

DOJ files lawsuit against Texas over buoy barrier in Rio Grande

AUSTIN (Nexstar) — The Department of Justice filed a lawsuit against Gov. Greg Abbott on Monday over the state's floatation barrier along the Rio Grande near Eagle Pass that the federal government says violates international and federal law.

In the lawsuit, the DOJ argues Texas' construction of buoys in the river violates the Rivers and Harbor Act, as it obstructs the "navigable capacity" of U.S. water. The filing also notes Texas did not obtain a prior permit from the U.S. Army Corp of Engineers as required by the act.

The Biden administration is asking the courts to stop Texas from putting any more barriers in the water and to remove the current 1,000-foot stretch of buoys at its own expense.

"Because Texas installed the Floating Barrier without seeking the Corps' authorization, the Corps and other relevant federal agencies were deprived of the opportunity to evaluate risks the barrier poses to public safety and the environment, mitigate those risks as necessary through the permitting process, and otherwise evaluate whether the project is in the public interest," the lawsuit said.

Earlier Monday morning, Abbott rebuked the Department of Justice's threat to sue Texas over the buoy barriers he ordered into the river and welcomed a federal lawsuit, in a hostile letter to President Joe Biden.

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