

Texas Law Upheld Again, but Biden Won't Give Up

A federal judge ruled against the Biden administration on Thursday and said Texas' controversial heartbeat abortion law can remain in effect while the Justice Department pursues its lawsuit against the state.

The tough abortion law was first struck down last week by a federal district judge, only to be reinstated within two days by a panel from the 5th Circuit Court of Appeals.

The 2-1 decision on Thursday marks the third time the conservative-leaning 5th U.S. Circuit Court of Appeals has sided with Texas' request to keep the law in place while litigation continues. The panel also agreed to hear oral arguments in the Justice Department's lawsuit against the lone star state. Oral arguments have yet to be scheduled and it could be months before they take place.

The Justice Department can now ask for an emergency appeal from the Supreme Court to overturn the circuit court's ruling.

Planned Parenthood denounced the decision.

"Yet again, the Fifth Circuit has shown that it is unwilling to take action to stop the immense harm Texans are facing or to protect Texans' constitutional right to abortion," Helene Krasnoff, vice president for public policy litigation and law for the Planned Parenthood Federation of America said in a statement. "The Fifth Circuit is now complicit in the scheme of S.B. 8 to deprive Texans access to abortion."

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