

Biden's Foreign-Policy Legacy Is Now Intertwined With Border Crisis at Home

President is eager to help Ukraine and figure out how to defuse an immigration issue hurting his re-election bid

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WASHINGTON—The fate of President Biden's foreign-policy legacy is now tied directly to one of his biggest domestic political liabilities, the border crisis, as lawmakers hurry to reach a deal to funnel aid to Ukraine and rewrite the country's immigration rules.

Lawmakers went back to the negotiating table Thursday after Senate Republicans on Wednesday blocked a Democrat-backed \$110.5 billion emergency foreign-aid measure that would have sent funding to Ukraine, Israel and the Indo-Pacific, saying the package needed significant changes to border policies. Republicans have since presented a counteroffer.

The outcome of the talks will have far-reaching real-world consequences. U.S. deliveries of crucial weapons and equipment to Ukraine are hanging in the balance, and waves of migrants seeking to enter the U.S. could face tougher restrictions at the southern border under the pending deal.

For Biden, the political stakes are significant, less than one year before what is expected to be a tightly contested election.

A failure to reach a compromise would undercut what Biden had hoped would be the defining foreign-policy issue of his presidency, weakening the unprecedented unity among U.S. allies who have jointly sent aid to Ukraine for nearly two years. Biden warned this week that a cessation of U.S. aid to Ukraine would clear a path for Russia to invade other countries in Europe, a move that could trigger the direct involvement of U.S. troops in the region.

At the same time, the negotiations offer Washington policy makers one of their only chances to make significant changes to an immigration system that both Republicans and Democrats say is deeply flawed—but which the two parties have

been unable to overhaul for three decades. A deal could partially defuse a vexing issue for the president and his party.

But the talks are also politically treacherous for Biden. An agreement that includes changes to asylum laws and other policies risks alienating liberals who have already expressed concern that Biden will surrender too much to the GOP without getting concessions in return. If the talks collapse, the president could open himself up to further criticism from Republicans—and some moderate Democrats—that he isn't doing enough to secure the U.S.-Mexico border.

"It's tricky. He's in a tough spot," said Matt Duss, executive vice president at the Center for International Policy and a former foreign-policy adviser to Sen. Bernie Sanders (I, Vt.). Reaching a deal with Republicans that includes too many border policy concessions, he said, "would certainly further frustrate the Democratic base. It could be very politically damaging."

A new Wall Street Journal poll conducted in late November and early December found that 64% of voters disapprove of Biden's handling of border security. That is the highest disapproval since the Journal began asking the question in March 2022. When broken down by party, roughly 33% of Democrats and 91% of Republicans disapprove.

Biden said this week that he is willing to make "significant compromises" with Republicans on the border in order to secure additional aid for Ukraine, but he and his senior aides have repeatedly declined to publicly say what concessions he would sign off on.

The White House has signaled to Republicans that the president is willing to consider a change to asylum law that would tighten the initial screening standard migrants must clear to proceed with a full asylum case, according to lawmakers and others familiar with the matter. The administration has also signaled openness to designating countries as "safe third countries" where asylum seekers at the border could be sent and expanding rapid deportations to be used nationwide rather than just at the border.

Republicans have insisted on harsher measures. Among their demands: writing into law the power to suspend access to asylum at the border, as well as mandatory detention for migrants seeking asylum, including children, and a cap on the overall number of asylum requests the U.S. could grant in a given year.

Some in the administration said they were eager to reach a deal, fearing the fallout for Ukraine if funding is delayed or rejected altogether. But they acknowledged that Biden needs to walk a fine line on the border.

The bipartisan Senate group leading negotiations continued to trade proposals on Thursday, senators said, though Republicans called on Biden to negotiate directly with Democrats.

“We’re urging the president to get involved and fix this thing,” said Sen. Lindsey Graham (R., S.C.). Biden has made calls to lawmakers, but he has so far declined to become more enmeshed in the negotiations. White House staff have been in regular contact with Republicans about what proposals they would entertain.

Sen. John Barrasso (R., Wyo.) said that Biden, “if he’s being well-advised, and I don’t know if he is...they would say, this would help you in your re-election if you solve this crisis.”

Lawmakers have for years been trying to strike a grand bargain on immigration but have largely failed to do so amid deep divides between Republicans and Democrats on the issue. Soon after taking office, Biden proposed a wide-ranging immigration policy bill, but that legislation has gained little traction.

Some immigration activists worry that Biden is poised to give away too much, noting that proposals long supported by the president, like creating a pathway to citizenship for young immigrants in the country illegally, known as Dreamers, aren’t a part of the negotiations. White House press secretary Karine Jean-Pierre told reporters this week that Biden would like to see such a provision in the package.

“Just a year ago, Senate Republicans were willing to discuss asylum reforms in exchange for legalizing three million Dreamers,” said Andrea Flores, a former Biden administration official who is now the vice president of policy and campaigns at [FWD.us](https://www.fwd.us). “It is shocking to see them demand far more extreme proposals in exchange for nothing and at the expense of critical Ukraine funding.”

Administration officials said Biden is deeply concerned about the fallout if Congress is unable to approve more aid to Ukraine. The president, the officials said, believes that Russian President [Vladimir Putin](https://www.vladimirputin.ru) is testing the resolve of Democratic nations around the world, and is looking for cracks in countries’ commitment to Kyiv.

“The Republicans in Congress are willing to give Putin the greatest gift he could hope for and abandon our global leadership not just to Ukraine, but beyond that,” Biden said this week, adding, “We can’t let Putin win.”