

# [***Supreme Court To Decide Donald Trump Immunity Question; Joe Biden Blasts GOP Over Border And Mental Fitness Concerns; Illegal Immigrants Charged With Violent Offenses; President Joe Biden's Son, Hunter Biden Testifies Under Oath; Sen. Mitch McConnell Announces End To Historic Senate Tenure; Wildfires Devastate Parts Of Texas; Secretary Of State Antony Blinken Facing Contempt Warnings From Congressional Republicans For Obstruction Regarding U.S. Pullout Of Afghanistan; President Biden and Former President Trump to Visit U.S. Southern Border at Same Time***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BFC-S8Y1-JCS1-64SS-00000-00&context=1516831)

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**Body**

JESSE WATTERS, FOX NEWS HOST: Look at these two guys in Dubai, obviously, zipping around 1500-horsepower, 80 miles an hour. Why can't we have these in America? Come on, Joe Biden.

That's it for us tonight.

GREG GUTFELD, FOX NEWS HOST: They are probably illegals, Jesse.

WATTERS: Probably illegals. That's probably how they crossed. Have a great night.

BRET BAIER, FOX NEWS ANCHOR: When you're running late for the show, Jesse, you can use one of those.

WATTERS: I could. I could use water too. Thank you.

BAIER: Thank you, Jesse. Good evening. I'm Bret Baier.

Breaking tonight, the U.S. Supreme Court will decide whether former President Donald Trump has immunity from prosecution in the special counsel's federal election interference case.

Now, this means the justices will decide a huge election year dispute that will have blockbuster legal and political implications for the nation and for the upcoming election obviously.

Fox News Chief Legal Correspondent, anchor of "FOX NEWS SUNDAY" Shannon Bream is here with the breaking details. Good evening, Shannon.

SHANNON BREAM, FOX NEWS ANCHOR: Hello, Bret. Well tonight, this is a big win for the Trump team in the sense that it delays the federal criminal trial that special counsel Jack Smith had originally pushed to start March 4th, after a loss at the D.C. circuit which issued a sweeping decision ruling against President Trump on this issue of immunity. We've been standing by to see whether the Supreme Court would actually get involved.

Well, today's order puts the immunity issue on the fast track at the High Court with the justices limiting the question to this, whether and if so to what extent does a former president enjoy presidential immunity from criminal prosecution for conduct alleged to involve official acts during his tenure in office?

The order provides no indication of how any justice voted on whether or not to hear the case. But makes clear the court is, "Not expressing a view on the merits of the issue just yet."

Arguments will be held the week of April 22nd. A decision is most likely to come toward the end of the courts term in late June.

Until the Supreme Court makes a decision, all the activity at the trial court level is on hold. That means only once the High Court does ultimately rule will all of the pretrial motions and discovery resume.

Should the Trump team be on the losing end of a decision at the Supreme Court? It is sure to argue it needs several weeks, if not months to gear up for the federal trial -- the criminal trial of the former president. Possibly pushing the start to late summer or early fall.

Also in April, keep in mind, the Supreme Court will hear arguments from a January 6th defendant who was challenging whether the DOJ improperly charged him with obstruction of an official proceeding.

Now, President Trump is also facing that same charge. So, if the justices decided was improperly applied to January 6th defendants, it's possible that part of Jack Smith's case against the President could be gone as well, Bret.

BAIER: Well, Shannon, this is obviously massive for the election if as expected, the former president becomes the Republican nominee.

Meantime, there are also deciding at the Supreme Court about the ballot in Colorado. And all of that comes together to a head, right?

BREAM: Yes, we are still waiting. We could get that decision at any time about whether or not Colorado and by de facto any other state has the ability to keep the president -- the former president off the ballot. We'd expect that sooner rather than later. But we're standing by because we know that dozens of states have considered taking that same move.

BAIER: Fascinating. Thank you so much, Shannon. We'll have analysis from Fox News Chief Political Analyst Brit Hume at George Washington University Law School Professor Jonathan Turley on the legal and the political in just moments.

A New York appellate judge is refusing to halt collection of former President Trump's $454 million civil fraud penalty while he appeals. The judge rejecting the former president's request that he be allowed to post a bond covering just a fraction of what he owes. The judge did grant some of the former president's requests including pausing a three-year ban on him seeking loans from New York banks, which could help him secure the necessary bond.

President Biden and his team going on the offensive today against Republicans over the border crisis and against anyone else who's disparaging his age and competence. The president's doctor insists he is fit to serve, while critics note one test that did not make the list in that physical.

White House correspondent Jacqui Heinrich has details tonight live from the North Lawn. Good evening, Jacqui.

JACQUI HEINRICH, FOX NEWS CHANNEL CORRESPONDENT: Good evening, Bret. The president's health according to his doctors has not changed since last year. His arthritis in his left hip is mildly worse, which affects his gait. But there aren't any new issues according to this readout.

Still, he did not undergo one exam that could have helped him politically.

(BEGIN VIDEOTAPE)

JOE BIDEN, PRESIDENT OF THE UNITED STATES: I'm going to Walter Reed to get my physical.

HEINRICH (voice over): According to his doctor, the president, "Continues to be fit for duty and fully executes all of his responsibilities without any exemptions or accommodations." A positive readout for the 81-year-old who was portrayed as suffering mental decline by the special counsel who investigated his handling of classified documents.

BIDEN: Well, they think I look too young.

HEINRICH (voice over): But Biden did not seize the chance to shut down voter concerns about his age by undergoing a cognitive exam. According to the White House, his doctors don't think he needs one.

KARINE JEAN-PIERRE, WHITE HOUSE PRESS SECRETARY: Folks need to understand that the president passes again a cognitive test every day. He is able to do the work every day that is rigorous, that is more rigorous than it would be for any 15 minute clinical appointment.

HEINRICH (voice over): Tomorrow, Biden will travel to the border, a trip he resisted for his first two years in office, but is seizing on now to make hay of Republicans rejecting the bipartisan Senate bill that was endorsed by the Border Patrol union.

JEAN-PIERRE: We believe we're on the offense because we did the work with the Senate in a bipartisan way for four months, and Republicans rejected it. They allow ***politics*** to get in the way.

HEINRICH (voice over): But the sector Biden's visiting is among the slowest for illegal crossings, averaging only 17 a day for the month of February according to CBP. Officials here say that doesn't matter.

HEINRICH: This administration has often criticized Republicans when they go to the border and hold similar press conferences as saying that they're doing publicity stunts and photo ops. So, how is this any different?

JEAN-PIERRE: Oh, it's very different. What House Republicans have done is nothing, absolutely nothing. If anything, they consistently get in the way.

(END VIDEOTAPE)

HEINRICH (on camera): So, the president is not expected to issue any executive orders while he's in Texas. His critics have called for him to reenact Trump era policies that he rescinded at the beginning of his administration.

But for now, he's just taking the moment to redirect all this heat on immigration toward the GOP. There is the one big shift we can report, the White House is now calling for sanctuary cities to cooperate with ICE amid furor over crimes committed by migrants.

As a candidate in 2020, the president when asked if local police should turn over migrants who are arrested to immigration authorities, his answer was no, Bret.

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

As mentioned there, for the third and fourth time this week, we are telling you about an illegal immigrant arrested in connection with a brutal crime.

Tonight, a Salvadoran migrant detained for the murder of a 2-year-old boy and a Honduran migrant under suspicion of raping a girl and stabbing a man.

Meanwhile, reaction to another murder allegedly by Venezuelan migrant is growing more vocal in Georgia. With all of that, here's corresponded Alexandria Hoff.

(BEGIN VIDEOTAPE)

KELLY GIRTZ, MAYOR OF ATHENS, GEORGIA: That term means different things to different people depending on the context of the discussion.

ALEXANDRIA HOFF, FOX NEWS CHANNEL CORRESPONDENT (voice over): The mayor of Athens, Georgia immediately slammed by community members after denying his city offers sanctuary protections.

UNIDENTIFIED MALE: You are lawless.

HOFF (voice over): Protesters feel a city resolution welcoming undocumented migrants empowered Jose Antonio Ibarra, the Venezuelan national charged in Laken Riley's death.

Mayor Kelly Girtz implied the 2019 policy was more about former President Trump.

GIRTZ: Well, you had president of the United States speaking in the most vile terms about people who were foreign born.

HOFF (voice over): Other recent cases fueling national concern. Outside of New Orleans this week, a 19-year-old Honduran national was charged in the rape of a 14-year-old at knifepoint.

In Virginia, a Venezuelan man was arrested for allegedly sexually assaulting a 14-year-old. He had been released by Customs and Border Protection last year.

JASON OWENS, U.S. BORDER PATROL CHIEF: These are the types of tragedies that they keep us up at night, they need to have the ability to deliver consequences to people that ignore our laws.

HOFF (voice over): Closer to where those laws are made, a young Maryland mother is struggling.

ROSA CACERES, MOTHER: He was like the person I was holding on to to keep going in my life and now I don't have her.

HOFF (voice over): Her 2-year-old son Jeremy Poou-Caceres was shot and killed after he and his mom were caught in the crossfire of opposing groups. Among those charged in the shooting death, Nilson Trejo Granados, a 25-year-old illegal immigrant from El Salvador and ICE spokesperson told Fox that despite a removal order theft arrests and three immigration detainer filings, Trejo Granados was twice released from prison. Thanks to Montgomery County Maryland policy.

Like in Athens, Georgia county executive Marc Elrich denies that the community is a sanctuary.

MARC ELRICH, MONTGOMERY COUNTY, MARYLAND EXECUTIVE: Sanctuary city would have no list of things for which you turn people over to ICE. We have a long list of things for which we turn people over to ICE.

(END VIDEOTAPE)

HOFF (on camera): But both nonviolent crimes there are not on that list, hence why Trejo Granados was released from custody twice. The county revealed today that it is in talks to start working more closely with federal immigration agents, Bret.

BAIER: Alex, thank you.

The president's son again denying his father had any involvement in the family business this time up on Capitol Hill, Hunter Biden testifying under oath today behind closed doors. That is where congressional correspondent Aishah Hasnie is tonight on Capitol Hill with the latest. Good evening, Aishah.

AISHAH HASNIE, FOX NEWS CHANNEL CONGRESSIONAL CORRESPONDENT: Good evening to you, Bret. Well, Hunter Biden told Fox News that this deposition went, "great", but he's now apparently headed back to the Hill for an open public hearing. That's according to Oversight Committee Chairman James Comer, who's claiming that Hunter Biden made a lot of contradictory statements today during this deposition. And that is why he wants to bring him back to the Hill to publicly testify, watch this.

(BEGIN VIDEOTAPE)

REP. JAMES COMER (R-KY): Well, I think that the public hearing, hopefully will clear up some discrepancies between some of the statements that were made between some of the associates and what we heard today.

But all-in-all, I'm very optimistic, very excited about this deposition. And I look forward to releasing the transcripts as soon as both sides agree to that.

HASNIE (voice over): So, Bret, we are told that Hunter answered every question at length and in detail, he did not plead the fifth today. But he had no comments for reporters as he left. His attorney Abbe Lowell though saying this.

ABBE LOWELL, HUNTER BIDEN'S ATTORNEY: They have produced no evidence that would do anything to support the notion that there was any financial transactions that involved hunter with his father, period. There is no evidence because there is no evidence, and today only confirm that, thank you.

HASNIE (voice over): OK, so one of the bigger questions Republicans still have Bret is what value or what experience Hunter offered to these foreign companies, these foreign countries other than his relationship to Joe Biden and both sides gave us their own take on Hunter's answers today, listen.

REP. MATT GAETZ (R-FL): We've asked those questions. And there is -- there is an illusory value. It is a mirage to believe that Hunter Biden was engaged in international business. This was a bribe masquerading as an international business transaction. Nothing more, nothing less.

REP. JAMIE RASKIN (D-MD): Look, I'm a graduate of Georgetown. I went to Yale Law School. He has served on multiple corporate boards. He's been involved in lots of business. And he was an expert on corporate governance after having worked in corporate governance on corporate boards.

(END VIDEOTAPE)

HASNIE (on camera): And Bret, there was also this stunning moment during the deposition when Democrats say Hunter Biden himself suggested that lawmakers should launch an investigation into Jared Kushner, the son-in-law of former President Trump over his overseas business dealings. And when Fox pressed Democrats on that why it appeared that Hunter Biden was leading them and when it came to what to investigate what not to, Representative Goldman try to counter that and say that he was just making a comparison, Bret.

BAIER: You know, Aishah, busy day on the Hill, lawmakers trying to avert a government shutdown. Word there may be a deal on that tonight?

HASNIE: Yes, there has been a bipartisan deal that's been reached. So, the House is expected to take a vote tomorrow I believe on a short term spending bill to keep the government funded for just one week. That's next Friday, the new deadline. That deal would buy the House enough time to start taking votes on at least half of the appropriations bills, about six of those bills.

Bottom line, they're punting again, Bret but they're doing that to try to pass a budget finally, Bret.

BAIER: OK, Aishah Hasnie live on Capitol Hill. Aishah, thank you.

Also breaking tonight, the longest serving Senate leader in history is stepping aside after this year. 82-year-old Minority Leader Mitch McConnell says this will be his last term in the Senate.

Senior Congressional Correspondent Chad Pergram has reaction tonight live from Capitol Hill. Good evening, Chad.

CHAD PERGRAM, FOX NEWS CHANNEL CONGRESSIONAL CORRESPONDENT: Bret, good evening. Mitch McConnell led Senate Republicans in the majority and minority since 2007. But several factors worked against McConnell. His health slipped. McConnell froze on multiple occasions last year, and he no longer controlled Senate Republicans.

SEN. MITCH MCCONNELL (R-KY): Believe me, I know the ***politics*** within my party at this particular moment in time. I have many fault misunderstanding ***politics*** is not one of them.

PERGRAM (voice over): McConnell failed to get the majority of Senate Republicans to support the international aid package two weeks ago. Josh Hawley of Missouri said McConnell opened what he called a, "Geyser of corporate cash into American ***politics***."

SEN. JOSH HAWLEY (R-MO): Mitch McConnell is the least popular politician in America of either party. He is a symbol of everything that's wrong with Washington.

PERGRAM (voice over): McConnell was tight with President Biden when they both served in the Senate. McConnell even named a cancer research bill after the president's son, Beau Biden in 2016.

JOE BIDEN, PRESIDENT OF THE UNITED STATES: McConnell stepping down? I'm sorry to hear Mith McConnell stepped down. He and I -- I've trusted him, and we have a great relationship.

We fight like hell, but he has never, never, never misrepresented anything. And I'm sorry to hear he is stepping down."

(END VIDEOTAPE)

PERGRAM (on camera): McConnell rarely shows emotion, but not today. He quoted from the book of Ecclesiastes.

(BEGIN VIDEO CLIP)

SEN. MITCH MCCONNELL (R-KY): To everything, there is a season, and a time to every purpose under Heaven. But Father Time remains undefeated.

(END VIDEO CLIP)

PERGRAM: The GOP will not tap a successor until November. There is concern that former President Trump wanted to oust McConnell. Here are the names to watch: Minority Whip John Thune, former whip John Cornyn and John Barrasso. Bret.

BAIER: Chad Pergram, live on the Hill. Chad, thank you.

Up next, Brit Hume and Jonathan Turley with analysis of the big legal and political news of the day.

And later, Taliban brutality on display again, in Afghanistan. We'll take you there.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

DONALD TRUMP, FORMER PRESIDENT OF THE UNITED STATES: If you don't have immunity, you can be blackmailed? You can be, as a president, they'll say, if you don't do this, this, and this, we're going to indict you as soon as you leave office.

You cannot allow a president to be out there without immunity. They don't have immunity. You don't have a presidency.

(END VIDEO CLIP)

BAIER: From President Trump talking about the immunity case, which now the Supreme Court is going to take up. A piece of that, we're going to get some analysis now on the legal rulings involving the former president, the announcing by Senator McConnell today. Also, Hunter Biden on the Hill.

Joining us, George Washington University law professor Jonathan Turley and Fox News chief political analyst Brit Hume.

Jonathan, first to you, the former president just moments ago, put up on Truth Social this. "Legal scholars are extremely thankful for the Supreme Court's decision to take up presidential immunity. Without presidential immunity, a president will not be able to properly function or make decisions in the best interest of the United States of America. Presidents will always be concerned, and even paralyzed, by the prospect of wrongful prosecution and retaliation after they leave office. They could actually lead to the extortion and blackmail of a president. The other side would say if you don't do something, just the way we want it, we are going to go after you when you -- after you leave office, or perhaps even sooner."

All right. That's the substance of his immunity. He's talked about that a lot. The Supreme Court is dealing with the timing of this. How do you see this what they've decided to do today?

JONATHAN TURLEY, FOX NEWS CHANNEL CONTRIBUTOR: Well, I wouldn't say that legal scholars have formed a conga line over this in celebration. Many of them did not support Trump's immunity claims. And indeed, I don't think that he has the upper hand on the merits with the court.

But what he may have going with the justices is where to draw the line for presidents when is immunity applicable?

That wasn't quite so clear from the lower court decision. But the real victory here for Trump, it deals with a calendar. You know, the -- with the overriding push of Smith, the special counsel has been to get a trial before the election. He is running out of runway, if this opinion doesn't come out until June, perhaps. You have to remember that even if Smith wins, the mandate goes back to the district court, which has to handle all the pre-trial motions that could take months could be a couple of months could easily be enough. And then, the trial itself can be three months. There is a standing DOJ policy, not to have trials just before an election.

So, you're talking it at the earliest, likely, late summer, and it could be knocking on the door of November.

BAIER: Yes, and that's all what this is about the timeline here. One more thing, Jonathan, remember, in the appellate court, the three-judge panel, put a really strict time constriction on the Trump lawyers to file directly with the Supreme Court, not the whole appellate court. Right.

(CROSSTALK)

TURLEY: That's right. Well, that was a sort of novel here is that they didn't grant the state, but they created effectively or constructively a stay, by setting it for argument. Trump has gotten what he has wanted, and that this is not going to be heard until the end of April. And then, all bets are off when they might issue a decision.

They could issue it before June. But there is obviously some justices here who have a lot to talk about on this issue.

BAIER: Yes. OK. Let's talk about the political stories of the day. Brit, Senator Mitch McConnell, announcing he is, you know, going into November, but he will step down as leader -- minority leader, now. They are hoping Republicans are to be a majority leader position.

BRIT HUME, FOX NEWS CHANNEL SENIOR POLITICAL ANALYST: Bret, I don't go back to the days of Lyndon Johnson, but I've been covering this stuff in Washington for a long time. And Mitch McConnell, I think, was much the most effective and consequential floor leader that I've ever seen in the Senate, at least, and perhaps in the whole Congress.

f you look at the shape of today's Supreme Court you can -- Mitch McConnell's handprints are all over it.

You know, he refused to consider the nomination of Merrick Garland to the court and instead we ended up with the -- with the Republican president and being able to nominate first one and then three justices.

McConnell help to shepherd them through the Senate. Wasn't always easy, he did. He also helped Donald Trump shepherd his tax cuts and his regulatory reforms through Congress. They've had an enormous effect on the economy. I think most people believe or many people believe certainly.

But he's had to step of the way is what his party is becoming. It is Donald Trump's party these days. McConnell always thought it was their obvious limits on what you could do when you're in the minority, particularly when you control one House of the Congress, not the other house and not the White House.

There are members of his party now who have all kinds of ideas about what you can do. In the current circumstance, he didn't agree with them, and there was real conflict there.

BAIER: Yes. And now, you have, you know, possibly John Barrasso, John Cornyn, John Thune may be in line to fight over leadership there.

One last thing, Jonathan, Hunter Biden on the Hill, this impeachment inquiry where it is, in the wake of this FBI informant that has now been charged or being charged. Thoughts about where these stands.

TURLEY: Well, it's an interesting profile. First of all, the Democrats came out with only after an hour and said, this is completely vacuous. There's nothing to see here, which left many of us chuckling that maybe you could wait for the answers before you reach that conclusion.

It's not a good thing for the Democrats that the Republicans came out and said, we're game for a public hearing. This is a good idea. And Fox said, a few Democratic members said, we might not be so thrilled about a public hearing. Now, they may just be minimizing the risk.

But what was impressive, Bret, is that he gave this full testimony. This was a very high-risk maneuver, most defense counsels would have said, take The Fifth.

But he and Lowell (PH) went through this process, and we'll have to see if he tripped any wires.

BAIER: Yes.

Now, moving to public hearings Brit. We've been through these before. These could -- once it gets there, you never know what's going to happen.

HUME: That's right. Of course, we've heard all kinds of public hearings that we've heard and we've thought ahead of time we're going to be gangbusters and all sorts of stuff was going to come out all sorts of fireworks and --

(CROSSTALK)

BAIER: Yes.

HUME: And far too many times, they end up being not quite so exciting, But I got to tell you, I'll be watching when this one happens.

BAIER: There you go. Jonathan, Brit, as always. Thank you.

Up next, multiple wildfires burned through parts of Texas. Amazing footage. The latest on the efforts to try to contain the flames there.

(COMMERCIAL BREAK)

BAIER: The Federal Aviation Administration is giving Boeing 90 days to come up with a plan to fix quality problems and meet safety standards for building new planes. The directive follows meetings with top Boeing officials. The FAA is finishing an audit at assembly lines at Boeing's factory near Seattle. A door panel blew off an Alaska Airlines jet last month after bolts to keep it in place were missing.

Stocks were down today as traders await inflation data. The Dow lost 23, The S&P 500 was off eight, the Nasdaq dropped 88.

Parts of Texas are on fire tonight, multiple blazes burning through some parts of the state. The largest only three percent contained so far. Senior correspondent Casey Stegall shows us tonight from Dallas.

(BEGIN VIDEO TAPE)

UNIDENTIFIED MALE: Well, our house is still standing.

CASEY STEGALL, FOX NEWS CORRESPONDENT: But that man's neighbors were not so lucky. The pictures are heartbreaking. This is just one of many homes in the Texas panhandle that have gone up in flames.

DEIDRA THOMAS, HUTCHINSON COUNTY EMERGENCY MANAGEMENT: I don't think a lot of the folks that live in the Fritch area are probably going to be prepared for what they're going to sees as they pull into town. Some homes were completely lost, and some, honestly, are still standing and just fine.

STEGALL: Small communities with only a few thousand people are bearing the brunt of massive wildfires that have spread over several counties and 500 miles.

UNIDENTIFIED MALE: We don't know exactly what caused those fires, but basically as soon as they got started, they took off.

STEGALL: Nighttime images shot from a plane look apocalyptic. The largest of the fires, now more than a half million acres, is the state's second largest ever.

UNIDENTIFIED MALE: It's bad. Look at how quick it's spreading.

STEGALL: The view from the ground is no less terrifying.

RICHARD MURRAY, HOMEOWNER: It's still emotional. This is our life. We have been here for 50 years. And it's pretty tough.

STEGALL: Incredibly, there are no reports yet of deaths or serious injuries. The damage to buildings, ranches, and livestock is still being tallied. Now towns are just trying to get the basics.

UNIDENTIFIED MALE: The main priority is to get power back on, because with power, then we can get water. Then we have at least our basic functioning utilities.

(END VIDEO TAPE)

STEGALL (on camera): According to officials, some 7,000 people are without electricity at this hour, a number that, quite frankly, has fluctuated all day. Meantime the White House says FEMA and the U.S. forestry service are helping contribute resources. Bret?

BAIER: Casey Stegall live in Dallas. Casey, thank you.

The Biden administration condemning a series of executions by the Taliban in Afghanistan. Meanwhile, the president's secretary of state is in the rhetorical crosshairs of GOP lawmakers on the issue of transparency. Correspondent Gillian Turner is at the State Department tonight.

(BEGIN VIDEO TAPE)

GILLIAN TURNER, FOX NEWS CORRESPONDENT: Secretary of State Antony Blinken is facing new contempt warnings from congressional Republicans accusing him of obstruction. They say he has failed to provide documents related to the chaotic withdrawal of U.S. troops from Afghanistan in August 2021 that resulted in the death of 13 U.S. service members.

MATTHEW MILLER, STATE DEPARTMENT SPOKESMAN: For more than six months we have every week provided hundreds of pieces of -- hundreds of documents and information from the AAR files. We sent our most recent transmission to the committee just this past Friday.

TURNER: On the ground in post war Afghanistan, the Taliban has fallen back on its old ways, stoning and flogging civilians, and now this. Thousands of people flocked to an Afghanistan stadium Monday to view the Taliban's third public execution in five days. Nazar Mohammad, an Afghan man convicted of murder, took five rounds of rifle fire from the brother of his alleged victim.

MILLER: We condemn the public executions. It's another sign of the brutality that the Afghan shows to its own people.

TURNER: Even the U.N. is now alarmed.

JEREMY LAURENCE, UNITED NATIONS HUMAN RIGHTS OFFICE: Public execution and corporal punishment of forms of cruel, inhumane, or degrading treatment or punishment, and prohibited under international human rights law.

TURNER: Secretary Blinken yesterday avoided commenting on Taliban executions, but said this --

ANTONY BLINKEN, U.S. SECRETARY OF STATE: They continue to limit the movement of women and girls outside their homes and persecute those who speak up or speak out.

(END VIDEO TAPE)

TURNER (on camera): It's not clear what the Biden administration plans to do about the Taliban's gross human rights abuses. Now military experts are warning the U.S. gave up the leverage it had the moment it evacuated its forces two-and-a-half years ago. Bret?

BAIER: Gillian Turner at the State Department. Gillian, thank you.

Up next, the panel on today's legal rulings involving former President Trump, and Senator Mitch McConnell with a big announcement today.

First, Beyond our Borders tonight. The widow of deceased Russian opposition leader Alexei Navalny says she fears her late husband's funeral will not take place peacefully. She says police may arrest those who attend. The service is scheduled for Friday in Moscow. Navalny died earlier this month in an Artic penal colony.

This is a live look at London. One of the big stories there tonight, a London judge rules Prince Harry was not improperly stripped of his publicly funded security detail during visits to Britain after he gave up his status as a working member of the royal family. The duke of Sussex claimed he and his family were endangered when visiting the U.K. because of hostility toward him and his wife on social media and relentless hounding by news media.

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

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

DONALD TRUMP, FORMER U.S. PRESIDENT: Cannot allow a president to be out there without immunity. They don't have immunity, you don't have a presidency. I believe in our country and I'm a believer in the Supreme Court.

TIM PARLATORE, FORMER TRUMP ATTORNEY: Justice Ginsburg says when it comes to issues of presidential immunity and privileges, that's something that should be decided by the Supreme Court and not by the circuit. And so it does make sense that they are tracking that exact same reasoning to bring this case up there.

(END VIDEO CLIP)

BAIER: Well, it is happening. The Supreme Court is going to take this question, this narrow question about immunity. And it does affect the timeline for these other cases. "The Hill" writes it this way, "Supreme Court agrees to weigh Trump's criminal immunity. In a historic case the justices' order keeps Trump's January 6th criminal trial proceedings on hold for now, handing an initial blow to Special Counsel Jack Smith but keeping alive a pathway for his prosecution to reach a jury before the 2024 presidential election." Big deal.

Let's bring in our panel on a busy news day, FOX News senior political analyst Juan Williams, Mollie Hemingway, editor in chief of "The Federalist," and syndicated radio host Hugh Hewitt.

With all of these legal proceedings, Hugh, it is -- it's kind of a race against time to see what is going to happen before November. And that, I think, is the biggest thing about this announcement today from the Supreme Court.

HUGH HEWITT, SYNDICATED RADIO HOST: I think you're right, Bret. And I think Professor Turley was exactly right. I would look for a decision on this, which is a case, at first impression, of extraordinary importance. It will affect presidents on down through the centuries. I wouldn't expect a quick decision. I would think the end of the term, last day of June, first week of July, because they have to balance this very, very carefully with future presidents in mind.

That given, I don't see either of the federal cases, either in Florida or Jack Smith in D.C. moving forward. I don't think the Atlanta case is moving at all. It's falling apart because of Fani's testimony and the perjury that seems to be apparent there. The Manhattan one is the flimsiest case. That might even actually help Donald Trump if it goes to trial.

But I think the Supreme Court ruling was expected. I'm glad they decided to review it. We need guidance on this question from the Supremes.

BAIER: Mollie?

MOLLIE HEMINGWAY, EDITOR IN CHIEF, "THE FEDERALIST": Well, this does delay things for Jack Smith and that is a problem for him. His whole strategy has been to secure a quick conviction in front of a partisan jury ahead of the election. And because of the Supreme Court taking up this issue, which is very important, that will delay things, even if they do decide that Jack Smith may proceed with the trial.

Shannon Bream also raised a good point, which is that the court is also hearing about another issue that effects two of the counts Jack Smith has lodged against President Trump, which is whether you can use an arcane Sarbanes-Oxley provision about financial crimes to put January 6th protesters in prison. And that is also going to be decided this term and that could also affect the case that is going to be continuing against President Trump.

BAIER: Big legal movings. Politically Juan, you have Senator Mitch McConnell stepping down. A.P. says Senate Republican leader is going to be in November after a record run in the job. "His decision punctuates a powerful ideological transition underway in the Republican Party from Ronald Reagan's brand traditional conservatism and strong international alliances into the fiery and often isolationist populism of former President Donald Trump." Here is the Senate minority leader today.

(BEGIN VIDEO CLIP)

SEN. MITCH MCCONNELL, (R-KY) SENATE MINORITY LEADER: When I got here, I was just happy if anybody remembered my name. President Reagan called me Mitch O'Donnell. Close enough.

I'm no longer the young man sitting in the back hoping colleagues would remember my name. It's time for the next generation of leadership.

(END VIDEO CLIP)

BAIER: So there's his picture from the first time in the Senate 1985 to today. Senator McConnell announcing November is the end of the game. Juan, thoughts on that and what it means for the Republican Party?

JUAN WILLIAMS, FOX NEWS POLITICAL ANALYST: I think it's a clear-cut victory for Donald Trump. In terms the hard-nosed ***politics*** going into this in an election year for the Senate, I think it gets harder for the Republican Senate committee to raise money without a strong leader like Mitch McConnell. He is a very successful fundraiser. Now he is going to be a lame duck in a role.

But I think it's also, as I said, a victory for Trump in the sense that there is no room for Mitch McConnell in this iteration of the Republican Party. Essentially, this is the Trump party. And right now we know that there had been negotiations ongoing between McConnell and Trump's camps for possible endorsement of Trump by Mitch McConnell given that Trump looks to be clearly on his way to win the Republican nomination. I don't know if he now, given that he's announced his decision to leave, feels any compunction to endorse Trump. He may now feel like is he not going to suffer any consequences if he doesn't jump on board the Trump bandwagon.

BAIER: Hugh, I will say that John Thune is a big fundraiser and John Cornyn, John Barrasso, all three Johns are up for possible getting the Senate leadership role, depending on whether it's majority or minority. The other thing is, Mitch McConnell is 82. And he is acknowledging that he is old. He said in his speech, he said, my time has come. And, yet --

HEWITT: He said father time is undefeated. Father time is undefeated. He is right. But the thing that needs to be emphasized rather than the here and the now is that he's the most effective Republican leader in either House of my lifetime. Without Mitch McConnell coming out the day after the untimely death of Justice Scalia and saying, no hearings, no votes on any nominee, we would have lost the Supreme Court. And it is Mitch McConnell who saved the Constitution, in my view.

He's also the guy who has been fighting for the First Amendment since McConnell versus FCC in 1982. He's a wonderful, wonderful leader.

BAIER: Yes. My point in mentioning that, Mollie, is that father time is undefeated, and we have a lot of leaders who are on the older side of father time's clock.

HEMINGWAY: We do, and Mitch McConnell is certainly in there as well. He is beloved by Washington, D.C., by people in both parties. But he is actually the least popular politician in America. He is underwater by something like 40 points with Americans outside of Washington, D.C., and that's more than twice what Kamala Harris and Joe Biden are.

And I think yesterday is a good example why. Hugh is absolutely right. He has had some great successes on free speech and judges. But yesterday, when they had the meeting with the big four members in the House and the Senate, it was reported that Mitch McConnell told Speaker Johnson to stop talking about the border and to focus on Ukraine funding. And that is an important policy priority for Mitch McConnell and a lot of people in D.C., but Americans actually think that the border is far more important, and they are very frustrated that the people that they want to be their leaders in Washington, such as Mitch McConnell, are so silent on that or the lawfare against President Trump. He has not been a good spokesperson for Republican voters, and that has caused a lot of frustration.

WILLIAMS: I just want to jump in and say --

BAIER: Yes, real quick.

WILLIAMS: -- I think what he did by holding that U.S. Supreme Court seat open, also, I think, very much helped Donald Trump win in 2016.

BAIER: All right, up next, the panel on Hunter Biden's Capitol Hill appearance, plus his father's border policies as the president and the former president head to the border tomorrow.

As we go to break, comedian and actor Richard Lewis has died. Lewis rose to fame for exploring his neuroses in frantic stream of consciousness diatribes while dressed in black. He was also acclaimed for his role in HBO's "Curb Your Enthusiasm" series. His publicist said Lewis died last night after suffering a heart attack. Richard Lewis was 76.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: If the president is not going to actually see the parts of the border where it's actually really bad --

KARINE JEAN-PIERRE, WHITE HOUSE PRESS SECRETARY: I think you're missing the point. The point is the president actually did the work to get a bipartisan bill done that deals with an issue that the majority of Americans care about. He did. It dealt with border security challenges. He actually did that. Republicans got in the way.

(END VIDEO CLIP)

BAIER: OK, well, there are some trips to the border. Former President Trump and President Biden going to the border tomorrow. The former president will go to Eagle Pass, which saw 558 migrant apprehensions on Monday. President Biden will travel to Brownsville, which had 12.

We're back with the panel. Hugh, thoughts on this trip and what is going to come out of it?

HEWITT: Immigration is the most important issue in this election, Bret. And I will tell you that there is no way that Joe Biden can hide the fact that between 8 million and 9 million illegal immigrants came across the border under his watch. That number may be 10 million by the fall. He shut down the wall. He reversed every Trump policy. So I don't care if he goes to the border every day between now and November, he will not be ahead of Donald Trump with voters who care about illegal immigration. And every single act of violence perpetrated by an illegal immigrant between now and then expected to be a headline. It is Joe Biden's Achilles heel along with his age.

BAIER: Yes, it is a headline. And look at the recent headlines that we have seen just in the past few days about these heinous crimes allegedly at the hands of illegal immigrants. Griff Jenkins caught up with the Border Patrol chief Jason Owens asked about this. Take a listen.

(BEGIN VIDEO CLIP)

JASON OWENS, U.S. BORDER PATROL CHIEF: No law enforcement officer wants to see something like this happen to our communities. We need to have an immigration system that works. We need to have the ability to deliver consequences to people that ignore our laws.

GRIFF JENKINS, FOX NEWS CORRESPONDENT: Are we seeing a rise in criminal migrants? And why so many?

OWENS: It is not just about migrants coming to flee bad conditions or coming to look for a better way of life. We have these individuals that are crossing as well. And among the groups that are giving themselves up, we're finding them. Just imagine the got-aways and the people that we're not seeing.

(END VIDEO CLIP)

BAIER: Mollie?

HEMINGWAY: Yes, this is becoming a major issue nationwide as crime in general is a problem and some of these horrendous crimes. What is really strike something sort of the callousness with which a lot of elected officials have been handling this issue that is of such import to Americans. They are not tackling this issue like they should. They have been willful in their opening up of the borders. And then when people are upset, they kind of poo-poo it. And I think it will continue to be a major issue.

BAIER: All right, Juan, I've got 20 seconds. Biden's physical finds him healthy, active and robust, says the White House doctor. No cognitive test, though.

WILLIAMS: What for at this point? The American people can see Biden for what he is, as he says, watch me. Let them make the judgment. I think we will have a big stage for State of the Union. If he has any glitch there, boy, you can imagine Republicans and his critics will be all over it.

BAIER: You bet. Panel, thanks so much.

Tomorrow on SPECIAL REPORT, we'll take you to the southern border and those dueling trips. We'll have former President Trump, President Biden, and we've got it covered.

Thanks for inviting us into your home tonight. That's it for the SPECIAL REPORT, fair, balanced, and still unafraid. We managed to pack a lot in this show. THE INGRAHAM ANGLE starts right now.

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