

Biden executive order on asylum seekers a consequence of congressional inaction, former Secretary of Defense Leon Panetta says

As the crisis at the U.S.-Mexico border escalates, former Secretary of Defense Leon Panetta said in a press conference Tuesday that President Joe Biden's executive order to curb border crossings is a natural consequence of Congress's failure to secure bipartisan immigration reform earlier this year.

"The end result is rather than governing by leadership, we govern by crisis," he said.

Biden's order will temporarily halt asylum applications when crossings surge to 2,500, a sweeping action the American Civil Liberties Union has already promised to challenge in court.

Immigration has been highly politicized, with 28% of Americans ranking it as their most important issue in a Gallup poll in February. The concern stems from record-high border crossings — in December 2023 alone, U.S. Border Patrol encountered nearly 250,000 migrants. In the past, most migrants came from Mexico, Guatemala, Honduras and El Salvador, but over half of migrants in December were from other countries like Venezuela and China.

Asylum seekers are people in the U.S. who believe they are in danger of persecution if they return to their home countries. Many people traveling across the border do so in the hopes they can apply for and be granted asylum once they're in the U.S. But while courts process their cases, which has an average wait time of four years, asylum seekers are allowed to remain in the country.

Panetta was in Congress under the Reagan administration the last time it passed major comprehensive immigration reform, an effort he said took a lot of negotiation and compromise.

Since then, attempts to pass reform have faced partisan roadblocks, including in February, when many Republicans pulled support for a bipartisan bill after it received former President Donald Trump's condemnation.

While U.S. law enables anyone who crosses the border — legally or illegally — to apply for asylum, the crossings have become so frequent that the system cannot process them, said Gerardo Gonzalez, a professor in Indiana University's Department of Educational Leadership and Policy Studies. A Cuban refugee himself, Gonzalez said a long-term solution must be humane while considering border security as well as the economic benefits of immigration.

Though short of a permanent resolution, he lauded Biden's effort to address the issue following Congress's failure to pass anything substantial earlier this year.

"I hope that the biggest positive consequence is that it will motivate Congress to take some action," he said.

A child of Italian immigrants, Panetta said having immigrants from across the world is what makes America great. But he warned of stricter protocols under Trump if he wins re-election in 2024, including deploying the national guard and deporting millions of people, which Panetta believes will only draw lawsuits and further divide the country.

Panetta said comprehensive immigration reform is only possible if Congress can compromise, though he expressed doubts.

"I don't know if we'll get there," he said. "Not certainly in the present political atmosphere."

