



Written by [R. Cort Kirkwood](#) on December 22, 2018

Supreme Court: Borders Open; Trump Can't Stop Illegal-Alien Invasion

[The U.S. Supreme Court denied](#) an appeal from the Trump administration on Friday to stop a lower federal court and the radical left from seizing control of American immigration policy.

In a two-sentence order joined by Chief Justice John Roberts, a Bush 44-appointee and the man [who twice helped rescue](#) the unconstitutional Obamacare program, the court blocked the administration's attempt to stop illegal aliens from simply claiming asylum.



Now, any illegal alien who crosses the border can apply for asylum and the U.S. government cannot refuse to hear his case, as the Trump administration had decided.

Message to the 158 million in the world who want to emigrate to the United States: [The door's open, come on in!](#)

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Genesis of the Case

On November 9, watching the illegal-alien invaders that had been heading for the United States since October 12 under the guise of "migrants," the [president promulgated](#) an order that said illegal aliens who do not present themselves at a legal port of entry cannot apply for asylum.

Trump's case for the order was ironclad: Most asylum claims, based on the fear of violence or persecution, [he correctly wrote](#), "appear to have no lawful basis for admission into our country" and thus "intend to enter the United States unlawfully ... to seek asylum," even though a "significant majority will not be eligible for or be granted that benefit."

As well, [he wrote](#), "if apprehended, claiming a fear of persecution is in too many instances an avenue to near-automatic release into the interior of the United States. Once released, such aliens are very difficult to remove."

Trump said he was "tailoring the suspension to channel these aliens to ports of entry, so that, if they enter the United States, they do so in an orderly and controlled manner instead of unlawfully."

Therefore, "aliens who enter the United States unlawfully through the southern border in contravention of this proclamation will be ineligible to be granted asylum."

Leftists Sue to Keep Illegals Coming In

The anti-American subversives in the American Civil Liberties Union and Southern Poverty Law Center immediately filed a lawsuit. Trump, they claimed, did not have the authority to block asylum claims. The lawsuit retailed the usual sad tales about migrants supposedly fleeing persecution.

Ten days later, Judge [Jon Tigar](#) of the United States District Court for the Northern District of



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California, agreed. [The Obama appointee said](#) a codicil in the Immigration and Nationality Act stops Trump from defending the country from an invasion of illegal aliens if they claimed asylum.

So by the judge's logic, even if a million illegal aliens storm the borders and demand asylum, the president can do nothing about it. Border authorities must consider every single claim.

"Congress has clearly commanded in the INA that any alien who arrives in the United States, irrespective of that alien's status, may apply for asylum," [Tigar wrote](#), "'whether or not at a designated port of arrival.'"

The borders are open, [the judge ruled](#):

The rule barring asylum for immigrants who enter the country outside a port of entry irreconcilably conflicts with the INA and the expressed intent of Congress. Whatever the scope of the President's authority, he may not rewrite the immigration laws to impose a condition that Congress has expressly forbidden.

Even technically inadmissible illegal aliens, Tigar ruled, can apply for asylum.

[Tigar blocked](#) the order for 30 days, then, again serving the interests of anti-American subversives, [made it permanent](#) this week.

Two Sentences That Might Destroy America

When the case landed in the Supreme Court, the administration argued that the president has discretion, as *The New American* has reported, to control the borders.

Solicitor General Joel Francisco, the [New York Times reported](#), told the justices that the "United States has experienced a surge in the number of aliens who enter the country unlawfully from Mexico and, if apprehended, claim asylum and remain in the country while the claim is adjudicated, with little prospect of actually being granted that discretionary relief."

Thus, the "president, finding that this development encourages dangerous and illegal border crossings and undermines the integrity of the nation's borders," he continued, "determined that a temporary suspension of entry by aliens who fail to present themselves for inspection at a port of entry along the southern border is in the nation's interest."

[The Roberts Court rebuffed](#) Trump's request to stop Tigar and the radical Left in two sentences: "The application for stay presented to Justice Kagan and by her referred to the Court is denied. Justice Thomas, Justice Alito, Justice Gorsuch, and Justice Kavanaugh would grant the application for stay."



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