



Written by [R. Cort Kirkwood](#) on October 25, 2018

# Trump Can Close the Border, Former Federal Prosecutor Says

As the “migrant caravan” surges through Mexico toward the U.S. border, U.S. officials are debating how to handle the mass of people once they arrive and demand entry into the Promised Land.

Tensions are high inside the Trump White House, [The New American reported](#) yesterday, with the president’s aides and officials arguing about the president’s options.



But a former federal prosecutor says debate is unnecessary. Trump can close the border.

## The Law, the Court Case, and the Criminal Flood

[Writing first at the Daily Caller](#) and then speaking on Breitbart Radio, [Sidney Powell](#), former Assistant United States Attorney and Appellate Section Chief in the Western and Northern Districts of Texas, says no one can stop the president from closing the borders to protect the country from dangerous aliens. In this case, the danger is 14,000 people who will immediately become a burden on public schools, the healthcare system, and police and criminal courts.

[Title 8, Chapter 12 of the U.S. Code](#), which governs “inadmissible aliens,” Powell wrote, gives Trump the right to shut down the border.

Whenever the President finds that the entry of any aliens or of any class of aliens into the United States would be detrimental to the interests of the United States, he may by proclamation, and for such period as he shall deem necessary, suspend the entry of all aliens or any class of aliens as immigrants or nonimmigrants, or impose on the entry of aliens any restrictions he may deem to be appropriate.

The U.S. Supreme Court recently reaffirmed the president’s authority in the case Hawaii brought against him because of the wrongly named “Muslim ban.”

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That statute, the [court opined](#), “entrusts to the President the decisions whether and when to suspend entry, whose entry to suspend, for how long, and on what conditions. It thus vests the President with ‘ample power’ to impose entry restrictions in addition to those elsewhere enumerated in the [Immigration and Nationality Act].... The sole prerequisite set forth ... is that the President “find” that the entry of the covered aliens “would be detrimental to the interests of the United States.”

“Why not just let them all in?” [Powell asked](#). “We’re a big country with some of the most generous people in the history of the world. We wish everyone could enjoy our freedoms and prosperity.”

Because the president has the right and duty to block the mass entry of criminals:

As sympathetic as many in the “caravan” might be, embedded with them are untold numbers of MS-13 gang members, drug dealers, rapists, pedophiles, murderers, and terrorists. Indeed,



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Guatemala, from which the caravan has come, just arrested 100 members of ISIS.

Friday night, the “caravan” proved to be a violent mob. Video footage shows them breaking through the fence at the southern border of Mexico, injuring Mexican officers and entering Mexico illegally. Categorically, they are criminals.

But that’s not all, [Powell wrote](#). Trump has “countless reasons” aside from the outright criminality of the aliens to close the border. A strange virus causing polio-like symptoms is hitting children, our national deficit is growing, and we face two major drug-abuse epidemics.

Not to mention homeless veterans, homeless battered women and their children, and on top of that, the immigrants who “have not assimilated well. Downtown Detroit has signs in English and Arabic. Many from all countries have never learned English. Americans have died at the hands of illegals — all unnecessarily.”

Americans can’t afford any more immigrants, she wrote. “Millions of people around the world yearn to live in America, but we cannot provide a home or job for the world’s population. We would no longer have a country. Strangers breaking into America is no different than breaking into your home and demanding that you house, feed, clothe and educate them while providing for their medical needs. Americans are overloaded and fed up.”

### **Congress, Courts Need Not Approve**

Importantly, Trump and his advisors must remember that Congress and the courts need not approve, [she told Breitbart](#).

They can’t stop him because they have “already given him that authority.” Congress did so in federal law, and the Supreme Court “approved it.” The president has the authority to close the borders.

Nor can lower federal courts stop it with injunctions. That idea, she said, is a “crock. No district judge has the authority to issue a national injunction.”





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