The Phyllis Schlafly Report

Let Texas Secure the Border

By John and Andy Schlafly

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Hidden beneath the kerfuffle about last week's speeches on Capitol Hill, a significant debate is occurring just across the street at the Supreme Court. There the Biden Administration is asking the Court to block a splendid new Texas law against illegal aliens, SB 4, and on Monday Texas Attorney General Ken Paxton filed his vigorous response in full support of this law.

SB 4 strengthens the ability of Texas law enforcement officials and judges to take appropriate action against illegal aliens, including making it a state crime for them to enter or re-enter Texas unlawfully. A state judge is authorized to order a convicted illegal alien to be transported by state officials to an official port of entry along the border, where he can then be deported by the federal government back to Mexico.

The U.S. Court of Appeals for the Fifth Circuit expedited this case and will hold oral argument on April 3rd, but the Biden Administration demanded an immediate injunction from the Supreme Court against this good law. The Court granted a temporary administrative stay to Biden that blocks this law pending a further ruling by the high court, which is expected later this month.

The Constitution recognizes that every State retains the sovereign power to defend itself against a foreign invasion, which is what the illegal migration over the Texas-Mexico border by millions of people, organized and directed by armed transnational drug cartels, really is. Biden has deliberately chosen not to enforce federal laws against these crimes, but he should not be able to stop Texas from enforcing its own laws consistent with the unenforced federal laws.

Sen. Josh Hawley (R-MO) recently tweeted details about another tragic death of an American caused by an illegal alien, this time in Hazelwood, Missouri. Driving in the wrong lane at more than 70 mph in a 40 mph zone without a driver's license, an illegal from Venezuela smashed head-on into a car carrying 12-year-old Travis Wolfe, who subsequently died on March 6 after being on life support for nearly 3 months.

“Texas is the nation’s first-line defense against transnational violence and has been forced to deal with the deadly consequences of the federal government’s inability or unwillingness to protect the border,” Paxton’s brief tells the Supreme Court. By trying to stop Texas from enforcing a law that he refuses to enforce, Biden harms not just Texas, but prevents all of us from defending ourselves against illegal aliens.

Paxton told the Court on Monday that “the Constitution recognizes that Texas has the sovereign right to defend itself from violent transnational cartels that flood the State with fentanyl, weapons, and all manner of brutality.” Biden interferes with this sovereign right of Texas, and in the recent primary Texas Republican voters, who hold a solid majority there, agreed with Paxton and against Biden.

For the first time in a half-century, the Speaker of the Texas House is headed to a crushing defeat at the hands of a young conservative endorsed by Paxton. Dade Phelan had ambushed Paxton last May with a surprise impeachment, after pressuring dozens of Republicans to vote with Democrats in order to try to remove Paxton from the office of Texas Attorney General, where he has protected the nation against illegal invasion by migrants.

Paxton’s endorsements carried to stunning landslide victories two challengers to incumbents on the top criminal court in Texas, which had rebuffed Paxton’s efforts to protect election integrity. A third judicial challenger endorsed by Paxton for that court also won, as did eight challengers to House incumbents; another nine challengers endorsed by Paxton forced the incumbents into the runoff election in May.

The grassroots movement for Texas independence also did well in this primary. Shelley Luther, the Dallas hairdresser who went to jail in 2020 for merely opening her salon during the Covid lockdown, was one of many who prevailed in the legislative primary after embracing a vote on “Texit,” a play on the term “Brexit” by which Britain exited from the European Union.

Continued refusal by the Supreme Court to allow Texas to defend itself against upwards of 10 million illegal aliens – more than a third of the lawful Texas population – puts Texans in a tight spot as they feel unsafe merely going to a grocery store. As Biden continues to deny Texans their right to protect themselves against the illegal invasion, it is predictable that more Texans will embrace the independence movement as the only viable option.

Biden’s DOJ has until Wednesday to reply to Paxton’s persuasive arguments against the scourge of the illegal invasion there. Our entire country would benefit if Texas were allowed

to close its border with Mexico and take all appropriate steps to end illegality by migrants who have already poured by the millions into the Lone Star State.

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