

# SUPREME COURT OF THE UNITED STATES

---

IN THE SUPREME COURT OF THE UNITED STATES

- - - - -  
TODD BLANCHE, ACTING )  
ATTORNEY GENERAL, )  
                                Petitioner, )  
                                v. ) No. 25-429  
MUK CHOI LAU, )  
                                Respondent. )  
- - - - -

Pages: 1 through 102  
Place: Washington, D.C.  
Date: April 22, 2026

---

**HERITAGE REPORTING CORPORATION**  
*Official Reporters*  
1150 Connecticut Avenue, N.W., Suite 305  
Washington, D.C. 20036  
(202) 628-4888  
[www.hrcreporters.com](http://www.hrcreporters.com)



1	C O N T E N T S	
2	ORAL ARGUMENT OF:	PAGE:
3	SOPAN JOSHI, ESQ.	
4	On behalf of the Petitioner	3
5	ORAL ARGUMENT OF:	
6	SHAY DVORETZKY, ESQ.	
7	On behalf of the Respondent	58
8	REBUTTAL ARGUMENT OF:	
9	SOPAN JOSHI, ESQ.	
10	On behalf of the Petitioner	97
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

P R O C E E D I N G S

(10:13 a.m.)

CHIEF JUSTICE ROBERTS: We will hear argument this morning in Case 25-429, Blanche versus Lau.

Mr. Joshi.

ORAL ARGUMENT OF SOPAN JOSHI

ON BEHALF OF THE PETITIONER

MR. JOSHI: Mr. Chief Justice, and may it please the Court:

When Respondent arrived in the United States in June of 2012, he had, in fact, already committed a crime involving moral turpitude. That meant, under the INA, he was, in fact, seeking an admission and thus was, in fact, eligible for parole and correctly charged with inadmissibility. And what's more, the government proved everything I just said by clear and convincing evidence in Respondent's removal proceedings.

Yet Respondent now seeks to vacate his removal order on the ground that immigration officers at the airport in June of 2012 did not themselves in that moment possess that clear and convincing evidence.

1           That makes no sense. Burdens of proof  
2 and evidentiary burdens are things that apply  
3 in adversarial proceedings before a  
4 decisionmaker, not at the airport, where  
5 non-lawyer immigration officers are processing  
6 hundreds, maybe thousands, of arrivals a day.

7           Unsurprisingly, Respondent has  
8 identified no text, no historical practice, and  
9 no precedent imposing an at-the-border  
10 clear-and-convincing evidentiary requirement.  
11 Instead, Respondent largely focuses on a  
12 distraction. He says that DHS immigration  
13 officers can't parole him without first  
14 determining that he's seeking an admission.

15           We agree, and officers did that here,  
16 just not with the clear and convincing evidence  
17 that he prefers. So Respondent's argument  
18 really just begs the question in this case.

19           Similarly, he says the clear and  
20 convincing evidence that DHS presented in the  
21 removal proceedings amounts to post hoc  
22 justification. But, again, that assumes the  
23 conclusion that the border officers needed  
24 clear and convincing evidence in the first  
25 place.

1           Now we have other arguments that  
2 parole decisions are not reviewable and that  
3 even an incorrect parole can't be treated as an  
4 admission. You don't have to reach those.  
5 Respondent's failure to establish his  
6 at-the-border clear-and-convincing evidentiary  
7 requirement dooms his case and is sufficient on  
8 its own to reverse the judgment below.

9           I welcome the Court's questions.

10           JUSTICE THOMAS: I know you -- you're  
11 making a distinction between the clear and  
12 convincing at the border as opposed to at the  
13 hearing, but where does clear and convincing  
14 come from? Is it in the INA?

15           MR. JOSHI: No. It is a board  
16 decision that has determined that because the  
17 INA requires an applicant for admission to  
18 establish admissibility by clear and convincing  
19 evidence but, on the other hand, requires the  
20 government to establish deportability by clear  
21 and convincing evidence, the board has sort of  
22 looked at those and decided that the threshold  
23 question about which one of those two paths it  
24 should go down is the government's burden and  
25 said clear and convincing seems to be the right

1 standard. And we've accepted that for purposes  
2 of this case.

3 JUSTICE THOMAS: But it's not in the  
4 statute itself?

5 MR. JOSHI: The -- it's not directly  
6 in the statute.

7 JUSTICE THOMAS: So has the board  
8 applied that standard at the border?

9 MR. JOSHI: No. Never. In fact, the  
10 board was quite clear in Valenzuela-Felix that  
11 it does not apply at the border. It rejected  
12 the precise argument that Respondent is making  
13 here today.

14 JUSTICE SOTOMAYOR: Counsel, the  
15 statute says an alien lawfully admitted for  
16 permanent residence in the United States shall  
17 not be regarded as seeking an admission into  
18 the U.S. unless the alien has done one of six  
19 things, okay? So it's not an alien seeking  
20 admission unless it's done one of those six  
21 things.

22 So the question becomes if the U.S.  
23 meets -- decides that there's a possibility  
24 that any group of aliens might have a  
25 conviction or might be -- have committed a

1 crime of moral turpitude. The basis for that?  
2 Well, for any reason the government can think  
3 of, okay, and just willy-nilly paroles LPRs,  
4 people with green cards, into the U.S. and says  
5 we're just not going to let you be admitted.  
6 We're going to take away your green card,  
7 you're going to get it stamped -- a stamped  
8 card with temporary admission.

9 Is that reviewable?

10 MR. JOSHI: Eventually, if removal  
11 proceedings are initiated, the -- it is -- the  
12 government will have to show by clear and  
13 convincing evidence that, in fact, one of those  
14 six criteria applied.

15 JUSTICE SOTOMAYOR: So this statutory  
16 command is meaningless at the border?

17 MR. JOSHI: I -- I --

18 JUSTICE SOTOMAYOR: Aliens who possess  
19 a green card will be considered applicants for  
20 admission at the whim of the government?

21 MR. JOSHI: I don't think that's quite  
22 correct. First of all --

23 JUSTICE SOTOMAYOR: Why? Because, if  
24 what you're saying to me is that the law saying  
25 that they're entitled to come in and be removed

1 under 1227 as opposed to 1182 doesn't apply,  
2 why bother with the statutory assumption?

3 MR. JOSHI: So I don't think that it's  
4 just at the whim. First of all, there's a --

5 JUSTICE SOTOMAYOR: No, no, I don't  
6 think it's at the whim. But my point is, still  
7 remains, if it's not reviewable, it can be.

8 MR. JOSHI: It -- and what I'm saying  
9 is that that -- the determination about whether  
10 the LPR, in fact, satisfied one of those six  
11 criteria in the -- in the statute is decided  
12 afresh by the immigration judge --

13 JUSTICE SOTOMAYOR: All right.

14 MR. JOSHI: -- in removal  
15 proceedings --

16 JUSTICE SOTOMAYOR: What's the  
17 difference between 1184 and 1227? You can  
18 remove an LPR who has been convicted of a crime  
19 of moral turpitude under 1227. So why do you  
20 need 1184?

21 MR. JOSHI: 1182, yes. So --

22 JUSTICE SOTOMAYOR: I'm sorry. I  
23 misspoke.

24 MR. JOSHI: No, I -- I understood.

25 Respondent happens to be removable

1 under both. But there is an important  
2 difference in not just crimes involving moral  
3 turpitude but others. But, for the crimes  
4 involving moral turpitude in particular, an  
5 alien is inadmissible if he commits such a  
6 crime at any time after admission but is  
7 deportable only if he commits such a crime  
8 within five years after his admission.

9 Now the happenstance is Respondent  
10 happened to have committed his crime four years  
11 and six months after admission. So it turns  
12 out, by happenstance, we're lucky in  
13 Respondent's case that it doesn't matter. But  
14 that's not going to be true of other LPRs.

15 In addition, there are many other  
16 differences between admissibility and  
17 deportability. Let me give you one example  
18 that doesn't apply here but applies to a lot of  
19 cases, and that is drug trafficking offenses.  
20 To be deportable under 1227, there's got to be  
21 a conviction. It's only commission under 1182  
22 for inadmissibility.

23 And I know what you're thinking,  
24 the -- the difference between commission and  
25 conviction, but that's not the reason it's so

1 important to us, because, generally, we wait  
2 for the conviction before trying to remove  
3 them. The reason it's important is the  
4 categorical approach. Because 1227 requires  
5 the conviction, there are a lot of state  
6 offenses where their list of controlled  
7 substances is slightly broader than the federal  
8 list of controlled substances, so convictions  
9 we can't rely on. But commission we can  
10 because we can say, oh, it was actually  
11 cocaine, not this, like, esoteric --

12 JUSTICE SOTOMAYOR: Well, I guess the  
13 problem I'm having is LPRs have a legal right  
14 to be here. They have a legal right to come  
15 back into the country. And Congress is the one  
16 who deems the situations in which that right  
17 should be taken away from them.

18 So why should it matter? Meaning, why  
19 should a temporary removal take away their  
20 constitutional right to have that judgment  
21 decided under 1227 as opposed to under 1182?

22 MR. JOSHI: So, first, it is not a  
23 constitutional right to be deported rather than  
24 deemed inadmissible.

25 JUSTICE SOTOMAYOR: It is -- you're

1 right. It's a statutory right.

2 MR. JOSHI: Right. And --

3 JUSTICE SOTOMAYOR: But -- but they  
4 have that statutory right. So why should that  
5 right be taken away?

6 MR. JOSHI: So I just want to be  
7 clear, if there -- if -- when removal  
8 proceedings are initiated and the government  
9 says we can remove under 1182 as opposed to  
10 1227, the government will have to prove that  
11 that is, in fact, the correct choice by clear  
12 and convincing evidence.

13 JUSTICE JACKSON: But, Mr. Joshi, I  
14 guess --

15 JUSTICE BARRETT: Mr. Joshi, what  
16 happens in the meantime then? Because this  
17 really, as -- as I understand, allows Mr. Lau's  
18 argument. It is about timing, whether it has  
19 to happen at the border or whether it would  
20 happen in the removal proceeding, this  
21 threshold determination.

22 What is the consequence for an LPR  
23 that is paroled? Do they lose some sort of  
24 rights because they have this flag on their  
25 status until the removal proceeding begins?

1           MR. JOSHI: No. Parole maintains the  
2 alien's status. The LPR remains in LPR status.  
3 I know that some of Respondent's amici say  
4 that, you know, the -- the temporary I-551,  
5 which is the temporary green card, is not as  
6 convincing to employers as a permanent green  
7 card.

8           But, in the eyes of the law, it's  
9 identical status. In fact, even the temporary  
10 green cards, they -- they tend to say expires  
11 after one year. We don't think that expiration  
12 means anything. They're still an LPR all the  
13 same.

14           JUSTICE JACKSON: So why -- why are  
15 there green cards --

16           JUSTICE BARRETT: So -- I'm sorry, I'm  
17 not quite finished.

18           So you think there's practical  
19 consequences, but, as a matter of law, there's  
20 no legal consequence. The determination is  
21 still going to happen. What -- what is the  
22 length of time typically between paroling and  
23 then the initiation of removal proceedings?

24           MR. JOSHI: It -- it depends. So,  
25 typically, what happens -- and as a matter of

1 practice, I think this is pretty uniform -- is  
2 when an LPR is paroled for a deferred  
3 inspection or prosecution --

4 JUSTICE BARRETT: Right.

5 MR. JOSHI: -- as in this case,  
6 they're instructed to report to a deferred  
7 inspection station, which is a different  
8 location, in 30 days.

9 And then, when they -- just to  
10 evaluate what's going on, and then there will  
11 be periodic check-ins, rarely if ever longer  
12 than 90 days. But it'll basically be tied to  
13 the pending criminal proceedings, and they'll  
14 just check in and say, okay, we're at pretrial  
15 discovery, we're at -- you know, now trial is  
16 expected to be at this time or the other, and  
17 we'll typically just wait until the proceedings  
18 have finished.

19 I think this case is probably fairly  
20 typical. They tend to close out within about a  
21 year if there's a pending charge, you know,  
22 speedy trial and all of that. But that's  
23 fairly typical.

24 JUSTICE JACKSON: Mr. Joshi, you  
25 suggest that there's no difference, but I'm --

1 I'm wondering then why is the green card  
2 removed from the person if they are paroled?

3 MR. JOSHI: I don't know the answer to  
4 that.

5 JUSTICE JACKSON: All right. So,  
6 obviously, the government is doing something to  
7 parolees. They're giving them a different card  
8 than the one they had. And we have amici that  
9 say that without the permanent card, which the  
10 person previously had, there is real  
11 uncertainty about their status as a practical  
12 matter, that their employment becomes tenuous,  
13 that their schooling, there's -- I'm referring  
14 to the brief of the Asian American Legal  
15 Defense and Education Fund. So we have those  
16 practical difficulties.

17 And then I'm wondering, doesn't parole  
18 status then put the person in a category that  
19 they are eligible for removal, whereas, if they  
20 had been admitted, then, based on a subsequent  
21 conviction, the government would have had to  
22 deport them, and the burdens are different with  
23 respect to removability versus deportability,  
24 isn't that right?

25 MR. JOSHI: Yes. So if I could answer

1 both of those questions.

2 JUSTICE JACKSON: I mean, that's a  
3 legal consequence that does -- it does matter  
4 whether you're brought back in as a parolee or  
5 you're admitted as a legal -- a lawful  
6 permanent resident.

7 MR. JOSHI: If you're paroled, it says  
8 if you're still standing at the border. So,  
9 yes, it keeps open the possibility of removal  
10 on inadmissibility grounds, in addition to  
11 deportability grounds.

12 JUSTICE JACKSON: Okay. So it does  
13 make a difference. And so the question then  
14 becomes, looking at the statutes that Justice  
15 Sotomayor pointed out, if a lawful permanent  
16 resident under the statute is supposed to be  
17 brought in or let in as admitted unless six  
18 different possibilities for turning that person  
19 into a parolee rather than an admittee, I'm  
20 wondering why the government's position is that  
21 the determination of any of those six  
22 categories doesn't have to happen at the time  
23 in which the border person is making a  
24 determination about this person's  
25 admissibility.

1           I think your argument is, at some  
2 point later in the future, we can decide  
3 whether or not the person fits into one of  
4 those six categories. But it would seem to me  
5 that that would -- that's a prerequisite to the  
6 initial assessment as to whether or not they  
7 come in as admitted or they come in as a  
8 parolee, which we've determined makes a  
9 difference.

10           MR. JOSHI: Yes. So I want to tease  
11 out two concepts here. You said we can decide  
12 at a later time whether he fits into one of  
13 those six categories. That's not quite right.  
14 We decide in the removal proceedings -- rather,  
15 the immigration judge decides in the removal  
16 proceeding as the government burden to prove  
17 that the alien in the past fit, past tense,  
18 into one of those six categories, so we're --

19           JUSTICE JACKSON: I understand, but --  
20 but timing matters because, at the border,  
21 you're making the determination as to whether  
22 or not this person comes in under the lawful  
23 permanent resident admitted status or whether  
24 they're coming in as a parolee.

25           And if that decision turns on the

1 assessment of the six categories, I would think  
2 it would have to be done at that time.

3 MR. JOSHI: Yes, but not with clear  
4 and convincing evidence. That's a thing that  
5 applies in removal proceedings before a neutral  
6 decisionmaker.

7 JUSTICE JACKSON: So what is the  
8 standard at the time?

9 MR. JOSHI: So let me give you  
10 three -- a three-part answer to that. The  
11 first is I'm going to tell you that we don't  
12 think there is a standard. The second is I'm  
13 going to say, if you insist on one, what it is,  
14 and it's going to involve satisfaction of --  
15 satisfactory evidence to the border officer.  
16 And then the third, I'm going to try and  
17 respond to what I anticipate will be your  
18 response to my first two answers.

19 (Laughter.)

20 JUSTICE KAGAN: Because -- because --  
21 that would be because the first two won't sound  
22 very good?

23 (Laughter.)

24 MR. JOSHI: No, they'll -- they'll --  
25 they'll sound fine. They'll just lead to a

1 point that some of the amici, Respondent's  
2 amici, make.

3 So my first point is that burdens of  
4 proof are just not something we think about as  
5 applicable in a border environment where an  
6 officer -- as I -- as I said, it's typically an  
7 adversarial proceeding with the decisionmakers  
8 where you have burdens of proof. If you take  
9 away one of the adversaries, we typically don't  
10 talk about burdens of proof. We say, like,  
11 prima facie case or something, and if you --

12 JUSTICE JACKSON: Can I just -- can I  
13 stop you for a second, though, because  
14 you're -- you're -- you're caught up in  
15 assessing whether or not there's a burden of  
16 proof. I'm just trying to understand how the  
17 border officer is to make the determination  
18 that this person is let in as a lawful  
19 permanent resident versus a parolee.

20 MR. JOSHI: So --

21 JUSTICE JACKSON: And whether we call  
22 it burdens of proof or what -- you know, fine,  
23 and we don't think about it in those terms, but  
24 they have to have some standard, and what is  
25 it?

1           MR. JOSHI: Okay. So I'll jump to my  
2 second point then, which is the standard is we  
3 think, because the INA doesn't speak directly  
4 to this issue or impose any kind of burden, the  
5 standard would be the same standard that is  
6 longstanding and traditional in immigration  
7 law, even predating the INA, going back a  
8 century or more, which is, when the sovereign  
9 controls who enters the country at the border,  
10 it's the person arriving has to establish to  
11 the satisfaction of the officer that they're  
12 entitled to be let in.

13           This Court in *Sing Tuck*, I think it's  
14 a 1904 case, used the word "satisfactory." The  
15 INA codifies this principle in places, I think  
16 Section 1361 it says "establish to the  
17 satisfaction of the border officer." Our  
18 regulations, 235.1, that we cite --

19           JUSTICE JACKSON: Okay. And this  
20 person --

21           JUSTICE ALITO: Well, Mr. Joshi,  
22 you're --

23           JUSTICE JACKSON: -- the person at  
24 the --

25           JUSTICE ALITO: -- you're -- you're

1 swinging for the fences here. In this case,  
2 the Respondent was charged with a criminal  
3 offense at the time when he tried to reenter --  
4 come back to the United States, is that  
5 correct?

6 MR. JOSHI: Correct.

7 JUSTICE ALITO: And the question that  
8 is before us is whether that had to be shown at  
9 the border by clear and convincing evidence.

10 MR. JOSHI: Whether the commission of  
11 the offense, yes.

12 JUSTICE ALITO: Now the statute says  
13 has committed. It doesn't say may have  
14 committed. It also doesn't say has been  
15 convicted, which is language that appears in  
16 a -- in the provision to which a  
17 cross-reference is made, but something has to  
18 be determined at the border, right? Now the  
19 Third Circuit said it's probable cause. You  
20 think that's too high?

21 MR. JOSHI: I -- I don't -- I  
22 understand that the Third Circuit has said that  
23 and it has derived it from kind of due process  
24 avoidance. I don't know that it really makes  
25 sense to just pull probable cause out of the

1 air and import it.

2 I think you just decided a case  
3 earlier this term in which you refused to just  
4 blindly impose probable cause on, I think it  
5 was warrantless searches for emergency aid.

6 And -- and I think, you know, it --  
7 that would certainly be better than the Second  
8 Circuit's rule, and we could, you know,  
9 certainly try and live with that. But I think  
10 the right answer is the background immigration  
11 rule of to the satisfaction, and let me, like,  
12 spell out --

13 JUSTICE ALITO: Well, I mean, what --  
14 so what if the immigration officer just says  
15 you look very shifty, I think that you have  
16 committed a criminal offense, and, therefore,  
17 you -- you cannot be admitted, you're going to  
18 be paroled?

19 MR. JOSHI: Yeah, that -- that  
20 would -- that would be wrong. That would be an  
21 officer acting in bad faith. But let me try  
22 and reassure you that you shouldn't have your  
23 interpretation of the INA turn on that kind of  
24 assumption, number one. Parole -- immigration  
25 officers, line officers, are not authorized to

1 grant parole. It has to be granted by the head  
2 of the port or a supervisor of a certain GS  
3 level.

4 Second, as I was mentioning to Justice  
5 Barrett, parole -- this kind of parole requires  
6 a check-in at 30 days and periodic. Those are  
7 at separate stations manned by different  
8 officers. My understanding is it's usually  
9 rotating officers.

10 So you would have to think that if  
11 this is going to be long-lasting or anything  
12 other than a very temporary defeasible decision  
13 made by one rogue officer, that's just not  
14 true, and you would have to think the entire  
15 agency is acting in bad faith. And more than  
16 that, you would have to think they're acting in  
17 bad faith in a way that imposes more work on  
18 themselves.

19 I mean, if the LPR is clearly -- you  
20 know, clearly ought to be let in, DHS is not  
21 going to keep paroling him in bad faith --

22 JUSTICE ALITO: But --

23 MR. JOSHI: -- when it requires their  
24 officers to do more work.

25 JUSTICE ALITO: -- can I just ask you

1 a -- a practical question? And you may well  
2 not have this information, but, in practice,  
3 are -- are people treated the way Respondent  
4 was treated if they have not already been  
5 charged with a criminal offense? How would the  
6 immigration officer know that, let's say,  
7 someone is under investigation someplace?

8 MR. JOSHI: Yeah, as a practical  
9 matter, no, at -- at least not in clause 5,  
10 which is the one we've been talking about. You  
11 know, I can imagine a circumstance in clause 3  
12 which says -- that's the one that says, if the  
13 LPR is engaged in criminal activity overseas, I  
14 think if there's, like, an Interpol alert, I  
15 think that's a circumstance where that's not  
16 even a charge; that's just law enforcement  
17 saying we think this LPR might have  
18 committed -- might have engaged in criminal  
19 activity overseas. We think that would be an  
20 adequate basis for the border officer to  
21 determine that the LPR engaged in criminal  
22 activity and therefore to parole him.

23 If and when removal proceedings are  
24 launched, DHS, the government, is going to have  
25 to prove by clear and convincing evidence that,

1 in fact, at that time, the LPR did engage in  
2 the criminal activity overseas.

3 JUSTICE KAGAN: I guess what seems a  
4 little mysterious is that once you admit that  
5 much, that there is a clear-and-convincing  
6 evidence standard and that that standard is  
7 what applies not to the removal, right, it's  
8 what applies to the reentry so that the --  
9 the -- the IJ at the removal proceeding is  
10 going to be thinking about this past question  
11 about how the person should have been  
12 classified at the reentry, once that becomes  
13 the appropriate inquiry or the -- the inquiry  
14 that's relevant in this case, why the standard  
15 shouldn't apply at the time that inquiry is,  
16 like, right in front of you when the person has  
17 reentered?

18 MR. JOSHI: For the same reason that  
19 you don't apply the beyond a reasonable doubt  
20 standard at the indictment or at the filing of  
21 a criminal information. That's a standard that  
22 applies in the ultimate proceeding to determine  
23 ultimate innocence or guilt in the criminal  
24 case. And in the removal proceeding, the  
25 reason the IJ looks at it is --

1 JUSTICE KAGAN: Well, that would be  
2 true -- I understand that, that if -- if that's  
3 the way you look at it, this is kind of the  
4 charging stage and that's the adjudication  
5 stage. But it does seem like the questions --  
6 it -- it seems bizarre that the adjudication  
7 stage would sort of look back and ask the  
8 question about reentry.

9 It's -- it's -- it's --

10 MR. JOSHI: Right.

11 JUSTICE KAGAN: Usually, when we're  
12 talking about charging and adjudication, the  
13 ultimate question is the one that's decided at  
14 adjudication. You're not looking back to some  
15 prior question. Once you have to look back to  
16 some prior question, why aren't you just  
17 applying the standard there?

18 MR. JOSHI: So two things. The first  
19 thing I'll say is you're not -- I -- I just  
20 want to be clear about this. The IJ is not  
21 reviewing the immigration officer's decision.  
22 The IJ is taking a fresh look at the evidence  
23 and determining whether, in fact, the LPR fit  
24 one of those six categories. So that -- that's  
25 number one.

1           Number two, the reason for that oddity  
2           is actually just, once you stare at the INA  
3           long enough, you realize that that has to be  
4           how it is because, number one, the INA says --  
5           and this is 1229a(3) -- it's at page 5a of our  
6           opening brief -- that the removal proceedings,  
7           setting aside expedited removal, are the sole  
8           and exclusive procedure for determining  
9           admissibility or removability.

10           And then later, it says -- and -- and  
11           earlier in (a)(1), it says that the immigration  
12           judge is determining whether he can be deported  
13           or removed. And then later, in (e)(2) -- this  
14           is at page 6a to 7a of our opening brief -- it  
15           defines "removable" in terms of in the case of  
16           an alien not admitted and in the case of an  
17           alien admitted.

18           And it's that threshold thing which is  
19           actually part of the removability determination  
20           is what the IJ is doing. It just so happens in  
21           the case of an LPR in this circumstance that  
22           when the LPR comes in, he is admitted or not  
23           admitted depending on whether he satisfies one  
24           of these six exceptions. And parole, in that  
25           case, when the LPR is paroled, it's like

1 hitting a pause button and saying let's pause  
2 things. It's as if the line at Newark airport  
3 took a year for him to get to the front of the  
4 line.

5 And so it's just this weird confluence  
6 of things is why the IJ is looking backward in  
7 point of time, but it is not at all to, like,  
8 review the DHS immigration officer's decision.  
9 And that's why you don't apply the burden of  
10 proof at the airport.

11 And it just really would be weird to  
12 do that because Congress, in IIRIRA, clearly  
13 wanted LPRs to be treated just like any other  
14 alien in these six circumstances. Congress  
15 surely knew that the border environment, where  
16 there are just hundreds, thousands of people a  
17 day -- I mean, to give you a sense of  
18 perspective, every year, approximately,  
19 actually, a little over, 8 million LPRs enter  
20 the United States, and those 8 million LPRs  
21 effect 40 million separate entries, so an  
22 average of five apiece.

23 And it would sort of be unthinkable  
24 for Congress to think that the border officer  
25 in the moment, just with people coming through

1 the line, is going to have clear and convincing  
2 evidence without doing, in Justice Ginsburg's  
3 memorial phrase, you know, convening a -- a  
4 piepowder Court.

5 JUSTICE BARRETT: But how would --

6 JUSTICE KAGAN: Well, you would,  
7 though, wouldn't you? Because you could just  
8 check conviction records, and -- and -- and  
9 that's the way it would work. If somebody has  
10 already been convicted, you would be put in one  
11 pipeline. If the person had not already been  
12 convicted, you would be put in another  
13 pipeline. And, yes, would that miss some  
14 people maybe like the Respondent here, but, you  
15 know, close enough for government work.

16 MR. JOSHI: So I -- I don't think  
17 that's right because it would really undermine  
18 Congress's pretty considered choice to  
19 partially abrogate and expand upon the --  
20 the -- and pull back, curtail, I should say,  
21 the Fleuti doctrine because Congress very  
22 clearly chose to say "committed an offense,"  
23 not is inadmissible under the provision.

24 What's more, it happens that crimes  
25 involving moral turpitude and I think some

1 controlled substances offenses require a  
2 conviction or admission of guilt for  
3 inadmissibility, but most of the crimes do not.  
4 Drug trafficking, human trafficking,  
5 prostitution, they don't require a conviction.  
6 So too with the overseas criminal activity.

7 You would really be gutting all six of  
8 these provisions and really just not giving  
9 effect to what Congress seemed to want to do  
10 really, really strongly in IIRIRA.

11 CHIEF JUSTICE ROBERTS: Thank you,  
12 counsel.

13 Justice Thomas?

14 JUSTICE THOMAS: Mr. Joshi, how was  
15 this -- the offense here determined at the  
16 border?

17 MR. JOSHI: At the border, it was  
18 because of the pending charge and --

19 JUSTICE THOMAS: No. Where was --  
20 where was that? I mean, what did the border  
21 patrol have before him or her?

22 MR. JOSHI: The immigration officer,  
23 searching a -- a -- a -- a federal database in  
24 which states can put in their criminal charges  
25 and things like that, searched that and found

1 the arrest and pending charge that Respondent  
2 was facing at that time.

3 JUSTICE THOMAS: And that basically  
4 said the offense had been committed by this  
5 person?

6 MR. JOSHI: The border officer in good  
7 faith concluded that that was the answer, yes,  
8 in the same way that the prosecutor who filed  
9 the charge -- I mean, we always think this when  
10 prosecutors file charges or seek --

11 JUSTICE THOMAS: Yeah.

12 MR. JOSHI: -- indictments, that the  
13 prosecutor in good faith believes I think you  
14 did it and I think I'm going to be able to  
15 prove to a jury that you did it.

16 And the border officer is making  
17 exactly those same conclusions, and he's  
18 entitled to credit the prosecutor's --

19 JUSTICE THOMAS: Well, the only point  
20 I'm making is that it wasn't arbitrary. It  
21 came from a database. And that seems to  
22 somehow be lost here.

23 MR. JOSHI: Yes. That's entirely  
24 correct. And, indeed, Respondent and his amici  
25 have had every incentive to go find examples of

1 bad-faith paroles where we're willy-nilly  
2 paroling LPRs, and they just haven't found any  
3 because we don't do that. It's not in our  
4 interest to do that.

5 JUSTICE THOMAS: So was this ever --  
6 was this process challenged before the removal  
7 hearing?

8 MR. JOSHI: No. This was -- this was  
9 raised at the removal hearing, where we  
10 concededly --

11 JUSTICE THOMAS: So whatever burdens  
12 that the parole imposed were not challenged  
13 before the removal?

14 MR. JOSHI: That's right. In  
15 fairness, I'm -- I'm not sure there is a path  
16 to --

17 JUSTICE THOMAS: Yeah.

18 MR. JOSHI: -- a judicial review for  
19 it, but that is correct.

20 JUSTICE THOMAS: Yeah.

21 CHIEF JUSTICE ROBERTS: Justice Alito?  
22 Justice Sotomayor?

23 JUSTICE SOTOMAYOR: You're presuming  
24 something I can't. You're presuming -- well,  
25 let me start with you didn't have proof at the

1 moment he presented himself that he had  
2 committed a crime of moral turpitude, right?  
3 You had just a charge.

4 MR. JOSHI: So I think the charge is  
5 enough to -- for an officer to conclude that.

6 JUSTICE SOTOMAYOR: But you -- do  
7 you -- could you have excluded him --

8 MR. JOSHI: Oh.

9 JUSTICE SOTOMAYOR: -- with the charge  
10 alone?

11 MR. JOSHI: I see. Because it's a  
12 crime involving moral turpitude, no, but that's  
13 just -- but there are many other offenses  
14 listed in 1182(a)(2) for which we could have.  
15 The vast majority of them don't require a  
16 conviction to be removable as inadmissible.  
17 So, for example, if the pending charge had  
18 been --

19 JUSTICE SOTOMAYOR: I -- I don't -- I  
20 want to go just with this one because that's --

21 MR. JOSHI: Yeah.

22 JUSTICE SOTOMAYOR: -- the issue.

23 MR. JOSHI: No -- well --

24 JUSTICE SOTOMAYOR: Could you have at  
25 the time -- at the time that he was at the

1 border, could you statutorily have excluded him  
2 for having committed a crime of moral turpitude  
3 on the basis of the charge alone?

4 MR. JOSHI: The border officer -- as a  
5 practical matter, they don't do this, but  
6 nothing would have -- nothing forecloses the  
7 officer --

8 JUSTICE SOTOMAYOR: I -- I -- I --

9 MR. JOSHI: I'm going to answer you  
10 directly.

11 Nothing would have foreclosed DHS at  
12 that moment from initiating removal  
13 proceedings, potentially detaining him under  
14 1226, and by the time of the hearing before the  
15 IJ, we would have to prove that, in fact, he  
16 was seeking an admission when he arrived at the  
17 airport and --

18 JUSTICE SOTOMAYOR: I'm sorry. What  
19 you're saying is yes, that you had enough proof  
20 to bar his admission?

21 MR. JOSHI: I'm not saying that we  
22 would have won in front of the immigration  
23 judge. What I'm saying is --

24 JUSTICE SOTOMAYOR: I -- just answer  
25 the question.

1           MR. JOSHI: Well, that -- that is my  
2 answer.

3           JUSTICE SOTOMAYOR: Did you have a  
4 right at the border, did you have enough proof  
5 that he had -- that he had committed a crime of  
6 moral turpitude?

7           MR. JOSHI: The border officer made a  
8 conclusion that he had.

9           JUSTICE SOTOMAYOR: That he had  
10 probable cause to believe?

11          MR. JOSHI: That he -- the border  
12 officer concluded that Respondent had --

13          JUSTICE SOTOMAYOR: Could he have gone  
14 to a hearing at that time and won?

15          MR. JOSHI: I don't know. By the time  
16 of a hearing, we would have probably gathered  
17 additional evidence.

18          JUSTICE SOTOMAYOR: No, no. At that  
19 moment, if he had gone to a hearing, could he  
20 have won?

21          MR. JOSHI: In a -- in a removal  
22 hearing, we would have a clear --

23          JUSTICE SOTOMAYOR: Counsel, at that  
24 moment --

25          MR. JOSHI: I --

1 JUSTICE SOTOMAYOR: -- and this is the  
2 decision at issue --

3 MR. JOSHI: I don't know --

4 JUSTICE SOTOMAYOR: -- at that moment,  
5 could he prove it?

6 MR. JOSHI: I don't know what hearing  
7 you're referring to.

8 JUSTICE SOTOMAYOR: I'm not -- at the  
9 moment he made the decision.

10 MR. JOSHI: At the moment he made the  
11 decision, the border officer --

12 JUSTICE SOTOMAYOR: Did he have enough  
13 proof?

14 MR. JOSHI: The border officer --

15 JUSTICE SOTOMAYOR: Did he have enough  
16 proof at that moment? Forget --

17 MR. JOSHI: For whom? For whom?

18 JUSTICE SOTOMAYOR: For him.

19 MR. JOSHI: Yes, the border officer  
20 had enough proof for himself.

21 JUSTICE SOTOMAYOR: To do what?  
22 Parole him --

23 MR. JOSHI: Yes.

24 JUSTICE SOTOMAYOR: -- or to exclude  
25 him?

1           MR. JOSHI: I -- I'm not sure what you  
2 mean by exclude. With -- I'm sorry.

3           JUSTICE SOTOMAYOR: He could have just  
4 said you're not admissible, bye --

5           MR. JOSHI: Yes. But then that  
6 would require --

7           JUSTICE SOTOMAYOR: -- and not parole  
8 him.

9           MR. JOSHI: That would require  
10 initiating removal proceedings. And as I said  
11 earlier --

12           JUSTICE SOTOMAYOR: And so, at that  
13 moment, if there was an IJ there, sitting  
14 there, he could not have won that removal,  
15 correct?

16           MR. JOSHI: Probably not --

17           JUSTICE SOTOMAYOR: Okay.

18           MR. JOSHI: -- because we have a clear  
19 and convincing burden.

20           JUSTICE SOTOMAYOR: So --

21           CHIEF JUSTICE ROBERTS: I'm sorry.  
22 Maybe if you -- would you like to finish that  
23 answer?

24           MR. JOSHI: Thank you. In a removal  
25 proceeding, which is where this would be

1 adjudicated, so if the officer thought he was  
2 inadmissible, he would hand him a notice to  
3 appear and say you are being charged as  
4 inadmissible because you have, you know,  
5 committed a crime involving moral turpitude.

6 And the IJ is sitting right there and  
7 the IJ would say, great, we're now in removal  
8 proceedings. Government, you have to prove  
9 that, in fact, he was seeking an admission by  
10 clear and convincing evidence. Do you have it?

11 And the answer is no, which is the  
12 whole reason we're fighting this case, is  
13 because border officers are rarely going to be  
14 able to collect clear and convincing evidence.

15 JUSTICE SOTOMAYOR: What Justice  
16 Sullivan said is allowing DHS to defer a parole  
17 eligibility determination and take a  
18 wait-and-see approach, contingent on whether a  
19 conviction eventually materializes, effectively  
20 nullifies the clear command that LPRs should be  
21 admitted.

22 That's the clear command of the  
23 statute. You've got to admit them unless  
24 they've done these six things.

25 And you're admitting that at that

1 moment, he may have had reason to believe he  
2 committed these things, but you didn't have  
3 proof that he had committed those things yet.

4 MR. JOSHI: With all respect to Judge  
5 Sullivan, he jumbled two things. He conflated  
6 the deferral of a decision on inadmissibility  
7 with a parole eligibility determination. He  
8 did not --

9 JUSTICE SOTOMAYOR: All right. Could  
10 I just ask you one final question? In what  
11 other administrative context when an agency,  
12 and the agent is the agency here, makes a  
13 determination do we permit them to develop new  
14 evidence after the decision they're charged  
15 with making is made?

16 I thought that we only review the  
17 evidence they had at the time they made the  
18 decision.

19 MR. JOSHI: Removal proceedings are  
20 themselves administrative proceedings. So,  
21 yes, a court would review only the evidence  
22 presented at the removal proceeding.

23 JUSTICE SOTOMAYOR: Assuming that the  
24 parole was valid.

25 MR. JOSHI: Whether or not it's valid.

1 Even if the parole's invalid, we would have to  
2 show that, in fact, in reality, Respondent was  
3 seeking an admission on June 15, 2012, when he  
4 landed at Newark Airport. We would have to  
5 prove that by clear and convincing evidence to  
6 an immigration judge, and we did.

7 CHIEF JUSTICE ROBERTS: Justice Kagan?

8 JUSTICE KAGAN: Mr. Joshi, am I right  
9 that your theory depends on the ability to  
10 parole the -- the person coming in? You know,  
11 in other words, you're saying, if you parole  
12 that person, everything is suspended until the  
13 IJ can get their hands on this determination.

14 So everything really depends on the  
15 parole, is that correct?

16 MR. JOSHI: Yes and no. Our view is  
17 that once the immigration officer determines  
18 that he -- he's satisfied or he is not  
19 satisfied that none of the six exceptions  
20 applies, so he says, I think you're seeking an  
21 admission, so I'm going to treat you just like  
22 any other arriving alien even though you're an  
23 LPR. You still have your LPR status, but  
24 you're going to be inspected and have to prove  
25 your admissibility just like every other

1 arriving alien.

2 At that point, typically, there are  
3 three options. One is admit. Two is removal  
4 proceedings. And then the third, which is  
5 entirely in DHS's discretion, is parole because  
6 I'm not sure if you actually are inadmissible,  
7 the final thing, or if you should be admitted,  
8 and so I'm going to parole to hit the pause  
9 button. We can both develop our evidence.

10 JUSTICE KAGAN: Okay. So that's --  
11 that's close enough to a yes that I'm going to  
12 ask you my second question.

13 MR. JOSHI: Sure.

14 JUSTICE KAGAN: Because the parole is  
15 the pressing of the pause button in this case.

16 MR. JOSHI: Yes.

17 JUSTICE KAGAN: And the question is,  
18 what entitles you to press that pause button?  
19 In other words, what entitles you to give  
20 parole before you've made the determination?

21 Because, as I understand it, you're  
22 only parole eligible if you've committed these  
23 various crimes, which sounds like a strange  
24 thing to say, like, that you've committed the  
25 crimes and so you're parole eligible, but

1 that's the truth of the matter.

2 MR. JOSHI: Right.

3 JUSTICE KAGAN: And so -- so don't you  
4 have to make the determination before you give  
5 parole? And -- and -- and -- and then, since  
6 the determination is the trigger for the  
7 parole, which is what suspends the proceedings,  
8 it would seem as though you need to satisfy  
9 your burden before you give the parole.

10 MR. JOSHI: I was with you until that  
11 very last point. So, yes, there is a  
12 determination made, but it's not clear and  
13 convincing evidence. It is something lower  
14 than that by the nature of the border  
15 environment. And -- and that's our critical  
16 submission here. And -- and so --

17 JUSTICE KAGAN: Yeah. Even though, I  
18 mean, it's -- it's -- then you're -- you're --  
19 you've lost your kind of this is the charging  
20 stage and that's the adjudication stage because  
21 now what's critical is whether you've made the  
22 appropriate showing in order to grant parole,  
23 which is a different question than anything  
24 that the IG is going to have to face.

25 And you're saying that in order to

1 grant parole, all you need is kind of to the  
2 satisfaction of.

3 MR. JOSHI: Correct. That -- that is  
4 right. And -- and that is how the rest of the  
5 INA works. If you're a citizen and you walk in  
6 and you say I'm a citizen, you have to show  
7 that you are, in fact, a citizen to the border  
8 officer's satisfaction. And if you don't, you  
9 can be detained. That's the Sing Tuck case.  
10 This Court held you can be detained and there's  
11 no problem with that.

12 So that's a standard feature of the  
13 immigration laws, is that someone coming in has  
14 to establish to the satisfaction of the officer  
15 that he's allowed in. And the way that  
16 eventually gets litigated is in the removal  
17 proceeding when the government will bear the  
18 burden to show that historical fact was correct  
19 or incorrect. But that's where things get  
20 litigated. There's not a clear and convincing  
21 standard at the border.

22 JUSTICE KAGAN: Well, one last -- just  
23 to pick up on -- on something that you were  
24 saying with Justice Sotomayor. You were going  
25 to explain what you think Judge Sullivan got

1 wrong. So tell me what you think Judge  
2 Sullivan got wrong.

3 MR. JOSHI: So Judge Sullivan, in the  
4 passage that I think Justice Sotomayor was  
5 reading, said the government's not allowed to  
6 defer the parole eligibility determination.  
7 And I think you and I were just talking about  
8 that.

9 We're not deferring that  
10 determination. It's just the border officer  
11 makes it with a certain level of confidence,  
12 and then, in removal proceedings, the  
13 government has to prove that the alien -- that  
14 the LPR was, in fact, seeking admission by a  
15 higher evidentiary standard in that adversarial  
16 proceeding and convince the immigration judge  
17 of it.

18 So we're not deferring the parole  
19 eligibility. And I think he was jumbling  
20 deferral of the admissibility determination  
21 with the -- with the threshold question.

22 JUSTICE KAGAN: Got it. Thank you.

23 CHIEF JUSTICE ROBERTS: Justice  
24 Gorsuch?

25 JUSTICE GORSUCH: Just a couple quick

1 questions. Do we have to decide what the  
2 standard for parole is in this case? I mean,  
3 couldn't one simply say whether he was paroled  
4 lawfully or not, he was paroled, and did you  
5 meet your burden in the removal proceedings,  
6 answer that yes or no?

7 MR. JOSHI: Exactly.

8 JUSTICE GORSUCH: Okay. And then,  
9 with respect to the parole decision, you say  
10 you're not sure whether that would be  
11 reviewable independently. Your friend on the  
12 other side, on page 34 of his brief, says that  
13 it would be reviewable under 1252(a)(2)(B) as a  
14 question of law involving any decision or  
15 action in the discretion of the government.

16 I can also see an argument perhaps  
17 that it might be reviewable under 704 of the  
18 APA for questions that are otherwise  
19 unreachable, final agency actions. Thoughts?

20 MR. JOSHI: So our longstanding  
21 position of the government, as you might  
22 expect, is that parole decisions are not  
23 reviewable either in a petition for review from  
24 a removal order or under the APA.

25 JUSTICE GORSUCH: No, I'm not talk --

1 I'm not talking about through a petition  
2 through -- involving the removal proceeding.  
3 I'm talking about could he have brought a -- a  
4 distinct challenge under 1252, could he have  
5 brought a distinct challenge under 704 to  
6 challenge the -- the parole decision at the  
7 time, shortly after he came into the country.

8 MR. JOSHI: So -- so our -- our  
9 longstanding position is no.

10 JUSTICE GORSUCH: Okay. I -- I got  
11 that. What do you say about those two  
12 statutory provisions?

13 MR. JOSHI: Also no, that the --

14 JUSTICE GORSUCH: Do you have any  
15 reasons for no?

16 (Laughter.)

17 MR. JOSHI: Yeah. So the -- the  
18 reason -- the reason is that under 1252, in the  
19 zipper clause, we think everything coming out  
20 of a -- a removal proceeding has to be  
21 channeled to the removal proceeding. And --  
22 and this parole determination was.

23 So then the question is, well, can he  
24 just bring a stand-alone APA action or an ultra  
25 vires action while he's on parole? And I'm not

1 aware of that ever happening. This is the very  
2 odd case in which an alien doesn't want to be  
3 paroled. Usually, they complain when we  
4 terminate their parole. And you've seen those  
5 cases. But it's very rare that an alien says,  
6 I don't want to be paroled.

7 JUSTICE GORSUCH: All right.

8 MR. JOSHI: So we've never faced that  
9 situation. So --

10 JUSTICE GORSUCH: All right. Okay.  
11 Thank you.

12 MR. JOSHI: -- we'll have to deal with  
13 it --

14 JUSTICE GORSUCH: Thank you.

15 MR. JOSHI: -- when it arises.

16 CHIEF JUSTICE ROBERTS: Justice  
17 Kavanaugh?

18 Justice Barrett?

19 JUSTICE BARRETT: So, Mr. Joshi, I  
20 agree with you this is a weird thing to think  
21 about at the border a clear-and-convincing  
22 evidence standard applying because there is no  
23 adjudicatory proceeding. And it seems to me  
24 that -- I mean, you've conceded for purposes of  
25 this case that a clear-and-convincing standard

1 applies to that threshold admissibility, like  
2 which track you're on.

3           It seems to me that, I mean, either  
4 that's wrong or, when you're at the border --  
5 I'm trying to imagine if you lose this case  
6 what happens and if it's actually more  
7 favorable to an LPR, because it seems to me  
8 that if a clear-and-convincing standard applies  
9 when the LPR arrives, like, you know, as  
10 Mr. Lau did, if it's a clear-and-convincing  
11 standard and you really do want to apply --  
12 either you would have to gut it and say, well,  
13 we just can't show because it's impractical in  
14 the airport or at the border, otherwise, to  
15 show that there's clear and convincing evidence  
16 that someone engaged in criminal conduct abroad  
17 or, you know, committed a crime -- it doesn't  
18 say convicted -- so you either just give it up  
19 and gut those provisions, or what do you do?  
20 Do you detain the LPRs and you set up some sort  
21 of adjudicatory proceeding? And how would --  
22 would that be judicially reviewable? How would  
23 we know whether the border officer had clear  
24 and convincing evidence? There would be no  
25 administrative record.

1           MR. JOSHI: Correct. That's exactly  
2 right. And that's why I think Justice Ginsburg  
3 in *Vartelas*, you know, memorably said you don't  
4 call into session a piepowder court. But  
5 that's essentially what we'd have to do if we  
6 were to, like, enforce the seeking admission  
7 provision.

8           The other alternative, I suppose,  
9 would just be to initiate removal proceedings,  
10 potentially detain him under 1226, and then use  
11 that time to -- to gather the right evidence.  
12 But that doesn't really benefit anyone.

13           Parole has a significant public  
14 benefit in these circumstances. It benefits  
15 the public because it means someone facing a  
16 criminal charge can be held responsible for his  
17 crimes. It benefits in most instances the LPR  
18 because they can organize their defense from  
19 within the country while they're free and not  
20 detained and can maybe even plea bargain down  
21 to charges that don't carry immigration  
22 consequences.

23           And it benefits the government because  
24 we don't have to have detention, you know, fill  
25 up a detention bed with -- with someone who's

1 maybe otherwise safe, and we don't have to  
2 incur those expenses. And we can -- and both  
3 sides can gather the evidence they need for the  
4 removal proceeding.

5 JUSTICE BARRETT: So, if you lose this  
6 case and we say that, yes, the border patrol  
7 officer has to have clear and convincing  
8 evidence, then detention of the returning LPR  
9 is a route that you might take?

10 MR. JOSHI: In some cases, yes.

11 JUSTICE BARRETT: In some cases, yes.

12 MR. JOSHI: Yeah.

13 JUSTICE BARRETT: So, rather than  
14 being paroled, they might face detention and  
15 immediate removal proceedings?

16 MR. JOSHI: That is correct because --

17 JUSTICE BARRETT: Which would not  
18 benefit the --

19 MR. JOSHI: Right, because, by  
20 hypothesis, if we lose this case, parole would  
21 be taken off the table. So then we would be  
22 just facing the choice of admit them even  
23 though the officer in good faith thinks they  
24 shouldn't be admitted, or --

25 JUSTICE BARRETT: Detain.

1           MR. JOSHI: -- initiate removal  
2 proceedings, detain them, and take our chances.  
3 It's not a great choice. That's why we've been  
4 doing this for so many years.

5           JUSTICE BARRETT: If -- if you lose  
6 this case, are you going to challenge that the  
7 clear-and-convincing standard applies? Because  
8 you've conceded it for purposes of this case,  
9 but the statute doesn't say it, which is  
10 another reason to think that there's not an  
11 adjudicatory proceeding contemplated.

12           MR. JOSHI: I don't know the answer to  
13 that. Obviously, the Attorney General can  
14 himself take a BIA case and -- and issue a  
15 decision, but I don't know the answer to that.

16           JUSTICE BARRETT: Okay. So that's  
17 another way in which a win for Mr. Lau might  
18 not have long-term benefit for aliens or LPRs  
19 seeking to return to the country?

20           MR. JOSHI: I think that's right.

21           JUSTICE BARRETT: Okay.

22           CHIEF JUSTICE ROBERTS: Justice  
23 Jackson?

24           JUSTICE JACKSON: So, Mr. Joshi, I  
25 guess I am struggling to understand why parole

1 is a significant public benefit. That was the  
2 conversation that you had with Justice Barrett  
3 right now. And I -- I guess I start where the  
4 statute starts, which is the recognition that  
5 lawful permanent resident status is the gold  
6 standard in immigration law. These are people  
7 who have gone through the immigration gauntlet  
8 and have achieved what is the next closest  
9 thing to citizenship status in terms of their  
10 ability to work, to live, to do things here in  
11 the United States, and they have left the  
12 country for the requisite amount of time and  
13 they're returning, and the statute says that  
14 those people shall not be regarded as seeking  
15 an admission for the purpose of the immigration  
16 laws.

17 That's the background, that this  
18 person has a green card and they're supposed to  
19 be let in. So I appreciate that your border  
20 officer might have some suspicions or might not  
21 want to bring them back or might think, ooh,  
22 look, there's some evidence in a database  
23 somewhere that suggests that this person might  
24 be a problem. But this person under the  
25 statute is supposed to be let in. That's the

1 beginning.

2           So then the question becomes to what  
3 extent can the border officer decide, in good  
4 faith or not, that this person is not going to  
5 be let in, that I'm deciding right now here at  
6 the border that, despite your green card  
7 status, you have to not be admitted?

8           And Congress was pretty clear that  
9 there are six and only six circumstances. One  
10 is that this person has committed an -- an  
11 offense. And it doesn't just say has committed  
12 an offense; Border Patrol Officer, you figure  
13 that out. It says has committed an offense  
14 identified in a particular section. And then,  
15 when we go to that section, the person who is  
16 inadmissible under that section is one who is  
17 an alien convicted of or who admits having  
18 committed this offense.

19           So I guess my question is your busy  
20 border officer, under this statutory scheme, it  
21 seems to me he's supposed to say, I see here  
22 that you have been indicted. But the statute  
23 says a person is inadmissible if they're  
24 convicted of or admitted to. Those things  
25 don't exist. So the background rule of letting

1 this person in is supposed to be what happens  
2 right now.

3 Now, if that's the case, first of all,  
4 let me ask you, is that the end of Mr. Lau's  
5 story? I mean, I thought he could still be  
6 deported if later he's convicted of this crime  
7 that he's been accused of. He can still be  
8 deported, right?

9 MR. JOSHI: In his particular  
10 circumstance, yes, but that will not be true of  
11 all LPRs. In his particular circumstance, it's  
12 the happenstance that he committed that crime  
13 four months and -- four years and six months  
14 after admission rather than five years and one  
15 month.

16 JUSTICE JACKSON: You're saying  
17 because of the statute -- because of the  
18 statute of limitation, there may be -- right,  
19 but that's in Congress's -- that's in  
20 Congress's purview as well. They've decided  
21 that a person who is beyond the five years,  
22 that should not be a reason to deport them.

23 So I don't understand why the border  
24 officer suddenly has so much power to deprive a  
25 person who has a green card, based on a

1 suspicion or even an indictment, when the  
2 statute seems to require conviction for this  
3 particular kind of exclusion.

4 MR. JOSHI: Okay. So two things.  
5 First, the statute does not require a  
6 conviction. This Court -- I mean, the -- the  
7 difference between commission and conviction  
8 runs throughout the INA. This Court recognized  
9 it in Barton against Barr. That is a  
10 difference. If Congress had intended to pick  
11 up --

12 JUSTICE JACKSON: Yes.

13 MR. JOSHI: -- the conviction for  
14 crimes involving moral turpitude, and not all  
15 of the offenses listed require a conviction --

16 JUSTICE JACKSON: Right.

17 MR. JOSHI: -- it would have just said  
18 inadmissible under 1182(a)(2). Congress didn't  
19 say that. It said committed an offense. So --

20 JUSTICE JACKSON: Okay. So then the  
21 question becomes who decides committed an  
22 offense and when.

23 MR. JOSHI: Right. Yes.

24 JUSTICE JACKSON: And your rule is the  
25 border patrol officer gets to decide whether or

1 not he's committed an offense, but you say it's  
2 a pause. We know he can't really do it. So  
3 we'll assume that it's okay for him to treat  
4 this person as inadmissible during the period  
5 of time in which we're figuring out whether or  
6 not he actually is.

7 Is that -- that's the government's  
8 position, right? You can parole him, meaning  
9 strip his green card, treat him as inadmissible  
10 for this period of time while we are  
11 determining whether or not he is actually  
12 inadmissible?

13 MR. JOSHI: Parole does not change his  
14 status. He's still an LPR. I understand that  
15 the amici don't like the form of the government  
16 document that proves that he is still an LPR.  
17 They -- they say that --

18 JUSTICE JACKSON: So will the  
19 government commit to letting the person keep  
20 their green card? You said you don't know why  
21 they take it.

22 MR. JOSHI: I --

23 JUSTICE JACKSON: If that's true, then  
24 can they keep their green card?

25 MR. JOSHI: I -- I -- I don't -- I'm

1 sure there are very good administrability  
2 reasons why we have to keep the green card. As  
3 it turns out, for example, one reason might be,  
4 I'm not saying this is the reason, but I am  
5 just aware of this fact that seems relevant,  
6 which is that of the LPRs who are paroled,  
7 approximately 25 percent are no shows. They  
8 just don't show up to their -- to their  
9 deferred inspection. We can't find them.

10 JUSTICE JACKSON: Okay.

11 MR. JOSHI: That's probably a pretty  
12 good reason why we hang on to that card.

13 JUSTICE JACKSON: All right. Let me  
14 just finally really kind of drill down on the  
15 concern that I have.

16 You -- you said in -- in your response  
17 to Justice Thomas that it really isn't in  
18 the -- in the government's interest to engage  
19 in sort of a bad-faith paroling kind of  
20 scenario.

21 And my concern is that I could  
22 actually see a world in which it would be, in  
23 which it would be in the government's interest.  
24 And it's a situation in which people who are  
25 lawful permanent residents who have green cards

1 leave the country and, when they return, based  
2 on a suspicion or even an indictment that's in  
3 the government's control, they flag this person  
4 as being returning under parole as opposed to  
5 lawful admission.

6           They take this person's green card,  
7 which then makes it much, much harder for this  
8 person to actually live and work and continue  
9 in their life here in the United States,  
10 perhaps so much so that this person  
11 self-deports because it's really, really  
12 difficult without a green card to operate in  
13 this country.

14           So you could imagine a world in which  
15 a government that really is not interested in  
16 immigration and having immigrants here, living  
17 and working, could use this kind of thing to  
18 inappropriately parole people rather than admit  
19 them so that it depresses immigration.

20           Can you respond to that?

21           MR. JOSHI: I don't think you -- I  
22 don't think this Court should interpret the INA  
23 on the assumption that the entire executive  
24 branch is operating in bad faith.

25           JUSTICE JACKSON: Thank you.

1 CHIEF JUSTICE ROBERTS: Thank you,  
2 counsel.

3 Mr. Dvoretzky.

4 ORAL ARGUMENT OF SHAY DVORETZKY  
5 ON BEHALF OF THE RESPONDENT

6 MR. DVORETZKY: Mr. Chief Justice, and  
7 may it please the Court:

8 The Court should either affirm or DIG.  
9 The government came to this Court with a  
10 dispute about when it must meet its burden to  
11 prove that a lawful permanent resident may be  
12 treated as seeking an admission to the United  
13 States: At the border or before an IJ.

14 Only now in its merits reply and here  
15 today does the government say the case is about  
16 the burden of proof, a question that it  
17 forfeited before the Second Circuit and  
18 conceded in its cert reply was not contested.

19 The INA's text and structure plus  
20 historical practice make clear that an officer  
21 must decide at the border whether an LPR is  
22 seeking an admission. And at the cert stage,  
23 Mr. Lau argued that this case was a poor  
24 vehicle because the government had not briefed  
25 the standard for that determination and the

1 Second Circuit hadn't decided it.

2 In response, at page 11 of the  
3 government's cert reply, it said, "the  
4 government is not challenging the clear-and-  
5 convincing evidence standard. This case is  
6 about when the government must carry that  
7 burden."

8 On that understanding, the principal  
9 merits briefs focused solely on timing, until  
10 the government changed the question in its  
11 reply brief. At page 2 of the merits reply,  
12 the government says "that the timing issue is  
13 not in dispute because whether an LPR is  
14 seeking an admission must be determined at the  
15 border."

16 The government now claims that "the  
17 requisite level of proof is the crux of the  
18 dispute in this case." What is that requisite  
19 level of proof? Something lower than clear and  
20 convincing evidence. Maybe satisfaction.  
21 Maybe probable cause. None of that has been  
22 briefed.

23 So much for square corners in a case  
24 about square corners. Even putting aside  
25 gamesmanship, the Court shouldn't decide the

1 burden question without full briefing and a  
2 lower court decision. The Court thus should  
3 affirm on timing alone or alternatively DIG.

4 Doing so would not be disruptive.  
5 Border agents can determine whether a returning  
6 LPR can be regarded as seeking an admission  
7 using their ordinary interview and background  
8 check techniques.

9 And because the Second Circuit didn't  
10 decide the burden question because, again, the  
11 government failed to address it, the government  
12 could press its preferred standard in another  
13 case. The Court should hold the government to  
14 square corners.

15 I welcome the Court's questions.

16 JUSTICE THOMAS: What precisely do you  
17 think the standard should be or what the  
18 officer should do at the border --

19 MR. DVORETZKY: So, again, we haven't  
20 briefed --

21 JUSTICE THOMAS: -- in this instance?

22 MR. DVORETZKY: Again, the question of  
23 what precisely the standard should be has not  
24 been briefed by either side in this case  
25 because the government disclaimed putting that

1 at issue.

2           Nonetheless, if -- if you're asking me  
3 what I think it should be, I -- I do think it  
4 should be clear and convincing evidence, and  
5 what the officer should do at the border,  
6 consistent with what border officers have done  
7 for over a hundred years, is to check to see  
8 whether there is a conviction or whether the  
9 returning LPR will admit to the elements of the  
10 offense.

11           That is what border officers do every  
12 day under 1182 and what they have done, as I  
13 said, for over a century because Congress has  
14 said that -- that -- that -- that -- excuse me,  
15 non-citizens at the border who have committed  
16 certain offenses are not admissible.

17           JUSTICE BARRETT: Counsel, but in your  
18 brief, you talk about Ellis Island and people  
19 coming on the ships and how some of these  
20 filters were applied by immigration officers at  
21 the border then. But it wasn't by clear and  
22 convincing evidence, right?

23           MR. DVORETZKY: I don't think anybody  
24 ever talked about the standard, but I think  
25 that what clear and convincing evidence means

1 in this context is do you have evidence of a  
2 conviction or --

3 JUSTICE BARRETT: But the statute  
4 doesn't say conviction. It says committed.  
5 And -- and what about the one about engaged in  
6 criminal conduct overseas? That doesn't say  
7 conviction.

8 And Mr. Joshi said it could be like an  
9 Interpol alert that caused someone -- I mean, I  
10 think clear and convincing evidence if you're  
11 going to give effect to these exceptions for  
12 LPRs, I think it would contemplate clear and  
13 convincing evidence, some sort of adjudication  
14 or some sort of a trial where the border  
15 officer would have to say what the evidence  
16 was.

17 MR. DVORETZKY: I -- I don't think it  
18 contemplates a mini-trial at the border. I  
19 think what it contemplates, to use a phrase I  
20 think Mr. Joshi used, is a level of confidence  
21 by the officer, what information does the  
22 officer have before them, and how -- does that  
23 suffice, does that satisfy the level of  
24 confidence required to conclude that this  
25 returning LPR, who has a statutory right to

1 return to the country, should nonetheless be  
2 stripped of that right subject to an exception.

3 JUSTICE ALITO: Well, but it also  
4 says --

5 MR. DVORETZKY: But the government --

6 JUSTICE BARRETT: Is that only  
7 satisfied by a conviction?

8 MR. DVORETZKY: I'm sorry?

9 JUSTICE BARRETT: Is that only  
10 satisfied -- you kind of suggested a moment ago  
11 that it would be satisfied only by a  
12 conviction.

13 MR. DVORETZKY: No -- no. I think  
14 most commonly it would be satisfied either by a  
15 conviction or by an admission to the elements  
16 of the offense. Again, here, if you look at  
17 the --

18 JUSTICE KAVANAUGH: Is that it, those  
19 two?

20 MR. DVORETZKY: I'm sorry?

21 JUSTICE KAVANAUGH: Are those two it,  
22 to follow up on Justice Barrett's question.  
23 You said most commonly. I just want to make  
24 sure. Is there anything else?

25 MR. DVORETZKY: The reason I said

1 that, I think you could imagine a situation  
2 where perhaps -- which is not presented here,  
3 where perhaps somebody returns to the country  
4 and there's evidence in the -- in their  
5 suitcase that they had committed an offense. I  
6 don't know, you find their diary in their  
7 suitcase or something and that's what it says.

8           You could imagine a situation like  
9 that, but the reason I say most commonly is  
10 that I think, typically, it is going to be  
11 either a record of conviction, which officers  
12 already have access to in a database, or an  
13 admission.

14           And if you look at what happened in  
15 this case, if you look at Joint Appendix pages  
16 13 -- 13 to 18, it has a transcript of the  
17 officer's interview of Mr. Lau. The whole  
18 thing was transcribed in the moment.

19           And what that exchange shows is that  
20 the officer identified the pending charge and  
21 from that didn't even conclude that -- that Mr.  
22 Lau was subject to an exception. He concluded  
23 that he was actually inadmissible, meaning,  
24 from the pending charge, he found a conviction.

25           That is not what this statute --

1           JUSTICE BARRETT: Could he, consistent  
2 with the statute, call in witnesses and say,  
3 well, I see you have this -- like, if you won  
4 this case, I'm just trying to game out what  
5 might happen. Could he then say, well, I see  
6 you have this pending conviction, so I'm just  
7 going to detain you here at the border and  
8 we're just going to call in some witnesses to  
9 find out about this counterfeiting charge?

10           MR. DVORETZKY: As a practical matter,  
11 that would obviously take too long. And I  
12 don't see any authority in the statute that  
13 would allow him to detain -- that would allow  
14 the officer to detain somebody in Mr. Lau's  
15 position at the border, at the --

16           JUSTICE BARRETT: Well, why not?  
17 Because he has to make the decision. So, if he  
18 has to do it at the border, I mean, we have to  
19 give him time to do it. And if what he has to  
20 do is gather clear and convincing evidence,  
21 that would take some time.

22           It just isn't clear to me that it  
23 would benefit LPRs to have a situation in which  
24 then you're being detained.

25           MR. DVORETZKY: I -- I don't think

1 there is statutory authority to detain in order  
2 to decide whether the -- whether an exception  
3 is satisfied, at least not for more than a de  
4 minimis administrative sort of period of time  
5 when you're actually standing there at the  
6 border.

7 JUSTICE BARRETT: Well, then how can  
8 you apply a clear and convincing standard?  
9 Because that necessarily assumes some  
10 opportunity to pony up evidence, right?

11 MR. DVORETZKY: Well, I --

12 JUSTICE BARRETT: You really are just  
13 narrowing it down to say conviction only.

14 MR. DVORETZKY: Two points, Justice  
15 Barrett. One, conviction or admission. And,  
16 again, as the pages in the Joint Appendix that  
17 I cited show, there is an opportunity, in fact,  
18 a requirement, for the officer to interview the  
19 returning LPR. And so there's a conversation.  
20 The LPR might admit to the elements of the  
21 crime, or, again, there might be evidence --

22 JUSTICE ALITO: So -- so let's say --

23 MR. DVORETZKY: -- of a conviction.

24 Second --

25 JUSTICE ALITO: -- there's the

1 alien -- I'm sorry, go ahead.

2 MR. DVORETZKY: No. Well, the -- the  
3 only -- the only other point I was going to  
4 make is, to the extent this is a difficult  
5 burden for the officer, which I actually don't  
6 think it is, that simply reflects Congress's  
7 choice that returning LPRs do have a right to  
8 return home, and that doesn't leave the  
9 government without tools. It can pursue  
10 deportation later.

11 JUSTICE ALITO: Well, the statute does  
12 not say "has been convicted." And other  
13 related provisions talk about conviction. So  
14 assume for the sake of argument that it doesn't  
15 require conviction.

16 You say the only other alternative is  
17 for the officer -- let's say the -- this  
18 individual arrives at Newark Airport and the  
19 officer looks in a database and says, I see  
20 that you have been indicted in federal court in  
21 Los Angeles for -- I know this is a state  
22 charge -- but let's say you're indicted in  
23 federal court in Los Angeles for  
24 counterfeiting. Do you admit it? And the  
25 alien says, no, I don't admit it. Okay, fine.

1 Then that's the end of it? That's -- that's  
2 the scheme you think Congress had adopted?

3 MR. DVORETZKY: I think the scheme  
4 that Congress has adopted does not allow -- as  
5 Judge Sullivan recognized, does not allow DHS  
6 to parole somebody in order to later determine  
7 whether they were subject to parole. Again,  
8 going back to the statute, the --

9 JUSTICE ALITO: Well, I think your  
10 answer to that is yes, that's -- that's the  
11 only thing that can happen at the border.  
12 Unless there's a conviction and the alien says,  
13 okay, or there's a charge and the alien says,  
14 okay, I admit it, I admit that I did it,  
15 someone who's -- who has a pending criminal  
16 charge, unless one of those two circumstances  
17 is met, that's the end of it?

18 MR. DVORETZKY: Because what -- yes,  
19 because what the statute contemplates is that  
20 the person will be admitted unless an exception  
21 applies. And the only way that parole is  
22 available is if an exception applies.

23 What the government can't do is what  
24 it did here, which is to parole somebody in  
25 order to determine whether they are eligible

1 for parole. The government can't exercise the  
2 very power that it is -- that it says it needs  
3 more facts before it can exercise.

4 JUSTICE JACKSON: And it's not --

5 JUSTICE GORSUCH: Counsel --

6 JUSTICE JACKSON: -- the end of it  
7 insofar as he could be deported, correct --

8 MR. DVORETZKY: Correct. The --

9 JUSTICE JACKSON: -- later?

10 MR. DVORETZKY: Correct. The  
11 government has other tools, including the  
12 deportation authority, after the -- the LPR is  
13 admitted and returns home, as the statute  
14 contemplates.

15 JUSTICE GORSUCH: Counsel, can we  
16 really say your client was admitted? I mean,  
17 whether he was paroled correctly or  
18 incorrectly, how do we -- how do we get from  
19 that to he was admitted?

20 MR. DVORETZKY: He presented himself  
21 at the border for entry into the United States.

22 JUSTICE GORSUCH: Sure. Yeah.

23 MR. DVORETZKY: The -- the officer let  
24 him in. Those are real-world facts on the  
25 ground. And now --

1 JUSTICE GORSUCH: They paroled him.

2 MR. DVORETZKY: The government is  
3 now -- parole is a legal status. The  
4 government is now --

5 JUSTICE GORSUCH: Okay.

6 MR. DVORETZKY: -- attaching a legal  
7 label to what it is that happened when he was  
8 allowed into the country. If the government  
9 did not have the authority to parole him --

10 JUSTICE GORSUCH: Right. I understand  
11 that -- that there's a question there. I get  
12 it. But he was paroled. I mean, that's just a  
13 fact on the ground. And I guess I'm kind of  
14 curious -- the same question to you that I  
15 asked the other side is, if -- if that parole  
16 decision were so -- had such negative  
17 consequences for your client, was there a means  
18 for him to challenge that decision?

19 MR. DVORETZKY: I am not aware of one.

20 JUSTICE GORSUCH: Well, you say in  
21 your red brief you think there is under  
22 1252(a)(2)(B) on page 34. And I also wonder  
23 about 704 of the APA.

24 MR. DVORETZKY: But to --

25 JUSTICE GORSUCH: And just welcome

1 your thoughts.

2 MR. DVORETZKY: The -- the -- the path  
3 in our red brief there, the 1252 path --

4 JUSTICE GORSUCH: Mm-hmm.

5 MR. DVORETZKY: -- it -- the -- the  
6 decision whether to admit him or to parole him  
7 is something that gets wrapped up into the  
8 final order of removal, and so it can be  
9 reviewed at the end of the process.

10 But I understood your question,  
11 Justice Gorsuch, to be whether -- and maybe I  
12 misunderstood it -- to be whether there was a  
13 path to challenge that before it got to a  
14 removal hearing.

15 JUSTICE GORSUCH: Yeah.

16 MR. DVORETZKY: And that -- and that  
17 path I'm not aware of.

18 JUSTICE GORSUCH: How about 704?  
19 Or -- or -- or why not 1252 itself?

20 MR. DVORETZKY: So 1252 itself talks  
21 about a petition -- I think 1252(a) talks about  
22 a petition for review from a removal order.

23 JUSTICE GORSUCH: Mm-hmm.

24 MR. DVORETZKY: So, again, you need to  
25 wait for the removal order.

1 JUSTICE GORSUCH: Okay. You think  
2 that's it for that. All right.

3 MR. DVORETZKY: Whether -- whether  
4 704 -- look, I go back to my earlier point  
5 about all of the issues that have not been  
6 briefed in this case.

7 JUSTICE GORSUCH: Yeah. Do you -- do  
8 you have any thoughts about it?

9 MR. DVORETZKY: Theoretically, it  
10 might. We'd certainly argue it. They'd  
11 certainly oppose it. 704 obviously operates as  
12 a -- as a catch-all of sorts.

13 JUSTICE GORSUCH: A catch-all, right.

14 MR. DVORETZKY: I don't know what a  
15 court would do with that. Congress didn't  
16 leave the status of LPRs to that kind of  
17 uncertainty.

18 JUSTICE GORSUCH: Okay.

19 MR. DVORETZKY: And to -- to the  
20 extent you believe that the Court -- to the  
21 extent you believe this case turns on that sort  
22 of thing, again, this hasn't been briefed, and  
23 the more appropriate case -- the more  
24 appropriate course would be either to affirm on  
25 the very narrow ground that the government has

1 brought this case to the Court on or to DIG the  
2 case.

3 JUSTICE GORSUCH: Thank you.

4 JUSTICE BARRETT: Counsel, can you  
5 address the consequences of the deferred parole  
6 decision? This is from the amicus brief  
7 Justice Jackson was referring to before. You  
8 know, Mr. Joshi says that from a legal  
9 perspective, you know, the -- your client was  
10 still an LPR. You know, those admitted under  
11 this circumstance are still LPRs.

12 But the amicus brief says there are  
13 practical consequences like job insecurity.  
14 Can you address those consequences?

15 MR. DVORETZKY: Sure. I think, as  
16 Mr. Joshi said, Mr. Lau's green card was taken  
17 away. It was replaced with a temporary stamp.  
18 These temporary stamps expire after a year.  
19 The government didn't even initiate the removal  
20 proceedings against Mr. Lau for more than a  
21 year.

22 Losing the green card is significant,  
23 as the amici explained. Employers are hesitant  
24 to hire people with only the temporary stamp  
25 because they may not be permanent residents for

1 much longer. In -- in an era where ICE agents  
2 are conducting enforcement campaigns, a green  
3 card is a much more reliable means of  
4 identification if you're stopped on the street  
5 than a temporary stamp, which can be subject to  
6 counterfeiting.

7 And so there are very real practical  
8 consequences to this. And it is -- it is in  
9 itself a form of a loss of liberty. In other  
10 areas of the law, where we're talking about a  
11 loss of liberty, clear and convincing evidence  
12 is the appropriate standard to apply.

13 But, again, I come back to the point  
14 that what is the appropriate level of evidence,  
15 the level of confidence at the border, just  
16 hasn't been briefed here. Mr. Joshi is -- is  
17 acknowledging that there does have to be a  
18 determination at the border. He just says this  
19 entire case now comes down to the level of  
20 confidence. That's -- that's, again, not what  
21 has been fleshed out before this Court.

22 JUSTICE KAVANAUGH: Can you address  
23 his point, 25 percent don't show up, just --  
24 you heard him say that?

25 MR. DVORETZKY: I did hear him say

1 that. Again, the deportation authority, if you  
2 initiate deportation proceedings, would give --  
3 would also come with detention authority. And  
4 so the government has that tool available to it  
5 if that -- if that becomes a problem.

6 JUSTICE SOTOMAYOR: That seems to  
7 suggest that if we rule in your favor, then the  
8 government's choice is detain somebody at the  
9 border and charge them with removability? And  
10 is that acceptable to you?

11 MR. DVORETZKY: I don't think -- it's  
12 not acceptable, and I don't think that the  
13 government would have that authority under  
14 1226. If -- if someone in Mr. Lau's position  
15 is required to be admitted, at that point, the  
16 inadmissibility -- 1182 is off the table  
17 because he has been admitted.

18 And then the question becomes, do they  
19 have a basis to initiate deportation  
20 proceedings? First, they would have no  
21 incentive to initiate deportation proceedings  
22 at that point because all there is is a charge.  
23 Their incentive is to wait and see whether  
24 there's a conviction and, if so, for what  
25 offense and, if so, with what sentence. The

1 government has no incentive to use its  
2 resources, no good incentive to use its  
3 resources, in order to detain people in order  
4 to wait and see whether they're convicted.

5 Second, I also don't think that they  
6 would have authority to do that. 1226(c)  
7 wouldn't apply because 1226(c) is, again, about  
8 inadmissibility, and inadmissibility is off the  
9 table if we win this case and someone in  
10 Mr. Lau's position has to be admitted.

11 And I don't think 1226(a) would apply  
12 either because they would simply have no basis  
13 for the warrant that 1226(a) requires when  
14 there hasn't been a conviction at that point.

15 JUSTICE SOTOMAYOR: Do you know --  
16 well, I guess, how many LPRs are subject to  
17 pending charges? Do you have any idea what  
18 that number is? And how many of that would not  
19 be defying a court order? Meaning, in my  
20 experience, when someone's charged with any  
21 kind of meaningful crime in New York, they  
22 weren't permitted to travel.

23 MR. DVORETZKY: Right. So a couple  
24 points on that. One, at the cert stage, the  
25 government argued that this was an important

1 case because it affected a lot of cases, a  
2 lot -- a lot of -- a lot of pending cases with  
3 returning LPRs.

4 They provided no statistics on that.  
5 We don't have those statistics. We tried to  
6 call them out on their failure to provide  
7 statistics. They didn't come back with any.

8 You would think that the number would  
9 be relatively few, in part for the reason that  
10 you suggest, Justice Sotomayor.

11 If somebody has committed a very  
12 serious crime under state law, presumably, the  
13 state authorities would prevent that person  
14 from -- might either detain that person or, at  
15 a minimum, restrict their right to travel out  
16 of the country.

17 So the universe of cases in which an  
18 LPR is returning to the United States with a  
19 pending relatively minor state offense is  
20 probably quite small.

21 JUSTICE JACKSON: And even so, you  
22 could imagine a world, like the one that I  
23 tried to explore with Mr. Joshi, that there are  
24 likely a lot of LPRs who leave the country and  
25 come back. And I suppose, under the

1 government's rule, that if we just need  
2 suspicion by the border patrol officer or some  
3 as yet to be determined level of concern, we  
4 could have a problem of people just having  
5 their green cards removed on the basis of some  
6 suspicion that they might have committed a  
7 crime of moral turpitude in the opinion of the  
8 border patrol officer.

9           Is that -- is that a legitimate  
10 concern?

11           MR. DVORETZKY: I -- I think that -- I  
12 think it is a very real risk that if the Court  
13 rules in favor of the government in this case  
14 and gives the government that power that the  
15 power may be used for all it's worth.

16           And so you can imagine a situation  
17 where border officers -- and I'm not suggesting  
18 this as part -- as part of an -- an overarching  
19 policy -- but where individual border officers  
20 do decide to just parole returning LPRs in  
21 large numbers.

22           They don't need to satisfy any  
23 standard under the government's view other than  
24 whatever satisfies the officer. And then that  
25 can just -- that can just continue indefinitely

1 while the government pursues a fishing  
2 expedition until --

3 JUSTICE ALITO: Well, Mr. Dvoretzky,  
4 is -- is -- does your argument depend on our  
5 acceptance of this conspiracy theory?

6 MR. DVORETZKY: No. It -- it depends  
7 on -- it's simply the logical consequence of  
8 the government's argument that if there is no  
9 meaningful check on the ability to parole LPRs,  
10 then that power might be used.

11 And it might lead to a situation  
12 where, again, LPRs are paroled just based on a  
13 mere suspicion, as your own hypothetical  
14 suggested to Mr. Joshi early on in the  
15 argument, you look kind of fishy to me. That  
16 can then go on for a long time.

17 JUSTICE ALITO: Yeah, but that's not  
18 what we have here. We have a criminal charge.  
19 And the -- the immigration officer didn't make  
20 that up. The charge was leveled by the State  
21 of New Jersey. I guess the State of New Jersey  
22 is in on this conspiracy?

23 MR. DVORETZKY: Again, I don't think  
24 it's a conspiracy, but what I do think is that  
25 the charge is not -- a charge does not show

1 that the person has actually committed the  
2 offense, that -- that -- that there's still  
3 a -- a presumption of innocence at that point.  
4 And the charge doesn't show that he's committed  
5 the offense.

6 JUSTICE ALITO: Well, it doesn't  
7 say -- 5 doesn't say was convicted. How about  
8 Romanette (iii), has engaged in illegal  
9 activity after having departed the United  
10 States? Same rule there?

11 MR. DVORETZKY: I think it would be  
12 the same rule. The question is, is there some  
13 evidence before the officer or does the LPR  
14 admit to something in an interview? Again,  
15 people do admit to things in interviews that  
16 perhaps they shouldn't, and -- and that's how  
17 that would be applied.

18 But, again, to -- to the --

19 JUSTICE ALITO: Let's say an LP -- I'm  
20 sorry. Go ahead.

21 MR. DVORETZKY: No, no, please.

22 JUSTICE ALITO: An -- an LPR leaves  
23 the United States, goes to France, flies back  
24 to the United States. While the plane is in  
25 the air, the federal government receives an

1 urgent message from the French police, he shot  
2 somebody while he was here just before he got  
3 on the plane, but he hasn't been convicted,  
4 and in that instance, he hasn't even been  
5 charged.

6           Would he fall -- would that person  
7 fall within Romanette (iii), has engaged in  
8 illegal activity after having departed the  
9 United States?

10           MR. DVORETZKY: I -- I don't think so.  
11 I think, in that situation, we -- we don't know  
12 that, but, again, all of this goes to the  
13 question of what is the level of proof required  
14 at the border.

15           That question has not been briefed.  
16 These are complicated questions that are not  
17 directly answered by the statute. They involve  
18 background principles. They might involve  
19 policy considerations. None of that has been  
20 briefed. And, in fact, the government  
21 expressly disclaimed that in the cert briefing  
22 and didn't present it to the Second Circuit  
23 either.

24           JUSTICE JACKSON: And how --

25           CHIEF JUSTICE ROBERTS: Did I

1 understand your -- your answer to Justice  
2 Alito's question was no, he could not be  
3 detained?

4 MR. DVORETZKY: If all we have is --

5 CHIEF JUSTICE ROBERTS: All you have  
6 is a phone call from the French police saying  
7 we think he just shot -- shot somebody, he  
8 comes to the border, and the -- the officer at  
9 the border cannot detain him?

10 MR. DVORETZKY: I think that would be  
11 no more than the equivalent of a charge, which  
12 doesn't prove that he actually engaged in the  
13 conduct, but, again, whether or not that would  
14 be sufficient, I think the point is there is  
15 some burden at the border to -- to show that  
16 one of these exceptions was satisfied, and  
17 the --

18 CHIEF JUSTICE ROBERTS: No, no, I know  
19 your -- I know your general rule. It just  
20 seems to me to be pretty bizarre to say that in  
21 that situation they couldn't even be detained.

22 MR. DVORETZKY: Again, perhaps he --  
23 perhaps he could be detained in that situation.  
24 My point is none of this has been fleshed out.  
25 These are questions that the government has

1 actually disclaimed.

2 CHIEF JUSTICE ROBERTS: So they --  
3 they could say, look, all I have is a call from  
4 the -- the -- the police in France that you  
5 just killed somebody, we need to flesh that out  
6 a little bit?

7 MR. DVORETZKY: Well, it -- it -- what  
8 it might be is probable cause for -- for a  
9 non-immigration arrest in that situation. You  
10 could imagine that, that it satisfies probable  
11 cause. But whether probable cause is enough to  
12 show that one of these exceptions applies, it  
13 doesn't show that the person -- a tip does not  
14 show that the person has actually committed an  
15 offense.

16 CHIEF JUSTICE ROBERTS: No, it's not  
17 a -- it's not a tip. It's a call from a  
18 French police official.

19 MR. DVORETZKY: So -- so, if it's a  
20 call from French police officials, you could  
21 take that as a basis, I would think, for --  
22 wholly apart from the immigration laws, for  
23 arresting the person and potentially  
24 extraditing them to France on that basis.  
25 That, I think, is a different question than

1 what's presented by -- by this case or by these  
2 exceptions here.

3 JUSTICE BARRETT: Can I ask you a  
4 question about the -- I'm sorry, Mr. Chief  
5 Justice. Were you finished?

6 CHIEF JUSTICE ROBERTS: No, I'm done.

7 JUSTICE BARRETT: Okay. About the  
8 burden of proof, I thought your argument  
9 depended on it being clear and convincing  
10 evidence. Why would you say that that hasn't  
11 been briefed?

12 I might not be following -- I mean, I  
13 know that Mr. Joshi is saying, well, for  
14 parole, there's a satisfied standard and then  
15 we defer the admissibility determination and  
16 that is by clear and convincing proof in the  
17 context of the removal proceeding.

18 But I thought that you did have a  
19 position that it's clear and convincing at the  
20 border.

21 MR. DVORETZKY: So what our argument  
22 depends on, because of the way in which this  
23 case has been teed up from the Second Circuit  
24 on, is that there is a determination that has  
25 to be made at the border.

1 JUSTICE BARRETT: Mm-hmm.

2 MR. DVORETZKY: The government's  
3 position in the Second Circuit was we have no  
4 burden at the border. Our only burden is in  
5 the ultimate removal hearing. So our position,  
6 again, the way this has been teed up, is yes,  
7 you do have a determination -- an obligation to  
8 make a determination at the border.

9 Now the government has never  
10 challenged, never disputed that if a standard  
11 or until the -- until the end of this case, has  
12 not disputed that if a burden applies on it at  
13 the border, that that border -- that that  
14 burden is clear and convincing evidence.

15 Now, if we were to brief and argue  
16 what --

17 JUSTICE KAGAN: I guess I don't really  
18 understand Mr. Joshi to have said this. And he  
19 might be right or he might be wrong. But, as I  
20 understand it, he says there is a burden at the  
21 border or maybe he says this was like part of  
22 his 1, 2, 3, answer. One is that there's  
23 really no burden at the border, but two was  
24 there's like a, you know, are you reasonably  
25 satisfied burden at the border.

1           MR. DVORETZKY: That is what he says  
2 today. The point is that 2 and 3 in his  
3 three-part answer are new as of today and the  
4 merits reply.

5           JUSTICE KAGAN: And -- and why is  
6 that? That, you know, maybe I haven't focused  
7 enough on this, but when I'm -- I'm staring at  
8 the QP in the -- in the first brief, and it  
9 says whether to remove as inadmissible an LPR,  
10 blah, blah, blah, whether to remove that  
11 person, the government must prove that it  
12 possessed clear and convincing evidence that  
13 the alien committed the offense at the time of  
14 his reentry.

15           So why doesn't that set up the  
16 question that you're saying was not involved?

17           MR. DVORETZKY: I take your point  
18 about the question presented, Justice Kagan.  
19 That's precisely why in the BIO we said: Wait  
20 a minute, it looks like your argument might  
21 depend on the Court deciding not only whether  
22 there is a burden at the border but what that  
23 burden is.

24           And this case would be a poor vehicle  
25 for it because you didn't raise that issue of

1 what the burden would be in the Second Circuit.  
2 Cert reply, page 11, what they then came back  
3 with and said is "to confirm, the government is  
4 not challenging the clear and convincing  
5 standard. This question is about when the  
6 government must carry that burden. Because the  
7 Second Circuit created a circuit conflict and  
8 disrupted immigration enforcement rather  
9 than" -- sorry, "disrupted immigration  
10 enforcement by incorrectly requiring the  
11 government to carry that burden at the border,  
12 this Court's review is" -- "is warranted."

13 The whole case was teed up on the  
14 assumption that if a standard applies at the  
15 burden, it's clear and convincing, but their  
16 argument was there is no burden at the border  
17 at all.

18 JUSTICE BARRETT: But that's because  
19 they thought that they could parole at the  
20 border. I think, if we accept your argument  
21 that the admissibility determination has to be  
22 made at the border, then it necessarily means  
23 that the clear and convincing standard applies,  
24 as the government has teed up this case.

25 I agree, for purposes of this case,

1 they said, as for the admissibility  
2 determination, clear and convincing is the  
3 standard. But, if you win, it's necessarily  
4 saying that the clear and convincing  
5 determination applies at the border. I might  
6 not be tracking.

7 MR. DVORETZKY: I -- I don't think  
8 that's quite right, Justice Barrett.

9 JUSTICE BARRETT: Okay.

10 MR. DVORETZKY: If -- if we win, all  
11 the Court needs to hold is that contrary to the  
12 government's initial argument and arguments to  
13 the Second Circuit, Judge Sullivan was correct  
14 that there is a burden at the border. The  
15 government does need to show at the -- as of  
16 that time at the border the returning LPR was  
17 subject to one of the exceptions. The Court  
18 could --

19 JUSTICE BARRETT: So the government  
20 can parole -- you're conceding then that the  
21 government can parole in Mr. Joshi's kind of 1,  
22 2, 3 formulation that he can parole, the  
23 officer can do so at the border, but you're  
24 just saying, well, maybe it's not clear and  
25 convincing?

1           MR. DVORETZKY: No. He -- he can  
2 parole at the border.

3           JUSTICE BARRETT: Mm-hmm.

4           MR. DVORETZKY: Our argument would  
5 be -- again, if it were briefed or in a -- in a  
6 future case, our argument would be that the  
7 correct standard is clear and convincing  
8 evidence. But the government would be free to  
9 argue that it's something less.

10           The government at that point would be  
11 free to argue, and -- and the BIA could have  
12 the first crack at this, to say, okay, we  
13 accept the Court's holding that there is a  
14 burden at the border; we think that's less than  
15 clear and convincing.

16           JUSTICE BARRETT: I am so confused,  
17 though. I thought that your argument was that  
18 they had to make the determination whether one  
19 of the exceptions applied at the border, which  
20 goes --

21           MR. DVORETZKY: Correct.

22           JUSTICE BARRETT: -- to whether they  
23 were seeking admission, and that that standard  
24 was clear and convincing. And if they have to  
25 make the admissibility, like, whether one of

1 these exceptions applies, so whether the LPR  
2 counts as someone seeking admission or not, why  
3 wouldn't -- if the admission -- if that -- if  
4 that determination has to be made at the  
5 border, why wouldn't the clear and convincing  
6 standard apply on your theory of the case?

7 MR. DVORETZKY: Again, I think it  
8 would. Under Mr. Joshi's theory of the case,  
9 they seem to now be acknowledging that there is  
10 a determination that has to be made at the  
11 border. But he says perhaps that standard is  
12 just determination to the satisfaction of the  
13 officer, or maybe it's the Third Circuit's  
14 standard at most, determination supported by  
15 probable cause.

16 The question of what standard should  
17 apply at the border is something that the BIA  
18 could explore in another case, the lower courts  
19 could explore in the first instance, but it's  
20 not something that has been briefed or fleshed  
21 out here, other than in today's argument and in  
22 passing in the reply brief.

23 JUSTICE JACKSON: And that's because,  
24 Mr. Dvoretzky -- I'm just trying to make sure I  
25 understand as well. I was, with Justice

1 Barrett, a little confused. So it's because  
2 the government's initial argument was that we  
3 don't have to have the border agent determining  
4 whether or not the person is in any of those  
5 buckets, they can just parole the person in.

6 MR. DVORETZKY: Correct.

7 JUSTICE JACKSON: That was their  
8 original thing, that we -- you don't have to --  
9 and now the government is saying we admit that  
10 the person has to be seeking admission and,  
11 therefore, one of these five have to apply, but  
12 now they are arguing the standard for  
13 determining whether or not one of those applies  
14 is something less than clear and convincing.

15 MR. DVORETZKY: Right. Their -- their  
16 argument was parole first --

17 JUSTICE JACKSON: Yes.

18 MR. DVORETZKY: -- figure out whether  
19 parole was proper later. Judge Sullivan, for  
20 the Second Circuit, correctly rejected that  
21 argument because that is not the sequence that  
22 the INA contemplates.

23 JUSTICE JACKSON: And you understand  
24 them to today be agreeing that that's not the  
25 sequence. We need to have a determination --

1 some determination made. And now the dispute  
2 is over what level of proof is necessary --

3 MR. DVORETZKY: Correct.

4 JUSTICE JACKSON: -- to make that  
5 determination.

6 MR. DVORETZKY: They -- they just  
7 think, here today and in passing in the reply  
8 brief, that that standard of proof is just to  
9 the officer's satisfaction. Or maybe it's  
10 probable cause. We would say it's clear and  
11 convincing evidence. None of that has been  
12 briefed or developed. Those should be issues  
13 for another case after this Court either  
14 affirms on the narrow timing question or DIGs.

15 And, look, I'm not going to be the  
16 lawyer who stands here and tell -- tells you  
17 what the Court will or won't do in an April  
18 argument, but I think this would be an -- an  
19 appropriate case in which to DIG --

20 (Laughter.)

21 JUSTICE KAGAN: You should have been  
22 here yesterday.

23 (Laughter.)

24 MR. DVORETZKY: An appropriate case in  
25 which to DIG rather than take on these

1 questions.

2 CHIEF JUSTICE ROBERTS: Just to be  
3 clear, we will take appropriate action without  
4 regard to --

5 (Laughter.)

6 CHIEF JUSTICE ROBERTS: -- without  
7 regard to the calendar.

8 Justice Thomas?

9 Justice Alito?

10 JUSTICE ALITO: I am a bit baffled by  
11 what you're saying about what question is  
12 before us. I read the question presented the  
13 way Justice Kagan did. The government -- the  
14 question presented says the question is whether  
15 -- "whether the government must prove that it  
16 possessed clear and convincing evidence of the  
17 offense at the time of the LPR's last reentry  
18 into the United States."

19 And the passage that you read from on  
20 page 11 of the cert reply just says "the  
21 government is not challenging the clear and  
22 convincing standard. The case is about when  
23 the government must carry that burden."

24 So I interpreted that to mean they  
25 admit, at least for the purposes of this case,

1 that clear and convincing is the standard at  
2 the removal proceeding. But they never -- but  
3 the -- the question of what is the standard at  
4 the time when the alien is trying to come back  
5 into the United States is something different.

6 MR. DVORETZKY: I -- I think it is  
7 something different, but as I read page 11, I  
8 think what that is saying is the case is about  
9 when the government must carry the clear and  
10 convincing evidence standard. It's not about  
11 whether there is some other burden or standard  
12 that the government could conceivably have to  
13 satisfy instead. It's do we carry clear and  
14 convincing evidence at time 1 or do we carry  
15 clear and convincing evidence at time 2?  
16 That's the premise on which the government  
17 brought this case to the Court.

18 JUSTICE ALITO: Yeah. And you're  
19 saying they have to do it at Time 1.

20 MR. DVORETZKY: We're saying that it  
21 has to be at Time 1 because they haven't  
22 disputed that, if there is a burden, that is  
23 the burden. If they want to dispute that, they  
24 are free to do so in another case where they  
25 present that to the lower courts, perhaps with

1 BIA guidance to go on.

2 JUSTICE ALITO: Okay. Thank you.

3 CHIEF JUSTICE ROBERTS: Justice  
4 Sotomayor?

5 JUSTICE SOTOMAYOR: That's the point,  
6 which is they've never said to us, except here,  
7 this is our burden at the border.

8 MR. DVORETZKY: Correct. And -- and  
9 in -- in brief passing in the reply brief for  
10 the first time.

11 JUSTICE SOTOMAYOR: They've suggested  
12 there's no burden at the border --

13 MR. DVORETZKY: Right.

14 JUSTICE SOTOMAYOR: -- essentially.

15 MR. DVORETZKY: Right.

16 JUSTICE SOTOMAYOR: Unreviewable  
17 burden.

18 MR. DVORETZKY: That's right, Justice  
19 Sotomayor.

20 CHIEF JUSTICE ROBERTS: Justice Kagan?  
21 Justice Gorsuch?

22 JUSTICE GORSUCH: I had thought the  
23 case -- and maybe I'm -- you can correct me,  
24 but I -- I thought the case was about whether  
25 the government could satisfy its burden in a

1 removal proceeding by clear and convincing  
2 evidence showing at that time the facts without  
3 regard to what happened in a separate parole  
4 proceeding at the border.

5 MR. DVORETZKY: I -- I wouldn't think  
6 of it as a separate parole proceeding at the  
7 border.

8 JUSTICE GORSUCH: Well --

9 MR. DVORETZKY: I -- I think what the  
10 case is about is whether --

11 JUSTICE GORSUCH: It's a removal  
12 proceeding, right?

13 MR. DVORETZKY: Yes.

14 JUSTICE GORSUCH: That's what's before  
15 us. And the question is, does the government  
16 have to prove its burden with respect to  
17 whether the immigrant committed the crime by  
18 clear and convincing evidence at time 1 or time  
19 2? Right?

20 MR. DVORETZKY: But -- but, Justice  
21 Gorsuch, the only way that we ever got to that  
22 removal proceeding --

23 JUSTICE GORSUCH: Well, I -- I  
24 understand.

25 MR. DVORETZKY: -- was -- was because

1 --

2 JUSTICE GORSUCH: -- because there was  
3 a parole proceeding that preceded it.

4 MR. DVORETZKY: Right.

5 JUSTICE GORSUCH: I understand that.  
6 Yeah. Okay. Thank you.

7 CHIEF JUSTICE ROBERTS: Justice  
8 Kavanaugh?

9 Justice Barrett?

10 Justice Jackson?

11 Thank you, counsel.

12 MR. DVORETZKY: Thank you.

13 CHIEF JUSTICE ROBERTS: Rebuttal,  
14 Mr. Joshi?

15 REBUTTAL ARGUMENT OF SOPAN JOSHI

16 ON BEHALF OF THE PETITIONER

17 MR. JOSHI: Thank you, Mr. Chief  
18 Justice. Just four quick points.

19 First, on Respondent's new request for  
20 a DIG, I think we've read the -- we've had the  
21 QP read aloud a couple of times. We clearly  
22 were challenging the requirement that there be  
23 a clear and convincing evidentiary requirement  
24 at the border. The Second Circuit said yes.  
25 We say no. That's all you need to say. That's

1 fairly encompassed in the question presented.

2 As my response to Justice Jackson  
3 said, we don't think there is any evidentiary  
4 requirement at the border. We think that the  
5 government can satisfy its burden, as Justice  
6 Gorsuch just said, in the removal proceeding by  
7 proving that the -- that the Respondent was, in  
8 fact, seeking an admission at the time.

9 My -- you know, my -- my friend says  
10 that our original position was that we can, you  
11 know, parole someone to defer a decision on  
12 whether parole is possible and we've only  
13 recently switched tracks.

14 We have never said that. He has not  
15 quoted a single line from any brief below or  
16 here in which we said that. And, in fact, I'll  
17 just -- sorry to do this -- read to you from  
18 our opening brief in this Court on page 32:  
19 "Observing that the INA authorizes the  
20 Secretary to parole any alien applying for  
21 admission, respondent has argued that 'the  
22 government must determine whether an LPR is  
23 treated as an applicant for admission before  
24 the non-citizen is paroled into the country.'  
25 True enough."

1           We never disputed that. We just said  
2           that obligation in no way implies that in  
3           subsequent removal proceedings, the government  
4           must prove that it made the correct  
5           determination by offering only the evidence  
6           that it had in hand at that prior time.

7           That's what the Second Circuit held.  
8           That holding is clearly wrong. And the circuit  
9           split it created is intolerable right now. I  
10          mean, JFK is in one circuit. Newark is in  
11          another. Houston Hobby -- or Houston  
12          International is in a third. Each of these  
13          three circuits has a different rule. And it's  
14          going to be incredibly hard to manage if you  
15          DIG this case. And if you affirm, all of the  
16          consequences that Justice Barrett and -- and  
17          others have been discussing are going to hold.  
18          It's -- we're basically going to find that the  
19          "seeking admission" clause is -- is  
20          unenforceable at the border.

21          That leads me to my second point,  
22          which is Mr. Dvoretzky basically said you're  
23          going to need a conviction or just an admission  
24          of guilt. I don't see how that's consistent  
25          with the INA's text. It says "committed an

1 offense." It's certainly not consistent with  
2 Romanette (iii) about criminal activity abroad.

3 It's not even consistent with offenses  
4 identified in 1182(a)(2) because most of them,  
5 as I said, don't require a conviction to be  
6 inadmissible, the -- the human trafficking, the  
7 drug trafficking, the prostitution, some of the  
8 other ones. So you're going to need a  
9 conviction just to determine whether you've  
10 committed an offense, but then you don't need  
11 the conviction to render you inadmissible.  
12 That's completely topsy-turvy. That can't  
13 possibly be what Congress wanted.

14 And that's to say nothing as I said of  
15 the other five clauses. If it's clear and  
16 convincing, even something as straightforward  
17 as Romanette (ii), I think, is if you've been  
18 absent for 180 days from the country, and  
19 suppose a border officer says, well, I see your  
20 passport stamp and your round trip ticket was  
21 200 days ago so you've been absent for 180  
22 days, and the LPR says oh, no, I haven't,  
23 although that's my round trip ticket, in the  
24 interim, I have been driving back and forth  
25 into the country several times so I don't have

1 180 days of absence.

2 Does the officer have clear and  
3 convincing evidence that the LPR is not telling  
4 the truth? I can't imagine that he does. But  
5 that's exactly the sort of thing where the  
6 officer might say all right, I'm going to  
7 parole you and we're going to figure this out.  
8 In 30 days show up and show me that you've been  
9 driving back and forth across the border where  
10 we don't stamp your passport, and if necessary,  
11 we'll go to removal proceedings and then the IJ  
12 will decide on the stand whether he's credible  
13 or not.

14 Under Respondent's view, even if that  
15 LPR were not telling the truth, too bad because  
16 the border officer in the moment didn't have  
17 clear and convincing evidence of this  
18 untruthful assertion. That, again, cannot  
19 possibly be right.

20 Finally, in terms of the -- the  
21 statement that my friend made that there's just  
22 no meaningful check on the ability to parole  
23 LPRs, as I said, Number 1, there is the  
24 presumption of regularity. And you would  
25 really have to have a DHS-wide conspiracy for

1 the parade of horrors that Respondent talks  
2 about to materialize.

3 It is telling that our rule has been  
4 the background rule for decades, if not over a  
5 century. It certainly has expressly been the  
6 rule in this circumstance in the Fifth Circuit  
7 for more than a decade.

8 You haven't seen these consequences.  
9 The Third Circuit, since 2011, probable cause  
10 but still much lower than clear and convincing.  
11 You haven't seen these circumstances. So I  
12 just don't think it's reasonable to say that.

13 Congress provided that parole  
14 decisions are unreviewable. It made a judgment  
15 that they're unreviewable. And I know that's  
16 always going to cause some heartburn and  
17 difficulty when you say something's  
18 unreviewable but unless you think all of DHS is  
19 composed of, to use a phrase, monsters or  
20 idiots, that's just the system that Congress  
21 enacted.

22 CHIEF JUSTICE ROBERTS: Thank you,  
23 counsel. The case is submitted.

24 (Whereupon, at 11:42 a.m., the case  
25 was submitted.)

<b>1</b>	<b>9</b>	<b>A</b>	
1 [7] 85:22 88:21 94:14,19, 21 96:18 101:23 11 [4] 59:2 87:2 93:20 94:7 1182 [7] 8:1,21 9:21 10:21 11:9 61:12 75:16 1182(a)(2) [3] 32:14 54:18 100:4 1184 [2] 8:17,20 1226 [3] 33:14 48:10 75:14 1226(a) [2] 76:11,13 1226(c) [2] 76:6,7 1227 [7] 8:1,17,19 9:20 10:4, 21 11:10 1229a(3) [1] 26:5 1252 [5] 45:4,18 71:3,19,20 1252(a) [1] 71:21 1252(a)(2)(b) [2] 44:13 70:22 13 [2] 64:16,16 1361 [1] 19:16 15 [1] 39:3 18 [1] 64:16 180 [3] 100:18,21 101:1 1904 [1] 19:14	90 [1] 13:12		
<b>2</b>			
2 [6] 59:11 85:22 86:2 88:22 94:15 96:19 200 [1] 100:21 2012 [1] 39:3 235.1 [1] 19:18 25 [2] 56:7 74:23	a)(1) [1] 26:11 ability [4] 39:9 51:10 79:9 101:22 able [2] 30:14 37:14 about [50] 5:23 8:9 11:18 13: 20 14:11 15:24 18:4,10,23 23:10 24:10,11 25:8,12,20 43:7 45:1,3,11 46:21 58:10, 15 59:6,24 61:18,24 62:5,5 65:9 67:13 70:23 71:18,21, 21 72:5,8 74:10 76:7 80:7 84:4,7 86:18 87:5 93:11,22 94:8,10 95:24 96:10 100:2 abroad [2] 47:16 100:2 abrogate [1] 28:19 absence [1] 101:1 absent [2] 100:18,21 accept [2] 87:20 89:13 acceptable [2] 75:10,12 acceptance [1] 79:5 accepted [1] 6:1 access [1] 64:12 accused [1] 53:7 achieved [1] 51:8 acknowledging [2] 74:17 90: 9 across [1] 101:9 acting [3] 21:21 22:15,16 action [4] 44:15 45:24,25 93: 3 actions [1] 44:19 activity [8] 23:13,19,22 24:2 29:6 80:9 81:8 100:2 actually [17] 10:10 26:2,19 27:19 40:6 47:6 55:6,11 56: 22 57:8 64:23 66:5 67:5 80: 1 82:12 83:1,14 addition [2] 9:15 15:10 additional [1] 34:17 address [4] 60:11 73:5,14 74:22 adequate [1] 23:20 adjudicated [1] 37:1 adjudication [6] 25:4,6,12, 14 41:20 62:13 adjudicatory [3] 46:23 47: 21 50:11 administrability [1] 56:1 administrative [4] 38:11,20 47:25 66:4 admissibility [11] 5:18 9:16 15:25 26:9 39:25 43:20 47: 1 84:15 87:21 88:1 89:25	admissible [2] 36:4 61:16 admission [37] 4:14 5:4,17 6:17,20 7:8,20 9:6,8,11 29: 2 33:16,20 37:9 39:3,21 43: 14 48:6 51:15 53:14 57:5 58:12,22 59:14 60:6 63:15 64:13 66:15 89:23 90:2,3 91:10 98:8,21,23 99:19,23 admit [16] 24:4 37:23 40:3 49:22 57:18 61:9 66:20 67: 24,25 68:14,14 71:6 80:14, 15 91:9 93:25 admittee [1] 15:19 admits [1] 52:17 admitted [25] 6:15 7:5 14:20 15:5,17 16:7,23 21:17 26: 16,17,22,23 37:21 40:7 49: 24 52:7,24 68:20 69:13,16, 19 73:10 75:15,17 76:10 admitting [1] 37:25 adopted [2] 68:2,4 adversarial [3] 4:3 18:7 43: 15 adversaries [1] 18:9 affected [1] 77:1 affirm [4] 58:8 60:3 72:24 99:15 affirms [1] 92:14 afresh [1] 8:12 after [12] 9:6,8,11 12:11 38: 14 45:7 53:14 69:12 73:18 80:9 81:8 92:13 again [25] 4:22 60:10,19,22 63:16 66:16,21 68:7 71:24 72:22 74:13,20 75:1 76:7 79:12,23 80:14,18 81:12 82:13,22 85:6 89:5 90:7 101:18 against [2] 54:9 73:20 agency [4] 22:15 38:11,12 44:19 agent [2] 38:12 91:3 agents [2] 60:5 74:1 ago [2] 63:10 100:21 agree [3] 4:15 46:20 87:25 agreeing [1] 91:24 ahead [2] 67:1 80:20 aid [1] 21:5 air [2] 21:1 80:25 airport [7] 4:4 27:2,10 33:17 39:4 47:14 67:18 alert [2] 23:14 62:9 alien [21] 6:15,18,19 9:5 16: 17 26:16,17 27:14 39:22 40:1 43:13 46:2,5 52:17 67: 1,25 68:12,13 86:13 94:4 98:20 aliens [3] 6:24 7:18 50:18	alien's [1] 12:2 alito [22] 19:21,25 20:7,12 21:13 22:22,25 31:21 63:3 66:22,25 67:11 68:9 79:3, 17 80:6,19,22 93:9,10 94: 18 95:2 alito's [1] 82:2 all [30] 7:22 8:4,13 12:12 13: 22 14:5 27:7 29:7 38:4,9 42:1 46:7,10 53:3,11 54:14 56:13 72:2,5 75:22 78:15 81:12 82:4,5 83:3 87:17 88: 10 97:25 99:15 101:6 allow [4] 65:13,13 68:4,5 allowed [3] 42:15 43:5 70:8 allowing [1] 37:16 allows [1] 11:17 alone [3] 32:10 33:3 60:3 aloud [1] 97:21 already [4] 23:4 28:10,11 64: 12 also [7] 20:14 44:16 45:13 63:3 70:22 75:3 76:5 alternative [2] 48:8 67:16 alternatively [1] 60:3 although [1] 100:23 always [1] 30:9 am [6] 39:8 50:25 56:4 70: 19 89:16 93:10 american [1] 14:14 amici [7] 12:3 14:8 18:1,2 30:24 55:15 73:23 amicus [2] 73:6,12 amount [1] 51:12 amounts [1] 4:21 an [95] 4:9,14 5:3,3,17 6:15, 17,19 8:18 9:1,4 11:22 12: 12 13:2 15:19 18:5,6 21:20 23:14,19 26:16,16,21 27:21 28:22 32:5 33:16 36:13 37: 9 38:11 39:3,6,20,22 44:16 45:24 46:2,5 47:7 50:10 51: 15 52:10,10,12,13,17 54:1, 19,21 55:1,14,16 57:2 58: 12,13,20,21,22 59:13,14 60: 6 62:8 63:2,15 64:5,12,22 66:2,17 68:20,22 73:10 74: 1 76:25 77:17 78:18,18 80: 14,19,22,22,25 83:14 85:7 86:9 92:17,18,18,24 98:8, 22,23 99:23,25 100:10 angeles [2] 67:21,23 another [8] 28:12 50:10,17 60:12 90:18 92:13 94:24 99:11 answer [17] 14:3,25 17:10 21:10 30:7 33:9,24 34:2 36: 23 37:11 44:6 50:12,15 68:
<b>3</b>			
3 [4] 23:11 85:22 86:2 88:22 30 [3] 13:8 22:6 101:8 32 [1] 98:18 34 [2] 44:12 70:22			
<b>4</b>			
40 [1] 27:21			
<b>5</b>			
5 [2] 23:9 80:7 5a [1] 26:5			
<b>6</b>			
6a [1] 26:14			
<b>7</b>			
704 [6] 44:17 45:5 70:23 71: 18 72:4,11 7a [1] 26:14			
<b>8</b>			
8 [2] 27:19,20			

<p>10 82:1 85:22 86:3  <b>answered</b> [1] 81:17  <b>answers</b> [1] 17:18  <b>anticipate</b> [1] 17:17  <b>any</b> [20] 6:24 7:2 9:6 15:21  19:4 27:13 31:2 39:22 44:  14 45:14 65:12 72:8 76:17,  20 77:7 78:22 91:4 98:3,15,  20  <b>anybody</b> [1] 61:23  <b>anyone</b> [1] 48:12  <b>anything</b> [4] 12:12 22:11 41:  23 63:24  <b>apa</b> [4] 44:18,24 45:24 70:  23  <b>apart</b> [1] 83:22  <b>apiece</b> [1] 27:22  <b>appear</b> [1] 37:3  <b>appears</b> [1] 20:15  <b>appendix</b> [2] 64:15 66:16  <b>applicable</b> [1] 18:5  <b>applicant</b> [2] 5:17 98:23  <b>applicants</b> [1] 7:19  <b>applied</b> [5] 6:8 7:14 61:20  80:17 89:19  <b>applies</b> [18] 9:18 17:5 24:7,8,  22 39:20 47:1,8 50:7 68:21,  22 83:12 85:12 87:14,23  88:5 90:1 91:13  <b>apply</b> [15] 4:2 6:11 8:1 9:18  24:15,19 27:9 47:11 66:8  74:12 76:7,11 90:6,17 91:  11  <b>applying</b> [3] 25:17 46:22 98:  20  <b>appreciate</b> [1] 51:19  <b>approach</b> [2] 10:4 37:18  <b>appropriate</b> [9] 24:13 41:22  72:23,24 74:12,14 92:19,24  93:3  <b>approximately</b> [2] 27:18 56:  7  <b>april</b> [1] 92:17  <b>arbitrary</b> [1] 30:20  <b>are</b> [57] 4:2,5 5:2 7:11 9:15  10:5 11:8 12:14 14:2,19,22  18:4 21:25 22:6 23:3,3,23  26:7 27:16 32:13 37:3,13  38:19 40:2,6 42:7 44:18,22  50:6 51:6 52:9 55:10 56:1,  6,7,24 61:16 63:21 66:12  68:25 69:24 73:11,12,23  74:2,7 76:16 77:23 79:12  81:16,16 82:25 85:24 86:3  91:12 94:24 99:17  <b>areas</b> [1] 74:10  <b>aren't</b> [1] 25:16  <b>argue</b> [4] 72:10 85:15 89:9,</p>	<p>11  <b>argued</b> [3] 58:23 76:25 98:  21  <b>arguing</b> [1] 91:12  <b>argument</b> [25] 4:17 6:12 11:  18 16:1 44:16 58:4 67:14  79:4,8,15 84:8,21 86:20 87:  16,20 88:12 89:4,6,17 90:  21 91:2,16,21 92:18 97:15  <b>arguments</b> [2] 5:1 88:12  <b>arises</b> [1] 46:15  <b>arrest</b> [2] 30:1 83:9  <b>arresting</b> [1] 83:23  <b>arrivals</b> [1] 4:6  <b>arrived</b> [1] 33:16  <b>arrives</b> [2] 47:9 67:18  <b>arriving</b> [3] 19:10 39:22 40:  1  <b>as</b> [81] 5:3,12 6:17 8:1 10:21  11:9,17,17 12:5,6,19,25 13:  5 14:11 15:4,5,17 16:6,7,7,  16,21,24 18:4,6,6,18 22:4  23:8 27:2 32:16 33:4 36:10  37:3 40:21 41:8 44:13,21  47:9 51:14 53:20 55:4,9 56:  2 57:4,4 58:12 60:6 61:12  65:10 66:16 68:4 69:7,13  72:11,12 73:15,23 78:3,18,  18 79:13 83:21 85:19 86:3,  9 87:24 88:1,15 90:2,25 94:  7 96:6 98:2,5,23 100:5,14,  16,17 101:23  <b>asian</b> [1] 14:14  <b>aside</b> [2] 26:7 59:24  <b>ask</b> [6] 22:25 25:7 38:10 40:  12 53:4 84:3  <b>asked</b> [1] 70:15  <b>asking</b> [1] 61:2  <b>assertion</b> [1] 101:18  <b>assessing</b> [1] 18:15  <b>assessment</b> [2] 16:6 17:1  <b>assume</b> [2] 55:3 67:14  <b>assumes</b> [2] 4:22 66:9  <b>assuming</b> [1] 38:23  <b>assumption</b> [4] 8:2 21:24  57:23 87:14  <b>attaching</b> [1] 70:6  <b>at-the-border</b> [2] 4:9 5:6  <b>attorney</b> [1] 50:13  <b>authorities</b> [1] 77:13  <b>authority</b> [8] 65:12 66:1 69:  12 70:9 75:1,3,13 76:6  <b>authorized</b> [1] 21:25  <b>authorizes</b> [1] 98:19  <b>available</b> [2] 68:22 75:4  <b>average</b> [1] 27:22  <b>avoidance</b> [1] 20:24  <b>aware</b> [4] 46:1 56:5 70:19</p>	<p>71:17  <b>away</b> [6] 7:6 10:17,19 11:5  18:9 73:17</p> <hr/> <p style="text-align: center;"><b>B</b></p> <hr/> <p><b>back</b> [19] 10:15 15:4 19:7 20:  4 25:7,14,15 28:20 51:21  68:8 72:4 74:13 77:7,25 80:  23 87:2 94:4 100:24 101:9  <b>background</b> [5] 21:10 51:17  52:25 60:7 81:18  <b>backward</b> [1] 27:6  <b>bad</b> [6] 21:21 22:15,17,21  57:24 101:15  <b>bad-faith</b> [2] 31:1 56:19  <b>baffled</b> [1] 93:10  <b>bar</b> [1] 33:20  <b>bargain</b> [1] 48:20  <b>barr</b> [1] 54:9  <b>barrett</b> [39] 11:15 12:16 13:4  22:5 28:5 46:18,19 49:5,11,  13,17,25 50:5,16,21 51:2  61:17 62:3 63:6,9 65:1,16  66:7,12,15 73:4 84:3,7 85:  1 87:18 88:8,9,19 89:3,16,  22 91:1 97:9 99:16  <b>barrett's</b> [1] 63:22  <b>barton</b> [1] 54:9  <b>based</b> [4] 14:20 53:25 57:1  79:12  <b>basically</b> [4] 13:12 30:3 99:  18,22  <b>basis</b> [8] 7:1 23:20 33:3 75:  19 76:12 78:5 83:21,24  <b>bear</b> [1] 42:17  <b>because</b> [69] 5:16 7:23 10:1,  4,10 11:16,24 16:20 17:20,  20,21 18:13 19:3 26:4 27:  12 28:7,17,21 29:18 31:3  32:11,20 36:18 37:4,13 40:  5,14,21 41:20 46:22 47:7,  13 48:15,18,23 49:16,19 50:  7 53:17,17 57:11 58:24 59:  13 60:9,10,25 61:13 65:17  66:9 68:18,19 73:25 75:17,  22 76:7,12 77:1 84:22 86:  25 87:6,18 90:23 91:1,21  94:21 96:25 97:2 100:4  101:15  <b>becomes</b> [8] 6:22 14:12 15:  14 24:12 52:2 54:21 75:5,  18  <b>bed</b> [1] 48:25  <b>been</b> [39] 8:18 14:20 20:14  23:4,10 24:11 28:10,11 30:  4 32:18 50:3 52:22 53:7 59:  21 60:24 67:12,20 72:5,22  74:16,21 75:17 76:14 81:3,</p>	<p>4,15,19 82:24 84:11,23 85:  6 90:20 92:11,21 99:17  100:17,21,24 101:8  <b>before</b> [23] 4:3 10:2 17:5 20:  8 29:21 31:6,13 33:14 40:  20 41:4,9 58:13,17 62:22  69:3 71:13 73:7 74:21 80:  13 81:2 93:12 96:14 98:23  <b>beginning</b> [1] 52:1  <b>begins</b> [1] 11:25  <b>begs</b> [1] 4:18  <b>behalf</b> [2] 58:5 97:16  <b>being</b> [5] 37:3 49:14 57:4 65:  24 84:9  <b>believe</b> [4] 34:10 38:1 72:20,  21  <b>believes</b> [1] 30:13  <b>below</b> [2] 5:8 98:15  <b>benefit</b> [6] 48:12,14 49:18  50:18 51:1 65:23  <b>benefits</b> [3] 48:14,17,23  <b>better</b> [1] 21:7  <b>between</b> [6] 5:11 8:17 9:16,  24 12:22 54:7  <b>eyond</b> [2] 24:19 53:21  <b>bia</b> [4] 50:14 89:11 90:17 95:  1  <b>bio</b> [1] 86:19  <b>bit</b> [2] 83:6 93:10  <b>bizarre</b> [2] 25:6 82:20  <b>blah</b> [3] 86:10,10,10  <b>blindly</b> [1] 21:4  <b>board</b> [4] 5:15,21 6:7,10  <b>both</b> [4] 9:1 15:1 40:9 49:2  <b>bother</b> [1] 8:2  <b>branch</b> [1] 57:24  <b>brief</b> [18] 14:14 26:6,14 44:  12 59:11 61:18 70:21 71:3  73:6,12 85:15 86:8 90:22  92:8 95:9,9 98:15,18  <b>briefed</b> [13] 58:24 59:22 60:  20,24 72:6,22 74:16 81:15,  20 84:11 89:5 90:20 92:12  <b>briefing</b> [2] 60:1 81:21  <b>briefs</b> [1] 59:9  <b>bring</b> [2] 45:24 51:21  <b>broader</b> [1] 10:7  <b>brought</b> [6] 15:4,17 45:3,5  73:1 94:17  <b>buckets</b> [1] 91:5  <b>burden</b> [43] 5:24 16:16 18:  15 19:4 27:9 36:19 41:9 42:  18 44:5 58:10,16 59:7 60:1,  10 67:5 82:15 84:8 85:4,4,  12,14,20,23,25 86:22,23 87:  1,6,11,15,16 88:14 89:14  93:23 94:11,22,23 95:7,12,  17,25 96:16 98:5</p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p><b>burdens</b> [8] 4:1,2 14:22 18:3,8,10,22 31:11</p> <p><b>busy</b> [1] 52:19</p> <p><b>button</b> [4] 27:1 40:9,15,18</p> <p><b>by</b> [42] 5:18,20 7:12 8:12 9:12 11:11 20:9 22:1,7,13 23:25 30:4 33:14 34:15 36:2 37:9 39:5 41:14 43:14 49:19 60:24 61:20,21 62:21 63:7,11,14,15 78:2 79:20 81:17 84:1,1,1,16 87:10 90:14 93:10 96:1,17 98:6 99:5</p> <p><b>bye</b> [1] 36:4</p> <hr/> <p style="text-align: center;"><b>C</b></p> <hr/> <p><b>calendar</b> [1] 93:7</p> <p><b>call</b> [9] 18:21 48:4 65:2,8 77:6 82:6 83:3,17,20</p> <p><b>came</b> [4] 30:21 45:7 58:9 87:2</p> <p><b>campaigns</b> [1] 74:2</p> <p><b>can</b> [57] 7:2 8:7,17 10:9,10 11:9 16:2,11 18:12,12 22:25 23:11 26:12 29:24 39:13 40:9 42:9,10 44:16 45:23 48:16,18,20 49:2,3 50:13 52:3 53:7 55:8,24 57:20 60:5,6 66:7 67:9 68:11 69:3,15 71:8 73:4,14 74:5,22 78:16,25,25 79:16 84:3 88:20,21,22,23 89:1 91:5 95:23 98:5,10</p> <p><b>cannot</b> [3] 21:17 82:9 101:18</p> <p><b>can't</b> [11] 4:13 5:3 10:9 31:24 47:13 55:2 56:9 68:23 69:1 100:12 101:4</p> <p><b>card</b> [21] 7:6,8,19 12:5,7 14:1,7,9 51:18 52:6 53:25 55:9,20,24 56:2,12 57:6,12 73:16,22 74:3</p> <p><b>cards</b> [5] 7:4 12:10,15 56:25 78:5</p> <p><b>carry</b> [8] 48:21 59:6 87:6,11 93:23 94:9,13,14</p> <p><b>case</b> [70] 4:18 5:7 6:2 9:13 13:5,19 18:11 19:14 20:1 21:2 24:14,24 26:15,16,21,25 37:12 40:15 42:9 44:2 46:2,25 47:5 49:6,20 50:6,8,14 53:3 58:15,23 59:5,18,23 60:13,24 64:15 65:4 72:6,21,23 73:1,2 74:19 76:9 77:1 78:13 84:1,23 85:11 86:24 87:13,24,25 89:6 90:6,8,18 92:13,19,24 93:22,25 94:8,17,24 95:23,24 96:10 99:15</p>	<p><b>cases</b> [7] 9:19 46:5 49:10,11 77:1,2,17</p> <p><b>catch-all</b> [2] 72:12,13</p> <p><b>categorical</b> [1] 10:4</p> <p><b>categories</b> [6] 15:22 16:4,13,18 17:1 25:24</p> <p><b>category</b> [1] 14:18</p> <p><b>caught</b> [1] 18:14</p> <p><b>cause</b> [10] 20:19,25 21:4 34:10 59:21 83:8,11,11 90:15 92:10</p> <p><b>caused</b> [1] 62:9</p> <p><b>century</b> [2] 19:8 61:13</p> <p><b>cert</b> [7] 58:18,22 59:3 76:24 81:21 87:2 93:20</p> <p><b>certain</b> [3] 22:2 43:11 61:16</p> <p><b>certainly</b> [5] 21:7,9 72:10,11 100:1</p> <p><b>challenge</b> [6] 45:4,5,6 50:6 70:18 71:13</p> <p><b>challenged</b> [3] 31:6,12 85:10</p> <p><b>challenging</b> [4] 59:4 87:4 93:21 97:22</p> <p><b>chances</b> [1] 50:2</p> <p><b>change</b> [1] 55:13</p> <p><b>changed</b> [1] 59:10</p> <p><b>channeled</b> [1] 45:21</p> <p><b>charge</b> [25] 13:21 23:16 29:18 30:1,9 32:3,4,9,17 33:3 48:16 64:20,24 65:9 67:22 68:13,16 75:9,22 79:18,20,25,25 80:4 82:11</p> <p><b>charged</b> [6] 20:2 23:5 37:3 38:14 76:20 81:5</p> <p><b>charges</b> [4] 29:24 30:10 48:21 76:17</p> <p><b>charging</b> [3] 25:4,12 41:19</p> <p><b>check</b> [6] 13:14 28:8 60:8 61:7 79:9 101:22</p> <p><b>check-in</b> [1] 22:6</p> <p><b>check-ins</b> [1] 13:11</p> <p><b>chief</b> [23] 29:11 31:21 36:21 39:7 43:23 46:16 50:22 58:1,6 81:25 82:5,18 83:2,16 84:4,6 93:2,6 95:3,20 97:7,13,17</p> <p><b>choice</b> [6] 11:11 28:18 49:22 50:3 67:7 75:8</p> <p><b>chose</b> [1] 28:22</p> <p><b>circuit</b> [17] 20:19,22 58:17 59:1 60:9 81:22 84:23 85:3 87:1,7,7 88:13 91:20 97:24 99:7,8,10</p> <p><b>circuits</b> [1] 99:13</p> <p><b>circuit's</b> [2] 21:8 90:13</p> <p><b>circumstance</b> [6] 23:11,15 26:21 53:10,11 73:11</p>	<p><b>circumstances</b> [4] 27:14 48:14 52:9 68:16</p> <p><b>cite</b> [1] 19:18</p> <p><b>cited</b> [1] 66:17</p> <p><b>citizen</b> [3] 42:5,6,7</p> <p><b>citizenship</b> [1] 51:9</p> <p><b>claims</b> [1] 59:16</p> <p><b>classified</b> [1] 24:12</p> <p><b>clause</b> [4] 23:9,11 45:19 99:19</p> <p><b>clauses</b> [1] 100:15</p> <p><b>clear</b> [71] 4:16,19,24 5:11,13,18,20,25 6:10 7:12 11:7,11 17:3 20:9 23:25 25:20 28:1 34:22 36:18 37:10,14,20,22 39:5 41:12 42:20 47:15,23 49:7 52:8 58:20 59:19 61:4,21,25 62:10,12 65:20,22 66:8 74:11 84:9,16,19 85:14 86:12 87:4,15,23 88:2,4,24 89:7,15,24 90:5 91:14 92:10 93:3,16,21 94:1,9,13,15 96:1,18 97:23 100:15 101:2,17</p> <p><b>clear-and</b> [1] 59:4</p> <p><b>clear-and-convincing</b> [8] 4:10 5:6 24:5 46:21,25 47:8,10 50:7</p> <p><b>clearly</b> [6] 22:19,20 27:12 28:22 97:21 99:8</p> <p><b>client</b> [3] 69:16 70:17 73:9</p> <p><b>close</b> [3] 13:20 28:15 40:11</p> <p><b>closest</b> [1] 51:8</p> <p><b>cocaine</b> [1] 10:11</p> <p><b>codifies</b> [1] 19:15</p> <p><b>collect</b> [1] 37:14</p> <p><b>come</b> [11] 5:14 7:25 10:14 16:7,7 20:4 74:13 75:3 77:7,25 94:4</p> <p><b>comes</b> [4] 16:22 26:22 74:19 82:8</p> <p><b>coming</b> [6] 16:24 27:25 39:10 42:13 45:19 61:19</p> <p><b>command</b> [3] 7:16 37:20,22</p> <p><b>commission</b> [5] 9:21,24 10:9 20:10 54:7</p> <p><b>commit</b> [1] 55:19</p> <p><b>commits</b> [2] 9:5,7</p> <p><b>committed</b> [37] 6:25 9:10 20:13,14 21:16 23:18 28:22 30:4 32:2 33:2 34:5 37:5 38:2,3 40:22,24 47:17 52:10,11,13,18 53:12 54:19,21 55:1 61:15 62:4 64:5 77:11 78:6 80:1,4 83:14 86:13 96:17 99:25 100:10</p> <p><b>commonly</b> [3] 63:14,23 64:9</p> <p><b>complain</b> [1] 46:3</p>	<p><b>completely</b> [1] 100:12</p> <p><b>complicated</b> [1] 81:16</p> <p><b>conceded</b> [3] 46:24 50:8 58:18</p> <p><b>concededly</b> [1] 31:10</p> <p><b>conceding</b> [1] 88:20</p> <p><b>conceivably</b> [1] 94:12</p> <p><b>concepts</b> [1] 16:11</p> <p><b>concern</b> [4] 56:15,21 78:3,10</p> <p><b>conclude</b> [3] 32:5 62:24 64:21</p> <p><b>concluded</b> [3] 30:7 34:12 64:22</p> <p><b>conclusion</b> [2] 4:23 34:8</p> <p><b>conclusions</b> [1] 30:17</p> <p><b>conduct</b> [3] 47:16 62:6 82:13</p> <p><b>conducting</b> [1] 74:2</p> <p><b>confidence</b> [5] 43:11 62:20,24 74:15,20</p> <p><b>confirm</b> [1] 87:3</p> <p><b>conflated</b> [1] 38:5</p> <p><b>conflict</b> [1] 87:7</p> <p><b>confluence</b> [1] 27:5</p> <p><b>confused</b> [2] 89:16 91:1</p> <p><b>congress</b> [14] 10:15 27:12,14,24 28:21 29:9 52:8 54:10,18 61:13 68:2,4 72:15 100:13</p> <p><b>congress's</b> [4] 28:18 53:19,20 67:6</p> <p><b>consequence</b> [4] 11:22 12:20 15:3 79:7</p> <p><b>consequences</b> [8] 12:19 48:22 70:17 73:5,13,14 74:8 99:16</p> <p><b>considerations</b> [1] 81:19</p> <p><b>considered</b> [2] 7:19 28:18</p> <p><b>consistent</b> [5] 61:6 65:1 99:24 100:1,3</p> <p><b>conspiracy</b> [4] 79:5,22,24 101:25</p> <p><b>constitutional</b> [2] 10:20,23</p> <p><b>contemplate</b> [1] 62:12</p> <p><b>contemplated</b> [1] 50:11</p> <p><b>contemplates</b> [5] 62:18,19 68:19 69:14 91:22</p> <p><b>contested</b> [1] 58:18</p> <p><b>context</b> [3] 38:11 62:1 84:17</p> <p><b>contingent</b> [1] 37:18</p> <p><b>continue</b> [2] 57:8 78:25</p> <p><b>contrary</b> [1] 88:11</p> <p><b>control</b> [1] 57:3</p> <p><b>controlled</b> [3] 10:6,8 29:1</p> <p><b>controls</b> [1] 19:9</p> <p><b>convening</b> [1] 28:3</p> <p><b>conversation</b> [2] 51:2 66:19</p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p><b>convicted</b> [12] 8:18 20:15 28:10,12 47:18 52:17,24 53:6 67:12 76:4 80:7 81:3 <b>conviction</b> [38] 6:25 9:21,25 10:2,5 14:21 28:8 29:2,5 32:16 37:19 54:2,6,7,13,15 61:8 62:2,4,7 63:7,12,15 64:11,24 65:6 66:13,15,23 67:13,15 68:12 75:24 76: 14 99:23 100:5,9,11 <b>convictions</b> [1] 10:8 <b>convince</b> [1] 43:16 <b>convincing</b> [63] 4:16,20,24 5:12,13,18,21,25 7:13 11: 12 12:6 17:4 20:9 23:25 28: 1 36:19 37:10,14 39:5 41: 13 42:20 47:15,24 49:7 59: 5,20 61:4,22,25 62:10,13 65:20 66:8 74:11 84:9,16, 19 85:14 86:12 87:4,15,23 88:2,4,25 89:7,15,24 90:5 91:14 92:11 93:16,22 94:1, 10,14,15 96:1,18 97:23 100: 16 101:3,17 <b>corners</b> [3] 59:23,24 60:14 <b>correct</b> [23] 7:22 11:11 20:5, 6 30:24 31:19 36:15 39:15 42:3,18 48:1 49:16 69:7,8, 10 88:13 89:7,21 91:6 92:3 95:8,23 99:4 <b>correctly</b> [2] 69:17 91:20 <b>could</b> [40] 14:25 21:8 28:7 32:7,14,24 33:1 34:13,19 35:5 36:3,14 38:9 45:3,4 53:5 56:21 57:14,17 60:12 62:8 64:1,8 65:1,5 69:7 77: 22 78:4 82:2,23 83:3,10,20 87:19 88:18 89:11 90:18, 19 94:12 95:25 <b>couldn't</b> [2] 44:3 82:21 <b>counsel</b> [9] 6:14 29:12 34: 23 58:2 61:17 69:5,15 73:4 97:11 <b>counterfeiting</b> [3] 65:9 67: 24 74:6 <b>country</b> [15] 10:15 19:9 45:7 48:19 50:19 51:12 57:1,13 63:1 64:3 70:8 77:16,24 100:18,25 <b>country.</b>' [1] 98:24 <b>counts</b> [1] 90:2 <b>couple</b> [3] 43:25 76:23 97: 21 <b>course</b> [1] 72:24 <b>court</b> [30] 19:13 28:4 38:21 42:10 48:4 54:6,8 57:22 58: 7,8,9 59:25 60:2,2,13 67:20, 23 72:15,20 73:1 74:21 76:</p>	<p>19 78:12 86:21 88:11,17 92:13,17 94:17 98:18 <b>courts</b> [2] 90:18 94:25 <b>court's</b> [4] 5:9 60:15 87:12 89:13 <b>crack</b> [1] 89:12 <b>created</b> [2] 87:7 99:9 <b>credible</b> [1] 101:12 <b>credit</b> [1] 30:18 <b>crime</b> [18] 7:1 8:18 9:6,7,10 32:2,12 33:2 34:5 37:5 47: 17 53:6,12 66:21 76:21 77: 12 78:7 96:17 <b>crimes</b> [8] 9:2,3 28:24 29:3 40:23,25 48:17 54:14 <b>criminal</b> [18] 13:13 20:2 21: 16 23:5,13,18,21 24:2,21, 23 29:6,24 47:16 48:16 62: 6 68:15 79:18 100:2 <b>criteria</b> [2] 7:14 8:11 <b>critical</b> [2] 41:15,21 <b>cross-reference</b> [1] 20:17 <b>crux</b> [1] 59:17 <b>curious</b> [1] 70:14 <b>curtail</b> [1] 28:20</p> <hr/> <p style="text-align: center;"><b>D</b></p> <hr/> <p><b>database</b> [5] 29:23 30:21 51: 22 64:12 67:19 <b>day</b> [3] 4:6 27:17 61:12 <b>days</b> [8] 13:8,12 22:6 100: 18,21,22 101:1,8 <b>de</b> [1] 66:3 <b>deal</b> [1] 46:12 <b>decide</b> [12] 16:2,11,14 44:1 52:3 54:25 58:21 59:25 60: 10 66:2 78:20 101:12 <b>decided</b> [7] 5:22 8:11 10:21 21:2 25:13 53:20 59:1 <b>decides</b> [3] 6:23 16:15 54: 21 <b>deciding</b> [2] 52:5 86:21 <b>decision</b> [22] 5:16 16:25 22: 12 25:21 27:8 35:2,9,11 38: 6,14,18 44:9,14 45:6 50:15 60:2 65:17 70:16,18 71:6 73:6 98:11 <b>decisionmaker</b> [2] 4:4 17:6 <b>decisionmakers</b> [1] 18:7 <b>decisions</b> [2] 5:2 44:22 <b>deemed</b> [1] 10:24 <b>deems</b> [1] 10:16 <b>defeasible</b> [1] 22:12 <b>defense</b> [2] 14:15 48:18 <b>defer</b> [4] 37:16 43:6 84:15 98:11 <b>deferral</b> [2] 38:6 43:20 <b>deferred</b> [4] 13:2,6 56:9 73:</p>	<p>5 <b>deferring</b> [2] 43:9,18 <b>defines</b> [1] 26:15 <b>defying</b> [1] 76:19 <b>departed</b> [2] 80:9 81:8 <b>depend</b> [2] 79:4 86:21 <b>depended</b> [1] 84:9 <b>depending</b> [1] 26:23 <b>depends</b> [5] 12:24 39:9,14 79:6 84:22 <b>deport</b> [2] 14:22 53:22 <b>deportability</b> [4] 5:20 9:17 14:23 15:11 <b>deportable</b> [2] 9:7,20 <b>deportation</b> [6] 67:10 69:12 75:1,2,19,21 <b>deported</b> [5] 10:23 26:12 53: 6,8 69:7 <b>depresses</b> [1] 57:19 <b>deprive</b> [1] 53:24 <b>derived</b> [1] 20:23 <b>despite</b> [1] 52:6 <b>detain</b> [12] 47:20 48:10 49: 25 50:2 65:7,13,14 66:1 75: 8 76:3 77:14 82:9 <b>detained</b> [7] 42:9,10 48:20 65:24 82:3,21,23 <b>detaining</b> [1] 33:13 <b>detention</b> [5] 48:24,25 49:8, 14 75:3 <b>determination</b> [38] 8:9 11: 21 12:20 15:21,24 16:21 18:17 26:19 37:17 38:7,13 39:13 40:20 41:4,6,12 43:6, 10,20 45:22 58:25 74:18 84:15,24 85:7,8 87:21 88:2, 5 89:18 90:4,10,12,14 91: 25 92:1,5 99:5 <b>determine</b> [7] 23:21 24:22 60:5 68:6,25 98:22 100:9 <b>determined</b> [6] 5:16 16:8 20: 18 29:15 59:14 78:3 <b>determines</b> [1] 39:17 <b>determining</b> [7] 4:14 25:23 26:8,12 55:11 91:3,13 <b>develop</b> [2] 38:13 40:9 <b>developed</b> [1] 92:12 <b>dhs</b> [8] 4:12,20 22:20 23:24 27:8 33:11 37:16 68:5 <b>dhs's</b> [1] 40:5 <b>dhs-wide</b> [1] 101:25 <b>diary</b> [1] 64:6 <b>did</b> [20] 4:15 24:1 29:20 30: 14,15 34:3,4 35:12,15 38:8 39:6 44:4 47:10 68:14,24 70:9 74:25 81:25 84:18 93: 13 <b>didn't</b> [12] 31:25 38:2 54:18</p>	<p>60:9 64:21 72:15 73:19 77: 7 79:19 81:22 86:25 101: 16 <b>difference</b> [8] 8:17 9:2,24 13:25 15:13 16:9 54:7,10 <b>differences</b> [1] 9:16 <b>different</b> [10] 13:7 14:7,22 15:18 22:7 41:23 83:25 94: 5,7 99:13 <b>difficult</b> [2] 57:12 67:4 <b>difficulties</b> [1] 14:16 <b>dig</b> [7] 58:8 60:3 73:1 92:19, 25 97:20 99:15 <b>digs</b> [1] 92:14 <b>directly</b> [4] 6:5 19:3 33:10 81:17 <b>disclaimed</b> [3] 60:25 81:21 83:1 <b>discovery</b> [1] 13:15 <b>discretion</b> [2] 40:5 44:15 <b>discussing</b> [1] 99:17 <b>dispute</b> [5] 58:10 59:13,18 92:1 94:23 <b>disputed</b> [4] 85:10,12 94:22 99:1 <b>disrupted</b> [2] 87:8,9 <b>disruptive</b> [1] 60:4 <b>distinct</b> [2] 45:4,5 <b>distinction</b> [1] 5:11 <b>distraction</b> [1] 4:12 <b>do</b> [55] 8:19 11:23 22:24 27: 12 29:3,9 31:3,4 32:6 33:5 35:21 37:10 38:13 44:1 45: 11,14 47:11,19,19,20 48:5 51:10 55:2 60:16,18 61:3,5, 11 62:1 65:18,19,20 67:7, 24 68:23 69:18,18 72:7,7, 15 75:18 76:6,15,17 78:20 79:24 80:15 85:7 88:23 92: 17 94:13,14,19,24 98:17 <b>doctrine</b> [1] 28:21 <b>document</b> [1] 55:16 <b>does</b> [24] 5:13 6:11 15:3,3, 12 25:5 54:5 55:13 58:15 62:21,22,23 67:11 68:4,5 74:17 79:4,25 80:13 83:13 88:15 96:15 101:2,4 <b>doesn't</b> [23] 8:1 9:13,18 14: 17 15:22 19:3 20:13,14 46: 2 47:17 48:12 50:9 52:11 62:4,6 67:8,14 80:4,6,7 82: 12 83:13 86:15 <b>doing</b> [5] 14:6 26:20 28:2 50:4 60:4 <b>done</b> [7] 6:18,20 17:2 37:24 61:6,12 84:6 <b>don't</b> [67] 5:4 7:21 8:3,5 12: 11 14:3 17:11 18:9,23 20:</p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p>21,24 24:19 27:9 28:16 29:5 31:3 32:15,19 33:5 34:15 35:3,6 41:3 42:8 46:6 48:3, 21,24 49:1 50:12,15 52:25 53:23 55:15,20,25 56:8 57:21,22 61:23 62:17 64:6 65:12,25 67:5,25 72:14 74:23 75:11,12 76:5,11 77:5 78:22 79:23 81:10,11 85:17 88:7 91:3,8 98:3 99:24 100:5,10,25 101:10</p> <p>dooms [1] 5:7 doubt [1] 24:19 down [5] 5:24 48:20 56:14 66:13 74:19 drill [1] 56:14 driving [2] 100:24 101:9 drug [3] 9:19 29:4 100:7 due [1] 20:23 during [1] 55:4 dvoretzky [84] 58:3,4,6 60:19,22 61:23 62:17 63:5,8, 13,20,25 65:10,25 66:11,14, 23 67:2 68:3,18 69:8,10,20, 23 70:2,6,19,24 71:2,5,16, 20,24 72:3,9,14,19 73:15 74:25 75:11 76:23 78:11 79:3,6,23 80:11,21 81:10 82:4,10,22 83:7,19 84:21 85:2 86:1,17 88:7,10 89:1, 4,21 90:7,24 91:6,15,18 92:3,6,24 94:6,20 95:8,13,15, 18 96:5,9,13,20,25 97:4,12 99:22</p>	<p>employment [1] 14:12 encompassed [1] 98:1 end [6] 53:4 68:1,17 69:6 71:9 85:11 enforce [1] 48:6 enforcement [4] 23:16 74:2 87:8,10 engage [2] 24:1 56:18 engaged [8] 23:13,18,21 47:16 62:5 80:8 81:7 82:12 enough [12] 26:3 28:15 32:5 33:19 34:4 35:12,15,20 40:11 83:11 86:7 98:25 enter [1] 27:19 enters [1] 19:9 entire [3] 22:14 57:23 74:19 entirely [2] 30:23 40:5 entitled [3] 7:25 19:12 30:18 entitles [2] 40:18,19 entries [1] 27:21 entry [1] 69:21 environment [3] 18:5 27:15 41:15 equivalent [1] 82:11 era [1] 74:1 esoteric [1] 10:11 essentially [2] 48:5 95:14 establish [6] 5:5,18,20 19:10,16 42:14 evaluate [1] 13:10 even [20] 5:3 12:9 19:7 23:16 39:1,22 41:17 48:20 49:22 54:1 57:2 59:24 64:21 73:19 77:21 81:4 82:21 100:3,16 101:14 eventually [3] 7:10 37:19 42:16</p>	<p>101:5 example [3] 9:17 32:17 56:3 examples [1] 30:25 except [1] 95:6 exception [5] 63:2 64:22 66:2 68:20,22 exceptions [9] 26:24 39:19 62:11 82:16 83:12 84:2 88:17 89:19 90:1 exchange [1] 64:19 exclude [2] 35:24 36:2 excluded [2] 32:7 33:1 exclusion [1] 54:3 exclusive [1] 26:8 excuse [1] 61:14 executive [1] 57:23 exercise [2] 69:1,3 exist [1] 52:25 expand [1] 28:19 expect [1] 44:22 expected [1] 13:16 expedited [1] 26:7 expedition [1] 79:2 expenses [1] 49:2 experience [1] 76:20 expiration [1] 12:11 expire [1] 73:18 expires [1] 12:10 explain [1] 42:25 explained [1] 73:23 explore [3] 77:23 90:18,19 expressly [1] 81:21 extent [4] 52:3 67:4 72:20, 21 extraditing [1] 83:24 eyes [1] 12:8</p>	<p>23 80:25 fences [1] 20:1 few [1] 77:9 fighting [1] 37:12 figure [3] 52:12 91:18 101:7 figuring [1] 55:5 file [1] 30:10 filed [1] 30:8 filing [1] 24:20 fill [1] 48:24 filters [1] 61:20 final [4] 38:10 40:7 44:19 71:8 finally [2] 56:14 101:20 find [5] 30:25 56:9 64:6 65:9 99:18 fine [3] 17:25 18:22 67:25 finish [1] 36:22 finished [3] 12:17 13:18 84:5 first [19] 4:13,24 7:22 8:4 10:22 17:11,18,21 18:3 25:18 53:3 54:5 75:20 86:8 89:12 90:19 91:16 95:10 97:19 fishing [1] 79:1 fishy [1] 79:15 fit [2] 16:17 25:23 fits [2] 16:3,12 five [6] 9:8 27:22 53:14,21 91:11 100:15 flag [2] 11:24 57:3 flesh [1] 83:5 fleshed [3] 74:21 82:24 90:20 fleuti [1] 28:21 flies [1] 80:23 focused [2] 59:9 86:6 focuses [1] 4:11 follow [1] 63:22 following [1] 84:12 for [98] 5:17 6:1,15 7:1,2,19 9:3,22 10:2 11:22 13:2 14:19 15:18 18:13 20:1 21:5 23:20 24:18 26:1,8 27:3,24 28:15 29:2 31:18 32:5,14, 17 33:2 35:17,17,18,20 41:6 44:2,18,23 45:15 46:24 48:16 49:3 50:4,8,17,18 51:12,15 54:2,13 55:3,10 56:3 57:7 58:25 59:23 61:7,13 62:11 66:3,18 67:5,14,17, 21,23 69:1,21 70:17,18 71:22,25 72:2 73:20,25 75:24 76:13 77:9 78:15 79:16 83:8,8,21,22 84:13 86:25 87:25 88:1 91:12,19 92:13 93:25 95:9 97:19 98:20,23 100:18,21 101:25</p>
<p style="text-align: center;"><b>E</b></p> <p>e)(2 [1] 26:13 each [1] 99:12 earlier [4] 21:3 26:11 36:11 72:4 early [1] 79:14 education [1] 14:15 effect [3] 27:21 29:9 62:11 effectively [1] 37:19 either [13] 44:23 47:3,12,18 58:8 60:24 63:14 64:11 72:24 76:12 77:14 81:23 92:13 elements [3] 61:9 63:15 66:20 eligibility [4] 37:17 38:7 43:6,19 eligible [4] 14:19 40:22,25 68:25 ellis [1] 61:18 else [1] 63:24 emergency [1] 21:5 employers [2] 12:6 73:23</p>	<p>ever [5] 13:11 31:5 46:1 61:24 96:21 every [4] 27:18 30:25 39:25 61:11 everything [3] 39:12,14 45:19 evidence [60] 4:16,20,24 5:19,21 7:13 11:12 17:4,15 20:9 23:25 24:6 25:22 28:2 34:17 37:10,14 38:14,17,21 39:5 40:9 41:13 46:22 47:15,24 48:11 49:3,8 51:22 59:5,20 61:4,22,25 62:1,10, 13,15 64:4 65:20 66:10,21 74:11,14 80:13 84:10 85:14 86:12 89:8 92:11 93:16 94:10,14,15 96:2,18 99:5 101:3,17 evidentiary [6] 4:2,10 5:6 43:15 97:23 98:3 exactly [4] 30:17 44:7 48:1</p>	<p style="text-align: center;"><b>F</b></p> <p>face [2] 41:24 49:14 faced [1] 46:8 facie [1] 18:11 facing [3] 30:2 48:15 49:22 fact [19] 6:9 7:13 8:10 11:11 12:9 24:1 25:23 33:15 37:9 39:2 42:7,18 43:14 56:5 66:17 70:13 81:20 98:8,16 facts [3] 69:3,24 96:2 failed [1] 60:11 failure [2] 5:5 77:6 fairly [3] 13:19,23 98:1 fairness [1] 31:15 faith [9] 21:21 22:15,17,21 30:7,13 49:23 52:4 57:24 fall [2] 81:6,7 favor [2] 75:7 78:13 favorable [1] 47:7 feature [1] 42:12 federal [5] 10:7 29:23 67:20,</p>	<p>face [2] 41:24 49:14 faced [1] 46:8 facie [1] 18:11 facing [3] 30:2 48:15 49:22 fact [19] 6:9 7:13 8:10 11:11 12:9 24:1 25:23 33:15 37:9 39:2 42:7,18 43:14 56:5 66:17 70:13 81:20 98:8,16 facts [3] 69:3,24 96:2 failed [1] 60:11 failure [2] 5:5 77:6 fairly [3] 13:19,23 98:1 fairness [1] 31:15 faith [9] 21:21 22:15,17,21 30:7,13 49:23 52:4 57:24 fall [2] 81:6,7 favor [2] 75:7 78:13 favorable [1] 47:7 feature [1] 42:12 federal [5] 10:7 29:23 67:20,</p>

<p>foreclosed [1] 33:11  forecloses [1] 33:6  forfeited [1] 58:17  forget [1] 35:16  form [2] 55:15 74:9  formulation [1] 88:22  forth [2] 100:24 101:9  found [3] 29:25 31:2 64:24  four [4] 9:10 53:13,13 97:18  france [3] 80:23 83:4,24  free [4] 48:19 89:8,11 94:24  french [4] 81:1 82:6 83:18, 20  fresh [1] 25:22  friend [3] 44:11 98:9 101:21  from [26] 5:14 10:17 14:2 20:23 30:21 33:12 44:23 48:18 64:21,24 69:18 71:22 73:6,8 77:14 81:1 82:6 83:3,17,20,22 84:23 93:19 98:15,17 100:18  front [3] 24:16 27:3 33:22  full [1] 60:1  fund [1] 14:15  future [2] 16:2 89:6</p> <hr/> <p style="text-align: center;"><b>G</b></p> <p>game [1] 65:4  gamesmanship [1] 59:25  gather [3] 48:11 49:3 65:20  gathered [1] 34:16  gauntlet [1] 51:7  general [2] 50:13 82:19  generally [1] 10:1  get [6] 7:7 27:3 39:13 42:19 69:18 70:11  gets [3] 42:16 54:25 71:7  ginsburg [1] 48:2  ginsburg's [1] 28:2  give [10] 9:17 17:9 27:17 40:19 41:4,9 47:18 62:11 65:19 75:2  gives [1] 78:14  giving [2] 14:7 29:8  go [10] 5:24 30:25 32:20 52:15 67:1 72:4 79:16 80:20 95:1 101:11  goes [3] 80:23 81:12 89:20  going [42] 7:5,6,7 9:14 12:21 13:10 17:11,13,14,16 19:7 21:17 22:11,21 23:24 24:10 28:1 30:14 33:9 37:13 39:21,24 40:8,11 41:24 42:24 50:6 52:4 62:11 64:10 65:7,8 67:3 68:8 92:15 99:14,17,18,23 100:8 101:6,7  gold [1] 51:5  gone [3] 34:13,19 51:7</p>	<p>good [8] 17:22 30:6,13 49:23 52:3 56:1,12 76:2  gorsuch [37] 43:24,25 44:8, 25 45:10,14 46:7,10,14 69:5,15,22 70:1,5,10,20,25 71:4,11,15,18,23 72:1,7,13,18 73:3 95:21,22 96:8,11,14, 21,23 97:2,5 98:6  got [9] 9:20 37:23 42:25 43:2,22 45:10 71:13 81:2 96:21  government [76] 5:20 7:2, 12,20 11:8,10 14:6,21 16:16 23:24 28:15 37:8 42:17 43:13 44:15,21 48:23 55:15,19 57:15 58:9,15,24 59:4,6,10,12,16 60:11,11,13, 25 63:5 67:9 68:23 69:1,11 70:2,4,8 72:25 73:19 75:4, 13 76:1,25 78:13,14 79:1 80:25 81:20 82:25 85:9 86:11 87:3,6,11,24 88:15,19, 21 89:8,10 91:9 93:13,15, 21,23 94:9,12,16 95:25 96:15 98:5,22 99:3  government's [15] 5:24 15:20 43:5 55:7 56:18,23 57:3 59:3 75:8 78:1,23 79:8 85:2 88:12 91:2  grant [3] 22:1 41:22 42:1  granted [1] 22:1  great [2] 37:7 50:3  green [22] 7:4,6,19 12:5,6, 10,15 14:1 51:18 52:6 53:25 55:9,20,24 56:2,25 57:6, 12 73:16,22 74:2 78:5  ground [3] 69:25 70:13 72:25  grounds [2] 15:10,11  group [1] 6:24  gs [1] 22:2  guess [10] 10:12 11:14 24:3 50:25 51:3 52:19 70:13 76:16 79:21 85:17  guidance [1] 95:1  guilt [3] 24:23 29:2 99:24  gut [2] 47:12,19  gutting [1] 29:7</p> <hr/> <p style="text-align: center;"><b>H</b></p> <p>had [33] 14:8,10,20,21 20:8 28:11 30:4,25 32:1,3,17 33:19 34:5,5,8,9,12,19 35:20 38:1,3,17 47:23 51:2 54:10 58:24 64:5 68:2 70:16 89:18 95:22 97:20 99:6  hadn't [1] 59:1  hand [3] 5:19 37:2 99:6</p>	<p>hands [1] 39:13  hang [1] 56:12  happen [6] 11:19,20 12:21 15:22 65:5 68:11  happened [4] 9:10 64:14 70:7 96:3  happening [1] 46:1  happens [7] 8:25 11:16 12:25 26:20 28:24 47:6 53:1  happenstance [3] 9:9,12 53:12  hard [1] 99:14  harder [1] 57:7  has [71] 4:7 5:16,21 6:7,18 8:18 11:18 19:10 20:13,14,17, 22,23 22:1 24:16 26:3 28:9 42:13 43:13 45:20 48:13 49:7 51:18 52:10,11,13 53:24,25 59:21 60:23 61:13 62:25 64:16 65:17,18,19 67:12 68:4,15 69:11 72:25 74:21 75:4,17 76:1,10 77:11 80:1,8 81:7,15,19 82:24, 25 83:14 84:23,24 85:6,9, 11 87:21,24 90:4,10,20 91:10 92:11 94:21 98:14,21 99:13  hasn't [6] 72:22 74:16 76:14 81:3,4 84:10  haven't [5] 31:2 60:19 86:6 94:21 100:22  having [7] 10:13 33:2 52:17 57:16 78:4 80:9 81:8  he [96] 4:12,17,19 9:5,7 16:12 20:3 26:12,22,23 32:1,1, 25 33:15,16 34:5,5,8,9,11, 13,19,19 35:5,9,10,12,15 36:3,14 37:1,2,9 38:1,1,3,5, 5,7 39:3,18,18,20 43:19 44:3,4 45:3,4,7,23 53:5,7,12 55:2,6,11,16 64:22,23,24 65:1,5,17,17,19 69:7,17,19, 20 70:7,12 74:18 75:17 81:1,2,2,3,4,6 82:2,7,7,12,22, 23 85:18,19,20,21 86:1 88:22 89:1,1 90:11 98:14 101:4  head [1] 22:1  hear [1] 74:25  heard [1] 74:24  hearing [11] 5:13 31:7,9 33:14 34:14,16,19,22 35:6 71:14 85:5  held [3] 42:10 48:16 99:7  her [1] 29:21  here [31] 4:15 6:13 9:18 10:14 16:11 20:1 28:14 29:15 30:22 38:12 41:16 51:10</p>	<p>52:5,21 57:9,16 58:14 63:16 64:2 65:7 68:24 74:16 79:18 81:2 84:2 90:21 92:7, 16,22 95:6 98:16  he's [12] 4:14 30:17 39:18 42:15 45:25 52:21 53:6,7 55:1,14 80:4 101:12  hesitant [1] 73:23  high [1] 20:20  higher [1] 43:15  him [28] 4:13 22:21 23:22 27:3 29:21 32:7 33:1,13 35:18,22,25 36:8 37:2 48:10 55:3,8,9 65:13,19 69:24 70:1,9,18 71:6,6 74:24,25 82:9  himself [4] 32:1 35:20 50:14 69:20  hire [1] 73:24  his [16] 5:5,7 9:8,10 30:24 33:20 44:12 48:16 53:9,11 55:9,13 74:23 85:22 86:2, 14  historical [3] 4:8 42:18 58:20  hit [1] 40:8  hitting [1] 27:1  hobby [1] 99:11  hoc [1] 4:21  hold [3] 60:13 88:11 99:17  holding [2] 89:13 99:8  home [2] 67:8 69:13  houston [2] 99:11,11  how [21] 18:16 23:5 24:11 26:4 28:5 29:14 42:4 47:21, 22 61:19 62:22 66:7 69:18, 18 71:18 76:16,18 80:7,16 81:24 99:24  human [2] 29:4 100:6  hundred [1] 61:7  hundreds [2] 4:6 27:16  hypothesis [1] 49:20  hypothetical [1] 79:13</p> <hr/> <p style="text-align: center;"><b>I</b></p> <p>i-551 [1] 12:4  ice [1] 74:1  idea [1] 76:17  identical [1] 12:9  identification [1] 74:4  identified [4] 4:8 52:14 64:20 100:4  ig [1] 41:24  ii [1] 100:17  iii [3] 80:8 81:7 100:2  iirira [2] 27:12 29:10  ij [13] 24:9,25 25:20,22 26:20 27:6 33:15 36:13 37:6,7 39:13 58:13 101:11</p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p><b>i'll</b> [3] 19:1 25:19 98:16  <b>illegal</b> [2] 80:8 81:8  <b>i'm</b> [56] 8:8,22 10:13 12:16, 16 13:25 14:1,13,17 15:19 17:11,12,16 18:16 30:14,20 31:15,15 33:9,18,21,23 35: 8 36:1,2,21 39:21 40:6,8,11 42:6 44:25 45:1,3,25 47:5 52:5 55:25 56:4 63:8,20 65: 4,6 67:1 70:13 71:17 78:17 80:19 84:4,6 86:7,7 90:24 92:15 95:23 101:6  <b>imagine</b> [9] 23:11 47:5 57: 14 64:1,8 77:22 78:16 83: 10 101:4  <b>immediate</b> [1] 49:15  <b>immigrant</b> [1] 96:17  <b>immigrants</b> [1] 57:16  <b>immigration</b> [29] 4:5,12 8: 12 16:15 19:6 21:10,14,24 23:6 25:21 26:11 27:8 29: 22 33:22 39:6,17 42:13 43: 16 48:21 51:6,7,15 57:16, 19 61:20 79:19 83:22 87:8, 9  <b>implies</b> [1] 99:2  <b>import</b> [1] 21:1  <b>important</b> [4] 9:1 10:1,3 76: 25  <b>impose</b> [2] 19:4 21:4  <b>imposed</b> [1] 31:12  <b>imposes</b> [1] 22:17  <b>imposing</b> [1] 4:9  <b>impractical</b> [1] 47:13  <b>ina</b> [13] 5:14,17 19:3,7,15 21: 23 26:2,4 42:5 54:8 57:22 91:22 98:19  <b>inadmissibility</b> [7] 9:22 15: 10 29:3 38:6 75:16 76:8,8  <b>inadmissible</b> [17] 9:5 10:24 28:23 32:16 37:2,4 40:6 52: 16,23 54:18 55:4,9,12 64: 23 86:9 100:6,11  <b>inappropriately</b> [1] 57:18  <b>ina's</b> [2] 58:19 99:25  <b>incentive</b> [5] 30:25 75:21,23 76:1,2  <b>including</b> [1] 69:11  <b>incorrect</b> [2] 5:3 42:19  <b>incorrectly</b> [2] 69:18 87:10  <b>incredibly</b> [1] 99:14  <b>incur</b> [1] 49:2  <b>indeed</b> [1] 30:24  <b>indefinitely</b> [1] 78:25  <b>independently</b> [1] 44:11  <b>indicted</b> [3] 52:22 67:20,22  <b>indictment</b> [3] 24:20 54:1 57:2</p>	<p><b>indictments</b> [1] 30:12  <b>individual</b> [2] 67:18 78:19  <b>information</b> [3] 23:2 24:21 62:21  <b>initial</b> [3] 16:6 88:12 91:2  <b>initiate</b> [6] 48:9 50:1 73:19 75:2,19,21  <b>initiated</b> [2] 7:11 11:8  <b>initiating</b> [2] 33:12 36:10  <b>initiation</b> [1] 12:23  <b>innocence</b> [2] 24:23 80:3  <b>inquiry</b> [3] 24:13,13,15  <b>insecurity</b> [1] 73:13  <b>insist</b> [1] 17:13  <b>insofar</b> [1] 69:7  <b>inspected</b> [1] 39:24  <b>inspection</b> [3] 13:3,7 56:9  <b>instance</b> [3] 60:21 81:4 90: 19  <b>instances</b> [1] 48:17  <b>instead</b> [2] 4:11 94:13  <b>instructed</b> [1] 13:6  <b>intended</b> [1] 54:10  <b>interest</b> [3] 31:4 56:18,23  <b>interested</b> [1] 57:15  <b>interim</b> [1] 100:24  <b>international</b> [1] 99:12  <b>interpol</b> [2] 23:14 62:9  <b>interpret</b> [1] 57:22  <b>interpretation</b> [1] 21:23  <b>interpreted</b> [1] 93:24  <b>interview</b> [4] 60:7 64:17 66: 18 80:14  <b>interviews</b> [1] 80:15  <b>into</b> [16] 6:17 7:4 10:15 15: 19 16:3,12,18 45:7 48:4 69: 21 70:8 71:7 93:18 94:5 98: 24 100:25  <b>intolerable</b> [1] 99:9  <b>invalid</b> [1] 39:1  <b>investigation</b> [1] 23:7  <b>involve</b> [3] 17:14 81:17,18  <b>involved</b> [1] 86:16  <b>involving</b> [8] 9:2,4 28:25 32: 12 37:5 44:14 45:2 54:14  <b>island</b> [1] 61:18  <b>isn't</b> [3] 14:24 56:17 65:22  <b>issue</b> [7] 19:4 32:22 35:2 50: 14 59:12 61:1 86:25  <b>issues</b> [2] 72:5 92:12  <b>it'll</b> [1] 13:12  <b>its</b> [11] 5:8 58:10,14,18 59: 10 60:12 76:1,2 95:25 96: 16 98:5  <b>it's</b> [71] 6:3,5,19,20 8:3,6,7 9: 21,25 10:3 11:1 12:8 17:14 18:6 19:10,13 20:19 22:8 24:7 25:9,9,9 26:5,18,25</p>	<p>27:2,5 31:3 32:11 38:25 41: 12,18,18 43:10 46:5 47:6, 10,13 50:3 53:11 55:1,3 56: 24 57:11 69:4 75:11 78:15 79:7,24 83:16,17,17,19 84: 19 87:15 88:3,24 89:9 90: 13,19 91:1 92:9,10 94:10, 13 96:11 99:13,18 100:1,3, 15  <b>itself</b> [4] 6:4 71:19,20 74:9</p> <hr/> <p style="text-align: center;"><b>J</b></p> <p><b>jackson</b> [37] 11:13 12:14 13: 24 14:5 15:2,12 16:19 17:7 18:12,21 19:19,23 50:23,24 53:16 54:12,16,20,24 55:18, 23 56:10,13 57:25 69:4,6,9 73:7 77:21 81:24 90:23 91: 7,17,23 92:4 97:10 98:2  <b>jersey</b> [2] 79:21,21  <b>jfk</b> [1] 99:10  <b>job</b> [1] 73:13  <b>joint</b> [2] 64:15 66:16  <b>joshi's</b> [2] 88:21 90:8  <b>judge</b> [13] 8:12 16:15 26:12 33:23 38:4 39:6 42:25 43:1, 3,16 68:5 88:13 91:19  <b>judgment</b> [2] 5:8 10:20  <b>judicial</b> [1] 31:18  <b>judicially</b> [1] 47:22  <b>jumbled</b> [1] 38:5  <b>jumbling</b> [1] 43:19  <b>jump</b> [1] 19:1  <b>june</b> [1] 39:3  <b>jury</b> [1] 30:15  <b>just</b> [91] 4:16,18 7:3,5 8:4 9: 2 11:6 13:9,14,17 17:25 18: 4,12,16 20:25 21:2,3,14 22: 13,25 23:16 25:16,19 26:2, 20 27:5,11,13,16,25 28:7 29:8 31:2 32:3,13,20 33:24 36:3 38:10 39:21,25 42:22 43:7,10,25 45:24 47:13,18 48:9 49:22 52:11 54:17 56: 5,8,14 63:23 65:4,6,8,22 66: 12 70:12,25 74:15,18,23 78: 1,4,20,25,25 79:12 81:2 82: 7,19 83:5 88:24 90:12,24 91:5 92:6,8 93:2,20 97:18 98:6,17 99:1,23 100:9 101: 21  <b>justification</b> [1] 4:22</p> <hr/> <p style="text-align: center;"><b>K</b></p> <p><b>kagan</b> [20] 17:20 24:3 25:1, 11 28:6 39:7,8 40:10,14,17 41:3,17 42:22 43:22 85:17 86:5,18 92:21 93:13 95:20</p>	<p><b>kavanaugh</b> [5] 46:17 63:18, 21 74:22 97:8  <b>keep</b> [4] 22:21 55:19,24 56: 2  <b>keeps</b> [1] 15:9  <b>killed</b> [1] 83:5  <b>kind</b> [17] 19:4 20:23 21:23 22:5 25:3 41:19 42:1 54:3 56:14,19 57:17 63:10 70: 13 72:16 76:21 79:15 88: 21  <b>knew</b> [1] 27:15  <b>know</b> [45] 5:10 9:23 12:3,4 13:15,21 14:3 18:22 20:24 21:6,8 22:20 23:6,11 28:3, 15 34:15 35:3,6 37:4 39:10 47:9,17,23 48:3,24 50:12, 15 55:2,20 64:6 67:21 72: 14 73:8,9,10 76:15 81:11 82:18,19 84:13 85:24 86:6 98:9,11</p> <hr/> <p style="text-align: center;"><b>L</b></p> <p><b>label</b> [1] 70:7  <b>landed</b> [1] 39:4  <b>language</b> [1] 20:15  <b>large</b> [1] 78:21  <b>largely</b> [1] 4:11  <b>last</b> [3] 41:11 42:22 93:17  <b>later</b> [9] 16:2,12 26:10,13 53: 6 67:10 68:6 69:9 91:19  <b>lau</b> [6] 47:10 50:17 58:23 64: 17,22 73:20  <b>laughter</b> [6] 17:19,23 45:16 92:20,23 93:5  <b>launched</b> [1] 23:24  <b>lau's</b> [6] 11:17 53:4 65:14 73:16 75:14 76:10  <b>law</b> [9] 7:24 12:8,19 19:7 23: 16 44:14 51:6 74:10 77:12  <b>lawful</b> [8] 15:5,15 16:22 18: 18 51:5 56:25 57:5 58:11  <b>lawfully</b> [2] 6:15 44:4  <b>laws</b> [3] 42:13 51:16 83:22  <b>lawyer</b> [1] 92:16  <b>lead</b> [2] 17:25 79:11  <b>leads</b> [1] 99:21  <b>least</b> [3] 23:9 66:3 93:25  <b>leave</b> [4] 57:1 67:8 72:16 77: 24  <b>leaves</b> [1] 80:22  <b>left</b> [1] 51:11  <b>legal</b> [9] 10:13,14 12:20 14: 14 15:3,5 70:3,6 73:8  <b>legitimate</b> [1] 78:9  <b>length</b> [1] 12:22  <b>less</b> [3] 89:9,14 91:14  <b>let</b> [16] 7:5 9:17 15:17 17:9</p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p>18:18 19:12 21:11,21 22:20 31:25 51:19,25 52:5 53:4 56:13 69:23</p> <p>let's [6] 23:6 27:1 66:22 67:17,22 80:19</p> <p>letting [2] 52:25 55:19</p> <p>level [12] 22:3 43:11 59:17,19 62:20,23 74:14,15,19 78:3 81:13 92:2</p> <p>leveled [1] 79:20</p> <p>liberty [2] 74:9,11</p> <p>life [1] 57:9</p> <p>like [29] 10:11 18:10 21:11 23:14 24:16 25:5 26:25 27:7,13 28:14 29:25 36:22 39:21,25 40:23,24 47:1,9 48:6 55:15 62:8 64:8 65:3 73:13 77:22 85:21,24 86:20 89:25</p> <p>likely [1] 77:24</p> <p>limitation [1] 53:18</p> <p>line [5] 21:25 27:2,4 28:1 98:15</p> <p>list [2] 10:6,8</p> <p>listed [2] 32:14 54:15</p> <p>litigated [2] 42:16,20</p> <p>little [4] 24:4 27:19 83:6 91:1</p> <p>live [3] 21:9 51:10 57:8</p> <p>living [1] 57:16</p> <p>location [1] 13:8</p> <p>logical [1] 79:7</p> <p>long [3] 26:3 65:11 79:16</p> <p>longer [2] 13:11 74:1</p> <p>long-lasting [1] 22:11</p> <p>longstanding [3] 19:6 44:20 45:9</p> <p>long-term [1] 50:18</p> <p>look [13] 21:15 25:3,7,15,22 51:22 63:16 64:14,15 72:4 79:15 83:3 92:15</p> <p>looked [1] 5:22</p> <p>looking [3] 15:14 25:14 27:6</p> <p>looks [3] 24:25 67:19 86:20</p> <p>los [2] 67:21,23</p> <p>lose [5] 11:23 47:5 49:5,20 50:5</p> <p>losing [1] 73:22</p> <p>loss [2] 74:9,11</p> <p>lost [2] 30:22 41:19</p> <p>lot [7] 9:18 10:5 77:1,2,2,2,24</p> <p>lower [5] 41:13 59:19 60:2 90:18 94:25</p> <p>lp [1] 80:19</p> <p>lpr [44] 8:10,18 11:22 12:2,2,12 13:2 22:19 23:13,17,21 24:1 25:23 26:21,22,25 39:23,23 43:14 47:7,9 48:17 49:8 55:14,16 58:21 59:13 60:6 61:9 62:25 66:19,20 69:12 73:10 77:18 80:13,22 86:9 88:16 90:1 98:22 100:22 101:3,15</p> <p>lprs [24] 7:3 9:14 10:13 27:13,19,20 31:2 37:20 47:20 50:18 53:11 56:6 62:12 65:23 67:7 72:16 73:11 76:16 77:3,24 78:20 79:9,12 101:23</p> <p>lpr's [1] 93:17</p> <p>lucky [1] 9:12</p>	<p>23,23 43:14 47:7,9 48:17 49:8 55:14,16 58:21 59:13 60:6 61:9 62:25 66:19,20 69:12 73:10 77:18 80:13,22 86:9 88:16 90:1 98:22 100:22 101:3,15</p> <p>lprs [24] 7:3 9:14 10:13 27:13,19,20 31:2 37:20 47:20 50:18 53:11 56:6 62:12 65:23 67:7 72:16 73:11 76:16 77:3,24 78:20 79:9,12 101:23</p> <p>lpr's [1] 93:17</p> <p>lucky [1] 9:12</p> <hr/> <p style="text-align: center;"><b>M</b></p> <hr/> <p>made [17] 20:17 22:13 34:7 35:9,10 38:15,17 40:20 41:12,21 84:25 87:22 90:4,10 92:1 99:4 101:21</p> <p>maintains [1] 12:1</p> <p>majority [1] 32:15</p> <p>make [14] 15:13 18:2,17 41:4 58:20 63:23 65:17 67:4 79:19 85:8 89:18,25 90:24 92:4</p> <p>makes [6] 4:1 16:8 20:24 38:12 43:11 57:7</p> <p>making [7] 5:11 6:12 15:23 16:21 30:16,20 38:15</p> <p>manage [1] 99:14</p> <p>manned [1] 22:7</p> <p>many [5] 9:15 32:13 50:4 76:16,18</p> <p>materializes [1] 37:19</p> <p>matter [10] 9:13 10:18 12:19,25 14:12 15:3 23:9 33:5 41:1 65:10</p> <p>matters [1] 16:20</p> <p>may [8] 20:13 23:1 38:1 53:18 58:7,11 73:25 78:15</p> <p>maybe [14] 4:6 28:14 36:22 48:20 49:1 59:20,21 71:11 85:21 86:6 88:24 90:13 92:9 95:23</p> <p>me [22] 7:24 9:17 16:4 17:9 21:11,21 31:25 43:1 46:23 47:3,7 52:21 53:4 56:13 61:2,14 65:22 79:15 82:20 95:23 99:21 101:8</p> <p>mean [20] 15:2 21:13 22:19 27:17 29:20 30:9 36:2 41:18 44:2 46:24 47:3 53:5 54:6 62:9 65:18 69:16 70:12 84:12 93:24 99:10</p> <p>meaning [4] 10:18 55:8 64:23 76:19</p> <p>meaningful [3] 76:21 79:9</p>	<p>101:22</p> <p>meaningless [1] 7:16</p> <p>means [6] 12:12 48:15 61:25 70:17 74:3 87:22</p> <p>meantime [1] 11:16</p> <p>meet [2] 44:5 58:10</p> <p>meets [1] 6:23</p> <p>memorably [1] 48:3</p> <p>memorial [1] 28:3</p> <p>mentioning [1] 22:4</p> <p>mere [1] 79:13</p> <p>merits [4] 58:14 59:9,11 86:4</p> <p>message [1] 81:1</p> <p>met [1] 68:17</p> <p>might [30] 6:24,25 23:17,18 44:17,21 49:9,14 50:17 51:20,20,21,23 56:3 65:5 66:20,21 72:10 77:14 78:6 79:10,11 81:18 83:8 84:12 85:19,19 86:20 88:5 101:6</p> <p>million [3] 27:19,20,21</p> <p>minimis [1] 66:4</p> <p>minimum [1] 77:15</p> <p>mini-trial [1] 62:18</p> <p>minor [1] 77:19</p> <p>minute [1] 86:20</p> <p>miss [1] 28:13</p> <p>misspoke [1] 8:23</p> <p>misunderstood [1] 71:12</p> <p>mm-hmm [4] 71:4,23 85:1 89:3</p> <p>moment [14] 27:25 32:1 33:12 34:19,24 35:4,9,10,16 36:13 38:1 63:10 64:18 101:16</p> <p>month [1] 53:15</p> <p>months [3] 9:11 53:13,13</p> <p>moral [12] 7:1 8:19 9:2,4 28:25 32:2,12 33:2 34:6 37:5 54:14 78:7</p> <p>more [13] 19:8 22:15,17,24 28:24 47:6 66:3 69:3 72:23,23 73:20 74:3 82:11</p> <p>most [7] 29:3 48:17 63:14,23 64:9 90:14 100:4</p> <p>much [8] 24:5 53:24 57:7,7,10 59:23 74:1,3</p> <p>must [11] 58:10,21 59:6,14 86:11 87:6 93:15,23 94:9 98:22 99:4</p> <p>my [19] 8:6 17:18 18:3 19:1 22:8 34:1 40:12 52:19 56:21 72:4 76:19 82:24 98:2,9,9,9 99:21 100:23 101:21</p> <p>mysterious [1] 24:4</p>	<p>narrow [2] 72:25 92:14</p> <p>narrowing [1] 66:13</p> <p>nature [1] 41:14</p> <p>necessarily [3] 66:9 87:22 88:3</p> <p>necessary [2] 92:2 101:10</p> <p>need [14] 8:20 41:8 42:1 49:3 71:24 78:1,22 83:5 88:15 91:25 97:25 99:23 100:8,10</p> <p>needed [1] 4:23</p> <p>needs [2] 69:2 88:11</p> <p>negative [1] 70:16</p> <p>neutral [1] 17:5</p> <p>never [8] 6:9 46:8 85:9,10 94:2 95:6 98:14 99:1</p> <p>new [6] 38:13 76:21 79:21,21 86:3 97:19</p> <p>newark [4] 27:2 39:4 67:18 99:10</p> <p>next [1] 51:8</p> <p>no [59] 4:1,8,8,9 5:15 6:9 8:5,5,24 12:1,20 13:25 17:24 23:9 29:19 31:8 32:12,23 34:18,18 37:11 39:16 42:11 44:6,25 45:9,13,15 46:22 47:24 56:7 63:13,13 67:2,25 75:20 76:1,2,12 77:4 79:6,8 80:21,21 82:2,11,18,18 83:16 84:6 85:3,23 87:16 89:1 95:12 97:25 99:2 100:22 101:22</p> <p>non-citizen [1] 98:24</p> <p>non-citizens [1] 61:15</p> <p>none [5] 39:19 59:21 81:19 82:24 92:11</p> <p>nonetheless [2] 61:2 63:1</p> <p>non-immigration [1] 83:9</p> <p>non-lawyer [1] 4:5</p> <p>nothing [4] 33:6,6,11 100:14</p> <p>notice [1] 37:2</p> <p>now [24] 5:1 9:9 13:15 20:12,18 37:7 41:21 51:3 52:5 53:2,3 58:14 59:16 69:25 70:3,4 74:19 85:9,15 90:9 91:9,12 92:1 99:9</p> <p>nullifies [1] 37:20</p> <p>number [7] 21:24 25:25 26:1,4 76:18 77:8 101:23</p> <p>numbers [1] 78:21</p> <hr/> <p style="text-align: center;"><b>O</b></p> <hr/> <p>obligation [2] 85:7 99:2</p> <p>observing [1] 98:19</p> <p>obviously [4] 14:6 50:13 65:11 72:11</p> <p>odd [1] 46:2</p>
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p><b>oddy</b> [1] 26:1  <b>off</b> [3] 49:21 75:16 76:8  <b>offense</b> [26] 20:3,11 21:16  23:5 28:22 29:15 30:4 52:  11,12,13,18 54:19,22 55:1  61:10 63:16 64:5 75:25 77:  19 80:2,5 83:15 86:13 93:  17 100:1,10  <b>offenses</b> [7] 9:19 10:6 29:1  32:13 54:15 61:16 100:3  <b>offering</b> [1] 99:5  <b>officer</b> [60] 17:15 18:6,17 19:  11,17 21:14,21 22:13 23:6,  20 27:24 29:22 30:6,16 32:  5 33:4,7 34:7,12 35:11,14,  19 37:1 39:17 42:14 43:10  47:23 49:7,23 51:20 52:3,  12,20 53:24 54:25 58:20  60:18 61:5 62:15,21,22 64:  20 65:14 66:18 67:5,17,19  69:23 78:2,8,24 79:19 80:  13 82:8 88:23 90:13 100:  19 101:2,6,16  <b>officers</b> [16] 4:5,13,15,23 21:  25,25 22:8,9,24 37:13 61:6,  11,20 64:11 78:17,19  <b>officer's</b> [5] 25:21 27:8 42:8  64:17 92:9  <b>official</b> [1] 83:18  <b>officials</b> [1] 83:20  <b>oh</b> [3] 10:10 32:8 100:22  <b>okay</b> [28] 6:19 7:3 13:14 15:  12 19:1,19 36:17 40:10 44:  8 45:10 46:10 50:16,21 54:  4,20 55:3 56:10 67:25 68:  13,14 70:5 72:1,18 84:7 88:  9 89:12 95:2 97:6  <b>on</b> [77] 4:11 5:7,19 10:9 11:  24 13:10 14:20 15:10 16:  25 17:13 21:4,23 22:17 26:  23 33:3 37:18 38:6 39:3,9,  13,14 42:23,23 44:11,12 45:  25 47:2 53:25 56:12,14 57:  2,23 58:5 59:8,9 60:3 61:  19 63:22 69:24 70:13,22  72:21,24 73:1 74:4 76:24  77:4,6 78:5 79:4,7,9,12,14,  16,22 81:3 83:24 84:9,22,  24 85:12 86:7,21 87:13 90:  6 92:14,25 93:19 94:16 95:  1 97:16,19 98:11,18 101:12,  22  <b>once</b> [5] 24:4,12 25:15 26:2  39:17  <b>one</b> [48] 5:23 6:18,20 7:13 8:  10 9:17 10:15 12:11 14:8  16:3,12,18 17:13 18:9 21:  24 22:13 23:10,12 25:13,24,</p>	<p>25 26:4,23 28:10 32:20 38:  10 40:3 42:22 44:3 52:9,16  53:14 56:3 62:5 66:15 68:  16 70:19 76:24 77:22 82:  16 83:12 85:22 88:17 89:  18,25 91:11,13 99:10  <b>ones</b> [1] 100:8  <b>only</b> [23] 9:7,21 30:19 38:16,  21 40:22 52:9 58:14 63:6,9,  11 66:13 67:3,3,16 68:11,  21 73:24 85:4 86:21 96:21  98:12 99:5  <b>ooh</b> [1] 51:21  <b>open</b> [1] 15:9  <b>opening</b> [3] 26:6,14 98:18  <b>operate</b> [1] 57:12  <b>operates</b> [1] 72:11  <b>operating</b> [1] 57:24  <b>opinion</b> [1] 78:7  <b>opportunity</b> [2] 66:10,17  <b>oppose</b> [1] 72:11  <b>opposed</b> [5] 5:12 8:1 10:21  11:9 57:4  <b>options</b> [1] 40:3  <b>or</b> [97] 6:25 11:19 13:3,16  15:4,17 16:3,6,7,22,23 18:  11,15,22 19:4,8 22:2,11 24:  13,20,23 26:9,13,22 29:2,  21 30:10 35:24 38:25 39:  18 40:7 42:19 44:4,6,14,24  45:24 47:4,14,17,19 49:24  50:18 51:20,21 52:4,17,24  54:1,25 55:5,11 57:2 58:8,  13 60:3,17 61:8 62:2,14 63:  15 64:7,12 66:15,21 68:13  69:17 71:6,19,19,19 73:1  77:14 78:2 80:13 82:13 84:  1 85:11,19,21 89:5 90:2,13,  20 91:4,13 92:9,12,14,17  94:11,14 96:18 98:15 99:  11,23 101:13  <b>oral</b> [1] 58:4  <b>order</b> [12] 41:22,25 44:24 66:  1 68:6,25 71:8,22,25 76:3,3,  19  <b>ordinary</b> [1] 60:7  <b>organize</b> [1] 48:18  <b>original</b> [2] 91:8 98:10  <b>other</b> [26] 5:1,19 9:14,15 13:  16 22:12 27:13 32:13 38:  11 39:11,22,25 40:19 44:12  48:8 67:3,12,16 69:11 70:  15 74:9 78:23 90:21 94:11  100:8,15  <b>others</b> [2] 9:3 99:17  <b>otherwise</b> [3] 44:18 47:14  49:1  <b>ought</b> [1] 22:20</p>	<p><b>our</b> [21] 19:17 26:5,14 31:3  39:16 40:9 41:15 44:20 45:  8,8 50:2 71:3 79:4 84:21  85:4,5 89:4,6 95:7 98:10,  18  <b>out</b> [20] 9:12 13:20 15:15 16:  11 20:25 21:12 45:19 52:  13 55:5 56:3 65:4,9 74:21  77:6,15 82:24 83:5 90:21  91:18 101:7  <b>over</b> [4] 27:19 61:7,13 92:2  <b>overarching</b> [1] 78:18  <b>overseas</b> [5] 23:13,19 24:2  29:6 62:6  <b>own</b> [2] 5:8 79:13</p> <hr/> <p style="text-align: center;"><b>P</b></p> <hr/> <p><b>page</b> [10] 26:5,14 44:12 59:2,  11 70:22 87:2 93:20 94:7  98:18  <b>pages</b> [2] 64:15 66:16  <b>parole</b> [76] 4:13 5:2,3 12:1  14:17 21:24 22:1,5,5 23:22  26:24 31:12 35:22 36:7 37:  16 38:7,24 39:10,11,15 40:  5,8,14,20,22,25 41:5,7,9,22  42:1 43:6,18 44:2,9,22 45:  6,22,25 46:4 48:13 49:20  50:25 55:8,13 57:4,18 68:6,  7,21,24 69:1 70:3,9,15 71:6  73:5 78:20 79:9 84:14 87:  19 88:20,21,22 89:2 91:5,  16,19 96:3,6 97:3 98:11,12,  20 101:7,22  <b>paroled</b> [17] 11:23 13:2 14:2  15:7 21:18 26:25 44:3,4 46:  3,6 49:14 56:6 69:17 70:1,  12 79:12 98:24  <b>parolee</b> [5] 15:4,19 16:8,24  18:19  <b>parolees</b> [1] 14:7  <b>paroles</b> [2] 7:3 31:1  <b>parole's</b> [1] 39:1  <b>paroling</b> [4] 12:22 22:21 31:  2 56:19  <b>part</b> [5] 26:19 77:9 78:18,18  85:21  <b>partially</b> [1] 28:19  <b>particular</b> [5] 9:4 52:14 53:9,  11 54:3  <b>passage</b> [2] 43:4 93:19  <b>passing</b> [3] 90:22 92:7 95:9  <b>passport</b> [2] 100:20 101:10  <b>past</b> [3] 16:17,17 24:10  <b>path</b> [5] 31:15 71:2,3,13,17  <b>paths</b> [1] 5:23  <b>patrol</b> [6] 29:21 49:6 52:12  54:25 78:2,8</p>	<p><b>pause</b> [6] 27:1,1 40:8,15,18  55:2  <b>pending</b> [12] 13:13,21 29:18  30:1 32:17 64:20,24 65:6  68:15 76:17 77:2,19  <b>people</b> [14] 7:4 23:3 27:16,  25 28:14 51:6,14 56:24 57:  18 61:18 73:24 76:3 78:4  80:15  <b>percent</b> [2] 56:7 74:23  <b>perhaps</b> [9] 44:16 57:10 64:  2,3 80:16 82:22,23 90:11  94:25  <b>period</b> [3] 55:4,10 66:4  <b>periodic</b> [2] 13:11 22:6  <b>permanent</b> [11] 6:16 12:6  14:9 15:6,15 16:23 18:19  51:5 56:25 58:11 73:25  <b>permit</b> [1] 38:13  <b>permitted</b> [1] 76:22  <b>person</b> [44] 14:2,10,18 15:  18,23 16:3,22 18:18 19:10,  20,23 24:11,16 28:11 30:5  39:10,12 51:18,23,24 52:4,  10,15,23 53:1,1,21,25 55:4,  19 57:3,8,10 68:20 77:13,  14 80:1 81:6 83:13,14,23  86:11 91:4,5,10  <b>person's</b> [2] 15:24 57:6  <b>perspective</b> [2] 27:18 73:9  <b>petition</b> [4] 44:23 45:1 71:  21,22  <b>petitioner</b> [1] 97:16  <b>phone</b> [1] 82:6  <b>phrase</b> [2] 28:3 62:19  <b>pick</b> [2] 42:23 54:10  <b>piepowder</b> [2] 28:4 48:4  <b>pipeline</b> [2] 28:11,13  <b>place</b> [1] 4:25  <b>places</b> [1] 19:15  <b>plane</b> [2] 80:24 81:3  <b>plea</b> [1] 48:20  <b>please</b> [2] 58:7 80:21  <b>plus</b> [1] 58:19  <b>point</b> [24] 8:6 16:2 18:1,3 19:  2 27:7 30:19 40:2 41:11 67:  3 72:4 74:13,23 75:15,22  76:14 80:3 82:14,24 86:2,  17 89:10 95:5 99:21  <b>pointed</b> [1] 15:15  <b>points</b> [3] 66:14 76:24 97:18  <b>police</b> [5] 81:1 82:6 83:4,18,  20  <b>policy</b> [2] 78:19 81:19  <b>pony</b> [1] 66:10  <b>poor</b> [2] 58:23 86:24  <b>port</b> [1] 22:2  <b>position</b> [11] 15:20 44:21 45:</p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p>9 55:8 65:15 75:14 76:10 84:19 85:3,5 98:10 possess [1] 7:18 possessed [2] 86:12 93:16 possibilities [1] 15:18 possibility [2] 6:23 15:9 possible [1] 98:12 possibly [2] 100:13 101:19 post [1] 4:21 potentially [3] 33:13 48:10 83:23 power [5] 53:24 69:2 78:14, 15 79:10 practical [9] 12:18 14:11,16 23:1,8 33:5 65:10 73:13 74: 7 practice [4] 4:8 13:1 23:2 58: 20 preceded [1] 97:3 precedent [1] 4:9 precise [1] 6:12 precisely [3] 60:16,23 86:19 predating [1] 19:7 preferred [1] 60:12 prefers [1] 4:17 premise [1] 94:16 prerequisite [1] 16:5 present [2] 81:22 94:25 presented [10] 4:20 32:1 38: 22 64:2 69:20 84:1 86:18 93:12,14 98:1 press [2] 40:18 60:12 pressing [1] 40:15 presumably [1] 77:12 presuming [2] 31:23,24 presumption [2] 80:3 101: 24 pretrial [1] 13:14 pretty [5] 13:1 28:18 52:8 56:11 82:20 prevent [1] 77:13 previously [1] 14:10 prima [1] 18:11 principal [1] 59:8 principle [1] 19:15 principles [1] 81:18 prior [3] 25:15,16 99:6 probable [10] 20:19,25 21:4 34:10 59:21 83:8,10,11 90: 15 92:10 probably [5] 13:19 34:16 36: 16 56:11 77:20 problem [5] 10:13 42:11 51: 24 75:5 78:4 procedure [1] 26:8 proceeding [27] 11:20,25 16: 16 18:7 24:9,22,24 36:25 38:22 42:17 43:16 45:2,20,</p>	<p>21 46:23 47:21 49:4 50:11 84:17 94:2 96:1,4,6,12,22 97:3 98:6 proceedings [30] 4:3,21 7: 11 8:15 11:8 12:23 13:13, 17 16:14 17:5 23:23 26:6 33:13 36:10 37:8 38:19,20 40:4 41:7 43:12 44:5 48:9 49:15 50:2 73:20 75:2,20, 21 99:3 101:11 process [3] 20:23 31:6 71:9 processing [1] 4:5 proof [22] 4:1 18:4,8,10,16, 22 27:10 31:25 33:19 34:4 35:13,16,20 38:3 58:16 59: 17,19 81:13 84:8,16 92:2,8 proper [1] 91:19 prosecution [1] 13:3 prosecutor [2] 30:8,13 prosecutors [1] 30:10 prosecutor's [1] 30:18 prostitution [2] 29:5 100:7 prove [16] 11:10 16:16 23: 25 30:15 33:15 35:5 37:8 39:5,24 43:13 58:11 82:12 86:11 93:15 96:16 99:4 proves [1] 55:16 provide [1] 77:6 provided [1] 77:4 proving [1] 98:7 provision [3] 20:16 28:23 48:7 provisions [4] 29:8 45:12 47:19 67:13 public [3] 48:13,15 51:1 pull [2] 20:25 28:20 purpose [1] 51:15 purposes [5] 6:1 46:24 50:8 87:25 93:25 pursue [1] 67:9 pursues [1] 79:1 purview [1] 53:20 put [4] 14:18 28:10,12 29:24 putting [2] 59:24 60:25</p> <hr/> <p style="text-align: center;"><b>Q</b></p> <hr/> <p>qp [2] 86:8 97:21 question [50] 4:18 5:23 6:22 15:13 20:7 23:1 24:10 25:8, 13,15,16 33:25 38:10 40:12, 17 41:23 43:21 44:14 45: 23 52:2,19 54:21 58:16 59: 10 60:1,10,22 63:22 70:11, 14 71:10 75:18 80:12 81: 13,15 82:2 83:25 84:4 86: 16,18 87:5 90:16 92:14 93: 11,12,14,14 94:3 96:15 98: 1</p>	<p>questions [9] 5:9 15:1 25:5 44:1,18 60:15 81:16 82:25 93:1 quick [2] 43:25 97:18 quite [6] 6:10 7:21 12:17 16: 13 77:20 88:8 quoted [1] 98:15</p> <hr/> <p style="text-align: center;"><b>R</b></p> <hr/> <p>raise [1] 86:25 raised [1] 31:9 rare [1] 46:5 rarely [2] 13:11 37:13 rather [8] 10:23 15:19 16:14 49:13 53:14 57:18 87:8 92: 25 reach [1] 5:4 read [6] 93:12,19 94:7 97:20, 21 98:17 reading [1] 43:5 real [3] 14:10 74:7 78:12 reality [1] 39:2 realize [1] 26:3 really [23] 4:18 11:17 20:24 27:11 28:17 29:7,8,10,10 39:14 47:11 48:12 55:2 56: 14,17 57:11,11,15 66:12 69: 16 85:17,23 101:25 real-world [1] 69:24 reason [18] 7:2 9:25 10:3 24: 18,25 26:1 37:12 38:1 45: 18,18 50:10 53:22 56:3,4, 12 63:25 64:9 77:9 reasonable [1] 24:19 reasonably [1] 85:24 reasons [2] 45:15 56:2 reassure [1] 21:22 rebuttal [2] 97:13,15 receives [1] 80:25 recently [1] 98:13 recognition [1] 51:4 recognized [2] 54:8 68:5 record [2] 47:25 64:11 records [1] 28:8 red [2] 70:21 71:3 reenter [1] 20:3 reentered [1] 24:17 reentry [5] 24:8,12 25:8 86: 14 93:17 referring [3] 14:13 35:7 73:7 reflects [1] 67:6 refused [1] 21:3 regard [3] 93:4,7 96:3 regarded [3] 6:17 51:14 60: 6 regularity [1] 101:24 regulations [1] 19:18 rejected [2] 6:11 91:20</p>	<p>related [1] 67:13 relatively [2] 77:9,19 relevant [2] 24:14 56:5 reliable [1] 74:3 rely [1] 10:9 remains [2] 8:7 12:2 removability [4] 14:23 26:9, 19 75:9 removable [3] 8:25 26:15 32:16 removal [56] 4:21 7:10 8:14 10:19 11:7,20,25 12:23 14: 19 15:9 16:14,15 17:5 23: 23 24:7,9,24 26:6,7 31:6,9, 13 33:12 34:21 36:10,14,24 37:7 38:19,22 40:3 42:16 43:12 44:5,24 45:2,20,21 48:9 49:4,15 50:1 71:8,14, 22,25 73:19 84:17 85:5 94: 2 96:1,11,22 98:6 99:3 101: 11 remove [5] 8:18 10:2 11:9 86:9,10 removed [4] 7:25 14:2 26: 13 78:5 render [1] 100:11 replaced [1] 73:17 reply [11] 58:14,18 59:3,11, 11 86:4 87:2 90:22 92:7 93: 20 95:9 report [1] 13:6 request [1] 97:19 require [10] 29:1,5 32:15 36: 6,9 54:2,5,15 67:15 100:5 required [3] 62:24 75:15 81: 13 requirement [6] 4:10 5:7 66: 18 97:22,23 98:4 requires [6] 5:17,19 10:4 22: 5,23 76:13 requiring [1] 87:10 requisite [3] 51:12 59:17,18 residence [1] 6:16 resident [6] 15:6,16 16:23 18:19 51:5 58:11 residents [2] 56:25 73:25 resources [2] 76:2,3 respect [4] 14:23 38:4 44:9 96:16 respond [2] 17:17 57:20 respondent [15] 4:7,11 6:12 8:25 9:9 20:2 23:3 28:14 30:1,24 34:12 39:2 58:5 98: 7,21 respondent's [7] 4:17 5:5 9: 13 12:3 18:1 97:19 101:14 response [4] 17:18 56:16 59: 2 98:2</p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p>responsible <sup>[1]</sup> 48:16 rest <sup>[1]</sup> 42:4 restrict <sup>[1]</sup> 77:15 return <sup>[4]</sup> 50:19 57:1 63:1 67:8 returning <sup>[12]</sup> 49:8 51:13 57:4 60:5 61:9 62:25 66:19 67:7 77:3,18 78:20 88:16 returns <sup>[2]</sup> 64:3 69:13 reverse <sup>[1]</sup> 5:8 review <sup>[7]</sup> 27:8 31:18 38:16, 21 44:23 71:22 87:12 reviewable <sup>[8]</sup> 5:2 7:9 8:7 44:11,13,17,23 47:22 reviewed <sup>[1]</sup> 71:9 reviewing <sup>[1]</sup> 25:21 right <sup>[67]</sup> 5:25 8:13 10:13,14, 16,20,23 11:1,1,2,4,5 13:4 14:5,24 16:13 20:18 21:10 24:7,16 25:10 28:17 31:14 32:2 34:4 37:6 38:9 39:8 41:2 42:4 46:7,10 48:2,11 49:19 50:20 51:3 52:5 53:2, 8,18 54:16,23 55:8 56:13 61:22 62:25 63:2 66:10 67:7 70:10 72:2,13 76:23 77:15 85:19 88:8 91:15 95:13, 15,18 96:12,19 97:4 99:9 101:6,19 rights <sup>[1]</sup> 11:24 risk <sup>[1]</sup> 78:12 roberts <sup>[20]</sup> 29:11 31:21 36:21 39:7 43:23 46:16 50:22 58:1 81:25 82:5,18 83:2,16 84:6 93:2,6 95:3,20 97:7, 13 rogue <sup>[1]</sup> 22:13 romanette <sup>[4]</sup> 80:8 81:7 100:2,17 rotating <sup>[1]</sup> 22:9 round <sup>[2]</sup> 100:20,23 route <sup>[1]</sup> 49:9 rule <sup>[10]</sup> 21:8,11 52:25 54:24 75:7 78:1 80:10,12 82:19 99:13 rules <sup>[1]</sup> 78:13 runs <sup>[1]</sup> 54:8</p> <hr/> <p style="text-align: center;"><b>S</b></p> <hr/> <p>safe <sup>[1]</sup> 49:1 said <sup>[37]</sup> 5:25 16:11 18:6 20:19,22 30:4 36:4,10 37:16 43:5 48:3 54:17,19 55:20 56:16 59:3 61:13,14 62:8 63:23,25 73:16 85:18 86:19 87:3 88:1 95:6 97:24 98:3,6,14,16 99:1,22 100:5,14 101:23</p>	<p>sake <sup>[1]</sup> 67:14 same <sup>[8]</sup> 12:13 19:5 24:18 30:8,17 70:14 80:10,12 satisfaction <sup>[10]</sup> 17:14 19:11,17 21:11 42:2,8,14 59:20 90:12 92:9 satisfactory <sup>[2]</sup> 17:15 19:14 satisfied <sup>[11]</sup> 8:10 39:18,19 63:7,10,11,14 66:3 82:16 84:14 85:25 satisfies <sup>[3]</sup> 26:23 78:24 83:10 satisfy <sup>[6]</sup> 41:8 62:23 78:22 94:13 95:25 98:5 say <sup>[58]</sup> 10:10 12:3,10 13:14 14:9 17:13 18:10 20:13,14 23:6 25:19 28:20,22 37:3,7 40:24 42:6 44:3,9 45:11 47:12,18 49:6 50:9 52:11,21 54:19 55:1,17 58:15 62:4,6, 15 64:9 65:2,5 66:13,22 67:12,16,17,22 69:16 70:20 74:24,25 80:7,7,19 82:20 83:3 84:10 89:12 92:10 97:25, 25 100:14 101:6 saying <sup>[23]</sup> 7:24,24 8:8 23:17 27:1 33:19,21,23 39:11 41:25 42:24 53:16 56:4 82:6 84:13 86:16 88:4,24 91:9 93:11 94:8,19,20 says <sup>[43]</sup> 4:12,19 6:15 7:4 11:9 15:7 19:16 20:12 21:14 23:12,12 26:4,10,11 39:20 44:12 46:5 51:13 52:13, 23 59:12 62:4 63:4 64:7 67:19,25 68:12,13 69:2 73:8, 12 74:18 85:20,21 86:1,9 90:11 93:14,20 98:9 99:25 100:19,22 scenario <sup>[1]</sup> 56:20 scheme <sup>[3]</sup> 52:20 68:2,3 schooling <sup>[1]</sup> 14:13 searched <sup>[1]</sup> 29:25 searches <sup>[1]</sup> 21:5 searching <sup>[1]</sup> 29:23 second <sup>[21]</sup> 17:12 18:13 19:2 21:7 22:4 40:12 58:17 59:1 60:9 66:24 76:5 81:22 84:23 85:3 87:1,7 88:13 91:20 97:24 99:7,21 secretary <sup>[1]</sup> 98:20 section <sup>[4]</sup> 19:16 52:14,15, 16 see <sup>[13]</sup> 32:11 44:16 52:21 56:22 61:7 65:3,5,12 67:19 75:23 76:4 99:24 100:19 seek <sup>[1]</sup> 30:10 seeking <sup>[20]</sup> 4:14 6:17,19 33:</p>	<p>16 37:9 39:3,20 43:14 48:6 50:19 51:14 58:12,22 59:14 60:6 89:23 90:2 91:10 98:8 99:19 seem <sup>[4]</sup> 16:4 25:5 41:8 90:9 seemed <sup>[1]</sup> 29:9 seems <sup>[12]</sup> 5:25 24:3 25:6 30:21 46:23 47:3,7 52:21 54:2 56:5 75:6 82:20 seen <sup>[1]</sup> 46:4 self-deports <sup>[1]</sup> 57:11 sense <sup>[3]</sup> 4:1 20:25 27:17 sentence <sup>[1]</sup> 75:25 separate <sup>[4]</sup> 22:7 27:21 96:3, 6 sequence <sup>[2]</sup> 91:21,25 serious <sup>[1]</sup> 77:12 session <sup>[1]</sup> 48:4 set <sup>[2]</sup> 47:20 86:15 setting <sup>[1]</sup> 26:7 several <sup>[1]</sup> 100:25 shall <sup>[2]</sup> 6:16 51:14 shay <sup>[1]</sup> 58:4 shifty <sup>[1]</sup> 21:15 ships <sup>[1]</sup> 61:19 shortly <sup>[1]</sup> 45:7 shot <sup>[3]</sup> 81:1 82:7,7 should <sup>[24]</sup> 5:24 10:17,18, 19 11:4 24:11 28:20 37:20 40:7 53:22 57:22 58:8 60:2, 13,17,18,23 61:3,4,5 63:1 90:16 92:12,21 shouldn't <sup>[5]</sup> 21:22 24:15 49:24 59:25 80:16 show <sup>[18]</sup> 7:12 39:2 42:6,18 47:13,15 56:8 66:17 74:23 79:25 80:4 82:15 83:12,13, 14 88:15 101:8,8 showing <sup>[2]</sup> 41:22 96:2 shown <sup>[1]</sup> 20:8 shows <sup>[2]</sup> 56:7 64:19 side <sup>[3]</sup> 44:12 60:24 70:15 sides <sup>[1]</sup> 49:3 significant <sup>[3]</sup> 48:13 51:1 73:22 similarly <sup>[1]</sup> 4:19 simply <sup>[4]</sup> 44:3 67:6 76:12 79:7 since <sup>[1]</sup> 41:5 sing <sup>[2]</sup> 19:13 42:9 single <sup>[1]</sup> 98:15 sitting <sup>[2]</sup> 36:13 37:6 situation <sup>[11]</sup> 46:9 56:24 64:1,8 65:23 78:16 79:11 81:11 82:21,23 83:9 situations <sup>[1]</sup> 10:16 six <sup>[20]</sup> 6:18,20 7:14 8:10 9:</p>	<p>11 15:17,21 16:4,13,18 17:1 25:24 26:24 27:14 29:7 37:24 39:19 52:9,9 53:13 slightly <sup>[1]</sup> 10:7 small <sup>[1]</sup> 77:20 sole <sup>[1]</sup> 26:7 solely <sup>[1]</sup> 59:9 some <sup>[27]</sup> 11:23 12:3 16:1 18:1,24 25:14,16 28:13,25 47:20 49:10,11 51:20,22 61:19 62:13,14 65:8,21 66:9 78:2,5 80:12 82:15 92:1 94:11 100:7 somebody <sup>[10]</sup> 28:9 64:3 65:14 68:6,24 75:8 77:11 81:2 82:7 83:5 somehow <sup>[1]</sup> 30:22 someone <sup>[11]</sup> 23:7 42:13 47:16 48:15,25 62:9 68:15 75:14 76:9 90:2 98:11 someone's <sup>[1]</sup> 76:20 someplace <sup>[1]</sup> 23:7 something <sup>[18]</sup> 14:6 18:4,11 20:17 31:24 41:13 42:23 59:19 64:7 71:7 80:14 89:9 90:17,20 91:14 94:5,7 100:16 somewhere <sup>[1]</sup> 51:23 sopan <sup>[1]</sup> 97:15 sorry <sup>[12]</sup> 8:22 12:16 33:18 36:2,21 63:8,20 67:1 80:20 84:4 87:9 98:17 sort <sup>[11]</sup> 5:21 11:23 25:7 27:23 47:20 56:19 62:13,14 66:4 72:21 101:5 sorts <sup>[1]</sup> 72:12 sotomayor <sup>[54]</sup> 6:14 7:15,18, 23 8:5,13,16,22 10:12,25 11:3 15:15 31:22,23 32:6,9, 19,22,24 33:8,18,24 34:3,9, 13,18,23 35:1,4,8,12,15,18, 21,24 36:3,7,12,17,20 37:15 38:9,23 42:24 43:4 75:6 76:15 77:10 95:4,5,11,14, 16,19 sound <sup>[2]</sup> 17:21,25 sounds <sup>[1]</sup> 40:23 sovereign <sup>[1]</sup> 19:8 speak <sup>[1]</sup> 19:3 speedy <sup>[1]</sup> 13:22 spell <sup>[1]</sup> 21:12 split <sup>[1]</sup> 99:9 square <sup>[3]</sup> 59:23,24 60:14 stage <sup>[7]</sup> 25:4,5,7 41:20,20 58:22 76:24 stamp <sup>[5]</sup> 73:17,24 74:5 100:20 101:10 stamped <sup>[2]</sup> 7:7,7</p>
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p> <b>stamps</b> <sup>[1]</sup> 73:18  <b>stand</b> <sup>[1]</sup> 101:12  <b>stand-alone</b> <sup>[1]</sup> 45:24  <b>standard</b> <sup>[52]</sup> 6:1,8 17:8,12  18:24 19:2,5,5 24:6,6,14,20,  21 25:17 42:12,21 43:15  44:2 46:22,25 47:8,11 50:7  51:6 58:25 59:5 60:12,17,  23 61:24 66:8 74:12 78:23  84:14 85:10 87:5,14,23 88:  3 89:7,23 90:6,11,14,16 91:  12 92:8 93:22 94:1,3,10,11  <b>standing</b> <sup>[2]</sup> 15:8 66:5  <b>stands</b> <sup>[1]</sup> 92:16  <b>stare</b> <sup>[1]</sup> 26:2  <b>staring</b> <sup>[1]</sup> 86:7  <b>start</b> <sup>[2]</sup> 31:25 51:3  <b>starts</b> <sup>[1]</sup> 51:4  <b>state</b> <sup>[7]</sup> 10:5 67:21 77:12,  13,19 79:20,21  <b>statement</b> <sup>[1]</sup> 101:21  <b>states</b> <sup>[15]</sup> 6:16 20:4 27:20  29:24 51:11 57:9 58:13 69:  21 77:18 80:10,23,24 81:9  93:18 94:5  <b>station</b> <sup>[1]</sup> 13:7  <b>stations</b> <sup>[1]</sup> 22:7  <b>statistics</b> <sup>[3]</sup> 77:4,5,7  <b>status</b> <sup>[14]</sup> 11:25 12:2,2,9  14:11,18 16:23 39:23 51:5,  9 52:7 55:14 70:3 72:16  <b>statute</b> <sup>[25]</sup> 6:4,6,15 8:11 15:  16 20:12 37:23 50:9 51:4,  13,25 52:22 53:17,18 54:2,  5 62:3 64:25 65:2,12 67:11  68:8,19 69:13 81:17  <b>statutes</b> <sup>[1]</sup> 15:14  <b>statutorily</b> <sup>[1]</sup> 33:1  <b>statutory</b> <sup>[8]</sup> 7:15 8:2 11:1,4  45:12 52:20 62:25 66:1  <b>still</b> <sup>[12]</sup> 8:6 12:12,21 15:8  39:23 53:5,7 55:14,16 73:  10,11 80:2  <b>stop</b> <sup>[1]</sup> 18:13  <b>stopped</b> <sup>[1]</sup> 74:4  <b>story</b> <sup>[1]</sup> 53:5  <b>straightforward</b> <sup>[1]</sup> 100:16  <b>strange</b> <sup>[1]</sup> 40:23  <b>street</b> <sup>[1]</sup> 74:4  <b>strip</b> <sup>[1]</sup> 55:9  <b>stripped</b> <sup>[1]</sup> 63:2  <b>strongly</b> <sup>[1]</sup> 29:10  <b>structure</b> <sup>[1]</sup> 58:19  <b>struggling</b> <sup>[1]</sup> 50:25  <b>subject</b> <sup>[6]</sup> 63:2 64:22 68:7  74:5 76:16 88:17  <b>submission</b> <sup>[1]</sup> 41:16  <b>subsequent</b> <sup>[2]</sup> 14:20 99:3 </p>	<p> <b>substances</b> <sup>[3]</sup> 10:7,8 29:1  <b>such</b> <sup>[3]</sup> 9:5,7 70:16  <b>suddenly</b> <sup>[1]</sup> 53:24  <b>suffice</b> <sup>[1]</sup> 62:23  <b>sufficient</b> <sup>[2]</sup> 5:7 82:14  <b>suggest</b> <sup>[3]</sup> 13:25 75:7 77:  10  <b>suggested</b> <sup>[3]</sup> 63:10 79:14  95:11  <b>suggesting</b> <sup>[1]</sup> 78:17  <b>suggests</b> <sup>[1]</sup> 51:23  <b>suitcase</b> <sup>[2]</sup> 64:5,7  <b>sullivan</b> <sup>[8]</sup> 37:16 38:5 42:  25 43:2,3 68:5 88:13 91:19  <b>supervisor</b> <sup>[1]</sup> 22:2  <b>supported</b> <sup>[1]</sup> 90:14  <b>suppose</b> <sup>[3]</sup> 48:8 77:25 100:  19  <b>supposed</b> <sup>[5]</sup> 15:16 51:18,  25 52:21 53:1  <b>sure</b> <sup>[10]</sup> 31:15 36:1 40:6,13  44:10 56:1 63:24 69:22 73:  15 90:24  <b>surely</b> <sup>[1]</sup> 27:15  <b>suspended</b> <sup>[1]</sup> 39:12  <b>suspends</b> <sup>[1]</sup> 41:7  <b>suspicion</b> <sup>[5]</sup> 54:1 57:2 78:2,  6 79:13  <b>suspicious</b> <sup>[1]</sup> 51:20  <b>swinging</b> <sup>[1]</sup> 20:1  <b>switched</b> <sup>[1]</sup> 98:13 </p> <hr/> <p style="text-align: center;"><b>T</b></p> <hr/> <p> <b>table</b> <sup>[3]</sup> 49:21 75:16 76:9  <b>take</b> <sup>[15]</sup> 7:6 10:19 18:8 37:  17 49:9 50:2,14 55:21 57:6  65:11,21 83:21 86:17 92:  25 93:3  <b>taken</b> <sup>[4]</sup> 10:17 11:5 49:21  73:16  <b>taking</b> <sup>[1]</sup> 25:22  <b>talk</b> <sup>[4]</sup> 18:10 44:25 61:18  67:13  <b>talked</b> <sup>[1]</sup> 61:24  <b>talking</b> <sup>[6]</sup> 23:10 25:12 43:7  45:1,3 74:10  <b>talks</b> <sup>[2]</sup> 71:20,21  <b>tease</b> <sup>[1]</sup> 16:10  <b>techniques</b> <sup>[1]</sup> 60:8  <b>teed</b> <sup>[4]</sup> 84:23 85:6 87:13,24  <b>tell</b> <sup>[3]</sup> 17:11 43:1 92:16  <b>telling</b> <sup>[2]</sup> 101:3,15  <b>tells</b> <sup>[1]</sup> 92:16  <b>temporary</b> <sup>[10]</sup> 7:8 10:19 12:  4,5,9 22:12 73:17,18,24 74:  5  <b>tend</b> <sup>[2]</sup> 12:10 13:20  <b>tense</b> <sup>[1]</sup> 16:17 </p>	<p> <b>tenuous</b> <sup>[1]</sup> 14:12  <b>term</b> <sup>[1]</sup> 21:3  <b>terminate</b> <sup>[1]</sup> 46:4  <b>terms</b> <sup>[4]</sup> 18:23 26:15 51:9  101:20  <b>text</b> <sup>[3]</sup> 4:8 58:19 99:25  <b>than</b> <sup>[25]</sup> 10:7,23 13:12 14:8  15:19 21:7 22:12,15 41:14,  23 49:13 53:14 57:18 59:  19 66:3 73:20 74:5 78:23  82:11 83:25 87:9 89:14 90:  21 91:14 92:25  <b>thank</b> <sup>[13]</sup> 29:11 36:24 43:  22 46:11,14 57:25 58:1 73:  3 95:2 97:6,11,12,17  <b>that's</b> <sup>[83]</sup> 7:21 9:14,25 13:  22 15:2 16:5,13 17:4 20:20  22:13 23:12,15,15,16 24:14,  21 25:2,4,13,24 27:9 28:9,  17 30:23 31:14 32:12,20  37:22 40:10,11 41:1,15,20  42:9,12,19 47:4 48:1,2,5  50:3,16,20 51:17,25 53:3,  19,19 55:7,23 56:11 57:2  64:7 68:1,1,1,10,10,17 70:  12 72:2 74:20,20 79:17 80:  16 86:19 87:18 88:8 89:14  90:23 91:24 94:16 95:5,18  96:14 97:25,25 99:7,24  100:12,14,23 101:5  <b>their</b> <sup>[29]</sup> 10:6,19 11:24 14:  11,12,13 22:23 29:24 39:13  46:4 48:18 51:9 55:20,24  56:8,8 57:9 60:7 64:4,6,6  75:23 77:6,15 78:5 87:15  91:7,15,15  <b>them</b> <sup>[19]</sup> 10:3,17 14:7,22  32:15 37:23 38:13 49:22  50:2 51:21 53:22 56:9 57:  19 62:22 75:9 77:6 83:24  91:24 100:4  <b>themselves</b> <sup>[2]</sup> 22:18 38:20  <b>then</b> <sup>[44]</sup> 11:16 12:23 13:9,  10 14:1,17,18,20 15:13 17:  16 19:2 26:10,13 36:5 40:4  41:5,18 43:12 44:8 45:23  48:10 49:8,21 52:2,14 54:  20 55:23 57:7 61:21 65:5,  24 66:7 68:1 75:7,18 78:24  79:10,16 84:14 87:2,22 88:  20 100:10 101:11  <b>theoretically</b> <sup>[1]</sup> 72:9  <b>theory</b> <sup>[4]</sup> 39:9 79:5 90:6,8  <b>there</b> <sup>[58]</sup> 9:1,15 10:5 11:7  12:15 13:10 14:10 17:12  24:5 25:17 27:16 31:15 32:  13 36:13,13,14 37:6 40:2  41:11 46:22 47:24 52:9 53:  18 56:1 61:8 63:24 66:1,5,  17,21 70:11,17,21 71:3,12  73:12 74:7,17 75:22 76:14  77:23 79:8 80:10,12 82:14  84:24 85:20 86:22 87:16  88:14 89:13 90:9 94:11,22  97:2,22 98:3 101:23  <b>therefore</b> <sup>[3]</sup> 21:16 23:22 91:  11  <b>there's</b> <sup>[28]</sup> 6:23 8:4 9:20 12:  18,19 13:21,25 14:13 18:15  23:14 42:10,20 47:15 50:  10 51:22 64:4 66:19,25 68:  12,13 70:11 75:24 80:2 84:  14 85:22,24 95:12 101:21  <b>these</b> <sup>[20]</sup> 26:24 27:14 29:8  37:24 38:2 40:22 48:14 51:  6 61:19 62:11 73:18 81:16  82:16,25 83:12 84:1 90:1  91:11 92:25 99:12  <b>they</b> <sup>[75]</sup> 10:14 11:3,23,24  12:10,10 13:9,20 14:2,8,19,  19 16:6,7 18:24 23:4 29:5  31:2 33:5 38:17,17 46:3 48:  18 49:3,14,23 51:11 55:17,  17,21,24 56:7 57:1,3,6 61:  12 64:5 68:7,25 70:1 73:25  75:18,20 76:5,12,21 77:4,7  78:6,22 80:16 81:17,18 82:  21 83:2,3 87:2,19,19 88:1  89:18,22,24 90:9 91:5,12  92:6,6 93:24 94:2,19,21,23,  23,24  <b>they'd</b> <sup>[1]</sup> 72:10  <b>they'll</b> <sup>[5]</sup> 13:13 17:24,24,25,  25  <b>they're</b> <sup>[13]</sup> 7:25 12:12 13:6  14:7 16:24 19:11 22:16 38:  14 48:19 51:13,18 52:23  76:4  <b>they've</b> <sup>[4]</sup> 37:24 53:20 95:6,  11  <b>thing</b> <sup>[13]</sup> 17:4 25:19 26:18  40:7,24 46:20 51:9 57:17  64:18 68:11 72:22 91:8  101:5  <b>things</b> <sup>[16]</sup> 4:2 6:19,21 25:  18 27:2,6 29:25 37:24 38:2,  3,5 42:19 51:10 52:24 54:4  80:15  <b>thinking</b> <sup>[2]</sup> 9:23 24:10  <b>thinks</b> <sup>[1]</sup> 49:23  <b>third</b> <sup>[6]</sup> 17:16 20:19,22 40:4  90:13 99:12  <b>thomas</b> <sup>[17]</sup> 5:10 6:3,7 29:  13,14,19 30:3,11,19 31:5,  11,17,20 56:17 60:16,21 93:  8 </p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p><b>those</b> <sup>[34]</sup> 5:4,22,23 6:20 7:13 8:10 14:15 15:1,21 16:4,13,18 18:23 22:6 25:24 27:20 30:17 38:3 45:11 46:4 47:19 49:2 51:14 52:24 63:18,21 68:16 69:24 73:10,14 77:5 91:4,13 92:12</p> <p><b>though</b> <sup>[7]</sup> 18:13 28:7 39:22 41:8,17 49:23 89:17</p> <p><b>thought</b> <sup>[9]</sup> 37:1 38:16 53:5 84:8,18 87:19 89:17 95:22,24</p> <p><b>thoughts</b> <sup>[3]</sup> 44:19 71:1 72:8</p> <p><b>thousands</b> <sup>[2]</sup> 4:6 27:16</p> <p><b>three</b> <sup>[3]</sup> 17:10 40:3 99:13</p> <p><b>three-part</b> <sup>[2]</sup> 17:10 86:3</p> <p><b>threshold</b> <sup>[5]</sup> 5:22 11:21 26:18 43:21 47:1</p> <p><b>through</b> <sup>[4]</sup> 27:25 45:1,2 51:7</p> <p><b>throughout</b> <sup>[1]</sup> 54:8</p> <p><b>thus</b> <sup>[1]</sup> 60:2</p> <p><b>ticket</b> <sup>[2]</sup> 100:20,23</p> <p><b>tied</b> <sup>[1]</sup> 13:12</p> <p><b>time</b> <sup>[41]</sup> 9:6 12:22 13:16 15:22 16:12 17:2,8 20:3 24:1,15 27:7 30:2 32:25,25 33:14 34:14,15 38:17 45:7 48:11 51:12 55:5,10 65:19,21 66:4 79:16 86:13 88:16 93:17 94:4,14,15,19,21 95:10 96:2,18,18 98:8 99:6</p> <p><b>times</b> <sup>[2]</sup> 97:21 100:25</p> <p><b>timing</b> <sup>[6]</sup> 11:18 16:20 59:9,12 60:3 92:14</p> <p><b>tip</b> <sup>[2]</sup> 83:13,17</p> <p><b>today</b> <sup>[6]</sup> 6:13 58:15 86:2,3 91:24 92:7</p> <p><b>today's</b> <sup>[1]</sup> 90:21</p> <p><b>too</b> <sup>[4]</sup> 20:20 29:6 65:11 101:15</p> <p><b>took</b> <sup>[1]</sup> 27:3</p> <p><b>tool</b> <sup>[1]</sup> 75:4</p> <p><b>tools</b> <sup>[2]</sup> 67:9 69:11</p> <p><b>topsy-turvy</b> <sup>[1]</sup> 100:12</p> <p><b>track</b> <sup>[1]</sup> 47:2</p> <p><b>tracking</b> <sup>[1]</sup> 88:6</p> <p><b>tracks</b> <sup>[1]</sup> 98:13</p> <p><b>traditional</b> <sup>[1]</sup> 19:6</p> <p><b>trafficking</b> <sup>[5]</sup> 9:19 29:4,4 100:6,7</p> <p><b>transcribed</b> <sup>[1]</sup> 64:18</p> <p><b>transcript</b> <sup>[1]</sup> 64:16</p> <p><b>travel</b> <sup>[2]</sup> 76:22 77:15</p> <p><b>treat</b> <sup>[3]</sup> 39:21 55:3,9</p> <p><b>treated</b> <sup>[6]</sup> 5:3 23:3,4 27:13 58:12 98:23</p>	<p><b>trial</b> <sup>[3]</sup> 13:15,22 62:14</p> <p><b>tried</b> <sup>[3]</sup> 20:3 77:5,23</p> <p><b>trigger</b> <sup>[1]</sup> 41:6</p> <p><b>trip</b> <sup>[2]</sup> 100:20,23</p> <p><b>true</b> <sup>[6]</sup> 9:14 22:14 25:2 53:10 55:23 98:25</p> <p><b>truth</b> <sup>[3]</sup> 41:1 101:4,15</p> <p><b>try</b> <sup>[3]</sup> 17:16 21:9,21</p> <p><b>trying</b> <sup>[6]</sup> 10:2 18:16 47:5 65:4 90:24 94:4</p> <p><b>tuck</b> <sup>[2]</sup> 19:13 42:9</p> <p><b>turn</b> <sup>[1]</sup> 21:23</p> <p><b>turning</b> <sup>[1]</sup> 15:18</p> <p><b>turns</b> <sup>[4]</sup> 9:11 16:25 56:3 72:21</p> <p><b>turpitude</b> <sup>[12]</sup> 7:1 8:19 9:3,4 28:25 32:2,12 33:2 34:6 37:5 54:14 78:7</p> <p><b>two</b> <sup>[15]</sup> 5:23 16:11 17:18,21 25:18 26:1 38:5 40:3 45:11 54:4 63:19,21 66:14 68:16 85:23</p> <p><b>typical</b> <sup>[2]</sup> 13:20,23</p> <p><b>typically</b> <sup>[7]</sup> 12:22,25 13:17 18:6,9 40:2 64:10</p> <hr/> <p style="text-align: center;"><b>U</b></p> <hr/> <p><b>u.s</b> <sup>[3]</sup> 6:18,22 7:4</p> <p><b>ultimate</b> <sup>[4]</sup> 24:22,23 25:13 85:5</p> <p><b>ultra</b> <sup>[1]</sup> 45:24</p> <p><b>uncertainty</b> <sup>[2]</sup> 14:11 72:17</p> <p><b>under</b> <sup>[34]</sup> 8:1,19 9:1,20,21 10:21,21 11:9 15:16 16:22 23:7 28:23 33:13 44:13,17,24 45:4,5,18 48:10 51:24 52:16,20 54:18 57:4 61:12 70:21 73:10 75:13 77:12,25 78:23 90:8 101:14</p> <p><b>undermine</b> <sup>[1]</sup> 28:17</p> <p><b>understand</b> <sup>[17]</sup> 11:17 16:19 18:16 20:22 25:2 40:21 50:25 53:23 55:14 70:10 82:1 85:18,20 90:25 91:23 96:24 97:5</p> <p><b>understanding</b> <sup>[2]</sup> 22:8 59:8</p> <p><b>understood</b> <sup>[2]</sup> 8:24 71:10</p> <p><b>unenforceable</b> <sup>[1]</sup> 99:20</p> <p><b>uniform</b> <sup>[1]</sup> 13:1</p> <p><b>united</b> <sup>[14]</sup> 6:16 20:4 27:20 51:11 57:9 58:12 69:21 77:18 80:9,23,24 81:9 93:18 94:5</p> <p><b>universe</b> <sup>[1]</sup> 77:17</p> <p><b>unless</b> <sup>[7]</sup> 6:18,20 15:17 37:23 68:12,16,20</p> <p><b>unreachable</b> <sup>[1]</sup> 44:19</p> <p><b>unreviewable</b> <sup>[1]</sup> 95:16</p>	<p><b>unsurprisingly</b> <sup>[1]</sup> 4:7</p> <p><b>unthinkable</b> <sup>[1]</sup> 27:23</p> <p><b>until</b> <sup>[8]</sup> 11:25 13:17 39:12 41:10 59:9 79:2 85:11,11</p> <p><b>untruthful</b> <sup>[1]</sup> 101:18</p> <p><b>up</b> <sup>[18]</sup> 18:14 42:23 47:18,20 48:25 54:11 56:8 63:22 66:10 71:7 74:23 79:20 84:23 85:6 86:15 87:13,24 101:8</p> <p><b>upon</b> <sup>[1]</sup> 28:19</p> <p><b>urgent</b> <sup>[1]</sup> 81:1</p> <p><b>us</b> <sup>[5]</sup> 10:1 20:8 93:12 95:6 96:15</p> <p><b>use</b> <sup>[5]</sup> 48:10 57:17 62:19 76:1,2</p> <p><b>used</b> <sup>[4]</sup> 19:14 62:20 78:15 79:10</p> <p><b>using</b> <sup>[1]</sup> 60:7</p> <p><b>usually</b> <sup>[3]</sup> 22:8 25:11 46:3</p> <hr/> <p style="text-align: center;"><b>V</b></p> <hr/> <p><b>valenzuela-felix</b> <sup>[1]</sup> 6:10</p> <p><b>valid</b> <sup>[2]</sup> 38:24,25</p> <p><b>various</b> <sup>[1]</sup> 40:23</p> <p><b>vartelas</b> <sup>[1]</sup> 48:3</p> <p><b>vast</b> <sup>[1]</sup> 32:15</p> <p><b>vehicle</b> <sup>[2]</sup> 58:24 86:24</p> <p><b>versus</b> <sup>[2]</sup> 14:23 18:19</p> <p><b>very</b> <sup>[13]</sup> 17:22 21:15 22:12 28:21 41:11 46:1,5 56:1 69:2 72:25 74:7 77:11 78:12</p> <p><b>view</b> <sup>[3]</sup> 39:16 78:23 101:14</p> <p><b>vires</b> <sup>[1]</sup> 45:25</p> <hr/> <p style="text-align: center;"><b>W</b></p> <hr/> <p><b>wait</b> <sup>[6]</sup> 10:1 13:17 71:25 75:23 76:4 86:19</p> <p><b>wait-and-see</b> <sup>[1]</sup> 37:18</p> <p><b>walk</b> <sup>[1]</sup> 42:5</p> <p><b>want</b> <sup>[11]</sup> 11:6 16:10 25:20 29:9 32:20 46:2,6 47:11 51:21 63:23 94:23</p> <p><b>wanted</b> <sup>[2]</sup> 27:13 100:13</p> <p><b>warrant</b> <sup>[1]</sup> 76:13</p> <p><b>warranted</b> <sup>[1]</sup> 87:12</p> <p><b>warrantless</b> <sup>[1]</sup> 21:5</p> <p><b>was</b> <sup>[79]</sup> 6:10 10:10 20:2 21:5 22:4 23:4 29:14,17,19,20 30:2,7 31:5,6,8,8 32:25 33:16 36:13 37:1,9 38:24 39:2 41:10 42:18 43:4,14,19 44:3,4 45:22 51:1 52:8 58:18,23 62:16 64:18,22,23 67:3 69:16,17,19 70:7,12,17 71:12 73:7,9,16,17 76:25 79:20 80:7 81:2 82:2,16 85:3,21,23 86:16 87:13,16 88:13,16 89:17,24 90:25 91:2,7,</p>	<p>16,19 95:24 96:25,25 97:2 98:7,10 100:20</p> <p><b>wasn't</b> <sup>[2]</sup> 30:20 61:21</p> <p><b>way</b> <sup>[13]</sup> 22:17 23:3 25:3 28:9 30:8 42:15 50:17 68:21 84:22 85:6 93:13 96:21 99:2</p> <p><b>we'd</b> <sup>[2]</sup> 48:5 72:10</p> <p><b>weird</b> <sup>[3]</sup> 27:5,11 46:20</p> <p><b>welcome</b> <sup>[3]</sup> 5:9 60:15 70:25</p> <p><b>well</b> <sup>[35]</sup> 7:2 10:12 19:21 21:13 23:1 25:1 28:6 30:19 31:24 32:23 34:1 42:22 45:23 47:12 53:20 63:3 65:3,5,16 66:7,11 67:2,11 68:9 70:20 76:16 79:3 80:6 83:7 84:13 88:24 90:25 96:8,23 100:19</p> <p><b>we'll</b> <sup>[4]</sup> 13:17 46:12 55:3 101:11</p> <p><b>were</b> <sup>[14]</sup> 31:12 42:23,24 43:7 48:6 61:20 68:7 70:16 84:5 85:15 89:5,23 97:22 101:15</p> <p><b>we're</b> <sup>[18]</sup> 7:5,6 9:12 13:14,15 16:18 25:11 31:1 37:7,12 43:9,18 55:5 65:8 74:10 94:20 99:18 101:7</p> <p><b>weren't</b> <sup>[1]</sup> 76:22</p> <p><b>we've</b> <sup>[8]</sup> 6:1 16:8 23:10 46:8 50:3 97:20,20 98:12</p> <p><b>what</b> <sup>[93]</sup> 7:24 8:8 9:23 11:15,22 12:21,21,25 17:7,13,17 18:22,24 21:13,14 24:3,7,8 26:20 29:9,20 33:18,23 35:6,21 36:1 37:15 38:10 40:18,19 41:7 42:25 43:1 44:1 45:11 47:6,19 48:5 51:8 52:2 53:1 59:18 60:16,17,23 61:3,5,6,11,12,25 62:5,15,19,21 64:7,14,19,25 65:4,19 68:18,19,23,23 70:7 72:14 74:14,20 75:24,25 76:17 79:18,24 81:13 83:7 84:21 85:16 86:1,22 87:1,2 90:16 92:2,17 93:11,11 94:3,8 96:3,9 99:7 100:13</p> <p><b>whatever</b> <sup>[2]</sup> 31:11 78:24</p> <p><b>what's</b> <sup>[6]</sup> 8:16 13:10 28:24 41:21 84:1 96:14</p> <p><b>when</b> <sup>[35]</sup> 11:7 13:2,9 19:8 20:3 22:23 23:23 24:16 25:11 26:22,25 30:9 33:16 38:11 39:3 42:17 46:3,15 47:4,9 52:15 54:1,22 57:1 58:10 59:6 66:5 70:7 76:13,20 86:7 87:5 93:22 94:4,9</p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p><b>where</b> <sup>[25]</sup> 4:4 5:13 10:6 18:5,8 23:15 27:15 29:19,20 31:1,9 36:25 42:19 51:3 62:14 64:2,3 74:1,10 78:17,19 79:12 94:24 101:5,9</p> <p><b>whereas</b> <sup>[1]</sup> 14:19</p> <p><b>whether</b> <sup>[64]</sup> 8:9 11:18,19 15:4 16:3,6,12,21,23 18:15,21 20:8,10 25:23 26:12,23 37:18 38:25 41:21 44:3,10 47:23 54:25 55:5,11 58:21 59:13 60:5 61:8,8 66:2,2 68:7,25 69:17 71:6,11,12 72:3,3 75:23 76:4 82:13 83:11 86:9,10,21 89:18,22,25 90:1 91:4,13,18 93:14,15 94:11 95:24 96:10,17 98:12,22 100:9 101:12</p> <p><b>which</b> <sup>[52]</sup> 5:23 10:16 12:5 13:7 14:9 15:23 16:8 19:2,8 20:15,16 21:3 23:10,12 26:18 29:24 32:14 36:25 37:11 40:4,23 41:7,23 46:2 47:2 49:17 50:9,17 51:4 55:5 56:6,22,23,24 57:7,14 64:2,11 65:23 67:5 68:24 74:5 77:17 82:11 84:22 89:19 92:19,25 94:16 95:6 98:16 99:22</p> <p><b>while</b> <sup>[6]</sup> 45:25 48:19 55:10 79:1 80:24 81:2</p> <p><b>whim</b> <sup>[3]</sup> 7:20 8:4,6</p> <p><b>who</b> <sup>[20]</sup> 7:18 8:18 10:16 19:9 30:8 51:7 52:15,16,17 53:21,25 54:21 56:6,24,25 61:15 62:25 68:15 77:24 92:16</p> <p><b>whole</b> <sup>[3]</sup> 37:12 64:17 87:13</p> <p><b>wholly</b> <sup>[1]</sup> 83:22</p> <p><b>whom</b> <sup>[2]</sup> 35:17,17</p> <p><b>who's</b> <sup>[2]</sup> 48:25 68:15</p> <p><b>why</b> <sup>[29]</sup> 7:23 8:2,19 10:18,18 11:4 12:14,14 14:1 15:20 24:14 25:16 27:6,9 48:2 50:3,25 53:23 55:20 56:2,12 65:16 71:19 84:10 86:5,15,19 90:2,5</p> <p><b>will</b> <sup>[13]</sup> 7:12,19 11:10 13:10 17:17 42:17 53:10 55:18 61:9 68:20 92:17 93:3 101:12</p> <p><b>willy-nilly</b> <sup>[2]</sup> 7:3 31:1</p> <p><b>win</b> <sup>[4]</sup> 50:17 76:9 88:3,10</p> <p><b>with</b> <sup>[52]</sup> 4:16 7:4,8 8:2 14:22 17:3 18:7 20:2 21:9 23:5 27:25 29:6 31:25 32:9,20 36:2 38:4,7,15 41:10 42:11,24 43:11,21,21 44:9 46:12,</p>	<p>20 48:25,25 51:2 58:9 61:6 65:2 72:15 73:17,24 75:3,9,25 76:20 77:2,7,18,23 87:3 90:25 94:25 96:16 99:25 100:1,3</p> <p><b>within</b> <sup>[4]</sup> 9:8 13:20 48:19 81:7</p> <p><b>without</b> <sup>[9]</sup> 4:13 14:9 28:2 57:12 60:1 67:9 93:3,6 96:2</p> <p><b>witnesses</b> <sup>[2]</sup> 65:2,8</p> <p><b>won</b> <sup>[5]</sup> 33:22 34:14,20 36:14 65:3</p> <p><b>wonder</b> <sup>[1]</sup> 70:22</p> <p><b>wondering</b> <sup>[3]</sup> 14:1,17 15:20</p> <p><b>won't</b> <sup>[2]</sup> 17:21 92:17</p> <p><b>word</b> <sup>[1]</sup> 19:14</p> <p><b>words</b> <sup>[2]</sup> 39:11 40:19</p> <p><b>work</b> <sup>[6]</sup> 22:17,24 28:9,15 51:10 57:8</p> <p><b>working</b> <sup>[1]</sup> 57:17</p> <p><b>works</b> <sup>[1]</sup> 42:5</p> <p><b>world</b> <sup>[3]</sup> 56:22 57:14 77:22</p> <p><b>worth</b> <sup>[1]</sup> 78:15</p> <p><b>would</b> <sup>[100]</sup> 11:19 14:21 16:4,5 17:1,2,21 19:5 21:7,20,20,20 22:10,14,16 23:5,19 25:1,7 27:11,23 28:5,6,9,10,12,13,17 29:7 33:6,11,15,22 34:16,22 36:6,9,22,25 37:2,7 38:21 39:1,4 41:8 44:10,13 47:12,21,22,22,24 48:9 49:17,20,21 54:17 56:22,23 60:4 62:12,15 63:11,14 65:11,13,13,21,23 72:15,24 75:2,3,13,20 76:6,11,12,18 77:8,8,13 80:11,17 81:6,6 82:10,13 83:21 84:10 86:24 87:1 89:4,6,8,10 90:8 92:10,18 101:24</p> <p><b>wouldn't</b> <sup>[5]</sup> 28:7 76:7 90:3,5 96:5</p> <p><b>wrapped</b> <sup>[1]</sup> 71:7</p> <p><b>wrong</b> <sup>[6]</sup> 21:20 43:1,2 47:4 85:19 99:8</p> <hr/> <p style="text-align: center;"><b>Y</b></p> <hr/> <p><b>yeah</b> <sup>[15]</sup> 21:19 23:8 30:11 31:17,20 32:21 41:17 45:17 49:12 69:22 71:15 72:7 79:17 94:18 97:6</p> <p><b>year</b> <sup>[6]</sup> 12:11 13:21 27:3,18 73:18,21</p> <p><b>years</b> <sup>[7]</sup> 9:8,10 50:4 53:13,14,21 61:7</p> <p><b>yes</b> <sup>[31]</sup> 8:21 14:25 15:9 16:10 17:3 20:11 28:13 30:7,</p>	<p>23 33:19 35:19,23 36:5 38:21 39:16 40:11,16 41:11 44:6 49:6,10,11 53:10 54:12,23 68:10,18 85:6 91:17 96:13 97:24</p> <p><b>yesterday</b> <sup>[1]</sup> 92:22</p> <p><b>yet</b> <sup>[2]</sup> 38:3 78:3</p> <p><b>york</b> <sup>[1]</sup> 76:21</p> <p><b>your</b> <sup>[40]</sup> 7:6 16:1 17:17 21:22 39:9,23,25 41:9,19 44:5,11 51:19 52:6,19 54:24 56:16 61:17 68:9 69:16 70:17,21 71:1,10 73:9 75:7 79:4,13 82:1,1,19,19 84:8 86:17,20 87:20 89:17 90:6 100:19,20 101:10</p> <p><b>you're</b> <sup>[52]</sup> 5:10 7:7,24 9:23 10:25 15:4,5,7,8 16:21 18:14,14,14 19:22,25,25 21:17 25:14,19 31:23,24 33:19 35:7 36:4 37:25 39:11,20,22,24 40:21,25 41:18,18,25 42:5 44:10 47:2,4 53:16 61:2 62:10 65:24 66:5 67:22 74:4 86:16 88:20,23 93:11 94:18 99:22 100:8</p> <p><b>you've</b> <sup>[13]</sup> 37:23 40:20,22,24 41:19,21 46:4,24 50:8 100:9,17,21 101:8</p> <hr/> <p style="text-align: center;"><b>Z</b></p> <hr/> <p><b>zipper</b> <sup>[1]</sup> 45:19</p>
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------