

# [***President Joe Biden To Visit Border Amid Criticism; Georgia Student Killed By Blunt Force Trauma To Head; Former FBI Informant Alexander Smirnov To Remain In Jail After Charges; Evacuation Plan Considered Ahead Of Rafah Offensive; Democrats Target Trump Over Alabama Ruling; Critical Dates Ahead For Lawmakers; Congress Returns To Jam-Packed Agenda; Democrats Warn Of Government Shutdown Impact; Current Republican National Committee Chairwoman Ronna McDaniel Announces She is Stepping Down; Donald Trump Holds Large Lead Over Nikki Haley In Michigan Republican Presidential Primary; President Biden And Former President Trump To Visit U.S. Southern Border At Same Time; Illegal Immigrant Accused Of Murder In Georgia; U.S. Federal Government Faces Possible Partial Shutdown Due To Lack Of Funding Legislation***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BDY-SS61-F072-X2HG-00000-00&context=1516831)

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**Guests:** Matthew Continetti

**Body**

SANDRA SMITH, FOX NEWS CHANNEL HOST: They noticed an injured eagle on a different call laying in a ditch. Once they finished the human emergency, they went back for the eagle to come back to the firehouse and they got them into a rehabilitation.

GREG GUTFELD, FOX NEWS CHANNEL HOST: It was the first female bald eagle captured. And going into the --

(CROSSTALK)

JESSE WATTERS, FOX NEWS CHANNEL HOST: You go, eagle. That's it for us, have a great night.

BRET BAIER, FOX NEWS CHANNEL HOST: Jesse, I could watch the baby reacting to the snoring for a lot longer. We'll just run that. Yes. All right. Thank you.

WATTERS: Thank you.

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

Cleaning house at the Republican National Committee, how former President Donald Trump is trying to set things up and how his last remaining primary opponent is pushing back.

Israel considers a major evacuation as it prepares to intensify ground operations against Hamas.

And the emerging political fight over in vitro fertilization, IVF, even though both parties approve of it.

But first tonight, a political duel at the southern border. Both President Biden and former President Trump are headed to the southern border on the same day this week. This illustrates how crucial the immigration issue has become in the presidential race.

We have Fox team coverage tonight. Danamarie McNicholl in Athens, Georgia where an illegal immigrant from Venezuela is facing a murder charge tonight in the death of a 22-year-old nursing student. But we begin on the North Lawn of the White House with White House Correspondent Jacqui Heinrich and the evolving ***politics*** of immigration. Good evening, Jacqui.

JACQUI HEINRICH, FOX NEWS CHANNEL CORRESPONDENT: Good evening, Bret. Moments ago in New York, President Biden revealed he was surprised his border visit would compete with former President Trump's.

(BEGIN VIDEO CLIP)

JOE BIDEN, PRESIDENT OF THE UNITED STATES: I planned for Thursday, what I didn't know was that my good friend apparently is going.

(END VIDEO CLIP)

HEINRICH: He also declined to say if he'd been meeting with any migrants, saying that Secret Service doesn't like him to announce those things ahead of time.

But for the first two years in office, the president resisted visiting the border, at one point drawing criticism for saying he couldn't spare time in Arizona because he had more important things to do.

But the high profile murder of a Georgia student allegedly by an illegal border crosser is making it tougher to sell the line that they're sticking to that Republicans share in this border crisis because they killed the bipartisan deal that he wanted to sign.

(BEGIN VIDEOTAPE)

GOV. BRIAN KEMP (R-GA): The American people know exactly what happened. The southern border was open and now we have a dead young woman because of it.

HEINRICH (voice over): After announcing plans for Biden to visit the border, the White House finally responding to the murder of Georgia nursing student Laken Hope Riley allegedly by a Venezuelan national in the U.S. illegally with at least one prior arrest.

"We would like to extend our deepest condolences to the family and loved ones of Laken Hope Riley. People should be held to the fullest extent of the law if they are found guilty."

Republican critics blaming Riley's death on the White House and sanctuary cities.

REP. DEBBIE LESKO (R-AZ): Biden and the Democrats open border policy have allowed this man to come into our country, give him parole and kill an innocent young woman.

HEINRICH (voice over): As a new Monmouth poll shows 53 percent of Americans want a border wall, a majority yes for the first time. Biden will meet with Border Patrol agents in the Rio Grande Valley sector on Thursday, pushing Congress to take up the failed Senate border bill.

KARINE JEAN-PIERRE, WHITE HOUSE PRESS SECRETARY: He will reiterate his calls for congressional Republicans to stop playing ***politics*** and to provide the funding needed.

HEINRICH (voice over): The White House has repeatedly cast Republican border trips as gimmicks.

JEAN-PIERRE: The Republican Party has no plan. They do nothing except do political stunts. They're playing political games and doing political stunts.

HEINRICH (voice over): Even though the Border Patrol union endorsed the build Biden is pushing, they aren't rolling out the red carpet for the president, calling it too little too late.

BRANDON JUDD, PRESIDENT, NATIONAL BORDER PATROL COUNCIL: He had three years to do what he needed to do to secure the border. He had three years to put policies in place. Now we're only eight months from an election and now it looks like he's interested and he's only interested in it because he's -- it's self-serving and he wants to save himself.

(END VIDEOTAPE)

HEINRICH (on camera): Now according to report, the president won't make any executive orders while he's in Texas and the White House is framing anything that he might do as less impactful than what Republicans are actively blocking.

But still, it isn't about face from the president previously claiming that he's already done everything he can with a stroke of a pen, Bret.

BAIER: And Jacqui, another topic. The president's reportedly worried that investigations into his son could cause him to relapse. What's the latest there?

HEINRICH: Yes, that's right, Bret. Hunter Biden spoke to Axios. And he said that his sobriety is important not just for himself, but for keeping Trump out of the White House because a relapse would be devastating to his father.

Hunter said of the investigations, I have something much bigger than even myself at stake. We're in the middle of a fight for the future of democracy. He said he is resolute in not relapsing, but that the temptation is always there, Bret.

BAIER: OK, Jacqui Heinrich live in the North Lawn. Jacqui, thank you.

Next we go down to Athens, Georgia, where we are learning new information tonight about how the suspect in the murder of that 22-year-old nursing student first appeared on law enforcement radar. We also have new details about last week's killing of Lincoln Riley.

Correspondent Danamarie McNicholl has the story tonight from Athens, Georgia.

(BEGIN VIDEOTAPE)

DANAMARIE MCNICHOLL, FOX NEWS CHANNEL CORRESPONDENT (voice over): New information today confirmed by the coroner, Laken Riley died from blunt force trauma to her head. Riley was murdered Thursday while running along the intramural fields.

Students back on campus today after being given a break from class on Friday. Earlier today, hundreds of students gathered in prayer during a vigil to celebrate the young 22-year-old nursing student gone far too soon.

UNIDENTIFIED FEMALE: We can catch up with your friends and strive to be the type of person that Laken was.

MCNICHOLL (voice over): UGA police haven't released a motive for the suspected murderer Jose Antonio Ibarra, I spoke to a former FBI violent crimes agent who says the killer was brazen.

NICOLE PARKER, FORMER FBI SPECIAL AGENT: Showing that they did it in the middle of the day also shows potential lack of criminal sophistication. Most people do not want to get caught doing something like this and the suspect did it in broad daylight.

MCNICHOLL (voice over): ICE confirmed the accused killer enter the U.S. illegally through El Paso in 2022. A police report confirms Ibarra was working as a food delivery driver in New York City when police stopped him for having the child of his estranged wife on the back of his scooter without a helmet. He was arrested for acting in a manner to injure a child.

ICE says NYPD released him before they could issue a detainer on Ibarra. The suspect is in jail without bond and is facing a long list of charges like felony murder, kidnapping and hindering a 911 call.

(END VIDEOTAPE)

MCNICHOLL (on camera): And people here wants answers. The coroner says a full autopsy report won't be released for the next couple of weeks. So, in the meantime, Laken's funeral will be held this Friday at her hometown in Woodstock, Georgia, Bret.

BAIER: Danamarie, thank you. Local media in Virginia are reporting about a Venezuelan illegal immigrant there who has been arrested for sexual assault. Reports say the individual crossed into El Paso Texas last September and was released into the U.S. He's being held without bond in Campbell County, Virginia in connection to a pair of felony counts for the sexual assault of a minor.

The former FBI informant and key figure in the Biden family business investigation, who is now accused of lying to officials was in court today. Correspondent David Spunt tells us what happened from the Justice Department. Good evening, David.

DAVID SPUNT, FOX NEWS CHANNEL CORRESPONDENT: Bret, good evening to you. Alexander Smirnov, the former FBI informant is behind bars once again after a federal judge this time deemed him a flight risk. Smirnov is part of this larger investigation into the Biden family specifically Hunter Biden. He's 43 years old. He appeared before this federal judge in California and, Bret, he holds dual citizenship, both Israeli and American citizenship. He pleaded not guilty when appearing before George W. Bush appointed Judge Otis Wright in L.A. just a few hours ago.

The government argued that Smirnov has access to contacts in other countries, several million dollars and weapons after being on the FBI payroll for years. Smirnov was charged with lying to the Bureau when he said that both Joe and Hunter Biden received $5 million each in bribes from Ukrainians.

Last week in Las Vegas, where he was first arrested, a Magistrate Judge released Smirnoff from custody with a GPS monitor. He was arrested again at his attorney's office late last week after the special counsel investigating Hunter Biden made the case that Smirnov might skip town, citing his alleged contacts with Russian intelligence agencies.

Now, today, Bret, Smirnov's attorneys told Judge Wright that he did not and would not try to flee the area and ask for a home confinement or private security situation. The judge ultimately disagreed, telling Smirnov that he must remain in custody until a trial takes place. Smirnov says attorneys plan to appeal.

Hunter Biden's legal team says the Smirnov arrest discredits the Biden family probe in Congress but the president's son is still facing federal criminal charges in California related to taxes and Delaware related to a gun purchase.

Big news this week in Washington, Hunter Biden will be on Capitol Hill for a deposition under oath. We expect the name Alexander Smirnov to come up in conversation among many other topics, Bret.

BAIER: We'll follow it all. David, thanks.

Stocks finished lower ahead of key inflation data, the Dow lost 62, the S&P 500 was off 19, the NASDAQ dropped 21.

The Prime Minister of the Palestinian Authority says his government is resigning. This comes as Israel accelerates preparations for expanding its ground operation in Gaza.

And President Biden sets a timeline for a new ceasefire. Senior Correspondent Mike Tobin has the latest tonight from Tel Aviv. Good evening, Mike.

MIKE TOBIN, FOX NEWS CHANNEL SENIOR CORRESPONDENT: Good evening, Bret. With tensions peaking on every side of the conflict here in the Middle East, President Biden expressed optimism that a ceasefire proposal is close and he said a deal could be reached by the end of the weekend.

(BEGIN VIDEOTAPE)

TOBIN (voice over): Israel's war cabinet is reviewing a plan to evacuate more than a million Palestinian refugees from Rafah, the southernmost town in the Gaza Strip.

Despite international pressure and fears of mass civilian casualties, Israeli Prime Minister Benjamin Netanyahu says an offensive into Rafah is needed to defeat Hamas.

BENJAMIN NETANYAHU, ISRAELI PRIME MINISTER: We'll go in, we make our own decisions, obviously, but we'll go in based on the idea of having also the evacuation of the civilians.

TOBIN (voice over): A temporary ceasefire is a possibility and international delegation is in Doha, Qatar working on a plan to swap Israeli hostages for Palestinian prisoners combined with a temporary ceasefire.

In light of a potential breakthrough, the Israeli army's chief of general staff credited the soldiers.

LT. GEN. HERZI HALEVI, ISRAEL DEFENSE FORCES (through translator): The combat effort is the most effective action that helps those who deal and give in various places on the release of the hostages. It's the leverage that we are applying and you are applying it excellently.

TOBIN (voice over): Israel released video of a strike in Lebanon which the IDF says is the assassination of a Hezbollah commander responsible for anti-tank rockets fired into the north of Israel as tensions with Hezbollah edge closer to war. Hezbollah shot down in Israeli drone and Israeli fighter jets struck targets and fell back 60 miles north of the border, the deepest strikes in to Lebanon since the 2006 war.

With evacuated towns in Israel's North sitting vacant for four months due to the rocket fire, Netanyahu vows to return people to their homes.

NETANYAHU: If this can be achieved diplomatically, fine. If not, it will be achieved militarily.

(END VIDEOTAPE)

TOBIN (on camera): The resignations of the Palestinian prime minister and his government come as the U.S. and other nations pressure the Palestinian Authority to reform and come up with a more effective governing body for the post war era. Bret, back to you.

BAIER: Mike Tobin live in Tel Aviv. Mike, thank you. Up next, how in vitro fertilization is becoming a major political issue. We'll bring you that.

First, Beyond our Borders tonight, farmers clashed with police in Belgium, spraying officers with liquid manure and setting fire to piles of tires. Police say 900 tractors entered the city in a fresh show of force as European Union agriculture ministers discuss ways to address their concerns.

Now, to Japan, Japan's Space Agency says its first moon lander has responded to a signal from Earth that suggests it has survived a second freezing week's long lunar night. The agency is calling the reception of the signal late last night a miracle. That's because the probe was not designed to survive those conditions when temperatures can fall to -274 degrees Fahrenheit.

Denmark joins Sweden in closing its investigation into the 2022 explosions that damaged the Nord Stream gas pipelines. Sweden says that while authorities can conclude there was deliberate sabotage, there is not they say sufficient grounds to pursue a criminal case.

And this is a live look at Budapest from EarthCam. One of the big stories there tonight, Hungary's Parliament votes to ratify Sweden's bid to join NATO. It brings an end to more than 18 months of delays that have frustrated the NATO alliance as it seeks to expand in response to Russia's war in Ukraine.

The vote came as a culmination of months of wrangling by Hungary's allies to convince its Nationalist government to lift its block on Sweden's membership.

Just some of the other stories Beyond our Borders tonight. We'll be right back.

(COMMERCIAL BREAK)

BAIER: The U.S. Supreme Court expressing strong concerns about the sweep of state laws restricting how large social media companies' moderate user content. It's a digital free speech case with implications in the political and business arenas.

Laws in Florida and Texas would restrict the ability of big social media companies such as Facebook, X and YouTube to decide what third party material they wish to publish.

Some lawmakers have called the company's efforts censorship of conservative messages.

The decision by Alabama's Supreme Court to consider frozen embryos as human beings is prompting volleys of political activity this election season, while Republicans are emphasizing their endorsement of in vitro fertilization, Democrats are trying to link the ruling to the overturning of Roe versus Wade.

Here is chief Washington correspondent Mike Emanuel.

(BEGIN VIDEOTAPE)

UNIDENTIFIED FEMALE: The women should have the right to make their own decisions about their health care.

MIKE EMANUEL, FOX NEWS CHANNEL CHIEF WASHINGTON CORRESPONDENT (voice over): In battleground Michigan, Democrats are seeking to utilize the Alabama Supreme Court embryo ruling, allowing parents to sue IVF clinics to energize their base.

SEN. DEBBIE STABENOW (D-MI): Look what they just make the decision on IVF, this in vitro fertilization. It's shocking. So, we got to do it again. One more time.

EMANUEL (voice over): Another female Democratic Senator Tammy Duckworth of Illinois confirmed, Democrats believe this could be a central campaign issue.

SEN. TAMMY DUCKWORTH (D-IL): Donald Trump has been the guy leading this effort to eliminate women's reproductive rights and reproductive choice. And so, this is the next step.

EMANUEL (voice over): Even though Republican leaders starting with former President Trump say they support in vitro fertilization.

DONALD TRUMP, FORMER PRESIDENT OF THE UNITED STATES: I'm calling on the Alabama legislature to act quickly to find an immediate solution to preserve the availability of IVF in Alabama, and I'm sure they are going to do that.

EMANUEL (voice over): The Republican Senate campaign arm, jumped on the issue by sending out this memo on Friday, urging that, "It is imperative that our candidates align with the public's overwhelming support for IVF and fertility treatments."

House Speaker Mike Johnson, also came out in support of IVF treatment and called it a blessing for many moms and dads who have struggled with fertility.

South Carolina Senator Lindsey Graham says Democrats are hoping to make this election a referendum on fertility clinics.

SEN. LINDSEY GRAHAM (R-SC): The reason they are talking about abortion is they can't talk about anything else. If they can't scare the hell out of you about us, they are going to lose.

(END VIDEOTAPE)

EMANUEL (on camera): It is a familiar playbook for Democrats after Roe v. Wade was overturned in June 2022. Many Democrats made abortion the central issue in the midterms, with polling suggesting a lack of enthusiasm for President Biden, at least some are trying again to change the subject. Bret.

BAIER: All right, Mike. Thank you.

Lawmakers are returning to Washington amid what could be the biggest week of the year on Capitol Hill. Senior congressional correspondent Chad Pergram explains and has the rundown.

(BEGIN VIDEOTAPE)

CHAD PERGRAM, FOX NEWS CHANNEL CONGRESSIONAL CORRESPONDENT (voice over): A blockbuster week, Hunter Biden testified.

UNIDENTIFIED MALE: Hunter.

PERGRAM (voice over): Lloyd Austin, explaining.

GEN. LLOYD AUSTIN (RET), UNITED STATES SECRETARY OF DEFENSE: Good morning.

PERGRAM (voice over): A partial government shutdown looming.

REP. WARREN DAVIDSON (R-OH): Congress hasn't even finished our deadline for the previous fiscal year. I mean, October 1st was the deadline.

PERGRAM (voice over): Conservatives say they are OK with a weekend shutdown because it harnesses spending.

REP. BOB GOOD (R-VA): A government shutdown is not ideal, but it's not the worst thing. The only leverage we have when we have one House of one branch is to be willing to say no to, be willing to walk away.

PERGRAM (voice over): Bipartisan Senate leaders hoped to sidestep a shutdown.

SEN. CHUCK SCHUMER (D-NY): The margin for error on any of these is razor thin. And unfortunately, the temptation to choose chaos and disorder, instead of cooperation will be strong for some here in the Capitol.

SEN. MITCH MCCONNELL (R-KY): What's more a shutdown this week is entirely avoidable.

PERGRAM (voice over): Blame blossomed after bipartisan spending talks imploded over the weekend.

REP. JAMES CLYBURN (D-SC): If this government shuts down, they are going to have this lead right at the doorstep of the Republican Party.

REP. NANCY MACE (R-SC): They want to blame everything. All of our failures on Republicans. But that's not the case. We are doing our job.

PERGRAM (voice over): A partial shutdown stalls, transportation and housing programs, suspends money for agriculture and military construction. Holds up energy and water projects.

A full shutdown could hit in early March. Conservatives now want to renew old funding, keeping spending levels the same as last year.

As lawmakers scrambled to avoid a shutdown, Senate conservatives demand a full impeachment trial for Homeland Security Secretary Alejandro Mayorkas.

SEN. MARSHA BLACKBURN (R-TN): It is going to send a message.

Border security issue number one is we head into the election.

(END VIDEOTAPE)

PERGRAM (on camera): But it's doubtful an impeachment trial starts this week. In fact, the trial may be on hiatus. That's until lawmakers decide how to fund the government. Bret.

BAIER: Chad Pergram on the Hill. Chad, thanks.

An internal review blames privacy restrictions and staff hesitancy for the Pentagon's failure to quickly notify the president and other senior leaders about Defense Secretary Lloyd Austin's hospitalization last month.

The review by Austin's subordinates largely absolves anyone of wrongdoing for the secrecy surrounding his hospitalization for complications following prostate cancer surgery.

The report concludes procedures must be improved and information shared better. When the Defense Secretary transfers decision making authority to his deputy. Again, he'll testify this week on Capitol Hill.

Up next, the changing of the guard at the top of the Republican Party. We'll have a report on that and analysis from Brit Hume.

(COMMERCIAL BREAK)

BAIER: Former President Donald Trump is appealing his $454 million New York civil fraud judgement. His attorneys filed notices today, asking state's mid-level Appeals Court to overturn Judge Arthur Engoron's verdict, and reverse staggering penalties that threatened to wipe out the former president's cash reserves.

Prosecutors in former President Trump's New York hush money criminal case, this is the NDA case, are asking a judge to impose a gag order ahead of next month's trial. They cite what they call a long history of making public and inflammatory remarks about people involved in his legal cases. The judge did not immediately rule. The case is being scheduled to begin March 25th.

The head of the Republican National Committee is on her way out. Ronna McDaniel will leave her post next month following former President Trump's endorsement of new leadership for the party. Correspondent Mark Meredith tells us what it all means tonight.

(BEGIN VIDEO TAPE)

NIKKI HALEY, (R) PRESIDENTIAL CANDIDATE: Donald Trump is turning the Republican Party into his own playpen.

MARK MEREDITH, FOX NEWS CORRESPONDENT: Tonight, GOP presidential candidate Nikki Haley is urging Republicans to reject former President Trump's plans to install two loyal supporters of the next leaders of the Republican National Committee.

HALEY: The idea that they would be choosing a chair and a director before a primary is over is a massive control move by Donald Trump.

MEREDITH: Trump wants the RNC's voting members to tap North Carolina Chair Michael Whatley, and his own daughter-in-law, Lara Trump, as chair and co- chair of the RNC.

RONNA MCDANIEL, REPUBLICAN NATIONAL COMMITTEE CHAIRWOMAN: We are ready to take back the White House.

MEREDITH: Today the current RNC Chairwoman Ronna McDaniel, who has held the job since 2017, announced she will leave next week. McDaniels says, quote, "The RNC has historically undergone change once we have a nominee, and it has always been my intention to honor that tradition."

McDaniel's resignation comes amid growing concerns about the party's preparedness for November's general election. Fundraising reports show the DNC has almost triple the amount of cash on hand compared to the RNC. Trump blames McDaniel for the cash crunch.

DONALD TRUMP, FORMER U.S. PRESIDENT: I think she did great when she ran Michigan for me. I think she did OK initially in the RNC. I would say right now there will probably be some changes made.

MEREDITH: While Trump remains the Republican frontrunner, he still lacks the delegates needed to clinch the nomination. On Saturday in South Carolina Trump picked up an additional 47 delegates, Haley earning three. Still Haley says she will stay in the race at least through Super Tuesday.

(END VIDEO TAPE)

MEREDITH (on camera): While Nikki Haley has a significant travel schedule coming up, she is losing some major financial support. the conservative group Americans for Prosperity, backed by the wealthy Koch brothers, says it's no longer going to donate to Haley, believing that, Bret, they don't think she has got a path to victory. But she says she is staying in the race for now.

BAIER: Staying in. Mark, thanks.

(BEGIN VIDEO CLIP)

DONALD TRUMP, FORMER U.S. PRESIDENT: We come here, and what an honor this is. In South Carolina, I have won every primary by a record, and we have won every election by a record.

NIKKI HALEY, (R) PRESIDENTIAL CANDIDATE: There are huge numbers of voters in our Republican primaries who are saying they want an alternative.

(END VIDEO CLIP)

BAIER: Well, the former South Carolina governor lost her state in the primary on Saturday 59.8 percent to 39.5 percent. If you look at the delegate tracker as it stands right now, the former president has 110 to the former governor and ambassador to the U.N. with 20.

Let's bring in FOX News chief political analyst Brit Hume. Brit, good evening. What's your 30,000-foot look at where this race stands?

BRIT HUME, FOX NEWS SENIOR POLITICAL ANALYST: Well, Haley has kind of a point when she says that there's resistance within the Republican Party to Trump. For example, in our -- that big poll we took that analyzed why voters were voting the way they were and which ones were voting which way, we had Nikki Haley was -- people were voting, who voted for Trump, were overwhelmingly voting for him and not against Haley.

But on the Haley side, and this would be an alarm for her, but for Trump as well when you think about it, it was only 10 percent were voting against Haley, and a huge majority of her voters, more than 60 percent, were voting against Trump, which shows you within the Republican electorate, there is a real resistance to Donald Trump.

He will need -- now, look, some of those people who were voting for her are Democrats, I get all of that. But the point remains he is going to need the overwhelming, if not the nearly unanimous support of the Republican electorate to win. And he -- and in attacking her the way he repeatedly has -- he didn't mention her at all on Saturday night -- I think he is missing an opportunity to try to unite the party.

He talks about it. He thinks the best way for the party to be united would be for her to go away. I'm not sure that's true. I don't think she's going to win. I don't think there is any chance she is going to win, to speak of, but she has illustrated the fact that there's a significant chunk of Trump's own party, despite his overwhelming wins, that are against him. And I'm not sure how many of them would vote -- a lot of them would come home and vote for Trump in the fall. But not -- probably not all of them. He needs all of them. And he needs independents as well.

So, it might be a good idea for him to begin to try reach out, to be gracious, to do what you do to unite the party. So far, I think he has not done that, and that shows in these numbers.

BAIER: He does talk about it, a united party. But you are right, everything we see is not that. You have Ronna McDaniel stepping down. He, the former president, is trying to orchestrate the new leadership. And Nikki Haley is weighing in on that. Take a listen.

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: Who would you have run the RNC if Ronna McDaniel steps down today?

NIKKI HALEY, (R) PRESIDENTIAL CANDIDATE: It wouldn't be a family member of a candidate. It wouldn't be someone who says that all the money is going to go to Donald Trump when I know that $50 million of campaign contributions went to personal court cases last quarter.

(END VIDEO CLIP)

BAIER: And then there is an effort, Mississippi RNC Committeeman Henry Barbour drafted a resolution, Brit, on Trump's legal expenses and another requiring the party committee to stay neutral in the presidential race until he receives enough delegates to secure the nomination. So there are moves afoot that don't seem like they are speaking to unity, to your point.

HUME: Yes, and they are obviously aimed at Trump in an effort to kind of rein him in, which furthers the point, as you suggest, Bret, that there is no unity in the Republican Party yet. And the overwhelmingly likely nominee, Mr. Trump, has some work to do to bring it about because it shows you that officials in the party don't trust him. That's not a good situation for a candidate to be in.

BAIER: Yes. Brit, as always, thank you.

HUME: Thank you, Bret.

BAIER: Up next, the panel on the political border at the border later this week.

First, here's what some of the FOX affiliates around the country are covering tonight. FOX 29 in Philadelphia with a manhunt for a prisoner who escaped from Temple University Episcopal Hospital early this morning. Alleem Borden ran from two officers while in handcuffs. Borden was in custody for allegedly stealing a vehicle from a food delivery driver last week.

FOX 32 in Chicago as the man accused of fatally shooting police officer Ella French is expected to go on trial this week. Emonte Morgan is charged with first degree murder and two other felonies.

And this is a live look at New York. One of the big stories there tonight from FOX 5, our affiliate, singer Don Henley takes the stand at the criminal trial surrounding what he says were stolen handwritten draft lyrics to "Hotel California" and other hits by The Eagles. Three collectables professionals are charged with colluding to veil the questioned ownership of the pages in order to sell them and deflect Henley's demands for their return.

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

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: Are you thinking of going to the border?

JOE BIDEN, (D) PRESIDENT OF THE UNITED STATES: At some point I will.

UNIDENTIFIED MALE: Do you have plans to visit the southern border?

BIDEN: I have been there before. And I haven't -- I mean, I know it well. I guess I should go down.

UNIDENTIFIED MALE: Why go to a border state and not visit the border?

BIDEN: Because there are more important things going on.

UNIDENTIFIED FEMALE: Do you have any plans to visit the border?

BIDEN: Not in the near term, no. No. It would just be disruptive.

(END VIDEO CLIP)

BAIER: Well, it's happening. This week President Biden is heading to the border. It happens on the same day that the former president is going to the border. Biden will travel to Brownsville, Texas, to meet with U.S. Border Patrol agents, law enforcement and local leaders. That same day former President Trump is delivering remarks in Eagle Pass, Texas.

Now, as you look at the encounters under each presidency, at least at this point, you have more than three times the amount of migrant encounters under President Biden than under President Trump.

Let's start there, bring in our panel, Matthew Continetti, fellow at the American Enterprise Institute, Josh Kraushaar is a FOX News Radio political analyst, and Katie Pavlich, news editor at Townhall.com.

It is something. We that ice cream soundbite earlier from President Biden saying he didn't know the other guy was going to be there. What do you make of this?

KATIE PAVLICH, FOX NEWS CONTRIBUTOR: Well, for President Biden to say that he knows the border well is not true. Out of his multidecade career in Washington, D.C. he has been to the border one time as president. Then he went to El Paso where they sanitized the scene essentially, cleared out all the illegal immigrants so he didn't actually see what was happening at the border. Now that this is major election issue for voters across the board, he has now decided to go down and try to play this game with Donald Trump who has a much higher approval rating when it comes to dealing with this issue.

The problem for the White House is that they have repeatedly downplayed the national security implications of this problem, the fact that terrorists have come across the border. And they have also downplayed significantly the risk of criminality. And now, of course, we have this issue happening of this young woman being murdered in Georgia. So, the Biden administration has dug themselves into a huge hole of this problem they have created with 10 million people crossing. And the solution to that problem has to be extreme. And the only one offering extreme solutions is President Trump.

BAIER: You have got Governor Kemp. I talked to him earlier today on "America Reports" along with Sandra. And this is, Josh, about this murder down in Georgia. He is reacting to this on the immigration policy front. Take a look.

(BEGIN VIDEO CLIP)

GOV. BRIAN KEMP, (R) GEORGIA: The border would have been more secure than it is now with previous policies. And I saw it. The president could come out and change policies today. He could simply signal with the bully pulpit of the White House, local law enforcement, please, if you have these people that are here, that are illegal, that are non-citizens, and they commit a crime in our country, please notify ICE.

(END VIDEO CLIP)

BAIER: And speaking of ICE, ICE is confirming that this suspect, the Georgia student murder suspect, entered the U.S. illegally, was previously arrested in New York. This guy, Ibarra, didn't hit any of the warning signs, Josh. And this is becoming a major story.

JOSH KRAUSHAAR, FOX NEWS RADIO POLITICAL ANALYST: It's a major story. It's a scandal that unites, frankly, both the Kemp wing of the party, the more traditional Republican wing of the party with the Trump wing of the party. It may have sealed the state of Georgia into the Trump column. It also, this is an issue that combines immigration and the inability to enforce border security with the issue of crime. This is someone who -- the illegal immigrant was charged with two separate crimes in New York City and was released on bail. So, it ties in two of the strongest issues for Republicans that captures a lot of independent voters.

And immigration is not just a wedge issue. I think that's what Democrats thought for a whole long period of time. That's why Biden, as Katie was saying, hasn't visited the border -- it's the second time, I believe, in his presidency. A new Monmouth poll today shows 61 percent of voters shows illegal immigration a very important issue, up 15 points in the last five years.

BAIER: And we have seen that in New Hampshire, in Iowa, in South Carolina, the number one issue in our polls and surveys.

Democrats, Matthew, use the Senate bill and Republicans blocking that to be the political cudgel. Republicans push back about executive orders, and they could happen any day. Take a listen.

(BEGIN VIDEO CLIP)

REP. GREGORY MEEKS, (D-NY): What will be able to get something done is comprehensive immigration reform. And we saw the Republicans run away from a bipartisan deal that had the potential to restore order at the border.

REP. PAT FALLON, (R-TX): Joe Biden and Alejandro Mayorkas are really spitting in the face of the rule of law here. He could stop this today. He doesn't even need Congress. He just simply chooses not to.

(END VIDEO CLIP)

BAIER: So, who is winning the rhetorical battle? If you look at the approval ratings on issues, immigration for President Biden, is down at the very bottom, 26 percent to 71 percent disapproval. That's pretty heinous.

MATTHEW CONTINETTI, AMERICAN ENTERPRISE INSTITUTE: I think it's very hard to get out of that hole, and the reason is reality. As Katie said, the border crossings are a factor of magnitude more than when Donald Trump was in office. This crime is starting to pile up all of the incidents.

But Bret, I'm fascinated by this trip to the border. Barack Obama had an apology tour. Biden has a regrets tour. He was in East Palestine, Ohio, the other week. Now he is going to go to the border. Afghanistan has to be next, because he is trying to tick off all the three major ways in which he has betrayed the working class of America, and his approval ratings have sunk to the bottom.

BAIER: Dr. Phil is going to be on Jesse's show tonight. He was on "The View" today talking about his interactions at the border. And just an interesting exchange here. Take a look.

(BEGIN VIDEO CLIP)

DR. PHIL MCGRAW: I talked to the head of all the border guards down there, the head of the union. I asked him straight up -- kids are coming over the border with numbers written on them, phone numbers and addresses. Do we check those out? He said, well, we call them. Is it possible that we're sending them into known prostitution rings or sweatshops? He said it's not possible, it is absolute.

(END VIDEO CLIP)

BAIER: And we heard that from congressional testimony in recent weeks as well. That's something that Republicans don't talk about. Democrats definitely don't talk about it.

PAVLICH: Yes, it's an ugly topic that is happening. I went on a ride along in 2021 when President Biden was newly elected with the Pinal County Sheriff's Department. And their human trafficking section of their department had been not as busy during Trump. And they said they essentially almost had to shut down because the border policies were so strong there. And they have been overrun with all of these cases.

And it's a fact that for years the Department of Homeland Security has offered a way for the traffickers to bring children to the border, drop them off, and then government officials or NGOs through taxpayer grants take those children to unvetted sponsors who a lot of time have criminal backgrounds. They sell them into sex slavery or to labor in this country, and nobody wants to talk about the ugly underpinning of that and the open border enabling it.

BAIER: Obviously, we had that movie about it that touched a lot of heartstrings. But it is quite something. We will talk about it more.

Panel, stand by, if you would. Up next, a crazy week for Congress and tomorrow's Michigan primary. Later, a grand anniversary.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

SEN. ROGER MARSHALL, (R-KS): Joe Biden and Chuck Schumer want to use the shutdown threat as leverage. They want an omnibus bill that they can figure out all the money is going to go to and add their Ukraine funding on it as well.

SEN. CHUCK SCHUMER, (D-NY) SENATE MAJORITY LEADER: We Democrats are working as hard as we can and exploring every method to avoid a shutdown.

REP. WARREN DAVIDSON, (R-OH): I hope that we stick to our guns and send over our funding bill and force a negotiation.

(END VIDEO CLIP)

BAIER: Well, it's going to be a busy week up on Capitol Hill. You have this -- another fiscal cliff that they are facing as far as a government shutdown. You also have Hunter Biden set to testify before the House Oversight Committee. The Judiciary Committee is part of the impeachment inquiry. If you look at the Hill, you have got the upper chamber senators awaiting retrieval of the articles of impeachment against Homeland Security Secretary Alejandro Mayorkas. But Josh, there will be a big blame game if they do head into the weekend and stuff cuts off.

KRAUSHAAR: Yes, it feels like Groundhog Day. We're talking about another government shutdown. Maybe it will be averted at the last minute. We're talking about Hunter Biden again with his testimony. Look, I think Republicans are going to face a test to see whether voters have confidence in them as the governing party. And I think the challenge Republicans are facing, and this week is going to showcase this, is whether they realize they controlled one part of one branch of Congress. They control one half of one side of Pennsylvania Avenue. And I think they kind of believe that they have more power than the reality. And I think if they bite off more than they can chew, it could have some political consequences.

BAIER: Meantime, we have another primary tomorrow, Michigan, Katie, and right now the Real Clear ***Politics*** average of polls on the GOP side has the former president with a big, big lead over Nikki Haley. But the interesting thing is on the Democratic side, "New York Times" says "Biden is in danger of losing Michigan, and with it the whole election. Biden will most likely never satisfy those horrified by his Middle East policies. But if he doesn't do more to try, he is in danger of losing Michigan in November, which would almost certainly cost him the election." Here is Michigan Governor Gretchen Whitmer over the weekends.

(BEGIN VIDEO CLIP)

GOV. GRETCHEN WHITMER, (D) MICHIGAN: I'm not sure what we're going to see on Tuesday, to tell you the truth. I can tell you this, that Michigan has been so fortunate to be the home of a robust Arab Muslim Palestinian community, and a robust Jewish community. We have lived in harmony as neighbors for decades. We have got this primary, and we will see differences of opinion.

(END VIDEO CLIP)

BAIER: Differences of opinion, but uncommitted is on the ballot and actually could, as opposed to New Hampshire where the write-in campaign worked for the president, there could be a big turnout in Arab Americans, especially.

PAVLICH: Yes. There's two issues here in Michigan for Donald Trump. The first is that he is trying to pull off voters in the union sector, the rank and file voters, not necessarily the leadership, on things like electric vehicles and the labor unions trying to pull those votes.

In terms of the voters we are talking about here who Joe Biden may have a problem with in Michigan, we need to be honest about what they're just speaking of. We are not talking about Muslim American voters. We are talking about people and voters who have openly said that October 7th was justified in speeches in Michigan. And if those are the kind of voters that Joe Biden needs to win the state, then they are going to have to explain why they are going after those voters and ***politics*** gets ugly --

BAIER: I will tell you what Democratic Congresswoman Debbie Dingell last time, 2016, said this is a danger. Trump could win this state. She is sending up warning signals again about her state, about Democrats.

CONTINETTI: The lack of enthusiasm on the Democratic side could flip the state to Trump. And if Trump has Georgia in his column and Arizona in his column, he just needs to break that blue wall to become the next president of the United States.

BAIER: It's hard to imagine we are talking general election and it's February. But we're going to talk about that for a long time.

PAVLICH: March soon, a couple days.

BAIER: Yes. OK, thanks, guys.

All right, finally tonight, today's throwback.

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: So over the course of 1.2 billion years, the Grand Canyon has gone through a lot of transformation. What we are standing on now is all a previous ancient sea.

(END VIDEO CLIP)

BAIER: One-hundred-five years ago today, President Woodrow Wilson designated the Grand Canyon as a national park. Historically the Canyon was first seen by Europeans in 1540. Famous for its multicolored walls, scientists say the Grand Canyon tells the story of over 2 billion years of earth's history. If you haven't been there, check it out. It is quite something.

Tomorrow on SPECIAL REPORT, lessons learned on Ukraine's battlefield have prompted the Pentagon to rethink drone warfare tactics. We'll explain that.

Remember, if you can't catch us live, set your DVR, 6:00 p.m. in the east, 3:00 p.m. in the west.

Thanks for inviting us into your home tonight. That's it for this SPECIAL REPORT, fair, balanced, and still unafraid. Here's Laura.

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