES: -- ISIS is an American creation.

SALBI: Exactly. Now why this is a problem, A, it damages American reputation on the long haul. This is not, like, a sarcastic moment for Middle Easterners.

HAYES: Right.

SALBI: The second thing is, we`re trying to fight ISIS from within the Middle East.

HAYES: Right.

SALBI: This is a destruction of our own countries. And unless we own that problem, then we keep on blaming each other for it.

HAYES: And this is part of what`s so perverse here, right? I mean, if there`s a unifying force in the world today, I would say, it`s ISIS, who are about the most universally loathed group in the world by people of all faiths, all creeds. I mean, and they have attacked and killed people of all faiths and creeds, and they are rejected by the overwhelming majority. And as you said, you want as many people in the pool trying to figure out how to stop them.

NANCE: Yes. You know, Osama Bin Laden himself said the reason he didn`t want to go to a caliphate is because it would bring the world crushing down on it. I don`t know who Donald Trump is getting his intelligence from. But ISIS is on the verge of destruction, OK. Pay attention to the news. We`re about to do a major offensive on Mosul.

HAYES: Mosul, yes.

NANCE: Raqqa is surrounded on almost three sides right now. In another year, there will be no physical caliphate. Egypt has slaughtered him.

HAYES: Right.

NANCE: Libya has kicked them out. So to do this, you know, we need as many allies as possible.

HAYES: And -- yes?

SALBI: If I may --

HAYES: Yes.

SALBI: -- and beyond that, there are only 1 percent Muslims in America. I`m one of them.

HAYES: Yes.

SALBI: Only 1 percent are Muslim --

HAYES: Yes.

SALBI: -- all right? According to the FBI, nearly 80 percent of all terrorist attacks in America has happened by none of them, right?

HAYES: Yes. This is an important statistic.

SALBI: You are more likely to die out of a car accident -- 300 times more likely --

HAYES: Yes.

SALBI: -- to die in a car accident in Orlando than a terrorist attack, right?

HAYES: Yes.

SALBI: And yet all the 1 percent of Muslims in America, let alone the 1.6 billion Muslims around the world have been categorized and narrowed as one --

HAYES: Yes.

SALBI: -- identity: you are bad. People are scared. I just actually went to Minnesota where a lot of attack is happening against --

HAYES: Yes.

SALBI: -- Muslims. They are scared for their lives right now, the Muslims, of Americans.

HAYES: Yes. All right, Zainab Salbi and Malcolm Nance, thank you so much for your time tonight. I really appreciate it.

NANCE: It`s our pleasure.

SALBI: Thank you.

HAYES: Still ahead, a massive discovery by the Washington Post today that Donald Trump reportedly used money from his charity to pay off his legal settlements. Much more on that report ahead. But first, the CEO of Wells Fargo grilled on Capitol Hill today over widespread fraud at his company. Senator Sherrod Brown was part of that hearing, joins me to talk about it ahead.

(BEGIN VIDEO CLIP)

SEN. SHERROD BROWN (D), OHIO: -- to minimize your influence with the board. You`re the chairman of the board --

(END VIDEO CLIP)

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

BROWN: I call it fraud because I got tired of the euphemisms a long time ago. I think the American people did, too. This is 5,300 employees. Wells Fargo calls them team members. 5,300 team members forging signatures, stealing identities, social security numbers, and customers` hard-earned cash so as to hang onto their low-paying jobs and make money for the high-paid executives at Wells Fargo.

(END VIDEO CLIP)

HAYES: That was Ohio Senator Sherrod Brown at a hearing today at Capitol Hill called to investigate the massive systemic fraud at Wells Fargo uncovered by the Consumer Financial Protection Bureau. Over a five-year period, more than 5,000 Wells Fargo employees opened up millions of accounts for customers without the customers` knowledge. The scheme yielded just 2.4 million dollars in fees for those customers, but it drove the bank`s stock price up, made hundreds of millions for executives, none of whom have been fired. At the hearing this morning, the CEO of Wells Fargo had a pretty rough go of it.

(BEGIN VIDEO CLIP)

SEN. ELIZABETH WARREN (D), MASS.: OK. So you haven`t resigned, you haven`t returned a single nickel of your personal earnings, you haven`t fired a single senior executive. Instead, evidently your definition of accountable is to push the blame to your low-level employees who don`t have the money for a fancy PR firm to defend themselves. It`s gutless leadership.

(END VIDEO CLIP)

HAYES: And joining me now, Senator Sherrod Brown, ranking member of the Senate Banking Committee. And, Senator, the malfeasance here and the fraud seems so brazen. What were you trying to learn in this hearing in terms of -- I think a lot of people when this first broke thought, well, how do you get 5,300 people independently doing the same thing without this being a bigger problem up the chain?

BROWN: Well, a couple things we wanted to do. One is I wanted to make the contrast that 5,300 employees who were fired, mostly who were -- you know, they did things they shouldn`t, but they were under great pressure from management to meet goals that actually Wells Fargo has rescinded those goals because they were just too unattainable. 5,300 people fired, 90 percent of them were non-management, only 10 percent of them management. So they were making $13 an hour as tellers, $15 or $16 or $17 an hour as personal bankers. At the same time, the head of the section who had just retired at the age of 56 and she was given up to $120 million bonus. So I want to make those contrasts that bank executives make more and more and more money, and bank rank and file workers are still stuck at $12 and $13 and $14 an hour. So the second thing is, what`s Wells Fargo going to do to begin to claw back some of this compensation? They have the right under the law to claw back, meaning to strip some of those -- that $120 million package from her saying, frankly, you engaged in malfeasance, you didn`t do good performance, you didn`t meet our standards, you shouldn`t get this kind of goodbye package. So we didn`t get an answer from the CEO about that. He just said, well, I`ll follow what the compensation committee would do. He never said he would advise the compensation committee. Under pretty intense questioning, never said he`d advise the compensation committee to claw back those dollars.

HAYES: I mean, I just want to be clear here, right. We`ve got a bank management-designed incentive structure that is paying -- you know, is essentially incentivizing. Clearly the management structure is amiss when 5,300 people independently are doing this same kind of gaming, right. So there`s a management structure here that seems deeply at issue but doesn`t stop at the 5,300 people who did it, one would assume.

BROWN: Yes. In addition to 5,300, there were hundreds, maybe thousands that just quit because they didn`t want to live like this, maybe they had another opportunity so they moved on because of that or they just quit because they just didn`t think they could live under this kind of asking them to do whatever it takes, including breaking the law. But when you look at this company, no top managers, top executives -- all of them making multiple millions of dollars a year -- none of them had any give back, claw back, deductions from their pay, any penalties, while 5,200 low wage workers lost their jobs and hundreds of others quit because they just didn`t want to cheat, didn`t want to be called to do these things.

HAYES: So I just want to be clear, as of now for this scheme that was basically uncovered, there is no financial penalty that`s been paid by anyone except the lowest level workers and a few people in management?

BROWN: Yes, and that`s exactly right, Chris. And that`s compounded by these firings have been going on for five years, starting --

HAYES: Right.

BROWN: -- at least in maybe 2011, maybe earlier. A thousand a year, 2011, 12, 13, 14, 15, roughly a thousand a year. The CEO didn`t know this was going on until the consumer bureau came in and then the LA Times wrote about it. But he found out about these firings and these unauthorized accounts -- apparently, he says -- from the consumer bureau --

HAYES: Huh.

BROWN: -- not from this woman who was directly under him who he says he met with once a week for the last eight years. He didn`t find it out from her that they had fired a thousand people a year for this kind of opening these unauthorized accounts. So something`s amiss.

HAYES: Yes.

BROWN: And we don`t know enough yet.

HAYES: All right. Senator Sherrod Brown, thanks for your time tonight.

BROWN: Thanks, Chris, for shining a light on --

HAYES: Still ahead, a bizarre story about Donald Trump, a charity golf tournament, and the 11 yards of grass worth more than a million dollars. That`s coming up right after this break.

(COMMERCIAL BREAK)

HAYES: So there`s this charity golf tournament at Donald Trump`s course in Westchester, New York, back in 2010, hosted by former NBA star Alonzo Mourning. And like lots of those tournaments, there`s a huge prize on one of the par-3`s if a player can hit a hole in one. All right. The prize at Trump National that day was one million dollars if the player hits an ace in the par-3 13, the course`s signature hole. And it`s listed now as 120 yards from the white tees. And guess what? One player put it in the hole, a guy named Martin Greenberg who got his picture here with Alonzo Mourning. You can see Zo signed the photo noted, 1 mil. But Martin Greenberg never got his money. As the New York post reported at the time, the insurer backing the event refused to pay up claiming Greenberg`s required 150-yard shot had only traveled 139 yards. Greenberg sued, his lawyer telling the daily news the markers of the tee were not set at the right yardage, that the course, owned by Trump in this case, traditionally sets those markers. So the course had set up a contest on a hole too short for the player actually to be eligible to win. Donald Trump settled that lawsuit and agreed to pay $150,000 to the charity of Greenberg`s choice. But the story doesn`t end there. Because according to a new bombshell report by the Washington Post and David Fahrenthold, it wasn`t Trump who paid that settlement. That story is coming up.

(COMMERCIAL BREAK)

HAYES: Protests in Tulsa, Oklahoma again today following the fatal police shooting of an unarmed black man Terence Crutcher. A warning, this video contains graphic content. This is helicopter video released yesterday by Tulsa police. The incident happened on Friday evening. Crutcher is seen here in the white t-shirt, his hands raised next to his SUV which is in the middle of the road.

We don`t know why the car is in the middle of the road.

According to Tulsa police spokesperson, Jeanne McKenzie (ph) officers on the scene say that Crutcher did not follow commands. Quoting Spokeswoman McKenzie, they continued to talk to him, he continued not to listen and follow any commands. As they got closer to the vehicle, he reached inside the vehicle, at that time there was a taser deployment and a short time later there was one shot fired.

As you watch this video ending with Crutcher falling to the ground, you can judge for yourself if that appears to sync up with what you see there.

Tulsa Police Chief Chuck Jordan confirmed there was no gun on Terence Crutcher with one shot, officer Betty Shelby, has been placed on routine administrative leave pending an investigation.

U.S. Department of Justice has also opened its own independent investigation.

The family of Terence Crutcher does not agree with the claim the Tulsa police that Crutcher was non-compliant. They say, through their attorneys, they do not know if Crutcher was under the influence of alcohol or drugs as has been suggested by the lawyer for Officer Shelby.

But even if he was, they say, the deadly police response was not warranted.

A Tulsa police official told the Tulsa World that officers found PCP in Crutcher`s vehicle, but we do not yet know if Crutcher had any drugs in his system. Terence Crutcher was 40 years old and the father of four.

His twin sister Tifftony has asked that protests remain peaceful. In a radio interview today Hillary Clinton had a very strong reaction to the shooting.

(BEGIN VIDEO CLIP)

HILLARY CLINTON, DEMOCRATIC PRESIDENTIAL CANDIDATE: We`ve got to tackle systemic racism, this horrible shooting again. How many times do we have to see this in our country? In Tulsa, an unarmed man with his hands in the air? I mean, this is just unbearable, and it needs to be intolerable. And so you know, maybe I can, by speaking directly to white people say, look, this is not who we are.

(END VIDEO CLIP)

HAYES: Joining me now, MSNBC contributor Ben Jealous, senior fellow at the center for American progress. He`s endorsed Hillary Clinton.

I feel like we`re at the point in one of these stories -- and it seems awful to say one of these stories, but there have been many of these -- where the initial -- we get the initial sort of oh, my god, I can`t believe it happened, watch the video, and then it`s some detail comes forth and you get people saying, well, there was PCP in the car or, well, he didn`t listen to commands or, well, whatever the explanation is for what we see and think is not justified when you first see it is in fact justified.

BEN JEALOUS, MSNBC CONTRIBUTOR: Look, we had a crazy contrast in the meda in the last 24 hours, because meanwhile, in New Yersey you have a man who planted bombs in multiple places.

HAYES: That`s a fair point.

JEALOUS: Who shot two officers, and the police shot to wound him and took him away. And so it begs the question, how are our police officers being trained and why aren`t they told, if you have a man who has his hands in the air who has been walking backwards. You see him, you know. He appears to be responding to some command. Walking slowly. Why do you need to shoot to kill? And why does this only seem to happen to men of color at least 95 percent of the time? And just why?

But then you have to get to as a country, yes, it needs to be intolerable. And you know what? We need to see chiefs of police lose their jobs, mayors lose their jobs, DA`s lose their jobs if they cannot get these situations under control and hold people accountable for murdering their fellow citizens, but we have to admit other countries are doing this better.

We have no national standards for use of force. We have no national standards for use of force training. Meanwhile, and the average station in this -- the average department, rather, in this country, the standard for use of force training is one day at the academy.

Meanwhile, in England, they have no guns, most officers. And they`re trained every six months. And yes, they have national standards. They`re all trained the same way.

HAYES: And yet, in all those other countries, I mean, the thing that always strikes me is they`re not awash in guns. So if you`re a police officer walking around in England or in Denmark or in Belgium or in Japan, it is not in the back of your hand all the time that a citizen might pull out a gun.

JEALOUS: You know what, that`s exactly right.

HAYES: And that`s layered atop all the other kind of suspicions...

JEALOUS: And the militarization of our country that`s been pushed by the radicals inside of the NRA who control the place, because the NRA is not controlled by the average NRA member, let`s be clear. Who pays a price for that, the militarization...

HAYES: The arms race that happens.

JEALOUS: Right, is black men with their lives, one way or the other.

HAYES: Unarmed.

And here`s -- there`s this exchange that happens in which the pilot -- the helicopter pilot looks down at this individual that we see there and says, that looks like a bad dude. And I thought, man, that phrase -- now, we should be clear the cops didn`t hear that. That`s independent of the cops.

That phrase, I thought why? That seems like the whole thing in a nutshell.

JEALOUS: I mean, you have a suburban man in a t-shirt who is a father of four, and frankly looks like one. And his SUV breaks down, like what a nightmare that your father gets murdered by a police officer because they`re afraid of what he looks like.

And it`s stuff -- you know, and you`re getting me a little bit raw tonight, because it`s like one case too many in so many months and so many years. But the reality is that the FOP needs to stop -- they need to find a way to train officers. They need to find a way to correct officers. This slandering of victims is outrageous.

And by the way, people on PCP don`t look like that. People on PCP, they kind of have superhuman strength, they get massively aggressive. There`s nothing aggressive there.

HAYES: Ben Jealous, thanks for your time tonight. Appreciate it.

JEALOUS: Thank you, apreciate it.

HAYES: Still ahead, the latest revelation about Trump`s use of his foundation`s money that might be the most shocking yet. And we`re still just scraping the surface. More on that ahead. But first, we have tonight`s Thing One, Thing Two right after this break.

(COMMERCIEAL BREAK)

HAYES: Thing One tonight, with just six days until the first presidential debate, many are wondering whether Donald Trump leads the same kind of combative, confrontational style as he did in the primaries when he rolled in as the anti-Jeb candidate.

(BEGIN VIDEO CLIP)

TRUMP: He has failed in this campaign. It`s been a total disaster. Nobody cares.

JEB BUSH, FRM. GOVERNOR OF FLORIDA: This is a tough business to run for president.

TRUMP: I know, you`re a tough guy, Jeb. I know.

BUSH: And we need to have a leader.

TRUMP: Two days ago he said he would take his pants off and moon everybody, and that`s fine. Nobody reports that.

BUSH: My mom is the strongest woman I know.

TRUMP: She should be, running. Am I talking or are you talking, Jeb?

BUSH: I`m talking right now. You`re never going to be president of the United States by insulting your way to the presidency.

TRUMP: Let`s see, I`m at 42 and you`re at 3. So, so far I`m doing better. So far I`m doing better.

You`re not talking, you interrupted me again. Are you going to apologize, Jeb? No.

BUSH: Standard operating procedure to disparage me. That`s fine. I don`t really care.

TRUMP: spend a little more money on the commercials.

(END VIDEO CLIP)

HAYES: Well, that helped Trump secure the nomination, it appears now to have cost him the vote of at least one prominent Republican and that`s Thing Two in just 60 seconds.

(COMMERCIAL BREAK)

HAYES: It seems as though at least one person might not have been so thrilled with Donald Trump`s treatment of Jeb Bush during the primaries: Jeb`s father.

Politico reported today that President George H.W. Bush plans to vote for Hillary Clinton. Posting this photo from the Facebook page of Kathleen Hardington Kennedy Townsend, daughter of the late RFK. Caption reads, the president told me he`s voting for Hillary.

NBC`s Andrea Mitchell reports Townsend confirmed Bush indeed is with her saying that Bush 41 did in fact tell her that he planned to vote for Hillary Clinton. Spokesman for the former president tells NBC not to expect a public endorsement. The vote President Bush will cast as a private citizen in some 50 days will be just that, a private vote cast in some 50 days.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

TRUMP: Hillary Clinton has perfected the politics of personal profit and even theft. She ran the State Department like her own personal hedge fund doing favors for oppressive regimes and many others and really many, many others in exchange for cash. Hillary Clinton may be the most corrupt person ever to seek the presidency of the United States.

(END VIDEO CLIP)

HAYES: Donald Trump and other Republicans have long accused Hillary Clinton of misusing the State Department and the Clinton Foundation for personal enrichment, but while scores of reporters have published dozens of stories on potential conflicts of interest through the Clinton family`s various roles, they have all failed to produce a smoking gun.

Now, imagine, if you will, that it turned out that Hillary Clinton had, say, used over $250,000 of the foundation`s money earmarked, let`s say, to buy AIDS medication for children in a developing world, to settle her own personal legal problems. Might cause a bit of a scandal.

That is basically what Donald Trump has done, according to The Washington Post`s David Farenthold who main expertise in combing through Trump`s charitable records.

Aroudn ten years ago, he reports, Trump sued the town of Palm Beach, Florida, over fines on an 80-foot-tall American flag at his club Mar-a- Lago, almost double the height limit set out by town rules.

The suit claimed a smaller flag would -- and I`m quoting here, fail to appropriately express the magnitude of Donald J. Trump`s patriotism.

The parties eventually settled. Palm Beach agreed to waive the fines in exchange for a donation from Trump to a specific charity. This is a copy of Trump`s check turned up by The Post, $100,00 to Fisher House, a veteran`s charity, not from Trump himself, but from the Donald J. Trump foundation.

Then there was Donald Trump`s golf course bait and switch, the case of a man who, as I mentioned earlier, won a million dollar prize for a hole in one at Trump`s club in norhtern New York City only to find out later you had to hit the ball 150 yards to win and that particular hole fell short.

The man, Martin Greenberg, sued the golf club. The parties eventually agreed to a settlement requiring the club to donate to a charity of Greenberg`s choice. That money, $158,000 to the Martin Greenberg Foundation came from the Trump Foundation, which reported it in a 2012 IRS filing.

According to the post, the Greenberg Foundation reported no contributions that year from either Trump himself or his golf club.

Just to be clear here, it is illegal to derive personal benefits like, say, fulfilling one`s legal obligations from a non-profit or charitable organization, a practice known as self-dealing.

On top of that, as Farenthold has reported, Donald Trump has given hardly any of his own money to the foundation since 2006, and none at all since 2009. It`s funded almost entirely by other people`s money, including $500,000 from NBC/Universal, our parent company in a 2012.

The Post`s David Farenthold is one of a small handful of reporters doggedly pursuing the truth about Donald Trump`s business and financial dealings in spite of his refusal to release his tax returns. Coming up next, two of those reporters: David K. Johnson, and Kurt Eichenwald.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

TRUMP: We`re going to get the Gulf states to pay for safe zones. We`ll lead the project like it`s called OPM, I do that all the time in business -- it`s called other people`s money. There`s nothing like doing things with other people`s money.

(END VIDEO CLIP)

HAYES: Donald Trump at a rally in North Carolina today being uncharacteristically candid about his approach to business. Joining me now, two journalists who know more about that subject than just about anyone, Kurt Eichenwald, senior writer for Newsweek who wrote a recent cover story on the conflicts presented by Trump`s foreign business ties, and David K. Johnston, Pulitzer prize winning investigative reporter author of the new book The Making of Donald Trump.

David, let me start with you first on what Farenthold has found, which seems to me like this is a real smoking gun. Like, this is just on its face a violation of the law. You can`t use the foundation to pay off your legal settlements like just -- I mean, this is it.

DAVID K. JOHNSTON, JOURNALIST: This is the, by my count, eighth example of Donald Trump engaging in self-dealing -- taking charitable funds and using them to cover his business costs or his personal obligations. That`s sufficient for the IRS to go after and revoke the charitable status of the Donald J. Trump Foundation.

If this were done by some politician out of favor with the majority in congress, there would be hearings about it. And your example I thought was perfect, imagine if Hillary Clinton had done this with any of the Clinton Foundation money, there would be all hell breaking loose about it.

HAYES: Yes.

Yeah, Kurt, I want to talk a little bit about -- because this all -- there is this sort of synergy here, right. You`ve got the foundation. You`ve got the business and you`re about to possibly elevate this man to be the most powerful person arguably in the world.

The sort of ability for self-dealing -- I mean, it`s one thing penny-ante with the foundation, right. All of a sudden you`ve got the federal government at your disposal. They have responded to your report by, being like well, we`ll put it in a blind trust. Don`t worry about it.

What do you think about that?

KURT EICHENWALD, NEWSWEEK: Well, it`s a lie. I mean, every response they have given about how they`re going to deal with the conflicts of interest presented by his very unsavory foreign business partners and his duties as national -- in terms of keeping charge of American national security has been a deception.

And I think we all need to take a stand back right now and look at David Farenthold`s reporting, look at David K. Johnston`s reporting, look at my reporting, and it all has the same thing. Donald Trump is a fraud. He puts his money on other people`s charitable contributions and uses it to buy himself out of legal problems.

He puts his name for a fee on criminals` construction projects. When they go south, he says, not me. When they go well, he says it`s all me. And then everything that David details in this book.

I mean, what`s amazing to me is that most of the American voters have no idea who this man is, but when you start picking away at the scab, there`s some very ugly things underneath.

HAYES: And you, I mean, David, one of the things that you`ve been saying from the beginning about the importance of the tax return, which we`re never going to see I think because precisely because of what Kurt is saying is this would at least lay it bare, right? This would let us know what we`re going into.

They are now saying -- I want to give you a listen to Donald Jr. talking about -- for a while there`s an audit, that`s why we can`t. But this is a kind of new line that`s been trotted out, which I think is refreshingly honest. Take a listen.

(BEGIN VIDEO CLIP)

DONALD TRUMP JR.: He`s got a 12,000-page tax return that would create probably 300 million independent financial auditors out of every person in the country asking questions that are goign to distract from his main message.

(END VIDEO CLIP)

HAYES: There you go. Asking questions that would distract from his main message.

JOHNSTON: Right. Well, that`s because the Trumps don`t believe in being held accountable. Donald has flouted the law all throughout his life. He`s cheated workers out of their pay, he`s used illegal **immigrants**. He`s cheated vendors. He has swindled investors. And Kurt is exactly right. The thing you need to understand about Donald Trump is everything is a fraud when you peel back just the surface on Donald Trump.

And it is astonishing that the American public doesn`t understand this, that he goes around saying workers are paid too much money, and yet I get emails every day from people saying Donald Trump is going to get elected, and then I`m going to make more money.

HAYES: Right.

And part of that also is because he`s had this role in American life including on The Apprentice in which he played the role of successful businessman. I mean, that`s what people know about him. They`ve never seen his tax returns.

JOHNSTON: They know the claim that he`s a successful businessman.

HAYES: Right. Kurt.

EICHENWALD: Yeah. Well, what`s interesting to me. I mean, I have been following Donald Trump since `87, that was the first time I spoke to him. And one of the things that is in his wake is just a long trail of people who have been conned. And I don`t mean, you know, breaking the law, but they`ve been deceived.

And all the Trump supporters, they think they know who this man is. And I promise you, they are the next marks on the biggest Donald Trump con of all.

HAYES: Yeah, and I think there`s a sense, right, that people like, I think some people like the sense of he`s willing to break the rules, he`s willing to maybe lie, cheat and steal, a little bit, that he will do it on behalf of America, he`ll do it on behalf of our voters and supporters.

The fear, of course, or the possibility is that he does it to them or to the American nation were he elevated to the highest office in the land.

Kurt Eichenwald and David K. Johnston, thank you both, gentlemen both, appreciate it.

That is ALL IN for this evening. "THE RACHEL MADDOW SHOW" starts right now. Good evening, Rachel.

**NEW\_DOCUMENT\_HERE**

Chris Hayes, Ayman Mohyeldin

8789 speakers\_end

(BEGIN VIDEOTAPE)

CHRIS HAYES, MSNBC HOST: Tonight on "ALL IN" --

HILLARY CLINTON (D), PRESIDENTIAL CANDIDATE: Let us be vigilant but not afraid.

HAYES: Two candidates, two different responses to terror.

DONALD TRUMP (R), PRESIDENTIAL CANDIDATE: I should be a newscaster because I called it before the news.

CLINTON: A sobering reminder that we need steady leadership in a dangerous world.

HAYES (voice-over): We`ll have the latest on the bombing investigation and what we know about the suspect in custody. Then, after stumping for Clinton this weekend --

SEN. ELIZABETH WARREN (D), MASS.: Donald Trump has more support from Aryan Nation and the Ku Klux Klan than he does the leadership of the Republican Party.

HAYES (voice-over): My interview with Senator Elizabeth Warren.

WARREN: You just really wonder what kind of vision Donald Trump has for this country.

HAYES (voice-over): Plus, despite years of denials --

GOV. CHRIS CHRISTIE (R), NEW JERSEY: I don`t get involved in traffic studies, I don`t get involved in lane closures, I didn`t work the cones.

HAYES (voice-over): -- federal prosecutors say Chris Christie knew about Bridgegate. And setting the record straight.

BARACK OBAMA, PRESIDENT OF THE UNITED STATES: I don`t know about you guys, but I am so relieved that the whole birther thing is over.

HAYES (voice-over): The GOP`s new birther conspiracies.

OBAMA: In other breaking news, the world is round, not flat.

(LAUGHTER)

HAYES (voice-over): When ALL IN starts right now.

(END VIDEOTAPE)

HAYES: Good evening from New York. I`m Chris Hayes. Tonight, the man suspected of planting multiple explosive devices around the New York metropolitan area has been charged with five counts of attempted murder of a law enforcement officer. Those charges stem from this morning`s gun battle with police in which he was shot multiple times and two officers were lightly injured. The capture of Ahmed Rahami, aged 28, includes a large-scale manhunt and a tense weekend in certain parts of the nation`s largest city. The fallout has only just begun to impact the presidential race. More on that in a moment. This morning, hours after identifying Rahami as a person of interest and taking the extraordinary step of asking the public for help via text alert, police responded to a call about a man sleeping in the doorway of a bar in Linden, New Jersey. When officers arrived and told him to show his hands, he opened fire. Rahami, a naturalized U.S. citizen originally from Afghanistan was struck by multiple police bullets and apprehended just after 11:00 am, reportedly conscious and awake. Through an incredibly fortunate set of circumstances, what could have been a mass casualty event ultimately took a much milder human toll. The chain of events began just after 9:30 on Saturday morning when a pipe bomb exploded in Seaside Park, New Jersey, along the route of a charity race benefiting the Marine Corps. The start of the race had been delayed, and no one was injured. Later on Saturday around 8:30 pm, another blast struck West 23rd Street, Manhattan, wounding 29 people in the area. All of them are already out of the hospital, and miraculously not a single person was killed. Less than three hours later, a second similar device, apparently a pressure cooker bomb, was discovered just a few blocks away on 27th Street. That device was taken into police custody and later turned over to the FBI . And last night at a train station in Elizabeth, New Jersey, two homeless men found a backpack in a garbage can containing five undetonated bombs. One of the devices exploded in the middle of the night as it was being examined by a bomb robot, but no one was hurt. President Obama in New York City for the UN General Assembly thanked local law enforcement for safely bringing the suspect into custody.

(BEGIN VIDEO CLIP)

OBAMA: For us to be able to apprehend a suspect in just a little over 24 hours after an event takes place like this, it is outstanding police work, outstanding law enforcement work. I in particular want to give a heartfelt thanks to the New Jersey police officers who were able to apprehend this individual. I had a chance to talk to them briefly before I came down to my meetings here. They were in good spirits. And I communicated to them how appreciative the American people were as well as people in the region.

(END VIDEO CLIP)

HAYES: Joining me now, NBC News foreign correspondent Ayman Mohyeldin has been working this story all day. Ayman, tell us a little bit about how police were in a relatively quick period of time able to apprehend this individual.

AYMAN MOHYELDIN, NBC NEWS CORRESPONDENT: Yes, Chris, I mean, by any measure of the word this was a lightning fast investigation, really, with two parts. One, identifying the suspect, identifying the man that they wanted. And two, ultimately apprehending him here on the street behind me. The first part of that was tremendous amount of intelligence work, investigative work, starting from the scene of the explosions with things like the surveillance footage that put Ahmad Khan Rahami on the scene of that block where the two explosives were identified, the pressure cooker and that explosion that actually detonated. Also, fingerprints. A cell phone ping that traced back to one of his cell phones, led police to identify him as a person of interest. And ultimately when they went to his house in Elizabeth not too far away from where we are, spoke to his family that was leaving trying to cross the Verrazano Bridge. They were able to get more intelligence, more information that led them to put out that all- notice bulletin, if you will, to police departments across the tri-state area. That was the first part of the investigation. The second part really almost kind of happened by chance on the street here right behind me. And that was because a bar owner coming to that bar early this morning saw a man that was sleeping in his doorway. He thought he was a homeless person. He called the police. The police showed up at the doorway. And the police officer that arrived there immediately knew that that was the suspect they were looking for.

HAYES: Wow.

MOHYELDIN: He said he recognized him because of his beard, he told him to show him his hands. And when the man that was lying on the ground reached for his jacket and pulled out a gun, shot the police officer twice, the police officer then rang out shots fired on the radio. And that triggered a massive police crush onto the area here where a shootout ensued, ultimately leading to the apprehension of Ahmad Khan Rahami.

HAYES: All right. Ayman Mohyeldin, thank you for that update tonight, really appreciate it. A minute after the explosion in Manhattan on Saturday night, before we had any definitive, confirmed, concrete idea what had happened, Donald Trump stepped off a plane in Colorado and announced his own conclusions about the blast.

(BEGIN VIDEO CLIP)

TRUMP: I must tell you that just before I got off the plane, a bomb went off in New York, and nobody knows exactly what`s going on. But, boy, we are living in a time. We better get very tough, folks. We better get very, very tough. Just happened.

(END VIDEO CLIP)

HAYES: Trump has gotten out over his skis like this before, including calling the down Egypt air flight -- remember that -- in May a terrorist attack. Four months later, I should note, investigators still have not determined what actually happened. In this case, however, Trump turns out to have gotten it right. And he, not surprisingly, couldn`t help but take a victory lap this morning.

(BEGIN VIDEO CLIP)

TRUMP (voice-over): I was criticized for calling it correctly. What I said was exactly correct. I should be a newscaster because I called it before the news. But what I said was exactly correct. And everybody says, while he was right, he called it too soon. OK, give me a break.

(END VIDEO CLIP)

HAYES: While Trump praised the great job by law enforcement in a tweet, repeating his frequent line that without them we don`t have a country, he also accused police of refusing to stop active terrorist plots because the police are too scared of political correctness.

(BEGIN VIDEO CLIP)

TRUMP (voice-over): Our local police, they know who a lot of these people are. They`re afraid to do anything about it because they don`t want to be accused of profiling and they don`t want to be accused of all sorts of things. Look what`s going on. Do we really have a choice? We`re trying to be so politically correct in our country --

UNIDENTIFIED FEMALE (voice-over): Mm-hmm.

TRUMP: -- and this is only going to get worse. This isn`t going to get better. And I`ve been talking to you guys for years --

UNIDENTIFIED MALE (voice-over): You have.

TRUMP (voice-over): -- and I`ve been saying it. This is only going to get worse.

(END VIDEO CLIP)

HAYES: After giving fairly restrained statements about the bombings over the weekend, this morning at a press conference Hillary Clinton laid into Trump for his rhetoric.

(BEGIN VIDEO CLIP)

CLINTON: We know that Donald Trump`s comments have been used online for recruitment of terrorists. We`ve heard that from Former CIA Director Michael Hayden. He said Donald Trump is being used as a recruiting sergeant for the terrorists. We also know from the former head of our counterterrorism center, Matt Olsen, that the kinds of rhetoric and language that Mr. Trump has used is giving aid and comfort to our adversaries.

(END VIDEO CLIP)

HAYES: Aid of comfort, of course, a phrase the Constitution uses to describe treason. Trump later hit back at Clinton during a rally in Florida, using what seems to have become his favorite response to any criticism, a variation on, "I know you are, but what am I?"

(BEGIN VIDEO CLIP)

TRUMP: Obama/Clinton have been silent about Islamic terrorism for many years. That`s not lessened the recruiting, but it`s increased it. That`s what`s really happened. It`s increased -- weakness invites aggression. We`re weak. Weakness invites aggression.

(END VIDEO CLIP)

HAYES: Joining me now, Shadi Hamid, he`s senior fellow at the Brookings Institution , author of Islamic Exceptionalism: How the Struggle Over Islam Is Changing the World, as well as Tommy Vietor, he`s former national security spokesman for President Obama. And, Shadi, let me start with you. First of all, let`s start with this idea that the key in all of this is the magical words Islamic terrorism or radical Islamic terrorism, that if you say that, that instantly alters the entire trajectory of the problem that the U.S. and so many other nations face.

SHADI HAMID, SENIOR FELLOW, BROOKINGS INSTITUTION: So, I mean, I have to say it`s really bizarre that we`re focusing so much on how to arrange words in describing terrorism, which all of us as Americans are against. And Trump has made this into a national conversation about whether to include the word Islamic or radical, and that`s quite frankly a distraction from actually doing the work to fight terrorism. Talking about our long-term, strategic vision in the Middle East, that`s what we as a nation should be discussing. So it`s remarkable to me that -- it`s not just Trump. It`s many Republicans who are obsessed with these particular words. And I think that it also shows that many Republicans and Trump in particular don`t really care about whether or not they`re **alienating** Muslim majority countries that are allies or Muslims throughout the world by using this kind of inflammatory language. And I think that radical Islam, as a phrase, has become a kind of stand-in for anti-Muslim bigotry. And we have to push back against that, not encourage it.

HAYES: Tommy, part of what makes this part of the broader argument Donald Trump is making, right, is basically that the solutions aren`t complicated, they`re simple. That is the case. I mean, Obama`s weak and I`m tough. When I`m in office, we`re going to clear it up, folks, we`re going to get tough, we`re going to knock the hell out of them and, you know, you`ve just got to say the magic words. I mean, how do you respond when the actual answer is that it`s very complicated and hard?

TOMMY VIETOR, FORMER NATIONAL SECURITY SPOKESPERSON: Yes. I mean, to Shadi`s point, I mean, Scott Shane is a great reporter at the New York Time, did a piece over the weekend where he looked back at Anwar al- Awlaki`s writings. He was one of the best propagandists Al-Qaeda ever had. And he, you know, wrote a piece about how in many ways Trump`s rhetoric is making al-Awlaki`s vision of a war of the West against Islam come true. So in many ways, Trump is actually making the job of counterterrorism professionals harder. I think Clinton`s response was far more measured. She talked about vigilance and resilience. And those are things in the near-term that are important to talk about in terms of how we respond to an event like this, sort of preparing the country for the fact that, you know, there will at times be attacks against our country. But the problem is, you know, his actions -- sort of saying we`re going to racially profile all Muslims, banning them all from coming into the country. Telling Syrian **refugees**, some of the most desperate people on the face of the planet that they have no place here, that we will not help them, that is going to make recruiting much easier for ISIS and for Al-Qaeda.

HAYES: I hear this now, it`s bizarre that we enter into a news cycle in which it`s like, well, who is ISIS voting for? And I should just stipulate that American voters should make up their mind about who they want to vote for independent of who it turns out that ISIS may or may not support. I just want to make that clear. That said, as a sort of factual and descriptive matter, Shadi, you were responding today to Hillary Clinton`s sort of assessment of ISIS essentially rooting for a Trump victory and saying it is not an outlandish claim.

HAMID: Yes. It shouldn`t be a provocative claim. As a factual matter, Hillary Clinton is correct. And current and former ISIS members have said that they prefer Trump. And they`ve said this to researchers who work on this issue. Also, Trump has made an appearance in at least two ISIS videos. So, I mean, it`s not a mystery. We don`t have to speculate. That`s clear. I think it`s also intuitive. And, you know, Chris, as you`re saying, ISIS wants to promote a clash of civilizations. They benefit from an atmosphere of conflict, division, and polarization. And who else promotes a narrative of polarization and division? Donald Trump does. And what ISIS really wants to do, they want Muslims in the West to feel like they don`t fully belong as citizens. They want to draw on that **alienation** to promote lone wolf attacks. And I worry that we`re falling into this trap. And that`s what always happens after terrorist --

HAYES: Right.

HAMID: -- attacks, that there`s an upsurge of anti-Muslim sentiment, which Trump is really playing into. But that only benefits ISIS. And they want the rise of the far-right in Europe and the U.S.

HAYES: Tommy, having worked in the White House and been sort of part of the national security decision-making process and all that means what do you think about when you think about Donald Trump sitting in the situation room, say, after some -- God forbid -- terrible attack on the U.S. and what that could look like, what it could mean?

VIETOR: There`s an enormous push on presidents after a crisis like this to do something, whatever that may be. To show action, just demonstrate some sort of resolve, to blow something up. I think, you know, what makes me so scared about Trump is just how easily he can be baited. Just how erratic he is, just how willing he is to lash out, to throw out crazy ideas about, you know, getting tough, profiling an entire religion, you know, banning an entire religion from the country. And I think, you know, his inability to sort of be measured, to show any restraint is what`s probably the scariest thing about his candidacy.

HAYES: All right, Shadi Hamid and Tommy Vietor, thank you for your time tonight. I appreciate it.

VIETOR: Thanks, Chris.

HAMID: Thank you.

HAYES: Still to come, the blatant lie the GOP has now committed to, full spectrum, to telling in an attempt to protect their nominee. It`s so easily proven wrong. We`ll do just that ahead. But first, my interview with Senator Elizabeth Warren about the New York metro area bombing, Donald Trump, that unbelievable Wells Fargo fraud story, and so much more. That interview is right after this two-minute break, so do not go anywhere.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

WARREN: Donald Trump has repeatedly invited his followers to commit a terrible act of violence on his opponent. He has invited them to kill another human being more than once. What kind of a man does that? What kind of a man tries to hurt someone else or to get others to hurt someone else? I`ll tell you. It`s a nasty little bully who can`t win in a fair fight and who will never be president of the United States.

(END VIDEO CLIP)

HAYES: Elizabeth Warren out on the trail yesterday campaigning for Hillary Clinton in Ohio, key swing state where polls are extremely close. She reminded base voters the Democratic has probably the most progressive domestic agenda in a very long time, if not ever. Something that often gets lost in the coverage of this campaign because so much of it revolves around what insane thing Donald Trump has just said or tweeted. Warren is also out touting the work of the government bureau that she conceived and helped create. That`s the Consumer Financial Protection Bureau whose investigators caught over 5,000 of Wells Fargo`s employees gaming the bank`s incentive program, engaging in widespread fraud and deception by setting up millions of accounts for customers without the customer`s knowledge. The scheme went on for five years, according to Bloomberg yielded 2.4 million dollars in fees out of pockets of the bank`s customers. Tomorrow the Senate Banking Committee is holding a hearing to grill the CEO of Wells Fargo about this. We`ll get to that. But first, I spoke to Senator Warren. I asked her to react to the news of the bombing today and Trump`s lamenting that the suspect is being granted his constitutional rights.

WARREN: You just really wonder what kind of vision Donald Trump has for this country. This is what we fight for. We fight for our Constitution. We fight for our basic humanity. And Donald Trump says, let`s throw all that out the window and let`s do the maximum amount of fearmongering. Let`s do the maximum amount of turn each other against each other. That`s what Donald Trump wants. Because for Donald Trump, this is all politics all the time. And that`s why it is he cannot be president of the United States.

HAYES: You had some very strong words on the trail about his comments about, you know, taking the guns away from the secret service and --

WARREN: Yes.

HAYES: -- quote, we`ll see what happens. I mean, do you think he`s actually intimating, suggesting, hinting or urging violence?

WARREN: What else do you think he means when he says, let the secret service lay down their arms, then let`s see what happens. Of course he is. And I`m sorry, for me, that`s not even wink-wink, nod-nod. This is Donald Trump saying, hey, there`s another way to deal here and I -- you know, again, this kind of goes back to this question about what kind of a human being are we talking about? So he`s losing to Hillary Clinton and his answer is to say, somebody should get out there and do violence? You know, and look, I get it. Campaigns are a time of heated rhetoric, people can get excited, they can overreach, they can say things they don`t mean. But Donald Trump has now done this twice. And he`s been called out for it both times. And when you do it twice, it seems to me pretty clear what your motivation is here. So I think it`s just one more example of why Donald Trump not only shouldn`t be president but is truly disqualified to be president.

HAYES: I watched your appearance on the stump this weekend. And I was struck. In some ways it was almost beamed from an alternate dimension. And the reason I say that is because Donald Trump has been such an idiosyncratic force in this election.

WARREN: Yes.

HAYES: His policies can be so impossible at times to pin down.

WARREN: Yes.

HAYES: -- he doesn`t seem to really care one way or another. He`ll say one thing, he`ll backtrack. You were laying out a sort of Democratic policy domestic agenda --

WARREN: Yes.

HAYES: -- on the stump. Do you think there`s been too little attention paid to that? What is that, what is the elevator pitch to people when you get down to the brass tacks of what a Hillary Clinton presidency looks like?

WARREN: So, look, I took my swing, you know, at Donald Trump a couple of times. But at the end of the day the reason to vote for Hillary Clinton -- and all the places I go, to vote for Ted Strickland in Ohio, to vote for Katie McGinty in Pennsylvania, to vote for our Democratic Senate candidates and our House candidates, it`s because we really do have ideas about how we build a future. Donald Trump believes that the way we build a future is the same way the Republicans believe. And that is, hey, let those who are rich and powerful have more money and more power and somehow it`s going to trickle down for everyone else. We`ve now tried that for 35 years, and it has been a complete catastrophe for this country. The Democrats are saying, we know how to do this. We know how to regulate financial institutions so they don`t bring our economy down, and we know how to make the investments in expanding opportunity. Opportunity not just for some of us, but for all of us. And that`s a big part of what my speech was about. The pieces of that, the pieces that Hillary Clinton has run on, the pieces that I believe she should win on, and then the pieces that the rest of us have got to make sure that she is able to enact once she`s president of the United States.

HAYES: You just touched on financial regulation.

WARREN: I did.

HAYES: It strikes me there`s this sort of perfect little microcosm of this issue in the Wells Fargo situation in which the Consumer Financial Protection Bureau , which was your brainchild, which you sort of shepherded into being, was instrumental in discovering widespread, systemic fraud. Wells Fargo`s now been caught, they`re going to have to give money back to customers, and there`s going to be hearings tomorrow. And that is a bureau that is, I understand, at the head of the line to be destroyed under a Republican presidency.

WARREN: Yes. And I think that`s no surprise. So Donald Trump has said first day of a Donald Trump residency, he wants to roll back all of Dodd- Frank, including the Consumer Financial Protection Bureau . Republicans in both the House and the Senate are moving forward bills to try to leash up the watchdog and pull at its teeth so that there won`t be another Wells Fargo . And when I say won`t be another Wells Fargo , I don`t mean that there won`t be giant banks cheating people. No, that will continue to happen. There just won`t be a Consumer Financial Protection Bureau to call them out. That`s what it is the Republicans and the giant Wall Street banks want. And that`s, for me, a big part of what this election is about. It`s about fighting back against that and saying, we cannot run this country just for those at the top, we cannot run it just for Wall Street, we have to run it for all of us. And the Wells Fargo example, you`re exactly right, that`s it in a microcosm.

HAYES: Having reported on the Hill during Dodd-Frank and followed this (INAUDIBLE) --

WARREN: Yes.

HAYES: -- you could write a 500-page book about the efforts to kill off that thing. The fact that it`s functioning and working is sort of an astounding --

WARREN: I know.

HAYES: -- modern-day miracle in D.C. governance. Well, Senator Elizabeth Warren, thanks for your time.

WARREN: You bet. It`s so good to be here.

HAYES: Coming up, there was one defining moment this weekend where the GOP officially -- officially -- became the party of Trump. What that was, ahead.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

CHRISTIE: The most important issue is did I know anything about the plan to close these lanes, did I authorize it, did I know about it, did I approve it, did I have any knowledge of it beforehand? And the answer is still the same, it`s unequivocally no.

(END VIDEO CLIP)

HAYES: Absolutely not. There is one thing Governor Chris Christie has been consistent on, and that is that he had no part in and no knowledge of the lane closures of the George Washington Bridge in September of 2013, which was allegedly done by his subordinate as retribution for the mayor of Fort Lee, New Jersey, for refusing to endorse Chris Christie`s reelection bid.

(BEGIN VIDEO CLIP)

CHRISTIE: I worked the cones, actually, on that.

(LAUGHTER)

CHRISTIE: Unbeknownst to everybody, I was actually the guy out there. I was in overalls and a hat, so I wasn`t -- but I actually was the guy working the cones out there. I don`t get involved in traffic studies, I don`t get involved in lane closures, I didn`t work the cones. Just so we`re clear on that, that was sarcastic. I would never have come out here four or five weeks ago and made a joke about these lane closures if I had ever had an inkling that anyone on my staff would have been so stupid. I had no knowledge or involvement in this issue, in its planning or its execution. And I am stunned by the abject stupidity that was shown here regardless of what the facts ultimately uncover. And so we have nothing to hide, and this administration has nothing to hide.

(END VIDEO CLIP)

HAYES: But today on the first day of a trial of his Former Deputy Chief of Staff Bridget Anne Kelly and Former Deputy Executive Director of the Port Authority, Bill Baroni, there was one thing that the prosecution and the defense agreed on: Chris Christie knew. He knew about the lane closures as they happened. In opening statements as detailed by the New York Times, prosecutors of the United States Attorney`s Office said that two of the alleged coconspirators in the case, David Wildstein, Bill Baroni, had bragged to the governor about the lane closings and that they had been done to mess with the mayor of Fort Lee because he had declined in treaties to endorse the governor`s reelection. Defense lawyers have also said Mr. Christie knew. So if the prosecution and the defense in this federal courthouse are right, Chris Christie has been lying through his teeth about this all along. Which is why perhaps it might not surprise some people to see Christie, when asked about Donald Trump and birtherism, say this:

(BEGIN VIDEO CLIP)

CHRISTIE: After the president presented his birth certificate, Donald has said, you know, he was born in the United States and that`s the end of the issue. It was a contentious issue. It`s just not true that he kept it up for five years.

JAKE TAPPER, CNN HOST: Sure he did.

CHRISTIE: It`s just simply not true.

TAPPER: It is true.

CHRISTIE: No, Jake, it wasn`t like he was talking about it on a regular basis until then.

(END VIDEO CLIP)

HAYES: That is demonstrably untrue. I mean, unless you were literally born yesterday, you saw Donald Trump continue to question the president`s legitimacy for the last five years. But Christie is not alone in trying to rewrite the history that we all saw with our own eyes. In fact, it appears the GOP has in total committed itself to telling a boldface lie such as this to save Donald Trump from himself. That`s next.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

KELLYANNE CONWAY, DONALD TRUMP CAMPAIGN MANAGER: This started with Hillary Clinton`s campaign, number one. Number two, it was Donald Trump who put the issue to rest when he got President Obama to release his birth certificate years later.

(END VIDEO CLIP)

HAYES: Donald Trump`s campaign manager and his surrogates keep repeating this lie that Hillary Clinton started the birther movement and that Trump finished it.

Now, this is not just false, I have to say, in a normal campaign kind of way. It`s more like a bad jedi mind trick, akin to Trump surrogates fanning out across the air waves to tell us that Donald Trump would actually be the first woman president and Hillary Clinton is the one who has gone through numerous bankruptcies and once mocked a disabled reporter.

So just for the record since we all live in this, the actual, real world of facts. Here are the number of times Hillary Clinton called for Barack Obama to release his birth certificate. Zero. Over a five-year period, Trump did it regularly. He opined on the subject, dozens of times, sometimes sticking with the subject the birth certificate, other times branching out to issues such as Obama possibly being a secret Muslim.

Here are the number of times that Hillary Clinton tweeted that Obama should release his birth certificate. Zero. At least 36 times Trump tweeted birther conspiracy nonsense.

Here is the number of times Clinton darkly intimated that the president of the United States had a state office holder murdered in a plane crash to cover up his birth certificate. Zero.

Trump, however, once tweeted, "how amazing the state health director who verified copies of Obama`s birth certificate died in plane crash today. All others lived."

And aside for a moment, think just for an instant about how a plot to kill one person in a plane crash would work.

Here are the number of times Hillary Clinton offered a reward for Barack Obama to show his college transcripts and his passport application. Zero.

Donald Trump, of course, did all that.

Joining me now is MSNBC contributor Josh Barro, senior editor of Business Insider. I mean, I guess I think they -- they must think that this sort of gas lighting en masse is going to work because it will muddy the waters enough.

JOSH BARRO, BUSINESS INSIDER: Yeah. And you see all sorts of things with Mike Pence today being like, oh, our campaign is not about insults, it`s the other campaign that`s all about insults.

HAYES: Yes, I want to read this, actually. This is Mike Pence today actually said this: "the other campaign seems to be an avalanche of insults. This campaign is not about insults on our side, it`s about ideas."

This is after he called Robert Gates a clown this weekend. Insulted Maureen Dowd, The New York Times, and CNN.

BARRO: Yeah. And then it`s I have the best temperament. Basically whatever criticisms Hillary Clinton throws at him, he just throw them right back at Hillary as though they were about her.

And the thing is, I think, you know, these are not just lies, they are transparentally ridiculous lies. The reason he gets away with this is supporters know he`s lying when he says these things. They think that they are looking at him -- and you see this in press interviews and from pollsters. It`s not like Trump supporters by and large think Donald Trump is perfect. They admit, oh, he goes too far, oh, what he said was ridiculous. This idea that he has on **immigration** is too extreme, but I don`t think he`s really going to do that when he`s president.

And then the flip side of it is the voters who really want the extreme **immigration** stuff when he talks about a softening, that`s just for the media. He`s going to do this thing. He`s going to do.

So I think there is a toleration among his voters for the idea that a lot of the things that he`s not going to say are true, and that`s why when it becomes total obvious he`s lying, that doesn`t damage his brand.

HAYES: And then you see -- I mean, Jake Tapper in the interview is a perfect example. He`s literally as Chris Christie is saying these things saying, well, it`s not true. It`s not true. I mean, he`s doing right thing, right.

But you sort of see this sort of real existential problem, particularly with the birther thing, right. You saw the press kind of revolt en masse. And they are still revolting saying we were there. We know this. You cannot tell us. I mean, we`re going to get to a point where he`s going to look in Lester Holt at the first debate and be like, I was actually a senator from New York. What is Lester Holt going to say, like -- it`s like talking to a person who actually clinically not sane.

BARRO: Well, and so I think one thing we`re learning here is because I see on Twitter all the time all these people being like why doesn`t the media hold Trump accountable on his tax returns. It`s like, we`ve asked. We`ve demanded over and over and over and over. We can`t compel him to release them.

Similarly when people lie about things, one of the main things that restrains people from lying when they`re revealed as liars is shame that they like...

HAYES: People don`t like being seen as liars.

BARRO: Right. They know the game is up. They know it`s been proved they lied and they have to apologize. They feel -- but Donald Trump, because he is incapable of shame is actually demonstrating something very dangerous, which is just that if you insist you didn`t do anything wrong, you can get away with a lot of things, even when it`s obvious to everyone that you did something wrong and other people only don`t get away with it because they give up.

HAYES: You know, this plan about shame I think is key, because people have to understand that so much of the restraints on power are these sort of concessions of norms. We`ve seen this in this campaign just lay waste to them.

Jonathan Martin had a pretty good essay on this in The New York Time. People have to think about this seriously in the context of the presidency. I mean, you know, Mad Iglesias (ph) once had this thought experiment about how like a president could have like one of his -- one of the people worked for him like murdered, the Senate majority leader in the House and then pardon him. Like, that would -- the consitutional house -- like, he could pardon anyone he wants, but he wouldn`t do that, because it`s horrible and would like -- people need to understand how much the norms are restraining whatever it is that the presidency does.

BARRO: Right. And in general it will be in much more banal ways than what you just described...

HAYES: Yes, obviously, yes. That`s it.

BARRO: And therefore it won`t generate the outrage that it should.

I feel two different -- there`s a good and a bad thing about Trump being the embodiment of this. One, is Trump is such an unusual figure, if he looses, I don`t think somebody can just step into his shoes and replicate exactly what he`s done. I think his bizarre personality is a key element of the political movement that he`s led. On the other hand, he might win this election and become president and he can do the thing only he could do.

HAYES: Josh Barro, thank you very much.

Still to come, President Obama responds to Donald Trump`s birther comments while giving an impassioned pitch to black voters this weekend. We`ll play his remarks, ahead. You do not want to miss those if you haven`t seen them.

First, tonight`s Thing One, Thing Two starts right after this break.

(COMMERCIAL BREAK)

HAYES: All right, Thing One tonight, journalist Kurt Eichenwald joined me last week to talk about his huge cover story from Newsweek in which he investigated the Trump organization`s myriad business connections focusing particularly on their international business ties.

Eichenwald looked at Trump`s opportunities for enrichment, the concerning associations he has overseas and these unprecedented conflicts of interest for the potential president of the United States.

(BEGIN VIDEO CLIP)

KURT EICHENWALD, NEWSWEEK: You have a situation where Donald Trump is going to have to choose. He`s going to have to choose a partner who is giving him money, who is giving his kids money, or the interests of the United States. And there has never ever in the history of America been a scenario like that.

(END VIDEO CLIP)

HAYES: Since then, his son Donald Trump Jr. claimed that if his father did release his tax returns, it would just raise too many questions, a departure we should note from their previous line that he wasn`t releasing the returns because of an audit.

Trump Jr. also implored voters not to worry about any conflicts between the potential President Trump and the Trump business saying, and I quote, it doesn`t matter. Trust me.

Shockingly enough, trust me just wasn`t doing it for some people. Today, a surprising group of voices signed an open letter urging Donald Trump to disclose what those foreign business interests are. Whose names are on that list? That`s Thing Two in just 60 seconds.

(COMMERCIAL BREAK)

HAYES: At this point, it should be established Donald Trump`s lack of transparency is unprecedented. And now after Kurt Eichenwald`s explosive cover story investigating the Trump organization`s foreign business connections, over 50 former government officials and national security figures, sent an open letter to Trump titled "A Call for Transparency" calling for him to reveal the nature of his foreign business relationships, specifically citing Eichenwald`s article. They wrote Mr. Trump has shown poor judgment with regard to whom he has associated with overseas in order to further his best interests. We did no do not know all the facts in the Newsweek article are accurate. The best way too dispel any doubts would be with a full and complete disclosure.

The signers of the letter include people like Paul Wolfowitz, former deputy secretary of defense under President George W. Bush, one of the architects of the Iraq war, as well as Bush`s former secretary of homeland security Michael Chertoff, Michel Morell, former acting director and deputy director of the CIA and President Bush`s intelligence briefer.

The letter is signed by Clinton supporters, big names in the GOP and other former Bush staffers across the political spectrum calling for Donald Trump to disclose his international business ties, writing, "our policies must be motivated exclusively by what`s in America`s best interests, not by the financial interests of our president.

So sorry, Don Junior, they are not just going to take your word for it.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

OBAMA: I don`t know about you guys, but I am so relieved that the whole birther thing is over. I mean, ISIL, North Korea, poverty, climate change, none of those things weighed on my mind like the validity of my birth certificate.

(END VDEO CLIP)

HAYES: President Obama serving Donald Trump some snark on Saturday night at the annual Congressional Black Caucus Foundation Awards dinner. He also served some fire in a speech that built to a stinging condemnation of the GOP nominee, a rousing calls to elect Hillary Clinton.

(BEGIN VIDEO CLIP0

OBAMA: You may have heard Hillary`s opponent in this election say that there`s never been a worse time to be a black person. I mean, he missed that whole civics lesson about slavery and Jim Crow, but we got a museum for him to visit. So he can tune in.

If you care about our legacy, realize everything we stand for is at stake, all the progress we have made is at stake in this election. My name may not be on the ballot, but our progress is on the ballot. Tolerance is on the ballot. Democracy is on the ballot.

There`s no such thing as a vote that doesn`t matter. It all matters. And after we have achieved historic turnout in 2008 and 2012, especially in the African-American community, I will consider it a personal insult, an insult to my legacy if this community lets down its guard and fails to activate itself in this election. You want to give me a good sendoff, go vote.

(END VIDEO CLIP)

HAYES: When we come back, GOP completes its capitulation to Trump with an official call to bar his Republican detractors from even running for office. That`s next.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: Donald, do you think there should be retribution and they should not be allowed to run again?

DONALD TRUMP, REPUBLICAN PRESIDENTIAL CANDIDATE: Well they signed a contract, Brian. The contract is so clear. It is so clear. It said I will endorse the person that, you know wins the primaries, right?

These people all want to run in four years, right. If I were the head of the Republican Party, I would say you can`t do it.

(END VIDEO CLIP)

HAYES: That`s Donald Trump this morning suggesting Republicans whose signed the loyal pledge to back the eventual presidential nominee but have yet to endorse Trump they should be barred from running as Republican in the future, a proposal that sounds pretty nuts, until you consider the fact that just yesterday, the actual chair of the Republican Party, Reince Priebus, basically said the same thing.

(BEGIN VIDEO CLIP)

REINCE PRIEBUS, RNC CHAIRMAN: People agree to support the nominee that took part in our process. They used tools from the RNC. They agreed to support the nominee. They took part in our process. We`re a private party, we`re not a public entity. Those people need to get on board. And if they`re thinking they`re going to run again someday, I think we are going to evaluate the process of the nomination process and I don`t think it is going to be that easy for them.

(END VIDEO CLIP)

HAYES: Jeb Bush, Ted Cruz, John Kasich have all declined to support Trump with Kasich just yesterday calling on Trump to apologize to the president of the United States for pushing the racist conspiracy theory that he was not an actual American.

Last night, Kasich`s chief strategist John Weaver, released a blistering response to Priebus which read in part, quote, the idea of a greater purpose beyond oneself may be **alien** to political party bosses like Reince Priebus, but it is at the center of everything Governor Kasich does. He will not be bullied by a Kenosha political operative that is unable to stand up for core principles or beliefs."

Joining me now, MSNBC political analyst Michael Steele, who is trying not to smile at that description of his successor, former chair of the RNC; along with Betsy Woodruff, politics reporter of the Daily Beast.

Michael Steele, Kenosha political operative is pretty good.

MICHAEL STEELE, FRM.RNC CHAIR: Oh, it`s good. It`s good.

HAYES: Let`s just, whether this is smart or not. I mean, this doesn`t seem like an actual thing that the Republican Party can do, because could it ban people from seeking the nomination?

STEELE: No. No. And look, you don`t even want to go down that road, to even intimate that you are somehow going to penalize someone who for principled reasons is not supporting the current nominee of the party from running in four years. It is not who we are as a party. And I think that that`s a real problem. And I think Mr. Weaver`s response and the response of other Republicans since then have made it very clear. You don`t want to open up that door.

HAYES: Betsy, it struck me that Reince saying this really was this sort of official moment. I mean, obviously it`s been Trump`s party. He won the nomination. There was the RNC in which it was, you know it was the Republican Party, and him. But there is something about Preibus making these comments that made me feel like, OK, this is now -- it is officially Trump`s party. It is his party to the extent that the head of the GOP is essentially floating the idea of a purge of dissident members of the party, like some, some sort of factional communist dispute back in the last century.

BETSY WOODRUFF, THE DAILY BEAST: Right. The RNC has gone full Trump. I think his interview on CBS on Sunday was an important moment for that. But his comments about essentially barring three prominent Republicans from running for president again weren`t the only moment in that particular interview that Priebus very much embraced some of the most wacky things about Trump. Priebus also defended Trump`s birther explanation. He suggested that Trump had a valid reason for saying Hillary Clinton started the birther movement, which is not true -- which is false.

But Priebus endorsed that. He got on board with that argument. And that`s perhaps even more significant, the fact that the head of this party is suggesting that Trump`s birther fever dream was somehow valid and worthy of dignifying.

HAYES: You know, Michael, I have been basically saying from the beginning I said I think the outcome of this election will be in the normal range, meaning somewhere in the -- around what the last two were depending on whoever wins, right. And the idea there is that partisan polarization is just so powerful a force. It is the gravitational pull in American politics. And I think the most interesting thing we`re seeing in the polling now, 86 percent of Republicans support Trump, 90 percent of Democrats support Clinton. It`s almost to the point you could just put anyone head of a major party and they would, they would get, have between 40 and 45 percent of the vote.

STEELE: Yeah, they fall to type. And that`s the expectation that the political operatives, whether they`re from Kenosha or New York, have about this process. And that`s, that`s the expectation of how it plays out.

Here`s the variable in this race. The variable is that independent undecided voter. The variable is the candidate we know as Donald Trump. There are some variables that can take the numbers that you have just cited and kind of turn them on their head a little bit when it comes to turnout, when it comes to a lot of the things that you are going to expect to see in 50 days occur for both of these parties.

And that`s -- again, here`s the problem. When you start throwing around threats like that two things come to mind, one, you want the governor of Ohio to play in this election cycle. Why? Because he has to turn out that vote for your guy.

HAYES: It`s so nuts. I mean, you`ve got -- I mean, that`s -- you have got no Republican in however long has ever won the presidency without Ohio, which John Kasich loved to talk about in every barn he was in New Hampshire. And you`ve got the sitting governor, who is a Republican, in the state where you had your convention, who is quite popular.

STEELE: Very popular.

HAYES: He`s like 20 points above water approval rating, like, go out and pick a fight with this guy.

And Betsy, let`s keep in mind, it is the Republican Party apparatus that is going to be doing all the things that Michael talked about, GOTV. It is the party apparatus entirely that`s basically got that -- that has that sort of division of labor.

WOODRUFF: Right, without a doubt. And the RNC has spent the last couple of years trying to build up a more aggressive get out the vote operation, more aggressive data operation. They spent ton of money on it. They`ve been talking it up among reporters for years.

That said there are a couple of little gaps. One story I wrote a few months back, I called up African-American Republican leaders. And they said they feel like the RNC really hadn`t delivered on outreach to black voters. That was one particular area where they said, look, the RNC committed to having certain number of staff, to investing more, particularly in urban media. And they just didn`t do it. That`s what my reporting showed.

The reality is that this is a base election. And if you`re the Republican Party trying to get new voters from demographics that don`t historically back you up that well, maybe it doesn`t make sense...

STEELE: They ain`t our base.

WOODRUFF: That`s what...

HAYES: All right, so Michael, are you angling to return to take the job of the Kenosha political operative?

STEELE: Oh, hell no. That ship is gone, baby. No. I don`t think that that`s in my future cards at all.

HAYES: Yeah, you can go be the one to enforce the ideological purge and the great bloodletting that will come.

STEELE: Hey, Chris, they tried to do a litmus test when I was chairman of the party and I said no, no, no that will not happen on my watch. You have to fire me first. Well, guess...

HAYES: Here you are.

STEELE; Here I am.

HAYES: Michael Steele, Betsy Woodruff, thanks for your time tonight. Appreciate it.

That is All In for this evening, the Rachel Maddow show starts right now. Good evening, Rachel.

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**NEW\_DOCUMENT\_HERE**

Joy Reid

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JOY REID, MSNBC HOST: Good evening, everyone, from New York. I`m Joy Reid in for Chris Hayes. We`re going to rejoin the president who`s speaking at the Congressional Hispanic Caucus Institute Annual Gala. Take a listen.

(BEGIN VIDEO CLIP)

BARACK OBAMA, PRESIDENT OF THE UNITED STATES: -- from the madness of gun violence.

(APPLAUSE)

OBAMA: And yes, we`ve got to finally make meaningful, effective **immigration** reform a reality in this country.

(APPLAUSE)

OBAMA: Now I`m proud of the executive actions I`ve taken to modernize our system. I`m proud of the work we`ve done to help show more than 740,000 DREAMers that the country they grew up in, the country they love, believes that they are worthy of this country`s blessings, just like your kids, just like my kids.

(APPLAUSE)

OBAMA: But if we`re truly going to fix this broken system, then we`re going to have to push back against bluster and falsehoods and promises of higher walls. We need a comprehensive solution that works for our families and our businesses, that grows our economy, that enhances our culture. We need an approach that upholds our tradition as a nation of **immigrants** and a nation of lots, and it is possible to do that. It`s possible to insist on a lawful and orderly system while still seeing students and their hardworking parents not as criminals, not as rapists, but as families who came here for the same reasons that all **immigrants** came here --

(APPLAUSE)

OBAMA: -- to work and to learn and to build a better life. And, look, throughout this political season, you know, the talk around these issues has cut deeper than in years past. It`s a little more personal. It`s a little meaner, a little uglier. And folks are betting that if they can drive us far enough apart and if they can put down enough of us because of where we come from or what we look like or what religion we practice, then that may pay off at the polls. But I`m telling you, that`s a bet they`re going to lose.

(APPLAUSE)

OBAMA: We`ve seen this kind of ugliness and anger and vitriol before. That kind of politics sometimes may carry the day in the short term. I know that there are a lot of folks who had this notion of what the real America looks like and somehow it only includes a few of us. But who`s going to decide who the real America is? Who`s to determine that in this nation of **immigrants**, in a nation where unless you are a Native American, you came here from someplace else --

(APPLAUSE)

OBAMA: -- that you have a greater claim than anybody here. So we can`t let that brand of politics win. And if we band together and if we organize our communities, if we deliver enough votes, then the better angels of our nature will carry the day and progress will happen. But it`s going to take all of us. This is not something that a president can do alone. It`s not something the next president will be able to do alone either, no matter how tough she is.

(APPLAUSE)

OBAMA: So we`ve got to work to get a Congress that`s willing to act on **immigration** reform. That means we need more than just the people in this room tonight. We`re going to need some fresh faces under the Capitol dome. It`s going to take work on all of our parts. And I have faith. Because over these last eight years, every time I`ve fallen short, every time I face doubts or been taught a tough lesson or experienced a loss, what got me through has been you. You`ve picked me up. CHC`s picked me up.

(APPLAUSE)

OBAMA: It`s knowing that I`ve got allies like Linda and Ruben and Charlie and Nydia fighting tooth and nail on the hill and back in your home states, even on tough votes. It`s knowing that you`re fostering the next generation of leaders, including more than 40 of your former fellows that have helped lead the way in my administration. It`s knowing you`re giving folks like Diego Quinones a chance. Where`s Diego? Is Diego here? There he is back there. So when Diego was 7 years old, Diego moved to Arkansas from Mexico with his parents. And his dad took a job repairing and building wooden pallets, which is a lot of hard work. Callused hands. A few years later, his dad opened up his own business. So Diego was waking up at 5:00 am and loading and unloading pallets by hand, working every weekend through high school. And his family didn`t have a lot of money, but they had belief, faith in America. Because as he says, and I`m quoting here, if you come here and work hard, eventually you will succeed. And today, thanks to DACA, Diego`s the first in his family to graduate from college.

(APPLAUSE)

OBAMA: And now he`s a fellow here at CHCI. And one day he hopes to go into government himself and make things better not just for Latino kids like him, but for every single person in the United States. It`s young people like that that keep me going. Folks who prove that **immigrants** aren`t somehow changing the American character, **immigrants** are the American character.

(APPLAUSE)

OBAMA: That`s who we are. It`s the dreamers full of optimism, the moms and dads working long hours to give their kids a better shot. Entrepreneurs who came here to start new business and put Americans to work. And the teachers and the nurses and the lawyers who wake up at the crack of dawn to get ahead, and the folks who clean up after us, and the folks who care for our grandparents.

(APPLAUSE)

OBAMA: The folks who are so proud of this country that they carry a pocket Constitution in their breast pocket. That`s the America I know.

(APPLAUSE)

OBAMA: That`s the America I believe in more strongly than ever. So thank you for picking me up every step of the way. Thank you for making this country great. We`ve got more work to do, but we will keep on making progress and create a brighter future for everybody in this country we love. Si se puede. Thank you.

(APPLAUSE)

OBAMA: Thank you, CHCI. God bless you. God bless the United States of America. Thank you.

(END VIDEO CLIP)

REID: All right, President Obama speaking at the Congressional Hispanic Caucus Institute Annual Gala. He spoke about the America he knows, the America where folks carry a pocket Constitution in their breast pocket. Of course, that was a reference to Khizr Khan who gave that powerful speech at the Democratic National Committee. Another great line saying that no president can do comprehensive **immigration** reform alone no matter how tough she is, a little reference there to Hillary Clinton. All right. I`m joined now by my panel tonight: Tony Schwartz is the ghostwriter and who is co-credited as the author of Donald Trump`s book The Art of the Deal, Jelani Cobb, staff writer for the New Yorker and a professor at the Columbia Journalism School, Ed Pilkington, chief reporter for The Guardian U.S., and Maria Hinojosa, anchor and executive producer for NPR`s Latino USA. All right. So I`m going to come to you first on this, Maria, that this is a case that President Obama has made for comprehensive **immigration** reform before. You saw him make a very vigorous case for it. Does that argument still hold power and strength within the broad Hispanic community, given the fact that there`ve been so many roadblocks to getting it done?

MARIA HINOJOSA, EXECUTIVE PRODUCER, LATINO USA: So I was actually at that event eight years ago when the president first spoke, just after being elected. And it was a total lovefest at the CHCI for the president then. Then two years ago when he went, he was heckled. Of course, at that point he`d already been called the Deporter-In-Chief. So tonight, the fact that he gave this speech, that here was no heckling, that there was a unified -- and I was at some of the CHCI events before, and not everybody is, you know, falling in line. So to see that, that`s big. It was an opportunity for the president to change the narrative about who Latinos and Latinas are, who **immigrants** are, because that narrative has been set in large part by the Trump campaign at this point. So it was a moment for him to say, you know, **immigrants** are not changing the American character, **immigrants** are the American character. Maybe it`s a line that`s been heard a lot, but for Latinos and Latinas and voters who right now need high touch from the Democratic Party. High touch, that stood probably very well.

REID: And, Jelani, that is really the point, right? But you`re seeing that Hillary Clinton is obviously doing much better than Donald Trump who`s for various reasons isn`t doing well with voters of color. But you`re also seeing Hillary Clinton -- a softness in her support versus what Barack Obama had either in 2008 and 2012. Can Barack Obama fill that in for her, or is there something proactively she needs to do in addition?

JELANI COBB, PROFESSOR, COLUMBIA JOURNALISM SCHOOL: Well, I think that she needs to do -- certainly that`s important. But what struck me about this in what the president was saying was that it was so much the opposite of what do you have to lose? Like, he was saying specifically this is what we`re interested in, this is what we`re invested in, this is what we`re trying to do, this is what we want the country to look like. And it`s not a kind of appeal to desperation or, well, why not, why not do this, nothing else has worked, and it seems almost to remind me of the Obama of `04 and `08 who wanted to be above the kind of divisions in the country, to be a person who could actually bring things together.

REID: Yes. And, Tony, you know, the interesting thing about it is, you know, you have Barack Obama who very clearly wants to see Hillary Clinton win for many a number of reasons, obviously, his legacy, but a real clear feeling and emotion about Donald Trump who sort of made his international reputation on birtherism and on constantly questioning the citizenship, the Americanness, of the president. And these issues like **immigration** are his kind of bedrock. So is he counting on the sentiment against people of color, against **immigrants**, against Latino being stronger than what you just saw?

TONY SCHWARTZ, CO-AUTHOR, THE ART OF THE DEAL: Speaks for itself.

REID: Yes.

SCHWARTZ: I mean, he lives and dies by that. I mean, he`s a divider, and he`s a polarizer, and he wants to appeal to a very narrow segment of the various parts of the rainbow, not necessarily a small segment of the voting public. And clearly his campaign, run by people who have lived that same ethic, have the same end in mind, so yes.

REID: What do you think his personal feeling is toward President Obama? Do you think it`s his envy of the position he`s achieved, is it disdain, what do you think his attitude and feeling is toward Obama?

SCHWARTZ: You know, interestingly I think one of the most central facets of Donald Trump that doesn`t get talked about because people don`t think it`s true is the deep self-hatred that he has, which is also reflected in a deep insecurity. And he projects onto others what he feels about himself. So I think there`s no question that he has a hatred for Obama because Obama represents a vast range of qualities he can`t come near embodying.

REID: Yes. You know, and so you have this sort of setup now, right, where you have President Obama coming out. Hillary Clinton`s back on the campaign trail today trying to sort of reinvigorate her support, bring up the affirmative support for her versus just the vote against Donald Trump piece of it. How important, in your view, will the president be in doing that for her, or is that something she can only do for herself?

ED PILKINGTON, CHIEF REPORTER, THE GUARDIAN U.S.: I think it`s now time that she steps up and starts doing it for herself. I mean, there`s been this tiny lull. It`s only been a few days with the sickness, and yet already you feel Trump kind of winding back up again and the polls seem to be showing it. It`s very easy to panic over polls. You get a new one every day and, you know, it drives you mad. But I think, you know, to counter what`s been said so far, I think that Trump is more of a danger than any of us should think --

COBB: Mm-hmm.

PILKINGTON: -- in that he is in the sense he`s the opposite of Hillary and to some extent Obama. He`s a much more narrow politician. He`s got far fewer skills. What he can do is say a few things very, very simply, and he`s getting those things across. And they are the flip side of the appeal to Latinos and African-American voters. You could call it racist, if you like. Maybe it`s not as overt as that, but the polls are showing the white voters are coming around to him --

HINOJOSA: Yes.

PILKINGTON: -- and maybe **immigration`s** one reason for that.

REID: And it`s just fascinating the extent to which this feels like (INAUDIBLE).

PILKINGTON: Mm-hmm.

REID: The way the Trump campaign feels like, you know, the pushing back against authority, sort of disdaining the idea of expertise and just appealing to the sort of limbic brain of people who think **immigrants** are the problem.

HINOJOSA: And everybody thought it would never happen.

REID: That it would never happen. And we`re going to talk more about that when we come back. My panel is definitely sticking around. Hillary Clinton is expected to speak at any moment. We will have her remarks as well, and much more just ahead.

(COMMERCIAL BREAK)

REID: You are looking at live pictures inside the hall in D.C. Hillary Clinton is expected to speak at any moment now at the Congressional Hispanic Caucus Gala in D.C. after taking three days off to recover from a case of non-life-threatening pneumonia. Hillary Clinton was back on the campaign trail today and giving lots and lots of face time to the media, chatting with reporters on board her plane, speaking at a rally in Greensborough, North Carolina, and later holding a brief press conference. And as we just mentioned, Clinton is due to address the Congressional Hispanic Caucus Institute`s Annual Awards Gala, and we will bring that to you live as soon as it starts. Her warmup act was one President Barack Obama. Clinton returns to the campaign trail just as polls show the race tightening, not surprisingly, given this past week`s news cycle. She`s now statistically tied with Trump among likely voters nationwide, according to a brand new poll from the New York Times and CBS News, leading by just two points within the margin of error in a two-way race. And in a four-way race, they are dead even. In Ohio, a new poll from Suffolk University has Clinton trailing Trump by just three points, also within the margin of error. And in Iowa she slipped to a margin of eight points behind Trump according to a Monmouth University poll. Technically, by the way, that is still within the margin of error for this particular sample. Absorb that. Clinton was asked about the state of the race at her press conference earlier today.

HILLARY CLINTON, (D) PRESIDENTIAL NOMINEE: I`ve always said that this was going to be a tight race. I`ve said it from the very beginning, whether I was up, down, it didn`t matter. I`m very proud of the campaign that we have put together. I feel like we are in a strong position going into these last weeks. What matters is who registers to vote and who is motivated and mobilized to turn out to vote.

REID: Meanwhile, her opponent is continuing his efforts to act like a conventional and acceptable candidate, laying out a pretty standard Republican economic plan in his speech this morning. For a while he had to rely on a hard copy after the teleprompter malfunctioned. But Trump couldn`t help Trumping after an embarrassing incident yesterday when Pastor Faith Green Timmons interrupted him during a speech at her church in Flint Michigan.

(BEGIN VIDEO CLIP)

DONALD TRUMP, REPUBLICAN PRESIDENTIAL CANDIDATE: Everything she touched didn`t work out. Nothing. Now Hillary Clinton --

FAITH GREEN TIMMONS, PASTOR, BETHEL UNITED METHODIST CHURCH: Mr. Trump?

TRUMP: Yes?

TIMMONS: I invited you here to thank us for what we`ve done --

TRUMP: Oh, oh, oh, OK, OK.

TIMMONS: -- not to give --

TRUMP: OK.

TIMMONS: -- a political speech.

TRUMP: OK. That`s good. Then I`m going to go back onto Flint, OK.

(APPLAUSE)

(END VIDEO CLIP)

REID: In an interview this morning, Trump attacked Reverend Timmons, suggesting that she had planned in advance to make him look bad.

(BEGIN VIDEO CLIP)

TRUMP: When she got up to introduce me, she was so nervous, she was shaking. And I said, wow, this is sort of strange. And then she came up. So she had that in mind, there`s no question about it. But she was so nervous, she was like a nervous mess.

UNIDENTIFIED FEMALE: What was the --

TRUMP: And so I figured something was up, really.

(END VIDEO CLIP)

REID: We`ll be fact-checking Trump`s account of what happened coming up in just a bit. But this afternoon Clinton called him out for smearing a private citizen who also happens to be a leader in a struggling community.

(BEGIN VIDEO CLIP)

CLINTON: He called her a nervous mess. That`s not only insulting, it`s dead wrong. Reverend Faith Green Timmons is not a nervous mess, she`s a rock for her community in trying times. She deserves better than that, and Flint deserves better. In fact, so does America.

(END VIDEO CLIP)

REID: Still with me, Tony Schwartz, Jelani Cobb, Ed Pilkington and Maria Hinojosa. And, Tony, you know, you visibly -- you sort of physically reacted when you heard Donald Trump going after this reverend. This tick of not being able to take any criticism and going after people like the reverend, explain, what is this about in Donald Trump?

SCHWARTZ: It`s an absolute inability to tolerate criticism because the minute that he gets it, it makes him feel -- as I was suggesting just a moment ago -- inadequate. And it`s intolerable for him to feel inadequate. You know, it`s very interesting in watching that interview and the rest of the Flint experience and the TV appearance he did with the other religious figure in Detroit is that they`re -- you know, to me there are four or five reasons that Donald Trump is unqualified to be president. And three of the most important of them were evidenced in those experiences. One is the extraordinary level of ignorance. The unbelievably oversimplified approach to, in this case, how do we deal with the Flint problem, how do we deal with the African-American communities issues, and to stereotype them, to describe that community as poor and desperate and, you know, to fail to recognize the diversity of that community, that`s one. The second is that he`s a divider and I would use the word racist. It`s not only applicable to African-Americans, it`s applicable to a lot of groups. And the third is this messianic quality that makes him think I will solve this, and the way I`ll solve this is I`ll bring you jobs.

REID: Yes.

SCHWARTZ: As if that`s just something you snap your fingers and do. So the idea that, you know, I believe that he is a real and present threat to be elected. But the idea that he is, is to me both terrifying and ultimately incomprehensible.

REID: You know, and Jelani, the other thing I think that I would add to the sort of litany of Trump things that I`ve noticed -- and I noticed it here and I also noticed it with the Mexican president is sort of a combination of passiveness and aggressiveness, right. So he`s very aggressive, particularly when it comes to communities of color, talking about communities of color. If he`s standing in front of a mostly white audience, he can throw those bombs --

COBB: Right.

REID: -- about how bad your community is. But in the presence of that pastor, when she actually --

HINOJOSA: Mm-hmm.

COBB: Mm-hmm, that`s right.

REID: -- confronted him personally one-on-one, he immediately backed down.

COBB: Has he ever said anything to anyone`s face where he was being criticized and he actually responded? I think in the Republican debates, perhaps he did. But those were people who were all afraid of him. That was one of the things that was notable about that campaign. I mean, he talked about Jeb Bush`s wife and Jeb Bush barely responded. These are people who behaved as if they were afraid of him. But for people who are not afraid of him -- he`s like his close friend, Mike Tyson. You know, Mike Tyson never beat any boxer who wasn`t afraid of him.

REID: Right.

COBB: And so --

REID: Yes.

COBB: -- Donald Trump is in that same category. And it`s a classic kind of bully mentality.

REID: The friend that isn`t endorsing him, by the way, and who didn`t --

COBB: Right.

REID: -- want to show up at the RNC. Well, we have to turn to another sort of interesting and sort of weird thing that happened in Trump world today. So Donald Trump`s surrogates have been going out and insisting that he now believes that President Obama was born in the United States and he`s no longer a birther. However, the candidate himself -- despite what Rudy Giuliani and others are trying to say, his campaign manager -- still won`t say that Barack Obama was born in the U.S. This is what he said in an interview with the Washington Post. "I`ll answer that question at the right time. I just don`t want to answer it yet." Ed, what is this about?

PILKINGTON: Well, is it about him not being able to confess his past mistakes? Is it about the fact that he still thinks Obama is not an American and that his birth certificate is false? I mean, who knows what`s going on in his head.

REID: But given the sort of history now here and what we`ve just talked about, I wonder if he was in front of President Obama if he would say that to his face. Because he said it about him since 2011.

HINOJOSA: I think he probably wouldn`t. I think that that reaction that he had when the reverend came up and moved him, it`s like, oh, I`m going to allow you to interrupt me. So he does kind of play this, you know, passive and -- but then comes out to -- I don`t think he would. I absolutely don`t think he would. But I think the more important story is the fact that we have an interpretation of what happened in Detroit with the reverend that Donald Trump is saying, and we have reporters, political reporters, who are based on fact saying, that did not happen. And so yet again, reality, fact, versus the interpretation of Donald Trump (INAUDIBLE).

REID: And he says it with incredible confidence when he`s on FOX as if nobody can refute it as if there isn`t video.

COBB: But can I add one quick point here?

REID: Sure.

COBB: We can understand why someone like Vladimir Putin would look at this and be eager to have a Donald Trump presidency. Putin, who`s the classic kind of international strongman --

REID: Yes.

COBB: -- against someone who has not mustered the temerity or the will to actually stand up for himself whenever he`s challenged.

REID: Yes.

COBB: I mean, he has to be kind of licking his chops and thinking that this is his opportunity for there to be an American Yeltsin.

REID: And who to be manipulated seems only to need flattery.

COBB: Right.

REID: Only to need flattery. It is a kind of daunting process. OK, if you guys can stay with me, the panel, we will have a lot more to discuss. And again, I will remind you, we are awaiting Hillary Clinton who will be live at the Congressional Hispanic Caucus Institute`s Annual Awards Gala. And we`ll bring that to you, but we`re going to sneak in a break. We`ll be right back.

(COMMERCIAL BREAK)

REID: This weekend in Ohio, Hillary Clinton will get some help on the campaign trail from her former rival, Vermont Senator Bernie Sanders. Sanders is being dispatched to get out the millennial vote holding events on college campuses in the Buckeye State. Our very own Chris Hayes got a chance to talk with the senator earlier today, and he asked him about his experience out on the road.

(BEGIN VIDEO CLIP)

CHRIS HAYES, MSNBC HOST: Did you find the campaigning physically grueling, do you find it taxing?

SEN. BERNIE SANDERS (I), VT.: Yes and no, to be very honest with you. Look, when you give three rallies a day and you`re getting on a plane and you`re traveling around, you`re going to a new hotel, that is hard. But on a personal level, I get inspired. When I go out and you talk to 5,000, 10,000, 15,000 beautiful people, often young people, with so much hope in their eyes who know and want to make this country into something more than we are, it really -- it`s like, you know, a real rush to me. And, you know, you see those kids, you love those kids, it`s mutual. It`s a beautiful thing, a beautiful thing. And you go on to the next rally and it happens again. And that`s what kept me going.

HAYES: You`re going to be hitting the trail -- are you going to be out on the road a lot in the next -- until the election?

SANDERS: The Senate gets out next week. I`m going to take a few days off and after that I`m going to be campaigning full-time. I do not want Donald Trump to be the president of the United States. And I say that because I have seven beautiful grandchildren and four kids. I do not want Trump to be their president.

(END VIDEO CLIP)

REID: Wow. You can catch the full Chris Hayes interview with Bernie Sanders tomorrow night at 8:00 pm right here on ALL IN. And still to come, we are moments away from Hillary Clinton`s address to the Congressional Hispanic Caucus Institute. Stay tuned.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

TRUMP: It doesn`t bother me. I`ll tell you what really made me feel good, the audience was saying let him speak, let him speak. And I`ll tell you, the audience was fantastic, but she was so nervous, she was like a nervous mess.

(END VIDEO CLIP)

REID: That is how Donald Trump described the moment yesterday in Flint, Michigan, that we`ve been discussing.

When Pastor Faith Green Timmons interrupted Trump when he launched into an attack on Hillary Clinton. Reverend Timmons told Trump that he had not been invited her to church to give a political speech.

But Timmons was not a, quote, nervous mess as Trump claimed and the audience was not yelling, let him speak. In fact, members of the audience were heckling Trump and Timmons actually asked them to stop.

(BEGIN VIDEO CLIP)

TRUMP: Flint`s pain is a result of so many different failures and I must say -- no, I never, never would, never would. And frankly, TIME magazine, as you know, they reported this year that the federal government have got a long way to go to bring Flint back. And I look at the damage done and the damage -- and the damage can be taken care of.

FAITH GREEN TIMMONS, PASTOR: You guys are a guest in my church and you will respect him. That`s right.

UNIDENITIFIED FEMALE: Amen.

TRUMP: Thank you, pastor.

(END VIDEO CLIP)

REID: OK. That was yesterday.

We now also have video of Trump with another Michigan pastor, an interview he taped during that visit to a Detroit church nearly two weeks ago. Here`s a bit of what he said to Bishop Wayne Jackson.

(BEGIN VIDEO CLIP)

TRUMP: I am the least racist person that you`ve ever met and you can speak to Don King who knows me very well, you can speak to so many different people. And they say so many of my friends who are black, they say you are the least racist person. But I know I am the least racist person that you have ever talked to. That I can tell you.

(END VIDEO CLIP)

REID: All righty then.

Back with me, Tony Schwartz, Jelani Cobb, Ed Pilkington, and Maria Hinojosa.

All right, I have to -- I will throw this to the table.

It is interesting, Tony -- maybe I`ll come to you first on this, because this question of projection, no pastor has ever been nervous in their own pulpit. This is her church, OK. She was not nervous. But Donald Trump seemed actually visibly nervous when he`s standing there and he`s being confronted by the crowd. And they`re saying why did you do housing discrimination? And they`re heckling him. He actually is the one who seemed nervous.

SCHWARTZ: Look, Donald Trump has lived literally his entire life moving from a penthouse to a limousine to a private plane. This is the one and only time he will ever visit Flint and he actually spoke for five minutes. Let`s not miss that. He spoke for five minutes and he probably was happier to get out of there than any single event of his life.

So, yes, he`s in a state of tremendous discomfort when he`s in a community that is completely foreign to him.

REID: And Maria, it`s interesting because this is a time when he`s actually confronting a woman. And that is actually telling because he is facing these debates with Hillary Clinton. And you`re seeing him in that space with the pastor of this church who is a woman who is both saving him from the crowd at one point, but also confronting him on the stage.

What did you get from sort of his body language? The seeming discomfort that he felt in that space?

HINOJOSA: You know, I actually was -- I actually was at an event once with Donald Trump, actually it was a Broadway show, Def Poetry Jam as a matter of fact. He left halfway through. But his body language there, and when I was watching him interacting, he is not a person who enjoys getting close to other people.

So I think that you did see him kind of, you know, trying to keep it under control. But, you know, imagine if he was doing this in front of a Latino audience. Imagine that. I just -- although we did see him in Mexico, which was...

REID: We didn`t see him going through a crowd. He was brought into that space. You never saw him actually interacting with the crowds either outside at church...

HINOJOSA: He does not like to -- we know this, and that`s what I was going to say when I saw him -- he does not like to shake hands. There was a little pile of wipes that he left behind.

REID: He`s germophobic.

HINOJOSA: He`s germophobic.

But you know when people are interacting and they see that, what it communicates about you is that there`s something wrong with you that I have to clean my hands after I speak to you.

REID: It is interesting, though, because I do feel, Jelani, like people of color are the ultimate prop for the Donald Trump campaign. They are the thing that sort of animates him and gets him excited about talking.

Mexico is going to build the wall. Your communities are terrible, what do you have to lose? He sort of a Twitter warrior.

COBB: ...right.

REID: Exactly, but he definitely exhibits, "a," a discomfort, but "b" he then makes up a story about what happened that clearly didn`t happen and you can prove didn`t happen.

COBB: Yeah, I mean, I think it`s a very weird thing. And one of the -- just as a kind of quick point, he literally used the some of my best friends are black defense, and then doubled it with the Don King is one of them, which I think that gets points for originality if nothing else. I`ve never seen that defense used.

But the other thing about the way he interacts with people of color and the way that people have kind of become props is that it is the kind of id 1980s white reactionary id to what people of color are, like always the kind of menance -- the ambient menace, and the city is going to go to hell because of all these people of color. And he`s just extrapolated that out to a national outlook on politics and policy. That`s who we`re dealing with here.

REID: And, you know, we got to go to break but I have to ask Ed this one question, you interview people all the time, all you guys have. Have you ever heard somebody use the construction that somebody affirmatively said to them in a conversation with a friend, you`re the least racist person I know because there`s so much to that that`s weird. Does it mean you know people who are more racist but you`re less racist than them? I never heard that phraseology.

PILKINGTON: Yeah, and I think it exposes in him, you know, quite deep levels of psychological difficulty. But, but can I just quickly turn it around?

REID: Sure.

PILKINGTON: And, you know, we mustn`t lose sight of the fact that this is a guy who is talking to millions of Americans and they are responding to him. And it would be a huge mistake to just get wrapped up in what extraordinarily odd candidate he is and forget the fact that to some degree it`s working.

REID: Yes.

PILKINGTON: People are responding to him. He does have a connection. Here`s a guy who can`t touch anyone, but he`s actually being responded to by millions of Americans.

So what`s going on? What does this tell Hillary Clinton she needs to do before November?

REID: Excellent.

SCHWARTZ: Joy, I have one quick thing. I think he`s -- actually what he`s most truthful about is lying. He is a truthful liar. You can count on him to lie in every circumstance. So when you are asking about what happened afterward, reinterpret it, you can bet on the fact he will tell you the opposite of what actually happened and that`s what he`s made acceptable. That`s what -- it`s that truthiness taken to a whole new level.

HINOJOSA: Because if he`s the least racist person in the United States of America...

COBB: Wow.

HINOJOSA: Then what does an actual, in his view, racist look like?

REID: Yeah.

HINOJOSA: It`s very scary. It`s very, very scary.

REID: To Ed`s point, that we cannot lose sight of the fact there are millions of people responding to this.

We`re going to take a quick break. We`re just a few minutes away from Hillary Clinton. She`s going to take the stage in D.C. We`re going to bring that speech to you live right after the break.

(COMMERCIAL BREAK)

REID: All right, Tony Schwartz, Jelani Cobb, Ed Pilkington and Maria Hinojosa are here.

And in the break, you were making a point, Jelani, that I really want you to get a chance to make on it.

COBB: Yeah, one of the more pernicious things about this outreach that -- the Trump campaign has had toward African-Americans is that there`s an attempt to enroll black people in the kind of xenophobia he`s directed at Latinos. And he said this explicitly, when he said people are taking jobs from people, he`s taking jobs from African-Americans who really need them and so on.

And so trying to turn what is a negative, in his belief, into positive political asset I think runs afoul of many African-Americans is the belief that if you hate Muslims in the morning, you hate Latinos in the afternoon, you`re certainly going to hate us by evening.

REID: Yeah.

COBB: And so I think there`s that kind of dynamic. But that is exactly what I think is behind this kind of xenophobic appeal that he`s trying to use with African-Americans.

REID: And yet African-Americans are the most diametrically opposed -- other than Mormons -- to Donald Trump.

And Maria, there`s been a certain extent to which Latinos have attempted to be enrolled in that as well sort of saying we`re going to separate people who are legal migrants, people who came to this country through the normal system and people who are undocumented trying to separate them and create the same dynamic.

HINOJOSA: The good **immigrant** versus the bad **immigrant**, which is why when Obama said let`s just talk about the fact that unless you`re Native American, everyone has somehow been brought here, or came to this country.

So, again, attempting to change the narrative of what Donald Trump is putting out there.

REID: So let`s talk a little bit about Hillary Clinton, because she is back out on the campaign trail. I think that the news cycle being fixated on her having pneumonia and then using that to further a narrative that she`s somehow dishonest because she didn`t tell the press about her illness.

It obviously has had an impact on her poll numbers, Ed. You`re seeing the race tighten up, which is what you should expect when you have that kind of a news cycle.

Is Hillary Clinton now in a position where her only sort of option is to kind of flood the zone with contact, constantly be in contact with the media, constantly try to talk up news cycle items she wants on the record?

PILKINGTON: I don`t think so. I think the problem she`s had up to now is that`s part of her tendency, she always has to know everything. She has to have all the figures. She has to know every single fact and has to bombard people with that.

She needs to take a leaf out of Trump`s book which is keep it simple, engage with people, come across as sincere. And I think if she can do that in the next six weeks, she`ll be fine.

HINOJOSA: Can I just say, Joy, she looks phenomenal. For three days of rest with pneumonia. I`m like, thank you, Hillary Clinton, you just raised the bar for the rest of us women who are always working, who always say yes to do everything, and now -- because I was saying you need to leave her alone for seven days to recuperate from a pneumonia. And it`s like here she is doing this.

So, I`m happy that she looks so wonderful because that allows us to believe that, you know, recuperating from a pneumonia is something that you can do but it raised the bar for the rest of us.

REID: It surprises me that the campaign didn`t use that more to her advantage. To say, look, this is a woman who did 11 hours in front of the hostile Republican committee, and now look she`s back up after three days. They haven`t really used it very effectively, have they?

COBB: No, they haven`t.

But I think the other thing -- the other part of the narrative that people have said they kind of self-righteously jumped on the Clinton campaign and said that she hasn`t been transparent about her health, but the Trump campaign has pretty much been allowed to tee off with these conspiracy theories about her health and they haven`t been really checked.

And so part of the reason why they are probably reticent to disclose this kind of information is the fact that it has not been a kind of accountability on the other side of it. And the media is certainly implicated there.

REID: That is absolutely true, to say nothing of being able to say, no, we`re not releasing our taxes. No, we won`t explain the Trump Foundation. No, we`re not going to explain our business ties. We`re just no, no, no, and it works.

SCHWARTZ: Yeah. You know what`s kind of wonderfully illuminating about this whole health back and forth is that Trump we don`t quite know for sure whether Trump is approximately 40 pounds overweight or 70 pounds overweight, but both are obese. And listen, there are a million reasons why people gain weight, but what`s so interesting about Trump is that this was an athlete, this was a guy who is...

REID: Other than the bone spurs that kept him out of Vietnam.

SCHWARTZ: Yes. That`s right. He was (inaudible) not.

But this is a guy who`s told you what a great athlete he was and to me his weight gain, his absence of exercising is a measure of his discipline, of his self- discipline which is incredibly low.

REID: Yeah.

I mean, to say nothing of his diet which seems to consist mostly of fried food.

I want to let you guys know what you`re looking at there. We are waiting for Hillary Clinton. We were looking at a little bit of rope line, the person that you saw speaking on the stage a little bit earlier was Linda Sanchez introducing Hillary Clinton.

What can she accomplish -- that`s Linda Sanchez there, she`s talking about Hillary Clinton. So, we`re waiting for Hillary to come on.

What can Hillary Clinton accomplish for herself tonight do you think, Maria?

HINOJOSA: She`s got to accomplish a lot. As I said before at the top of the show, right now the Latino community needs high touch. And so for her to be there is important.

REID: I think she introduced her.

HINOJOSA: I think she just introduced her.

REID: Keep going.

HINOJOSA: Again, she`s got to also be honest, right. She`s got to be honest in we hope this love for Latinos and Latinas.

REID: Yeah.

HINOJOSA: But I am telling you, that they need to invigorate the Latino -- the young Latinos and however they do it, whether it is with Hillary, herself, or whether it is with surrogates, they need to flood the zone.

Because again, there is a real desire to feel visible. Latinos have been the centerpiece of the attacks.

REID: Yeah.

HINOJOSA: And yet...

REID: And they need to feel a affirmatively. Absolutely there. I have to see some affirmative campaigning.

There she is. She is on stage. Let`s take a listen.

CLINTON: It is so great to be back here with so many friends and to see so many young people here, because that fit`s the theme this year, educate, engage, vote. And I can`t think of better marching orders for the next 54 days, and anyone who just heard, the Congresswoman knows we cannot be on the sidelines. This is the most consequential election in our lifetimes. I want to recognize the Institute, for all you do to inspire the next generation of Latino leaders.

(APPLAUSE)

Last year, I had the chance to spend time with some of the CHCI interns and fellows. It really was like seeing the future of America in one room. I can`t wait to see everything that they achieve, and I can`t wait -- if I`m fortunate enough to be president -- to put some of them to work.

(APPLAUSE)

And I want to thank all my friends in the Congressional Hispanic Caucus. You fight every single day to lift up the Latino community. When the cameras are rolling and when the cameras are off, at home in your districts and here in Washington. And no one understands better than you, the pivotal moment we`re at right now. Not just for Latinos, but for our country.

My friends in the Caucus have traveled to every battleground state. Registered voters, you`ve stayed focused, no matter what kind of outlandish and offense comments we have heard from my opponent and his supporters. By the way, I personally think a taco truck on every corner sounds absolutely delicious.

(APPLAUSE)

Now, here`s a confession. Running for president is never easy. But it shouldn`t be right? But tonight, I have the ultimate challenge, speaking after President Obama. He`s always a tough act to follow, in more ways than one. I for one, don`t think the president gets the credit he deserves for rescuing our economy from another great depression.

(APPLAUSE)

Think of what we`ve achieved these last eight years. American businesses have created 15 million new jobs since the recession. Twenty million Americans have health coverage. And no one has seen a bigger drop in uninsured rates under the Affordable Care Act than Latino Americans.

(APPLAUSE)

We got more good news this week. A report came out showing that poverty is going down and incomes for American families are going up. And Latino families have seen the biggest increase of all. Now, that doesn`t mean we rest on our laurels by any stretch. Our work is far from finished. But I am more confident than ever, that our best days are still ahead of us. I believe with all my heart that the American dream is alive and it`s big enough for everyone to share its promise.

(APPLAUSE)

That doesn`t mean that lots of people are still not hurting, because I know they are. And when you hear a presidential candidate spewing bigotry and hate, it`s easy to get discouraged. But we`re here because we know this election is a choice between not just two people, but two very different visions for America`s future. Either we`re going to make our economy work for everyone, or just those at the top. Either we`re going to fear our differences, or embrace and celebrate our diversity. Either we`re going to pit Americans against each other and deepen the divides, or we`re going to be stronger together. Today...

(APPLAUSE)

Today, as you know, we`re in the midst of Hispanic Heritage Month. In classrooms across America, children will study Dolores Huerta, Cesar Chavez, Julian and Joaquin Castro, Justice Sotomayor, Roberto Clemente and Lori Hernandez, Gloria Estefan and Lynn Manuel Miranda and countless others.

(APPLAUSE)

Names we know and names we might not know, but everyone of whom has enriched this country for generations. Whether your Mexican, Puerto Rican, Cuban, Latin American, Afro-Latino, whether your family just arrived or has been here before the United States even existed...

(APPLAUSE)

You`re not strangers, you`re not intruders. You`re are neighbors, our colleagues, our friends, our families. You make our nation stronger, smarter, more creative, and I want you to know that I see you and I am with you. And time and again...

(APPLAUSE)

... time and again we have seen that when we invest in the community, when we make it possible for Latinos to get the health care you need, get the education you desire, compete for jobs, start new businesses, pursue your dreams, all of America benefits. As I said this afternoon in North Carolina, we are in the final stretch of this election. And I intend to close my campaign the way I began my career, fighting for kids and families. That`s been the cause of my life, it will be the passion of my presidency.

(APPLAUSE)

So, tonight I want to mention two things I`ll do in the first 100 days of my administration, to help families in every corner of America. First, we do need to create an economy that works for everyone, not just those at the top. There`s something wrong, when Latinos are 17 percent of our country`s population but hold only 2 percent of it`s wealth.

We`ve got to work together to connect more Latinos with good jobs that pay good wages. With more opportunities to get the skills they need, to go to college, to launch new ventures, to build wealth that can be passed on to your kids and your grandkids. So we`re going to make -- in my first 100 days -- the biggest investment in new good paying jobs since World War II. Jobs in infrastructure, manufacturing, technology, innovation, clean energy.

And we`re going to cut red tape and taxes and expand access to capital for small businesses, including the Latino owned small businesses that create so many jobs and so much growth, in communities everywhere. And I want to give a particular shout out to Latina small business owners.

(APPLAUSE)

Not everyone knows this, but you are among the fastest growing group of entrepreneurs in America.

(APPLAUSE)

And we`re going to put families first with new solutions that reflect the way people live and work today. Supporting families with paid family leave, earned sick days, and affordable child care, isn`t a luxury, it`s a necessity. When families are strong, America is strong. And that brings me to another important family issue. In those first 100 days, I will send a proposal for comprehensive **immigration** reform to the Congress.

(APPLAUSE)

My proposal will keep families together and it will include a path to citizenship.

(APPLAUSE)

Now, I know this isn`t the first time you`ve heard it, in fact, people have been making the same promise for more than a decade. But I believe with all my heart, that some things are too important to give up on. I`ve been called a lot of things, I`ve never been called a quitter. And in this election -- in this election we have a chance to show that comprehensive **immigration** reform isn`t just the smart thing to do, it`s what the American people demand. And you know how we`ll show that? Well I hope to have a Democratic Congress next January.

(APPLAUSE)

But, no matter what, on my first day in office, I will reach out to Republicans and say, this is your chance to help millions of families and show that your party, the party of Lincoln is better than Donald Trump.

(APPLAUSE)

And while we`re fighting for comprehensive **immigration** reform, we`re going to keep families together. When the deadlock Supreme Court put DAPA and expanded DACA on hold for 5 million **immigrants**, it was devastating to millions of families. But the court didn`t actually rule on the substance of the case. And as I`ve said -- repeatedly -- I believe that DAPA and expanded DACA are squarely within the president`s authority. And I will protect them and keep fighting for them.

But in addition to defending DAPA and DACA, there`s more we can do. We need a simple straightforward system. Where other people with sympathetic cases, who are contributing to their communities can make their case, and be eligible for deferred action to. Like people who experience and report extreme labor abuses, and we won`t stop there. We`re going to end family detention, close private detention facilities and stop the raids and round ups.

REID: That`s Hillary Clinton speaking at the Congressional Hispanic Caucus Institute`s annual gala. I`m Joy Reid. Chris Hayes will be back here tomorrow. Our coverage continues with Rachel Maddow.

**NEW\_DOCUMENT\_HERE**

Chris Hayes; Michael Steele

10222 speakers\_end

CHRIS HAYES, MSNBC HOST (voice-over): Tonight on ALL IN...

(BEGIN VIDEO CLIP)

DONALD TRUMP (R), PRESIDENTIAL CANDIDATE: They say pneumonia on Friday, but she was coughing very, very badly a week ago, and even before that.

(END VIDEO CLIP)

HAYES (voice-over): As Hillary Clinton stays home to recover --

(BEGIN VIDEO CLIP)

BILL CLINTON, FORMER PRESIDENT OF THE UNITED STATES: She`s doing fine. She was even better last night before she went to sleep.

(END VIDEO CLIP)

HAYES (voice-over): Why a sick day has the right wing rejoicing.

(BEGIN VIDEO CLIP)

ALEX JONES, RADIO HOST, THE ALEX JONES SHOW: I went and saw the video and I went, yes! Yes!

(END VIDEO CLIP)

HAYES (voice-over): Tonight, what we know about Hillary Clinton`s health. Then, Trump demands an apology for this.

(BEGIN VIDEO CLIP)

CLINTON: You could put half of Trump supporters into what I call the basket of deplorables.

(END VIDEO CLIP)

HAYES (voice-over): Ta-Nehisi Coates says Clinton is right and her numbers are too low. He joins me to defend that analysis of Trump support.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: Donald Trump!

UNIDENTIFIED FEMALE: Yes!

UNIDENTIFIED MALE: 2016! With them back in the (bleep) (INAUDIBLE).

UNIDENTIFIED FEMALE: Yes!

(END VIDEO CLIP)

HAYES (voice-over): Plus, the normalizing.

(BEGIN VIDEO CLIP)

TRUMP: The interest rates have kept it down by President Obama, I have no doubt.

(END VIDEO CLIP)

HAYES (voice-over): Three head-snapping comments today that barely made headlines. We`ll update Trump`s Last Ten. And a foreign policy fact check --

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: Until the war`s over, anything`s legal.

(END VIDEO CLIP)

HAYES (voice-over): -- on the anything goes campaign.

(BEGIN VIDEO CLIP)

TRUMP: To the victor belong the spoils.

(END VIDEO CLIP)

HAYES (voice-over): When ALL IN starts right now.

HAYES: Good evening from New York. I`m Chris Hayes. Hillary Clinton says she is on the mend, tweeting this afternoon, "Thanks to everyone who`s reached out with well wishes. I`m feeling fine and getting better." And adding, "Like anyone who`s ever been home sick from work, I`m just anxious to get back out there. See you on the trail soon." Clinton is at her home in Chappaqua, New York, tonight having canceled a planned trip to California to recover from pneumonia. Yesterday morning, Clinton abruptly left the September 11th memorial service in New York City and appeared unsteady and in need of support as she entered her vehicle. Clinton seen here, waiving to supporters later that same day just a few hours later, will appear via teleconference at fundraiser tonight. Former President Bill Clinton will headline events over the next couple of days in her place. Her campaign says Clinton will soon release additional detailed information about her health. In an interview that aired just a short time ago, Bill Clinton explained the incident by saying Hillary Clinton, quote, just got dehydrated.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: Is that what happened, she got dehydrated?

CLINTON: Yes, yes.

UNIDENTIFIED MALE: Because when you look at that collapse, that video that was taken, you wonder if it`s not more serious --

CLINTON: No, no, she --

UNIDENTIFIED MALE: -- than dehydration.

CLINTON: She`s been -- well, if it is, it`s a mystery to me and all of her doctors. Rarely, but on more than one occasion over the last many, many years, things sort of -- things happen to her when she just got severely dehydrated. And she`s worked like a demon, as you know, as Secretary of State and as a senator and in the year since.

UNIDENTIFIED MALE: Is it possible that she will be away for weeks from the campaign trail?

CLINTON: No. Not a shot. I`ll be lucky to hold her back another day.

(END VIDEO CLIP)

HAYES: Donald trump, who for much of the campaign has flirted with conspiracy theories about Clinton`s health stoking big questions about her, quote, stamina, said today he hopes she recovers, but also hinted the Clintons` health issues are larger than just pneumonia.

(BEGIN VIDEO CLIP)

TRUMP: Well, it was interesting because they say pneumonia on Friday, but she was coughing very, very badly a week ago, and even before that, if you remember. This wasn`t the first time. So it`s very interesting to see what is going on.

(END VIDEO CLIP)

HAYES: A presidential nominee appearing to almost collapse at a public event is news in any environment. We should remember that politicians who are, in fact, human beings do sometimes get sick. Senator Charles Schumer`s office today said Schumer had been diagnosed with pneumonia a few weeks ago. And there`s the Presidents Jimmy Carter collapsing in 1979 while running a road race from heat exhaustion -- spurring fears of a heart attack -- George H.W. Bush of course famously vomiting on Japanese prime minister and then fainting during a visit to Tokyo in 1992. That was scary. George W. Bush off-camera briefly losing consciousness in 2002 after choking on a pretzel while watching a football game. The difference in this case is that it comes amid a sustained effort amongst some to raise questions about Clinton`s health in an attempt to disqualify her from office.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: She`s falling. You`ve got this sort of twitching thing that she does in front of reporters that was really bad.

(END VIDEO CLIP)

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: Go online and put down Hillary Clinton illness, and take a look at the videos for yourself.

(END VIDEO CLIP)

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: She`s either had a small stroke or she has had some other disorder. Those strange glasses she was wearing for a while, kind of a tipoff. She seems to have no stamina whatsoever.

(END VIDEO CLIP)

(BEGIN VIDEO CLIP)

JONES: The point is Hillary looks like a dying woman.

(END VIDEO CLIP)

HAYES: That last voice is Sandy Hook and September 11th truther, Alex Jones, thinks both of them were faked, inside jobs. One of the leading purveyors of Clinton health conspiracy theories who exalted in yesterday`s news --

(BEGIN VIDEO CLIP)

JONES: I went and saw the video and I went, yes! Yes! I was just literally just in ecstasy. And my dad said that is horrible, celebrating over that sick woman, even though I hate her, too. And I went, no, this is a devastating victory against the enemy and more of the avalanche of them being discredited and the hand of God is upon this.

(END VIDEO CLIP)

HAYES: Generally, the biggest question when it comes to attacks on Clinton`s health is which angle her critics are going to take. And remember in 2012 after she suffered a concussion, lots of conservatives oscillated between claiming the concussion was fabricated so Clinton could avoid testifying about Benghazi, and suggesting it had -- despite her doctor`s claim -- actually caused her serious neurological damage. Today Veterans for Trump co-chair Daniel Tamburello claimed Clinton secretly has Parkinson`s disease citing her pneumonia as evidence as well as, quote, her recent fondness for muumuus, which makes me think she is concealing a deep brain stem battery pack that counters her tremors. Compounding the potential damage from Sunday`s incident was the Clinton campaign, which did not reveal the pneumonia diagnosis when it was made by her doctor on Friday. Perhaps understandable in light of all the attacks on her health from the right. Less understandable the failure to make that diagnosis public for about seven hours after Clinton`s incident on Sunday, a move that allowed her critics darkest claims to fester for much of the day. Joining me now, Former RNC Chairman, MSNBC political analyst Michael Steele, Former Governor of Michigan Jennifer Granholm, co-chair of Clinton`s transition team.

HAYES: Michael, let me start with you.

MICHAEL STEELE, POLITICAL ANALYST, MSNBC: Sure.

HAYES: So here`s the thing I`ve never quite gotten about -- so I think you would agree with me, right, that there was this context beforehand of all these, like, oh, she has neurological --

STEELE: Yes.

HAYES: -- or, you know, all this sort of -- then the thing happened yesterday, which was --

STEELE: Yes.

HAYES: -- scary, if you look at the video.

STEELE: Yes. No, it is.

HAYES: I never quite understand the first-order argument. Like, should people not vote for Hillary Clinton because she has pneumonia?

STEELE: No, I don`t think --

HAYES: Is that the argument? Because it`s like I`m not --

STEELE: No. I think we can come up with a better argument than that.

HAYES: Right, exactly. I would like someone to just actually spell out what the argument is.

STEELE: No, no. No, you know what, I tell you what, I appreciate your setup very much. And let me just say I hope that Mrs. Clinton is getting better and is getting well because that was very startling to watch.

HAYES: Yes. Totally. Agreed.

STEELE: Just from a human perspective.

HAYES: I think we all agree. We all agree.

STEELE: We all agree on that, yes. But here`s the problem -- and you said it at the end of your piece -- seven hours.

HAYES: Right.

STEELE: All right. The week before this cough -- it`s a persistent cough -- now they knew in the campaign that there`s been pneumonia going around. She wasn`t the only one to come down with this cold. So why not put that out there in the beginning? Why not deal with that?

HAYES: Right.

STEELE: So that creates the atmosphere that then some will take advantage of, as you rightly said. But irrespective of what Republicans are saying about this, the biggest concern is what the voters are thinking about it. And it does not address, I think, in an adequate way, the concerns they have about trust and whether or not --

HAYES: Sure, right.

STEELE: -- you`re going to tell us --

HAYES: OK. Right.

STEELE: -- what is going on.

HAYES: So your point -- so there`s two things. What I love about this news story is that it`s a perfect little experiment that we`re running here. You know, Jennifer, people say, you know, it`s not the crime, it`s the cover up, right? You know, people always say it`s not the scandal. Well, here we`ve got a perfect example in which there is no scandal or crime. The first-order thing is someone having pneumonia -- which I think we can all agree is not some scandal. That`s a human being --

STEELE: Mm-hmm.

HAYES: -- who has pneumonia, right? So the question then becomes the handling of it, the meta question. do you think that they should have been more forthcoming in that period of five to seven hours?

JENNIFER GRANHOLM, FORMER MICH. GOVERNOR: Well, they said that they should have. The campaign itself has said that they could have handled it better. But Chris and Michael, you guys know this, you have gotten sick --

HAYES: Yes.

GRANHOLM: -- and you`ve got to go on --

STEELE: Oh, yes.

GRANHOLM: -- the air, and the show must go on. And she`s got to be at a very --

HAYES: Oh, I`m coughing on everyone in here right now.

GRANHOLM: Well, so there you go.

HAYES: Michael is totally screwed.

(LAUGHTER)

HAYES: He`s super screwed.

(LAUGHTER)

GRANHOLM: I mean, but just think about this, she`s got to go to a major press conference --

HAYES: Yes.

GRANHOLM: -- the day she`s diagnosed about homeland security. Then she`s got to go to the 9/11 memorial, which of course she feels so deeply and it`s important that she go to. Of course she`s going to try -- I mean, just because you know that she is a total workhorse. She is not --

HAYES: Right.

GRANHOLM: -- a wimp.

STEELE: Yes.

GRANHOLM: She`s going to try to get to it.

STEELE: No one`s doubting that.

HAYES: That I agree with. But my thing here --

GRANHOLM: But she`s not going to go if there`s a big diagnosis out there about her having pneumonia that everybody`s going to -- you know, she gets criticized for that, so --

HAYES: Well, let me ask you this. Let me ask you this. Let me come back to you this. So first of all, I want to just say on the table that when you go back -- I was looking at this -- Meghan McCain has been tweeting furiously about the coverage of her father`s health back in 2008. Now --

STEELE: Sure.

HAYES: -- he put out 1,500 pages of records.

STEELE: He did.

HAYES: Neither candidate in this case --

STEELE: Nothing.

HAYES: I mean, Donald Trump has that one letter --

STEELE: Right.

HAYES: -- from the doctor --

STEELE: Right. So...

HAYES: -- Hillary Clinton has a little more. But each of them can disclose more medical records, right?

STEELE: Absolutely.

HAYES: So I think that probably is a good idea. They`re each fairly advanced --

STEELE: I mean, sure. They need to.

HAYES: Yes.

STEELE: Because if either one of them becomes president --

HAYES: OK.

STEELE: -- we`ll find out anyway.

HAYES: But here`s my question, then, about transparency: What`s the cutoff for what you should disclose in terms of illness? This is a really serious question. Like, severe gastrointestinal distress.

STEELE: Yes.

HAYES: Does Hillary Clinton owe you, the voter and Michael Steele, to inform you that she`s undergoing severe gastrointestinal distress?

STEELE: She doesn`t owe me that, but pneumonia, you do.

HAYES: You think pneumonia`s over the line?

STEELE: Yes, because pneumonia can lead to a lot of other things.

HAYES: Right.

STEELE: Having gas --

HAYES: Right.

STEELE: -- not so much.

HAYES: I love where this has gone. I mean, we should also be clear here that we`re talking about walking pneumonia, right?

STEELE: Right.

HAYES: My father had it, other people have had it. They work.

STEELE: Again, walking pneumonia can become severe pneumonia to the point where you`re hospitalized, and it has an impact on the body.

HAYES: OK. But then here`s the other thing, Jennifer. Because to me it`s like -- watching this whole thing again, this sort of perfect little microcosm of the relationship --

STEELE: Right.

HAYES: -- between the press and the Clintons, here`s what`s going to happen, I can tell you right now. She`ll put out medical records, OK. They`re going to put out some medical records, and there`s going to be this whole world of the Internet that`s going to be like, these were forged. Like, next thing you know, it`s like Alex Jones --

STEELE: (INAUDIBLE).

HAYES: -- who`s like a hop, skip and a jump from Donald Trump --

STEELE: Right.

HAYES: -- let`s be clear -- is basically going to -- spinning all sorts of insanity about her.

GRANHOLM: Of course, of course. Because any time you put anything out on the right, they`re going to make a conspiracy out of it, right? I mean, you can just get (INAUDIBLE) --

STEELE: No, not anytime.

GRANHOLM: Well, OK, not anytime, but almost anytime, especially that crowd, Michael. Not --

HAYES: That crowd, yes. All right.

STEELE: All right.

HAYES: Yes. Go ahead.

GRANHOLM: -- the mainstream, but that crowd will absolutely do that.

HAYES: Right.

GRANHOLM: And so he`s going to put out some kind of -- we`ll see what he puts out, right, but he hasn`t put out anything to date.

HAYES: Right.

GRANHOLM: You know, this whole notion (INAUDIBLE) --

HAYES: He said he`s going to put something out. He just said today.

STEELE: Right.

GRANHOLM: Yes, OK, great.

HAYES: In fact, he said -- this is a great quote. I want to read this quote and make sure I get it verbatim here. He was talking about putting out his medical records, and he says he`s doing it -- he says, I`m very confident during the week I`ll be handing out a paper, very large numbers, very detailed, hopefully good statistics. You know, I feel very confident. Otherwise, I wouldn`t be telling you I did this.

(LAUGHTER)

HAYES: Which, Michael, seems to --

GERANHOLM: He knows in advance.

HAYES: -- me a little bit of a tell on the tax returns, doesn`t it?

STEELE: You`re not going to see tax returns.

GRANHOLM: Exactly.

STEELE: Don`t even think -- this says nothing --

HAYES: Wait --

STEELE: Take tax returns off the table.

HAYES: Wait. Can we reach --

GRANHOLM: Wait, wait, wait. But this is exactly right, Chris. You are totally on the money. Of course he`s not going to release his tax returns because --

HAYES: Wait.

GRANHOLM: -- he`s not going to have anything good in there to say.

HAYES: I want to have a moment of -- in a pitch battle for the presidency, a moment of beautiful, kum ba ya bipartisan consensus. Can we agree that both candidates should release much more significant medical records --

STEELE: Yes.

HAYES: -- than they have --

STEELE: Yes.

HAYES: -- and their tax returns?

STEELE: Absolutely.

GRANHOLM: Yes.

HAYES: Yes. Good. Look at that, we`re solving America`s problems.

STEELE: And for one fundamental reason, because if and when you become president of the United States --

HAYES: That`s right, you can`t keep it hidden.

STEELE: -- and it`s disclosed --

HAYES: Yes.

STEELE: -- and there`s a bomb in there, do you really want the first --

HAYES: Right, that`s right. For anyone. That`s right. On the taxes, too.

STEELE: Yes, those are (INAUDIBLE) --

(CROSSTALK)

HAYES: -- (INAUDIBLE) the guy smiling on April 15th.

(CROSSTALK)

STEELE: -- (INAUDIBLE) health side or --

HAYES: Totally.

STEELE: -- tax returns.

HAYES: Absolutely.

GRANHOLM: Absolutely.

HAYES: Michael Steele, Jennifer Granholm, thanks for being here.

GRANHOLM: All right.

HAYES: Appreciate it. Joining me now, journalist Joe Conason who has long tracked the attacks on the Clintons whose new book is Man of the World: The Further Endeavors of Bill Clinton. This was the most perfect microcosm of the Clintons` relationship to the press --

JOE CONASON, EDITOR-IN-CHIEF, THE NATIONAL MEMO: It is.

HAYES: -- which is -- you know, it all starts with these conspiracy theories which are essentially baseless, right, the neurological disorder? That then creates the conditions for heightened levels of privacy and acting like you have something to hide. And then this disclosure that they knew that she had pneumonia even while you`ve got Clinton defenders spending all day being like, well, it`s totally normal to faint in an 80- degree day.

CONASON: You know, I mean, yes, I guess there`s a stumble by her press team. But, Chris, you know, the repeated mantra that they have an aversion to transparency, as somebody in the Washington Post wrote the other day, or they`re not transparent, how that discussion can occur in the context of Donald Trump`s refusal to release his tax returns -- how many years do you think the Clintons have released in tax returns? More than 30.

HAYES: Twenty, 30, yes. Right.

CONASON: Yes, more than 30. It goes back to when he was attorney general of Arkansas. They released them every year, OK, whether they were both in office or not. Moreover, the same thing was true of the Foundation. They released every name of --

HAYES: Right.

CONSASON: -- anybody who gave to the Foundation, right?

HAYES: Searchable donations online, which is part of the reason (INAUDIBLE) --

CONASON: And they continued to do that after their agreement with Obama expired, when she left office, they continued to do it ever since. So --

HAYES: Of course. This is --

CONASON: -- if somebody says, you know, well, they`re not transparent, I`m sorry, they`re more transparent than most people.

HAYES: But isn`t that also the nature of the sort of unique role that they have in American life?

CONASON: Well --

HAYES: I mean, it seems to me that -- I agree with you. I think people know more about Hillary Clinton than they know about just about any American, frankly.

CONASON: Right, you know --

HAYES: I mean, I honestly believe that.

CONASON: -- a little too much, right?

HAYES: They know more --

CONASON: A little TMI.

HAYES: Yes. They know more about Hillary Clinton than just about any American citizen. I think that`s not a ridiculous thing to say.

CONASON: The media has come to believe, Chris, that they have the right to know everything about the Clintons. And the reason they believe that is because they learned everything when Ken Starr was probing their personal lives. In other words, that sort of opened up like a Pandora`s box of information about them. And since then -- and going back to the whole Whitewater phony scandal, there`s been this notion among the press that we need to know everything about them all the time. And if they don`t tell us everything we want to know, they`re not transparent, no matter how they are compared to everybody else who`s in politics.

HAYES: Right. But to me it`s also that there is a -- Matt Yglesias wrote this well. There`s a presumption of guilt as opposed to a presumption of innocence.

CONASON: In fact, that`s correct.

HAYES: There is an affirmative belief --

CONASON: Yes.

HAYES: -- that they`re hiding something. But then in this case it`s like, you saw how the story develops. It`s like, she`s ditched her protective press, she`s gone away, the video comes out, and there`s this affirmative sense, like, we`re not getting the story. And it`s like, they weren`t getting the story.

CONASON: Correct.

HAYES: So that does not help the attitude --

CONASON: I completely -- that`s why --

HAYES: -- of people thinking --

CONASON: I think that`s why her press team had to admit --

HAYES: Right.

CONASON: -- that they made a mistake.

HAYES: Apparently, Hillary Clinton just actually phoned in to talk about this just a few moments ago. I think we have that tape. Take a listen.

(BEGIN VIDEO CLIP)

HILLARY CLINTON (D), PRESIDENTIAL CANDIDATE: Well, I just didn`t think it was going to be that big a deal. You know, I know Chuck said today he didn`t tell anybody. It`s just the kind of thing that if it happens to you and you`re a busy, active person, you keep moving forward. And, you know, I think it`s fair to say, Anderson, that people know more about me than almost anyone in public life. They`ve got 40 years of my tax returns, tens of thousands of emails, a detailed medical letter report, all kinds of personal details.

(END VIDEO CLIP)

HAYES: That seems like a simpler thing --

CONASON: Yes.

HAYES: -- to what you just said.

CONASON: Well, she`s right, I mean, about that. Certainly they have laid before the public for years as a matter of course their taxes, the Foundation records, everybody who ever did a Clinton Global Initiative commitment, all of this stuff, in addition to the stuff that`s been, you know, exposed against their will in various investigations --

HAYES: Right, sure. (INAUDIBLE) and lawsuits, and --

CONASON: (INAUDIBLE) and all the rest of it.

HAYES: Yes.

CONASON: Emails and --

HAYES: I`ve read more Hillary Clinton emails than I -- hmm.

CONASON: Hillary Clinton, right. But why have you read those emails?

HAYES: Right. Of course.

CONASON: You read those emails because unlike Colin Powell --

HAYES: Right.

CONASON: -- who we now know did the same thing, right, and that was in my book --

HAYES: Right.

CONASON: -- and that`s how it came out. She gave out --

HAYES: Right.

CONASON: -- she released 30,000 emails, right?

HAYES: Yes.

CONASON: So the rest of them are -- so Colin Powell released zero.

HAYES: Well, what I will say is however we got there I think it is true that this individual is one individual about whom more is known than almost anyone else. Joe Conason, thanks for your time tonight.

CONASON: Thank you.

HAYES: Still to come, Hillary Clinton faces pundit backlash after calling half of Donald Trump supporters, quote, a basketful of deplorables. Ta- Nehisi Coates says she`s right. He joins me to talk about that ahead. You do not want to miss that. But first, Mike Pence is asked if he`d describe David Duke as deplorable. His answer, after this two-minute break.

(BEGIN VIDEO CLIP)

MIKE PENCE, REPUBLICAN VICE PRESIDENTIAL CANDIDATE: -- President of Russia was a strong --

(END VIDEO CLIP)

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

CLINTON: You know, to just be grossly generalistic, you could put half of Trump supporters into what I call the basket of deplorables.

(LAUGHTER)

CLINTON: Right? The racist, sexist, homophobic, xenophobic, Islamophobic, you name it.

(END VIDEO CLIP)

HAYES: The Trump campaign clearly thinks it hit the jackpot with Hillary Clinton`s now infamous comment about Donald Trump`s, quote, basket of deplorables, using it in a brand new attack ad, just like a conventional campaign would do.

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE (voice-over): Speaking to wealthy donors, Hillary Clinton called tens of millions of Americans deplorable. People like you, you, and you. Deplorable. You know what`s deplorable? Hillary Clinton viciously demonizing hardworking people like you.

TRUMP (voice-over): I`m Donald Trump, and I approve this message.

(END VIDEO CLIP)

HAYES: Clinton on the campaign trail today. Trump framed her comments in tribal Populist terms, pitting his opponent against, quote, working Americans.

(BEGIN VIDEO CLIP)

TRUMP: Hillary Clinton spoke with hatred and derision for the people who make this country run. She spoke with contempt for the people who thanklessly follow the rules, pay their taxes, and scratch out a living for their family. The disdain that Hillary Clinton expressed toward millions of decent Americans disqualifies her from public service. If Hillary Clinton will not retract her comments in full, I don`t see how she can credibly campaign any further.

(END VIDEO CLIP)

HAYES: For its part, the Clinton campaign seems eager to fight this battle, which expands on the candidate`s speech a few weeks ago connecting the Republican nominee to white nationalists and the so-called self- anointed alt-right. In a statement released over the weekend, Clinton stood by the core of her deplorables comment. "Last night, I was grossly generalistic, that`s never a good idea. I regret saying half, that was wrong. Let`s be clear, what`s really deplorable is that Donald Trump hired a major advocate for the so-called alt-right movement to run his campaign, David Duke, another white supremacist seen as a champion of their values." And speaking of David Duke, former KKK leader, proudly tweeted a meme of the Deplorables the movie poster with the sub-title, anti-racist is a code word for anti-white. Duke himself is there as part of Trump`s supporting cast. Trump ally and friend, Roger Stone, tweeted a similar image calling himself so proud to be one of the deplorables. There`s Stone all the way on the left. On the other side, Stone`s friend and fellow conspiracy theorist, Alex Jones who believes 9/11 was an inside job. We should note this image was tweeted on September 10th. And that cartoon character next to Trump started out several years ago as a random, obscure Internet meme known as Pepe the Frog. It has since been at least partially co-opted by white supremacists and the neo-Nazis for use in all kinds of racist and anti-Semitic garbage, including this tweet, telling political scientist Daniel Nichanian he`s, quote, heading for the oven. That same meme, the one with Roger Stone and Alex Jones and the Nazi frog was posted to Instagram by Donald Trump, Jr., close advisor to his father`s campaign. Joining me now, Trump campaign senior advisor A.J. Delgado, who I do not consider in any way deplorable.

A.J. DELGADO, SENIOR ADVISOR, TRUMP CAMPAIGN: Thank you.

HAYES: All right. Can we look at this Mike Pence sound? Because this is making a lot of news right now.

DELGADO: Sure.

HAYES: This is Mike Pence being asked if he thinks David Duke is deplorable. Take a listen.

(BEGIN VIDEO CLIP)

WOLF BLITZER, CNN ANCHOR: She said there are supporters -- and you know this -- there are some supporters of Donald Trump and Mike Pence who -- like, David Duke, for example, some other white nationalists -- who would fit into that category of deplorables, right?

PENCE: Well, as I`ve told you the last time I was on, I`m not really sur why the media keeps dropping David Duke`s name. Donald Trump has denounced David Duke repeatedly. We don`t want his support and we don`t want the support of people who think like that.

BLITZER: You`d call him a deplorable? You would call him --

PENCE: No. I`m not in the name-calling business, Wolf, you know me better than that. What Hillary Clinton did Friday night was shocking.

(END VIDEO CLIP)

HAYES: Why can`t you call David Duke deplorable?

DELGADO: Well, he did one better. He denounced him and said he doesn`t want his support. This has been repeatedly said. But I`ll tell you why he hesitated to use Hillary`s term. It`s a media trick. And what Wolf wanted to happen was this, for him to say, well, Hillary said that Donald Trump supporters are deplorable, is David Duke not a Donald Trump supporter?

HAYES: Sure.

DELGADO: Hence, wasn`t Hillary Clinton right? It`s a trick. And this is why --

HAYES: Wait a second. But if --

DELGADO: -- no one likes the media, Chris. It`s a trick.

HAYES: Wait a second, though. But, no, but it`s more than a trick, right? Because there`s a deep sense in which -- look, let`s agree, you and I, that the half is wrong, right?

DELGADO: Mm-hmm.

HAYES: She said it`s wrong, right?

DELGADO: How generous of you.

HAYES: Well, I think it`s -- and I think it`s probably even these sort of generalizations are probably not --

DELGADO: Right.

HAYES: -- too normal. But there are people -- I mean, Alex Jones, this guy believes 9/11`s an inside job, that there were child actors that faked their own death in Newtown. Like, Donald Trump went on his show and said, you have a good reputation. Like, he is supporting Donald Trump. Like, that`s a deplorable person.

DELGADO: I could find you holes in the Hillary Clinton camp that --

HAYES: You cannot find an --

DELGADO: -- are deplorable. Absolutely.

HAYES: Well, Alex Jones?

DELGADO: And why is it you`re always --

HAYES: Alex Jones?

DELGADO: -- fixating on the half issue called deplorable and why don`t you admit that she insulted all Trump supporters?

HAYES: So you want --

DELGADO: So she said half are --

HAYES: Wait a second.

DELGADO: -- deplorable trash -- hang on -- and the other half --

HAYES: She didn`t say trash.

DELGADO: -- are in a dead-end, desperate --

HAYES: She didn`t say trash.

DELGADO: -- worse, I`m being nice -- in a dead-end, desperate, jobless existence.

HAYES: Hey. Let me --

DELGADO: That`s the other half.

HAYES: Let me ask --

DELGADO: So I`m either a bigot or I`m a dead-end loser. That`s what she said about all Trump supporters.

HAYES: I`ll go to the other half in a second, but I want --

DELGADO: She disqualified herself, Chris.

HAYES: I want to ask you this. I want to go to the other half in a second.

DELGADO: Mm-hmm.

HAYES: Half of Trump supporters view African-Americans as more violent than whites.

DELGADO: I`m going to believe that poll, OK.

HAYES: OK. But let`s say the polling ground -- I mean, it is not the Trump campaign`s position --

DELGADO: Well, you should mention -- I`ve seen --

HAYES: Clinton is 31 percent.

DELGADO: (INAUDIBLE), you should mention how they say, oh, well, some Trump supporters don`t believe Obama was born here, like Clinton supporters who are the ones who started birther controversy.

HAYES: No, but there`s a poll that --

DELGADO: So we can do this all day, Chris.

HAYES: Wait, no, but this is a real question, right. This view, viewing African-Americans --

DELGADO: By the way, you don`t admit that the Clinton supporters are the ones that started the birther controversy?

HAYES: No. And also the polling --

DELGADO: This is fact. HAYES: No. Andy Martin actually started that. I wrote a piece about this. Look it up.

DELGADO: This is fact. OK.

HAYES: Wait a second.

DELGADO: (INAUDIBLE) reports.

HAYES: Andy Martin started the birther thing --

DELGADO: Mm-hmm, sure.

HAYES: -- who`s a very weird guy. He was a guest on Sean Hannity`s show.

DELGADO: Nope.

HAYES: But here`s the thing, this view -- I just want to, like, establish a few things here. Like, the view that blacks are more violent than whites, we agree is a racist view.

DELGADO: Absolutely, it`s deplorable. We reject that 100 percent.

HAYES: You reject that?

DELGADO: That is why we --

HAYES: But that is problematic --

DELGADO: -- denounce and do not want the support of David Duke --

HAYES: Wait, you don`t want the support --

DELGADO: How many -- in what language -- can I say it in Spanish? In what language can we say we`ve denounced and do not want David Duke`s support?

HAYES: But wait a second. But you said that is a deplorable view, right, that`s a bad view --

DELGADO: Mm-hmm.

HAYES: -- that blacks are more violent than whites? 49 percent of Trump supporters believe that. That`s a problem.

DELGADO: They`re quoting -- I`m going to believe a random poll that we don`t know how it was phrased, what was asked --

HAYES: OK.

DELGADO: -- or who -- were those really Trump supporters? I`m not going to believe some poll.

HAYES: OK, you don`t believe the -- OK, how about this, let`s -- can we talk about the Muslim ban?

DELGADO: Sure.

HAYES: OK. So the Muslim ban, right?

DELGADO: Yes.

HAYES: Again, like, she used the term Islamophobic.

DELGADO: Mm-hmm.

HAYES: Donald Trump today said that`s insulting, right?

DELGADO: Mm-hmm.

HAYES: But you would agree -- I`m not going to cite a poll, right -- a majority of Trump supporters support the Muslim ban, that`s part of what got him --

DELGADO: I reject the notion that you call it a Muslim ban. What do you mean by that?

HAYES: He said we need to ban all Muslims until we can figure out what`s going on. Those are his words.

DELGADO: No. The current plan is to limit **immigration** from nations where there is a terrorism issue or a connection.

HAYES: Right. But that --

DELGADO: That was not in --

HAYES: Wait a sec. Does France count?

DELGADO: There was -- well, we can go into --

HAYES: Israel?

DELGADO: That`s a security issue. That`s not for you or I. We`re not experts to decide what nations we`ll have to take a closer vetting position on.

HAYES: Oh, wait a second. He called for a Muslim ban, and when it was the Muslim ban -- right, so before it developed --

DELGADO: Mm-hmm.

HAYES: -- right, when it wasn`t a Muslim ban --

DELGADO: Which was not unconstitutioned, by the way.

HAYES: -- he was still getting a majority of support for that view.

DELGADO: And?

HAYES: Is that not a bigoted view that all Muslims shouldn`t come to the U.S.?

DELGADO: Not necessarily, no. No, when you`re saying as a temporary --

HAYES: Is that not the definition of Islamophobic?

DELGADO: -- no. When you are saying -- no, it depends on the motive behind it. When you`re saying it`s a temporary pause until we figure out what`s happening with terrorism in this country, until we have a better vetting process --

HAYES: All right.

DELGADO: -- a temporary pause, you`re saying would be -- you`re saying his motives were bigoted? You`re saying his motives are bigoted, that it wasn`t a security issue?

HAYES: Yes. I think that any generalization about a billion people --

DELGADO: Well --

HAYES: -- barred from the country --

DELGADO: -- that`s your opinion, though. You can`t say that`s a blanket - -

HAYES: Wait a second. Let me ask you this --

DELGADO: -- prejudice. And by the way, I love that you`re turning the fact that Hillary Clinton has insulted, what, 100 million Americans --

HAYES: It`s not 100 million! It`s not 100 million.

DELGADO: -- into a position -- this has turned into a debate taking it back to November 2015 about the Muslim ban because you don`t want to admit that Hillary Clinton --

HAYES: No, I want --

DELGADO: -- has disqualified herself. She`s disqualified herself.

HAYES: I don`t believe that anything she says --

DELGADO: You don`t think insulting half the nation should disqualify you from running?

HAYES: It`s not half the nation.

DELGADO: She tweeted this herself, Chris.

HAYES: It`s not half the nation.

DELGADO: Chris, three weeks ago she said --

HAYES: She also (INAUDIBLE) half.

DELGADO: -- if you can`t respect --

HAYES: But let me ask you this --

DELGADO: -- this country, how can you serve the country? She`s disqualified.

HAYES: Donald Trump has called the American people --

DELGADO: I agree with her, she`s out.

HAYES: Let me ask you this, let me ask you this. Is there anything -- Donald Trump has said she should apologize for this remark, right?

DELGADO: Mm-hmm.

HAYES: Is there anything Donald Trump has said that he should apologize for?

DELGADO: He did express that there are some things --

HAYES: Regrets.

DELGADO: -- he regrets, yes.

HAYES: Do we know what those are?

DELGADO: Did he ever insult half the country?

HAYES: Let me ask you this, are you --

DELGADO: Did he ever insult half the country?

HAYES: Will you call --

DELGADO: Did he ever insult half the country?

HAYES: Yes. He called the American people stupid --

DELGADO: Half the country?

HAYES: -- he called the people of Iowa stupid --

DELGADO: Really?

HAYES: -- he`s insulted Mexicans and Muslims --

DELGADO: He never did.

HAYES: -- POWs --

DELGADO: Lies. A lie, a lie, a lie.

HAYES: All right, all right. It`s good to have you in person here, A.J. I`ll see you soon?

DELGADO: Love you, Chris.

HAYES: All right.

DELGADO: All right.

HAYES: Still to come, the normalizing of Donald Trump. Why his shocking statements barely seem to register anymore. On a later note, we`ll have an updated Trump`s Last Ten right after this break.

(COMMERCIAL BREAK)

HAYES: For months now we`ve been bringing you a segment we call Trump`s Last 10 a running tally of things that had literally any other candidate said or done them probably would end their campaign, but not Donald Trump. It`s been a month since we last updated our list, so time to say good-bye to a bulk of Trump`s old controversies. We`re getting rid of everything from number four, the time that Trump claimed Hillary Clinton`s emails led to the execution of Iranian scientist D not true, by the way; to number 10 that time when Trump called a retired four star general a failed general following his endorsement of Clinton.

So, goodbye to all that, hello to a whole new set of controversies, starting with number 7. Recent Mother Jones investigative report on several models who worked for Trump`s modeling agency who say they were actively encouraged and directed by superiors to skirt **immigration** rules and work here illegally.

Number six, Trump`s trip to Mexico, which resulted in a Twitter beef with Mexican President Enrique Pena Nieto. Trump claimed the two didn`t discuss who would pay for the proposed border wall. Yet Pena Nieto said actually yeah they did and it wouldn`t be Mexico.

Number five, reporting that Trump may be engaged in his own pay-for-play controversy. Trump recently had to pay the IRS a fine after his foundation illegally donated to a political group associated with Florida attorney general Pam Bondi. Bondi decided not to pursue a fraud case against Trump University not long after she received that donation.

Number four, Trump praising Russian President Vladimir Putin`s leadership as superior to President Obama`s.

Number three, Trump publicly talking about intelligence briefings he`s received, claiming that officials body language showed they were not happy with President Obama.

Number two, Trump`s numerous claims about 9/11, some recently reported by Michael Daily (ph) of the Daily Beast, from saying he`s lost hundreds of friends in the terrorist attack. He has not provided any names. To saying he was able to see people jumping from the towers from four miles away. To pledging thousands of dollars to a 9/11 charity even though there is no record Trump followed through on his promise.

And number one, the latest investigation by David Fahrenhold of The Washington Post detailing how Trump used other people`s money to make donations from the Trump Foundation and even spent $20,000 foundation dollars to buy a six foot portrait of himself.

Of course, we`re not counting anything Trump has said today. His latest jaw dropping interview ahead.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: Just last week, Senator Elizabeth Warren was working with a group called Fed Up where they`re trying to put constraints on the Fed and get their arms around it a little more. I wonder in a Trump administration, would you be trying to put more constraints of the fed as well?

TRUMP: Well, what I`d want to do is have a policy D I wouldn`t go by what Pocahontas wants you to do, because her D you know, her agenda is obvious. I mean, she`s a disaster. She`s also one of the least effective senators in the United States Senate.

(END VIDEO CLIP)

HAYES: Donald Trump gave an interview to CNBC this morning in which he just offhandedly referred to a sitting U.S. Senator by a racist moniker. He also called the stock market a false market, accused Fed Chair Janet Yellin, who is independent of the White House, of conspiring to keep interest rates low in order to help Presidnet Obama.

(BEGIN VIDEO CLIP)

TRUMP: She`s obviously political. And she`s doing what Obama wants her to do. And I know that`s not supposed to be the way it is, but that`s why it`s low.

But let`s see what happens when interest rates go up.

Now, I think they`re keeping them down, and they`ll keep them down even longer, and any increase at all will be a very, very small increase, Jill, because you know they want to keep the market up so that Obama goes out and let the new guy, whoever that new D let`s call it the new guy, OK, because I like the sound of that much better. But that the new person that becomes president, let him raise interest rates or her raise interest rates, and watch what happens to the stock market when that happens, OK.

(END VIDEO CLIP)

HAYES: Let me just one small, important thing, the president of the United States does not raise or lower interest rates, that is done by the Fed chair and it`s probably one of the single most important fundamental distinctions between what the Fed does and what the president does.

Anyway, normally referring to a U.S. Senator using a racist slur or suggesting the Fed chair is manipulating the economy for political reasons would be major news, one of the old journalism clichZ man bites dog stories. But comments like these have become so common from Donald Trump they`re more like dog bites man. In other words, not news.

Joining me now, Charlie Pierce, writer-at-large for Esquire. And Charlie, this is the problem, it`s the we don`t cover the planes that land. I mean, it is the case that what was newsworthy has become not newsworthy through sheer repetition like calling Senator Warren Pocahontas, which, in anyone else doing that would be a whole day`s news cycle on the campaign trail.

CHARLIE PIERCE, ESQUIRE: It`s not so much covering the planes that don`t land. We don`t cover the planes that disappear into a fog of nonsense and are never seen again anymore.

Nobody has challenged him on that Pocahontas business ever to my knowledge. No debate monitor, no other candidate, certainly no D you know, television host. So this is, I mean this is a guy using this because he`s gotten away with it.

And right now when you hear stuff like that D I`m not economist, lord knows, but I know that the president doesnOt raise interest rates, OK. I know there isn`t a false stock market. I mean, I think that the basic business model for the stock market is fraud, but that`s a different thing.

Right now we have to decide what`s worse D the crazy, nasty stuff he says about people or the stuff he says which indicates he doesn`t know anything about any major issue of national policy.

HAYES: I had this moment today where I found myself doing it. There was a rally in Nashville, North Carolina and there was a tweet that a Trump supporter punched a protester. And this is true. There is video of it. In fact, two protesters. And I went to look at the video. And it was D it was a Trump supporter and he grabs two different protesters and sort of slaps them.

And I had the thought. I was like, well, it wasn`t that hard a punch. I mean, because what had happened in other environments was outright cold- cocking right.

So, the standard that gets set is a supporter cold-cocking someone in the face. And so I see the video in which it`s a sort of ineffectual punch and I think to myself, well that`s not as bad as the last time. And it seems to me that everybody is falling into that pattern right now.

PIERCE: Oh, it`s remarkable. This has been probably the worst month for elite political journalism certainly since the nonsense that surrounded Al Gore in 2000. And it`s probably worse than that.

You D I mean, it`s D our institutions seem to be completely incapable of confronting the fact that one of our major parties has nominated a guy whom you would move to the other end of the subway car rather than sit next to.

HAYES: But part of that also it`s just D I want to be really clear here about the structural problem here. I mean, there really is the news problem. Like, things that are novel are news and things that are not novel are not news. And Donald Trump saying something offensive is not novel at this point, it`s a genuine problem for how the next 60 days gets covered.

PIERCE: Well, in a generic sense, you`re right. But it is news when one of the two major presidential D one of the two candidates of the major parties for president doesn`t know how the Fed works.

HAYES: Right.

PIERCE: And more to the point, insists he does.

It is news when one of the two candidates from a major party for president of the United States insults a sitting U.S. Senator, that is news. And the idea that he should D that we should all just take this as, you know, as the way he does of doing business is a real piece of journalistic malpractice, at least as far as I`m concerned.

HAYES: All right, Charlie Pierce, always a pleasure. Thanks for joining us.

PIERCE: Thanks.

HAYES: Still to come, the numbers behind Clinton`s deplorables comment and Ta-Nehisi joins me to discuss the message that got lost in the outrage. Stick around for that.

But first, tonight`s Thing One and Thing Two right after this break.

(COMMERCIAL BREAK)

HAYES: Thing One tonight, Donald Trump says Americans don`t want Hillary Clinton as president because they don`t want four more years of President Obama.

(BEGIN VIDEO CLIP)

TRUMP: She can`t bring change. She`s been doing this for 35 years. She now talks about change. There`s no change. It`s going to be more of the same, only worse. It`s going to be four more years of Barack Obama only worse.

(END VIDEO CLIP)

HAYES: In fairness to Trump, you can see why it might be a smart strategy to try to position yourself as the candidate of change. It`s an argument he`s been making for awhile now.

Trump tweeted in June, "Obama just endorsed Crooked Hillary. He wants four more years of Obama, but nobody else does.

The problem with Trump`s argument, that`s Thing Two in 60 seconds.

(COMMERCIAL BREAK)

HAYES: So, Trump says if Hillary Clinton wins the election it would be four more years of President Obama. Here`s the problem with that argument: President Obama`s approval rating is at a whopping 58 percent in the latest ABC News/Washington Post poll, that is the highest approval rating the president received in that poll since July of 2009.

Obama`s monthly approval average is rising, reaching levels not seen since his reelection.

And there`s the rub, election forecasting models tend to take the approval rating of the current incumbent president as a strong predictive measure of which party is going to prevail.

So, when Trump says Hillary Clinton is just four more years of Barack Obama, he might just be giving one of the most compelling reason to elect her.

(COMMERCIAL BREAK)

HAYES: Omnipresent Trump surrogate Rudy Giuliani has repeatedly defended Trump`s assertions the U.S. should have taken Iraq`s oil when we invaded. But notice just how far Giuliani goes.

(BEGIN VIDEO CLIP)

GEORGE STEPHANOPOULOS, ABC NEWS: Wouldn`t that just be theft?

RUDY GIULIANI, FRM. NEW YORK CITY MAYOR: Well, no. He said take it so that the Islamic State then would not have had it available.

STEPHANOPOULOS: But he said leave a force back there and take it.

GIULIANI: Leave a force back there and take it and make sure it`s distributed in a proper way. And basically --

STEPHANOPOULOS: But that`s not legal, is it?

GIULIANI: Of course it`s legal. It`s a war. Until the war is over, anything is legal. That oil becomes a very critical issue.

(END VIDEO CLIP)

HAYES: Until the war is over, anything is legal. Not true. And among the things that are illegal during war, seizure of private property D a former prosecutor should probably know that

Let`s be clear, might makes right has consequences far beyond the illegal taking of oil.

(BEGIN VIDEO CLIP)

TRUMP: The other thing is with the terrorists. You have to take out their families. When you get these terrorists, you have to take out their families.

I would bring back waterboarding, and I would bring back a hell of a lot worse than waterboarding.

You know, it used to be to the victor belonged the spoils. Now, there was no victor there, believe me, there was no victor. But I always said take the oil.

And by the way, with Iran, when they circle our beautiful destroyers with their little boats and they make gestures at our people that they shouldn`t be allowed to make they will be shot out of the water.

(END VIDEO CLIP)

HAYES: The view that you can do anything during war is, for a lack of a better word: deplorable.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

TRUMP: People who want their **immigration** laws enforced D and we have no choice, we have to do that D and their border secured are not racists, they`re patriotic Americans of all backgrounds who want their jobs and families protected.

(END VIDEO CLIP)

HAYES: The fallout from Hillary Clinton`s deplorable comment and Donald Trump`s reaction today is focused on Clinton`s so-called gaffe of insulting certain voters.

As Ta-Nehisi Coates points out in The Atlantic, the coverage has largely shied away from the merits of her argument, quote, a reporter or an outlet pointing out the evidenced racism of Trump`s supporters in response to a statement made by his rival risks being seen as having taken a side not just against Trump, not just against racism, but against his supporters too. Real and serious questions about intractable problems are thus translated into one uncontroversial question: who will win."

And joining me now is Tan-Nehisi Coates, national correspondent for The Atlantic, author of "Between the World and Me," winner of the National Book Award. Good to have you here, man.

TA-NEHISI COATES, THE ATLANTIC: Good to be here.

HAYES: So you were D I mean, you`re reaction to watching this play out, your sort of argument was people really shied away from just the question of is she right?

COATES: Yeah. I thought it was especially, you know, for journalists I thought it was a shameless dereliction of duty. We are not political analysts. You know, I understand that political analysis is part of our job, but it`s not the whole job. You know, so it`s certainly fair game to say how will this effect Hillary Clinton.

But the fact that that was the sole question, you know, the sole focus on the horse race I think was deeply, deeply telling about a desire not to engage D you know, in the actual merits of our argument. I think if there were polling data to show that, for instance, Trump supporters were not interested in banning Muslims, you know, from America, were not, you know, interested in any theories of Barack Obama not being born in Kenya, were not, you know D did not believe that 40 percent D or 40 percent of them did not believe that black people, you know, are lazier than white people, those stats didn`t exist I think that would be brought up, you understand.

Like, if you imagine the opposite --

HAYES: That`s such a good point.

COATES: Like if --

HAYES: If it were the case that overwhelming majorities of his voters rejected those things, people would then marshal them to say the claims is wrong on its face.

COATES: Of course, of course they would. Of course they would. And the fact that, you know, they ignore it, you know what I mean, when it`s the other way I think it`s a damning statement on journalism right now.

HAYES: So, here is my question to you. So, I was watching this play out, right. And we just showed this stat, right. This view to me that I think is sort of textbook racism. Blacks are more violent that whites, right, sort of classically racist.

COATES: It`s just race.

HAYES: It`s just race, OK.

But here`s the thing about that, right. So people, all these people tweeting D there it is, 49 percent. But 31 percent are Clinton supporters.

COATES: Right. Right.

HAYES: So, then we`re like, then we`re getting pretty deep into what do we mean by this word deplorable. Like, and who gets to point the finger at whom.

COATES: And that would have been a great article to read. I mean, I`m all for that. You know, you certain can said, you know, hey, you know, she was accurate. But you what, she might also want to look in her own backyard. That`s certainly fair.

But what people did was entirely avoid the subject, because I think even the fact to say if you have half of Trump supporters, if you have 30 percent of Clinton supporters, this is a broad swath of white America. That really is the reason why the conversation doesn`t, you know, need to be engaged D you don`t have to take Hillary Clinton`s side to look at the merits of it. I mean, there`s a way of going deeper.

HAYES: Right. The argument is D the argument is you are talking about so many people ergo it cannot be true that they`re all deplorable, because then what?

COATES: Right. Because then what, because then what.

And I think, you know, there`s a D an understanding, a mythology that, you know, undergirds perhaps all of us, and that is that every day Americans are in their heart ultimately 100 percent good. You know, there`s no room for complexity, there`s no room for your next door neighbor to be a great dad, you know what I mean, to be a good little league coach and also believe blacks are more violent than white people. Like there`s no room for that sort of complexity.

HAYES: That I agree with, but I think part of that then does come back to that word, right, because I think the reason D my reaction to it was, my genuine feeling about politics is you reserve contempt for the powerful and not for everyday Americans, right.

But then at the same time there needs to be a conversation about the fact that, quote, everyday Americans can have all sorts of vile views and then what do we do with that.

COATES: Right. And I think again, you know, to push this further one of the other complicating things is the fact that African-Americans for our entire tenure in this country have been victims of everyday Americans. You know, it wasn`t just rich plutocrats at those lynchings, you know, it wasn`t just, you know, rich plutocrats, you know, who were backing George Wallace, you know what I mean.

And so that has to be--

HAYES: It was hard-working folks.

COATES: It really was, it was. And that wasn`t just hard-working folks. I mean, we should very, very clear about it, it wasn`t just hard-working folks, but you know that has to be grappled with, you know. And I think it`s very, very disturbing for a lot of people.

HAYES: Do you feel D I`ve been talking to people about this D does it feel to you like there`s some Pandora`s Box that has opened with the Trump campaign, like, because I think you have a real deep view of American history and I think your default position is continunity.

COATES: You know what, I think the Pandora`s Box was actually opened by the election of Barack Obama. I think that`s what made Trump possible. I think Trump is a direct response to the election of our first African- American president.

I mean, this is D you know, in some ways literally true. I mean, birtherism was the issue D you know what I mean D that really powered his campaign in the first place, or powered his rise in the first place.

So, I really think D you know, the visage, the image you know of an African-American actually, you know, wielding executive power in this country has opened the door to all sorts of things that were always there, by the way, you know what I mean. But I think perhaps you know in the wake of 9/11 other things have been pushed in the closet for a little while.

HAYES: Do you think that can be stuffed back in the box?

COATES: Probably not. Probably not.

You know, the fact of the matter is, as I said, it was always there. So it was liable to open at some point anyway.

HAYES: What do we do with it?

COATES: Right. Right, right. But probably not. Probably not.

HAYES: Ta-Nehisi Coates, it`s always good to having you on.

COATES: Now it can be avoided by the way, and not talked about.

HAYES: Right. That`s one of the options.

That is All In for this evening. The Rachel Maddow Show starts right now.

**NEW\_DOCUMENT\_HERE**

Joy Reid; Trymaine Lee; Maria Teresa Kumar

8939 speakers\_end

JOY REID, MSNBC HOST (voice-over): Tonight on ALL IN --

(BEGIN VIDEO CLIP)

GUTIERREZ: If you don`t do something about it, you`re going to have taco trucks at every corner.

(END VIDEO CLIP)

REID (voice-over): The reaction to those comments by the founder of Latinos for Trump, how his view --

(BEGIN VIDEO CLIP)

GUTIERREZ: Ask Hispanics. We`re taking over.

(END VIDEO CLIP)

REID (voice-over): -- speaks to Trump`s cultural fear mongering.

(BEGIN VIDEO CLIP)

DONALD TRUMP, REPUBLICAN PRESIDENTIAL CANDIDATE: Not everyone who seeks to join our country will be able to successfully assimilate.

(END VIDEO CLIP)

REID (voice-over): Then, the latest outreach.

(BEGIN VIDEO CLIP)

TRUMP: We`ve met with numerous African-American folks from the area.

(END VIDEO CLIP)

REID (voice-over): I`ll speak with someone who was in that meeting, as controversy swirls around Trump`s Detroit trip tomorrow. Plus, evidence of pay for play by a presidential candidate. We`ll tell you why he was just fine. And Gabe Sherman on his new reporting on Roger Ailes and involvement with the Trump campaign when ALL IN starts now.

REID: Good evening from New York. I`m Joy Reid, in for Chris Hayes. Donald Trump has spent his week engaged in what might be the strangest, most fly by the seat of the pants attempt we`ve seen in modern times to reach out to two groups with which he is historically unpopular: Latinos and African-Americans. First, Trump flew to Mexico City for a meeting with Mexican president Enrique Pena Nieto where he claimed the subject of who would pay for this mythical border wall, the major platform of his campaign, just never came up. Only to be almost immediately contradicted. Pena Nieto said he told Trump during their meeting that Mexico would not be paying. Then in a speech in Arizona that night, an entirely different Trump emerged. The candidate abandoned the placating pro-Mexico jobs for the hemisphere -- not just America`s -- tone that he`d adopted just hours earlier and **alienated** several of his major Latino surrogates in the process. And then last night on this show, Marco Gutierrez, founder of the group Latinos for Trump said this.

(BEGIN VIDEO CLIP)

GUTIERREZ: My culture is a very dominant culture, and it`s imposing and it`s causing problems. If you don`t do something about it, you`re going to have tacos trucks at every corner.

(END VIDEO CLIP)

REID: That spawned a viral hash tag and about a million jokes, including this tweet from the Clinton campaign. Much more on that in a bit. But first to Philadelphia where Trump this afternoon held a roundtable with about a dozen African-American community leaders at a catering hall in North Philly. While just outside the event, protestors lambasted the GOP presidential candidate as racist. After the roundtable, Trump said that he would bring jobs to the area, improve schools, and quote, get rid of the crime.

(BEGIN VIDEO CLIP)

TRUMP: We`ve met with numerous African-American folks from the area and are having a tremendously hard time. And we will make things so good. We`re going to make things so good.

(END VIDEO CLIP)

REID: Trump`s trip to Philadelphia comes just ahead of his planned visit to a black church in Detroit tomorrow where Trump is scheduled to sit with Bishop Wayne T. Jackson for an interview to air a week later on Jackson`s Christian cable TV channel, The Impact Network. Though, interview might not exactly be the right word. Yesterday The New York Times reported on a leaked eight-paged draft script for the interview, which showed the twelve questions Jackson intended to ask as well as verbatim responses Trump was advised to give. Such as, quote, I have a strong faith enriched by an ever wonderful God. The Times also reported that the Trump Campaign would have approval over the final cut of the interview before it airs and that Trump would not speak to the congregation. Well, that was the story as of late last night, and then it changed. A Trump aide told Times reporter Yamiche Alcindor that the campaign won`t edit the interview after all and that in fact Trump will speak before the members of the church. Well, today Bishop Jackson insisted the interview wouldn`t be entirely scripted, and he contradicted the Trump campaign`s claim that the candidate would address the congregation.

(BEGIN VIDEO CLIP)

WAYNE T. JACKSON, BISHOP, THE IMPACT NETWORK: I have questions that they don`t know about, no one know about. I changed some after that came out. Now, I want to make something very clear. It was no coercing with the Trump campaign and myself to try to get him an upper hand on these questions. If he greets the congregation, as we do with all politicians or all visitors, if he wants to say, hey, I`m Donald Trump, I`m glad to be here. And it`s not going to be an interview or speech to the congregation because if that was something that anybody got, they didn`t give me the news. So I don`t know where that`s coming from.

(END VIDEO CLIP)

REID: Jackson was even more emphatic in an interview today with Yamiche Alcindor who tweeted, quote, just spoke with Bishop Jackson and he insists that Trump, despite campaign statements, will not be speaking to the congregation tomorrow. The campaign, however, insisted to NBC news late today that Trump definitely will be speaking. So we aren`t entirely sure what`s going to happen tomorrow, and neither, it appears, is the Trump campaign. Here`s one thing we do know: Donald Trump is in what you might call a deep hole with black voters. His favorable rating among African- Americans in one new poll is zero, with a whopping 97 percent say they have an unfavorable view of him. And another poll finds Trump in fourth place nationally among African-Americans with just 2 percent support. Less than both Gary Johnson and Jill Stein. And joining me now is Reverend Joe Watkins of the Price Evangelical Church in Philadelphia. He`s a Republican political strategist and former aide to President George H.W. Bush, and community activist and minister Deborah Williams, a GOP congressional candidate in Pennsylvania who was one of the people who met with Trump today. Thank you both for being here. And I want to start with you, Ms. Williams. You were in that meeting today. Tell us what happened. What did you hear from Donald Trump?

DEBORAH WILLIAMS, REPUBLICAN CONGRESSIONAL CANDIDATE: Good evening, Joy. I was very impressed. I wasn`t sure of what to expect when I went to the meeting. But Mr. Trump was prepared. He knew the statistics, he understood what was going on in the community. He did ask us questions to find out how we were feeling, what our temperature was in the communities. He even asked if we feel safe in our communities. And he talked about his plan for the communities. I was very impressed.

REID: And have you been surprised, made unhappy by, the fact that he, you know, has done this now meeting with about a dozen of you. We understand it was about 12 to 14 people, but that he hasn`t had that same kind of a conversation with African-Americans more generally? Like, for instance, speaking at a larger venue.

WILLIAMS: No, I wasn`t upset. I`d asked several times if he would come to Philadelphia. I wrote a piece called Black Lives Matter Absolutely. And though I don`t agree with -- some of the things I saw outside of the venue today were very disheartening. It would put you to tears. But that isn`t, I don`t think, symbolic of the entire movement. And he was concerned about how people feel right now. Because, you know, there`s been something brewing for years in the black community because no one in any party has seriously addressed the issues that we need to address in order to advance as a nation.

REID: And very quickly before I go to Reverend Watkins, were you a Trump supporter before this meeting started? Ms. Williams?

WILLIAMS: Oh, I`m sorry. I said you were going to --

REID: No, no. Before I go to Reverend Watkins, were you already a Trump supporter before this meeting?

WILLIAMS: Pretty much, yes.

REID: OK.

WILLIAMS: But I`m absolutely --

REID: OK. So Reverend Watkins, you know, Deborah is obviously supporting Donald Trump so she was happy with the meeting. You, as somebody who pastors a church in Philadelphia, who is, you know, well-known on the national stage in terms of being an African-American Republican, are you happy with the form of outreach that you`ve seen from Donald Trump?

JOE WATKINS, CHRIST EVANGELICAL LUTHERAN CHURCH, MINISTER: No, no, no, not at all. I think it`s not serious. I mean, if you want to court any kind of constituency, there`s a way to do it. One, is with respect. Two, it`s to reach out to the leadership of that constituency. That is in our case, the NAACP, the National Urban League with Mark Morial, the National Association of Black Journalists. There are a plethora of African-American organizations that have real constituencies where he could reach out and talk, begin a dialogue. And then if you`re serious about it, then you spend money. You hire staff people at high levels and you have them on the ground in all the key battleground states because you need to also have a message that appeals to African-American voters. And then you can`t talk to African-American voters the way we`ve been talked to by him on TV, which is to say we`re all poor, we all live in neighborhoods where we`re afraid we`re going to get shot. You know, we don`t have any other choices, we might as well give him a shot. I don`t want to be courted that way. I don`t know anybody African-American that wants to be courted that way. I`m insulted by that. And to come at me that way and to come at people who look like me and who are my race that way is insulting to me.

REID: Yes.

WATKINS: So have a real dialogue. I mean, if you go to Milwaukee, talk to leading African-Americans and large constituencies about how you stop black people getting shot by police officers. I mean, that`s a real issue that - - just this year -- that`s one of the ways to show that you`re serious. And then spend money. Buy advertising in black newspapers and black radio stations and black TV stations. And then spend time with the African- American community really analyzing the problems and talking to the whole community. Because we`re a very diverse community, like every other community in the country.

REID: Sure. Yes.

WATKINS: So that`s what I would suggest to Donald Trump if he`s serious. I don`t think he`s serious.

REID: Yes. And, you know, obviously Pennsylvania`s a hugely important state in November. You pastor a church, you are a Republican, you are African-American. Has there been any outreach to you from the Trump campaign, for instance, for him to come and speak at your church?

WATKINS: No, no, there hasn`t been. And to my knowledge, I don`t know that there are any boots on the ground, so to speak. I mean, if you`re serious about winning a campaign, especially in a key battleground state like Pennsylvania, you`ve got to have an office and people and staff members and folks who are making phone calls and who are reaching out to folks and saying here`s what the message is, here`s what we`re trying to accomplish, here`s why we`d like you to join us. I haven`t seen any of that. Now maybe I`m alone in that regard.

REID: Mm-hmm.

WATKINS: But I haven`t seen any of that, certainly on Pennsylvania --

REID: Yes.

WATKINS: -- and not in a lot of other states as well.

REID: Very quickly, Deborah, what do you make of that? I mean, do you think that the Trump campaign has done any real outreach in the community beyond telling black people, I guess, how bad off our communities are?

WILLIAMS: Yes, there has been outreach. And I`m sorry that Reverend Watkins doesn`t know about the outreach. I will talk to someone about that. Renee Amoore, our deputy chair, is doing outreach. Ryan Sanders --

REID: Well, we don`t --

WILLIAMS: Some of the people who were at the meeting today are instrumental --

WATKINS: They don`t work for Donald Trump.

WILLIAMS: -- in the outreach and --

WATKINS: Those are people that work for the state committee.

WILLIAMS: Excuse me.

WATKINS: They work for the State Republican Party. They don`t work for Donald Trump.

WILLIAMS: I didn`t talk at all when you were talking. I didn`t say anything at all.

REID: Well, one thing I will say is that naming people that -- the audience that`s listening to this is not going to know any of those people, just to be frank. So, I mean, the reality is Donald Trump could have spoken to names that African-Americans do know, like the NAACP, like the Urban League. As we leave this segment --

WILLIAMS: I agree.

REID: -- today, do you think he should have done that? You agree?

WILLIAMS: I agree that he should speak with all of the groups.

REID: Yes.

WILLIAMS: Yes, I do.

REID: Sure. OK, well, on that point of agreement, I really appreciate you being here. Thank you so much Reverend Joe Watkins and Deborah Williams. Thanks to you both. All right. Thank you.

WILLIAMS: Thank you.

REID: And joining me now is MSNBC national reporter Trymaine Lee. All right, Trymaine, you are in Detroit where tomorrow`s outreach effort -- what`s being billed as an outreach effort -- is going to take place. Do you know at this point, at 8:12 pm Eastern Time whether Donald Trump is or is not going to speak at that church in Detroit?

TRYMAINE LEE, MSNBC ANCHOR: At this point, it`s so unclear. As you mentioned earlier, Yamiche had done some really great reporting around this getting the legal documents, getting the back and forth, which really is kind of the theatrics that at least here on the ground are adding to the skepticism that so many people have about Donald Trump`s outreach efforts. You know, I`ve been talking to people for the last few days who say, you know, Donald Trump can go city to city in front of thousands of white people and talk about black unemployment and black violence and how the youth are unemployed. Basically to them translating that your communities are no good and you`re no good. Yet when it comes to speaking to black folks in a black city -- Detroit perhaps the blackest of America`s cities - - that he can`t, you know, pull together to really engage with black people. So to your point, there seems to be so much in the air, yet it seems par for the course in terms of how Donald Trump has engaged with black people. I spent some time in a little coffee shop called The Motor City Cafe. And you walk in and you go in the back and there`s beautiful murals. A husband and wife purchased blocks and blocks of abandoned and vacant homes, you know, gutted them and allowed it to be an art space. And so I`m sitting back there with a bunch of young people who are voters. And they said, you know, Donald Trump doesn`t see this vibrance. He doesn`t see that our families, sometimes they are struggling, but in so many ways we are thriving. I wanted to play this one clip from my interview. Let`s take a listen right now.

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: I think he`s trying to play on our insecurities and that`s my problem. You`re basically telling us we`re hopeless without you, but we`ve been hearing that. We`ve always been hearing that we need some white savior to come save us when we`re capable of doing that ourselves. Why can`t you acknowledge that?

(END VIDEO CLIP)

LEE: That`s when you hear Donald Trump`s rhetoric that I`ll make it so good, you won`t believe it, I`ll make your head spin, your communities will be safe, everyone will be employed. But when you come to the ground and speak to young people in particular who are at once idealistic, but they see exactly what`s going on. There`s so much hope. But yet when they hear Donald Trump talk about how great he`s going to make the communities and how he`s going to address their needs, they haven`t heard how. And like that Ralph Ellison quote in Invisible Man, "I`m invisible because they refuse to see me." So many of these people in this community feel that Donald Trump so far at least has refused to see them beyond, you know, pathologies and social ills.

REID: Yes. Well, we will definitely be watching tomorrow. I think one of the key sort of optical questions is whether or not there are protests, how big those are, whether or not Donald Trump goes in that front door. We haven`t seen him actually traverse through a black community. We haven`t actually seen what that looks like. So that will be very interesting and we will talk to you about that very soon. Trymaine Lee, thank you very much for your time. Really appreciate it.

LEE: Thank you.

REID: All right. And still to come, bombshell reporting on ousted FOX News chairman Roger Ailes, and alleged recordings with his meetings with a former FOX host. Gabe Sherman joins me to talk about the revelations in his latest piece and about he knows about how much Roger Ailes is advising Donald Trump. But first, that moment from last night that we must talk about. We`ll discuss right after this two-minute break.

(BEGIN VIDEO CLIP)

GUTIERREZ: My culture is a very dominant culture, and it`s imposing and it`s causing problems. If you don`t do something about it, you`re going to have taco trucks at every corner.

(END VIDEO CLIP)

(COMMERCIAL BREAK)

REID: Every now and then, cable news delivers a truly jaw-dropping moment, and that`s exactly what happened on this show last night.

(BEGIN VIDEO CLIP)

GUTIERREZ: We need to understand that this is a different time and we`re having problems here.

REID: What problems?

GUTIERREZ: We need to reform --

REID: What problems are you talking about?

GUTIERREZ: My culture is a very dominant culture. And it`s imposing and it`s causing problems. If you don`t do something about it, you`re going to have taco trucks at every corner. And you --

REID: Wait a minute, wait a minute, wait a minute. I`m sorry. Hold on a second. I have to let Adriano in here.

ESPAILLAT: I don`t know what --

REID: I don`t even know what that means and I`m almost afraid to ask.

ESPAILLAT: I`m offended.

GUTIERREZ: I`ll tell you what --

ESPAILLAT: Our culture says --

GUTIERREZ: -- that means. The Spanish never conquered Mexico. We are a culture that -- we have a lot of good things --

REID: Are you --

GUTIERREZ: -- that we bring to the United States, but we also have problems.

(END VIDEO CLIP)

REID: So that was the founder of Latinos for Trump, Marco Gutierrez. And the reactions to that comment were swift and wide. It was the number one trending topic on Twitter for hours with many commenters agreeing with Hillary Clinton`s press secretary who wrote that their team is fired up for taco trucks on every corner. Washington Post even looked into the economic implications of a taco truck at every single intersection in America and discovered that if you assume that three people work at each truck, that`s 9.6 million new jobs created. Now on it`s face, the threat of a taco truck on every corner sounds rather benign, and also delicious. But there is something quite serious about what Gutierrez said, a kind of racial fear mongering that warned that the American way of life is being threatened by Mexican culture and that fear of others, other races, religions, and cultures is something Donald Trump has been stirring up throughout his campaign. But perhaps what makes Gutierrez`s comment so astonishing --

(BEGIN VIDEO CLIP)

TRUMP: This is a country where we speak English, not Spanish. Look, there`s something going on -- the Muslims -- and there`s something going on, OK. We have Hillary wants to bring people in. As to whether they assimilate or not, you make the decision. But assimilation has not been exactly a positive factor. We also have to be honest about the fact that not everyone who seeks to join our country will be able to successfully assimilate.

(END VIDEO CLIP)

REID: But perhaps what makes Gutierrez`s comment so astonishing is that by hand wringing about Mexican culture, he`s disparaging his own culture. And it turns out, last night wasn`t the first time he`s expressed that ironic and self-loathing statement. Here`s what Gutierrez sounded like before he came on the show.

(BEGIN VIDEO CLIP)

GUTIERREZ: This is what I think about Hispanics, because I am one. Our culture is a very dominant culture. If you guys -- us Americans -- don`t do something about this -- ask Hispanics. We`re taking over. I have six kids, guys. Let`s be honest. Let`s be frank here.

(END VIDEO CLIP)

REID: Joining me now is Jacob Monty, a Houston **immigration** lawyer who just resigned from Trump`s Hispanic Advisory Council, and Maria Teresa Kumar who is president and CEO of the media group Voto Latino and an MSNBC contributor. Thank you both for being here. And Maria Teresa, I have to come to you first. When you hear -- you know, when we first heard the comments, I think everybody was sort of shocked when he sort of said the taco truck comment and people sort of made fun of it. But then we went back and heard this 16-minute rant that he gave -- and we just played a little clip of it -- before he even came on the air, in which he talked about himself having six kids and essentially disparaging Mexicans as poised to take over the country by having lots of children if they are not stopped. When you hear something like that, what do you make of that coming from somebody who is himself Mexican-American?

MARIA TERESA KUMAR, VOTO LATINO, CEO: I`ve always said that when people say that there`s going to be 10 to 12 percent of Latinos that are going to vote for Trump, I always talk basically he -- Gutierrez is the embodiment of that. There`s always those contrarians. Not much that you can do about it. What`s frightening, though, is that he`s feeding directly into Donald Trump`s talking points of what -- basically his whole thing of make America great again. And I don`t believe that the fact that you have more Latinos and you have more Asians and diversity that that`s what`s making America bad. If anything, that`s what enhances us. That is actually our DNA. That is who we are as a country and he is the antithesis of that. What I was concerned with, though, as well, is the fact that he just didn`t seem to know his history. The fact that he said that the Spaniards never conquered Latin America. I think you need to have a conversation with a lot of Latin Americans because that is not the case.

REID: Yes.

KUMAR: So he was not only incredibly confusing, but I am constantly trying to make a point that the idea that we have **immigration** here in this country is something that is positive that it actually brings to light opportunity for this country, increasingly in a globalized world. He did it so simply when he said the worst-case scenario is that there`s going to be a taco truck on every corner.

REID: Yes. I mean, he might want to look up the meaning of the term Hispanic.

KUMAR: Right?

REID: Because that implies that Spain had something to do with what`s going on in that --

KUMAR: Just a little.

REID: -- part of the world. So, Mr. Monty, you know, you were, up until a very short time ago, on Donald Trump`s advisory committee. You have been very forthright in saying that when you met with him it was in good faith hoping that he would, you know, moderate his position on **immigration**. When you hear somebody who is a member of the Latino community joining Donald Trump in disparaging people of Mexican descent, are you concerned that that actually feeds a part of the Republican base that is quite happy with Donald Trump re-hardening on things like **immigration**?

MONTY: Look, I don`t know Marco. I don`t want to know him. I mean, but I`m not going to -- is this a joke? I mean, I`m here to talk about **immigration**. I assumed it was a joke. But, I mean, I don`t know if that was serious, is he affiliated with the campaign? To me, it`s not anything funny to laugh at. You know, we have a serious problem in America. I thought Donald Trump was going to tackle this problem. I am very disappointed and saddened that, you know, it was all a sham and there is no **immigration** plan.

REID: Well, what is this --

MONTY: So I hear you --

REID: Mm-hmm.

MONTY: -- and I know it`s popular on social media, but I don`t think it`s funny. I mean, it`s a sad day in America. We don`t have an **immigration** plan by our major candidate and, you know, it`s not funny to me. I think if that was a joke, I`m not laughing. Before the presentation, before the speech, Donald Trump said that he was going to have fun in Phoenix. I mean, I didn`t hear anything funny at that speech in Phoenix. And I`m --

KUMAR: I don`t think anybody`s laughing at the speech in Phoenix, Jacob. If anything, listening to that as an American was incredibly chilling. The words that he was using was incredibly chilling. The fact that he was basically going to racial profile and create another class of Americans was incredibly chilling. What was funny was the fact that this person that says he`s Latinos for Trump was not only self-loathing, but that he was trying to say that his worst-case scenario was the idea of having a taco truck. it`s a recognition that even the folks that are supposed to be backing Donald Trump don`t even have a real understanding or a grounding in policy. And that`s nobody`s fault except the Trump campaign identifying him as a surrogate.

REID: Well, let me ask you this question, Mr. Monty. Because you have research on the table. A public relation research institute did an extensive survey in which they really profiled who the Trump voter is. And part of what they found in what they call this nostalgia voter trend is a real sense of being bothered. Sixty-four percent of Trump`s supporters at that time says they were bothered by **immigrants** who speak little or no English. They expressed an antipathy to the idea that you could have a dual language citizen of the United States. So at the root of at least some of Trump support is a sense of xenophobia, and it`s a sense that people like you, people like Maria Teresa are the problem and that you need less **immigrants** who look like you or like me in this country. You signed onto this campaign at a time when, at least to your words, you thought Donald Trump would change his mind about that. But aren`t you concerned that he`s attracting people who think like that?

MONTY: Look, I signed on with the campaign. There were a lot of other recognized leaders that signed on. We don`t have faith in Hillary Clinton. We saw him as a way to get **immigration** reformed and improve the lot of Hispanics, and I don`t apologize for that. I don`t apologize for sitting down with him and thinking that he could deliver on **immigration** reform because **immigration** reform has to come from Congress. I don`t know who this guys is. He wasn`t in the meeting. I don`t know -- I didn`t know about him until I saw him --

REID: Yes.

MONTY: -- last night.

REID: Yes.

MONTY: And I honestly thought it was a joke. And if the campaign actually empowered him to talk for them, that`s sad and we should be outraged --

REID: Right.

MONTY: -- by it. I haven`t seen anything as to if he`s a surrogate, but it`s --

REID: We should point out that he is not an official surrogate or part of the campaign. He actually created Latinos for Trump himself, so he is a self-selected supporter of Donald Trump. So yes, I think that`s a very important point. We should make sure we make that. Jacob Monty and Maria Teresa Kumar, thank you both for joining us. Appreciate it.

MONTY: Thank you.

KUMAR: Thank you, Joy.

REID: And still to come, Donald Trump`s latest line of attack against Hillary Clinton that it seems that he himself is guilty of. That story ahead.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

TUMP: It`s hard to tell where the Clinton Foundation ends and where the State Department begins. Access and favors were sold for cash. It`s called pay for play.

(END VIDEO CLIP)

REID: Over the last several weeks, the Trump campaign has repeatedly portrayed the Clinton Foundation as a pay for play front, alleging that the Clintons solicited donations for their charitable organizations and in return granted government access and favors, even though there`s no actual proof that any official favors, regulations, government contracts, international deals, that anything, in fact, was traded for donations or pledges to the Clinton`s global charity. Nevertheless, the attack is a big hit for Trump and his surrogates out on the campaign trail. Despite the fact that Trump himself gave money to the Foundation and has acknowledged that he, before he ran for president, often donated money expecting something in return.

(BEGIN VIDEO CLIP)

TRUMP: Our system is broken. I gave to many people. Before this, before two months ago, I was a businessman. I give to everybody. When they call, I give. And you know what, when I need something from them, two years later, three years later, I call them, they are there for me.

(END VIDEO CLIP)

REID: Well, we may have found a real-life example of pay for play in Trump world, and the details of that are next.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

PAM BONDI, FLORIDA ATTORNEY GENERAL: I have devoted my life as a prosecutor to public safety, to keeping our communities safe, our families safe, our kids safe. And when it comes to law and order, I think you all know by now, nobody`s going to bully me. I don`t mess around, and neither does Donald Trump.

(END VIDEO CLIP)

REID: One of Donald Trump`s biggest high profile supporters is Florida attorney general Pam Bondi.

Back in March, ahead of the Florida primary, Bondi endorsed Trump over Florida Senator Marco Rubio, noting to the crowd that she and Trump had, quote, "been friends for many years."

She`s been out on the campaign trail with him. Her name was floated as a possible Trump runningmate. She was one of a few elected officials to give a primetime speech at this summer`s Republican National Convention.

So needless to say, more than a few eyebrows were raised when it was reported in June that Bondi personally solicited a political contribution from Donald Trump around the same time her office deliberated joining an investigation of alleged fraud of Trump University and its affiliates.

The Donald J. Trump Foundation, a registered non-profit, ended up giving $25,000 to Bondi`s political committee while Bondi was pursuing a re- election bid in 2013.

Soon after, Bondi announced she would not pursue the case against Trump University.

And the plot thickens. Now The Washington Post is reporting that Donald Trump paid the IRS $2,500 penalty this year, after it was revealed that Trump`s charitable foundation had violated tax laws by giving a political contribution to a campaign group connected to Florida`s attorney general.

And joining me now is the reporter behind that story, David Fahrenthold of The Washington Post.

All right, David, so walk us through this. Donald Trump winds up -- or his foundation winds up giving this donation to Pam Bondi`s political action committee. Can you sort that out for us?

DAVID FAHRENTHOLD, WASHINGTON POST: It`s very confusing. So, as you said, Pam Bondi solicits a donation from Donald Trump when she`s considering whether or not to investigate Trump University. Trump pays that donation, $25,000 out of the Donald J. Trump Foundation, which is an odd entity. It`s a charity. It`s very small. It contains almost no money from Donald J. Trump himself. People you might think that does, but it doesn`t. Trump pays that money out of the foundation, which it`s not allowed to do. Foundations can`t make political gifts. And then when he reports that year`s activity to the IRS, he actually leaves off the prohibited donation and instead sends the IRS a listing of a false, non-existent donation to a group with a similar sounding name, which has the effect of covering up the illegal donation.

REID: So, essentially there`s this Kansas charity that has a name similar to the Donald J. Trump Foundation. They say that is who gave the money to Pam Bondi?

FAHRENTHOLD: Yes.

So, Pam Bondi`s group is called And Justice for All, the political group. They get the money. When Trump`s accountants send that year`s tax filings to the IRS, instead of listing that donation, which the IRS would have noted was not allowed, they sent -- they told them they had given $25,000 to a group in Kansas called Justice for All, almost the same name. That group got no money from Trump.

But the IRS was none the wiser and as a result, the illegal contribution didn`t show up on the IRS`s radar until this year.

REID: And you know, there are so many strange things that are strange about it, but one of them is if somebody calls and asks Donald Trump -- you know, we just quoted him saying he`s a very rich man. He loves to tell people how rich he is. If somebody is asking him for a campaign contribution, Donald Trump himself could simply write them a check if he wanted to donate to them.

Does it strike you as -- what does it tell you that he would then have a foundation, which isn`t even allowed to do it, write the check instead of him himself?

FAHRENTHOLD: Well, there`s something really interesting here. I have been spending this year trying to find evidence that Donald Trump gives money out of his own pocket to charities, which he says he does. And this whole episode tells you something interesting about the way Trump`s organization runs.

Now what they -- how they explain this is, this order to write a check to And Justice for All, comes down to Trumpo`s accounts payable clerks. And they pay all the checks for Trump personally, Trump`s foundation, Trump`s business, it all comes out of the same office. And their instruction is to look in a book -- and they have a book that contains the name of every charity in the United States, look in that book and see if the payee of this check if they`re about to write, if that name is in the book of charities. And if it is, it has to come out of the Trump Foundation.

And so what they`re saying is that this clerk looks in this book, sees another group, a group in Utah that has the same name as the group in Florida, this political group, they assume it`s a charity, then by rule, they send out a check from the Donald Trump Foundation.

So Trump had set up a system where charity donations can only be paid out of the Trump Foundation, and that`s why this first mistake leads them to send a foundation check to a political group.

REID: And the other thing you had been doing, you tweeted out that you took a picture, right, of any suggestions -- essentially trying to find out if Donald Trump has ever actually given to any of the groups that he says he`s given money to, that includes the Police Athletic League of New York City and $5,000 that claims that he gave them.

Have you been able to find out, after calling 313 charities, whether Donald Trump has ever given his money away when he says he does?

FAHRENTHOLD: Well, I`ve looked back to 2008, which is the last time -- Trump has this foundation, the Donald J. Trump Foundation, he last gave it his own money in 2008. In the eight years since then, I found exactly one donation out of Trump`s own pocket. Now he says he gives millions out of his own pocket all the time. I can only find evidence in that search, which has now covered 313 charities, I can find evidence of one gift, that was in 2009, and it was for less than $10,000.

In that span, that`s the only one I can find coming out of Trump`s own pocket.

REID; yeah. And I love that you actually tweeted the list so people can see you crossing off -- nope, didn`t give -- nope didn`t, nope didn`t.

Very interesting. Great reporting. David Fahrenthold, thank you very much. Appreciate it.

And still ahead, my interview with New York Magazine`s Gabe Sherman about his explosive new article on the demise of Fox news chairman Roger Ailes, or the media demise. But first tonight`s Thing One and Thing Two on that tweet that sparked an international dispute after the break.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

HILLARY CLINTON, DEMOCRATIC PRESIDENTIAL CANDIDATE: So just ask yourself, do you really think Donald Trump has the temperament to be commander-in- chief? A man you can bait with a tweet is not a man we can trust with nuclear weapons.

(END VIDEO CLIP)

REID: Thing One tonight, Donald Trump`s disposition has been a cause for concern throughout the election. But even Clinton`s remarks were surely meant to be a rhetorical flourish, right?

Well, as it turns out, Donald Trump was literally baited into an international food fight by a tweet. And as a result he changed part of the most anticipated speech of his candidacy. What that was is Thing Two in just 60 seconds.

(COMMERCIAL BREAK)

REID: So how was the Republican nominee literally baited by a tweet? It started when Donald Trump traveled to Mexico City on Wednesday to meet with President Enrique Pena Nieto. They held a relatively uneventful joint appearance afterwards until Trump was asked if payment for his border wall had come up in conversation.

(BEGIN VIDEO CLIP)

TRUMP: We didn`t discuss that. We didn`t discuss -- who pays for the wall, we didn`t discuss.

(END VIDEO CLIP)

REID: It seemed like a bizarre turn for the candidate who has made Mexico paying for a wall into a rallying cry. But then we found out that the wall payment did come up when Pena Nieto himself tweeted out, "at the beginning of the conversation with Donald Trump, I made it clear that Mexico will not pay are for the wall."

Later that same day, Donald Trump took to the stage to deliver his big **immigration** speech, and this time, he made a point of demanding payment.

(BEGIN VIDEO CLIP)

TRUMP: We will build a great wall along the southern border and Mexico will pay for the wall, 100 percent. They don`t know it yet, but they`re going to pay for the wall.

(END VIDEO CLIP)

REID: So where did Donald Trump find his gumption to shove the cost of the wall back in Mexico`s face?

The Wall Street Journal had the answer today in an article titled, "Donald Trump revised **immigration** speech after Mexican leader`s tweet."

According to the article Trump was already, quote, peeved that Pena Nieto even brought up the cost of the wall in the meeting. It was apparently meant to be off the table, and then tweeting about it made things worse.

So, as the Wall Street Journal reports, even though Trump`s widely anticipated **immigration** speech that night originally omitted the usual line that Mexico would have to pay. After seeing the tweet, he hurriedly inserted a new sentence in his **immigration** speech that the wall would be paid for by Mexico. Adding, they don`t know it yet, but they`re going to pay for the wall.

The candidate saying, and I quote, I had no choice.

Thus proving Hillary Clinton right, Donald Trump can be baited with a tweet.

(COMMERCIAL BREAK)

REID: The much anticipated first presidential debate is now just 24 days away. Slated for September 26th at Hofstra University in Hempstead, New York. And the non-partisan Commission on Presidential Debates today announced that our very own Lester Holt, anchor of NBC Nightly News, will moderate it. Congratulations, Lester.

CNN`s Anderson Cooper and ABC`s Martha Raddatz will moderate the second presidential debate. And Fox News Sunday Anchor Chris Wallace will moderate the third and final presidential debate. CBS news Elaine Quijano will moderate the vice presidential debate.

Now it`s probably safe to say that no modern presidential debate has garnered such anticipation than the Clinton/Trump face-off. And any moderator will have their work cut out for them since trump has proven to be so, well, unconventional.

(BEGIN VIDEO CLIP)

TRUMP: And honestly, Megyn, if you don`t like it, I`m sorry. I`ve been very nice to you, although I could probably maybe not be based on the way you have treated me.

Everybody said it was going to be three hours, three and a half, including them, and in about two minutes, I renegotiated it down to two hours so we can get the hell out of here.

Two days ago, he said he would take his pants off and moon everybody and that`s fine. Nobody reports that. He gets up and says that, and then he tells me, oh, my language was a little bit rough.

(END VIDEO CLIP)

REID: The Clinton campaign today released a statement which reads in part, "Hillary Clinton is looking forward to participating in the debates as she believes they are an important proving ground for anyone seeking to be commander-in-chief, especially given that Fox has been selected to moderate a debate for the first time ever. It`s time for Donald Trump to end his debate shenanigans and formally agree to debate."

There`s been no formal response to the debate line-up from the Trump campaign. When we come back, the latest bombshell on the man who is reportedly helping Donald Trump in his debate prep, former Fox News chief Roger Ailes.

(COMMERCIAL BREAK)

REID: With the first presidential debate approaching, there are more reports about how the candidates are preparing. The Washington Post recently reported that while Hillary Clinton is methodically preparing, Donald Trump is taking a different approach. He summons his informal band of counselors, including former New York Mayor Rudolph Giuliani, talk show host -- talk radio host Laura Ingraham, and ousted Fox News Channel chairman Roger Ailes to his New Jersey golf course for Sunday chats.

That follows a New York Times report that Ailes was advising Trump, which the Trump campaign denied. Though Trump himself told The Times, I`ll speak with Roger, but this is not a formal thing. I don`t have a debate coach. I`ve never had a debate coach.

We reached out to Roger Ailes through his lawyer for a comment about these reports, but have yet to receive a reply.

Ailes stepped down as Fox News CEO following a lawsuit filed by former Fox News anchor Gretchen Carlson, which alleged sexual harassment by Ailes and after Fox News asked a New York law firm to conduct an independent investigation.

Additional female employees of Fox News allege sexual harassment by Ailes during that investigation, according to the New York Times magazine`s Gabriel Sherman who will join us in a moment.

Ailes has, through legal counsel, denied all allegations of sexual harassment, but now Sherman has taken a close look into what led to the Carlson lawsuit. Carlson settled on a simple strategy. Beginning in 2014, according to a person familiar with the lawsuit, Carlson brought her iPhone to meetings in Ailes office and secretly recorded him saying the kinds of things he`d been saying to her all along.

And joining me now is, Gabe Sherman, national affairs editor for New York Magazine, where his new piece is the cover story.

So, Gabe, on these recordings, which is the big bombshell, and it really deeply reported in a really lengthy piece, have you heard these recordings?

GABE SHERMAN, NEW YORK MAGAZINE: No, I have not. But they were used in the negotiations Gretchen Carlson scheduled to settle with the parent company of Fox news for what is said to be an eight-figure sum. So, clearly these audio recordings and the transcripts from these tapes were very damaging to Roger Ailes, that they were going to pay.

REID: And do you believe they were played for Roger Ailes and/or his attorneys?

SHERMAN: I`m not sure if they were played or he was shown the transcripts, but I understand they were pivotal in these negotiations.

REID: One of the other things that sort of comes through in your story is the sense that Rupert Murdoch`s sons seem to have had it in for Roger Ailes and saw this as an opportunity to lever him out.

What was the source of enmity between the Murdoch kids and -- well, they`re not kids -- but the Murdoch sons...

SHERMAN: Adult children. So, this has been a long-running feud. You know, Roger Ailes is a very polarizing executive. And as Rupert Murdoch was elevating his sons, especially his son Lochlan into being the heir apparant, this was in about the mid-2000s, Roger Ailes forced him out of the company. He maneuvered with other executives to marginalize him.

So, the Murdoch children really saw Ailes as undermining them and not respecting their rights to, you know, move into leadership positions at the company.

REID: And one of the other things that seems to have come through is according to Fox sources, Murdoch blamed Roger Ailes for laying the groundwork for Trump`s candidacy. And then in the days after Gretchen Carlson filed her lawsuit, Trump advised Roger Ailes on navigating the crisis, even recommending a lawyer to him.

SHERMAN: Yeah, this is remarkable. You know, fastward back to last summer -- rewind back to last summer, you know, Murdoch was tweeting negative things about Trump. Really they were not on board. And Fox had given Trump the platform to launch his candidacy. Roger Ailes gave him a weekly call-in segment on the morning show Fox and Friends where he could talk to 2 million loyal Republican voters every week.

So Murdoch really said, you know, Fox News had gone too far and he called Ailes at home, as I report in the piece, and said when this debate happens in Cleveland last summer I want our moderators. I want you to really put an end to this.

REID: And why do you suppose that is? Because obviously Roger Ailes, one of the other things that you point out in the piece is that one of the gifts that Roger Ailes gave to Murdoch was to extend his political influence from places like Australia and Europe to the United States.

So why the sort of enmity toward Trump?

SHERMAN: Well, really what I show in this piece is that Roger Ailes became in a certain way more powerful than Rupert Murdoch. At one point in the 2000s, Murdoch stopped being able to control Roger Ailes. And Roger Ailes used Fox to become really the right-wing megaphone that it is.

You know, when Murdoch started Fox, it was supposed to be conservative and populist, but not this paranoid conservative network that Ailes turned it into.

And so Murdoch by that point was not on the same page with Ailes, but he couldn`t tell him not to do it, because Fox News generated a $1 billion of profit. It was too successful. So Murdoch could not reign him in.

REID: And one of the things that you`ve been sort of hearing in the zeitgeist out there is that it could that Roger Ailes is teaming up with Donald Trump to sort of form a rival conservative network.

You seem to indicate here that the agreement that he signed in his separation agreement would make that difficult?

SHERMAN: Yes, that will be difficult.

The lawyers were very insistent that he has a non-compete clause in his contract. Now, he could always try to violate that and then they could sue him to stop doing it.

But it would be very difficult for him to jump into running Trump TV if that`s what ended up happening.

REID: Well, let`s get back to the core allegation here. How many women are we talking about are alleging that Roger Ailes harassed them sexually over the course of what seems like many years?

SHERMAN: Yeah, so I`ve interviewed 18 women who allege harassment over a 30-40 time period. But 25 women that I understand came forward to the law firm hired by the Murdochs to investigate Roger Ailes.

So, I`ve interviewed 18. And we know at least 25 have come forward to the law firm, which suggest that there are many more out there.

So these are really shocking allegations.

REID: And Gretchen Carlson getting around these sort of -- not being able to sue Fox News by suing him personally.

SHERMAN: Fascinating legal strategy. They really sprung this trap for Ailes by suing him personally, taking him by surprise and driving a wedge between him and the company.

REID: And do you know whether a Roger Ailes is in fact advising Donald Trump on the debates?

SHERMAN: Yes, I do know that from Trump`s sources that he`s in talks with him. I confirmed the New York Times report that he was in Bedminister, New Jersey, at the golf club. So, yes, these are accurate reports.

REID: And do what about on things like his **immigration** policy, that speech, do you see the fingerprints of Roger Ailes?

SHERMAN: Yes, I`ve heard from Trump sources that Ailes has been pushing Trump to modulate, to try to repackage himself. Ailes is a master packager. So, he`s trying to take Trump`s right-wing **immigration** position and try to re-spin it for a moderate audience.

REID: But, but we do also remember the Willy Horton sort of era and that kind of vibe was in that speech.

SHERMAN: Exactly. Yeah.

REID: Absolutely. Well, Gabe Sherman, thank you very much. Great reporting. Really appreciate it.

All right, well that is All In for this evening.

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