

# [***Joe Biden Admits Republicans Were Right on the Border***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BD0-46G1-DY68-11WP-00000-00&context=1516831)

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**Highlight:** The White House tells Newsweek no final decision has been made regarding the president using executive authority on the southern border.

**Body**

Joe Biden is considering using executive authority to deal with the issue of asylum seekers at the U.S.-Mexico border, a move [*Republicans*](https://www.newsweek.com/topic/republicans?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) have demanded for weeks.

House Speaker [*Mike Johnson*](https://www.newsweek.com/topic/mike-johnson?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships), who said prior to [*Senate Republicans killing*](https://www.newsweek.com/border-bill-was-purposely-hidden-conservative-commentators-rand-paul-1867995?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) a 370-page immigration package on February 7that the bill was "dead on arrival" in his chamber for not going far enough, has [*questioned why Biden*](https://www.newsweek.com/mike-johnson-floats-theory-about-bidens-border-decision-1866332?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) wouldn't "use his existing executive authority" to remedy the situation.

"I wanted to provide a brief update regarding the supplemental and the border, since the [*Senate*](https://www.newsweek.com/topic/senate?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) appears unable to reach any agreement," Johnson wrote his House colleagues about one week before the bill failed in the Senate. "If rumors about the contents of the draft proposal are true, it would have been dead on arrival in the House anyway."

Now Biden is weighing action under Section 212(f) of the 1952 Immigration and Nationality Act, which allows the president to suspend immigration for anyone determined to be "detrimental to the interests of the United States."

It would be a complete about-face for the president, who in late January told the press he had done "all I can do" regarding record numbers of migrant encounters entering the United States.

"I'm not going to criticize the House," Senate Minority Leader [*Mitch McConnell*](https://www.newsweek.com/topic/mitch-mcconnell?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) told The Hill on February 15. "I do think in terms of the border, it is a huge issue. I think President Biden really mishandled this from the very beginning, and I think in his race it's going to be huge."

A Biden administration official told *Newsweek* on Thursday that the administration "has always evaluated what actions could be taken" but that no final decision has been made regarding using executive authority on the border—or if any would have the legal authority to be implemented.

"The administration spent months negotiating in good faith to deliver the toughest and fairest bipartisan border security bill in decades because we need [*Congress*](https://www.newsweek.com/topic/congress?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) to make significant policy reforms and to provide additional funding to secure our border and fix our broken immigration system," White House spokesperson Angelo Fernández Hernández told *Newsweek*.

He continued: "Congressional Republicans chose to put partisan ***politics*** ahead of our national security, rejected what border agents have said they need, and then gave themselves a two-week vacation. No executive action, no matter how aggressive, can deliver the significant policy reforms and additional resources Congress can provide and that Republicans rejected. We continue to call on Speaker Johnson and House Republicans to pass the bipartisan deal to secure the border."

*Newsweek* reached out to the [*Department of Justice*](https://www.newsweek.com/topic/department-justice?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships)'s legal counsel via email to ask whether executive authority could be used to address asylum.

Earlier this month, Senate Republicans voted against a $118 billion immigration bill orchestrated by lawmakers within their own party—singling out a particular provision requiring the [*Department of Homeland Security*](https://www.newsweek.com/topic/department-of-homeland-security?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) (DHS) to shut down the U.S. border only if migrant crossings exceeded a 5,000 daily average in a given week.

Senator [*James Lankford*](https://www.newsweek.com/topic/james-lankford?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships), one of the bill's main sponsors, refuted claims by his colleagues and said letting in some 5,000 migrants daily was "absurd."

Johnson continues to be on the offensive. In a post on X (formerly [*Twitter*](https://www.newsweek.com/topic/twitter?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships)) on Wednesday, he again pointed the finger at the president and his administration—blaming them for "opening the door to illegal immigration" and the ill effects that come with that.

"They have the power to stop the catastrophe and secure the border right now, but they simply will not do so," Johnson wrote.

While the Biden administration [*received some good news*](https://www.newsweek.com/border-crossings-see-biggest-drop-since-biden-took-office-1869960?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) recently as border crossings dropped about 42 percent from December to January, according to U.S. Customs and Border Protection (CBP) data, numbers surpassed 1 million last month and there is no new plan on the table in Congress.

Total border crossings [*exceeded 988,900 individuals*](https://www.newsweek.com/how-many-migrants-are-crossing-border-1867407?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) between October and December, following a record-setting number of 2.4 million migrant encounters at the southern border in fiscal year 2023—up from approximately 1.7 million in 2021.

[*Link to Image*](https://d.newsweek.com/en/full/2352680/joe-biden.jpg)

**Graphic**

Joe Biden

Mario Tama/Getty Images

U.S. President Joe Biden prepares to deliver remarks on canceling student debt at Culver City Julian Dixon Library on February 21, 2024 in Culver City, California. As the president reportedly weighs exercising executive authority on asylum seekers at the U.S.-Mexico border, Republicans continue to claim he can act on his own to deter illegal immigration.

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