

Texas Leads New LawsUIT Against Latest Biden Border Rule



Texas Attorney General Ken Paxton (R) filed a lawsuit Tuesday on behalf of his state along with more than a dozen other GOP-led states against the Biden administration over its newest [open border policy](#) welcoming hundreds of thousands of additional migrants into the U.S.

The challenged federal program will allow 30,000 additional migrants every month to legally enter the U.S. from Venezuela, Cuba, Haiti and Nicaragua. [Joe Biden revealed the program](#) on January 5, just after the latest monthly record for illegal migrant encounters had been set in December 2022.

Customs and Border Protection (CBP) officials have reported that there were more than 2.3 million border encounters with illegal migrants for the fiscal year that ended in September 2022. The pace set through the first three months of the 2023 fiscal year will easily shatter that annual record.

The [complaint filed](#) in the case alleges that the Department of Homeland Security (DHS) has created a new visa program without Congressional authority. The policy was allegedly enacted

“under the false pretense of preventing aliens from unlawfully crossing the border between the ports of entry.”

The new DHS policy allows the covered migrants to be “paroled” into the country for at least two years with immediate eligibility for employment authorization. The new parole plan announced by Biden will protect those entering from Venezuela, Cuba, Haiti and Venezuela from being summarily expelled to Mexico under the Trump-era Title 42 public health order. DHS said it is actively working to avoid the application of that rule designed to mitigate the spread of COVID-19 among American citizens due to untested and infected migrants entering the nation.

DHS has also announced a new procedure for illegal migrants seeking asylum in the U.S. They are now being directed to book appointments with CBP officials through a telephone system as they cross through a port of entry. The program circumvents the application of Title 42 to those migrants.

In a statement accompanying the filing of the new lawsuit, Paxton said that every U.S. state is “being crushed by the impacts of illegal immigration.” He added that Biden’s “open borders agenda has created a humanitarian crisis that is increasing crime and violence in our streets, overwhelming local communities, and worsening the opioid crisis.”

Neither DHS nor the Biden administration has yet responded to the lawsuit.