



## Trump claims he can suspend immigration through executive order

Steve Benen

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Maybe Donald Trump saw something weird via conservative media last night. Perhaps he had another unfortunate conversation with Stephen Miller. Whatever the motivation, the president appeared to make some news a little after 10 p.m. (E.T.).

*President Donald Trump said Monday that he is suspending immigration to the United States in response to the coronavirus pandemic and the "need to protect jobs." In a tweet Monday night, the president attributed the suspension to an "attack from the Invisible Enemy" and the "need to protect the jobs of our GREAT American Citizens." He added that he would sign an executive order suspending immigration.*

This would ordinarily be the point at which I start writing about some of the core details of the new White House policy, except in this case, there doesn't appear to be a White House policy. All we have is an odd, late-night tweet, featuring the president's unique approach to capitalization.

The missive read in its entirety, "In light of the attack from the Invisible Enemy, as well as the need to protect the jobs of our GREAT American Citizens, I will be signing an Executive Order to temporarily suspend immigration into the United States!"

A White House official told NBC News that details about how the plan would be implemented "will be forthcoming." As a rule, on Team Trump, that's generally a polite way of saying, "The president just blindsided everyone again, and we'll now scramble to throw together a policy that reflects his misguided tweet."

While we wait for the "forthcoming" details, let's consider some of the relevant questions.

**Will there actually be an executive order?** Maybe, maybe not. Trump routinely blurts out random thoughts, and as a rule, taking them at face value is unwise. It's entirely possible that the president will host a press briefing later today, deny ever publishing this tweet, and lash out at reporters who ask about it. It's also possible that White House lawyers will throw together an executive order to make Trump happy, and he'll sign it this week. Time will tell.

Does the president have the authority to shut down all immigration by fiat? It's difficult to say with certainty. A New York Times report explained, "Under such an executive order, the Trump

administration would no longer approve any applications from foreigners to live and work in the United States for an undetermined period of time.... It was not immediately clear what legal basis Mr. Trump would claim to justify shutting down most immigration."

That said, the Washington Post spoke to Alex Nowrasteh, director of immigration studies at the libertarian Cato Institute, who said there may be some legal justifications for such a move: "Title 42 of the U.S. Code enables the president to halt immigration for health reasons, while a recent Supreme Court decision upholding his travel ban gives him unlimited authority on immigration."

**Doesn't this contradict Trump's happy talk?** Pretty much. The president has pushed the line that the United States has turned a corner, things will soon return to normal, and the economy is poised to soar. He's now also pushing the line that suspending all immigration is suddenly necessary.

Would shutting down immigration help stop the spread of the coronavirus? Given the fact that there are over 772,000 confirmed cases of the virus already in the United States, I'm thinking no.

**Would shutting down immigration help in general?** Immigrants have been -- and continue to be -- integral in caring for the sick and the elderly throughout the United States, which suggests Trump's new offensive would almost certainly be a step backward.

Watch this space.