

Cuccinelli/Vought Transcript

Bill Walton (00:01):

And so what I'm going to be doing, we'll talk about the Center for Renewing America, but the lead here is what's going on with immigration, but then I also want to open up, we can talk about anything, the federal government weaponized against its citizens, and IRS wants access to our bank accounts, Justice Department that thinks parents are domestic terrorists. So we'll open into that, which are-

Russ Vought (00:24):

No shortage of material.

Bill Walton (00:26):

A lot of the issues that are on your website. So how did you get the idea of starting the shop, Center for Renewing America? You came out of the Trump organization with a big job. You wanted to be a nimble leader on issues?

Russ Vought (00:44):

I did. There was a laundry list of things I wanted to accomplish in a second term, but there was also a laundry list of things that just in thinking and reading about, I felt needed to be done outside of office, some big correctives that need to be thought through from the outside. And so we wanted to stay in the fight. I remember even talking to Ken fairly soon after we were departing to think through, what do we need to do to keep moving forward? Because the hours late in the country, and we've got to stay in the fight. And so I wanted to be at a place that was nimble. You could get up in the morning and roll out in an undemocratic fashion.

Bill Walton (01:23):

And reelect the boss.

Russ Vought (01:24):

We love the boss.

Bill Walton (01:24):

You said, you said, "Hey."

Russ Vought (01:26):

Exactly. I love the boss.

Bill Walton (01:30):

Kenny, are we good to go?

Kenny (01:31):

You are ready to go. The Bill Walton Show March 23.

Speaker 4 (01:39):

Welcome to the Bill Walton Show featuring conversations of leaders, entrepreneurs, artists, and thinkers. Fresh perspectives on money, culture, politics, and human flourishing. Interesting people, interesting things.

Bill Walton ([01:59](#)):

Welcome to the Bill Walton Show. I'm Bill Walton.

With Ukraine and Russia dominating the headlines, America seems to have lost focus on the border and the war that really counts. It's not Ukraine. It's America's southern border with Mexico. Texas, Arizona, New Mexico, California. The Biden administration seems simply open it up, completely. And what's happening is an ongoing catastrophe that's fueling illegal immigration, human trafficking, drug smuggling, and on and on. We need to focus on this war, on our border here at home. And as if that were not enough, it's all also seems we have a federal government that's weaponizing against its own citizens. We've got an IRS that wants access to our private bank accounts, a Justice Department that thinks parents are domestic terrorists because they're against the radical teaching of critical race theory, and of course, the attempts at a federal reign of terror with their vaccine mandates.

Pushing back against these and other horrible government actions is an exciting new policy shop, the Center for Renewing America, led by its and president Russ Vought. The Center is a make it happen shop not content to just put out policy papers, but is committed to results and to bringing about change. Russ served as Director of the office, the powerful Office of Management and Budget under President Trump, where he oversaw the implement of Trump's agenda across the entire executive branch. Ken Cuccinelli, my favorite Virginia governor candidate, we worked, we didn't win, but we tried-

Ken Cuccinelli ([03:52](#)):

We did try.

Bill Walton ([03:53](#)):

Is a senior fellow, and we came that close, is Senior Fellow for Homeland Security and Immigration at the Center. Ken served under President Trump, as well as Deputy Secretary of Homeland Security and as Director of the US Citizenship and Immigration Services. There, he was a key, if not the key to enforcing President Trump's top border and immigration policies. Russ, Ken, glad you guys are here.

Russ Vought ([04:20](#)):

Good to be with you.

Bill Walton ([04:20](#)):

We've known each other as fellow travelers in some of these battles and they unfortunately continue.

Russ Vought ([04:26](#)):

They do continue. Boredom is not a great danger.

Bill Walton ([04:31](#)):

Let's open. We had you on, Russ, last time with Arthur Herman, we were talking about naval strategy. Extremely interesting. But this time I want to get to our land strategy, which is the border. Ken, you've been leading an effort at the Center to push back against, in fact, not just push back, but develop a strategy where we can protect our border.

Ken Cuccinelli ([04:53](#)):

That's right, without waiting for a change of administration. So the founding fathers were very smart, very foresightful. And among the things in the Constitution that hasn't been used to date is the states, border states in particular, their authority to repel invasions. And I don't know how many millions of people you need coming across your border without permission for it to qualify as an invasion, but all the politicians down there talk about it as an invasion. We've done some legal and policy analysis, we conclude it's an invasion. And recently, interestingly, maybe six weeks ago or so, the first legal opinion on the subject by any authority in America ever was issued supportive of the same position we have advocated. And that was by the Attorney General of Arizona, Mark Brnovich, who answered legal questions. I was a former state AG, we issue these opinions once in a while. And his opinion is that Arizona has the authority under Article one, Section 10 of the Constitution to defend its own border under the current circumstances. And he also notes that authority resides exclusively with the governor, which we would also agree with.

But that raises the question for Governor Ducey. Why aren't you doing it? You look at his rhetoric in his State of the State address, he says all the right things, but he doesn't actually do it.

Bill Walton ([06:18](#)):

I just happen to have handy the text of that article. You probably have it by heart.

Ken Cuccinelli ([06:24](#)):

I have a lot of it.

Bill Walton ([06:25](#)):

No state shall, without consent of Congress, lay any duty of tonnage, keep troops or ships of war in times of peace, enter into any agreement or compact with another state or with a foreign power or engage in war unless actually invaded or in such imminent danger as will not admit a delay.

Ken Cuccinelli ([06:47](#)):

That's right.

Bill Walton ([06:47](#)):

So that's what we got the-

Ken Cuccinelli ([06:49](#)):

It's that last provision that, I mean, let's call this what it is. It's a war power for states. That doesn't mean you're going to roll tanks and planes to the border, but it does mean that you can use state authorities, National Guard, State Police, fill in the blank under the governor's control to stop people at the border and turn them back as prisoners of war. Not using immigration law. Let's be real clear about that, this is not immigration law.

Bill Walton ([07:18](#)):

It's an actual invasion.

Ken Cuccinelli ([07:19](#)):

This is an actual invasion and the states have constitutional authority to repel that invasion. So a lot of people fall into, well, deport. Well, we're not deporting, we're returning prisoners of war back into Mexico.

Bill Walton ([07:33](#)):

Love it. Russ, You guys went down there to talk with all the House legislatures and Governors and Lieutenant Governors. What kind of reception did you get?

Russ Vought ([07:44](#)):

Well, we've been to both Arizona and we've been to Texas and we had a great reception. We had a third of the legislature in Arizona come out to the steps of their capitol and call on Governor Ducey to do this. So this is a idea has momentum clearly in Arizona and we're building the momentum in Texas. So we were down in Del Rio, Texas along the border to see up close and personal, talk to the National Guardsmen, talk to the state troopers that are doing Operation Lone Star. And we asked them if the governor gave you new rules of engagement to allow you to do more, to actually interdict and bring someone back to the border, would you be able to do that? If you were deputized to do that. And they said, absolutely. We could get the job done. So this idea is building. My hope, Ken and I, our hope is that if Governor Ducey doesn't do this, there is a Republican set of gubernatorial candidates that are running, very likely that this is something that will be done early next year. And if Arizona does it, there is no way that Texas is not going to do it. So we are enthusiastic that somewhere in the neighborhood of two years before a Biden administration would end, we could have two of the major four border states doing this plan and unilaterally securing their border.

Bill Walton ([09:02](#)):

Well, I read that list of states, Texas, Governor Abbott, at least started doing some fairly effective things. I don't know where he is now.

Russ Vought ([09:11](#)):

Well, fairly active, not effective.

Bill Walton ([09:13](#)):

Okay.

Russ Vought ([09:14](#)):

There is a important difference.

Bill Walton ([09:15](#)):

Oh yeah.

Russ Vought ([09:18](#)):

My favorite and only joke from an Italian pastor I had years ago was, what do you do when Jesus comes back? Look a busy. And that is what's going on in Texas. If you look at the beginning of Operation Lone Star, and look today, there hasn't been an iota of movement down in the number of illegal crossings. What they're doing doesn't work. And there's a very simple reason, because they won't return them to Mexico. Until the potential flow up across that border illegally knows they will be returned or it's going

to be hard for them to get in, they will just to keep coming. And we can go action by action. I will say this, the one thing that can have a long term impact that Texas is doing is state funding for the wall. But even the wall requires both manpower and the political willpower behind it to make it effective.

If all people have to do is walk a few more miles to go around the wall and you're not going to stop them there, they'll just do that. But it still has the potential when either federal will returns or the state steps up to the next level, this constitutional level we're talking about. That will help. But it's the only thing they're doing, and it won't help given their current other policies.

Bill Walton ([10:44](#)):

I think implicit in what we're saying, and maybe ought to make it explicit, is that we don't think what the Biden administration is doing is incompetence at the border, it's a deliberate policy to open it up.

Russ Vought ([10:55](#)):

Yeah. I mean, there's no question. It's deliberate. The elections are important, it takes time. And court cases are really important. So we've won in the courts, but you're now counting on an administration official to actually do what the court wants you to do and to do it with gusto. And we just don't believe that's going to happen because they have an open border [crosstalk 00:11:19] policy-

Ken Cuccinelli ([11:19](#)):

And it hasn't yet.

Russ Vought ([11:19](#)):

And it hasn't yet. So either way we win, remain in Mexico, that doesn't mean that they're going to actually do it. So we need governors in red states to lead the way to actually say, what's necessary to actually get the job done, not blame the Biden administration. There's blame aplenty to be had. But we actually need results, and your voters put you in office for those results.

Ken Cuccinelli ([11:41](#)):

So if I could dovetail off that. So Russ makes a point. Red state governors. So we're talking about the border because the legal authorities, in our view, is clear on the border. But if you are the governor of Nebraska or Florida, to take two examples of governors who have said they would do this, you can send your National Guard. You can send your State Police, for instance, if you're willing to put them under the authority of the border state governor. They can be deputized in that state and they can participate in this activity. So yes, the authority has to be exercised by the border state governor, but all 50 states can participate in protecting this border, even if the federal government doesn't.

Bill Walton ([12:24](#)):

So I'm governor of Indiana, to pick a hypothetical. That's where I grew up. Republican, protect the border. I can send my militia down to the border to help protect, to help do things?

Ken Cuccinelli ([12:37](#)):

Yeah. It has to be-

Bill Walton ([12:37](#)):

Under whose authority? I mean, do I have to be invited in by Texas, Arizona?

Ken Cuccinelli ([12:42](#)):

Yeah. The authority, to be exercised, has to remain with the border state, the invaded state's governor, but you can send your trained personnel, they can be deputized. So I'll use a Department of Homeland Security example. When we had the riots in various cities, the federal police force that dealt with them was the one that protects buildings. Most people haven't heard of it. It's the FPS, Federal Protective Service. And we would deputize CBP officers, ICE agents as FPS officers for purposes of bolstering our numbers at the point of need. States can do the same thing. They all have their own laws about deputizing law enforcement and they can bring in those from other states so they can then share the burden of doing what, frankly, the federal government ought to be doing. The federal government under the Constitution guarantees every state against invasion, but this administration has consciously decided they're going to invite an invasion instead.

Bill Walton ([13:52](#)):

This is the Bill Walton Show I'm here talking with Russ Vought and Ken Cuccinelli about the Biden's open border policy and its effect, and the chance that maybe we can do something about it by getting the states to act and not wait for the federal government. When we talk about the states though, the reason I ticked off that list, Texas, maybe, get another governor, probably, if we get a good outcome. New Mexico, we've already got the attorney general or not New Mexico, Arizona. But you get to New Mexico, the governor there actually likes the open border policy and doesn't seem to be doing anything to support what you're-

Russ Vought ([14:30](#)):

Well, politically, yes, but I mean, remember-

Bill Walton ([14:32](#)):

How do you feel if you're living in New Mexico-

Ken Cuccinelli ([14:34](#)):

That's just it.

Bill Walton ([14:36](#)):

I mean, this is-

Russ Vought ([14:38](#)):

I think it'll be a game changer if we're successful in Arizona and Texas, but now you've got a situation where all of the traffic is going to California and New Mexico. It puts much more attention on those two governors to make sure that they're actually in it to win it for their open border strategy. Now their voters are demanding, why is it all coming to New Mexico? Which I think is fourth out of those four states.

Ken Cuccinelli ([15:04](#)):

Yes, it is.

Russ Vought ([15:05](#)):

So I think it does change the dynamics, even in a blue state, if we're successful on those first two.

Ken Cuccinelli ([15:11](#)):

I would point out, not that I rely on polling, but it's interesting. In the spring of 21, so right at the beginning of the Biden administration, Biden was already underwater with Democrats on the immigration issue. And that was in March and April of 2021. And we've had a year, frankly, from those people's perspective, nothing but crisis.

Bill Walton ([15:33](#)):

Well, people are paying attention to it. I think the poll numbers are even more favorable to fighting back against this open border.

Russ Vought ([15:38](#)):

Oh, absolutely. The only motive on their side is political virtue signaling and cow-towing to their radical left that wants to erase our borders. All Democrats don't want to erase America's borders, but the ones with the voices and the control in the Democrat party do.

Bill Walton ([15:55](#)):

How bad is it?

Russ Vought ([15:57](#)):

Oh, it's really bad. And the morale of CBP is bad.

Bill Walton ([16:00](#)):

I was going to ask you about that. How do you feel if you're working for Trump and all of a sudden, instead of keeping people out, you're inviting people in?

Ken Cuccinelli ([16:06](#)):

Well, instead of being an honored, respected law enforcement officer, you're loathed by your own leadership. That's a really dangerous place to be for a law enforcement organization. And that's what those guys are, those men and women are law enforcement officers. They serve under an administration that is intentionally rearranging ICE, rearranging CBP, the Border Patrol in particular, to make them ineffective. It's like tying your own shoe laces before running a race. That's what they're doing with a lot of their policies. Now just a day or two ago, we had a federal judge rule, untie those shoe laces in one instance where New York is trying to narrow the list of mandatory deportation.

Bill Walton ([16:58](#)):

Homeland Security.

Russ Vought ([16:59](#)):

Yeah. The Secretary of Homeland Security, who by the way, should be impeached, but that's a whole discussion in itself.

Bill Walton ([17:04](#)):

There's a long list there.

Ken Cuccinelli ([17:05](#)):

There is. But I don't know of too many that have lied to Congress as much. There's as much good evidence there as there is for him. But he put a memo in place basically saying you've got to be caught in the act of murdering or being a gang member, there's other terrible crimes, terrorism to be deported. Everybody else, drunk drivers stay, all sorts of other people stay. And a federal judge just ruled you don't get to narrow the statute that says who are mandatory deportations. But to Russ's earlier point, that took us a year to get to this point. And in the meantime, thousands, tens of thousands of horrific criminals, who would've been deported under the Trump administration, have been released into the United States and to prey on the American people. And by the way, on the immigrant communities they're part of.

Russ Vought ([18:02](#)):

And I think that's a really important point. When you're down on the border, you realize what the strategy is the cartels have, and they have operational control of the border. You would think that they're trying to avoid border police, they're not. They're trying to literally take a group of immigrants, illegal aliens and give them, hand them directly over to Border Patrol. So Border Patrol then spends the next day, two days, three weeks processing those individuals while then the cartel gets stuff across the border somewhere else. It's a head fake designed to play into the laws and the policies that we have put in place that the Trump administration got around. But that is what we are so ineffective is that-

Ken Cuccinelli ([18:45](#)):

Talk about nimble. They're very nimble.

Russ Vought ([18:47](#)):

It's not even that they just have bad morale because they work for people that don't want to do their mission set, it's that they don't even get to spend their days catching bad guys. They're spending their days basically processing what comes in and not being able to get out in the field and do what's necessary to do.

Bill Walton ([19:05](#)):

What about the role of the Catholic Charities and all the other nonprofits are down there helping to bring these illegals into the country?

Ken Cuccinelli ([19:13](#)):

Well, they're certainly part of the coalition on the radical left. And they're where the releases are going and it makes it a whole lot easier for the Biden administration to process people out in their catch and release efforts. They want to release them. And these people get paid, these groups get paid a lot of money. So now you have the federal government funneling enormous sums of money to ideologically sympathetic, and I would say zealously so, groups. That money doesn't just get used to take care of those folks. It also ends up being used to litigate, to fight efforts to actually enforce the law.

Bill Walton ([19:13](#)):

This is-

Ken Cuccinelli ([20:00](#)):

There's a coalition over there.

Bill Walton ([20:03](#)):

The list of a thousand ways the federal government funds the left.

Ken Cuccinelli ([20:06](#)):

Correct, oh yeah.

Bill Walton ([20:08](#)):

To that long list, add this.

Ken Cuccinelli ([20:09](#)):

Yes.

Bill Walton ([20:11](#)):

So how bad is the drug issue? Has it gotten worse?

Ken Cuccinelli ([20:16](#)):

If you own stock in a drug cartel, you're doing pretty well right now. It's never been easier.

Bill Walton ([20:23](#)):

You mean Pfizer or Merck or-

Ken Cuccinelli ([20:24](#)):

No, I mean the Zetas and I mean Sinaloa, and it's never been easier to bring drugs across that border. And we're seeing the American overdose deaths rise. We're seeing the price on the street, go down, those are related. I still talk to my police buddies all around the country. And those prices have plummeted. That's a pure supply and demand measure as you're going to see. They're finding it very easy, the cartels, to move these drugs across the border, just as Russ described. It's not complicated for them. They drive their humans traffic at the Border Patrol so that they get absorbed numerically, and they have an administration that's helping them by limiting the number of cops on the beat, if you will, in this space and tying them up. So it makes it so much easier for the drug cartels to bring their deadly poison across the border. And that's not all that can come across, we also have other national security problems that cross that border.

Bill Walton ([21:30](#)):

Since this is not hard news, we get to speculate. Let's speculate. I hear some people say, well, they're opening the border up because they want more democratic voters. They're seeing their numbers dwindle and they want more democratic voters and this is a way to get those numbers up. I think there's a more sinister explanation is that they really do want to destroy American institutions. And it's not just voters, it's more about deconstructing American society.

Russ Vought ([21:57](#)):

Yeah. I would put it the same way in the sense that, they have a view of multiculturalism that tears apart the fabric of a nation. That is part of their strategy, it's their intent. Open borders plays into that on a number of levels. And that's one of the things that we focus on at our organization, is we're always trying to look at the policies, the ideas that keep a nation integrated, assimilated. So we would look, and we did, with the situation in Afghanistan, we want to be very cautious and cautionary about Afghan refugees being resettled here. If they're not going through a security situation, to understand, can these people actually be assimilated in the way that's necessary to keep the nation in culturally integrated? The border is exactly the same problem. You've got an open border policy that's, they're trying to rip communities apart. It is a feature. It is not a bug.

Ken Cuccinelli ([22:58](#)):

Yeah. This is very intentional on their part. And I think that a lot of them think they'll get votes out of here. I would point out that Hispanic votes keep moving to the right. They're the majority of who's crossing the border. They're not by any means exclusive. We get people from 160 countries around the world coming across that border in the last year.

Bill Walton ([23:18](#)):

That's changed. I mean, there's a big spike in-

Ken Cuccinelli ([23:22](#)):

Right now you have Russians who fly to Mexico and then drive up to the border to cross illegally. Now, those folks are being held back, but that's an exception, not the rule. Brazilians, Venezuelans, they know they just fly into Mexico and walk up. This happens from all over the world, from Africa, from Asia, and it's well known. And those people pay more money, they're sort of the premium human smuggling customers. But the more of them, the merrier to the drug cartels. Mexico, after President Trump sort of pounded them into cooperating, they cooperated a lot. When they engaged, it was effective. And now you have an administration that's gone so far the other way, even Mexico's complaining about it. You've got Central American presidents complaining about how we're spawning this illegal immigration, not migration, illegal immigration. They want to water down all the words we use and it's causing disruption throughout the hemisphere and in our American communities.

Bill Walton ([24:39](#)):

What's the Center's next line of action in this? You've got-

Russ Vought ([24:43](#)):

Certainly we're going to keep pushing on the state authority because we're not going to get a set of federal officials who are going to take charge of this for two plus more years. Hopefully, Congress will play more of a role next year.

Ken Cuccinelli ([24:56](#)):

Yeah, we're also going to be working with the legislatures in these states to build an outcry of legislative support for the governors to then act. The governor is going to have to act it's their authority under the Constitution, but the legislature can be part of what mobilizes them to say this issue can't be ignored. So on this issue, that's what we're going to be doing next.

Bill Walton ([25:17](#)):

Well, Russ, you did an amazing job head of OMB where you got to see the whole of government. Is this a whole of government issue we're dealing with, with the Biden administration, are all the agencies, all the cabinet posts lining up on this, on the wrong side?

Russ Vought ([25:32](#)):

Yeah. This is a whole of government disarray. Whereas we had DHS, we had DOD, we had OMB. We had every agency that had a part to play engaged in trying to fix a problem. They have the exact opposite. I mean, they're using the, their whole of government functions, that is something that OMB is a helpful part of running to do things like climate change and have an anti-energy policy. They're doing it to push equity and critical race theory. So that's where they're using their whole of government energy and expertise. And as a result, they have disarray everywhere else and the real problems that are facing the country.

Bill Walton ([26:10](#)):

So not so much specifically on the border, but all the other bad stuff.

Russ Vought ([26:14](#)):

Correct.

Bill Walton ([26:14](#)):

Of course, we have Pete Buttigieg, who's telling us that they're fighting to prevent a single car accident death in America. Did you hear about that? These people get up in front of a camera with-

Russ Vought ([26:28](#)):

Well, and he doesn't know math or statistics. But I was an engineer before I went to the dark side and went to law school. And when I hear number play like that, it drives me crazy.

Bill Walton ([26:39](#)):

I'm the same.

Russ Vought ([26:40](#)):

It just drives me nuts.

Bill Walton ([26:43](#)):

This is the Bill Walton Show. I'm talking to Russ Vought and Ken Cuccinelli about the catastrophic things happening on our southern border and all the related things throughout government with Biden's administration. Is it really two and a half years we have to wait to fix this. If we get another, if we get a Republican president who's going to do the right thing, or what happens if we win big in November in the congressional elections? Can the Senate, can the House do anything?

Ken Cuccinelli ([27:11](#)):

I think they can. And I think that they can use the appropriations process to force Department of Homeland Security to take steps and to overturn their policies and to move out. I do think a permanent fix is necessary. Things like some of the drivers in the law that allow for this open border policy are things that the Trump administration had to work around. We had to figure out ways to deal with the

fact that our laws are problematic. They work as kind of little magnets towards illegal immigration. And so those are all things that we've got to fix. Those can be fixed through the push and pull of the legislative process as soon as you have a Republican majority. But even then, you have a Biden administration, you're going to have an official who's at Department of Homeland Security that does not want to do this. And so that's why even with the Republican majority, even with successful court cases, we need Republican governors to step up.

Russ Vought ([28:12](#)):

Yeah, no question about it. And it isn't just the border governors. I think it would go a long way in getting a Governor Ducey and a Governor Abbott more comfortable putting their folks on the line if there were people standing there with them from other states. And I think it's pretty clear, some of the other governors are willing to do that.

Bill Walton ([28:35](#)):

What's the dissemination? People show up at the border. You've got the four states we've talked about, but then with the aid of the Catholic Charities and everybody else, they're ending up all over the country. Are they concentrating in places where there'd be political pushback? Is it like putting a wind farm off of Nantucket or something like that?

Ken Cuccinelli ([28:54](#)):

Yeah.

Bill Walton ([28:55](#)):

At what point do we get the, not in my backyard, immigration pushback?

Ken Cuccinelli ([29:01](#)):

I think in the blue areas, the cultural brow-beating against making complaints like that has been so severe and effective, frankly, that you don't get those complaints even when destruction ensues, often in the form, for instance, of exploding overpopulation of local schools that is way beyond the local plan because they couldn't plan for international illegal immigration at this kind of scale. I have that near where I live in the Manassas area of Northern Virginia and it's happening in communities all over the country. It's a common problem. And then all the other resources of that school district get drawn away from teaching the average child to what ends up being a special situation, second language, et cetera, just as that has been a challenge before in special needs kids, for instance. And I don't think anybody in this country objects to them getting more attention and resources, but here we are now drawing resources off ordinary American children to, frankly, encourage, because that's what it does, illegal immigration. It's a benefit to the illegals of-

Bill Walton ([30:23](#)):

Even though they're going to be taught critical race theory?

Ken Cuccinelli ([30:26](#)):

Yeah. Well, they're willing to make that trade.

Bill Walton ([30:30](#)):

It's a trade well worth making.

Ken Cuccinelli ([30:32](#)):

But though culturally, it doesn't match most of the people coming into the country.

Bill Walton ([30:36](#)):

Let's tie this a bit. If we agree that this immigration is a covert war on our civil society, on all the institutions that make America, America, we've got another war being waged by Merrick Garland on parents who protest the teaching of among other things, critical race theory in the schools. Are you guys working on that one? Where's your-

Ken Cuccinelli ([31:00](#)):

We are. We work any issue where we feel that the government is weaponized against the American people. And so this is clearly in that category, in part because you've seen the American people rise up with concern about what's being taught in their schools, about the issue of critical race theory. So there's a reason why Garland would take the steps to invoke federal terrorism laws in such a way that would cause a fear to be embedded in the minds of a potential parent to go to a school board. Am I going to have to get a lawyer for this? I may win, but am I going to have to then go for the next year of my life with hundreds of thousands of dollars in legal fees, because I chose to step up? Am I going to then have an FBI agent knocking on my door?

And, oh, by the way, we've seen the FBI that has demonstrated the last four years how they make decisions and who they go after. And so this is just one aspect of it, but if we're actually going to save our country, we've got to get a handle on the ways that the left has weaponized government against the American people. And to be able to go into a new administration at some point, whenever the American people give us that opportunity and say, we're changing that, and we're going to have the reforms that can say, this is never going to happen again. Government is meant to protect the American people and not the other way around.

Russ Vought ([32:27](#)):

Yeah. America, for so much of its history, has been a shining example of the opposite. This is the place where people whose governments are making war on them flee to. Well, now we've got a government and we've got it at state and local levels, so this isn't just a single point of problem. This has been woven through a lot of the political fabric of the left of this country to use government power against our own citizens. And we saw it with COVID, we see the free speech suppression, which is a severe example what Russ is talking about with Merrick Garland. But boy, I'll tell you, did we ever make such a good decision not confirming a judge as Merrick Garland for the Supreme Court? Oh my gosh. I mean, what's been revealed about the guy and his judgment and willingness to use government power tyrannically has been scary and it continues to really, in real life, be scary for scores of Americans who are suffering from his decision-making.

Bill Walton ([33:34](#)):

What are some other examples besides the parent stuff?

Ken Cuccinelli ([33:38](#)):

Certainly the parent one is huge, and the simplicity with which it was executed. So they got a letter from a school board association effectively, or as we saw controlled, by a few left wing people. They have members that are not similarly aligned, yet they didn't look for their approval. They sent this letter to Merrick Garland. He jumped on that and as he said in Congress, it was the only thing he based that decision on and then turned the full power of fighting terrorism of the federal government against parents going to school board meetings.

Bill Walton ([34:20](#)):

I heard that-

Russ Vought ([34:20](#)):

That's astonishing.

Bill Walton ([34:22](#)):

The school board association was instigated by some people in the Biden White House. These were not people out solo acting there.

Russ Vought ([34:33](#)):

No, this letter didn't come out of the blue.

Bill Walton ([34:37](#)):

Right.

Russ Vought ([34:38](#)):

There was prior communication, of course, that wasn't admitted early, but the month before I want to say that was October last year and the month before in September, Bill, exactly the kind of contacts you're describing with the White House were going on there.

Ken Cuccinelli ([34:55](#)):

Another example would be Department of Homeland Security in their kind of metrics for a watch list, putting things on that and Ken can give you the technical word for some of the bulletins that they put out for people being concerned about voter fraud as implying that's some sort of domestic terrorism, or someone that needs to be watched carefully. And there are armies of bureaucratic resources that can go to these kinds of things, of studies and databases that people can find themselves in. But I'll give you another example. Environmental Protection Agency, and this is something we put out, we eliminated this, but I'm sure it'll come back. They prosecuted a 77-year old Navy veteran and made him spend 18 months of his last days on earth in prison because he had built a number of ponds in violation of waters of the United States.

So you would never think that the Environmental Protection Agency would be one of these agencies that's weaponized against the American people, and yet you have examples of this all around. Department of Interior, not approving some license and as a result, someone's fishery got shut down. So these are the things that we're trying to get at. And we believe it's tied in with the amount of federal spending that we're doing. We're not just increasing federal spending because they are liberals and they want to increase government. That's part of it, but it's part of their woke, aggressive, coercive

government that they're trying to perpetuate right now. And that's one of the reasons why we have to defund these agencies.

Russ Vought ([36:37](#)):

Yeah. That that is the solution, is zero funding. Zero. Not less funding, zero funding. And by the way, we're bankrupt anyway, so why don't we get to work on that? But if you leave them any power at all, they will use it for the worst, if they have one dollar to spend, they'll spend it on the very worst, most oppressive thing they can come up with. It won't be on keeping the environment clean.

Bill Walton ([37:04](#)):

This is The Bill Walton Show. I'm here with Ken Cuccinelli and Russ Vought. And we're talking about our overreaching, overweening federal government and what they're doing to promote a woke agenda. But it occurs me as I'm sitting there listening to them, I've got two men here who have actually been in the job at OMB and at Homeland Security. And I'm going to ask you when you're back on the job, and you're the head of the Homeland Security Department and you're back in whatever big job you'll have in the next administration. What would you do? How would you reverse what Biden is doing? How would you bring about change?

Russ Vought ([37:41](#)):

We're trying to go to chip shot through the states.

Bill Walton ([37:44](#)):

But what if you had actual federal-

Ken Cuccinelli ([37:45](#)):

Well, first of all, I'd work with the states to nail down their authority for when we're gone to support them in exercising that authority and partnership with us. I don't think-

Bill Walton ([37:58](#)):

Move the power to the states so regardless of-

Ken Cuccinelli ([38:01](#)):

Well, it's dual. They have their own source of authority.

Bill Walton ([38:04](#)):

All right.

Ken Cuccinelli ([38:05](#)):

Not turn it over to them, but right now, if you're Greg Abbott and your Doug Ducey, if you go down the path that we have advised of defending your own border, of course, you'll be sued by the federal government. Well, not if I'm there, not if Russ is there. We'll be standing shoulder to shoulder with you saying, yes, the states have this authority and then it's there forever. Then it's there forever. And you get the benefit of federalism. You aren't totally reliant on the federal government anymore for this subject. You can look to states to help protect themselves and the rest of America by doing that. So those are some of the things that I would do if I were in that position in Mayorkas position now. I'd be lining those

up and working in partnership with those states and doing everything I can to eliminate the procedural hurdles to just performing the missions of CBP and ICE and so forth.

Bill Walton ([39:08](#)):

Do we need TSA?

Ken Cuccinelli ([39:11](#)):

Not per se. I think some form of airline security given how we've seen that's uniquely weaponizable. You can't weaponize a train in the same way you can a plane, and doesn't mean you can't cause problems, but a plane, as we've seen, is a flying bomb and taking some steps to be careful about that makes some sense. Does that mean the way TSA operates now is the best way to go about that? Yeah, I don't know about that.

Bill Walton ([39:44](#)):

You're trying to stay viable for your hearing. It's not going-

Ken Cuccinelli ([39:48](#)):

You know, I don't have a long history of trying to stay viable for hearings. Russ is laughing. But for instance, they're unionized, that doesn't make sense for a security force. Heck, our immigration judges have a immigration judges union. That's ridiculous. It's absolutely ridiculous. So, there are some rather clear things we could do to clear the way to just letting our agencies perform their missions for the statutes already on the book. But it's asymmetric warfare. Russ described how do you get an agency to do its job? Well, when you've got a Mayorkas leading DHS, that's hard to do. How do you get an agency to stop doing its job? All you got to do is win one lawsuit.

Stopping an agency is easy. Actually performing is hard. And we are the ones who want government to work well, to perform its missions. And they're in the space we're talking about, they want to stop government from doing that. And that's easy to do. It's easy to tie people's shoelaces together. It's hard to become more efficient. Under Title 42, which was the public health order that came with COVID for the border, we were removing over 85% of all illegal border-crossers in under two hours with what were still then high numbers. So I wouldn't say we didn't have an invasion under the Trump administration, I would say we did. We just had a federal government that was trying to deal with it. But I would point out, for the future, that would still trigger state authority to engage in protecting their own border too. We wouldn't displace the states in 2019, 2018, if the same legal authority had been used.

Bill Walton ([41:47](#)):

Thoughts.

Russ Vought ([41:48](#)):

Yeah. One of the things that I would do immediately is ask a lot of aggressive questions about what agencies were doing. OMB has statutory tools to bring in for review and to basically use the apportionment process to turn off funding that has been appropriated by Congress to do the will of the president and his administration, if we know what's being done at the agency.

Bill Walton ([42:12](#)):

Yeah.

Russ Vought ([42:13](#)):

But the challenge is that the agency has no desire to ever tell you what they're up to, the secretaries often have no desire to get that deep in the weeds for themselves to know what's going on in their own agencies. And so you really need an aggressive level of oversight to know, all right, we're going to get beyond just how much we're going to give you for a program. We want to know how you are actually providing those grants and who they're going to. Bill, I asked one time, I said, I need a whole list of waste, fraud, and abuse. And it was like, I was speaking another language, like they could not comprehend the notion that something that the American people would view as fraud. And I finally said, okay, stop talking. Don't use the word fraud. It's waste and abuse. Can you get me that? And I was being able to get somewhere, but it is an example of how you have to learn to talk to the bureaucracy that you're working with to get the results that are necessary.

Bill Walton ([43:11](#)):

Waste? Waste? There's no waste around here.

Ken Cuccinelli ([43:13](#)):

No. True, but let's apply a step of management philosophy. And I did this as Attorney General of Virginia. I made all my deputy AGs responsible for their part of the budget. And one of the tasks they had to do annually was rank in priority order from a mission standpoint, most important to least important thing they were doing. And I don't mean them personally, but in their department. And then they had to come up with a list of things that they weren't doing that had some significance. And the task was, what aren't we doing that might be more valuable than what we are doing? Because we had to balance our budget in the state government, we didn't just print money. And then we would stop doing, not cut in half, stop doing the things at the bottom of the list and start doing the higher priority items.

The other thing you do with it is, then the deputies and the different, and this would be the example of the federal level would be secretaries would compare what's your last dollar going to, your lowest priority dollar going to, to the next agency or to all of them? And then that gives you a way to compare apples to oranges to bananas to raspberries to grapes because there's a lot going on and to maximize the impact for the benefit of the taxpayers in this case, as measured by the will of the president, who they elected and his or her policies and align those using money. And in a smaller organization, like a state Attorney General's office, I was readily able to do that. Now, I also had authority to do that within my own agency and move those around, but that's how you get to zero on things that would be waste.

Bill Walton ([45:09](#)):

So we need to get you back to on the job. We got a couple of minutes. What's ahead next for the center? What are you focused on now?

Russ Vought ([45:17](#)):

We're very focused right now on big tech reform. We've got a lawsuit or an Amicus brief in the Fifth Circuit supporting some of the bills that have been passed out of the Texas legislature. We're very involved right now on making sure that we're working with federal congressmen to make sure if there's a Republican majority, we've got the kind of rules in place that can be changed to be able to actually get stuff done and so the House of Representatives can drive change through the process. And we're going

to be working on anything that is cultural in nature that is designed to keep the nation integrated, whether that's reflective of the Judaeo-Christian culture that we've had, or the notion that we're actually a country, or the fact that communities are important in as much as individuals are important. So everything that we do is always in one of those areas. A big thing right now is social emotional learning, which is the delivery mechanism for critical race theory. So just give you a sense of all the different things that we're working on, trying to stop and put an end to and help build up those who are already fighting on this.

Bill Walton ([46:28](#)):

Let me drill in, You covered about 53,000 things I'm interested in. Critical and emotional what?

Russ Vought ([46:36](#)):

Right. So social, emotional-

Bill Walton ([46:37](#)):

Social emotional tied to critical race theory. Help me with that.

Russ Vought ([46:41](#)):

Is a framework that exists that no one's really focusing on it other than a few teachers that have lost their jobs for challenging it. One of those teachers is a lady named Jennifer McWilliams, who is a fellow of ours. And it's a number of questions that are designed to be asked that allow you then to insert critical race theory down the road. As in, is this person learning properly? Are they learning in a way that will allow them to relate well with their other individuals, to learn in an environment that allows them to succeed? So things that, as I'm talking about them, they might not sound that bad or cynical, but when they get weaponized-

Bill Walton ([47:30](#)):

I think this sounds, my different word would be sinister.

Russ Vought ([47:33](#)):

Sinister. They're designed to be weaponized, you then insert critical race theory and the concepts, and the fact that these are done by third party groups that you can kind of have an easier way than a government bureaucrat to make sure it's your ideology that's getting exported.

Bill Walton ([47:49](#)):

Who's your critical race theory expert?

Russ Vought ([47:51](#)):

We have a guy named Michael Young who just got canceled for about 24 hours from Twitter for referring to-

Ken Cuccinelli ([47:51](#)):

So you know he is doing his job well.

Russ Vought ([47:59](#)):

So as a man, as a man, but he's back up and running and all he does, Bill, is read the left so that when someone gets elected to the school board, they don't have to read all of the liberal philosophers. They can just basically take all of the Mike Young glossary terms, put it into their search and be able to say, okay, we're going to get rid of all of the CRT terms that are coming up. That's the kind of things that we're trying to make people's life easier to participate in the political process.

Bill Walton ([48:30](#)):

We need to do a show on disinformation, misinformation, canceling, news blackouts, only hearing one side. I mean, it feels like we can't have a discussion anymore, because there's certain things you can't say.

Russ Vought ([48:41](#)):

Yeah.

Bill Walton ([48:42](#)):

And on that happy note, we got to wrap. Ken, before we get out of here, what else on the immigration front did we not talk about?

Ken Cuccinelli ([48:51](#)):

Russ touched on the Afghan, about 85,000 largely unvetted refugees that were hustled in here in a process that was intentionally seen to, designed to be deconstructive of American fabric. Now we've got the Ukraine war still hot and it's interesting how slow this administration has been to move on a refugee front there and so you do have some of these things beyond the border that are still bubbling. And I do think that it's going to be critical, it's almost too late. It's now the end of March, before a midterm election, I don't think any meaningful immigration legislation could really be advanced at this point. And so the preparation that Russ talked about for after the Republicans take the House and hopefully the Senate is very important work right now.

So what are they going to do? And their only leverage is going to be, well there's two pieces of leverage, the budget and things like, going back to 1996, putting a bill like welfare reform on the president's desk if he runs for reelection is literally these 70, 30, 80, 20 issues. If the Republicans can stick together enough to just keep it thin enough to do in that way, could present some real challenges for Joe Biden to veto and obviously real opportunities for America to improve our situation.

Bill Walton ([50:35](#)):

Russ Vought, Ken Cuccinelli, Center for Renewing America. Thanks for being here. Covered a lot of topics. I've got a couple more questions for you. Maybe when we shut down, I can ask those. So thanks for paying attention to the Bill Walton Show. We hope you found this interesting, our candid discussion about immigration in America and hope you'll tune in for next time. As you know, you can find us in all the platforms, Rumble, YouTube. I don't think we said anything on this show, particularly that YouTube would censor.

Ken Cuccinelli ([51:09](#)):

Should we do it again so we could get some more better stuff?

Bill Walton ([51:12](#)):

We really failed.

Ken Cuccinelli ([51:12](#)):

I got plenty more material.

Bill Walton ([51:15](#)):

Next time, let's go for that. Anyway. Thanks, guys. Thanks for joining and stay tuned. We'll see it back here next time. So thanks for joining.

Ken Cuccinelli ([51:25](#)):

Thanks a lot.

Bill Walton ([51:26](#)):

Do you think the immigration thing, I'm sorry, the refugee issue with regard to Ukraine, are they the wrong color?

Russ Vought ([51:35](#)):

For this administration, yes. And they assimilate too easily, so why bother. It doesn't have the deconstructive aspect that the radical left really wants out of our immigration process.

Bill Walton ([51:49](#)):

That's my take. What do you think?

Ken Cuccinelli ([51:51](#)):

Yeah, no. I totally agree.

Russ Vought ([51:51](#)):

It's complicated.

Ken Cuccinelli ([51:54](#)):

Absolutely. The adoption process right now is, you would think that of all the people that we could get through from Ukraine, that kids that are in orphanages, State Department's not doing anything along those lines to help out on that. Just an example of the extent to which it's easy on one side, it's harder on another.

Bill Walton ([52:15](#)):

Is Trump going to run again?

Ken Cuccinelli ([52:17](#)):

I would think so, it's where I would put my money.

Bill Walton ([52:21](#)):

What do you think?

Russ Vought ([52:22](#)):

I think so. I think so.

Bill Walton ([52:25](#)):

Do you think he'll win?

Russ Vought ([52:26](#)):

I think whoever the Republican nominee will be the next in the United States.

Bill Walton ([52:30](#)):

Yeah. I think that sounds right. I hope you enjoyed the conversation. Want more? Click the subscribe button or head over to the [billwaltonshow.com](http://billwaltonshow.com) to choose from over a hundred episodes. You can also learn more about our guest on our interesting people page. And send us your comments, we read every one and your thoughts help us guide the show. If it's easier for you to listen, check out our podcast page and subscribe there. In return, we'll keep you informed about what's true, what's right, and what's next. Thanks for joining.