

No. 25-842

IN THE
Supreme Court of the United States

TAMER S. WASSILY, *Petitioner*,
v.
TODD BLANCHE, ATTORNEY GENERAL, *Respondent*.

BYRON E. VELASQUEZ ARREAGA, *Petitioner*,
v.
TODD BLANCHE, ATTORNEY GENERAL, *Respondent*.

On Writ of Certiorari to the United States
Court of Appeals for the Second Circuit

**Brief *Amicus Curiae* of
America's Future
in Support of Respondent**

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INTEREST OF THE *AMICUS CURIAE*¹

Amicus curiae America's Future, founded in 1946, is one of America's oldest policy-oriented nonprofit organizations. It is exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code. This *amicus* participates in the public policy process, including conducting research, and informing and educating the public on the proper construction of state and federal constitutions, as well as statutes related to the rights of citizens, and questions related to human and civil rights secured by law. This *amicus* has filed many *amicus* briefs in immigration-related cases.

STATEMENT OF THE CASE

Petitioners in this case are two aliens who have been present in the United States for decades. Tamer Wassily, an Egyptian, entered in 1993 on a tourist visa, which he overstayed, while Byron Velasquez Arreaga, a Guatemalan, entered in 1995. Both were illegally present in the United States when they were granted asylum by immigration judges in 2000 and 1996, respectively.

After an alien has been granted asylum, he may be eligible for adjustment of status. Under 8 U.S.C. § 1159(b), the Secretary of Homeland Security or the

¹ It is hereby certified that no counsel for a party authored this brief in whole or in part; and that no person other than this *amicus curiae*, its members, or its counsel made a monetary contribution to its preparation or submission.

Attorney General,² in his discretion and subject to additional regulations, “may adjust to the status of an alien lawfully admitted for permanent residence the status of any alien granted asylum.”

Both Petitioners, while in the United States under asylee status, were subsequently convicted of serious crimes: Wassily in 2004 of stalking in the third degree and child endangerment, and Velasquez Arreaga in 2015 of driving while intoxicated and in 2018 of aggravated driving while intoxicated.

Subsequently, for each Petitioner, an Immigration Judge (“IJ”) found those convictions to meet the threshold of “particularly serious crime” in 8 U.S.C. § 1158(b)(2)(A)(ii) and terminated Wassily and Velasquez Arreaga’s asylee status on September 3, 2008 and July 1, 2019, respectively. Wassily also received a second look from an IJ, who again determined that his crime met the “particularly serious” threshold, but nonetheless granted a waiver of inadmissibility and adjustment of status. *See In re Wassily*, No. A026-102-429 (U.S. Immgr. Ct. Oct. 21, 2019).

Both Petitioners filed appeals leading to multiple decisions by the Board of Immigration Appeals. In the case of Wassily: on June 14, 2010, dismissing

² Prior to enactment of the “Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005,” 119 *Stat.* 231 (May 11, 2005), the power to designate a person as a refugee was vested exclusively in the Attorney General.

administrative appeal; on June 4, 2014, remanding to the IJ for further proceedings; and on April 27, 2022, vacating the second IJ decision. In the case of Velasquez Arreaga, on December 11, 2020, the Board of Immigration Appeals affirmed the IJ's denial of adjustment of status, and on March 23, 2023, the Board dismissed Velasquez Arreaga's appeal.

In the decision now under review, the Second Circuit explained its interpretation of the key statute, as follows:

Velasquez Arreaga, Wassily, and the dissent all advance an interpretation of 8 U.S.C. § 1159(b) that makes little sense: A noncitizen convicted of a **particularly serious crime**, and whose **asylum status was terminated** as a result, would categorically be **treated the same** as a noncitizen with **current asylum status** when applying to adjust to lawful permanent resident status. The termination of the noncitizen's asylum status would simply be irrelevant. It would be one thing if this peculiar result were required by the statute. Unsurprisingly, though, such a counterintuitive interpretation of the statutory scheme can be reached only by disregarding the clear meaning of the statutory text. [*Wassily v. Bondi*, 150 F.4th 100, 109 (2d Cir. 2025) (“*Wassily*”) (emphasis added).]

The circuit court then ruled that because “Wassily’s and Velasquez Arreaga’s asylum status was terminated, they were not eligible to adjust to lawful

permanent resident status under 8 U.S.C. § 1159(b),” and thus denied the petitions for review. *Wassily* at 109.

SUMMARY OF ARGUMENT

Petitioners have not made their case, using either text, context, or purpose, that 8 U.S.C. § 1159(b) should be interpreted to make the termination of an asylee’s status irrelevant to whether they may continue on a path to lawful permanent resident status and possibly citizenship. Here, termination resulted from Petitioners’ commission of “particularly serious crimes.” Another reason for which asylee status can be terminated is that the asylee status was obtained by fraud.

The reading of the statute advanced by the Government is fully consistent with the purpose of the statute — that there should be a special asylee pathway to lawful permanent residence — but that pathway should only apply to persons who have not been stripped of the status which qualifies them to be on that pathway. It is and should be irrelevant that an alien once had asylee status, as only current asylee status is relevant. Additionally, there is no policy justification to read § 1159(b) as granting rights to persons who are no longer asylees, as they are no longer protected refugees under the terms of the 1951 Convention Relating to the Status of Refugees on which the Refugee Act of 1980 was based.

Lawful permanent resident status is a way station on the path to citizenship, and there is no reason to

believe that it should be granted to persons not currently viewed as asylees. Such matters should not be left to the discretion of some Attorney General who may grant that status liberally, based on a belief in open borders. Neither lawful permanent resident status nor citizenship should be given away so cheaply.

Additionally, the sad truth is that thousands of aliens have gamed the system, with the help of many immigration lawyers and NGO's, to obtain asylee status through fraud. Therefore, this Court cannot assume that all those once given asylee status originally met the statutory qualification for refugee status. The termination of asylee status is significant, and that person, by law, no longer can be treated as being on the pathway to lawful permanent resident status and possibly citizenship.

ARGUMENT

I. THE INTERPRETATION ADVANCED BY PETITIONERS IS INCONSISTENT WITH BOTH THE TEXT AND THE PURPOSE OF THE STATUTE.

The question presented is whether noncitizens who were granted asylum, which was then terminated, are still eligible for adjustment to "lawful permanent residence" under 8 U.S.C. § 1159(b). That statute provides in its most relevant part:

The Secretary of Homeland Security or the Attorney General, in the Secretary's or the Attorney General's discretion ... may adjust to

the status of an alien lawfully admitted for permanent residence the status of **any alien granted asylum** who [meets five further requirements³].

The Government takes the position that the phrase “any alien granted asylum” includes only those aliens who currently have asylee status. Wassily takes the position that “any alien granted asylum” includes any alien who at anytime in the past was granted asylum, even after that status has been terminated, and even if that termination was for committing a “particularly serious crime.” This *amicus* believes that the only reasonable reading of this text is that to qualify for an additional benefit of being granted lawful permanent residence (“LPR”), the alien must currently have asylee status. Those who lost that status are no longer in the category of persons that Congress wanted to assist.

The Government has presented a compelling argument based on the text and context of the law, applying relevant canons of construction, which this *amicus* believes demonstrates the correctness of its position, and does not seek to add to those arguments.

³ These five requirements are:

“(1) applies for such adjustment,
 (2) has been physically present in the United States for at least one year after being granted asylum,
 (3) continues to be a refugee within the meaning of section 1101(a)(42)(A) of this title or a spouse or child of such a refugee,
 (4) is not firmly resettled in any foreign country, and
 (5) is admissible (except as otherwise provided under subsection (c)) as an immigrant under this chapter at the time of examination for adjustment of such alien.”

Rather this brief addresses the purpose and history of the statute in question.

The purpose of the statute was raised by Petitioners, seeking to show that their interpretation of § 1159(b) furthers the congressional desire to increase the discretion of the Attorney General. Brief for Petitioners (“Pet. Br.”) at 35. The Government disputes this argument, explaining that Petitioners’ argument “suggest[s] barriers to the statute’s operation that do not exist.” Brief for the Respondent (“Resp. Br.”) at 34. Petitioners’ suggestion of a congressional purpose misses the mark, as it ignores the rather obvious reason as to why Congress would want only those with current asylum status to be benefitted by being able to convert to lawful permanent resident status.

It appears clear that Congress wanted to keep the special asylee pathway to lawful permanent residence open, not for all facing persecution, but only for those who were entitled to protection from persecution. 8 U.S.C. § 1159(b) was added by the Refugee Act of 1980, 94 *Stat.* 102 (Mar. 17, 1980). That statutory provision was based on the 1951 Convention Relating to the Status of Refugees (April 22, 1954) and its 1967 Protocol Relating to the Status of Refugees.⁴ Although the United States did not ratify the 1951 Convention, many of its provisions were incorporated into law in the Refugee Act of 1980.

⁴ American Immigration Council, “An Overview of U.S. Refugee Law and Policy” (April 2025).

The Convention's Article 33, entitled "PROHIBITION OF EXPULSION OR RETURN ('REFOULEMENT') states:

1. **No Contracting State shall expel or return** ("refouler") a refugee in any manner whatsoever to the frontiers of territories **where his life or freedom would be threatened** on account of his race, religion, nationality, membership of a particular social group or political opinion. [Emphasis added.]

The obvious implication is that once the refugee's life or freedom is no longer threatened, he may have his refugee status terminated and be returned. In that case, he no longer needs either asylee status or "lawful permanent residence." The next provision of the Convention shows that more is required of a refugee than just facing a credible threat of persecution.

2. The benefit of the present provision may not, however, be claimed by a refugee whom there are reasonable grounds for regarding as **a danger to the security of the country** in which he is, **or** who, having been convicted by a final judgment of a **particularly serious crime**, constitutes a danger to the community of that country.

This latter provision is identical to the statutory provision barring those who committed a "particularly serious crime" from refugee status. Both of these provisions of the Convention indicate that refugee status is neither permanent, nor a vested right to

remain in the host country. Neither should judges artificially create a vested right to remain here under lawful permanent resident status regardless of behavior, as Petitioners argue.

Protection of refugees was to be temporary, triggered by the existence of the risks of serious persecution, and normally refugee status would end when the risk ended. It was designed to assist persons who continue to be refugees, not just that they at some time in the past they had refugee status. If circumstances resolved in the individual's home country, the refugee status would no longer be needed, and therefore, could return the their home country. Certainly, there would be no need for the person to be given lawful permanent resident status in the United States. Additionally, if an individual had refugee status in the past, but lost it due to fraud or commission of a "particularly serious crime," then they would not be eligible for the favorable treatment that Congress provided for those with valid continuing refugee status.

In either event, there is no indication that if an individual had once in the past had refugee status, but no longer does, whether due to the fact persecution is not continuing, or to the discovery he obtained that status by fraud, or due to commission of a particularly serious crime, he has a lifetime pass to apply for lawful permanent resident status. Section 1159(b) did not create a new immigration program, but addressed a problem that was specific to refugees, so long as they were actually refugees, and had not lost that status. There is no basis to view a past asylum grant as

creating a vested, lifetime right, allowing that person to remain on a permanent basis.

II. LAWFUL PERMANENT RESIDENT STATUS IS A STEP TOWARD CITIZENSHIP THAT IS NOT AVAILABLE TO THOSE WHOSE BEHAVIOR CAUSED A REVOCATION OF THEIR ASYLEE STATUS.

Both the Second Circuit and the Respondent's brief explain how, in the statutory scheme, § 1159(b) can lead to lawful permanent residence, which can lead to citizenship. The Second Circuit states "a grant of asylum also opens a path to citizenship" as follows.

Under 8 U.S.C. § 1159(b), a noncitizen who "has been physically present in the United States for at least one year after being granted asylum...." Once granted lawful permanent resident status.... Assuming other conditions are met, 8 U.S.C. § 1159(b) provides that the Secretary of Homeland Security or the Attorney General "may adjust to the status of an alien lawfully admitted for permanent residence the status of any alien granted asylum." Once granted lawful permanent resident status, a noncitizen may ultimately apply for citizenship through naturalization. [*Wassily* at 101-02.]

Respondent's brief correctly describes lawful permanent resident status as "a discretionary immigration benefit that is a step along the path to citizenship." Resp. Br. at 38. Under 8 U.S.C.

§ 1427(a), naturalization is conditioned in part on an alien residing continuously in the United States for at least five years after “being lawfully admitted for permanent residence.” *Id.* “U.S. citizenship is the ultimate protection against removal, and aliens with lawful-permanent-resident status may attempt to naturalize to avoid removal proceedings, just as petitioners here sought to adjust their status.” *Id.* at 39.

To many foreigners, U.S. citizenship is not just “the ultimate protection against removal,” but the “ultimate goal” for their lives. Many aliens will do all they can, often counseled by “public interest” lawyers seeking to open the borders of our nation to all comers, to say all the right things to get asylee status to get on a pathway to citizenship. Many fabricate claims of persecution in their home country, having no compunction against committing fraud on our system, if they want citizenship for them and their family badly enough. Our system should be based on the understanding that many aliens will do whatever is required to get on and stay on that path to citizenship.

If a person is caught committing fraud, and then has asylee status terminated, that person **should** be taken off the path to citizenship, as the Government contends, not allowed to continue on that path as Petitioners demand. If a person commits a particularly serious crime, he has not just forfeited his place on that pathway to citizenship, but he has also forfeited refugee status, fully consistent with the 1951 Convention. There is no permanent benefit to be gained from once having been determined to be a

refugee. Once a person no longer qualifies for that status, he should be removed from the path to lawful permanent residence, and to citizenship.

III. PETITIONERS SEEK TO HAVE THE COURTS RE-INTERPRET A FEDERAL LAW TO BENEFIT MANY WHO HAVE COMMITTED FRAUD OR PARTICULARLY SERIOUS CRIMES.

Petitioners advance a curious statutory interpretation that the Government's termination of their asylee status, for good and valid reasons, should have no relevance to their eligibility for "lawful permanent residence," and from there a path to "citizenship." With that difficult interpretive hill to climb, it is no surprise that Petitioners have appealed to sympathy. However, Petitioners' emotional argument is no better than their statutory construction argument. Petitioners argument reads like a plea before sentencing for a crime:

Under the government's [reading of 8 U.S.C. § 1159(b)] noncitizens who have lived in the United States for decades — who have **built careers, raised families, paid taxes, and contributed to their communities** — face removal to countries where they still fear persecution or where they have no ties. That includes **innocent refugees** and spouses and children of refugees whose asylum is terminated **through no fault of their own**. [Pet. Br. at 4 (emphasis added).]

The argument that these Petitioners are just “innocent refugees” who are being punished “through no fault of their own” certainly has no relevance here, where these particular Petitioners have been convicted of committing “particularly serious crimes.” As discussed in section II, *supra*, under the 1951 Convention which the Refugee Act was tracking, there were two express limitations to refugee status: where there were “reasonable grounds” to view the person as “a danger to the security of the [host] country” or conviction of “a particularly serious crime.” Such persons are not entitled to sympathy, as under the Convention, refugee status “may not ... be claimed” by such a person. Petitioners now wish to avoid those limitations on the benefits of refugee status by invoking the interests of family members, but the consequences of a person’s actions always spill over to family members. Our system of justice does not allow a criminal to evade responsibility for his actions because he has a family, or because he claims to have been a good citizen who paid his taxes.

However, there is another reality of the refugee system as it has operated in recent years which this Court should not ignore. The rules, including the statute in question here, were written in the belief that persons would not obtain refugee status to begin with without being fully entitled to that status. The reality is quite different. An unknown, but substantial, number of asylum applicants have been given that status without meeting the high statutory standards by gaming the system, facilitated by prior Administrations which did not believe that borders should be kept secure. Were the over 170,000 persons

who made their way to the United States and who were given refugee status during a recent four year period (discussed *infra*), all really refugees under the law? There is good reason to believe that many were not.

A report published by the Center for Immigration Studies, “Fraud in the ‘Credible Fear’ Process,” noted:

[b]ecause of ... the difficulty that U.S. Citizenship and Immigration Services (USCIS), U.S. Immigration and Customs Enforcement (ICE) attorneys, and immigration judges face in effectively identifying fraud in **the asylum application process, asylum can be readily abused by aliens who are not legally eligible** for that benefit.”⁵

The report notes that “[a]liens with ties to terrorist organizations have attempted to enter illegally and claim asylum fraudulently. Hundreds of aliens to whom the terrorist bar to asylum may apply have been found to have a credible fear.” *Id.*

The attention of the media in recent months has been directed to well-documented massive fraud by Somali immigrants in Minnesota. One of those involved is Omar Jamal, who, as it turns out, had filed a fraudulent asylum application that gained him permanent presence in the United States.

⁵ Andrew Arthur, “Fraud in the ‘Credible Fear’ Process,” *Center for Immigration Studies* (Apr. 2017).

Born in Somalia's capital city of Mogadishu, Jamal secured asylum status in the U.S. in 1998 under false pretenses by denying that he ever was granted permanent residency or asylum in any other country. Jamal gained refugee and permanent resident status in Canada years prior. On his U.S. asylum application, he changed his backstory, including his birth date and clan affiliation.⁶

Then “[i]n 2001, authorities became aware of the discrepancies surrounding Jamal’s immigration history, and he was eventually convicted of lying to immigration officials. Jamal was sentenced to one year of probation and referred for deportation. The standing deportation order has followed Jamal since its issuance in 2011.” *Id.*

Unfortunately for American taxpayers, and the safety of our neighborhoods, Jamal’s story of defrauding the asylum system is hardly unique. Indeed, as Louis Crocetti, the Former Associate Director of Fraud Detection and National Security for U.S. Citizenship and Immigration Services (“USCIS”), testified to Congress in 2014, one study showed that 12 percent of asylum applications studied were

⁶ Mia Cathell, “How the self-appointed spokesman of Minnesota’s Somali community duped friendly media and convicted fraudsters,” *Washington Examiner* (Oct. 5, 2026).

conclusively determined to be fraudulent, and fully 58 percent had “possible indicators of fraud.”⁷

According to the Department of Homeland Security, more than 170,000 aliens were granted asylum in the United States during a period comparable to the Biden administration.⁸ In 2021, “The leading countries of nationality for refugees admitted ... were the Democratic Republic of the Congo, Syria, and Afghanistan.”⁹ In 2022, the leading countries were “the Democratic Republic of the Congo, Syria, and Burma.”¹⁰ In 2023, the leading countries were “Afghanistan, the People’s Republic of China (China), and Venezuela.”¹¹ And in 2024, the leading countries were “Afghanistan, China, and Russia.”¹²

A 2015 report by the Government Accountability Office (“GAO”) noted that the Departments of Justice

⁷ Louis Crocetti, “Testimony Before the House Judiciary Committee Subcommittee on Immigration and Border Security” (Feb. 11, 2014).

⁸ U.S. Dep’t. of Homeland Security, “Individuals Granted Asylum Affirmatively or Defensively: Fiscal Years 1990 to 2024.”

⁹ Ryan Baugh, “Refugees and Asylees: 2021,” U.S. Dep’t. of Homeland Security (Sept. 2022).

¹⁰ Irene Gibson, “Refugees and Asylees 2022,” U.S. Dep’t. of Homeland Security (Nov. 2023).

¹¹ Noah Schofield & Amanda Yap, “Asylees 2023,” U.S. Dep’t. of Homeland Security (Oct. 2024).

¹² U.S. Dep’t. of Homeland Security, “Asylees 2024.”

and Homeland Security “[h]ave limited capabilities to detect asylum fraud.”¹³ The GAO also described a fraud investigation in New York City:

[K]nown as Operation Fiction Writer, [it] resulted in charges against 30 defendants, **including 8 attorneys**, for their alleged participation in immigration fraud schemes in New York City.... [The] fraudulent asylum applications ... often followed one of three fact patterns: (1) forced abortions performed pursuant to China’s family planning policy; (2) persecution based on the applicant’s belief in Christianity; or (3) political or ideological persecution, typically for membership in China’s Democratic Party or followers of Falun Gong. [*Id.* at 33 (emphasis added).]

This report detailed that those charged “filed 5,773 affirmative asylum applications with USCIS, and USCIS granted asylum to 829 of those affirmative asylum applicants.” *Id.* Some “3,709 individuals who were connected to attorneys and preparers convicted in Operation Fiction Writer were granted asylum in immigration court” following their premeditatedly fraudulent applications. *Id.*

Applicants have the assistance of what appears to be a small army of leftist U.S. lawyers and NGO’s running a cottage industry of helping them enter

¹³ Government Accountability Office, “ASYLUM: Additional Actions Needed to Assess and Address Fraud Risks” at 29 (Dec. 2015).

illegally and cover up their fraud. In 2018, the Justice Department obtained a conviction of immigration attorney Andreea Dumitru, who “operated a scheme to submit fraudulent I-589 Forms in connection with applications for asylum.... Dumitru submitted over 100 applications in which she knowingly made false statements and representations about, among other things, the applicants’ personal narratives of alleged persecution, criminal histories, and travel histories. Dumitru deliberately fabricated detailed personal stories of purported mistreatment of her clients, forged her clients’ signatures, and falsely notarized affidavits.”¹⁴

In January 2023, the DOJ obtained convictions of attorneys Ilona Dzhamgarova, Arthur Arcadian, and Igor Reznik for submitting numerous fraudulent asylum applications.¹⁵ “Dzhamgarova advised clients to seek asylum by falsely claiming that they were members of the lesbian, gay, bisexual, transgender, and queer community who suffered persecution in their native countries.” All three attorneys “coached certain clients to lie in asylum interviews conducted by USCIS asylum officers....” There are a near-endless string of other similar cases.¹⁶

¹⁴ U.S. Dep’t. of Justice, “Queens Immigration Attorney Found Guilty Of Operating Asylum Fraud Scheme” (Nov. 19, 2018).

¹⁵ U.S. Dep’t. of Justice, “Attorneys And Associate Of Immigration Law Firm Plead Guilty To Participating In Asylum Fraud Scheme” (Jan. 25, 2023).

¹⁶ See, e.g., U.S. Dep’t. of Justice, “Immigration Attorney And CEO Of Immigration Services Company Convicted At Trial Of

In 2017, Attorney General Jeff Sessions reported to the American People that “half of those that pass [initial credible fear] screening [at the border] — the very people who say they came here seeking asylum — never even file an asylum application once they are in the United States. This suggests they knew their asylum claims lacked merit and that their claim of fear was simply a ruse to enter the country illegally.”¹⁷

In 2018, Sessions further asserted, **“the vast majority of the current asylum claims are not valid.** For the last five years, only 20 percent of claims have been found to be meritorious after a hearing before an Immigration Judge.”¹⁸ Sessions added, **“The asylum system is being abused to the detriment of the rule of law, sound public policy, and public safety....** Saying a few simple words — claiming a fear of return — is now transforming a

Conspiring To Commit Immigration Fraud” (Dec. 20, 2022); U.S. Customs and Immigration Service, “Phony Immigration Attorney Who Filed Hundreds of Fraudulent Asylum Applications Sentenced to More Than 20 Years in Federal Prison” (Apr. 13, 2021); U.S. Dep’t. of Justice, “Jury Convicts North Suburban Lawyer of Immigration Fraud for Falsifying Clients’ Applications for U.S. Asylum” (May 9, 2016); David Thomas, “ICE claims US asylum lawyer faked records in dozens of cases, seeks \$470K fine,” *Reuters* (July 30, 2026).

¹⁷ U.S. Dep’t. of Justice, “Attorney General Jeff Sessions Delivers Remarks to the Executive Office for Immigration Review” (Oct. 12, 2017).

¹⁸ U.S. Dep’t. of Justice, “Attorney General Sessions Delivers Remarks to the Executive Office for Immigration Review Legal Training Program” (June 11, 2018) (emphasis added).

straightforward arrest for illegal entry and immediate return into a prolonged legal process, where an alien may be released from custody into the United States and possibly never show up for an immigration hearing. This is a large part of what has been accurately called, ‘catch and release.’” *Id.* (emphasis added).

The Federation for American Immigration Reform reported that “the Biden-Harris administration ... failure in leadership has resulted in **hundreds of thousands of illegal aliens being released into the country after simply making an asylum claim and basically guaranteed that illegal aliens will stay in the country for years** before their cases are adjudicated. The current asylum case backlog stands at more than 1.1 million cases....”¹⁹ (emphasis added).

Other Western nations have seen massive increases in asylum fraud as well. The *London Times* recently reported on an interview with a Home Office asylum decision-maker, who asserted that “at best **only one percent** of asylum seekers **are genuine**.”²⁰ According to the *Times* source:

Hundreds of Pakistani applicants alleging persecution for their asserted homosexuality

¹⁹ Federation for American Immigration Reform, “An Immigration Reform Agenda for the 119th Congress” (Dec. 2024).

²⁰ Benjamin Schwarz, “The London ‘Times’ Makes an Unforced Error on Immigration.” *The American Conservative* (Sept. 18, 2026) (emphasis added).

submitted letters of support from the very same boyfriend; Bangladeshis claiming persecution because of their supposed senior positions in the banned Awami League proved unable to answer elementary questions about either the party or their purported roles in it; hundreds of Iraqi Kurds claimed persecution arising from their romantic relationship with the daughter of the Kurdistan region's prime minister.

In a March 2025 presidential memorandum, the White House warned that “this fraud ... undermines the integrity of our immigration laws and the legal profession more broadly — to say nothing of the undeniable, tragic consequences of the resulting mass illegal immigration, whether in terms of heinous crimes against innocent victims like Laken Riley, Jocelyn Nungaray, or Rachel Morin, or the enormous drain on taxpayer resources intended for Americans.”²¹

Petitioners would have the Court assume that all asylees are both innocent and model citizens, but when fraud or particularly serious crime results in termination of asylee status, these persons must be taken off the pathway to lawful permanent residence and citizenship, exactly as Congress provided.

²¹ The White House, “Preventing Abuses of the Legal System and the Federal Court” (Mar. 22, 2025).

CONCLUSION

This Court should affirm the judgment of the Second Circuit.

Respectfully submitted,

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