



## SCOTUS Snapshot

*Your weekly window into the Court that shapes the nation.*

### ***Noem v. Al Otro Lado – November 17, 2025***

#### **What's At Stake**

- What is the case about?

This week, the Supreme Court granted certiorari in its sole new case: *Noem v. Al Otro Lado*, a dispute with significant implications for national security and border governance. The case stems from a challenge brought by an immigrant rights group to the Department of Homeland Security's "metering" policy: Customs and Border Patrol officials turn back asylum seekers before they physically enter the United States from Mexico. At issue is whether an alien who is stopped on the Mexican side of a port of entry has nonetheless "arrived in the United States" within the meaning of the Immigration and Nationality Act, an interpretation that would entitle such individuals to apply for asylum and require inspection by an immigration officer.

- Who is affected and how?

Individuals seeking asylum at the southern border, CBP Officers, the broader U.S. Immigration system, and every U.S. citizen.

- Why does it matter?

The Supreme Court's decision has consequences that directly affect the federal government's capacity to administer and safeguard the southern border. The national security, public safety, and the operational effectiveness of our immigration system are at stake. Expanding the statutory definition of "arrival" beyond physical entry to include individuals standing outside the border effectively erases the legal boundary of the United States and would fundamentally undermine the most basic premise of national sovereignty.

#### **Our Take**

We believe the Supreme Court will uphold the historical and statutory definition of "arrival" to mean physically present within the borders of the United States. Any other interpretation is legally unsound, dangerous, and contrary to the sovereign interests of the United States.