



Written by [David Kelly](#) on January 6, 2023

Biden’s Immigration Parole System Already Facing Legal Challenge

On Thursday, President Joe Biden [announced](#) measures to prevent illegal immigrants from entering the United States from Mexico, while offering a new pathway to legal migration for up to 30,000 people a month under its [immigration parole](#) system now available to refugees from Ukraine and Afghanistan.

Before Biden explained his new border measures in the Roosevelt Room [briefing](#), he played the blame game for the border crisis and went after Republicans, who he claimed



refused to consider my comprehensive plan. And they rejected my recent request for an additional \$3.5 billion to secure the border and funds for 2,000 new asylum personnel, another — asylum officers and personnel — and 100 new immigration judges so people don’t have to wait years to get their claims adjudicated, which they have a right to make a claim legally.

AP Images

And the failure to pass and fund this comprehensive plan has increased the challenges that we’re seeing at our southwest border. No one knows this better than the Vice President.

The expanded immigration parole system that Biden announced is already being challenged in court by Florida Attorney General Ashley Moody. In a lawsuit filed against the Biden administration in 2021, Moody argued that the administration’s abuse of it is illegal. Under the new policy, an additional 30,000 illegal foreign nationals a month from Venezuela, Haiti, Cuba, and Nicaragua can remain in the U.S. — for a total of 360,000 a year.

Center Square [reported](#):

[Biden’s] commitment to a “safe, orderly, and humane processing” of illegal foreign nationals is consistent with his administration’s expressed support of the [UN’s] Global Compact for Safe, Orderly and Regular Migration. The GCM is part of the [UN’s] Agenda 2030 sustainable development plan and has been actively involved with the migration of



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people all over the globe.

Biden's announcement came on the same day U.S. District Judge T. Kent Wetherell II granted final requests made in Moody's lawsuit; the trial is slated to begin next week. Florida contends that the administration's policies result in illegal immigrants flowing into the state, increasing costs for state-funded services and causing public safety issues.

A [News Alert](#) from AG Moody's office shared that "through months of intense discovery, lawyers for Florida uncovered evidence of Biden ignoring public-safety immigration laws allowing more than 1 million unvetted, inadmissible immigrants into the interior.... The Biden administration is threatening Americans' safety by intentionally weakening our nation's border security."

Since the case began in 2021, Moody has forced the federal government to provide or disclose the following:

- A [deposition](#) of U.S. Border Patrol Chief Raul Ortiz that shows "the Biden administration purposely reduced detention capacity of the U.S. Immigration and Customs Enforcement and narrowed removal pathways." Ortiz claimed these changes left Border Patrol with no other choice but to release hundreds of thousands of immigrants into the interior, and agreed that Biden's policies caused the unprecedented surge at the border.
- A [memo](#) outlining the federal government's plan in the event immigrants overrun the border if Title 42 expires — the mass-release of migrants into the U.S.
- [Testimony](#) and deposition of ICE Executive Associate Director for Enforcement and Removal Operations Corey Price confirming the Biden administration knew its immigration policies would cut enforcement in half, and still implemented them. Price also confirmed that ICE is removing more than seven times fewer inadmissible immigrants than in 2012, "booking in" roughly half the number of immigrants than during the previous administration.
- ICE training [videos](#) showing officials discussing the "logistical problems created when federal authorities intentionally released tens of thousands of immigrants without charging documents — a formal legal document requiring immigrants to appear before an immigration judge."

While this case is being heard, the Biden administration will proceed with the newly announced border policies, which don't contain much "new" other than the expanded immigration parole system and reaffirming that asylum seekers need to schedule an appointment and gain approval before coming to a point of entry.

One thing is for sure, none of those illegally entering our nation are paying attention to border policies or Biden's political rhetoric. When he [declares](#) that if "you attempt to cross into the United States unlawfully, you will not be allowed to enter," they know it is all bark, with no bite.

It will be interesting to see how the lawsuit plays out, and whether the Supreme Court's upcoming decision on Title 42 will have any influence on stemming the flow of illegal immigrants into the U.S.



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