



Written by [R. Cort Kirkwood](#) on November 9, 2018

Leftist Lawyers Will Sue To Stop Trump's Asylum Changes

The Trump administration will publish new rules today that restrict the entry of migrants entering the country under claims of asylum.

Trump will use his executive powers to do so, as [The New American reported last week](#). The order will invite lawsuits from the usual open-borders leftists, backed by Deep-State globalists, who seek to cement a permanent Democratic majority by altering the country's demographics. [Radicals filed one such lawsuit last week](#).



The question is whether a lower federal court decision backing the open-borders cabal will survive scrutiny by the U.S. Supreme Court.

The Regulation

[According to](#) the *Washington Post*, Trump will use the same authority he used to impose the misnamed "Muslim ban," the order that temporarily blocked travel to the United States from certain countries known to export terrorists. That order cited section 212(f) of the Immigration and Nationality Act.

Trump's order will require anyone who wants to enter the country to appear at a port of entry, such as border crossing, airport, or seaport. Yet those crossing illegally might not be deported, the [Post reported](#):

Under the changes, migrants who cross illegally would be ineligible for asylum, but they could still be spared from deportation by qualifying for a lesser status known as "withholding of removal."

That does not provide a path to a green card or citizenship, and instead functions as a kind of provisional suspension of the deportation process, revocable at any time. Nonetheless, it would still give those who cross illegally a way to get into the immigration court backlog and be released from custody, especially those who are traveling with children.

As one official told the *Post*, "Those who enter the country between [official] ports of entry — i.e., illegally — are knowingly and voluntarily breaking the law.... So it's just important to remind everybody that while all immigration laws do afford people various forms of protection, the reality is that it's a violation of federal law to enter our country in the manner that these illegal aliens are entering the country."

Beyond that, as a senior [administration official told Politico](#), invaders who try to skirt ports of entry and enter the country across its remote frontiers are "choosing to break our laws as their first act upon entering the country" and "depriving legitimate asylum seekers of a chance to have their cases heard."

But that doesn't matter to the Left, reported the *Post*, which telegraphed the coming deluge of bogus lawsuits. "Congress very specifically said you can apply for asylum if you arrive in the United States regardless of whether you're at a port of entry," Omar Jadwat, director of the American Civil Liberties Union's Immigrants' Rights Project, [told the Post](#). "They clearly and explicitly meant to make asylum



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available to anyone who reaches the United States.”

The ACLU’s leftist legal torpedos, Jadwat told the *Post*, “have been anticipating the new measures and reviewing legal options. ‘If the president doesn’t like what the law says, the way to address it is to get Congress to pass a new one.’” Message: Lawsuits are coming.

Then again, the lawyers are telling the migrants that getting in to the United States won’t be easy, [Fox News reported](#): “We are telling them it’s going to be difficult,” one said. “We’re telling them this administration is not amenable to asylum right now, so even though many have legitimate claims, they’re going to be up against a very tough system.”

[Trump’s authority to close the borders lies](#) in Title 8, Chapter 12 of the U.S. Code, which is what he cited in erecting the travel restrictions upheld by the Supreme Court.

Migrant Caravan

The news about the order doesn’t seem to have deterred the relentless migrant march toward the southern border of the United States.

The herd “voted” to leave Mexico City, [USA Today reported](#), where they had gathered a few days ago, and start again for the border this morning. The newspaper put the number of migrants in the city at 4,000 to 5,000. Fox News estimated 6,000.

[The Fox report confirmed](#) Trump’s assertion that some of the migrants are “tough.” One migrant, it reported, “deported four times, once for domestic violence and once for driving without a license. The other two involved reentry after deportation.”





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