

# [***President To Touch On Border Crisis; Trump Campaign Stands By Harsh Rhetoric; County Grapples With Migrant Influx; Residents Request Lawmakers Do More; Blue Cities Increasing Law Enforcement Presence; Users Flood Congress With Calls; China Ties Prompt National Security Concerns; Gov. Greg Abbott Defends Tactics To Thwart Illegal Migration; Oregon State Government To Reverse Measure From 2020 That Decriminalized Hard Drugs; Many Waiting For Legal Immigration Process In U.S. Angry With Illegal Immigration Crisis; Sen. Katie Britt (R-AL) To Deliver Republican Response To President Biden's State Of The Union Address; Houthi Rebels In Yemen Continue To Attack Shipping In Red Sea; Biden Administration Releases Portions Of State Of The Union Address***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BH3-HTM1-F072-X43N-00000-00&context=1516831)

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**Guests:** Greg Abbott, Harold Ford Jr.

**Body**

JEANINE PIRRO, FOX NEWS CHANNEL HOST: Two Washington State police officers soon found themselves in the middle of a party. They join the crowd for one more song, before shutting down the large family gathering.

And, by the way, that's how we used to shut down my parties.

DANA PERINO, FOX NEWS CHANNEL HOST: It was pretty fun.

Jesse, I'll be on your show tonight.

JESSE WATTERS, FOX NEWS CHANNEL HOST: I was -- I was going to announce where I was going to be on my book tour. And Greg's sexy, man, it's -- you knew is really just ate into my time.

PERINO: All right.

PIRRO: But it's worth it.

PERINO: That's it for us, everyone. Have a great night. We'll see you on special coverage. Hey, Bret.

BRET BAIER, FOX NEWS CHANNEL ANCHOR: I'm so happy to see the sexy manatee and music back.

PERINO: Yes.

BAIER: It's really a big deal.

PERINO: Sure.

BAIER: OK. Thanks, Dana.

Good evening. Welcome to Washington. I'm Bret Baier.

"BREAKING TONIGHT", President Biden is three hours away from what critics and supporters are calling one of the most important speeches of his political career. The incumbent president trying to fend off his predecessor and potential successor, must prove to the American people he is not too old, too infirm, or too out of touch on policies important to Americans to justify a second term.

He must also lay out a vision for a second term that his campaign hopes can prompt a reversal of his recent dismal poll numbers. The State of the Union address can be seen right here live at 9:00 p.m. Eastern Time. We're just now getting a sneak peek at a few elements of the president's speech.

White House correspondent Peter Doocy, starts us off with that live from the North Lawn. Good evening, Peter.

PETER DOOCY, FOX NEWS CHANNEL WHITE HOUSE CORRESPONDENT: Bret, this is going to be President Biden's balancing act tonight. Pitch a unity agenda that appeals to Republicans watching at home, while sharply criticizing Republicans that are sitting there in the room with him. And he is also going to allude to Donald Trump not by name. As a rival close in age. We are told the president is going to say the following.

"My lifetime has taught me to embrace freedom and democracy. A future based on the core values that have defined America: honesty, decency, dignity, equality. To respect everyone. To give everyone a fair shot. To give hate no safe harbor. Now, some other people my age see a different story: an American story of resentment, revenge, and retribution. That's not me."

And that's not all.

(BEGIN VIDEOTAPE)

UNIDENTIFIED FEMALE: Do you think he has a good story to tell?

DOOCY (voice over): That story written by a White House speechwriter, lower inflation, more jobs, and cheaper prescription drugs.

NEERA TANDEN, DOMESTIC POLICY ADVISER TO PRESIDENT BIDEN: He is going to talk about how he's going to cut cap costs for health care and prescription drugs.

DOOCY (voice over): The president will not announce new executive action on immigration and will instead blame Republicans for a broken border.

TOM PEREZ, CHAIRMAN, DEMOCRATIC NATIONAL COMMITTEE: We know why that bill did not succeed thus far. And that's because Donald Trump told Republicans you can't give Joe Biden a victory.

DOOCY: Republicans will also be accused of jeopardizing reproductive rights.

KARINE JEAN-PIERRE, WHITE HOUSE PRESS SECRETARY: A radical extreme bills that we're seeing on abortion on IVF. You're going to hear the president be very loud and clear about that.

DOOCY (voice over): White House officials are preparing for possible ceasefire protests. During remarks where the president will order construction of a new ports in Gaza to receive aid.

TANDEN: He is a person who understands the pain of all Americans as they watch television at night, and he's taking actions to address that.

DOOCY (voice over): Senator Tim Scott argues the first line of his speech should be, I'm sorry,

SEN. RON JOHNSON (R-WI): I would imagine that President Biden is going to try and put as much lipstick on this pig as he possibly can. I don't think he'll be able to succeed.

DOOCY (voice over): The president practiced this speech at Camp David, with help from actors who have played the president.

UNIDENTIFIED FEMALE: I do feel I should just point out one thing. It always bears remembering there is no crying in ***politics***.

JOE BIDEN, PRESIDENT OF THE UNITED STATES: Well, what I hope is my ***politics*** doesn't make anybody else cry.

(END VIDEOTAPE)

DOOCY (on camera): President Biden gives speeches all the time, but typically only for about 20 minutes. And at some point, in the late morning, or afternoon. So, tonight's remarks are going to be a lot longer, and a lot later than he has gotten used to as president. Bret?

BAIER: Peter Doocy live in the North Lawn. Peter, thanks.

Well, former President Donald Trump is not waiting to actually hear the State of the Union before criticizing it.

Correspondent Bryan Llenas is outside of the Trump compound, Mar-a-Lago, just in West Palm Beach, Florida with details.

(BEGIN VIDEOTAPE)

DONALD TRUMP, FORMER PRESIDENT OF THE UNITED STATES: Joe Biden sad excuse for a State of the Union address aside. Here are the facts. When I left office, we gave Joe Biden the most secure border in U.S. history.

BRYAN LLENAS, FOX NEWS CHANNEL NATIONAL CORRESPONDENT: Former President Trump delivering a prebuttal, ahead of President Biden's State of the Union address tonight. Accusing President Biden of lying about his record, calling his administration a horror show, while primarily attacking Biden on immigration.

TRUMP: As soon as he got in, crooked Joe and his radical left lunatics deliberately dismantled each and every one of those policies that were so good.

LLENAS: The Trump campaign using President Biden's most important reelection speech to date to launch its own offensive.

On Truth Social, Trump said he will be providing live play by play of the president's State of the Union address. This, as the MAGA super PAC released a new ad today, attacking Biden's age and mental acuity.

The $500,000 ad buy will run nationally during post State of the Union news coverage through Friday.

UNIDENTIFIED MALE: We can all see Joe Biden's weakness. If Biden wins, can he even survive until 2029? The real question is, can we?

LLENAS: The Trump campaign says it will not change its tone or rhetoric for the general election as it tries to win over independents and suburban women.

KAROLINE LEAVITT, TRUMP 2024 NATIONAL PRESS SECRETARY: He is never been in a stronger position to win. And it's -- and it's because people like that he tells it like it is.

(END VIDEOTAPE)

LLENAS: Today, Biden campaign co-chair Senator Chris Coons downplayed concerns about President Biden's age, saying, "Biden is running for president of the United States not to be a track sprinter, adding the 81- year-old has the ability and the mastery of the world stage to keep us safe and strong. Bret?

BAIER: Bryan Llenas in West Palm. Bryan, thanks.

The border crisis is shaping up to be one of, if not the major issue in the campaign.

President Biden is expected tonight to blame Republicans for standing in the way of immigration reform and border security.

Let's check in on the border tonight. Correspondent Jeff Paul is an Eagle Pass, Texas.

(BEGIN VIDEOTAPE)

JEFF PAUL, FOX NEWS CHANNEL CORRESPONDENT (voice over): What used to be an almost guaranteed path into the U.S. is now being blocked by fencing and the Texas National Guard.

UNIDENTIFIED MALE (text): You have to cross at the bridge from Mexico. Crossing the river is illegal.

PAUL (voice over): But despite the state's show of force at the border, migrants are still crossing. One migrant within this latest group coming across the Rio Grande and Eagle Pass was even wearing a Biden-Harris shirt. Telling our team he has it on so they'll let him in.

Kinney County Attorney Brent Smith, says the numbers are staggering.

BRENT SMITH, ATTORNEY, KINNEY COUNTY, TEXAS: We've prosecuted over 5,000 people for just criminal trespass. Let alone, Kinney County only has 3,200 people in the entire county. So, we've prosecuted more people that actually even live here.

PAUL (voice over): Smith says images like the ones captured by this Brent's camera in his county are the norm now. You can see what appears to be a group of people dressed in camouflage, crossing through private property. The smuggling often leads to property damage, or worse.

This is the aftermath of a deadly crash involving a suspected smuggler, who was trying to get away from Texas DPS.

SMITH: We see the security threat, but yet, we're not doing anything about it. And I don't think American people are going to put up with that.

PAUL (voice over): When we spoke with folks who live near the U.S.-Mexico border, they say it's still lawmakers who aren't doing enough at all levels and all affiliations.

UNIDENTIFIED MALE: All it is, is too much ***politics*** and not enough work in both Houses.

UNIDENTIFIED MALE: Come together, you know, both sides of the aisle and just come together and find a happy medium between both of them.

(END VIDEOTAPE)

PAUL (on camera): Now, one of the locals we spoke with here in Eagle Pass, Texas says while he is frustrated more, isn't being done at the border. He did credit Texas Governor Greg Abbott. He says it appears all this fencing is working, and now, it's the federal government's turn to do something. Bret?

BAIER: We'll talk to Governor Abbott in just a bit here on the show. Jeff, thanks.

Another likely focal point of the president's speech and the fall campaign is America's crime crisis, especially in big cities. Many locations, including cities run by Democrats are not waiting for the president to act.

Correspondent Alexandria Hoff has that part of the story tonight.

(BEGIN VIDEOTAPE)

ALEXANDRIA HOFF, FOX NEWS CHANNEL WASHINGTON CORRESPONDENT (voice over): New Yorkers woke up to the National Guard assisting in patrols of city subway stations in effort to combat transit violence.

In Philadelphia --

UNIDENTIFIED FEMALE: We will not be held hostage.

HOFF (voice over): City leaders are vowing new and aggressive police tactics after eight high school students were shot in a single incident yesterday. We will use every legal tool in the toolbox.

And in Washington, D.C. City Council approved sweeping new anti-crime legislation, in effect, reversing many reforms put in place after the murder of George Floyd.

UNIDENTIFIED FEMALE: We're at a really critical moment right now. In our city.

HOFF (voice over): The murder rate in the nation's capital surged last year. FBI data shows that in cities where homicides fell, the rate was still higher than 2019.

On Capitol Hill today, House Republicans demanded that the Biden administration take responsibility for violence carried out by individuals like Jose Ibarra, the man accused in the murder of Georgia nursing students Laken Riley.

UNIDENTIFIED MALE: The Biden administration released him just like millions of others.

HOFF (voice over): Lawmakers say that Ibarra was in the country illegally, and that he had been arrested in New York for child endangerment and in Georgia for theft prior to the killing, but was released in both cases.

This afternoon, the House passed legislation in Laken Riley's name that would lower the standards for detainment and require ICE officials to take illegal immigrants into custody after being charged with local theft or burglary.

REP. MIKE COLLINS (R-GA): We must now turn our focus to doing everything we can to prevent this from happening to another American.

(END VIDEOTAPE)

HOFF (on camera): Congressman Collins said that Laken Riley's parents turned down an invitation to attend tonight's State of the Union address, saying they chose to continue their grief at home. Bret.

BAIER: Alexandria, thank you.

HOFF: Sure.

BAIER: "BREAKING TONIGHT", the social media app TikTok and the people who work for that, urging users to call their members of Congress to oppose a bill that could ban it here in the U.S. Correspondent Mark Meredith is on Capitol Hill to tell it, so as the phones have been pretty busy today. Good evening, Mark.

MARK MEREDITH, FOX NEWS CHANNEL CORRESPONDENT: Bret, they sure have.

Lawmakers have been getting an earful from TikTok users who are worried that they may lose access to one of their favorite apps. But those calls has failed to stop Congress from trying to prevent the next steps of potentially blocking TikTok once and for all.

Today, we saw the House Commerce Energy Committee advanced legislation unanimously that could give TikTok, Chinese-based parent company a choice. Either sell off the app soon or face a total ban. TikTok, which boasts 170 million users says its app is not a danger to national security, despite it being owned by a Chinese company.

Lawmakers though from both parties, I should say, disagree.

(BEGIN VIDEO CLIP)

REP. DAN CRENSHAW (R-TX): China is at war with us. And they use TikTok as a weapon or at least they can.

REP. ANNA ESHOO (D-CA): This is a serious national security threat to the United States and to the privacy of every American, and we can't ignore it.

(END VIDEO CLIP)

MEREDITH: TikTok is not going down without a fight today. It urges its users to call their lawmakers directly and raise hell. Fox has told that some of the calls even came from middle schoolers, who use the app daily if not hourly. One caller even saying they were going to kill themselves if the app was taken away from them.

We know House Speaker Mike Johnson supports this legislation. Meaning, it could reach the House floor fairly soon.

The White House says President Biden also supports a ban, but it's notable Bret, the Biden campaign recently joined TikTok in an effort to reach younger voters. Bret?

BAIER: That's exactly right. Mark Meredith, live on the Hill. Mark, thanks.

MEREDITH: Yes.

BAIER: Stocks touch some records today. The Dow gaining 130. The S&P 500 was up 53 for a new record close. The NASDAQ surged 242, and hit an all- time new high as well.

Up next, Texas Governor Greg Abbott joins us live. We'll talk about the border crisis, the State of the Union address and the ***politics*** around it all, next.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

BILL CLINTON, FORMER PRESIDENT OF THE UNITED STATES: All Americans, not only in the states most heavily affected, but in every place in this country are rightly disturbed by the large numbers of illegal aliens entering our country.

We will try to do more to speed the deportation of illegal aliens who are arrested for crimes, it is wrong and ultimately self-defeating for a nation of immigrants to permit the kind of abuse of our immigration laws we have seen in recent years. And we must do more to stop it.

(END VIDEO CLIP)

BRET BAIER, FOX NEWS CHANNEL HOST: That was President Bill Clinton delivering the State of the Union Address in 1995, as he was angling to try to get a second term, talking about the problem, the crisis of the border.

Joining us now to talk about the border and tonight's State of the Union Address, Texas Governor Greg Abbott. He's in McAllen, Texas, right along the border tonight. Governor, thanks for being here.

You heard President Clinton there in the State of the Union back in 1995. Do you expect a similar message from President Biden in this State of the Union Address?

GOV. GREG ABBOTT (R-TX): You know, things have changed a little bit, it looks like and the Democrats have changed a lot. The Democrats used to agree with where Republicans are now and that is to actually secure a border.

But Bret, the symbolism of tonight cannot be more stark, because as the president ascends to his speaking location tonight, he's going to be surrounded by a fence on the outside, protecting the president from his fellow Americans. While at the very same time, the president refuses to erect a fence protecting Americans from illegal immigrants, some of whom are known terrorists, and known criminals coming into our country.

There's no word President Biden can say night that would counteract the actions that he has taken to cause total chaos in the entire country, including the death of Laken Riley, and to many others.

BAIER: You know, Governor, you know, he'll spend time on this Senate bill that has not come up in the House. He will blame Republicans for the ***politics*** of this, saying you need to get over this and put it on the floor and pass it. You said that the president needed a backbone to enforce the laws already on the books. Here's what the Homeland Security Secretary said in response to that.

(BEGIN VIDEO CLIP)

ALEJANDRO MAYORKAS, SECRETARY, HOMELAND SECURITY: Couldn't be more wrong. This is coming from an individual who is purposefully refusing to coordinate, communicate, collaborate with other officials and trying to wreak havoc in other cities and states across the country. That is not a model of governance.

(END VIDEO CLIP)

BAIER: They're talking about you their governor. But what about what the president is going to do politically tonight, do you think?

ABBOTT: Well, first, there is this false narrative that Republicans are not trying to work with the president on a piece of legislation.

The fact of the matter is the best immigration bill that's been passed in Washington D.C., is the one passed by the United States House of Representatives.

If Joe Biden was serious, and if the Democrats were serious in the Senate, they would actually take the piece of legislation already passed out of the U.S. House, work with it to deliver some solid results to secure the border.

Second thing is, contrary to what Mayorkas said, the fact of the matter is when Biden became president and today, there are three laws passed by Congress already, that empower the president to deny illegal entry which he's not doing is aiding and abetting illegal entry.

Second, to detain anybody who crosses the border illegally, which he's not doing.

And third, requires the president to build border barriers, including the border walls, including the razor wire fence that Texas has built, that Biden is trying to tear down.

So, what Joe Biden is doing, he's refusing to enforce laws already passed by Congress and actually is acting contrary to those laws.

Again, there's no word that can be articulated by the president tonight that will overcome the facts of the way that he has unilaterally destroyed the United States of America.

BAIER: The facts on the recent poll numbers on the issue of immigration and border security are overwhelming.

You look at the situation on the southern border, 78 percent now call it an emergency. And if you look inside that, the increase in key groups since 2019, saying the border situation is an emergency, a problem. Every group, Democrats 65 and over, Hispanic, black voters, women up double digits, some almost 30 points.

Governor, there was an effort to get Texas officials to have the power to enforce arrest and even kick out illegal immigrants. It is being considered now and in the course and it says there's a stay right now, where do you think that's going?

ABBOTT: So, what you're referring to, Bret, is a law that I signed that empowers every law enforcement officer in the state of Texas to be able to arrest anybody who crosses the border illegally, to jail them. And know that that arrest in jail power is exactly that the power that exists by Border Patrol agents today.

And so, we're simply trying to enforce the laws of the United States of America right now. And we are in courts on that. We're also in courts on the buoys that we put it in the water, we're in courts on the fences that we put up that Biden tried to cut through.

Biden is trying to fight us every step of the way, while Texas is doing something to try to secure the border. Biden is doing nothing. But more than that, Biden is trying to tear down everything the state of Texas is doing, it's just outrageous.

And that's one reason, Bret, why that polling that you talked about is so bad. While Biden is barricaded in Washington, D.C. tonight, I'm on the border tonight. And I'm talking to the people who live on the border and about the challenges they have to deal with.

And let me tell you something, people in Texas as well as people across America, they're angry about what Biden has done to destroy the country. All he had to do was to continue the policies that Trump left in place, and the country would be far more secure today.

BAIER: Governor, but for the Democrats who push back and say, listen, we negotiated this big piece of legislation. It doesn't have everything that you want, it doesn't have everything we want. But it was passable in the Senate, why not take that and make it better and do something and they say it is the former president who wants the issue for the border issue as a political issue for the campaign.

ABBOTT: Bret, that's a false narrative. For one, remember, that was really not border legislation. That was legislation to fund the Ukraine and fund Israel and things like that where they added a border component to it.

Second, what that Bill did on the Senate side, was basically codify illegal immigration. And then third, go back. There's already a piece of legislation that's already passed U.S. House of Representatives. Why can the Senate not take up what the House passed and get that to the president's desk?

BAIER: Finally, we heard from the former Border Patrol chief, who said he had not had one conversation with the president or the vice president, you talk to these guys all the time. What's the level of frustration down there? What is their emotion? What is the -- what's the feeling on the border?

ABBOTT: So, I do talk to Border Patrol agents all the time. And in fact, I hired a former Border Patrol agent to be the Texas border czar, and the level of frustration by the Border Patrol is extraordinarily high, because they want to enforce the law. And their hands are being tied about enforcing the law.

And know this also, and that is the Border Patrol, they work very closely with Texas officials, we have a great working relationship, but they need a president who's going to step up and enforce the laws of the United States that will allow the Border Patrol to secure our border.

BAIER: Last thing, Governor, is there any optimism -- do you have any optimism that you're going to hear anything tonight that suggests that you can work with this president one way or another?

ABBOTT: There's going to be -- again, there's going to be a lot of words spoken tonight. But there will be no word that matches the horrific actions that President Biden has taken that have really endangered everybody across the United States, whether it be here in the Rio Grande Valley, or it'd be in Athens, Georgia, or it be in Times Square where police officers are beat up or be Washington state where a police officer was killed just two days ago.

There's wreckage and carnage across America because of Joe Biden's open border policies.

BAIER: So, the answer is no?

ABBOTT: No, in a word, no.

BAIER: All right, Governor Abbott, we appreciate your time.

ABBOTT: Thank you, Bret.

BAIER: Up next, a huge reversal from Democrats in one Pacific Northwest state after an epic failure, we'll explain.

And later, we hear from immigrants unable to get their relatives into the U.S. legally and frustrated by the border crisis.

(COMMERCIAL BREAK)

BAIER: Oregon's governor is expected to sign a complete rollback of the first in the nation law decriminalizing hard drugs. This reversal comes after massive spikes in drug overdoses and deaths there. Correspondent Dan Springer reports from our pacific northwest bureau.

(BEGIN VIDEO TAPE)

DAN SPRINGER, FOX NEWS CORRESPONDENT: In a lopsided bipartisan vote, the Oregon legislature signaled the end of the nation's first experiment with hard drug decriminalization. The misery on the streets of Portland and elsewhere throughout the state finally convinced the public and politicians they made a big mistake.

JEFF HELFRICH, (R) OREGON HOUSE MINORITY LEADER: I think that tells a story that reverberates through the country that says this is a failed policy. Do not try that.

SPRINGER: It was hailed in 2020 beginning of the end of the war on drugs. The George Soros linked Drug Policy Alliance spent $5 million on the measure 110 ballot initiative. The wife of Meta CEO Mark Zuckerberg gave another half-million dollars. It won easily. Possession of heroin, fentanyl, meth, cocaine was now treated like a be parking ticket, one you could get out of by calling a hotline and getting an assessment, nothing else. Police wrote nearly 8,000 tickets, but most people blew them off without consequence. The helpline has proved helpless. For $2 million it referred just 18 people to treatment. That's $111,000 per referral.

MAX WILLIAMS, COALITION FIX AND IMPROVE MEASURE 110: There just wasn't any leverage to get those people who are really severely addicted into treatment.

SPRINGER: Opioid drug deaths soared 346 percent after decriminalization. Still the ACLU and others fought bringing back criminal penalties.

JESSICA MARAVILLA, ACLU OF OREGON: Black, brown, low income, and disabled people will continue to be jailed at the highest rates.

(END VIDEO TAPE)

SPRINGER (on camera): Oregon has spent more than $300 million in marijuana tax revenue on Measure 110, and officials can't say how many people have actually gotten any treatment. The new law allows for up to six months in jail for people who repeatedly fail to get help. The governor is expected to sign it into law. Bret?

BAIER: Dan, thank you.

Virginia lawmakers will take up a compromise budget bill later this week. Officials say it does not include language enabling a proposed relocation Washington by the NBA's Washington Wizards and NHL's Washington Capitals. Republican Governor Glenn Youngkin has been helping the team's ownership with a proposed $2 billion development district in Alexandria, Virginia, that would include a new arena. Youngkin says the Democratic-led legislature is making a colossal mistake.

Tonight, we hear from immigrants and U.S. citizens trying to bring family members into the U.S. legally. Many are frustrated as they watch as millions of illegal immigrants pour across the border with few, if any, consequences. National correspondent William La Jeunesse has the story from Los Angeles.

(BEGIN VIDEO TAPE)

UNIDENTIFIED MALE: Being in the United States, it's a dream of anyone.

(APPLAUSE)

WILLIAM LA JEUNESSE, FOX NEWS NATIONAL CORRESPONDENT: Like thousands around the world, Indian dentist Dr. Nermal (ph) Patel (ph) wants to enter the U.S. legally. He applied for a visa to join his parents in Georgia. Nineteen years later, he is still waiting.

VAUGHAN KUKLER-KHAN, VISA PETITIONER: We are trying to do the right, the legal way.

LA JEUNESSE: Not unlike Vaughan Kukler who applied three years ago for a visa for her Pakistani husband.

KUKLER-KHAN: It's sad. It's frustrating. We're angry.

LA JEUNESSE: Mohammed (ph) Hassan (ph) has waited four years for a visa for his Pakistani wife.

UNIDENTIFIED MALE: Anybody I ever talked to doesn't understand what it takes to be here legally.

UNIDENTIFIED MALE: A lot of my clients feel like people are cutting in line in front of them, and the administration is OK with it.

LA JEUNESSE: And 32 million applied last year for an immigrant visa to enter legally. Just four percent were admitted, adding to backlog of 13 million already in process, 66,000 of those are in administrative review, a vetting process for which there are only 37 analysts and no deadline.

KUKLER-KHAN: We have to sue at this level to get them to actually move and make a decision on our visa.

UNIDENTIFIED MALE: We don't want to do anything illegal.

LA JEUNESSE: But with wait times up to 26 years for a visa, some have lost patience.

UNIDENTIFIED MALE: I get texts from my clients who say, hey, I'm in Tijuana. I'm like, you don't supposed to do that.

SAYAD AHMAD SHAPOOR NAYER ZADA, ASYLUM SEEKER: If they couldn't come legally, they will come illegally.

LA JEUNESSE: The State Department approved a visa for Sayad Shapoor in 2020, but it was never issued. Eventually he left Afghanistan for Tijuana and is now an asylum seeker in California.

ZADA: Person like me, I have one life.

(END VIDEO TAPE)

LA JEUNESSE (on camera): Attorneys have sued the Biden administration for delays and not awarding all of the visas authorized by Congress. The State Department told us it does not comment on pending litigation. Bret?

BAIER: William, thank you.

Breaking just minutes ago, a judge has ordered former president Donald Trump to pay civil damages of more than $83 million to writer E. Jean Carroll by Monday. Judge Lewis Kaplan made the ruling in a one-page decision released just a few minutes ago. We'll follow that story.

Up next, a study in contrast. The youngest female Republican senator ever gives the GOP's response to the oldest sitting president ever.

First, here's what some of our FOX affiliates around the country are covering tonight. FOX 23 in Portland, Maine, as a new scan shows traumatic brain injuries for the army reservist who killed 18 people in that state's deadliest mass shooting. It shows Robert Card had degeneration in the nerve fibers that allow for communication between different areas of the brain along with inflammation and small blood vessel injury.

FOX 13 in Seattle as the National Transportation Safety Board says it is investigating an United Airlines Boeing 737 Max-8 flight that experienced stuck rudder pedals during the landing rollout. The February 6th incident happened as the plane taxied to the gate at Newark airport. There were no injuries reported.

And this is a live look at Dallas from our affiliate FOX 4. One of the big stories there tonight, former heavyweight boxing champion Mike Tyson will fight social media star Jake Paul this summer at AT&T stadium in Arlington, Texas. The bout will be live streamed on Netflix. It will be the first fight for the 57-year-old Tyson since he took on former light heavyweight champion in Roy Jones Jr. in 2020. That match ended in a draw.

That's tonight's a live look outside the beltway from SPECIAL REPORT. We'll be right back.

(COMMERCIAL BREAK)

BAIER: The Capitol dome aglow with the big lights tonight with the State of the Union address a few hours away. The Republican response to President Biden's State of the Union will be delivered by Alabama Senator Katie Britt. Congressional correspondent Aishah Hasnie up on Capitol Hill introduces us tonight. Good evening, Aishah.

AISHAH HASNIE, FOX NEWS CORRESPONDENT: Good evening to you, Bret. GOP insiders tell me that Katie Britt is a natural, that she is a no-brainer for the Republican Party. She's the youngest woman, Republican female in the Senate right now. So it will really be a stark contrast, juxtaposition, when you see her come on our airwaves right after you see the oldest president in U.S. history.

Now, Britt was elected to office in 2022. It was an interesting race because at first she was not very well liked by former President Trump. He endorsed her opponent. But when she began climbing in the polls, he reversed that decision. She knows the Senate really well. She was the chief of staff for her predecessor, Senator Richard Shelby. Colleagues say that she is well liked but tough when she needs to be. In fact, her breakout moment here on Capitol Hill happened just a few months ago, Bret, as she passionately called attention to what was happening at the border after a trip there.

(BEGIN VIDEO TAPE)

SEN. KATIE BRITT, (R-AL): Women are being raped on our border, that children are being recycled on our border, that we have laws that allow that to happen. The reality is these policies are inhumane.

(END VIDEO CLIP)

HASNIE: So Britt is also a mother from the state where the state where the supreme court ruled frozen embryos are now considered children. And Democrats, of course, are trying to tie this to abortion. Republicans are widely rejecting that, and the state legislature just passed a bill to protect IVF treatments. You can expect to hear Britt talk about this as well and really make clear that the Republican Party is pro-IVF.

And we just got some excerpts from her response tonight, and she will be tough on the border and crime, and she will talk about how for years now the left has, quote, coddled criminals and defunded police all while letting in repeat offenders walk free. The result, quote, life is getting more and more dangerous. So, we will wait and watch for her response. Bret?

BAIER: OK, Aishah, thanks. Busy up there. Senator Britt will be an exclusive guest on FOX NEWS SUNDAY this weekend with Shannon. Check your local listings for times in your area.

As Peter Doocy reported earlier, President Biden is going to announce tonight he is planning to have the U.S. military build a port in Gaza. It would be used to receive large ships carrying aid for Palestinians. This comes as cease-fire talks pause and Iran-backed Houthi terrorists flex their muscle. Correspondent Trey Yingst has the latest tonight from Tel Aviv.

(BEGIN VIDEO TAPE)

TREY YINGST, FOX NEWS CORRESPONDENT: Newly recruited Houthi rebels march through the streets of Yemen's capital, stepping on American, Israeli, and British flags. They have a message for the west.

ABDULLAH AL-JAADHI, AL-AQSA FLOOD COURSE GRADUATE (through translator): We say to Britain and America that you will not put an end to us or scare us with your ships. We will drown them in the sea.

YINGST: That threat follows continued missile and drone launches by the Iran-backed terrorist group against commercial shipping vessels, including an attack Wednesday against a bulk carrier that killed three sailors and injured at least four others.

The Houthis cite the ongoing war in Gaza as their motivation for striking ships in the Gulf of Aden and the Red Sea. That conflict is unlikely to end before the start of the Muslim holy month of Ramadan this weekend as unsuccessful negotiations wrap today in Cairo. Talks are expected to resume next week. With no cease-fire on the horizon, Israel's prime minister has pledged to enter Gaza's southernmost population center that sits along the Egyptian border.

BENJAMIN NETANYAHU, ISRAELI PRIME MINISTER: The IDF will continue to operate against all Hamas battalions all over the street. And this includes Rafah, the last stronghold of Hamas.

(END VIDEO TAPE)

YINGST (on camera): And 153 days into the war, Hamas is still firing rockets from Gaza. Tonight, across southern Israel sirens were sounding. Bret?

BAIER: Trey Yingst live in Tel Aviv. Trey, thank you.

Up next, the panel on the major issues for tonight's State of the Union address. Keep it here.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

BARACK OBAMA, FORMER U.S. PRESIDENT: I believe as strongly as ever that we should take on illegal immigration. That's why my administration has put more boots on the border than ever before.

DONALD TRUMP, FORMER U.S. PRESIDENT: Not one more American life should be lost because our nation failed to control its very dangerous border.

JOE BIDEN, (D) PRESIDENT OF THE UNITED STATES: And let's also come together on immigration.

(APPLAUSE)

BIDEN: Make it a bipartisan issue once again.

(END VIDEO CLIP)

BAIER: Well, it's clearly not a bipartisan issue. Immigration will be in this address, probably about the Senate bill and a lot of the ***politics*** around that. As you look at the Gallup poll, it is top. It's now at 28 percent as far as issues that people care about.

But what people care about in this speech may be something different, and it may be how it's delivered. Here's "Axios," "Democrats pin 2024 hopes and fears on Biden's State of the Union. Some Democrats dread a high-profile senior moment. Others expressed confidence that Biden can repeat last year's energetic performance. Quote, "We are all nervous, said one House Democrat, citing concerns about the 81-year-old Biden's ability to speak without blowing things." That's a nice confidence builder as you head to the capital.

Let's bring in our panel, Harold Ford Jr., former Tennessee Congressman, co-host of THE FIVE, Ben Domenech, editor at large for "The Spectator" and host of "The Ben Domenech Podcast" on FOX News Radio, and Katie Pavlich, news editor at Townhall.com. You weren't that one Democrat?

HAROLD FORD JR., FORMER TENNESSEE REPRESENTATIVE: I was not, no.

(LAUGHTER)

BAIER: OK, but what do you think about that? About how it's delivered is the most important thing?

FORD: So I think it's important. The two speeches that will be most important for him, one is tonight. He won't get a bigger audience than tonight's State of the Union with all of the networks carrying it, and most importantly, FOX. And two, when he accepts the Democratic nomination in Chicago in the summer. So he has to be at his very, very best tonight.

I hope the one frame that comes out of it, Bret, and I listened to Governor Abbott. I have been a fan of Governor Abbott the way he has dealt with immigration and border security. I was a little disappointed to hear him say that there was nothing that President Biden could say that might give him joy, give him some hope. I hope most Americans approach it that way and I don't think I will. I never approached it when I was in Congress when Republicans spoke, including President Bush who was president when I was there.

What he has to hope the American people walk away with tonight is, are you going to be filled with grievance, or do you want to find common ground? And if he is put himself on the common ground -- and I'm not sucking up to you, but I'm talking about ways in which you find answers to real problems, if you can be in the common ground space and not the grievance space, he has a fighting chance to get this re-election campaign reset and restarted tonight.

BAIER: His people, Katie, are saying that part of this speech is drawing a contrast with former President Trump. And you heard that excerpt earlier, just a piece of it, "My lifetime has taught me to embrace freedom and democracy, a future based on the core values that have defined America -- honesty, decency, dignity, equality, to respect everyone, to give everyone a fair shot, to give hate no safe harbor. Now some other people my age see a different story, an American story of resentment, revenge, and retribution. That's not me." He doesn't mention the former president, but clearly that sentence was meant to be put out early for a reason.

KATIE PAVLICH, FOX NEWS CONTRIBUTOR: Yes. Well, Joe Biden doesn't get out much to the press. He doesn't do a lot of interviews and doesn't do a lot of speeches. We have seen him essentially being hidden for the past couple of months. So this is a big moment for him tonight to come out and prove that the Hur report is not an accurate representation of his mental abilities. And it's an opportunity for him to try and make the case that he is a better candidate than President Donald Trump, because now people know Donald Trump likely, just given the numbers, in fact he's the only candidate left on the Republican side of the race, that he is going to be the one running against Joe Biden.

And we have this very recent contrast between the policies of President Trump and the policies of President Biden. And so far, the White House has tried to make this argument that everything's fine, Americans just aren't feeling it yet, whether it's inflation or the illegal immigration issue. I'm curious tonight whether he will try change that tone and be more empathetic and say something like, I know we have challenges. I'm the guy to take you through that. But President Trump is going to be watching, too, and giving a play by play. So certainly, he will have some debates, even if it's not one-on-one.

BAIER: Not only that, he gave a prebuttal already in a speech designed to get out there, and here's part of it.

(BEGIN VIDEO CLIP)

DONALD TRUMP, FORMER U.S. PRESIDENT: Over the past three years, Biden has actively aided and abetted the importation of millions and millions of illegal alien migrants and resettled them into your communities. At any time during the past three years, crooked Joe Biden -- and he is crooked as you can be and the most incompetent president we have ever had -- could have called off the invasion.

(END VIDEO CLIP)

BAIER: Ben, there's a seat left open by Mike Collins from Georgia for Laken Riley, the nursing student who was killed. There are going to be a number of things in the hall including buttons about the border by Republicans. It is the issue that they are going to hit on.

BEN DOMENECH, FOX NEWS CONTRIBUTOR: I think overall what you want to see if you are a Biden supporter tonight is a reset that reestablishes a sense of command, that he's in control, that he's fully in control not just of his own faculties and his ability to give a speech when it comes to tone and everything related to that, but also that he's reasserting control in the ways that he can as president of the United States over all of these chaotic issues.

One of the things that I think hurts Democrats the most in this election is that as he fades from memory, the former president seems less and less chaotic, and this current president seems more and more so, not just on the border but around the world as it relates to confrontation with China, as it relates to different foreign policy issues, things here at home that seem to be going off the rails. And so a presence of command, I think, is very important to establish. If is he able to do that in this moment, then maybe he can achieve a reset. But the simple fact that Democrats, so many of them, are calling for a reset at this moment is an indictment of the White House's approach and his campaign, which has been so Washington- based.

BAIER: Harold, the foreign policy section is going to be interesting as well, especially with Israel and Gaza. I'm told that Arab ambassadors have been invited by the White House to attend, which is unique to just invite those countries. And this whole port being set up by the U.S. military in Gaza is definitely a hat-tip to the concerns from the progressive part of the party.

FORD: And it might be a hat-tip and a recognition that you have got to win in Michigan and Pennsylvania in the fall, and that uncommitted vote certainly was motivated a lot by that.

BAIER: And we shouldn't say that it also doesn't deal with the suffering inside Gaza. But the ***politics*** --

FORD: Once you mentioned the ambassadors and the diplomats coming, there's no doubt that that's a huge part of it. Coloring that also is the fact that it's impacting here.

I don't disagree with anything that's been said here, and I particularly agree with something Ben said about reset, he has got to be in command. But I do hope he's something we are not seeing from some of my Republican friends tonight who have been talking about it, politicians. Be more cheerful. Don't be as contentious. Be a little more optimistic. Don't be as ominous in the tone and the substance. You do that tonight, Mr. President, you will reassert, you will reset, and you'll reclaim the power you want in the party. And you'll say to the country, give me four more years. That's what he has got to do tonight.

BAIER: I suggest under an hour, but that's just me.

PAVLICH: I suggest that maybe they should go back to mailing it to Congress.

(LAUGHTER)

DOMENECH: -- send it down Pennsylvania Avenue.

BAIER: All right, guys, we'll see you in a bit. Thank you.

You can hear the sirens. The president is going to move in about an hour or so. But tomorrow on SPECIAL REPORT, we'll have an exclusive interview with Mike Rawlings of the No Labels organization. We are told there is news on that front. He will be here to talk about it.

Please join Martha MacCallum and me for our special coverage of the State of the Union address. It is live at 9:00 p.m. eastern time. We're actually going to sneak in at 8:55 if Jesse will let us start our coverage. And we'll have a cast of thousands commenting about what's going on. We'll bring you the speech, and then the Republican response by Alabama Republican Senator Katie Britt.

Thanks for inviting us into your home tonight. That's it for this SPECIAL REPORT, fair, balanced, and still unafraid. A big night in Washington, D.C., State of the Union night. "THE INGRAHAM ANGLE" is next.

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