The Phyllis Schlafly Report

Biden Sues Texas, Threatening America

By John and Andy Schlafly

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On Monday, the Justice Department filed a lawsuit to force Texas Gov. Greg Abbott to remove bright orange buoys strung down a stretch of the Rio Grande as a barrier to illegal migrant crossings. Biden's overly aggressive lawsuit against our second largest state puts our entire Union at risk.

This case is destined for the U.S. Supreme Court, none of whose Justices is from Texas or any other border state. Seven out of the nine Supreme Court Justices have previously worked for the federal government in D.C., including four whose prior job was on the Court of Appeals for the D.C. Circuit.

Biden expects to win on the immigration issue at the Supreme Court, which ruled in his favor last month in a separate case in which Texas and Louisiana sought to compel Biden to enforce our immigration laws. Eight of the nine justices ruled in favor of Biden on the technicality of legal standing.

As Biden continues to overplay his hand by allowing millions of illegal aliens to flood our country, his latest lawsuit may be the straw that breaks the camel's back. Placing harmless buoys in the river that divides Texas from Mexico is protective of our country, and harms no one.

Texans were raised with the motto "Don't Mess With Texas." Biden can poke them in the eye only so many times before a movement grows larger in Texas to assert itself against D.C.

Two months ago, the Supreme Court allowed California attorneys to sue Texas pig farmers if they do not give pigs enough space to satisfy animal rights activists. Fines and even imprisonment are imposed by this California law on pig farmers in every other state, although there are very few pig farmers in California who could be burdened by this regulatory tyranny.

Justice Kavanaugh predicted that this pig decision will pit states against each other in ways never seen before. The California law was ballot initiative Proposition 12, funded with $13 million that included millions in dark money that could have been allied with ulterior motives, and they outspent the Midwestern pig farmers by a 20-to-1 margin.

Texans and others who happened to be inside the U.S. Capitol on January 6, 2021, have been imprisoned for many years by D.C.-based judges. Meanwhile, ballot harvesting and stuffing continues in key swing states that could extend Biden's presidency for another four years.

It seems unlikely that Texans will allow many millions more illegals to bring their crime and drugs into that state for another half-decade, based on another presidential election where courts refuse to act against potential vote fraud. The demand by our mentally incompetent president that Texas continue to open its border to a lawless invasion is the worst possible way to handle the border crisis.

Biden's Department of Justice filed its lawsuit in the Western District of Texas, where it is likely to be handled by a Democrat-friendly judge. Despite the enormous importance of controlling crime, drugs, and migrants illegally crossing the border, this lawsuit is being directed by the Environmental Defense Section of DOJ's Environment and Natural Resources Division.

Radical environmentalists demand removal of the floating barrier, under the specious argument that the federal Rivers and Harbors Act "is clear in prohibiting the placement of any unauthorized barriers or obstructions in the Rio Grande and other navigable waters of the United States."

Texas Gov. Greg Abbott has been weak against illegal immigration during his nearly decade-long tenure as governor, and to this day his state universities attract illegal aliens with low in-state tuition while charging Americans from other states much higher out-of-state rates. Abbott is a suspected instigator of the sham impeachment of the one Texas official who stood strong against the migrant invasion: Attorney General Ken Paxton.

Abbott knows that he could lose his next GOP primary over the immigration issue, particularly now that Trump is expected to endorse a candidate against him. So Abbott has drawn a line in the sand against Biden, and both cannot win this standoff.

A press release from the DOJ quoted the local U.S. Attorney as arrogantly declaring that DOJ "will take and support the appropriate legal action to uphold" laws supposedly justifying Biden's lawsuit to remove the buoys. Yet video just emerged of a bridge built by smugglers of illegals in Arizona about which Biden does nothing to stop the rampant flouting of our immigration laws.

Federal judges in Washington, D.C., a town that does not have to deal with hordes of illegals sleeping in the streets as Texas does, are on Biden's side and Democrats have the upper hand in federal courts. Biden's lawsuit is a harmful step towards further balkanization of our country, pitting border states against D.C.

John and Andy Schlafly are sons of Phyllis Schlafly (1924-2016) and lead the continuing Phyllis Schlafly Eagles organizations with writing and policy work.