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GOVERNMENT CHALLENGES COURT RULING BLOCKING OBAMA'S IMMIGRATION ACTIONS

By Nathan Koppel
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The federal government on Thursday asked a U.S. appellate court to stay a ruling by a federal judge in Texas that blocked President Barack Obama's immigration actions.

The Obama administration is seeking to push ahead with plans to implement a sweeping immigration program to defer deportations for several million people in the country illegally after U.S. District Judge Andrew Hanen of Brownsville, Texas last month enjoined the administration from proceeding with its plans.

Judge Hanen sided with officials from 26 largely Republican states who contend the president overstepped his authority when he announced the actions, which would among other things permit about four million people in the country illegally to apply for deferred deportation and work authorizations.

In a brief filed Thursday with the Fifth U.S. Circuit Court of Appeals, the Obama administration said Judge Hanen's injunction had undermined the federal government's authority to prioritize which undocumented immigrants to deport.

"The Constitution does not entitle states to intrude into the uniquely federal domain of immigration enforcement," the administration said, asking the Fifth Circuit to stay Judge Hanen's injunction by March 26, at the latest.

"President Obama's unconstitutional use of executive power to accomplish what he couldn't do in Congress sets a dangerous precedent that threatens the fabric of our Republic," Texas Attorney General Ken Paxton, who is leading the suit by the states, said in a statement issued Thursday.

The federal government filed a similar request last month with Judge Hanen, asking him to quickly postpone his ruling while it pursues an appeal.

But the judge has so far declined to grant the request. Instead, he recently called for a hearing on March 19 to examine a side dispute. The 26 plaintiff states filed a brief last week claiming the Obama administration, beginning late last year, implemented part of its immigration program even though it had allegedly represented to Judge Hanen that it wouldn't begin implementation until February.

"In an apparent attempt to quickly execute President Obama's unlawful, unconstitutional amnesty plan, the Obama administration appears to have already been issuing expanded work permits," Mr. Paxton said in a statement accompanying the brief.

The Justice Department on Thursday filed a brief with Judge Hanen claiming the administration had implemented only a discrete aspect of its immigration program that wasn't being challenged in the suit, and that the issue had no bearing on whether to grant a stay.

A national immigrant rights' group on Thursday commended the administration request for a stay.

"Our communities are robbed of the opportunity to live free from fear of deportation and our economy is deprived of much-needed fiscal benefits with each day that this injunction remains in place," said Marielena Hincapié, executive director of the National Immigration Law Center.