



Written by [R. Cort Kirkwood](#) on September 12, 2019

High Court: Trump Administration Can Refuse Asylum Applications

The [U.S. Supreme Court sided](#) with the Trump administration again yesterday, this time blocking a lower court's ruling that stopped the administration from refusing asylum applications from "refugees" who land in another country before the United States.

[The high court's ruling](#) means the administration can refuse asylum requests as the original case against the new policy winds its way through federal courts.



The ruling is the second victory for Trump over the open-borders Left and its sympathizers in Congress. The Left had also persuaded a federal court to block the administration from using previously appropriated defense money for a border wall. The high court knocked over that prohibition, too.

The Usual Dissent

[The administration's refinement of asylum policy](#) in July was straightforward: If applicants traveled through another country to get to the United States, they must seek protection in the previous country first.

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Its purpose is to stop the flood of bogus asylum applications that cannot be adjudicated quickly, such is their number, which has forced immigration officials to release thousands of diseased, illiterate, and penniless illegal aliens into the heartland. Among those released, of course, are dangerous sex fiends and gang members.

The order sent the open-borders Left and Democrats into a rage. They want the borders open to keep illegals flowing in, hoping to tip the country demographically and swell the party's ranks with new voters who seek welfare and other taxpayer-subsidized services.

Thus did the illegal-alien lobby go to court, persuading leftist Judge Jon Tigar of the U.S. District Court for the Northern District of California [to block](#) the new rule. The administration appealed, and a panel of the U.S. 9th Circuit Court of Appeals [narrowed his ruling](#). On Monday, the [Obama appointee struck](#) for the second time, and the [appeals court ruled](#) against him again.

On appeal from the administration, the Supreme Court blocked Tigar's order until the case is finally disposed.

The court's ruling does record a vote or offer a reason for the stay.

Not surprisingly, [Associate Justice Sonia Sotomayor dissented](#), along with hard leftist Justice Ruth Bader Ginsberg.

Sotomayor, [who billed herself](#) as a "wise Latina" during her confirmation hearings, opened her dissent with an outright falsehood: "Once again the Executive Branch has issued a rule that seeks to upend



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longstanding practices regarding refugees who seek shelter from persecution.”

The rule does upend “longstanding practices,” but the refugees are not “seeking shelter from persecution.”

As [The New American has repeatedly reported](#), refugees [have repeatedly told](#) researchers and reporters they are crossing the border because they seek jobs and welfare, not because they are “fleeing violence and persecution,” as the open-borders Left falsely claim.

[Sotomayor also claimed](#) the lower court ruling that blocked the new rule was correct on three grounds. First, the rule “was inconsistent with the asylum statute” in the U.S. federal code. Second, it “skirted typical rulemaking procedures ... because the Government effected a sea change in immigration law without first providing advance notice and opportunity for public comment.” Third, “the explanation for the rule so poorly reasoned that the Government’s action was likely arbitrary and capricious.”

Regardless, the administration can, at least until the matter is finally resolved, stop accepting asylum applications, some 90 percent of which are bogus. Border officials have discovered that thousands of so-called “family units” that crossed the border, for instance, are liars and fakers who hope to disappear into the United States once released.

Second Big Win

Yesterday’s victory, albeit temporary, was Trump’s second summertime reprieve from the court.

On July 26, the [high court overturned](#) an injunction from the U.S. Ninth Circuit Court of Appeals that blocked the administration from using \$2.5 billion from the military to begin building the border Trump promised during his presidential campaign.

That victory, too, sent the radical Left into hysterics and turned hidebound liberals into firm if new friends of the military. Having told us for the last half century that military spending was too high, the Left claimed the move would “undermine our military readiness and steal from our men and women in uniform to waste billions on a wasteful, ineffective wall,” as [House Speaker Nancy Pelosi put it](#).

As for yesterday’s ruling, [Trump tweeted](#) for joy: “BIG United States Supreme Court WIN for the Border on Asylum!”

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