



Written by [Luis Miguel](#) on January 27, 2021

## Karma: Biden Learns What It's Like to Have Federal Judges Block His Immigration Agenda

After years of watching President Trump's agenda get repeatedly blocked by Hawaiian judges, the nation's patriots can take some satisfaction in the fact that it's now Joe Biden's turn to collide with the judicial wall.

A federal judge on Tuesday [temporarily blocked](#) an attempt by Joe Biden to enact a 100-day moratorium on deportations.

Texas sued over the policy, resulting in a U.S. district judge delivering a restraining order that blocks the new Democrat administration from moving forward for 14 days.



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The Texas lawsuit claims that the administration would be violating an agreement it has with the Department of Homeland Security and would require at least 180 days' notice and consultation before implementing immigration policy changes. It's not yet clear whether those terms are enforceable. Similar agreements, however, were reached with several states under the Trump administration.

The federal judge issued a nationwide injunction because a geographically-limited order would not adequately protect Texas' interests, owing to "the free flow of movement" of illegal aliens from other states.

"The Court finds that, by ordering a 100-day pause on all removals of aliens already subject to a final order of removal, it appears that the January 20 Memorandum is clearly not in accordance with, or is in excess of, the authority accorded to the Attorney General pursuant to 8 U.S.C. § 1231(a)(1)(A)," [wrote](#) U.S. District Court Judge Drew B. Tipton.

Tipton said the decision to pause deportations for 100 days also appears to violate the Administrative Procedure Act for being "arbitrary and capricious."

"Here, the January 20 Memorandum not only fails to consider potential policies more limited in scope and time, but it also fails to provide any concrete, reasonable justification for a 100-day pause on deportation," the judge wrote. He noted that the administration claimed that "unique circumstances" made the moratorium necessary so that DHS can "provide sufficient staff and resources" as well as "comply with COVID-19 protocols," but that they did not explain why a 100-day pause would help accomplish this.

Ironically, the Administrative Procedure Act has been used to block several major actions by the Trump administration, including attempts to end the 2020 census count a month ahead of schedule and update asylum standards.

An [e-mail sent last week](#) to ICE officers ordered the halting of "all removals" and to "release them [undocumented immigrants] all, immediately."



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Biden wants a reset of American immigration policy, and this includes the moratorium on deportations. The moratorium took effect on Friday of last week. It does not apply to persons who were not physically present in the United States as of November 1, 2020, nor does it prevent the deportation of non-citizens who have engaged in, or who are suspected to have engaged in, terrorism and espionage.

“We’re confident that as the case proceeds, it will be clear that this measure was wholly appropriate in ordering a temporary pause to allow the agency to carefully review its policies, procedures, and enforcement priorities — while allowing for a greater focus on threats to public safety and national security,” a White House spokesman said. “President Biden remains committed to taking immediate action to reform our immigration system to ensure it’s upholding American values while keeping our communities safe.”

The 100-day moratorium isn’t the only migration-related action Biden has taken since assuming the presidency.

On his first day in office, he signed a memorandum to protect Obama’s 2012 Deferred Action for Childhood Arrivals (DACA) program, which protects aliens brought to the country illegally as children from deportation. President Trump tried to end the program but was struck down by the Supreme Court.

Biden’s memorandum orders the DHS secretary to take appropriate lawful action to keep the program in place.

In addition, Biden signed an executive order ending President Trump’s temporary travel ban on people coming from terror hotspots (the so-called Muslim Ban) and one to revoke the Trump administration’s plan to exclude non-citizens from the census and the apportionment of congressional seats.

And all of this is on top of Biden’s proposed legislation to grant amnesty to over 11 million illegal aliens.

Americans must make it one of their top priorities to ensure the Biden immigration agenda is derailed if we want any semblance of the country as we know it to survive.



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