The Phyllis Schlafly Report

SCOTUS Worsens Migrant Crisis by Violating Texas Sovereignty

By John and Andy Schlafly

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Texans have never liked tyranny from D.C., and Monday's 5-4 emergency ruling by the U.S. Supreme Court against the Lone Star State tosses fuel on a smoldering fire. Without explanation, five justices in D.C. authorized the Biden administration to destroy Texas-owned concertina fencing that stemmed the flow of illegal aliens near the border town of Eagle Pass.

Texas officials videoed federal agents cutting holes in the fencing last year on 20 occasions for no apparent reason other than to allow illegal aliens to enter our country. By authorizing the Biden administration to completely destroy this border fence now, this is the ninth time that the Supreme Court has granted an emergency application by Biden.

It is appalling how the Supreme Court dodges other issues to hurriedly accommodate Biden's open-border agenda. Texas erected this barbed fencing to establish order against an overwhelming flood of illegal aliens, and the Fifth Circuit had sided with Texas pending its review.

More illegal migrants entered the United States last month than any other month in history, according to data obtained by CBS News from the Biden administration. Texas is bearing the brunt of this invasion, and merely a tiny fraction of these illegals have overwhelmed New York City where they leave their urine and poop on sidewalks, doorsteps, and near parked cars.

While paying lip service to private property and state sovereignty in other cases, two Republican appointees, John Roberts and Amy Coney Barrett, switched sides to join the 3-justice liberal voting bloc to rule for Biden. Chief Justice Roberts always sides with the liberal media in high-profile close votes, so this was no surprise, but Justice Barrett's vote against Texans' self-defense remains unexplained.

The recent promotion of fake news about Texas officials supposedly causing children to drown in the Rio Grande by blocking access by federal agents may have

been intended to influence the pro-family Justice Barrett. Texas Attorney General Ken Paxton has explained that the drownings were on the Mexican side, and in a court filing the Biden administration admitted that these drownings occurred before the feds sought access.

Paxton, the finest Attorney General in our country, emphasizes that Biden's open-border policy causes these tragedies, yet the Supreme Court unwisely opens the door to more of these catastrophes by deferring to Biden. Paxton responded last week to the Biden administration's assertion that the U.S. Constitution confers authority on the federal government to secure our borders: "When were you planning to start?"

The Biden administration has repeatedly "claimed authority to destroy property that belongs to someone else based on their assurance that doing so is necessary to enforce federal immigration laws," Paxton told the Supreme Court. The evidence "amply demonstrates the utter failure of the Defendants to deter, prevent, and halt unlawful entry into the United States."

In June 2022 and 2023, the Supreme Court held in favor of Biden's refusal to enforce federal immigration laws in Texas. The high court allows Biden to violate immigration laws, but then blocks Texas from protecting its residents.

The failure of the majority on the Supreme Court to explain their most recent capitulation to Biden is divisive, harmful and insulting to Texas. Biden is also suing Texas to remove its orange buoys in the Rio Grande, which the Fifth Circuit agreed to hear en banc probably to rule against Biden, but then he will also appeal that issue to the same Supreme Court that just ruled for him.

"The Supreme Court's temporary order allows Biden to continue his illegal effort to aid the foreign invasion of America," Attorney General Paxton responded to the Court's latest ruling. "The destruction of Texas's border barriers will not help enforce the law or keep American citizens safe. This fight is not over, and I look forward to defending our state's sovereignty."

Paxton is right amid the escalating interference by the D.C. elite with local efforts to maintain law and order in Texas. Last week there was a conflict between armed Texas officials and federal agents when the Texans properly denied access by the feds to a border park.

Biden wrongly invokes federal power over the border not to implement law and order, but rather to open it to illegality that includes drug smuggling. A majority of the Supreme Court recognizes the individual right of self-defense to be armed under the Second Amendment, and they should likewise acknowledge state authority to protect itself against the lawless immigration with drugs that Biden is allowing.

Many Texans feel compelled to arm themselves in self-defense for routine trips to the grocery store, in fear of the hordes of illegals let in by Biden. Fortunately, the reelection of Trump would peacefully end this growing conflict between Texas and the D.C. elite, as Trump agrees with Texas in closing the border.

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