

[The Confusion Surrounding The FBI's Renewed Investigation of Brett Kavanaugh; New Free Trade Deal With U.S. Will See Canada's Duty-Free Limit Raised To \\$150 From \\$20; A Year After Vegas Shooting; Trump Versus The Media; Libertarian Joins Race To Represent Lehigh Valley, Pennsylvania In Congress](#)

International Wire

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Body

FULL TEXT

LOU DOBBS, FOX BUSINESS NETWORK HOST: Thanks for being with us. Good night from New York.

LISA KENNEDY MONTGOMERY, FOX BUSINESS NETWORK HOST: The Senate's top Republican has a warning for Democrats. Quit delaying, obstructing, and resisting the confirmation vote for Judge Brett Kavanaugh. And it comes amid a new poll showing more Americans think that Supreme Court nominee is the target of a politically motivated smear campaign. Now, as you know, the FBI is currently investigating claims that Kavanaugh sexually assaulted several women back in the 1980s.

Among them Dr. Christine Blasey Ford who testified against him last week. She says she's a hundred percent sure Kavanaugh drunkenly attacked her in high school. Kavanaugh of course denies everything. And moments ago President Trump defended his nominee at a rally in T-E-N-N-E-S-S-E-E, Tennessee. Watch.

(BEGIN VIDEO CLIP)

DONALD TRUMP, PRESIDENT OF THE UNITED STATES: Democrats are willing to do anything and to hurt anyone to get their way like they're doing with Judge Kavanaugh. They've been trying to destroy him since the very first second he was announced because they know that Judge Kavanaugh will follow the constitution as written. That's been his serves for. And he's a good man, great student, great intellect. Never had a problem. All of a sudden, oh, let's go back to high school.

(END VIDEO CLIP)

MONTGOMERY: Oh, my. Earlier today, President Trump said he's fine with the FBI probe, but he wants it over soon. We're told that could happen as early as tomorrow. Predictably, Democrats say the investigation just isn't good enough. All right, goldilocks. This afternoon, Senate Majority Leader Mitch McConnell called out the Dems for that anti-Kavanaugh tactics. Mitch?

(BEGIN VIDEO CLIP)

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SEN. MITCH MCCONNELL (R-KY), SENATE MAJORITY LEADER: Their goal post keeps shifting. But their goal haven't moved an inch, not an inch. The goal has been the same all along. And so let me make it very clear, the time for endless delay and obstruction has come to a close. Judge Kavanaugh's nomination's is out of committee. We're considering it here on the floor, and Mr. President, we'll be voting this week.

(END VIDEO CLIP)

MONTGOMERY: Wow. He always got so much energy. Now, Democrats also painting Kavanaugh as an aggressive drinker. So will we actually get a vote this week? Joining me now senior fellow at the Cato Institute and Editor-in-chief of the Cato Supreme Court Review, Ilya Shapiro. Welcome back, Ilya.

ILYA SHAPIRO, SENIOR FELLOW, CATO INSTITUTE: Good to be back.

MONTGOMERY: Now, last we spoke, we were pretty much talking about Judge Kavanaugh's record on Fourth Amendment cases. But now, we are in completely different territory. What do you make --

(CROSSTALK)

SHAPIRO: We're in cloud cuckoo land.

MONTGOMERY: We are in cloud cuckoo land which is fun than Lego movie, but it's really a bummer if you follow politics and it's very disheartening. So what would you make of today's developments and everything since Thursday's hearing?

SHAPIRO: I mean I hope Jeff Flake and Lisa Murkowski are enjoying this extra week of silly season. It's certainly not going to convince hardcore proponents or opponents of the Kavanaugh nomination. But they're not the target audience for all of this. If at the end of the day, this week which assuming doesn't turn up anything new, it looks like it's not. The votes are going to be the same. But if people think that there's more legitimacy to the Supreme Court out of it, well, I guess OK.

MONTGOMERY: Especially in the early to mid-'80s. I mean come one, man, that was like -- that was post-Animal House. That was right in the sweet spot of fast times at Richmond High. The '80s were a wild time. You know, setting up in '90s which were the gold Myer, but we will get back to that at some other point. Now, Prosecutor Mitchell who was task with asking some of this what many thought were boring questions of Dr. Ford actually turn up a very interesting memo based on the conversation that they had before the Senate Judiciary Committee.

SHAPIRO: I don't know. I mean it's all -- it all gets blasted out. It all goes out in the P.R. machine. The exercise with special Prosecutor Mitchell was a bit of an artificial one as well because, typically, when you're doing that sort of interview, it's not in these weird five-minute blocks and all that. I don't know if she corroborated all the evidence she had to make that full memo. And at the end of the day, this isn't about whether to charge someone or not.

It's a little bit of a different standard. But it all goes into that media circus machine. And, Kennedy, look, all I can say is I'm very glad that when you and I were in college there was no social media. There were no iPhones. None of that stuff. And so we're just left with our yearbooks and calendars.

MONTGOMERY: I know. It's really sad. My calendar is so boring. I didn't even get to see Grease II. So let's talk a little bit about Dianne Feinstein's rationale for sitting on the letter like a hen with a very delicate egg. Do Democrats have a right to demand a less expedited process when they wasted so much time bringing this letter forth?

SHAPIRO: That's exactly right. The problem is and I think the Senator Graham and Senator Cotton have already called for investigations of Dianne Feinstein once this is all done. The problem is she said that she wanted to protect Dr. Ford's confidentiality. That's fine. You know how you do that, you have a confidential FBI or other

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investigation when the letter is full disclosed. That is then taken up in private committee, an executive session not before the cameras at the 11th and a half hour.

So if they're whole goal is to protect Dr. Ford, they did about the worst thing possible.

MONTGOMERY: Yes. It was actually very cruel because if it wasn't her, if it wasn't someone from her office who was someone who saw the letter who then leaked that to the press and they forced her out of hiding through this hideous intimidation process.

SHAPIRO: And apparently, her lawyers didn't even convey that the Senate investigators were willing to go to California to talk to her rather than in the -- in the glare of the public media --

(CROSSTALK)

MONTGOMERY: Yes. I love it in the memo we found out she's like, I didn't want to go to Washington because I'm afraid of flying, unless, it's to the mid-Atlantic which I do twice a year and of course to the East Coast to see family at least -- and it's like, come on, you know, you cannot have it both ways and it seems everyone wants the both ways. It's not an acceptable process. Was Judge Kavanaugh the wrong nominee for this position?

SHAPIRO: I don't think so. I mean, look, he wasn't my number one choice, but he's a solid conservative and a solid originalist, and textualist. All of this stuff that we're talking about is ticky tack stuff whether the slang in the early '80s was correctly notated on his calendar whether she has a fear of flying, all of this stuff is nonsense. At the end of the day, if you like his jurisprudence, vote for him. If you don't like his jurisprudence, vote against him.

But all of this character assassination, he said-she said artificial investigations where everyone is shock that nothing is getting found and then delay and all of this. It is not helping the country. At the end of the process, it's not about who wins. It's about who loses the least.

MONTGOMERY: If he had only nominated Mike Lee from the beginning, right in there. Right in there --

(CROSSTALK)

SHAPIRO: I'll give him -- I'll give him a pass for not drinking there in college.

MONTGOMERY: Oh, no, man. I think he gave all of his extra boost to Brett Kavanaugh and that's the problem we're seeing right now. Ilya Shapiro, thank you for your time.

SHAPIRO: My pleasure.

MONTGOMERY: Very good. Meantime, a new Quinnipiac poll shows that 49 percent of Americans think Kavanaugh is the target of a political smear campaign, 45 percent do not. That sounds surprisingly close. And a number of Kavanaugh's friends and roommates from college now speaking out in support of his nominee. Two of them today said in statement that they never saw him act aggressively toward women and that they never witness him black out drunk.

So is Kavanaugh really an upstanding guy who deserves to be confirmed or an unstable boost bag who is unsafe at any speed? Let me ask Justin Walker. He was a law clerk for Kavanaugh at the D.C. Circuit Appeals Court. He also clerked under Justice Anthony Kennedy at the Supreme Court. Thanks so much for coming back. I appreciate seeing you.

JUSTIN WALKER, FORMER CLERK FOR BRETT KAVANAUGH: Thank, Kennedy.

MONTGOMERY: So let's talk a little bit about this. You've seen the pain on Judge Kavanaugh's face when he talks about this family. This has been a very brutal process. Does it pain your heart to see your mentor go through this?

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WALKER: Absolutely. Thursday was a heartbreaking day from beginning to end to see Judge Kavanaugh, to his wonderful family. But I have to also say that it was heartbreaking to watch Dr. Ford's testimony because she has not been well served by Senator Feinstein and the liberals on the committee. I think they have used her. I think that she trusted them that she would be able to keep her name confidential. And somehow after she only told Senator Feinstein's office that was leaked to the press at the moment when -- do the most harm to Judge Kavanaugh and it's also done a lot of harm to Dr. Ford.

MONTGOMERY: It has. I think what they did to her was incredibly cruel and at some point when she looks back on all of this, I hope that perspective allows her to see that she was used as a pawn. It's interesting because Democrats are really good way better at Republicans than galvanizing and deploying talking points. And so today's new talking point is that Brett Kavanaugh is an angry drunk. What do you think of that?

WALKER: Oh, my goodness. Well, you know, Kennedy, this is one of the accusations against Judge Kavanaugh that is talking about something that he is accused of doing in public. And so it's not a matter of he said-she said issue. It's a matter of a few disgruntled outliers from Judge Kavanaugh's past who are making up stories about him being a wild and crazy drunk and we have contrasted against that, dozens, scores of Judge Kavanaugh's friend, the people who knew him best from high school and college.

And they say if this is the kind of person he had been in public, we would have seen it. We would have known it. We never saw it. We know it's not true, period.

MONTGOMERY: OK. Justine, you bring up a really good point. And I think this is the biggest issue that I've had with Democrats because what they're implying is that Judge Kavanaugh is so morally flawed. He's such a bad uncontrollable person who gives into his worst impulses, and these impulses, and these acts are so well-known that the FBI failed utterly in detecting any of them over the course of 26 years. And then at the same time, they're relying on the FBI to complete a comprehensive investigation with very little evidence whether it's witness testimony or physical evidence to fall back on.

You know, I was talking with Ilya Shapiro at the top of the show.

You can't have it both ways. But it seems like with the FBI, Democrats want to have it both ways either you hate them and they've done horribly or they're the savior of our political process. Which is it?

WALKER: Kennedy, this is a farce. You've hit the nail on the head. Consider two things. Consider the timing, and consider the source. As for the timing, if the Democrats had wanted an FBI investigation they could have had one six weeks ago in July when they first found out about this. And then consider the source the people who are trying to assassinate Judge Kavanaugh's character. We've got Senator Blumenthal from Connecticut who said he had been a warrior in Vietnam fighting in the army.

It turns out he had never been in the country. We've got Senator Hirono whose mentor, Senator Inouye, was accused of groping and sexual assault and she wasn't saying believe women back then. She was silent. She never once came to the defense of the women who accused Senator Inouye of sexual misconduct with -- which was a lot more corroborated than anything that's been said against Judge Kavanaugh --

(CROSSTALK)

MONTGOMERY: Cory Booker corroborated his own sexual misconduct. And so, you know, and again, this hyper moralizing is going to take us to some very bad places in the future and I hope both sides are bracing for that because those of us who want to limit the size of government, they're just proving that the government is by and large no matter the branch run by a bunch of incompetent boobs.

WALKER: Kennedy, you know, I really hope that when the roles are reversed that Republicans don't sink as low as some of Judge Kavanaugh's opponents have sunk. But if they do, I think the phrase you sow what you reap will be appropriate.

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MONTGOMERY: I'm writing that down. Justin Walker, thank you very much for your time. Very good.

WALKER: Thanks, Kennedy.

MONTGOMERY: Retiring Arizona Senator, oh, Jeff Flake called for a delay in Kavanaugh's confirmation vote to allow for the FBI investigation. It was a move applauded by the left. But would he have been brave enough to pull it off if he wasn't retiring? Nope. Jeff?

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: Senator Flake, you've announced that you're not running for reelection and I wonder, could you have done this if you were running for reelection?

SEN. JEFF FLAKE (R), ARIZONA: No.

UNIDENTIFIED MALE: No?

FLAKE: Not a chance.

UNIDENTIFIED MALE: Not a chance?

FLAKE: No, no.

UNIDENTIFIED MALE: Because politics has become too sharp, too partisan?

FLAKE: There's no value to reaching across the aisle. There's no currency for that anymore. There's no incentive.

(END VIDEO CLIP)

MONTGOMERY: Jeff, what are you even saying? The Kavanaugh divide is ugly and partisan. Is anyone really interested in the truth? The panel is here weigh in tonight from Benson and Harf, it's a radio show, he is the co-host and a Fox News Contributor, Guy Benson is here, and from The Washington Times where he serves as Opinion Editor, also a Fox News Contributor, it is Charles Hurt, and the host of The Jamie Weinstein Show, it's a podcast and J.W. Strategist Founding Partner, J.W. in the flesh, Jamie Weinstein. Welcome everyone.

GUY BENSON, FOX NEWS CONTRIBUTOR: Hey, Kennedy.

CHARLES HURT, FOX NEWS CONTRIBUTOR: Hi, Kennedy.

JAMIE WEINSTEIN, HOST, THE JAMIE WEINSTEIN SHOW PODCAST: Good to be here.

MONTGOMERY: So let's talk about this a little bit. Jeff Flake, I don't think he's endearing himself to either side. And, you know, he has been floating the idea himself. No one has asked for a Jeff Flake presidency. But he has been to New Hampshire and he's poking the bear. And I don't know what a Jeff Flake Republican looks like.

BENSON: Look, I think that no matter what you think of Jeff Flake and his political future and I think if he tries to primer the president from the right as a conservative in the Republican Party, he will demolished. And I would prefer a Jeff Flake to a Donald Trump. But this is not political reality. I think his move here whatever his intent was might actually be beneficial to the process because the left is never going to accept anything.

I think that there are middle ground folks however who were saying, all right, well, who's this Mark Judge guy? Why hasn't the FBI --

(CROSSTALK)

BENSON: Yes. Having some sort of promoter of the FBI on this before confirmation I think longer term is helpful.

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MONTGOMERY: I don't have a problem with that at all. In fact, I think that's very necessary at this point because I think of Judge Kavanaugh is in fact confirmed. If there weren't another stage in the process, although, the whole thing is very force, he would have a cloud hanging over his head for the rest of his career if he does have a career. But I think Jeff Flake could have been a little bit more honorable about it and instead of following Bob Corker to the microphone saying, I'm a yes.

Vote me in and, you know, then the Republicans cheer and like, yes, Susan Collins and Lisa Murkowski are next. And then Chris Coons started crying when someone showed him the e-mail where Flake had committed to voting for Kavanaugh and then there was a little confab because Jeff Flake wants to be like and that whole thing was very clumsy.

HURT: Yes. I mean, look, anybody who doesn't know that politics in Washington is just a sewer pit right now isn't paying attention. Obviously, it is. The only thing we learned from that footage right there though is that Jeff Flake is a coward. If he really thought that stalling for an FBI investigation and I think Guy is exactly right that while I don't think we needed one, we're not going to find anything. But if indeed that it puts people's fears at ease and it's a very good positive thing.

The fact that Jeff Flake would admits that he wouldn't have called for it if he was facing reelection because his voters back home are too dumb to understand what's good for them. Good riddance. Get out of Congress. Get out of politics altogether. You don't -- find another line of work. You don't belong in here.

MONTGOMERY: Yes. If you're -- if you're doing back bends to meet the needs of people that you obviously despise, you shouldn't be in politics.

HURT: Exactly.

WEINSTEIN: The problem is we have a Senate full of cowards people that clinging to their office more than make a stance. I actually agree with Jeff Sessions -- excuse me, Jeff Flake's decision here. But what we need are senators willing to make that even if the political consequences mean they lose office, not caring because we're not just a democracy. We're a Democratic Republic. We're, you know, we have -- we elect leaders to make decisions and then let the people decide, you know, whether they want to stay in office.

You just don't follow the whims of the people. But I do have one proposal that might make the Senate more palatable. Constitutional amendment, no one elected to the Senate shall ever be allowed to run for president. I think that alone will make -- will make it much better --

(CROSSTALK)

MONTGOMERY: Oh, it will be so boring those committee hearings --

(CROSSTALK)

HURT: -- his collegial moment --

(CROSSTALK)

MONTGOMERY: -- when, you know, when would -- collegial. When will Kamala Harris have a chance to grandstand?

HURT: Right. When she had nothing to talk about.

WEINSTEIN: For making my point I think.

MONTGOMERY: No. Really, when she was asking questions the other day, I was like I never thought I would say this right. I miss Barbara Boxer.

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HURT: Oh, I don't know.

MONTGOMERY: Yes. I know. That's how bad it was. All right. The panel returns a little bit later. First up though, President Trump just made good on another campaign promise. But is the president's new trade agreement with Canada, is that a big win for American farmers and the auto industry? And what about your wallet? Sebastian Gorka is here to react with the truth next.

(COMMERCIAL BREAK)

MONTGOMERY: Welcome back. As a presidential candidate, Donald Trump scored big with his promised to replace NAFTA. And today, he delivered the goods during his ceremony in the White House Rose Garden. Watch.

(BEGIN VIDEO CLIP)

TRUMP: Throughout the campaign, I promised to renegotiate NAFTA and today we have kept that promise. Instead of jobs leaving for overseas, they will be returning back home. This is a truly extraordinary agreement for the United States, Canada, and Mexico.

(END VIDEO CLIP)

MONTGOMERY: Markets loved it. Stocks rose sharply in response to the news and even the failing New York Times called it a significant victory for the president. The agreement still needs to pass Congress, but politicians on both sides of the aisle are said to be quite optimistic. So has the president smashed through the art of new deal? Here to tell me all about it, former deputy assistant to President Trump and Fox News National Security Strategist, Sebastian Gorka.

Also, the author of the forthcoming book, Why We Fight. All right. Put on some foil. Let's tape it up. Does -- welcome to the show once again, Dr. Gorka.

SEBASTIAN GORKA, FOX NEWS CONTRIBUTOR: Thank you.

MONTGOMERY: So let's talk about this new USMCA, does it change anything significantly?

GORKA: Oh, it does. If the New York Times has good things to say about it, you know, this is an epic deal for American businesses, American workers, and for American consumers all around in the biggest most of sensitive industries, in automotive, in parts manufacturing in dairy produce. This is going to rectify all the bad aspects of the original NAFTA deal that favored everybody else except we Americans.

MONTGOMERY: I am excited to see Canada able to enjoy the fruit of our teeth as the American dairy is some of the finest in the world. And I believe it will enhance their quest for freedom.

GORKA: I think they, you know, they need stronger bones and they need to be drinking American dairy products and eat the American cheese, so, yes. But seriously, look, President Obama told the world -- told the world that Donald Trump could never bring back those jobs. He needs a magic wand to do so, Kennedy. Well, guess what? I guess the president isn't just a graduate of Wharton. I think he graduated Hogwarts as well because he must have one somewhere.

More than two million jobs created. The -- more than \$300 billion that has already been repatriated just as a result of his tax reform. And this is going to be the cream on -- sorry, I have to say it. The cream top of the whole deal. So NAFTA was bad --

(CROSSTALK)

MONTGOMERY: Would he have been a member of Slytherin?

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GORKA: No, no, no, not at all. It would have to be. What's the one that Hermione went to? No, no, no. Hermoine's one.

MONTGOMERY: It was --

(CROSSTALK)

GORKA: Slytherin, Hufflepuff, and --

(CROSSTALK)

MONTGOMERY: Gryffindor, Gryffindor.

GORKA: Gryffindor. You got it. Causes of Gryffindor. He's a good guy.

MONTGOMERY: OK. Is this whole thing a message to China?

GORKA: Donald Trump, the very -- the important thing to understand is he didn't start any trade wars. But he's going to finish them and he's going to win them. China has been at war with us since we took disastrous conditions from Kissinger on down. The most favored nation status is WTO membership. All these concessions to China that they exploited while at the same time the underhanded things they were doing with intellectual property theft forced I.P. acquisition, the industrial espionage that is involved in every single day.

So China, if you look at what they're doing right now in response to the president's very clear messages, they understand that this is the man that wrote The Art of the Deal and they're starting to play the game by his rules, and that's good for all Americans, Kennedy.

MONTGOMERY: Well, it was interesting in the final days of the NAFTA reboot, the president and the president of Mexico had come to an agreement about what a U.S.-Mexico trade deal might look like. And the president was like, yes, well, you know, if Justin wants to come to the table, great. If not, we're totally fine without him. And they kind of mean girdled him into an 11th hour agreement and Canada came.

GORKA: Right. Right. Whether it's Mexico, whether it's Canada, at the end of the day, the president is open to do deals with anybody. Look at what he did with NATO. 30 years of free loading and then finally they agreed to pay the two percent of GDP that they promised for more than a generation. At the end of the day, the president will do deals with anybody if it's good for Americans. Mexico finally understands it. Trudeau and Canada finally understands it.

And I think if you're looking at the ramifications of his cancelation of the JCPOA Iran deal by Obama, I think Europe is starting to understand. You can choose between Iran and America. But guess which one is going to be more beneficial for you on the long run and it's been on --

(CROSSTALK)

MONTGOMERY: -- the one where I can wear a bikini and that's right here in these United States of America. Sebastian Gorka, best luck with your book. Thanks so much for stopping by.

GORKA: Thanks, Kennedy.

MONTGOMERY: Very good. Coming up, it has been one year since the Las Vegas shooting. When it comes to motive, much remains unanswered. The FBI has vowed to get to the bottom of this horrific crime. But they still haven't released that report. So why is this still unsolved? The monologue is next.

(COMMERCIAL BREAK)

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MONTGOMERY: It is hard to believe that horrific Vegas massacre was one year ago tonight. And as the glittering strip prepares to go dark in about five hours, we still have no idea how one miserable, ugly, disgusting psychopath killed 58 innocent people while wounded 800 more. The only thing survivors and family members of those lost souls want to know is why? That's it.

What drives an ordinary homely hell bound guy to craft a perch above a valley of revelry and open fire on unsuspecting, unprotected music fans who are now being legally hassled by MGM Resort. There are plenty of theories there; he was a disgruntled gambler who had lost a million-and-a-half desperate dollars over two years and wanted to exact revenge on the villains who plundered his savings. Maybe, he was tired of living in his bank robber father's filthy shadow and wanted bite of his own piece of infamy.

Whatever the case, the unresolved and nagging holes in the case retraumatized survivors and families, especially on a night like tonight, that they've been dreading for 364 days. The government can't always keep you safe, but you would hope they do a better job of transparency and release the mother-loving FBI report. Yes, I'm looking at you rambling Rod Rosenstein! For the sake of decency, just show your hands, so if not closure, those who deserve it most might have something close to an explanation. And that's the memo.

It was the worst mass shooting in American history. The city is holding a number of memorials to honor the victims. But hundreds of survivors are still recovering from their wounds, and many more reports suffering from severe anxiety, depression, and PTSD. So, why was such an erroneous -- enormous, rather, crime has the investigation seemingly reached a dead end. The panel is back: Guy Benson, Charles Hurt, and Jamie Weinstein. So, Jamie, it is really unsatisfying and it's an awful thing to have to relive this day after day, especially since this crime was so well documented.

WEINSTEIN: It's amazing that there's no real idea of what occurred. You gave a couple theories, but it's really up in the air. No one has any idea. And you know, we like to think that our intelligence and FBI can figure out anything. It appears that something happens on American soil of this gravity and they just haven't figured it out.

MONTGOMERY: No, they haven't figured it out and, you know, the FBI has a lot of pushback. And there has been a great negative perception over the bureau. And it seems like something like this could help bring closure to victims and family members of those who are lost.

HURT: Oh, absolutely. And to be sure, it is a tough operation. This is a tough job that the FBI has.

MONTGOMERY: But it also seems like they're hiding something.

HURT: But no -- that was exactly my point. They make it so much harder and they make it so much worse, and they make it so much more horrible for the victims and the survivors, exactly, by being secretive about so many things that they don't need to be secretive about. And whenever you're secretive, and I get it, there are times where a government has to keep secrets. But if you're -- when you're unnecessarily secretive, nature hates a vacuum. That vacuum is going to get filled with something, and what it gets filled with are -- conspiracy theories, you can't refute, because you don't have the information.

MONTGOMERY: And this is the worst nightmare for law enforcement come true. And a lot of people were terrified that this is now a blueprint for the way hotel security had been run in the past, and essentially, the lack security for venues like this. But, you know, Charlie is right when you don't have closure and you don't have an explanation, that's where conspiracy theories develop. And right now, we're living in a conspiracy reality where day after day because of opacity, the less we know, the more danger there is.

BENSON: Yes, the loss of life -- the enormous loss of life was heinous, and the creepiness is what continues to this day. The fact that we do not know why this man did it. And we had those reports shortly after the shooting that he had sort of done dry runs or other potential gatherings, like, I think, Lollapalooza in Chicago. It could just be that this guy decided clinically, evilly, that he was going to figure out a way to murder as many people as possible and then he carried it out. There's no explanation for it and that's what makes it so much harder, I think, for us to -

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- normally, you have -- you take the facts, and then you let your brain sort of sort them out and you can compartmentalize at that point. There's none of that happening because the mystery remains and may never be solved.

MONTGOMERY: Yes, it's so troubling, it's so upsetting, and you know, you hear the accounts of some of these survivors who go over these YouTube videos over and over again trying to piece the night together to give themselves some sort of closure and it ends up retraumatizing them. It really is, it's awful. But back in Washington today, the president had a contentious news conference and they brought up Vegas and talked about it a little bit. It was supposed to be about trade, but of course the media had other plans. Take a listen.

(BEGIN VIDEO CLIP)

DONALD TRUMP, PRESIDENT OF THE UNITED STATES: What does it have to do with trade? I don't find answering the question but, you know, I'd like to do the trade question.

UNIDENTIFIED FEMALE: It had to do with the other headline in the news which is the Kavanaugh nomination.

TRUMP: No, I know, but how about talking about trade, and then we'll do that? We'll do that a little bit later. Anybody have a trade -- go ahead?

UNIDENTIFIED MALE: I do have a second question on the Kavanaugh thing when you get back to it, if you take that. You'll take that now?

TRUMP: No, no.

UNIDENTIFIED FEMALE: I'd like to turn.

TRUMP: Don't do that. Do you have -- excuse me. Do you have a question on trade? We'll do one or two more questions on trade. OK. Don't do that, that's not nice.

(END VIDEO CLIP)

MONTGOMERY: The same press conference, the president called the media "loco," and said he considers them part of the Democratic Party. So, did the war with the media overshadow what was supposed to be Trump's triumphant trade announcement? Jamie, here's what I was saying, you know if you're combative with the president, he's going to come back at you, that's number one. Number two, he's not like President Obama. President Obama would take four questions, and give 10-minute answers for each one that were complete unsatisfying, and with trail off and were utterly pointless. But this president actually likes sparring with the press.

WEINSTEIN: Yes. I mean, America elected President Jackie Mason, we know that.

MONTGOMERY: Yes, pretty much.

WEINSTEIN: And we see it -- all these performances day in and day out. I will say, there seems to be a strategic decision at the White House to do more of these press conference. He did one just a couple of days ago in New York, he did one today. Perhaps, Bill Shine's influence is here and he's trying to put the president front and center because he's the spokesman for the administration. So, it will be something to watch going forward if he's going to do more of these engagements with the press.

MONTGOMERY: Yes. It wasn't today, but it was just a couple of days ago in that other press conference that Jamie was referring to; where the president said the failing New York -- he said this to a New York Times reporter: "The failing New York Times is just going to endorse him along with NBC News and ABC News because they would be so bored and miserable without him and they'd lose a bunch of money."

HURT: They need him. Yes, and also don't -- you know, this was his first bilingual press conference. And he doffed his hat to Mexico when he called the press "loco." You know, and all of these reporters, they get so upset,

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and they say he's answering questions, and you know, first amendment. You know, I covered the White House for five years, Presidents in both parties have always run these things the exact same way.

They pick who they're going to call on before, and by doing that, they kind of, sort of, guide what kind of questions they're going to get. And then they go out there and they -- stick to that script. If you're not among the chosen reporters, you're never going to get a question.

No, but Trump is different. Trump goes out there, he doesn't have that list, it isn't preset. He calls (INAUDIBLE) calling you just because he doesn't like you, because he wants to get into a fight with you.

MONTGOMERY: Yes, and I think it's what makes the press conferences entertaining and the press seems to like it. I asked Susan Li last week, how do you respond in the room? What have you heard from your colleagues?

BENSON: I think it depends on the day and who it is. Some of the attacks are gratuitous, but that's -- this is the man we've elected, right? We've -- we're used to this. The clutching of pearls of the latest thing he said a reporter, I'm like, you guys, like, wake up, it's been 2-1/2 years of this, right?

My favorite moment from the press conference today in terms of entertainment value because these have some of that was when he started, sort of, off the cuff talking about how he would have been if he were a drinker. He's like, wow, I'd be a total mess. Can you imagine me, as a drinker?

And this is something we've all thought privately, like, if this guy is sober when he's tweeting all of this, this guy is sober when he's saying all of this. And he basically, like, lean on that, he's like, yes, I'd be a disastrous Trump.

MONTGOMERY: Can you imagine that shirtless selfies?

BENSON: Oh, gosh. I don't -- know. I cannot imagine and I won't.

MONTGOMERY: I was just saying that the world is --

BENSON: You might try to get me to imagine it, but I won't.

MONTGOMERY: The world would be a very different place. And you know, I think the press will live to see another day. I don't think anyone is getting banned from the press corps anytime soon.

WEINSTEIN: Well, I will differentiate one thing that Guy said. I think there is -- you know, when he says the press is the enemy of the people and delegitimizes, kind of, what truth is, calling fake news is problematic. His sparring with the press some of the funny back and forth, I don't have a problem with that. Yes, and Cristiano Ronaldo is using the term fake news about his own sexual assault allegation. I'm like, no, we're done with that phrase forever. Gentlemen, thank you so much. Great to see you, Jamie, and Charlie, and Guy.

Coming up, the partisan bickering in Washington has created a great ideological chasm in America. I will speak to a brilliant libertarian candidate for Congress, who says our nation's capital needs some liberty-minded outsiders to fill the void. That's next.

(COMMERCIAL BREAK)

MONTGOMERY: That's right. Are you sick and tired of the partisan political plague that's infected our nation's capital, that is now spreading and poisoning the rest of the country? Well, so is my next guest. He wants to keep politics out of policy, he is a libertarian candidate for Congress who's using old school campaign tactics going door to door and actually talking to people to share his fresh independent ideas. With me now: Pennsylvania Congressional Candidate, Tim Silfies, who also used to be the Senior Producer of this very program.

TIM SILFIES (L), CONGRESSIONAL CANDIDATE, PENNSYLVANIA: That is true.

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MONTGOMERY: So, Tim, you were a senior producer for John Stossel and obviously those ideas of liberty steeped into your -- seeped in, rather, to your very soul. How do you go from being a T.V. producer, and then a T.V. reporter in the Lehigh Valley -- or how do you say it?

SILFIES: Lehigh.

MONTGOMERY: Lehigh. That's it. I like Lehigh -- to becoming a U.S. Congressional candidate.

SILFIES: So, yes, when I left here, I went to be a report and I spent a lot of time talking to people, entrepreneurs, I was a business reporter. So, I saw directly in our community where I grew and where I live. In Pennsylvania, I saw the way that government can hurt people. In a way, it can hold people back. So, I just decided, you know, I kept hearing over and over, people talking how they wanted choices that weren't Democrats and Republicans, so I figured I'd give them one.

MONTGOMERY: No, it's interesting because some of the progressive candidates who have won these surprise primaries, they're using the same tactic, which is the old tried and true door to door method. A lot of candidates don't want to do that, especially these lazy millennials, and they just want to run a digital campaign and maybe say something stupid that goes viral, but you're actually going out and talking to people. Do you have a shot?

SILFIES: Absolutely. Thousands and thousands of doors I have knocked on at this point. And I hear common refrains, I got support in me now, Democrats, Republicans, Independents and Libertarians because there is common strain you're talking about where we saw with Trump but then we see it with Ocasio-Cortez. We see this -- people across the spectrum are disgusted right now with both sides. And I get people -- when I go to doors, people -- when I tell them I'm running for Congress, often times they tensed up, but then they sort of when I say I'm not a Democrat or Republican, I just want to talk to you, and they go, OK. And we talked, and they're just appreciative to have someone listening to them. That's what it comes down to.

MONTGOMERY: Is the libertarian party back your campaign?

SILFIES: Yes. Well, I'm nominated by the Libertarian Party. And I -- look, I am fighting as hard as I can to win, and that's what I plan on doing. Look, this is absolutely possible. I'm telling you, look at this Kavanaugh situation. The establishment at this point, that sad fiasco in Washington is the embodiment of why we need something different than these two parties. Look at that situation. They took some people's lives, regular people, and they ruined their lives. Why? Just to increase their own power.

MONTGOMERY: Yes, and to prove they're on one side or the other. And that thing is all about -- I mean, this bifurcation is paralyzing.

SILFIES: And they want us to do that, too. They want the polarization. They want us to fight. They want this deepening culture war, this deepening almost cold, civil war we have. Because the more we fight --

MONTGOMERY: Oh, that's a good phrase. Have you used that before the cold civil war?

SILFIES: I think I've heard it somewhere.

MONTGOMERY: Do you have an impression of John Stossel?

SILFIES: You know, when John and I -- John and I once were working on a piece together, and he looked at me, he just paused and he looked at me and he said I hate government. And then, he just hit play and that was it. He didn't say anything else. And I just said, I hate government too, John.

(LAUGHTER)

MONTGOMERY: And you are making the world better. I do hope you win your seat.

SILFIES: Thank you.

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MONTGOMERY: Because you're a great person and you really hear to these ideas and you care deeply about the people you wish to serve. I wish there were people like you in government. Tim Silfies, thank you.

SILFIES: Thank you.

MONTGOMERY: Silfies, S-I-L-F-I-E-S. That's the name. "TOPICAL STORM" is next.

(COMMERCIAL BREAK)

MONTGOMERY: The Ohio State University has jumped over Clemson to take the number three spot in the Associated Press poll. It's big news for the players and even bigger news for the kids who are selling their term papers. Raise the rates because this is the "TOPICAL STORM."

Topic number one. We begin tonight at the luscious Los Angeles coliseum where football attendance is falling fast. Uh-oh, this Rams fan got thrown four rows down by a Vikings fan who was immediately flagged for intentional grounding. But the fight didn't end there, because of alcohol. These classy gals got called for illegal hands to the face. But the good news is, they did such a good job of punching they've all received a job offers from the "Real Housewives of Beverly Hills." Witnesses say, the fight began after one man accused the other of stealing his team yearbook. It's a crazy story but it nice to see someone fighting over a yearbook besides the Senate Judiciary Committee. Oh, (INAUDIBLE), how dare you?

Topic number two. What did you mean here by flatulence? Let's head down to Georgia -- it's where the devil goes -- where the morning commute was so bad, drivers were having a cow. This tractor-trailer overturned on an Atlanta highway, looking for love get away. And traffic was going nowhere, just like the Falcons. It's unclear what caused the crash but police are now questioning the driver and his seeing eye dog. Needless to say, this is not what his friends meant when they invited him to go cow tipping. I got to move on! Although most of the cows were corralled at the scene, it is estimated that 70 have escaped, but fear not because police are conducting search -- it's really a stakeout.

Topic number three. Let's go to Lacrosse, Wisconsin, where gamblers made a killing betting the underdogs this weekend. I love this so much. It is the annual Dachshund Races, they are staple of October Fest, everyone knows that. In fact, they're right up there with 21-year-old girls randomly crying and 45-year-old men randomly texting their high school girlfriends. Hey, Cheryl -- you know, because beer. The winner was a 10-year-old pup named Daphne. But no prizes will be handed out until she passes the post-race drug test. Got to make Daphne isn't taking any Scooby snacks, if you know what I'm saying, making sure she's not gunning any juice. For those of you who are not familiar, Scooby Doo was a cartoon dog who drove around in a van called the mystery machine which was named after Hillary's e-mail server. Hillary.

Topic number four, what happened. The NFL has closed its brand-new Times Square Museum just four weeks into the season. Well, sure, it was a short run, but this is New York where Jets fans are used to short runs. The museum with the partnership with Cirque du Soleil that customers weren't doing back flips over the exhibit. Sure, it was cool for kid to learned how to properly kneel for the national anthem, but parents wouldn't stand up for the \$38.00 admission fee. For that kind of money, you can have a sandwich in Times Square, or a date with one of the city-strolling- sidewalk-hostess. It's a game of (INAUDIBLE). If you're not upset by the closure, you'll be happy to know that the City of Los Angeles has an NFL experience at the county jail. I'm head or heels for football. Both these guys are facing a \$1000 fine or a hot dog and beer at the stadium. My goodness, that's steep. We'll be right back. Stay here.

(COMMERCIAL BREAK)

MONTGOMERY: Thank you so much for watching the best hour of your day. Follow me on Twitter and Instagram @KennedyNation; on Facebook, it's KennedyFBN; e-mail, kennedyfbn@foxbusiness.com Tomorrow night on the show: the impression was so good, he'll be here in the flesh, John Stossel, Kat Timpf and Scott Martin -- (INAUDIBLE), I don't know what that means. I'll see you tomorrow night. Goodbye.

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UNIDENTIFIED MALE: He leads the most famous charge in American history.

UNIDENTIFIED FEMALE: I am standing right on the site of Pickett's charge.

UNIDENTIFIED MALE: It cost him hundreds of men, but it made him immortal.

(END VIDEO CLIP)

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