

CONVERSATIONS

WITH BILL KRISTOL

JOHN BOLTON

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BILL KRISTOL:

Hi, I am Bill Kristol. Welcome back to *Conversations*. I'm very pleased to be joined today by John Bolton, who served in many Republican administrations with distinction, really. We first met back in the George H. W. Bush administration when you were at the State Department. You had served the Reagan administration, the Justice Department before then, obviously the US ambassador to the UN, among other things, and the George W. Bush administration, and then you were President Trump's National Security Advisor for about a year-and-a-half. So wide experience in important parts of the government, all of which are now in the news, and we will discuss them in light of the nominations that President Trump has made for people to head those departments. So John, thank you for joining me today.

JOHN BOLTON:

Oh, glad to be with you.

BILL KRISTOL:

We first met, I was just thinking about this, we met maybe a little bit when you were at the end of the Reagan administration when I was working for Bill Bennett and you were at the Justice Department, I guess, still at that point. Yeah.

JOHN BOLTON:

Right, right.

BILL KRISTOL:

But then we met when you were at State and I was Vice President Quayle's chief of staff, and we worked together pretty closely on the effort to overturn the Zionism's racism resolution. So I think it's kind of been forgotten. It was actually an achievement, and you did a great job on it, I've got to say. You guys did all the work at State and under your direction. Vice President Quayle, President Bush put him in charge of the White House side of it, and so we would show up to give it a vice presidential seal of approval. And we got it repealed, right? That was good.

JOHN BOLTON:

Right, right. No, it was really culminating the speech that Daniel Patrick Moynihan made in 1975 when he ripped it up after the UN General Assembly had passed it and said, "We will never obey this resolution or consider it legitimate." But nonetheless, it took 16 years of condemnation. And a lot of people put a lot of effort into it. The hard part at the State Department was to get the regional bureaus to exert a little effort to get their countries to vote against the resolution, to vote in favor of repeal, because they basically didn't consider it all that important. They didn't understand why anybody should be concerned about it. But that was a stigma that the United Nations bore for a long time and really inhibited any chance, if it had any, to get any work done. And the sad thing is after ZR was repealed by an overwhelming vote, the UN, over the past 30 plus years, has simply reverted to anti-Semitism again. It really shows how deeply ingrained the problem is.

BILL KRISTOL:

I sort of say to people that I remember so well that Moynihan speech in late 1975, and it can be encouraging in the sense that anti-Semitism isn't new, having a lot of the world sign on to think of that. The statement "Zionism is racism" in '75, that was big and that had a big vote in the General Assembly for that. Led by the Soviet Bloc, obviously, and obviously one reason I think we were able to get it repealed was the Cold War was ending and the Soviet Bloc was crumbling. So these things do go back and forth some. It was always once wonderful that everyone loved Israel and Zionism was respected, so it's a good reminder of that. You mentioned, I think you were assistant secretary for international organizations.

JOHN BOLTON:

Right, at the time. Right.

BILL KRISTOL:

Yeah. It's interesting what you say about the regional, and the regional bureaus, just to be clear to people, were the—

JOHN BOLTON:

The diplomatic bureaus that deal with Great Britain, Russia, China, that sort of thing, handle the bilateral relations, and it was really a combination of Jim Baker and Larry Eagleburger, his deputy who succeeded Baker for the last few months of the George H. W. Bush administration, that said, "President has decided he wants to do this." And then that finally got their attention and it was a massive effort, but I was happy to be the "laboring oar" kind of thing during the whole thing.

BILL KRISTOL:

Yeah, you were good at cracking the whip. Not just laboring. Not just rowing the oar, what's the metaphor I'm looking for? Yeah, pulling the oar, but also cracking the whip. So now we have Donald Trump making nominations. I guess he's finished, he's completed his cabinet nominations for the positions that people like Jim Baker and you held in previous Republican administrations and I want to really get into the particulars in some of these agencies, why it would matter who's there and what could happen in intelligence and in defense and so forth, justice. But first, what's your top line on what he's done over the past three weeks?

JOHN BOLTON:

Well, in terms of the quality of the people, it's been very uneven. Some, I think, have the potential to be quite good. Others were disasters from the word go. But the common theme that runs between them is that to get the jobs to begin with, Trump learned this from his first term, he's made these people bend the knee, and I think he's going to find that doesn't serve him well, doesn't serve the country well. And it's not a question of loyalty. We keep hearing about Trump wants loyalists in the various key positions. Loyalty is a virtue. It's a good thing. You want your team to be loyal. That's not what he's interested in. He wants fealty. So I've been carrying on a one-man struggle to get people to use "fealty." If there's a better word, I'm certainly open to it.

But just to take the National Security Advisor's job as an example, the Brent Scowcroft model, which we all say is the best model there is, is you need to provide the president with information pertinent to the decisions that he's got to make and make sure that everybody who has a say, every department head that's got an equity, gets their chance, and then make sure the president's got the options that he can choose among.

Now, presidents can disregard the data, and Trump will do that, presidents can disregard the options. They can do what they want. They are the decision-maker. This idea that somehow you can block the president is an urban legend. But if you don't do that, as irritating as it may be to somebody like Donald Trump, you're not doing the job. There's no doubt. I used to say, "I was the national security advisor, not the national security decision maker." I don't think Trump

wants reasoned debate among experienced knowledgeable people about his options and what the lay of the land is. He wants, "yes men" and "yes women", not because he has a philosophy that he's trying to expand, not that he does policy, as most people in Washington understand it. That he just wants to do what he wants to do, and he doesn't want a lot of lip back from people whose opinions he didn't really want to solicit.

So the common theme, or at least the fear, we'll see what happens once they actually sign up and start their jobs, is that Trump will have a neuron flash one day and tell Secretary of State Marco Rubio, he wants to do X. And Rubio will say, "Yes, sir," and go back to the department and do it. So I say, that doesn't serve Donald Trump or any president well, it doesn't serve the country well. But running through all these nominations, I think that's the real common thread.

BILL KRISTOL:

That's so interesting. I just wrote something, because we're speaking the day before Thanksgiving, just for the record here, the morning before Thanksgiving, and I just wrote something for *The Bulwark* thinking about our conversation, actually, and what we had talked about just preparing for this over the weekend on the phone and that you and so many others, including many others in the first Trump term, whether it was Jim Mattis or Gary Cohn or you or H. R. McMaster or I think the lawyers actually, Don McGahn, you thought of yourselves as serving in the Trump administration or in the Bush administration or in the Reagan administration. And obviously you were loyal to the president was the head of that administration, but you weren't serving Trump exactly.

JOHN BOLTON:

Right.

BILL KRISTOL:

And I do feel like this, the criteria now is, are you going to serve this president, this individual person? You're not going to think about the institution, what other loyalties or you have, as it were, what broader perspective you should bring to bear. And I do think it's not just that people did it to get the job, but there's not much evidence going forward that any of them is either going to be encouraged to think more broadly or even allowed to, in a way, right?

JOHN BOLTON:

Yeah. Well, I think the key interview question for vice presidential candidates was, "If I told you to do what I told Mike Pence to do on January the 6th, would you do it?" And the correct answer to that question for Trump is, "Yes," and there's no wiggle room there. And some kind of analog of that question, I think, is part of the interview sheet for every other position. We're at the cabinet level now, but as you know, there are hundreds of positions below that across the government, and in a Trump administration, I think there are going to people put at all the different levels whose main job is to report back to the White House. They're kind of political commissars that X is still toeing the Trump line. Not a particular policy so much as what Trump wants. Is that getting done? We can go through the different departments, but I think the potential for backbiting and infighting and turf fighting in that kind of environment is really enormous

BILL KRISTOL:

In the first term. You joined, you succeeded H.R. McMaster in, what, middle 2018, I think, maybe?

JOHN BOLTON:

April of 2018.

BILL KRISTOL:

Obviously Trump was Trump and you knew what one was getting into, but it wasn't quite that way? He didn't quite ask that question directly?

JOHN BOLTON:

No, not at all. There's an advantage to coming in at the beginning of an administration when everything's fresh. When I came in, patterns and habits had developed that, leaving Trump aside, were very hard to break. I think Trump in 2016 was totally unprepared when he took the oath of office, the pre-election transition work headed up by Chris Christie and containing a lot of senior figures in the party, had literally been dumped in a trash can. They started over again. Most of the people in the first Trump transition had no real experience in government or in the White House. Political experience, yes, but government experience, no. And similarly, in the first six to nine months of the administration in the White House, there were people who had never been in government at all, let alone in the halls of the White House.

I used to go over and I had talked to Trump during that period and others, and I felt like I could have stayed all day. It was like being in a college bowl session. You'd be in Priebus' office and Bannon would come in and then Jared Kushner would come in. You kind of wander around. I thought to myself on several occasions, "These people have a government to run. What are they doing?" So by the time I arrived, the kind of chaos was built in.

It may be that those who preceded me did their dead-level best to avoid it. But they didn't succeed. And I attribute that significantly to Trump. Now he's had four years of experience and four more years in exile to think about it, so I think that's one reason he's off to a quicker start. Not that his decision-making process is more comprehensive and logical and calculated, it's just happening faster because he wants his "yes men" and "yes women" in as many positions as he can get on day one.

BILL KRISTOL:

I think that's an important point that people are always off to a fast start because, I don't know, he wants to be off to a fast start, but he's not stupid in this way, and certainly get the people, Russ Vought and Steve Miller, maybe his key White House aides, Deputy Chief of Staff Stephen Miller and head of OMB, a very powerful agency Management and Budget, Russ Vought, both of whom were there in the first term as well. They want to hit the ground running, is a nice way of putting it, but they want to get a huge amount done when people aren't quite organized to resist and also get people into these agencies in the cabinet, people which are going to... Don't you think?

JOHN BOLTON:

Yeah.

BILL KRISTOL:

I guess I'm struck by the lack of coverage of Vought and Miller compared to these cabinet guys.

JOHN BOLTON:

Yes, absolutely. Kristi Noem as Secretary for Homeland Security, will be an errand lady for Stephen Miller on immigration questions. Stephen Miller is the real secretary of DHS. Nobody should have it under any illusions. I do think that they learned the lesson of the 2017 inaugural period when they wanted to do the Muslim ban, and they stumbled right at the beginning and it was a catastrophe operationally, politically.

This go around, it's going to be the expulsion of the illegal immigrants, and quite apart from what you think of that, and I'm against illegal immigration just to put all my cards on the table, I'd like to see more legal immigration, but these people view this as potentially the highest priority they've got. They see Trump's campaign in 2016, "Build the wall and make the Mexicans pay for it," and the repetition of that in 2024 as really central to the Trump reputation. So they're doing a lot more preparation.

Now, whether they can operationalize it, we'll see. But the preparation that they can do beforehand is much more extensive. And I think that's true across a lot of issues. And that's where Russ Vought comes into play. You could have a hundred executive orders on January the 20th, literally, maybe more. I mean, they're going to come out with everything they can think of. Some will stumble as the others did, but others are going to be much better thought through. And while Congress is still worried about confirming the cabinet level appointees and others, people in positions in the different departments and agencies are going to be moving ahead.

BILL KRISTOL:

I'm glad. It is Russ Vought, right? I said Russ "Votes". I said, "Vought" somewhere on TV two days ago. And someone corrected me and said, "Vote". I don't know. So what do I know? But okay, Russ Vought. And they know what they're doing. I mean, they've been in government, Vought has been very involved with Heritage, which has a big infrastructure of Trump policy people and people who know sort of.

JOHN BOLTON:

All waiting to come in. All people have been part of the people involved in the preparation. So I think back to the Reagan transition in 1980, where we thought, "Boy, what a lot of work had gone into that," compared to earlier transitions probably, right. But transitions have become full-time businesses now, and Trump's doesn't look like some of the others, but nobody should underestimate the amount of preparation that's been undertaken.

BILL KRISTOL:

It's a big infrastructure out there of a kind of authoritarian version, I would say, of a Republican agenda, and they will hit the ground pretty fast. I don't know that, as you say, Congress will be busy still confirming some of them and getting to the second tier confirmations and getting themselves organized of who's going to do chairs of new committees and so forth. It could be, they will have a big advantage at the start if they don't bungle it the way they did in 2017 politically.

JOHN BOLTON:

Right. I think that's right.

BILL KRISTOL:

Yeah. Let's talk about some of these key agencies. I think you've said that you're most... with Gaetz out now. Let's say a word... well, let me begin with the one you're most alarmed about, which I think is Director of National Intelligence, Tulsi Gabbard. Say a word not just about her, because I think that's been fairly well-labored, but how does it work? Why should one be alarmed? Why can't one take the attitude of, "Oh, come on, there are all these semi-competent or slightly wacky people at different high levels in government and in other organizations, and you work around them, you kind of make it, it's not the end of the world?" I think, let's say what you think about that.

JOHN BOLTON:

Well, the Office of the Director of National Intelligence, or ODNI, as we call it in the Washington alphabet soup, was created post-9/11 to foster greater cooperation and coordination among the 18 designated intelligence agencies in the government. And many people felt 9/11 happened because of stove piping among the intelligence agencies, we didn't get the kind of analysis that should have led us, or the kind of raw intelligence, that could have led us to anticipate the attack and, obviously, hopefully, prevent it. Now, this is a big bureaucratic argument that remains unresolved to this day. Before ODNI, the head of the CIA was also Director of Central Intelligence, and that person had the coordinating responsibility. My personal preference would be to go back to the DCI system, which was not perfect. I think the

Director of National Intelligence is just another layer of bureaucracy, and you need more people, frankly, we need more human intelligence than we need analysts in Washington.

But leave that debate aside. The ODNI is the overarching intelligence position and will have access to any secret, any source and method that they want to have access to. So quite apart from the difficulty of a coordinating job like that in government, the breadth of information this person will have is potentially unequaled by anybody. Since Trump won't pay attention to most of it, that person could see the whole picture. And given the views that she's expressed over the years, which are not simply extreme, but really, off the planet, I think that people in the intelligence community are going to fear for the security of what they pass up the chain. I think foreign nations are going to worry that information they give us, and not just the facts, but the sources and methods, that could be endangered, they're going to very much worry about doing it.

She has no experience on the production side of intelligence. She's been briefed as a member of Congress, who get intelligence briefings from time to time. So she's a modest consumer. But as an example of how she processes this, after Trump ordered the elimination of Qasem Soleimani, the head of the Iranian Quds Force, their main terrorist backing organization in the Revolutionary Guard, and I think a decision Trump made that was absolutely correct, Qasem Soleimani, among other things, had been training terrorists to kill Americans since the Beirut Embassy and Marine barracks bombings in 1983, Tulsi Gabbard came out of the briefing and said Donald Trump had ordered an illegal and unconstitutional act of war, by killing Soleimani. That's not just, "I think it was imprudent to do it." That's, "The guy should be in jail for doing illegal things and starting wars."

So if that was just political posturing, then one has to wonder whether she's got the temperament for a job like ODNI, which honestly doesn't need a lot of public exposure, and how that kind of person will manage people, whose job it is to stay obscure, but produce reliable information that political decision makers can act on.

BILL KRISTOL:

Am I wrong to think that, if you're a senior official in the intelligence agency and you get some requests from the director's office, like a briefing on Assad and the opposition to Assad or what's happening with Ukraine and Russia and she's so out there being pro-Assad and pro-Putin, I don't know, what do you do? You have to give a briefing if you're asked, I suppose, and you have to be honest. But are you going to reveal stuff that you can't be confident that the Director of National Intelligence is going to keep confidential and either blurt out or tell other people who directly or indirectly will get it to Assad or Putin or their...

JOHN BOLTON:

Yeah, look, I think it's a terrible risk, but one other function that is probably not generally understood, when the president gets his daily intelligence briefing, and in the case of Trump, he doesn't read anything, and he gets the briefing about 11 o'clock, when he wanders down from the residence to the Oval Office, at least when I was there, the cast of characters who sat in that brief, it was too large to begin with, but it included the vice president, I sat in, the Director of National Intelligence, the Director of the CIA, and the briefer, who has been a Deputy Director of National Intelligence, very senior person, given the most important customer the intelligence community has, the President of the United States, that person is really at the top of the intelligence bureaucracy, in terms of their perceived abilities. That person, and really collectively, we've got to decide what the president's going to see.

Well, with Tulsi Gabbard sitting there, who knows what she's going to say about the information, "I don't believe that." Or if Trump says, "Don't put that out," or, "Don't spread that around the intelligence community. Don't inform the Pentagon. Don't inform the State Department," it's a prescription that not only will serve Trump poorly, but it will hurt our entire intelligence gathering and transmission process. And then, that, in turn, impedes our decision-making in ways that we just can't calculate. She's not qualified for the job professionally. And I

think that the strange statements she's made, which people like Mitt Romney have characterized as treasonous, really amounts to a kind of character defect too.

BILL KRISTOL:

You've worked closely with other nations in sharing intelligence and making foreign policy decisions, our allies in both Europe and Asia. What do they think when they see this?

JOHN BOLTON:

I think they're saying, "My God, it's Trump all over again, only it's worse this time." So the Director of National Intelligence, for most of his first term, was Dan Coats, former Republican Senator, former US Ambassador to Germany, somebody with a distinguished career, who understood politics, but also, understood intelligence. I think his foreign counterparts had confidence in him, as I think they had confidence in Mike Pompeo and Gina Haspel, the two directors of the CIA. I don't know what they're going to think of Tulsi Gabbard. I bet they'll love her in Syria and Russia though.

BILL KRISTOL:

Yikes. It really is dangerous, right? It's not just like, oh, it'll be a little unseemly or she could pop off occasionally. Or people like us, who are old fashioned, think you should have a less high profile. It really could be damaging to our national interest and well-being.

JOHN BOLTON:

Right. And as I say, it's not just the information, but consider, when the president has to sign a finding under the applicable statutory law to undertake a clandestine operation, the Director of National Intelligence is going to be one of the figures who knows everything about that. And National Security Advisor and his staff do too. It contains very, very sensitive material. I can't say anything more about it than that. Very sensitive material. And the risk of harm to the people who are involved, not just Americans, but people around the world who are cooperating with us, losing the trust and faith of allied governments, it's enormous. And you don't want to even have to think about it. The way it should work is you just have total faith in the person who holds that job, to have the discretion and the knowledge and the judgment not to endanger what their area of responsibility is. I just don't think you can say that about Tulsi Gabbard.

BILL KRISTOL:

One of the other controversial nominees is Pete Hegseth for the Defense Department, young as Defense Department nominees go and much less experienced in either running a big organization or in being a senior figure in the national security world. That's a position where you know what everyone thinks of them individually, once had Leon Panetta and Bob Gates and Dick Cheney back in the day, and Les Aspin, a senior member of Congress, and Bill Cohen, a senior member of Congress on the Armed Services Committee of the Senate, and those types of... And of course, under Trump in the first term, we had Jim Mattis, a four-star general, and then, little interregnum, I guess. And then, Mark Esper, who I think I actually, I've known Mark forever, as I'm sure you have, and I like him and respect him, actually. I thought it was one cut down from the normal defense secretary, honestly. He's a very senior staffer on the Hill. That was really what he had been. And then, I guess was Secretary of the Army in the first year or two.

JOHN BOLTON:

And who did stand up...

BILL KRISTOL:

But he did a good job. But he did a good job, right?

JOHN BOLTON:

That's right.

BILL KRISTOL:

He was still at the level where you thought, "Okay, this guy has been in the senior levels of national security policymaking, including a bit in the private sector, for 25 years." And so, if you're the National Security Advisor to the majority leader of the Senate, which is what he was, you're dealing with very sensitive material, you know about decisions, your boss... makes a difference what he says. Hegseth's just a different, talking about him being on *Fox & Friends*. So talk about that.

JOHN BOLTON:

Well, I put the Gaetz and Gabbard nominations in a class of their own. They are so, so out of whack. And I think it is a political reality that responsible Republicans and Democrats, who will vote no on almost everything, aren't going to get a lot of chances to actually defeat or cause a nominee to be withdrawn, which is not to say that they shouldn't be put through the process. But I think it's a mistake to just say, "Well, we're opposed to everybody," because that means they're just going to get through. So as I say, leaving Gaetz and Gabbard in a category of their own. Hegseth has a steep hill to climb in convincing people he can run the department, because he doesn't have the experience. There's just nothing in his background that says he can apply both the management skills and the political skills in a department that, let's be honest, needs a lot of reform in its procurement, for example. The revision really needs to be very, very substantial. John Lehman, Reagan's secretary of the Navy, once said, "You should take all the Department of Defense procurement manuals, take them into the Pentagon parking lot, and burn them and start over," which is about right. So it needs big reform. Also needs a huge increase in its budget. So Hegseth has to find a way, forgetting his personal difficulties, which we may or may not have heard all about, but he has to say to them, "I can do the job that Cap Weinberger, and these others that you mentioned over the years, have done." It's possible you can put in, beneath him, people who can actually run the department. When Mel Laird was Secretary of State for Richard Nixon, David Packard of Hewlett-Packard was the deputy, and everybody said, ran it in a very significant way.

But nonetheless, Hegseth has got to convince Republicans, who have dealt with many of the people that you mentioned, that he can be up to the job. Whether he can do it or not is anybody's guess. And again, I'm just leaving the personal stuff out, which could be disqualifying on its own. Just as a professional matter, it's not on his resume now.

BILL KRISTOL:

People forget there will be these confirmation... It's all happened so fast. It's not Thanksgiving yet, and the old Congress is still not in session exactly, but in power and authority, until the new Congress convenes on January 3rd or 4th or whatever it is, right after the new year. And that's when the confirmation hearings begin. Right?

JOHN BOLTON:

Right.

BILL KRISTOL:

And I assume those will happen, and some of them will happen in those first two weeks before the inauguration. Sometimes a few of them happen the week or two after, but usually, they try to do it in January.

JOHN BOLTON:

Yeah, no, in past administrations, many people have been confirmed on the 20th of January, they hold the hearings, they had the FBI background checks. The President turns over the

nominations, maybe before lunch, after the inauguration, the Senate votes 10 or 12 of them through. That would be possible for a lot of them here. Doug Burgum at Interior, people like that, I think, are going to be confirmed fairly quickly. But if Trump doesn't authorize the FBI background investigations, that could be a real problem.

BILL KRISTOL:

But also, just that the what will these hearings... So the hearings can begin... You're right, Trump isn't president until January 20th, so you can't formally nominate anyone. That's why those papers go to the hill, as you say, at 12:30 PM. And then, some people get confirmed at 4:30 PM that day, if they've already had the hearings. But the hearings can begin when this new Senate comes into...

JOHN BOLTON:

And remember, of course, the Republicans are in control of the Senate, so they will be the committee chairmen. They can schedule the hearings, they can start the process.

BILL KRISTOL:

What do you think those will be like for the more controversial nominees, for Hegseth and Gabbard and I guess Robert F. Kennedy Jr?

JOHN BOLTON:

Right. Well, I've been through my share of confirmation hearings, and if the Democrats do their homework, they have a lot of questions to ask. I think a lot of Republicans will have questions to ask. To come to Hegseth, I think Joni Ernst is going to ask about what he really thinks about the role of women in the military. And by the way, what is Trump's position on the role of women in the military? Nobody knows. Hegseth has a position. What's the President's position? And this is a point, I think, for Democrats, they ought to be a little bit careful about. I think deference is due to the President and his nominations on policy grounds. President got elected, he runs the Executive Branch, you might or might not like some policy. A subordinate or a cabinet member is advocated, but if the President advocated, he's entitled to a person who agrees with him in the position. The role of the Senate, and I think, is envisioned by the framers, was to look at competence and moral fitness for the job, where a lot of these nominees have trouble.

BILL KRISTOL:

Yeah, people have sort of talked about the whole process without really focusing perhaps on how dramatic, certainly, a Tulsi Gabbard or maybe at Pete Hegseth, Robert Kennedy, Gaetz is out now, hearing could be, right? These are not...

JOHN BOLTON:

Well, remember the Kavanaugh confirmation hearings as an example. "How much beer did you drink as a teenager?" And I can tell you, because I was sitting in rooms with Trump as he watched those hearings, he came very close to withdrawing Kavanaugh's nomination because he wasn't sure he was going to make it through. So if the Democrats are on their game, and if there are some Republicans to take RFK Jr. who they don't like him on abortion or other questions like that, it could be very dramatic. And I don't think they've given adequate thought to the confirmation process. My impression on a lot of these nominations is they were made with no consultation with Congress at all. Not that Congress Republicans in particular have a veto power before the nomination is made, but just the question, how tough is this going to be? Are we going to make it? Do you know this person? Do you have any views on him? It was just Trump sitting in Mar-a-Lago, and if a meteor passed across the room when he was considering something like apparently Secretary of Defense, he said, "Yeah, Pete Hegseth, great. Let's go with that." It's another example of how unorganized the decision-making process was. And that carries inherent political risks because of the confirmation process.

BILL KRISTOL:

The FBI background checks, I guess, there's some deal now with the Biden administration to coordinate certain things, but I don't think Trump has signed off on the principle of letting the current FBI... What are they saying? I couldn't quite follow it. They want the FBI background checks to take place after the people have confirmed or something when there's a new FBI director, which couldn't happen until after Trump fires Wray, presumably on the afternoon of January 20th, but I'm not sure who then becomes director. Suddenly the new director won't have been confirmed, of course, right then.

JOHN BOLTON:

No, it'll be an acting director.

BILL KRISTOL:

It'll be an acting director. Anyway.

JOHN BOLTON:

Well, I mean, the pattern in the past among normal presidents is that in order to get, particularly his cabinet nominees confirmed as quickly as possible, he agrees that the outgoing president can authorize the FBI to begin the checks and the other investigative agencies in the federal government that help the FBI out. So that those could be occurring right now and could in many cases be concluded or nearly concluded by the time of the hearings in early January. Sometimes they're not. And after the hearing, the Chairman will say, "Okay, well, we're in recess. We think we're done here. We're just pending the FBI check. When it comes, we'll have a vote."

And then that allows the Senate to vote on January the 20th or the 21st. I think there's a separation of powers issue here, and I would say to Republicans, "If you're tempted to waive the FBI background check because Trump wants it waived, just think what happens when AOC becomes president one day, or Gavin Newsom or somebody like that." Imagine the people they're going to nominate and you're going to be saying, "By God, I want an FBI background check on those nominees." If you've given it up for Trump, you're not getting it back when AOC becomes president. So hopefully there'll be enough prudence within the Republican Party that they'll say to Trump and his staff, "As a political reality, we need that FBI background check. What are you worried about? If there's nothing there, let's just get it done and move on."

BILL KRISTOL:

And the reason the FBI does it is the FBI is set up to do... A, they do it for all executive branch employees, and so why not for the cabinet secretaries?

JOHN BOLTON:

And all judicial nominees too. When I was at the Justice Department in charge of legislative affairs, I read the FBI files on over a hundred of Reagan's judicial nominees. Most of them were totally boring. There were some that were quite interesting, but that's where you find out if nominees have skeletons in the closet. It's a protection for the president as much as anything else. Trump just doesn't seem to realize that.

BILL KRISTOL:

But for the Senate's point of view, it's kind of a... I mean, in theory, they could do their own checks. I mean, they're the Senators of the United States. They have employees. They can send people out to interview people the way the FBI does. They even could have conceivably some of the power of law on those interviews. You can't lie to the Senate and so forth. But of course, that would be impractical and difficult, and it has worked pretty well to have an executive branch agency do something which is mostly for the president, of course, but also does help the Senate in its constitutional obligation to advise and consent, right?

JOHN BOLTON:

Right. And I can tell you somebody who's been subject to God knows how many FBI investigations, but who's also been interviewed by FBI and other investigators, people really when they say, "I'm John Smith. I'm from the FBI, and I want to ask you questions about Mr. X, who's under consideration for a position of trust and confidence in the US government." Most people say, "Okay, I'll do my duty and do it." If it's some investigator for the Senate or some John Smith private investigatory agency, they're just as likely to tell them to take a hike. Most people, maybe not in the Trump circle, but most people in the country have confidence in the FBI, and they will tell them honestly what they think.

BILL KRISTOL:

I want to talk about the Hill....Congress for another minute and then kind talk a little about how this all plays out in the actual governance of the country. But I do feel like the Republican senators on the Intelligence Committee on our services have been a little reticent—quite reticent—in expressing full support for these nominees, and in fact have suggested they take the advising consent process very seriously, that kind of thing, Jim Lankford and Mike Rounds and stuff. You've probably talked to some more of these people probably than I have.

Do you have a sense that there's... A, I mean, I guess you're right, that normally you get these people on board by consulting them, sometimes taking their advice or seeming to take their advice or interviewing someone they want you to interview before you don't take their advice, their recommendation. There was none of that from what one can tell. And maybe there was among the true Trump loyalists, but among quite a lot of Republican Senators who want to work with Trump but aren't exactly Trump... Don't have that level of fealty to Trump. And I also feel like those committees take their jobs seriously. Am I over-interpreting the Lankford and Rounds, Jim Risch comments, or is there some chance that they will balk at Gabbard and maybe Hegseth and maybe others down the line incidentally at subordinate positions and so forth?

JOHN BOLTON:

Right. Well, I think that's actually a pretty good description. I mean, they are cognizant as politicians that Trump is the incoming president and a lot of other things are at stake here, extending the 2017 tax cuts and so on. And in the case of the Armed Services Committee and the Senate Republicans have been working assiduously with Roger Wicker, the incoming chairman, to lay the groundwork for a significant increase in the defense budget. You don't want to frontally attack the new president, whatever you think of him personally. What I think they're looking for are ways for this to be handled without these nominees necessarily coming to a vote or in the case Gabbard, or Gaetz before her, even coming to a hearing, which could be a catastrophe for the nominee and for the president.

It's not inevitable that a defeat on a nominee hurts an incoming president. When George HW Bush nominated John Tower for defense Secretary and Tower went down, he nominated Cheney. Life moved on. For Trump, I think it's different because he's trying to portray the image of invincibility, that he won by a tremendous margin, which he didn't. He got a plurality of the votes and he won. This time, there's no dispute who won, but this is not a huge victory. This was not a landslide. And when the bubble of invincibility gets pierced, I think Trump could find himself moving very quickly from being a newly inaugurated president to the other reality, which is he's a lame duck the day he takes office.

So I think good political advice would be don't fight fights you're bound to lose over somebody like Tulsi Gabbard. I mean, if you really want Scott Bessent to be treasury secretary, I don't think he'll have much opposition. You fight for that. You don't fight for the ones that are basically collateral. So it'll be interesting to see how Trump responds. But my guess is Republican Senators are basically finding ways to do this behind the scenes, not to have a public confrontation with the President, which would hurt them and hurt him, but clear this detritus away more quietly.

BILL KRISTOL:

And presumably the Gaetz example would embolden them a little bit in that?

JOHN BOLTON:

Absolutely. Yeah, absolutely.

BILL KRISTOL:

I feel like that weakened Trump a little more than I realized. At the time, it was sort of that's smart of him to just pull it. You don't have the votes. You pull it. [inaudible] to the Hill on Wednesday, you pull him on Thursday, you don't have a week of drip, drip, drip, which is often what happens in these cases and all that. But I now think pulling it so quickly and without really even explaining anything and without defending him particularly or anything, or I don't know, maybe it looks a little bit like, "Okay, if that can happen to Gaetz, it could happen to one or two others if you're sitting there on the Hill."

JOHN BOLTON:

No, I think that's right. I mean, in part, this was Trump-induced because his people were saying, "He's totally in charge. He's invincible. He's going to get whatever he wants. These 53 Republican Senators are just a bunch of lickspittles, and they'll acquiesce very quickly." And then they didn't. So the difference between the high bar of expectations and what happens was pretty dramatic. And that's why I think Gabbard in particular is vulnerable, and that may bring some people back down to Earth and he'll get better advice on the politics of navigating the Senate than he's gotten so far.

BILL KRISTOL:

On justice, which Gaetz is off... So when we first scheduled this, I think we talked about Gaetz at some length and what he might do as Attorney General, but I mean, you did work there a long time and stayed in close touch with the legal community and stuff. I mean, Pam Bondi, I suppose will get confirmed. She was Attorney General of Florida doesn't know she's never worked in Washington, to my knowledge or barely, and doesn't have much, I don't think institutional knowledge or high standing in the profession or among a Republican conservative lawyers or anything like that. So I assume she'll do what Trump wants. I mean, how worried are you? So this is now moving forward into the governing side of things, I guess assuming most of these people get confirmed and there they are... I don't know. People should do what the... I mean, they're working for the President. I take that point. But they also need to, not just the National Security Advisor needs to bring different points of view to the President, but obviously cabinet officials and sub-cabinet have to present honestly what they think the law is, what the Constitution requires, what other people believe to be the case, how other governments would respond, how Congress would respond. I don't know. Do you feel like I worry a lot that we won't have cabinet officers who think of their job in a broader way as opposed to Trump wants this, or even Steve Miller wants this, or even Steve Miller's deputy, and we've never heard of has just called over and said, "He wants this. And I want this. We got to get this thing done. We got to keep the boss happy." There's a little bit of that in every administration, god knows.

I was there for Bill Bennett education and we occasionally you'd get a handwritten note from President Reagan sent over by Cabinet Affairs where he had read some article and it said the federal government was sponsoring something foolish, god knows what it was, in education. You can imagine what kinds of things were happening at all the places that got federal funds and university education departments and so forth. And you'd look into it, and it turns out, of course, you have no control because you're giving funds to the state of California and somewhere in California, they're funding something [inaudible], which is teaching parents [inaudible]. But I remember when those notes came over, we got a well-researched, well-written response back to the White House quickly.

So everyone's responsive to the boss and wants to accommodate the boss. But part of it was also, we sometimes often would just say, "I'm afraid Mr. President, there's not much we can do about this. Maybe we can look at introducing legislation that would stop federal funds from being used for this or that next year. But unfortunately, the committee chair probably doesn't want to." That would be the nature of the response. It was kind of a grownup exchange deferential to the President of course. You've been involved in millions of these. I don't know. I just feel like and maybe I'm wrong, that Pam Bondi and Pete Hegseth are just going to say, "Yes, sir." And order stuff to be done that really shouldn't be done.

JOHN BOLTON:

Yeah. Well, that's very much the risk. And I think it's a legitimate inquiry for all senators, not just Democrats to say, "What are you going to do?" I mean, let's take Justice. There are offices in the Justice Department that speak for the whole executive branch and that have institutional... They're defenders of the presidency, they're defenders of the executive branch, but they come to their conclusions based on legal analysis, not political analysis. So for example, the Office of Legal Counsel, often called the President's lawyer's lawyer. They're like General Counsel of the Justice Department to the Attorney General.

They've researched a lot of precedents over the years, and if Trump decides he wants to override them, they're going to have to roll over the Office of Legal Counsel. And that's perhaps one of the first places you could see a lot of resignations in justice of career lawyers, or hopefully a few political appointees just aren't going to do it. The Solicitor General's Office is similar in many respects. People refer to that as the Supreme Court's 10th Justice. Well, that's not how Donald Trump's going to see it. That's for sure. And so there could be arguments there, but I think the main place is where the rubber meets the road. So let's take a concrete example. When the President says to Pam Bondi, "I want John Kerry prosecuted." Let's pick Liz Cheney. Let's say, "I want—"

BILL KRISTOL:

John Bolton. We can do... It could be anyone.

JOHN BOLTON:

Yeah, it's a long list. Let's put it that way. "I want Liz Cheney prosecuted for what she did on the January 6th committee or what she said about this, or because I don't like color of her eyes," or whatever the reason is. Pam Bondi isn't going to bring the prosecution. She's going to turn to the head of the criminal division who likely will be a political appointee and say, "President wants Liz Cheney indicted. Get on it." Well, the head of the criminal division isn't going to do it either. And the criminal division itself doesn't prosecute. It's US Attorney's offices around the country.

So then they've got to go to a US Attorney's office and say, "Convene a grand jury and get an indictment on Liz Cheney." Somewhere in that process, somebody's going to say, "This is ridiculous. There's no evidence she's violated any federal statute. We're not going to convene a grand jury just because the President wants it, because that's a violation of federal statutes." And this is how the controversy will develop on that long list of enemies. Processing through the Department of Justice is going to put the department potentially in a continuing crisis because the career lawyers, the career FBI people, hopefully some of the political appointees are going to say, "You just can't indict because the president doesn't like what you say." And so some of the other nominees of Justice the president has announced are his personal lawyers, but at least a couple of them were also former assistant US attorneys in the Southern District of New York. They know what the standards are. So we're going to see their legal ethics and their professional responsibility tested in the opening days. Are they prepared to stand up to the president and say, "John Kerry accused of violating the Logan Act, which is an 18th-century statute," almost certainly unconstitutional, that prohibits individuals from conducting their own foreign policy, which Trump thought Kerry was doing because he opposed him on Iran? And I thought Kerry was wrong on Iran from top to bottom. I kept telling Trump the statute was unconstitutional, but nonetheless, he got an investigation that ultimately started in the Southern

District of New York. What are these Trump picks going to say, "Yes, sir, Mr. President, we're going to convene a grand jury and start subpoenaing people to indict John Kerry." That'll be their test. And if they have any ethics, we'll find out soon enough.

BILL KRISTOL:

And I guess the scariest scenario is as I, who knows either there could be crises throughout that department, Justice is the most striking. But of course, it's true in other departments where people could be asked to pull funding from this project or give funding to a favor of Trump's and it's not in accord with the laws and the regulations. And then do the people who are resisting just get fired? Does Pam Bondi fired the criminal division who says no to fire the US attorney for whatever district it is, or they go to another district and find someone who is willing to indict Liz Cheney in that district? Or are they willing to indict the head of the NAACP somewhere in Texas? And I mean, I think people who haven't thought through the degree of actual, I mean, A, some bad things can happen in terms of actually prosecuting and persecuting and people and money going to where it shouldn't go. And from other departments and so forth. Nixon IRS-type things, obviously, but also the degree of internal crisis of governance we could have. Don't you think—

JOHN BOLTON:

That's exactly right. It'll make the Saturday Night Massacre look like a tea party because the number of enemies he wants to prosecute is so large that this is really going to overload the Justice Department system. In other departments, you could see similar things. For example, Trump decides to order the 82nd Airborne onto the streets of Portland Oregon because he doesn't like what's going on. Who knows what his reason is? But the Posse Comitatus law, which generally prohibits the use of the military and law enforcement, is a very strong and important tradition. What's Pete Hegseth going to do? He is just going to say, "Yes, sir?" Maybe so. So, he then turns to the pertinent military commander and says, "Do this." What's that military commander going to do if he's got a legal opinion from some career Department of Defense lawyer that says that violates Posse Comitatus, you know officers are not supposed to carry out illegal orders. That's why Lieutenant Calley got prosecuted for the My Lai Massacre. You don't carry out orders to do that sort of thing. Are they going to refuse to carry out an illegal order? Will they then be fired?

This is how the chaos of the Trump approach to life spreads into the bureaucracy. The intelligence community could see it, the State Department could see it. It's different things in different departments. You mentioned quite correctly the IRS doing tax audits. Nixon had his enemies list and used the IRS for it. I have no doubt Trump will do the same thing. Well, what does Scott Bessent say to that? "Yes, sir, Mr. President, we'll go find these opponents of yours and audit their personal tax returns, audit their business tax returns, we're right on it?" Is he really going to do that?

BILL KRISTOL:

Yeah. Or will someone from the White House call directly over to the IRS and cut Bessent out? There was a little—

JOHN BOLTON:

That's another possibility. Sure.

BILL KRISTOL:

I guess that really is a reason. I hadn't really thought about this quite as in much detail. I mean, these confirmation hearings, they really ... Of course, that's where you can ask Scott Bessent to assure the Senate and the nation that he won't do that and that he won't permit underlings to do that. And of course, there'll be a confirmation hearing at some point for the IRS Commissioner as well. And I suppose it'll be interesting ...I mean, of course, they can say yes and I suppose then forget about it, but I don't know. That's where these things get a little more interesting,

right? And then at the hearing ... But Bessent says yes, and Trump's watching tomorrow, you tell me you've been there with him, but he's watching at Mar-a-Lago and or maybe it's already in the White House and he gets angry. I mean, I don't know. I guess we don't know how—

JOHN BOLTON:

Well, for example, at the confirmation hearing, if Bessent is prepared, having carefully listened to our conversation, Trump would say to him, "Duck the question. Don't give a straight answer. Don't say yes or no," because then we'll be able to do it if you haven't committed yourself. So, Bessent's got to be sitting there thinking, "Well, I mean I can do that, but maybe that's going to cause Republicans to wonder what exactly I'm prepared to do." There are 53 Republican senators, you can only lose four. And by the way, never forget the possibility of abstention that Republican senators don't necessarily have to vote no. If they're not prepared to vote yes, they can abstain, which as the number of abstentions go up, the number of votes you need to confirm goes down. And the 47 Democrats look more powerful.

I mean, we'll see. But back in the Nixon administration, that process was called "Hickelization." Walter Hickel, the governor of Alaska, had been nominated to be Secretary of the Interior. He was a woefully unprepared man, and the Democrats just pinned him down on one issue after another. He had been Hickelized because he had made so many commitments that basically the Democrats had a very happy time with him as Secretary of the Interior.

BILL KRISTOL:

Yeah, Nixon was unhappy with him as secretary, yeah.

JOHN BOLTON:

Right.

BILL KRISTOL:

Yeah.

JOHN BOLTON:

Nixon didn't fire him. Trump might.

BILL KRISTOL:

Yeah. And then replace him with someone who you can get from god knows where. Right. It's not like he always replaces the secretary.

JOHN BOLTON:

Matt Gaetz is available for other assignments.

BILL KRISTOL:

Yeah. The Matt Whitaker type model where you take someone who's down eight layers or something at Justice, but as long as he's above a certain level, I guess the way the Vacancies Act works, you can make him acting secretary for some amount of time. But then again, the degree of chaos that breeds, of course, is who's in charge. And then people in the Senate start saying, "Wait a second. You can't just have..." I don't think people running these huge departments with no accountability to us.

JOHN BOLTON:

No. And that contributes indeed to the turmoil as Congress gets involved, which it inevitably will. And it could be Republicans getting involved when programs they happen to care about are being disrupted by this kind of turmoil inside the management of the executive branch. Trump doesn't really care so much about that because to him, really, it's like the West Wing is

the executive branch. I mean, he knows there's a lot of other stuff out there, but he doesn't really care about it. Department of Housing and Urban Development barely passes his radar screen education. These are just not things he cares about, but subordinates in the White House pursuing what they think his agenda is could cause a lot of turmoil in departments by the things they're doing. And that slows the work of everybody down.

BILL KRISTOL:

I mean, while I have you here ... I can't resist asking about Trump himself. You've spent more time with him than 99.99% of Americans and very intense times sometimes and very important issues in the Oval Office every day. A, I mean ... well, you wrote about him in the book, but the judgment, do you have a sense he's changed some? Anything you would say that those ... A lot of Americans saw him in the first term and decided they could live with that. Obviously, they voted for him, but it's four years later, I don't know. What's your sense?

JOHN BOLTON:

Well, it's important to state every time he does not have a philosophy. There is no Trumpism. He wants to do what he wants to do. He doesn't think in terms of policy, he thinks in terms of what Donald Trump wants and how that will benefit him. It's ad hoc transactional, episodic, inconsistent. And there has been no change that I've seen in his behavior. What some people say, "Well, he's gotten worse over time, he got worse during the first four years, he got worse during the intervening four years." I don't think that's right. I think what has changed is that behavior and statements that I and many others saw in private in the first term, he now has no inhibition about saying publicly. I mean, he curses like a sailor in some of these rallies and people just think it's great. It sounds like even more outrageous things. But as I say, those are just things he said in private before. And I think his focus on what benefits Donald Trump, what makes him look good, that's going to dominate all of his calculations for the next four years because that's all he's got.

BILL KRISTOL:

I mean, in particular, anything ... What worries you the most? I mean either policy areas, the kind of judgments?

JOHN BOLTON:

The most serious unquestionably in the national security area, all of his neuron flashes are isolationist. And I think our alliances are in jeopardy. I think Ukraine's certainly in jeopardy. I think Taiwan's in jeopardy, Israel may be okay, but don't count on that since what Trump says in the morning, he doesn't necessarily say in the afternoon they worship this word: disruption. But disruption can be good or disruption can be bad. They like disruption for the sake of disruption. That's not how you build international security for the United States. And in people like JD Vance, he's got people who are better at articulating it than he is. And the spread of isolationism within the Republican Party as a whole worries me. So it's that to me, that cluster of concerns that are the most serious.

BILL KRISTOL:

And just finally, I do think in this first term, you discuss it in the book and others have discussed it, but I feel like people don't quite understand how much time you spent with people, some of whom you probably differed with on other things or where you guys didn't get along always. But whether it was Mike Pompeo or John Kelly or Don McGahn, the White House Counsel, my impression was an awful lot of coordination was going on to try to steer Trump in the right direction, check him from doing things that were just ideas that really were terrible ideas. Check other people who worked with him or who had his ear, both inside government and outside government. Some of these people, of course, had gotten rid of by Kelly before you got there. Seb Gorka—one forgets was in there—a Steve Bannon protege at the White House,

now he's back. I mean, it feels to me like there's going to be almost none of that in this time. There aren't people like you and [inaudible] and Pompeo and Gina Haspel.

JOHN BOLTON:

Well, look, I think it's important to understand what it's legitimate to do with a president like Trump. It's not a question of trying to make the decisions for him. That's the kind of myth that people were blocking him or not telling him the truth. It's trying to find somebody who can make sense to him from his own point of view. Like he wanted to bring the Taliban to Camp David for final negotiations on Afghanistan. It's absolutely crazy from his own point of view. So trying to find somebody like Lindsey Graham in the Senate who would call him up and bring him to his senses. One lesson I learned was you don't have to be the person who comes up with the best argument. And you don't have to be the person who comes up with the last argument for him. Just find somebody who can move him in the right direction. And typically that was what benefits Donald Trump politically. So there will be that sort of thing in a second term. But what I worry more about than anything else is the yes men and yes women who won't even bother to try.

BILL KRISTOL:

And even the ones who do bother to try, I feel like they just don't have the experience and standing you and others had, connections and ability to think through how to make this work in a way that is consistent with your responsibilities to not be making the decision yourself, obviously. And I just feel like they could be trying to do it in a way, some of these people who are the more respectable, let's say, and conscientious cabinet members. But do they know how to do it in the way that you guys did?

JOHN BOLTON:

Very few. And one thing about the nomination process so far, underline "so far" is how many people who did stick with Trump after January 6th, who were there at the end, who have not gotten significant appointments after a lot of discussion that they would. A lot of people are still out in the cold, and I can't explain that. And maybe they'll get lesser positions. But to your point, a lot of the people we're seeing are people who have never been in government and senior positions before. So they're going to approach this from a standing start.

BILL KRISTOL:

And then they'll be the people who have been in the first term, who are all in on Trump's America First and Project 2025 agenda, the Millers and the Voughts, and then a lot of people—

JOHN BOLTON:

And they'll roll over. They'll roll over potential opponents because they've been through it before.

BILL KRISTOL:

Yikes. I hope this conversation was helpful for senators and for everyone observing. Any last words, anything we haven't covered that we should looking forward?

JOHN BOLTON:

Well, all I can say is I still believe Trump's an aberration. I think the Republic is strong. I just think we're going to have four years of pain and problems. Hopefully, we can minimize it. We'll see.

BILL KRISTOL:

What's the line, "What doesn't kill us, makes us stronger."-

JOHN BOLTON:

Let's hope so.

BILL KRISTOL:

That's not always true, but sometimes it's true. Let's hope it's true. John Bolton, thanks so much for joining me today, and thank you all for joining to be with us.

JOHN BOLTON:

Happy to be with you.

BILL KRISTOL:

And thank you all for joining us on *Conversations*.