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Migrants are seen outside a repatriation center in Guatemala City, Guatemala, after arriving on a deportation flight from the U.S. that landed at La Aurora Air Base on Jan. 27. (OSV News/Reuters/Josue Decavele)



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President Donald Trump's executive orders on immigration combine political bluster with real-world consequences for immigrants, refugees and their church supporters, legal advocates say.

In order to navigate the legal challenges for immigrant communities and the churches trying to support them, National Catholic Reporter asked lawyers about what to expect in the upcoming days and how to best respond.

NCR turned to two Catholic advocates for immigrants: Carolina Rivera, an attorney for Catholic Legal Immigration Network Inc., or CLINIC, an agency founded by the U.S. Catholic bishops, and C. Mario Russell, executive director of the New York-based Center for Migration Studies, a think tank sponsored by the Scalabrini community.

Rivera and Russell were interviewed separately about the impact of the Trump administration's executive orders on immigration. Here are their remarks, edited for brevity and clarity.



The badge and gun of a U.S. Immigration and Customs Enforcement agent is seen during an operation with migrants being transferred to a plane to be expelled under U.S. Title 42 from the United States to their home country by ICE and Border Patrol agents, at the airport in El Paso, Texas, on May 10, 2023. (OSV News/Reuters/Jose Luis Gonzalez)

***NCR: Trump's language describes immigrants as terrorists and as part of a foreign invasion and calls upon more use of government resources, including the military, to enforce immigration law. What impact are these comments having?***

*Rivera:* It creates uncertainty.

*Russell:* Taken as a whole they create a real open season on immigrants and migrants.

***Do undocumented immigrants retain any legal rights?***

*Rivera:* Yes. Attorneys continue to remind immigrants of their rights under the law. Immigrants who are picked up by [U.S. Immigration and Customs Enforcement] ICE have the right to remain silent. And ICE can only legally enter a dwelling place with a warrant, unless they are allowed entry by a homeowner or tenant.

The executive orders largely don't change the law around immigration. But they do impact the atmosphere. The law in most of these orders does not change. But the policies do change. It places immigration officials in the most restrictive interpretations of enforcing the law. The biggest concern is the rhetoric. It has successfully created fear in immigrant communities.

***Trump's executive orders and actions***

President Trump's [executive orders](#) and actions on immigration include:

- Ending [Temporary Protected Status for Venezuelans](#), removing Biden administration protections. Temporary Protected Status allows migrants from countries with violent or oppressive regimes to legally stay in the U.S.

- [Ending the CBP One app](#), developed by the Biden administration, which allowed migrants in Mexico to make appointments with immigration officials to make asylum claims, taking away a legal avenue for migrants to argue that they are fleeing violence or political repression in their home countries.
- Removing [policies](#) which caution ICE officials to avoid [so-called sensitive areas](#), including churches, schools and hospitals. ICE has long been allowed to enter such spaces but largely have stayed away. A [Department of Homeland Security statement](#) says that they need not be so cautious in the future. Churches that serve immigrants can no longer be seen as sanctuaries for those evading ICE enforcement. On Feb.11, more than two dozen Christian and Jewish groups filed a [federal lawsuit](#) challenging this order.
- Trying to eliminate [birthright citizenship](#), described in the 14th Amendment to the U.S. Constitution. The [challenge](#) to birthright citizenship was swatted down by a federal judge in Seattle soon after it was issued, a ruling agreed to by two other judges.

*Russell:* The executive orders place the undocumented into more peril than ever. They constitute an estimated 5% of the working population and more than 5 million are part of families that include citizens. More than half have been in the United States for more than a decade.

Now we are turning the tables. It completely obliterates the truth, value and dignity of each person. It obliterates our narrative as a nation of immigrants. It comes at a time when the figures indicate that immigration is not noticeably larger than it has been in the past.

A century ago, foreign-born people represented about 10-15% of the population, a number around what it is today. Trump's orders need to be seen in their entirety to capture the wider picture. All of the executive orders work together to provide pressure points. All work together to sow terror.

## **So what will be the immediate impact?**

*Russell:* The impact will be felt from schoolchildren fearful of attending class to migrants avoiding church. Even those who have legal status may be swept up and go along with deportation orders out of fear and exhaustion. When people are detained, sometimes they give up. The only remedy is to push back against them in federal courts. But that will take time.



Migrants seeking asylum in the U.S. walk into a temporary humanitarian respite center run by Catholic Charities of the Rio Grande Valley, April 8, 2021, in McAllen, Texas. (CNS/Reuters/Go Nakamura)

### **Which executive orders on immigration have not garnered much publicity but are significant?**

*Rivera:* Refugee status — which allows those fleeing persecution to enjoy the right to legally work and access to other benefits — has been put on hold.

*Russell:* The Trump administration is ordering undocumented immigrants to register with the government. That can be a vehicle for setting up a crime or a violation. If migrants decline to do so out of fear, they may face being found guilty of a violation and become vulnerable to deportation.

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## **What's the role of Catholic parishes, particularly those with large immigrant congregations?**

*Russell:* Churches can provide an atmosphere of support, even if options are limited. Immigrants can find solace in community as well as knowledge about their rights. Exchanging phone numbers so that families can be quickly contacted if someone is arrested and becomes subject to deportation can assuage fears about who will take care of children left behind. The first thing is to be calm, to project calm. Not to hyperventilate. Not to overstress things. We are not going to have all the answers but the church can still be an ally and support in these times.

**Related:** [Bishops condemn Trump's immigration orders for stoking fear, anxiety](#)

This story appears in the **Trump's Second Term** feature series. [View the full series.](#)