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Policy Brief

# Refugee Resettlement in the Trump Era: Challenges & Opportunities

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## EXECUTIVE SUMMARY

For fiscal year 2019, President Donald Trump lowered the ceiling on refugee admissions to 30,000 — the lowest admissions ceiling since the modern resettlement program was created in 1980. From initial campaign promises to formal presidential declarations and executive orders, the Trump administration has dramatically downsized the refugee resettlement apparatus both domestically and internationally.

This *Niskanen Policy Brief* will explore those drastic changes, and the many challenges and opportunities within the current resettlement landscape. Furthermore, this brief will provide background on the resettlement system and provide recommendations for improving the program moving forward.

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# Who are Refugees and Where Do They Come From?

Refugees are people who flee their homes in fear for their lives, seeking refuge in countries that provide opportunity, safety, and hope for a better future. Pursuant to U.S. law, refugees are individuals who: 1) are located outside of the United States; 2) are of special humanitarian concern to the United States; 3) can demonstrate that they were persecuted or that they credibly fear persecution due to their race, religion, nationality, political opinion, or because of their membership in a particular social group; 4) are not firmly resettled in another country; and, 5) are otherwise admissible in the United States.[1] Since 1975, the United States has resettled more than 3 million refugees in all 50 states.

Refugees are a distinct population from asylees, as asylees are in the United States or at a port of entry and are unable or unwilling to return to their countries because of persecution or a well-founded fear of persecution. The distinction hinges on location.

In total, approximately 68.5 million people worldwide are forcibly displaced as a result of conflict and persecution, with 25.4 million of them formally considered refugees.[2] More than half of all refugees are under 18 and more than half of refugees worldwide come from South Sudan, Afghanistan, and Syria.

The Syrian crisis is particularly devastating: The United Nations High Commissioner for Refugees (UNHCR) has registered 6.3 million total refugees from Syria. The political crisis in Venezuela is worsening and nearly 3 million have fled their homes so far. That country is expected to rival Syria in terms of the size of exodus.

Three trends shape the complicated picture of global displacement evolving this decade:

1. Rising refugee totals;
2. Protracted displacement, wherein refugees live in exile for ever longer periods of time[3], and
3. Refugees living in urban areas instead of more traditional camps.[4]

These three trends — in combination with the United States greatly reducing resettlement slots and global leadership on the issue — are placing enormous strain on the international protection system and creating new challenges for nations, NGOs, and the United Nations system. Displacement and the need for resettlement are at all time highs, while resettlement slots are alarmingly low.

Historically, the United States led the world in refugee resettlement, financial assistance, and humanitarian diplomacy. But the Trump administration has discontinued the policies

[1] Immigration and Nationality Act § 101(a)(42).
[2] United Nations High Commissioner for Refugees, "Figures at a Glance," http://www.unhcr.org/en-us/figures-at-a-glance.html.

[3] U.S. Department of State, "Protracted Refugee Situations," https://www.state.gov/j/prm/policyissues/issues/protracted.
[4] Bruce Katz and Jessica Brandt, "The Refugee Crisis is a City Crisis," CityLab, Oct. 27, 2017, https://www.citylab.com/equity/2017/10/the-refugee-crisis-is-a-city-crisis/544083.

of the past and retreated on refugee issues. In total, the United States resettled approximately 23,000 refugees in 2018 — the lowest total ever. The average annual refugee admissions total since 1980 was 80,000. Without U.S. leadership, other countries have reduced their humanitarian programs and the international protection regime has faltered.

In fiscal year 2018, the Democratic Republic of Congo was the largest source of refugees resettled in the United States, with almost 8,000 in total. Burma, Ukraine, Bhutan, and Eritrea round out the top five. In fiscal year 2018, Texas absorbed more refugees than any other state with nearly 1,700. Washington, Ohio, California, and New York all absorbed more than 1,000 each. The top ten was rounded out by Arizona, North Carolina, Pennsylvania, Kentucky, and Georgia.[5]

## The Case for Resettlement

The United States operates a refugee resettlement system both as an arm of foreign policy and as a means of realizing our national values.

Refugee resettlement provides a concrete mechanism for America and individual Americans to help the world's oppressed. The 1980 Refugee Act codified and professionalized the refugee resettlement infrastructure that had evolved over decades through a patchwork of congregations, charities, foundations, and volunteers. U.S. traditions and norms have allowed for philanthropy and charity to blossom and the resettlement program has for decades married those fleeing persecution with those looking to help. Humanitarianism lies at the heart of resettlement.

Refugee resettlement is also a critical component of American soft power, used to persuade enemies, support allies, and diffuse tensions in certain regions of the world. For example, taking in defectors from the Soviet Union was used during the Cold War to show the superiority of capitalism and democracy.[6] The resettlement program was used strategically during the Iraq War to recruit locals to aid U.S. troops as interpreters and guides. Moreover, the State Department has identified instances where U.S. resettlement operations diffused local tensions, making U.S. troops safer.[7]

Idean Salehyan from the University of North Texas argues, "Throughout the 1990s, the post-Soviet countries were the leading source of resettled refugees, as the United States had a vital geopolitical interest in providing stability to Eastern Europe and Central Asia, gaining influence in the region, and helping new states transition to democracy." His research finds that the United States has a

[5] Zuzana Cepla, "Fact Sheet: U.S. Refugee Resettlement" (National Immigration Forum, Jan. 25, 2019), https://immigrationforum.org/article/fact-sheet-u-s-refugee-resettlement.

[6] Idean Salehyan, "The Strategic Case for Refugee Resettlement," Research Paper (Niskanen Center, Sept. 2018), https://niskanencenter.org/wp-content/uploads/2018/09/NC-Refugee-Paper-SalehyanElec_FINAL.pdf.

[7] Ibid.

pattern of admitting refugees from regions and countries of "strategic importance."[8]

Protecting refugees and advancing the national interest are reinforcing ends. American soft power abroad is bolstered by our refugee resettlement operations, which are powered by the compassion and selflessness of Americans across the country. The United States is invested in regional and global stability, and refugee resettlement is one effective tool we have to achieve those ends. To suggest refugee protection is purely American charity or purely a concrete foreign policy tool fails to take into account the full breadth of the program. None of this denies that there are challenges and tradeoffs in refugee policy, but there is not one that pits broad humanitarianism against the broad national interest.

## Vetting Refugees

Refugee applicants are subject to intensive biographic and biometric security checks plus medical screenings, coordinated by and through a number of federal law enforcement and intelligence agencies.[9] Refugees undergo the longest and most strenuous screening process of any traveler to the United States.

United States Citizenship and Immigration Services (USCIS) conducts interviews with all refugee applicants to determine their eligibility for refugee status, including whether their claims are credible, whether they meet the definition of a refugee, and whether they are otherwise lawfully admissible in the United States.[10] All refugees are screened at a minimum by the National Counterterrorism Center (NCTC), the FBI, the Department of Defense, the Department of State, and Customs and Border Protection (CBP). As Kristie De Pena explains, the refugee "bears the burden to prove she is not a threat; no person is entitled entry into the United States, regardless of their situation."[11]

U.S.-bound refugees receive vaccinations,[12] and based on their origin, a slew of treatments for presumptive parasitic infections they may have acquired.[13] Once in the United States, medical providers conduct additional domestic medical screenings in the first 30 to 90 days for every refugee, including general medical histories, HIV and hepatitis screenings, mental health screenings, testing for sexually transmitted diseases, and more.[14] If approved, refugees are assigned to one of the nine national voluntary agencies that resettle refugees. From there, the agencies coordinate with local community partners across the country to integrate refugees into their new homes, help them find jobs and language training, and more.

In total, this full process includes eight government agencies, six separate security databases, five background checks, and at least three in-person interviews with trained experts. The U.S. resettlement screening process is thorough, continues to evolve as new threats and intelligence are recorded, and

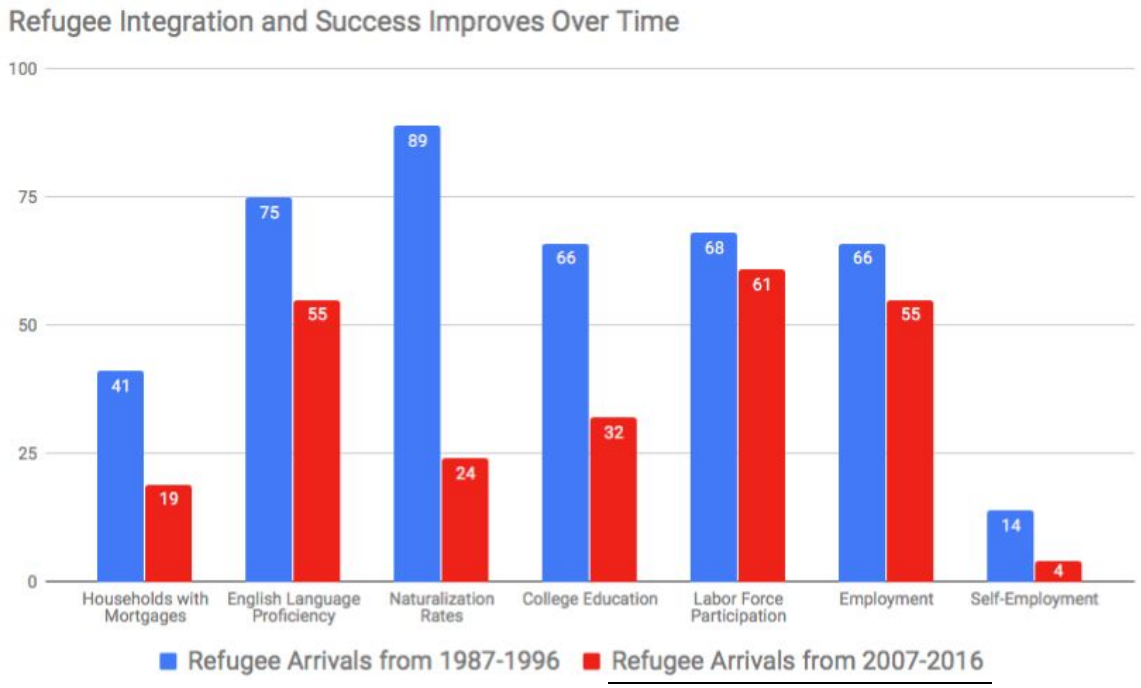
[8] Ibid.
[9] Kristie De Pena, "Overview of Refugee Resettlement in the United States," (Niskanen Center, March 2017), https://bit.ly/2Dch941.
[10] Ibid.
[11] Ibid.
[12] Ibid.
[13] Ibid.
[14] Ibid.

has proved highly effective at weeding out extremists from the resettlement pipeline.

This is part of the reason highly-respected national security experts — including Madeleine Albright, Henry Kissinger, David Petraeus, George Shultz, Leon Panetta, Janet Napolitano, Chuck Hagel, Michael Chertoff, David Petraeus, and others — have signed a letter confirming that "refugee resettlement initiatives help advance U.S. national security interests."[15] To oppose refugee resettlement on national security grounds is to stand against the prevailing wisdom in the intelligence, national security, and military communities in the last few decades.

## Integration & Assimilation

Refugees arrive in the United States with the support of local resettlement organizations and are offered short-term government assistance as they get acclimated to a new country. While refugees are an up-front cost to governments, multiple studies show rapid integration and economic success over time. For example, a study from the Center for Migration Studies in 2018 analyzed cohorts of refugees resettled in the United States and found significant improvement on a range of metrics, as seen in the chart below. [16]

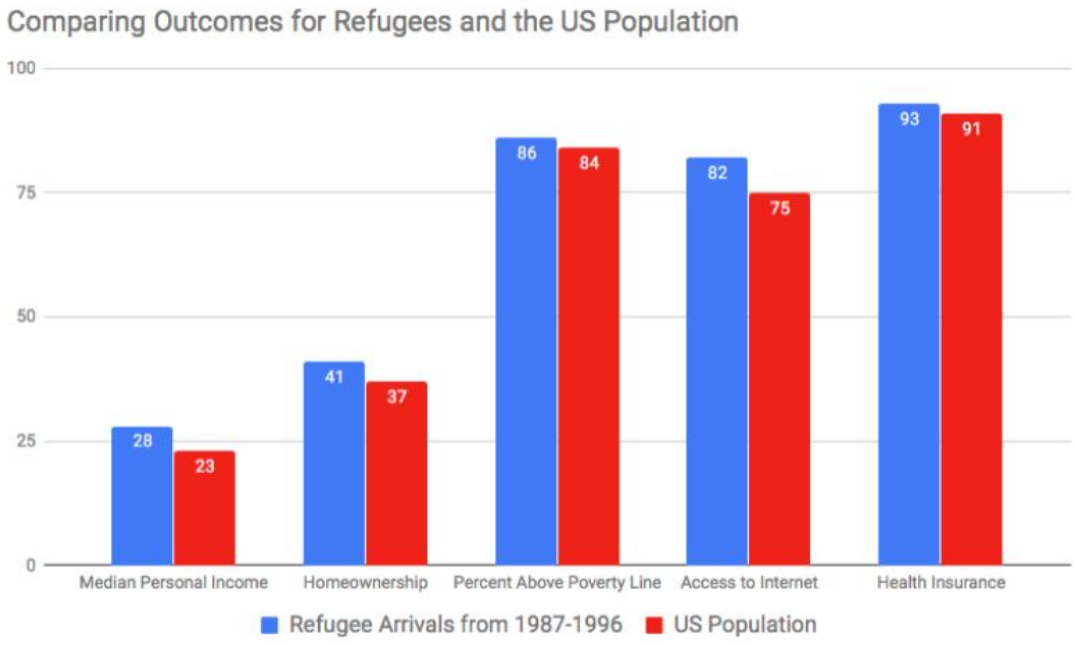



[15] Matthew La Corte, "National Security Experts Outline the Strategic Case for Refugee Resettlement," Niskanen Center, May 1, 2018, http://bit.ly/2UeseXR.

[16] Donald Kerwin, "The US Refugee Resettlement Program — A Return to First Principles: How Refugees Help to Define, Strengthen, and Revitalize the United States," CMS Report (Center for Migration Studies, June 2018), https://cmsny.org/publications/us-refugee-resettlement-program.

The proportion of homebuyers with mortgages more than doubles, naturalization rates triple, and the percentage of individuals obtaining a college education doubles, in addition to gains in language proficiency and overall employment.

These findings suggest refugees are successfully integrating into the U.S. economy and contributing at high rates. In fact, refugee integration is so robust that it's common for refugees to not just integrate into American society, but to perform better than the general U.S. population on important economic indicators like income and poverty rates, as reflected below.




These findings were bolstered by an analysis from the Department of Health and Human Services (HHS) for the Trump Administration. The report was never officially released but the New York Times published a draft.

The findings show, over time, refugees integrate into American society and contribute to our economy: refugees' rates of college graduation and employment are slightly higher than those of native-born American adults; refugees contribute billions more in taxes than they receive in benefits, and median family income doubles, bringing it to the national average.[17]

## The Hollowed Refugee Resettlement Infrastructure

[17] David Bier. 2019. "Encouraging Findings of the Trump Administration's Report on Refugees and Asylees," Cato Institute: Cato at Liberty, Feb. 12, 2019, http://bit.ly/2Ub32lf .

The Trump administration has presided over the dismantling of the domestic and international infrastructure that has evolved over decades to support refugee resettlement. The administration has lowered the annual refugee ceiling dramatically, from 85,000 to 30,000 — the lowest since 1980, including post-9/11 — but they are failing to even hit their already historically low ceiling. Halfway through the 2019 fiscal year, the United States is on pace to resettle fewer than than 25,000 refugees.

The implications of such low admissions totals reverberate well beyond the individual refugees that aren't being resettled. Without refugee admissions, some local resettlement offices have cut back services, laid off personnel, or closed. These organizations provide services to more than just newly-arrived refugees; they offer English classes, work training, community building, professional mentorship, and more to asylum seekers, other vulnerable immigration populations, and refugees resettled over the last few years who still rely on them for assistance. As refugee admissions are scaled back, these dwindling service providers cannot continue programming.

Perhaps the most impactful loss to the functioning of the resettlement system is the evaporation of decades of institutional knowledge from key personnel that have left resettlement offices that closed or downsized. While ensuring operations are efficient and service providers are outcome-driven is crucial, the loss of resettlement expertise that has occured in the past three years leaves a widening gap in the nation's resettlement capacity, especially considering the hyper-specific focus some experts built around a specific refugee group or regional flow.

The refugee resettlement cannot be turned on and off with a switch. The connective tissue that strengthened organically over years between volunteers, congregations, communities, foundations, local business partners, resettlement organizations, national nonprofits and refugees has been severed across the country. At this point, resettling the historical average of refugees would be a monumental task given the application backlog and damage to domestic resettlement capacity.

But the domestic scenario doesn't paint the full picture of the administration's action on refugee issues. The travel ban did and continues to do remarkable damage to the resettlement pipeline for some of the largest refugee groups of the last decade: people coming from Iraq, Somalia, Sudan, and other affected nations. The administration decided to shift personnel and resources that handled refugee resettlement to address the asylum backlog. Plus, the Department of Homeland Security reduced the size, length, and total number of "circuit rides", where DHS officials travel abroad to conduct refugee interviews. The result is diminished capacity, worsening bottlenecks on an already lengthy process, and a narrower scope of resettlement.[18]

[18] Matthew La Corte, "The Trump Administration is Sabotaging the Refugee Program," Niskanen Center, April 3, 2018, https://niskanencenter.org/blog/the-trump-administration-is-sabotaging-the-refugee-program.

The U.S. influence on the global system is enormous. UNHCR found that worldwide resettlement slots dropped by 50 percent from 2016 to 2018. The drop was attributed not only to fewer U.S. admissions but to the lack of an engaged U.S. presence at the forefront of the international system.

# POLICY RECOMMENDATIONS

The United States is resettling fewer refugees than any time since the modern program began in 1980 — including after 9/11. The following reforms would improve the program while responding to concerns from the right and the left.

#1: Fully Fund Accounts & Meet Resettlement Targets

The president has the discretion to establish the overall and regional refugee ceilings each fiscal year. But Congress maintains the power of the purse, and although the administration seeks reductions in the refugee resettlement accounts, Congress could fully fund them. Failing to fund these accounts lessens the potential support and services for resettlement domestically and fails to provide the adequate funding that NGOs and international bodies have requested to address displacement.

Furthermore, establishing regional ceilings is within the president's discretion. But at the halfway mark of the 2019 fiscal year, the United States had resettled just 8 and 9 percent of refugees from the Middle East and Latin America, respectively.[19] The administration's inability to resettle less even a tenth of these refugees shows a marked failure of planning at the outset of the fiscal year or a lack of will to fix the severe bottlenecks that should be corrected. The administration should be held accountable for at least making a good faith effort on its global and regional ceilings.

#2: More Congressional Oversight

Regardless of the total numbers or the resettlement priorities, Congress must re-establish its oversight authority. Included in the 1980 Refugee Act is an in-person consultation with Congress by a cabinet official before the presidential determination on refugee caps is issued.[20] Leading up to the 2018 and 2019 presidential determinations, members of the Senate Judiciary Committee noted concerns over the lack of engagement and notice regarding the consultation. In 2017, then Chairman Chuck Grassley (R-IA) and Ranking Member Dianne Feinstein (D-CA) issued a joint statement saying:

> "We are incredibly frustrated that the annual consultation for refugee admissions, which is required by law, was finalized just one day in advance. It is simply unacceptable to read in the press that the administration had

[19] Sam Peak, "U.S. Refugee Resettlement Goals Are at Historic Lows — Trump Still Won't Meet Them," March 29, 2019, http://bit.ly/2Ub3kbP.
[20] Senator Chuck Grassley, "Administration Ignoring Its Statutory Obligations on Refugee Consultation," Sep. 19, 2018, http://bit.ly/2UabvoJ.

> reached its decision on the refugee cap before the mandated meeting with Congress had even been scheduled...An eleventh-hour meeting to check a legal box is not sufficient."

Congress must play a role by providing input on refugee flows, resettlement figures, and priorities. The consultations ensure Congress — and thus the American people its members represent — have a voice in the resettlement decision-making process. The lack of a legitimate and timely consultation shows a lack of respect from the administration for process, oversight, and the legislative branch.

Moreover, in addition to playing a larger role in refugee resettlement oversight, lawmakers should strengthen and expand legislative institutions like the Bipartisan Refugee Caucus. After a series of retirements and election losses, the Caucus has fewer members and needs to be revitalized — especially considering the pressing issues surrounding global displacement at this moment. Its institutional influence has dwindled, and a widespread lack of understanding about the resettlement process pervades the Congress. More work needs to be done to bring on members of both parties to join the caucus to advocate for refugee protection.

#3: Community Sponsorship

One strategy to improve refugee outcomes is to rely more heavily on community groups and volunteers to aid in the resettlement process.[21] There already exists significant private sector engagement with refugee agencies, but much more can be done if these programs are scaled up. This idea — offering community groups the chance to "sponsor" refugees — builds bridges between refugees and their new neighbors; it provides needed emotional support during the whirlwind experience of moving to a new country; and it promotes integration by expanding networks. In fact, studies from other countries that employ a similar model show employment and language skills are improved by sponsorship. The result is a wider community, more financial resources, and better overall assimilation into the U.S.[22] All of this occurs by leveraging the community to enhance experiences and does so without extra funds from the government.

Across the globe — in Germany, Australia, Ireland, New Zealand, Brazil, Italy, the U.K., Argentina, Switzerland, and Spain — governments are recognizing that engaging civil society more directly positively enhances their refugee resettlement apparatus. Leveraging the private sector and civil society to expand the impact of volunteers can transform a refugee family's first year in America, putting them on track for success for years to come.

#4: A New Animating Vision

[21] Matthew La Corte "The Case for Expanding Community Sponsorship of Refugees," Niskanen Center, Nov. 19, 2018, http://bit.ly/2Ub3rUN./
[22] Sabine El-Chidiac, "The Success of the Privately Sponsored Refugee System," Policy Options, July 20, 2018, http://bit.ly/2UfJMmC.

The United States needs a new animating vision for refugee resettlement that takes into account two changes to resettlement issues: the realities of 21st century displacement and the justification vacuum left by the end of the Cold War.

First, as resettlement becomes less of a solution because of the overall rise in refugee numbers, displacement to urban settings, and protracted displacement, pursuing a new, fresh focus on local integration of refugees is important. Almost 85 percent of the world's refugees are hosted in developing countries and less than one-percent of refugees will ever be resettled. Supporting host countries that are more vulnerable to strain is crucial. Resettlement must continue to be a solution for the most vulnerable and for populations designated specific priorities by U.S. authorities. But the United States can't resettle it's way out of the global refugee crisis, and neither can the global community. Resettlement is a core component of refugee protection, but finding other ways to maximize protection and integration should be paramount.

Second, refugee resettlement from behind the Iron Curtain had a clear legitimation as both advancing our national interests and helping persecuted individuals. But as the Cold War ended, the justification for resettlement of certain refugee groups has become murky at best. The State Department must provide a better case to the American people for why resettlement from countries without a clear U.S. connection — not Iraq or Afghanistan, for example — is warranted. The new justification could focus more heavily on religious persecution, LGBTQ refugees, and specific populations designated high priority by U.S. authorities.

## CONCLUSION

The Trump administration has pursued changes to the refugee resettlement system to limit the program and narrow its scope. Since taking office in January of 2017, the administration has proved successful in reorienting refugee admissions and drastically reducing overall numbers. The implications have been felt at home and abroad as the global protection system has faltered. But the road map for program improvement is clear and opportunities lie ahead to not simply return the program to its former iteration, but to strengthen its initiatives, bolsters its efficacy, and scale its impact.