

BIDEN'S BORDER BLUNDER

Budget Chairman Arrington Leads Amicus Brief in Support of S.B. 4 in *United States v. Texas*



Click [HERE](#) to watch the Press Conference

Last week, Chairman Jodey Arrington filed an [amicus brief](#) in favor of Texas in *United States v. Texas*, supporting the State's right to defend itself from the ongoing invasion of illegal migrants.

This lawsuit challenges the Texas Legislature's Senate Bill 4 (SB4), signed by Governor Abbott in December 2023 in response to the unprecedented wave of illegal migrants crossing the southern border. **The aim of SB4 is to make illegal entry into Texas from a foreign nation a state crime, in addition to a federal crime**, better allowing Texas to defend itself since the Biden Administration refuses to enforce federal immigration law.

Arrington's brief, backed by 45 other members of Congress including the entire Texas Republican delegation, argues that states possess an inherent right to self-defense under Article I, Section 10 of the U.S. Constitution.



Since Joe Biden took office:

- There have been over [7 million illegal crossings](#) at the southern border.
- **The state of Texas has seen a 300 percent increase since President Trump's last year in office.**
- In December of 2023 alone, over 300,000 illegal migrants crossed the border—**that is more illegal crossings in one month than in all of 2017.**
- The recently impeached Secretary of Homeland Security Alejandro Mayorkas has openly confirmed that he is [releasing nearly 85 percent](#) of migrants into the country, a flagrant dereliction of duty by federal authorities.

This massive influx of illegal migrants is nothing short of **an invasion**—as declared by Governor Abbott in January—**and the State of Texas is well within its Constitutional rights to** do what is required to protect its populus and enforce the law.

WHAT IS SENATE BILL 4?

SB4 empowers state law enforcement officers to detain non-U.S. citizens entering or attempting to enter the United States illegally from a foreign nation. As of right now, only federal officers, like Border Patrol Agents, can enforce immigration laws as they fall under federal jurisdiction. However, **given the unprecedented influx of illegal crossings, the state of Texas is using SB4 to give the open border crisis the all-hands-on-deck approach** it so desperately warrants, especially in the face of an ambivalent administration.



FURTHER READING:

FOX DIGITAL: Over 40 lawmakers sign brief to support Texas in immigration fight with Biden administration. [CLICK HERE.](#)

Under SB4:

- Entering the state of Texas from a foreign nation without legal authorization carries a punishment of up to six months in jail.
- Repeat offenders could get hit with a second-degree felony and 2 to 20 years behind bars.
- If the migrant agrees to return to Mexico (or another origin nation), Texas judges are empowered to drop all charges.

UNITED STATES V. TEXAS

The Federal Government filed suit against Texas in early January of 2024 with the hopes to prevent SB4 from going into effect in March of this year. The [Justice Department](#) states that **the “Constitution assigns the federal government the authority to regulate immigration and manage our international borders.**

Pursuant to this authority, Congress has established a comprehensive framework governing the entry of noncitizens into the United States and the removal of noncitizens from the country.” The Justice Department concludes that the state law violates the Constitution in that it attempts to supersede federal immigration law.

TEXAS IS FOOTING THE FEDERAL BILL

Texas, bearing the brunt of the Biden border crisis, disagrees with the DOJ, and so do [half of the governors](#) in the United States. In fact, [14 state governments](#) have already stepped up to support the State of Texas in securing the Southern Border by deploying personnel and resources to Texas.

Operation Lone Star (OLS), which began in March 2021, has led to the apprehension of nearly 500,000 illegal immigrants, 39,200 criminal arrests, and 35,000 criminal charges. Through OLS, Texas has transported over [100,000 migrants](#) to sanctuary cities across the country including over 37,000 to New York City.

The State of Texas has appropriated \$13.66 billion to support the humanitarian and security mission of OLS. It important to note that this does not include the cost borne by small town budgets who have diverted thousands of man hours and resources away from their population to address the flow of migrants. From emergency services to public schools and rural hospitals, the State of Texas and small towns are being overwhelmed.



FURTHER READING:
EPOCH TIMES: House Budget Chair Jodey Arrington Leads Amicus Brief in Support of Texas in US v. Texas. [CLICK HERE.](#)

Historical Border Security Funding Biennial Appropriations:

| FISCAL YEARS | 2016-2017 | 2018-2019 | 2020-2021 | 2021-2023 | 2024-2025 | Total |
|--------------|---------------|---------------|---------------|----------------|-----------------|-----------------|
| AMOUNT | \$800 million | \$800 million | \$800 million | \$4.72 billion | \$6.54 billion* | \$13.66 billion |

THE BOTTOM LINE

The Federal Government has a responsibility to ensure that federal law is enforced and that the states are protected. It has woefully failed at fulfilling this obligation, and this failure has come at a tremendous cost.

The cost of illegal migration to the American Taxpayer is estimated to be in the range of \$150.7 billion to nearly \$200 billion annually. The State of Texas alone is saddled with \$13.66 billion in costs which does not include serious expenses suffered at the local level.

As communities are being torn apart and overburdened across the nation, **the Biden Administration still refuses to act.**

The President of the United States could, right now:

1. Restart building of the border wall
2. Establish new asylum cooperative agreements
3. Reinstate “Remain in Mexico” policy
4. Reinstate Title 42 authorities
5. Ensure prompt asylum case reviews

Texas has acted **because the Federal Government has not** and, with Democrats in the White House, will not. All the while, taxpayer dollars are being wasted and a humanitarian crisis is unfolding at our southern border. Real leadership is needed now!

House Republicans are tirelessly working to ***reverse the curse*** of the Democrat agenda, from open border policies to their ambivalence toward the debt crisis. The Budget Committee is fighting for brighter days ahead for all Americans. See [HERE](#) for our FY24-33 Budget Resolution.

MORE FROM THE HOUSE BUDGET COMMITTEE

Click [HERE](#) for our “Biden’s Border Blunder: The Cost of Catch and Release on the American Taxpayer”

Click [HERE](#) for our “Cost of... Fentanyl Epidemic”

Click [HERE](#) for our “Cost of... Biden’s Border Crisis”

Click [HERE](#) to read “The Costly Border Crisis”

Click [HERE](#) to read “Biden’s Border Crisis Enters Third Year”

Click [HERE](#) to read “Newsom Extends Free Healthcare to 700,000 Illegal Immigrants Despite Record Budget Deficit”

The Committee has unrelentingly pursued answers from the Department of Homeland Security:

Click [HERE](#) for our *first* letter to Department of Homeland Security Secretary Alejandro Mayorkas.

Click [HERE](#) for our *second* letter to Department of Homeland Security Secretary Alejandro Mayorkas.

Click [HERE](#) to read an overview of what Chairman Arrington requests in these letters.