

*Texas Governor Greg Abbott  
orders National Guard troops to  
deport migrants*

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**Texas Governor Greg Abbott speaks during a press conference about the mass shooting at Uvalde High School on May 27, 2022 in Uvalde, Texas.**

Austin, July 8 (RHC)-- In what he called an “unprecedented action” made necessary because “President Biden refuses to do his job,” Texas Governor Greg Abbott has issued an executive order authorizing his state’s National Guard and the Texas Department of Public Safety to arrest immigrants who illegally cross the border between ports of entry and return them to Mexico.

“While President Biden refuses to do his job and enforce the immigration laws enacted by Congress, the State of Texas is once again stepping up and taking unprecedented action to protect Americans and secure our southern border,” Abbott said in a press release Thursday announcing the zero-tolerance policy.

Only the federal government is legally authorized to enforce immigration law. As legal justification, Abbott cites Article IV, § 4 of the U.S. Constitution. “[T]he United States . . . shall protect each [State in this Union] against Invasion,’ and thus has forced the State of Texas to build a border wall, deploy state military forces, and enter into agreements as described in Article I, § 10 of the U.S. Constitution to secure the State of Texas and repel the illegal immigration that funds the cartels,” said Abbott in the executive order.

Legal analysts overwhelmingly believe this is a misinterpretation of the Constitution and will not survive a legal challenge. “As they say in Texas, this dog won’t hunt. They’re relying on the guarantee clause of Article Four, Section Four, and that deals with an invasion, which is generally interpreted and long interpreted to mean an actual foreign invasion in the form of an army, an organized force,” Jonathan Turley told Fox News Tuesday.

Abbott’s office did not respond to a request for comment from The Post about whether he was bending to pressure by former Trump official Ken Cuccinelli to declare an “invasion” on the border. While Abbott did not issue an invasion declaration, he used the exact language Cuccinelli coached several Texas counties to use in declaring a border “invasion” Tuesday.

Earlier this week, Cuccinelli said he wanted Abbott to declare an invasion and enact a Title 42 style program where immigrants were “repealed at the border” and automatically turned away.

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