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# The End of Resettlement? U.S. Refugee Policy in the Age of Trump

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**Abstract:** In the past three years, the Trump administration has taken unprecedented actions to slow the flow of refugees to the United States and undermine the foundations of the world's largest refugee resettlement system. This article considers both the empirical substance of the White House's anti-refugee policies, as well as their broader theoretical significance as a critical example of the Trump administration's so-called "administrative deconstruction" agenda. Analyzing refugee policy as a theory-building case study, this article advances a novel argument reframing the administration's actions through the lens of *strategic disruption*. Short of systemically deconstructing targeted programs, I contend that the Trump administration is engaged in an improvisational and deliberately antagonistic campaign to upend existing policies for the sake of disruption itself. Ultimately, Trump's open disregard for established laws and conventions is a distinguishing feature of the administration's approach, which limits its ability to implement lasting and legally binding change. In the case of refugee resettlement, this approach has produced a series of temporary and highly controversial policies, which have done measurable harm to refugees and humanitarian aid organizations. However, the legal and institutional foundations of the resettlement system remain firmly intact.

**Keywords:** refugees; resettlement; Trump; U.S. Refugee Admissions Program (USRAP); administrative deconstruction; strategic disruption

## 1. Introduction

Since assuming office in January 2017, the Trump administration has gone to great lengths to curb refugee arrivals in the United States and rewrite U.S. refugee policy. In a sharp break with past presidential administrations, the Trump White House has vilified refugees as a threat to national security, slashed admissions figures to historic lows, and issued a series of executive actions to impede the resettlement process and undermine the institutions responsible for screening and assisting new arrivals. In a few short years, the Trump administration has brought the world's largest and most important refugee resettlement program to a near standstill.

This about-face in refugee policy is significant for a number of reasons. Since its founding 40 years ago, the U.S. Refugee Admissions Program (USRAP) has offered life-saving protection for millions of displaced people, revitalized local host communities throughout the United States, and strengthened U.S. strategic interests around the world. Given its many benefits and relatively low operational costs, the program has enjoyed broad bipartisan support for decades, earning a reputation as "one of the most successful humanitarian programs in U.S. history" (Kerwin 2018). The Trump administration's attempts to dismantle the USRAP program not only threaten the welfare of refugees, they weaken the social and economic fabric of host communities and undermine the international standing of the United States and its allies.

Apart from the direct impact of declining refugee arrivals, Trump's assault on the U.S. refugee program is a critical example of the administration's uniquely antagonistic approach to managing the bureaucratic state. While the White House has justified its opposition to refugee assistance with

unsubstantiated claims about the economic costs of resettlement and the threat of terrorist infiltration, Trump's actions fly in the face of empirical evidence. Far from a reasoned response to the facts, the Trump administration's efforts to halt refugee resettlement constitute an unprovoked attack on a functional and effective program. As such, it is a prime example of the White House's broader campaign to undermine established government programs for the express purpose of dismantling the machinery of government—what former Trump advisor, Steve Bannon, infamously called “deconstructing the administrative state” (Fisher 2017).

This article considers Trump's assault on refugee resettlement with two main goals in mind—one empirical, and one theoretical. Empirically, this study investigates the substance of recent changes to the U.S. refugee program: How has the Trump administration altered the policies and institutional processes governing refugee assistance? What types of changes have been made, and how have they impacted the resettlement system? While scholars have examined key aspects of the Trump administration's anti-refugee actions, this is the first study to consider the full scope of changes to the U.S. refugee program in the Trump era.

Theoretically, this study examines Trump era refugee policy as a theory-building case study, considering what the resettlement example can teach us about the nature of the White House's attempts at administrative deconstruction: Do Trump's actions align with previous efforts to terminate government programs and shrink the federal bureaucracy, or has this administration broken the mold? Moreover, do the White House's actions pose a serious threat to the administrative state, or just a temporary setback? This study aims to advance our understanding of the meaning of administrative deconstruction as a practical and theoretical phenomenon.

Contrary to existing accounts in the literature, this study asserts that Trump's self-declared war on the bureaucracy is neither a case of politics-as-usual, nor an unprecedented threat to the administrative apparatus. Further, despite many high-profile mistakes and setbacks, Trump's destructive actions should not be dismissed as an incoherent series of blunders. Rather, this study advances a novel argument reframing the administration's actions through the lens of *strategic disruption*. Short of systemically dismantling targeted programs and agencies, I contend that the Trump administration is engaged in an unorthodox and deliberately antagonistic campaign to upend established policies for the sake of disruption itself. Disruption, rather than deconstruction, is the administration's management philosophy, its mode of governance, and its claim to success.

Rooted in pragmatism and political expediency, I contend that the Trump administration's approach is neither as ideologically pure nor as calculated and methodical as existing narratives would suggest. The ultimate objective is not meaningful policy reform or deep institutional restructuring, but distraction and the appearance of success. Playing to Trump's self-styled image as a political outsider and provocateur, the White House's use of strategic disruption allows the administration to project an image of decisive action, even in the absence of authentic coalition-building and durable legislative victories. In the case of refugee resettlement, this approach has produced a series of temporary and highly controversial policies, which have exasperated refugees, humanitarian actors, and lawmakers alike, but have not fundamentally transformed the U.S. refugee system.

Ultimately, Trump's open disregard for established laws and conventions is a distinguishing feature of the administration's approach, which limits its ability to implement lasting and legally binding change. By relying heavily on executive actions and flouting the established policy process, many of Trump's apparent victories are vulnerable to political reversal or legal nullification. Yet, the Trump administration's actions remain consequential. As the resettlement example illustrates, disrupting established policies and institutional processes even for a brief time can have potentially long-lasting effects. While the foundations of the U.S. refugee system remain firmly intact, the administration has caused measurable harm that is likely to outlive Trump's tenure in office.

The analysis proceeds as follows: Section 2 traces the historical evolution of U.S. refugee policy, highlighting the institutional structure of the resettlement system, its merits and liabilities, and its historic decline under the Trump administration. Section 3 reviews the literature on administrative

deconstruction, building on recent scholarship to advance a novel theory of strategic disruption. Section 4 outlines the data and methodological approach employed in this study. Section 5 details the multifaceted assault on refugee resettlement under the Trump administration, highlighting the array of symbolic, substantive, and procedural actions taken by the White House to disrupt and destabilize the U.S. refugee system. Finally, in Section 6, I review the evidence from the refugee policy case study, drawing lessons about the nature of the Trump administration's disruptive actions, and their implications for the future of U.S. refugee resettlement.

## 2. A Brief History of U.S. Refugee Resettlement

To fully appreciate the significance of the Trump administration's abrupt reversal in policy, it is instructive to review the origins and historical development of the U.S. refugee system. While immigrants from foreign lands have sought safe haven in the United States for centuries, formal refugee resettlement is a product of the post-WWII era, when special legal status and rights protections for refugees were first codified in international law (UNGA 1951). The first refugee-specific legislation in the United States dates to 1948, when Congress approved the admission of 400,000 Europeans displaced by fighting during WWII (Holman 1996). As the Cold War between the United States and the Soviet Union escalated in the decades that followed, U.S. lawmakers passed a series of ad-hoc legislative acts admitting additional waves of refugees—mostly political asylees from communist-controlled states such as Hungary, Poland, Yugoslavia, Korea, China, and Cuba (Haines 2010; ORR 2020).

As the demand for refugee resettlement surged at the end of the Vietnam War, Congress took steps to establish a permanent resettlement system, culminating in the 1980 Refugee Act (U.S. Congress 1980). This new legislation introduced greater stability and predictability in the resettlement process. It created a permanent statutory based program, known as the U.S. Refugee Admissions Program (USRAP), with an annual refugee admissions ceiling and standardized procedures for vetting, processing, and resettling refugees. To manage this increasingly complex process, Congress also created new government institutions, such as the Bureau of Population, Refugees, and Migration (PRM) at the Department of State<sup>1</sup> and the Office of Refugee Resettlement (ORR) at the Department of Health and Human Services (Wright 1981; DOS/PRM 2015). A third refugee-related agency, U.S. Citizenship and Immigration Service (USCIS), assumed responsibility for screening refugee applicants in 2003 with the creation of the Department of Homeland Security (DHS/USCIS 2020).

Among USRAP's most notable features, it established a default resettlement allowance of 50,000 refugees per annum, which could be revised up or down in response to fluctuations in global displacement trends and needs. The precise annual allotment, commonly called the refugee ceiling, is set by the president acting in consultation with Congress in a process known as the Presidential Determination. Historically, as the global population of refugees has increased or decreased, the U.S. refugee ceiling has followed suit, rising or falling in response to world events (Martin 2018). In practice, the annual admissions cap has rarely dipped below 70,000, averaging approximately 95,000 per annum since the inception of the USRAP system 40 years ago (RCUSA 2019).

The 1980 Refugee Act also institutionalized the role of non-profit voluntary agencies, commonly known as "VolAgs," as key players in the resettlement process. From the earliest days of refugee assistance, the U.S. government relied heavily on a loose but growing network of private charitable (mostly faith-based) organizations to provide refugees with direct support services as they transitioned to life in the United States (Wright 1981; Zucker 1982). The advent of the USRAP system formalized this public-private partnership model, delegating substantial responsibilities for refugee assistance and integration to nine federally contracted VolAgs. In exchange for a standardized per capita resettlement grant, sponsoring agencies are contracted by the federal government to provide new refugee arrivals

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<sup>1</sup> The PRM was initially called the Bureau of Refugee Programs, and was subsequently renamed in 1994 (U.S. Department of State, Office of the Historian).

with a variety of direct support services, from housing and food to cultural orientation and job placement services (Wright 1981; DOS 2020b).

### 2.1. A High-Performing, Low-Cost Program

To be sure, the USRAP system is not without its problems. Critics maintain that the government's emphasis on rapid, employment-focused integration creates suboptimal outcomes for both refugees and host communities. When refugees are forced into low-wage jobs without adequate access to language training, cultural orientation, or mental health resources, it can lead to social isolation, chronic underemployment, and "brain waste" (Harris 2016; Batalova et al. 2016). Others claim that lawmakers have manipulated the resettlement process for decades, prioritizing U.S. foreign policy interests over humanitarian concerns (Kurzban 1982; Rosenblum and Salehyan 2004; Rapoport 2009; Macekura 2011). Nevertheless, most observers familiar with the resettlement system view it as an undeniably beneficial program—one that has saved countless lives, revitalized ailing communities throughout the United States, and advanced U.S. interests around the world.

At its core, refugee resettlement is a humanitarian act, intended to protect some of the world's most vulnerable people from imminent harm. According to U.S. and international law, a refugee is defined as "someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion" (UNHCR 2020b). Resettlement is one of three internationally recognized solutions to cross-border displacement, which offers refugees a durable path to safety and fundamental rights protections (Van Selm 2014; Koser 2016). Since the advent of the contemporary global refugee regime following WWII, the United States has resettled more refugees than any other country in the world—over 4 million in total. This includes approximately 3 million refugees processed through the USRAP program since 1980 (DOS 2020a). Despite the trauma of displacement and the manifold trials of the resettlement process, these refugees have found safe harbor and the opportunity for a better life in their new home in the United States.

Beyond the inherent value of lives saved, resettled refugees have demonstrably improved the economic and social prosperity of host communities throughout the United States. Economically, the data clearly indicate that refugees add productive capacity to the labor force, create additional demand for goods and services, and generate new economic investment in the communities where they live and work (Buiano and Ferriss 2019). While refugees do increase demands on local services, such as schools and hospitals, the costs are often overstated when compared to the economic benefits that refugees impart (Bernstein 2018). In a 2017 study by the Department of Health and Human Services, researchers found that over a 10-year period from 2005 and 2014, refugees resettled under the USRAP program have contributed more than \$63 billion *more* to government revenue than they used in public services (HHS 2017; Davis and Sengupta 2017). Moreover, multiple studies have shown that, on average, refugees' rates of labor force participation, entrepreneurship, and home ownership<sup>2</sup> exceed those of the U.S. population at large (Capps et al. 2015; NAE 2017a; Kerwin 2018).

Demographically, resettled refugees have also eased the burdens of outmigration and aging populations in rural and economically depressed communities throughout the United States (Misra 2019). In rustbelt cities across the country, local governments have celebrated refugees as engines of "bottom-up revitalization" (La Corte 2016). In fact, some states and municipalities have actively recruited refugees to resettle in their communities (Henderson 2016; Goldbaum 2019). According to a recent report by the conservative policy think tank, Niskanen Center, "Refugees bolster flagging populations, expand tax bases, and launch scores of small businesses, transforming once desolate areas into thriving neighborhoods" (De Peña and Corte 2019).

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<sup>2</sup> Home ownership figures are limited to refugees who have resided for at least 20 years in the United States.

Culturally, data on refugee integration suggest that not all refugees adapt equally well to their new linguistic and cultural environments. Factors such as age upon arrival and level of education appear to play an important role in language acquisition and cultural adaptation (Evans and Fitzgerald 2017). Nevertheless, fears of crime and social problems in refugee host communities are directly contradicted by the data, which indicate that the American cities with the most refugees per capita actually experience *lower* levels of violence and property crime (NAE 2017b). Warnings about the dangers of terrorist infiltration are similarly out-of-touch with the evidence. In reality, refugee radicalization is extremely uncommon—a point underscored by the fact that no refugee resettled to the United States has ever killed an American citizen (or a foreign resident) in a terrorist attack on U.S. soil (Newland 2015; Newland and Capps 2017). Moreover, refugees are far more likely than other immigrant populations to become naturalized U.S. citizens (NAE 2017a), and more likely to “feel a strong sense of gratitude or attachment to the country that gave them refuge” (NASEM 2015, p. 174).

The USRAP program also serves as an important tool of U.S. foreign policy. Most obviously, it provides a mechanism for the United States to respond positively to intractable foreign crises, while asserting U.S. leadership and enhancing America’s “soft power” on the world stage (Enos et al. 2017). The United States also has a history of using refugee admissions for more overtly strategic purposes. U.S. leaders have frequently used refugee admissions to embarrass or undermine disfavored nations—for example, admitting large numbers of refugees from Cuba and communist Eastern Europe at the height of the Cold War (Steinbock 2003; Waibsnaider 2006). Conversely, the United States also uses refugee resettlement as a tool to reward allies—turning a blind eye to refugees from countries with strong U.S. ties, and offering the promise of sanctuary to foreign nationals who work alongside U.S. government forces in armed conflicts (Waibsnaider 2006; Steinbock 2003).

Perhaps most importantly, U.S. participation in the global refugee regime acts as a critical burden-sharing mechanism (Suhrke 1998). As the world’s top destination for third country resettlement, the United States has long been a central actor in the global refugee regime. By accepting and resettling refugees from crisis zones, U.S. policymakers instill confidence in global institutions, reduce the burden on regional allies, and help mitigate the effects of volatile conflicts that might otherwise spin out of control—from Syria, to Sudan, to Congo (Suhrke 1998; Enos et al. 2017). Moreover, U.S. leaders have used refugee resettlement as a tool to help alleviate the negative effects of American-backed conflicts and political crises—for example, providing refuge to anti-communist dissidents after failed uprisings in Eastern Europe, resettling American allies from southeast Asia after the Vietnam war, and providing sanctuary to Iraqi Kurds after the unsuccessful attempt to oust Saddam Hussein (Steinbock 2003). In each of these cases, the U.S. refugee resettlement program has offered policymakers an important tool to share the burden of responsibility and help stabilize the global system.

Finally, USRAP is a remarkably cost-efficient program, requiring limited financial outlays from the federal government and garnering substantial support from private actors, charitable organizations, and even refugees themselves. For each refugee resettled through the USRAP program, the U.S. government issues a one-time reception and placement (R&P) grant of \$2175 to a sponsoring VolAg agency (DOS/PRM 2019). The sponsoring agency is then tasked with providing 90 days of direct resettlement support—including temporary housing, essential furnishings, food, clothing, transportation, cultural orientation, employment assistance, access to medical care, and spending cash. With such limited budgetary resources, resettlement agencies necessarily rely on charitable contributions and assistance from other community organizations to fill in the gaps (Capps and Fix 2015). According to one estimate by the Baltimore-based VolAg Lutheran Immigration and Refugee Service, R&P grants accounted for just 39 cents per dollar of initial resettlement costs incurred by sponsoring agencies—with the rest coming from external grants, private donations, and volunteer labor (LIRS 2009).

The costs of refugee assistance are further reduced by pay-to-play requirements and strict sunset clauses on refugee eligibility for extended support services. Despite their often precarious financial standing upon arrival, USRAP participants are required to repay the cost of air travel to the United States in the form of a Refugee Travel Loan, with the first payment coming due just six months after

arrival (DOS 2020b). Further, beyond the 90-day period of direct resettlement support, refugees enjoy limited eligibility for continuing support services, such as cash assistance and medical assistance, which expire eight months from the date of arrival (Holman 1996; DOS 2020b). Though many refugee advocates criticize these policies as short-sighted and counterproductive, they are indicative of USRAP's twin goals, as articulated in the 1980 Refugee Act: "To provide for the effective resettlement of refugees and to assist them to achieve economic self-sufficiency as quickly as possible" (Brick et al. 2010).

In summary, despite its shortcomings, USRAP is a remarkably successful program. It has offered life-saving protection for millions of displaced people, revitalized local host communities throughout the United States, and strengthened U.S. strategic interests around the world. Moreover, it has accomplished these goals at minimal cost to U.S. taxpayers. According to noted immigration policy expert, Donald Kerwin, USRAP is "one of the most successful humanitarian programs in U.S. history" (Kerwin 2018, p. 3).

## 2.2. *The Politics of Resettlement*

While the merits of the USRAP system are widely recognized, refugee resettlement has nonetheless been affected by political concerns throughout the program's history. One of the most common criticisms is that the refugee admissions process—i.e., who gets admitted, from which countries, and for what reasons—is subject to political manipulation (Zucker 1983; Holman 1996; Long 2013). As part of the annual Presidential Determination mechanism, policymakers identify specific priority groups for resettlement based on factors such as country of origin or reason for asylum. These groups are known as "refugees of special humanitarian concern," and are given preference in the admissions process. Proponents of the policy argue that it gives political leaders essential discretionary authority to utilize the USRAP system to its full potential (Enos et al. 2017). However, many contend that it leaves the program open to overt politicization and betrays the humanitarian principles on which the global refugee system was founded (Kurzman 1982; Rosenblum and Salehyan 2004; Waibsnider 2006; Rapoport 2009; Macekura 2011).

Refugee resettlement has also faced a steady undercurrent of public opposition. Despite popular narratives about the United States as a multicultural "melting pot" and a "nation of immigrants," scholars are quick to note that immigration is one of the most contentious issues in American politics—and that new immigrant groups have routinely been met with suspicion and vocal opposition throughout the country's history (Massey 1995; Perea 1997; Tichenor 2002). Though refugees are not typically a focal point in the broader U.S. immigration debate, major shifts in the size or racial/ethnic composition of refugee admissions have generated substantial public backlash. This pattern includes opposition to European Jews during and after WWII (McCarthy 2018); hostility towards South Vietnamese refugees following the Vietnam War (Stern 1981); public resistance to Central African refugees in the late 1990s and early 2000s (Boas 2007); and, most recently, vocal objections to resettling refugees from the Syrian civil war (Bernstein 2018; Niskanen Center 2019).

Nevertheless, political leaders from both major parties have consistently recognized the benefits of refugee resettlement. Even in the midst of increasingly partisan battles over U.S. immigration policy, bipartisan support for refugee resettlement has remained strong among the nation's political elite. Indeed, Republican leaders have been among the most outspoken refugee advocates. In the face of widespread opposition to Vietnamese refugees, Republican president Gerald Ford endorsed the Indochina Migration and Refugee Assistance Act in 1975, authorizing the resettlement of around 300,000 refugees from Vietnam, Cambodia, and Laos (IRC 2019). Likewise, despite a number of controversial immigration policies during Ronald Reagan's two-term presidency (Goodman 2018), Reagan repeatedly affirmed the United States' commitment to refugee resettlement and extolled the United States' virtuous tradition of "welcome[ing] those from other lands" (Reagan 1981). In fact, Reagan oversaw the admission of more refugees than any other U.S. president before or since (Niskanen Center 2019).

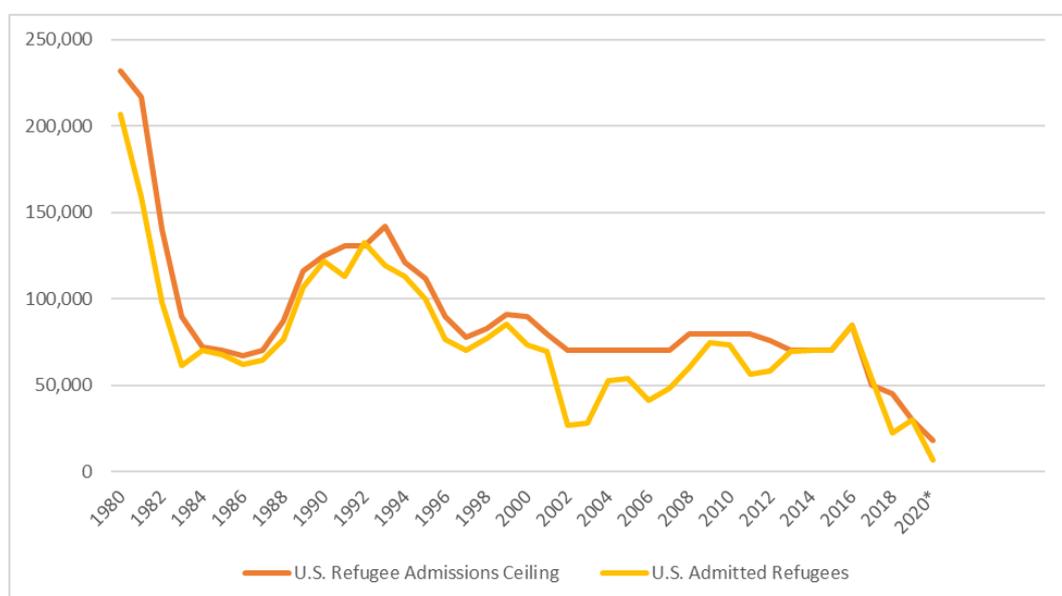
Even in the aftermath of the September 11th terrorist attacks, Republican president George W. Bush did not waiver in his principled support of refugee resettlement. In the initial period following

the attacks, Bush instituted a temporary moratorium on refugee resettlement and mandated enhanced security screening measures when the resettlement process resumed. These policies resulted in a large backlog of cases and a multi-year slump in overall refugee admissions (Schoenholtz 2005). However, Bush maintained the United States' commitment to resuming its resettlement activities, holding the annual admissions ceiling steady at 70,000 refugees per year, and sustaining the program at that level for the remainder of his presidency (IRC 2017). Further, Bush has continued to advocate for refugees since leaving office, particularly through public statements and reports issued by the George W. Bush Presidential Center (Papas 2018; Lloyd and Collins 2019).

In recent years, even as the national discourse about immigration and refugee resettlement has reached a fever pitch under President Trump, many conservative stalwarts have continued to vocally support the U.S. refugee program. Public statements in support of refugee resettlement have come from dozens of influential Republican senators and congresspeople (Kim 2017; Lieu 2019; Lankford and Coons 2019); from Republican governors in conservative-leaning states like Ohio and Utah (Pelzer 2019; Chishti and Pierce 2020b); and from hundreds of state and local leaders across the United States (Welcoming Refugees 2020).

### 2.3. A Historic Decline

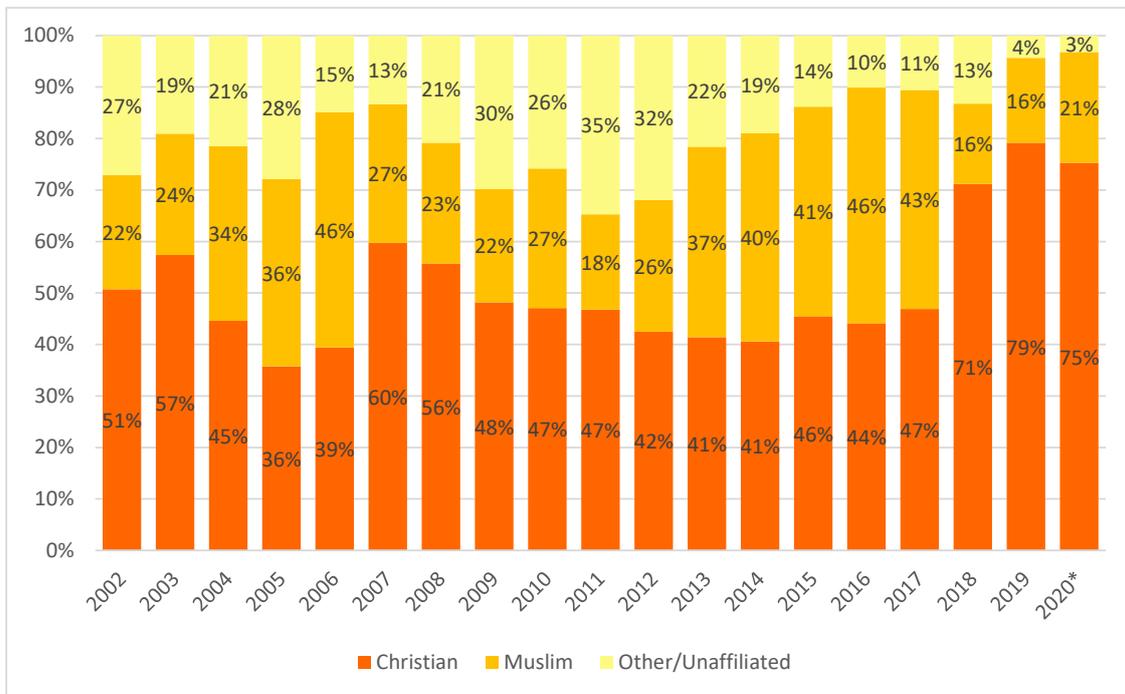
In just a few short years, the Trump administration has dramatically altered the course of refugee resettlement in the United States. Most notably, Trump has orchestrated an unprecedented decline in new refugee arrivals. Beginning in fiscal year (FY) 2018, the Trump administration sharply reduced the USRAP admissions ceiling and slashed real resettlement figures by more than 70% (Blizzard and Batalova 2019). Figure 1 shows the annual refugee ceiling and actual number of admitted refugees every year since the start of USRAP in 1980, highlighting the scale and speed of the cuts under President Trump. As of 20 June 2020, the United States had resettled only 7754 refugees in first 9 months of FY 2020—an all-time low in the 40-year history of the USRAP program, and less than half of the historically low ceiling of 18,000 allocated for FY 2020 (RCUSA 2020; La Corte and Hamblin 2020).



**Figure 1.** Annual U.S. refugee admissions, 1980–2020. \* Figures for fiscal year (FY) 2020 represent partial-year data; 1 October 2019 to 5 March 2020. Source: U.S. Department of State, Bureau of Population, Refugees, and Migration (PRM) Refugee Processing Center.

The Trump administration has also reengineered the demographic composition of the refugee pool entering the United States. Through a combination of targeted travel restrictions and enhanced screening requirements for several Muslim-majority countries, the White House has clearly tilted the balance in

favor of Christian refugees and away from Muslims. And yet, given the scale of overall cuts to the resettlement program, the absolutely number of Christian refugees has plummeted under President Trump—this, despite the fact that Christians constitute approximately 75% of all resettled refugees in the past three years (Morello 2020). Figure 2 shows the religious affiliation of admitted refugees for the last 10 years. The data reveal a precipitous drop-off in Muslim-identifying arrivals beginning in FY 2018, around the time the Muslim travel ban and extreme vetting procedures took effect.



**Figure 2.** Religious affiliation of refugees admitted to the United States, 2009–2020. \* Figures for FY 2020 represent partial-year data; 1 October 2019 to 5 March 2020. Source: U.S. Department of State, Bureau of Population, Refugees, and Migration (PRM) Refugee Processing Center.

Beyond these stark trends in refugee admissions, Trump has repeatedly and vociferously impugned the reputation of refugees, activating racist and xenophobic tropes to stir up fear and suspicion of refugees as foreign “invaders.” Moreover, the Trump administration has taken a number of steps behind the scenes to undermine the institutional systems on which refugee resettlement depends. These actions have resulted in huge backlogs of unprocessed refugee applications, shuttered programs and layoffs at VolAg offices across the United States, and chronic confusion and uncertainty about the future of the USRAP program.

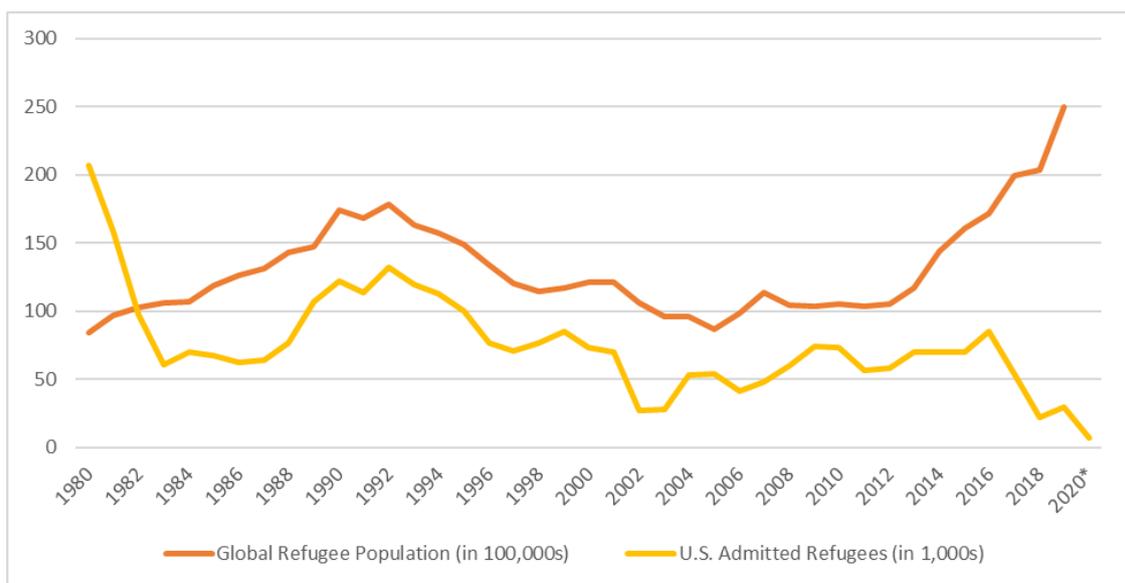
To be sure, the present era is not the first time we have seen a marked decline in refugee resettlement. In the early 1980s, the data reveal a steep drop in both the admissions ceiling and real resettlement figures at the start of the Reagan era. While similar in scale to the Trump era decline, it is actually a relic of the Ford and Carter administrations’ extraordinary efforts to resettle more than half a million Vietnamese, Cambodian, and Laotian refugees following the end of hostilities in Vietnam. In response to the fall of Saigon in 1975 and the subsequent regional crisis of Vietnamese “boat people” in the late 1970s, the United States resettled several successive waves of Southeast Asian refugees, peaking in 1980 and 1981, and trailing off rapidly thereafter (UNHCR 2000). Thus, the apparent decline in the early 1980s was actually period of re-equilibrium after an exceptional surge in refugee arrivals.

Two decades later, in the early 2000s, the data show another steep decline under President George W. Bush. In this case, the reduction in refugee admissions was the result of a temporary moratorium on refugee admissions following the September 11th terrorist attacks. While the Bush administration maintained its commitment to refugee resettlement in principle, the practice of vetting, admitting,

and processing refugees became substantially more complicated and time-consuming in the aftermath of the attacks. As a result, refugee admissions dropped to historic lows in 2001 and 2002, before gradually rebounding to pre-9/11 levels over the course of the next decade (Ackerman 2018).

The critical point from both of these examples is that previous downturns were qualitatively different from the Trump era decline in at least two ways. First, previous fluctuations in resettlement trends were largely in sync with world events. After leveling out refugee admissions following the post-Vietnam surge, the Reagan administration held resettlement figures steady for several years, before increasing the admissions ceiling as the Soviet Union began to unravel in the late 1980s. Reagan’s Republican successor, George H. W. Bush, further increased refugee admissions throughout his tenure in office, in response to the end of the Cold War and the political instability it unleashed around the world. Likewise, the post-9/11 decline under George W. Bush was a temporary moratorium in response to a genuine national emergency.

In stark contrast, the Trump administration’s unprecedented restrictions on resettlement have unfurled against the backdrop of the worst global refugee crisis in modern history—with more forcibly displaced people in the world today than at any time in the 70-year history of the global refugee regime (UNHCR 2020a). Figure 3 illustrates this phenomenon, contrasting global trends in forced displacement with trends in U.S. refugee admissions since the start of the USRAP program in 1980. While U.S. refugee resettlement figures have largely ebbed and flowed with the global tide of refugees for much of the last 40 years, a sharp departure from this pattern is clearly visible since the Trump administration took office in 2017. Never before has U.S. refugee policy has been so clearly decoupled from prevailing global patterns.



**Figure 3.** Number of refugees admitted to the United States (in 1000s) vs. global population of refugees (in 100,000s), 1980–2020. \* Figures for FY 2020 represent partial-year data; 1 October 2019 to 5 March 2020. Sources: U.S. Department of State, Bureau of Population, Refugees, and Migration (PRM) Refugee Processing Center; United Nations High Commissioner for Refugees (UNHCR) Refugee Population Statistics Database.

Second, even in the midst of declining resettlement figures, past administrations have never before questioned the fundamental value of refugee resettlement or threatened to eradicate the program altogether. Previous administrations from Reagan to Obama have endorsed refugee resettlement as a morally upright and strategically advantageous policy—and have, without exception, maintained the USRAP ceiling at levels substantially exceeding the default cap of 50,000 per annum. Trump’s rhetorical and substance attacks on refugees constitute a sea change in U.S. refugee policy. Moreover,

as I argue in the pages that follow, they are part of a broader effort to deliberately dismantle established government programs that run counter to the Trump administration's political agenda.

### 3. Administrative Deconstruction: A Theoretical Framework

Just a month after Donald Trump's inauguration, chief strategist and presidential advisor Steve Bannon delivered revelatory remarks at the 2017 Conservative Political Action Conference (CPAC), in which he identified "deconstructing the administrative state" as one of the central goals of the Trump White House. Warning of a shadowy state apparatus engineered to carry out the agenda of the liberal left, Bannon denounced the federal bureaucracy as the enemy of the people (Fisher 2017). Despite a good deal of reporting on the topic in the popular press, scholars are only beginning to grapple with what the phenomenon of administrative deconstruction means conceptually, and what its long-term consequences might be.

Most scholarly accounts emphasize the Trump administration's uniquely combative posture towards the state apparatus as a key feature. While skepticism toward the federal government has deep historical roots in the conservative movement, the zeal and recklessness of the Trump administration's attacks are something new (Michaels 2017b). Observers warn that the federal bureaucracy is "under siege" (Metzger 2017). They denounce the "sabotage" of the welfare state (Tcherneva 2017). They declare that the Trump administration is "at war" with a host of adversaries—from federal employees (Michaels 2017b), to regulatory science (Lin 2019), to the President's own executive branch (Pollack 2019). However, few scholars offer a systematic theoretical framework for analyzing the specific tactics or consequences of administrative deconstruction.

#### 3.1. Methods of Deconstruction

One notable exception is Lewis' (2019) exploratory study of anti-administrative actions in the early years of the Trump presidency. Drawing on a smattering of cross-agency examples and anecdotes, Lewis identifies three broad categories of executive actions—symbolic, substantive, and procedural—that the White House has used to discredit and disempower federal government agencies. The discussion below elaborates on this framework, expanding on Lewis' initial observations to more fully enumerate the breadth and substance of anti-administrative actions in the Trump era.

##### 3.1.1. Symbolic Actions

While many past presidents have criticized government programs and agencies for political gain, the Trump administration has taken anti-government rhetoric to a new extreme. A central goal of the White House's strategy is to paint professional bureaucrats as "corrupt, disloyal, and unprofessional," and to propagate the image of a "deep state" made up of "shadowy faceless bureaucrats working against the president's agenda" (Lewis 2019, pp. 779–80). Indeed, in his public statements and widely read Twitter feed, president Trump has attempted to disassociate the office of the presidency from the very governmental agencies and departments under his supervision—to position himself as "president but not chief executive" (Lewis 2019, p. 789). On full display from the earliest days of his presidency, president Trump and his allies have repeatedly used this conspiratorial narrative of "deep state" operatives and "swamp-dwelling" political insiders to deflect blame and discredit anyone who dares question the legality or wisdom of the president's actions (Michaels 2017a).

As these statements suggest, the administration's hostile and dismissive rhetoric is not reserved only for governmental agencies and their staff. Symbolic attacks target experts, lawmakers, civic leaders, and the beneficiaries of government policies and programs—maligning them as lazy, weak, untrustworthy, or even dangerous (Michaels 2017b). When confronted with evidence that contradicts the administration's position, White House officials routinely attempt to withhold or deny the facts, while discrediting the source as part of the deep state cabal (Michaels 2018). This is not merely political spin, but an active disinformation offensive designed to neutralize criticism and undermine alternative sources of information and authority (Kristiansen and Kaussler 2018).

Ultimately, symbolic actions are not intended to alter government policy or directly affect the work of government agencies. They are primarily about changing the public narrative about the nature and legitimacy of that work. Their purpose is to sow doubt, discord, and mistrust—to undermine support for government programs and services, and turn the American people against the bureaucracy.

### 3.1.2. Substantive Actions

Many of the clearest and most visible attempts at administrative deconstruction are executive actions designed to reduce government oversight and/or reorient the way in which governmental authority is exercised. In most cases, the goal is to “roll back” regulation and enforcement by government agencies—for example, easing restrictions on land use in federally protected areas, or relaxing fuel efficiency standards for automakers.<sup>3</sup> In other areas, such as defense and immigration enforcement, the White House has flouted legislative and administrative checks on executive power and expanded the scope of agency action to advance its political agenda. In both scenarios, the White House’s actions ultimately diminish the independence and integrity of the bureaucratic state.

In theory, substantive actions can take many forms. They may include conventional legislative acts that permanently change federal policy, as well as presidential directives that address the application of existing laws and policies within the president’s constitutionally limited scope of authority. From early on, one of the hallmarks of the Trump administration’s approach to governance has been its penchant for swift, unilateral action. While the legislative process has produced few clear policy victories for the White House (Binder 2018), the Trump administration has made vigorous use of executive orders, presidential proclamations and presidential memoranda to curb immigration, overturn Obama-era treaties and trade agreements, roll back environmental protections, and loosen regulatory restrictions in a number of sectors (Michaels 2017a; Thrower 2018; Eggleston and Elbogen 2017–2018; Waslin 2020).

Presidential appointments of top bureaucratic officials are another important substantive action. By nominating like-minded cabinet members and agency heads, the White House can powerfully influence the direction and nature of policy implementation.<sup>4</sup> To that end, the White House has nominated a litany of cabinet officials hostile to the missions of the agencies under their charge. At the helm of the federal bureaucracy, these officials have used their authority to reinterpret existing laws and issue new directives, hollowing out basic regulatory processes and human rights protections (Michaels 2017a; Pfiffner 2018; Dillon et al. 2018).

Moreover, the Trump administration has made a concerted effort to “remake the courts” through a streamlined judicial nominations process favoring unabashedly conservative judges. In place of the drawn-out bipartisan horse-trading typical of past administrations, the Trump administration has placed unprecedented authority over judicial nominations in the hands of the White House Counsel’s Office, staffed by staunchly conservative members of the Federalist Society (Zengerle 2018). In addition to two U.S. Supreme Court justices, the Trump administration has overseen the confirmation of a historic number of U.S. district and federal appellate court judges—appointing in two years an equivalent number of judges as most modern presidents have appointed in four or eight years (McGahn 2019).<sup>5</sup>

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<sup>3</sup> The Brookings Institution’s deregulation tracker paints a striking picture of the scale of deregulation under the Trump administration (Brookings Institution 2019).

<sup>4</sup> In his February 2017 CPAC comments, Bannon explicitly cited cabinet appointees as a key element of the administration’s strategy: “If you look at these cabinet appointees, they were selected for a reason and that is the deconstruction. The way the progressive left runs, is if they can’t get it passed, they’re just going to put in some sort of regulation in an agency. That’s all going to be deconstructed and I think that that’s why this regulatory thing is so important” (Fisher 2017).

<sup>5</sup> Beyond the sheer number of appointments, the Trump administration’s judicial appointees tend to be more firmly committed to textualism and originalism in their jurisprudence, and more outspoken in their conservative political views. These judges are more likely to believe that the federal bureaucracy—maligned by Federalist Society members as an “unaccountable ‘fourth branch’ of government”—has ballooned out of control, and must be restrained by the courts (Zengerle 2018). Former White House Counsel, Donald McGahn, the who oversaw many of the Trump administration’s judicial appointments, explained the logic as follows: “The greatest threat to the rule of law in our modern society is the ever-expanding regulatory state, and the most effective bulwark against that threat is a strong judiciary . . . That’s why regulatory reform and judicial selection are so deeply connected” (McGahn 2017).

### 3.1.3. Procedural Actions

Less visible, but no less important, are procedural actions intended to disrupt bureaucratic processes and demoralize agency personnel. By erecting administrative hurdles in the path of federal agencies, the White House hopes to limit their ability to carry out basic regulatory and administrative functions. The result is reduced capacity and erosion of the institutional fabric of the bureaucratic state. In Lewis' words, these actions are aimed at "unraveling the machinery of government" (Lewis 2019, p. 767).

Lewis cites several examples of cross-agency procedural actions, including government-wide restrictions on new regulations, mandatory cost offsets, federal government hiring and wage freezes, and reduced benefits and protections for civil service employees (Lewis 2019, p. 780). To this, I add a number of actions not mentioned in Lewis' original account: widespread staff vacancies and temporary "acting" officials in leadership positions throughout the federal government (Clark 2018; Katz 2019); strategic efforts to revise or delay implementation of previously promulgated regulatory directives (Thrower 2018); proposals to reorganize the federal bureaucracy, including threats to consolidate or eliminate "duplicative" agencies and programs (OMB 2018; Bur 2018); as well as proposed budget cuts and perpetual budgetary uncertainty at federal agencies and programs targeted by the Trump administration (Reardon et al. 2017; Parrott et al. 2018; Van de Water et al. 2019).

By design, these measures create an extremely difficult operating environment for administrative agencies. When departments and programs are led by temporary acting officials, rather than permanent appointees, they are unable to make critical policy decisions or set a clear vision for the future. When federal agencies lack the necessary budgetary resources or regulatory authority to do their work, the quality of government oversight and policy implementation suffers. And when government employees are continually threatened by cutbacks, salary freezes, and calls for administrative reorganization, low morale and poor employee retention naturally follow. The net result is an administrative state that is hamstrung by its own executive, unable to do the basic work of government.

## 3.2. *To What End? The Meaning of Deconstruction*

While the pattern of anti-administrative actions is relatively clear, there remains considerable disagreement about the underlying meaning. What is the internal logic guiding the White House's actions? What does the Trump administration ultimately hope to achieve? How deep and long lasting are the consequences likely to be? The scholarly literature offers several plausible interpretations of Trump's self-declared war on the bureaucracy, which lead to markedly divergent answers to these foundational questions.

### 3.2.1. Politics-as-Usual

One reading suggests that the Trump administration is not actually doing anything out of the ordinary. Like past administrations, the White House is "redirect[ing] state resources away from policy areas that undercut Trump's political agenda, while placing more support behind programs that advance the president's agenda" (Callen 2017, p. 379). In other words, Trump is not deconstructing the administrative state, he is simply "repurposing" it to further his policy objectives (Callen 2017).

According to this logic, the White House's attempts to dismantle targeted programs and agencies are a natural part of the transition process, as the Trump administration reorients the federal bureaucracy to serve its policy agenda. Trump is far from the first president to roll back government regulations or shut down federal programs that run counter to his agenda. Indeed, program and agency termination are a regular occurrence—especially in times of political turnover, and particularly when liberal leaders hand over control to a newly elected conservative government (Lewis 2002; Berry et al. 2010; Kuipers et al. 2018).

However, the Trump administration's actions contradict much of what we know about the termination process from the literature on program and agency death. For starters, while federal programs and agencies are far from "immortal," as Kaufman (1976) famously argued, they do not die easily. Termination involves major costs—political, legal, financial, and emotional—often provoking

staunch backlash. As a result, termination tends to be used sparingly and selectively, only when conditions are fortuitous and potential benefits outweigh the inevitable pushback (Daniels 1997; Corder 2004; Geva-May 2004). The Trump administration's broad-based, seemingly indiscriminate war on the administrative state flies in the face of this basic logic.

Rather than focusing on the most strategically vulnerable or ideologically irksome programs for deconstruction, the White House has targeted a wide range of federal agencies—including several institutions closely aligned with the Trump administration's "law and order" agenda, such as the Federal Bureau of Investigation (FBI), the Department of Justice (DoJ), and multiple U.S. intelligence agencies (Pollack 2019). From this perspective, Trump's assault on the administrative state appears more concerned with neutralizing the independent powers of the federal bureaucracy than with eliminating wasteful programs or promoting a defined ideological agenda.

Considering refugee policy specifically, the administration's attempts to dismantle the USRAP system are more clearly aligned with President Trump's stridently xenophobic, anti-immigrant agenda. However, the literature on program and agency death suggests that refugee resettlement is an especially unlikely candidate for termination. As a 40-year-old program with broad bipartisan support and a demonstrable record of success, both longevity and a stable of vested stakeholders make program termination far less likely (Bruderl and Schussler 1990; Daniels 2001; Corder 2004; Kuipers et al. 2018). Moreover, the program's formal statutory basis and requisite Congressional oversight help to insulate it from the executive branch, increasing the program's chances of survival (Lewis 2002, 2004; Kuipers et al. 2018). As such, the Trump administration's persistent and damaging attacks on refugee resettlement appear out-of-step with conventional explanations in the literature on program termination.

Perhaps most importantly, what we know about program and agency termination assumes that attempts to eliminate federal programs will follow established political processes and protocols. When a program outlives its usefulness or political turnover opens a window of opportunity for termination, the literature assumes that policy changes will be made in consultation with key officials and legal experts, supported and ratified by Congress, and upheld by the courts. In short, the politics-as-usual approach assumes that program termination takes place according to the conventions of establishment politics.

In fact, the Trump administration's approach is squarely at odds with established conventions. At every turn, Trump has circumnavigated formal processes, excluded key stakeholders, and flouted empirical evidence and the law itself. While past presidents have used executive actions extensively, the Trump administration has taken an unusually unilateral and antagonistic approach to policymaking—issuing many of its directives with little or no input from relevant congressional committees, policy experts, or agency personnel (Eggleston and Elbogen 2017–2018). Whether this go-it-alone approach is a strategic calculation to appeal to the president's conservative base, or simply the byproduct of an inexperienced and understaffed White House, the result is anything but politics-as-usual (Lewis et al. 2018).

### 3.2.2. An Unprecedented Threat

An alternative interpretation suggests that the Trump administration's actions represent an unprecedented assault on the federal bureaucracy, and a "historically unique" threat to the integrity of the administrative state (Pollack 2019). While conservative politicians have long advocated for repealing regulations and reducing the size of government, the Trump administration's overzealous and unyielding campaign against the bureaucracy is beyond the pale (Metzger 2017; Michaels 2017b). Trump's scorched-earth rhetoric and no-holds-barred tactics threaten to transform the federal government into something unrecognizable.

Adherents of this view argue that the goals of the Trump administration are fundamentally at odds with a professional and independent bureaucracy. Rather than working to eliminate wasteful programs and increase administrative efficiency, ideological extremists inside the White House have unleashed a full-scale assault on the state itself. Carefully orchestrated by sworn enemies of the so-called "deep

state,” this crusade against big government will stop at nothing to dismantle the unaccountable institutions of the “fourth branch” (Michaels 2017a, 2018; O’Neill 2018). Even federal programs and agencies that align with the administration’s policy agenda will not be spared. Indeed, scholars have noted a familiar pattern of hostile rhetoric, gutted programs, and eroding institutional capacity at a wide range of federal agencies—from left-leaning agencies like Health and Human Services (HHS) and the Environmental Protection Agency (EPA), to beloved institutions of the conservative right in areas such as law enforcement, intelligence, and foreign policy (Michaels 2017a; Tcherneva 2017; Dillon et al. 2018; Pfiffner 2018; Pollack 2019).

Further, proponents contend that these attacks have been largely successful. They have upended established programs, demoralized federal workers, and damaged the capacity of government agencies—perhaps beyond repair. In the words of administrative legal scholar, Jon Michaels, “Donald Trump is presiding over the most withering, devastating, and trenchant attack on the American administrative state this nation has ever known . . . the infrastructure of government—and not just the programs themselves—is eroding before our very eyes . . . Trump has taken aim and hit his bull’s-eye” (Michaels 2017a).

Despite the evidence in support of this interpretation, such a doomsday narrative ultimately overstates the case, both in terms of the Trump administration’s ideological clarity and the overall impact of its actions. To start, the notion of an ideologically driven war on the bureaucratic state is undercut by the decidedly anti-ideological nature of the president himself, and the turbulent, even chaotic, atmosphere inside the Trump White House. Analyses of the administration’s internal dynamics suggest that Trump’s policy decisions are often guided more by instinct and emotion than by ideology or protocol. According to one recent study, “Trump did not have a fixed ideological or policy perspective.” Rather, the president would allow factions within the administration to compete for his attention, often changing course on key issues without warning or clear cause (Pfiffner 2018, pp. 154–55). Moreover, historic turnover among White House staff has only added to the inconsistency and unpredictability of the administration’s policy positions (Kumar 2019; Gregorian 2019).

Case in point: Steve Bannon, Trump’s influential campaign strategist and the chief proponent of administrative deconstruction, was fired and publicly berated by Trump after only seven months on the job (Graham 2018). Despite prominent public statements by Bannon and his allies inside the White House about the administration’s commitment to vanquishing the federal bureaucracy, it is far from clear that Trump has maintained such a strong ideological conviction throughout his tenure in office. More likely, Trump has continued to invoke the specter of “deep state” operatives as a convenient way to disparage critics and dismiss accusations of presidential misconduct—without much consideration of its ideological undercurrents.

Furthermore, dire warnings about the cataclysmic effects of Trump’s anti-administrative agenda are simply not borne out by the facts. While the White House has continued to ramp up its attacks against a host of federal programs and agencies, the administration has failed to permanently terminate a single one. As Johnson (2018) observes, true deconstruction requires the full cooperation of Congress, which it has been unwilling to give to a rogue president with little respect for protocol or checks and balances. Relying on fiery rhetoric, shock tactics, and unilateral executive actions, Trump’s ire has been confined to mostly short-term, superficial attacks, unable to muster support from the legislature to make deep and lasting changes to the federal bureaucracy. Moreover, many of the actions that Trump has taken, from budget proposals to unilateral executive orders, have ultimately been rebuffed by Congress or overturned in the courts. While these actions have done real damage, they fall well short of deconstructing the federal bureaucracy.

### 3.2.3. A Comedy of Errors

A third school of thought contends that, despite Trump’s earnest desire to dismantle the administrative state, his efforts have been thwarted by inexperience and poor execution. From the earliest days of the Trump presidency, claims of disorganization and ineffective leadership have

plagued the White House (Pfiffner 2018; Kumar 2019). The president's own political inexperience, and that of his uniquely inexperienced staff, have led to a litany of strategic miscalculations and "unforced errors" (Kumar 2019; Eggleston and Elbogen 2017–2018). In particular, the administration's poor management of the policy process—including its refusal to consult key lawmakers and bureaucratic officials, and its failure to properly vet policies with legal counsel—has repeatedly frustrated the White House's efforts to dismantle federal programs and agencies (Eggleston and Elbogen 2017–2018; Pfiffner 2018; Lewis 2019).

According to this view, Trump's disregard for administrative law and procedure has ultimately resulted in a mode of governance described by scholars as "policy chaos" (Pfiffner 2018) and "regulatory slop" (Glicksman and Hammond 2019). It is ill-conceived, hastily constructed, and contains legal and procedural errors that are unlikely to stand the test of due process. Indeed, several recent analyses cast serious doubt on the legality and long-term viability of the administration's methods. These studies document how a "breakdown of internal norms and legal processes" in the executive branch have led to an array of legal and procedural missteps, culminating in a string of recent policy reversals in the courts (Eggleston and Elbogen 2017–2018; Heinzerling 2018; Glicksman and Hammond 2019). In short, there is evidence to suggest that the Trump administration's efforts to deconstruct the administrative state amount to little more than a series of inconsequential blunders with little staying power.

While this perspective offers an important critique of the Trump administration's policymaking practices, it has two main shortcomings. First, it tells us little about the internal logic behind the White House's actions. Are these shortcomings simply unintentional "self-inflicted wounds" (Eggleston and Elbogen 2017–2018), or does the Trump administration have something to gain from hardnosed policies that make a splash in the headlines—even if they do not ultimately hold up in court? Second, this narrative too easily dismisses the potential damage done. While the White House's flawed methods may blunt the worst effects of its policies, the attacks still have consequences. Federal lands have been logged, diplomatic allies alienated, and migrant families separated. And the institutions of the federal bureaucracy have been damaged by layoffs, program cuts, and lost institutional knowledge. These acts cannot be easily undone, and the effects will be felt for years to come.

### 3.3. Strategic Disruption

While the extant literature offers important insights, existing interpretations fail to fully capture the essential nature and impact of the White House's anti-administrative agenda. To address these shortcomings, this study advances a novel argument reframing the debate about administrative deconstruction through the lens of *strategic disruption*. Short of methodically dismantling targeted programs and agencies, I argue that the White House is engaged in a convention-defying campaign of deliberate provocations, aimed at upending established policies and institutional processes for the sake of disruption itself. Disruption, rather than deconstruction, is the administration's management philosophy, its mode of governance, and its claim to success.

#### 3.3.1. The Logic of Disruption

The ideological underpinnings of strategic disruption can be traced to the business world. Following Christensen's (1997) seminal theory of "disruptive innovation," a generation of venture capitalists and Silicon Valley entrepreneurs have embraced the idea that disrupting existing systems and modalities is the surest route to progress—even a virtuous goal in and of itself. While critics dismiss the idea as faddish, self-promoting, and over-hyped, there is little doubt about its widespread cultural impact (Lepore 2014; Parker 2018). Disruption has been hailed as the answer to intractable problems in healthcare, education, transportation, poverty alleviation, and a host of other areas (Christensen et al. 2006; Yellowlees et al. 2011; Simha 2016). Indeed, the very meaning of the word disruption has been transformed in the American lexicon—from destruction and loss, to progress and innovation. According to some, we are living in "the age of disruption" (Torpey 2017; Godrej 2017).

Not surprisingly, the rhetoric and logic of the disruption paradigm have gradually crept into the political realm. In recent years, trust in American political institutions has sunk to historic lows, accompanied by increasingly vocal criticisms of the political establishment (Dalton 2017). Grassroots political movements, from Occupy Wall Street, to the Tea Party movement, to Black Lives Matter, have explicitly embraced the politics of disruption, calling for the ouster of old guard elites and the dismantling of established power structures as core objectives (Gitlin 2012; Van Dyke and Meyer 2014; Nummi et al. 2019). Even the most mainstream political candidates have styled themselves as outsiders and “disruptors,” hoping to position themselves in opposition to the widely unpopular political establishment.<sup>6</sup>

While the particulars may be different, the politics of disruption is based on the same foundational logic as the broader disruption narrative: it assumes that established systems and actors are ill-suited to address the challenges of the present era, and that upending the status quo is a logical and necessary step toward positive transformation. Thus, the primary and overriding objective is to overturn established norms, dethrone incumbent elites, and tear down broken systems. This disruption is assumed to lay the groundwork for future innovation and advancement.

In practice, however, there is no guarantee that disruptors have a workable plan for what follows in the wake of disruption, or that the new policies they implement will improve upon old ways of doing things. Nor is it even necessary, according to the logic of the disruption narrative. Uprooting established systems and institutions is sufficient to create the opportunity for change and the promise of future benefits. Disrupting the current system is paramount; the details can be sorted out later.

### 3.3.2. The “Great Disruptor”

Trump’s embodiment of the politics of disruption has been long in the making. As a businessman and celebrity personality in the public spotlight since the late 1970s, Trump actively cultivated a public persona as a risk-taker and provocateur. From high profile real estate deals, to tawdry tabloid scandals, to self-aggrandizing film and television appearances, Trump gained notoriety for his brash and confrontational style, his outsized ambition and ego, and his willingness to take risks and flout social conventions (D’Antonio 2015). Disruption was his brand.

As a political candidate, Trump capitalized on this reputation to position himself as the ultimate anti-establishment candidate—the “Great Disruptor” (Williams 2016). His “norm-shattering rhetoric” was disdainful of established political conventions and institutions, openly questioning the legitimacy of scientific experts, news media, political elites, and anyone else who dared contradict him (Jamieson and Taussig 2017). At campaign rallies and press conferences, he railed against “political correctness,” dismissed critical media coverage as “fake news,” and promised to “drain the swamp” of Washington elites (Hempel 2018). To his supporters, Trump was a disruptive antihero: “an outside candidate, someone willing to ‘take on Washington’, someone who can shake things up, a person who can ‘disrupt the system’” (Geroux 2017).

Since taking office, a number of recent studies have documented Trump’s penchant for disruption in his new role in the White House. In foreign policy, Trump has rebuffed traditional allies, reneged on international commitments, and shunned multilateral institutions (Ikenberry 2017; Mahmood and Cheema 2018). In the environmental sector, the Trump administration has rolled back key regulations and undermined the operational independence of the EPA (Hempel 2018; Dillon et al. 2018). In education, immigration, social welfare, trade, and a host of other areas, the pattern is the same.

While scholars vigorously disagree about the severity and impact of the White House’s disruptive actions, few have questioned whether true deconstruction—i.e., the systematic and permanent

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<sup>6</sup> For example, in the 2016 Republican primary, Jeb Bush, two-time governor of Florida and the close relative of two former U.S. presidents, declared himself as a Washington outsider who could “disrupt the beast” of inside-the-beltway politics (Reinhard 2015).

dismantling of government programs and agencies—is the ultimate objective. Rather, the literature largely accepts the White House’s stated intentions at face value. This study offers a corrective, contending that “administrative deconstruction” is a misleading characterization of the Trump administration’s actions and intentions. In line with the zeitgeist of the era and the natural proclivities of the president himself, the White House’s approach is better understood as a form of strategic disruption.

### 3.3.3. The Hallmarks of Strategic Disruption

Far from a mere semantic debate, the logic and methods of strategic disruption differ fundamentally from deconstruction. Disruption is less ideological, less disciplined, and less concerned with lasting change. Its methods are deliberately unconventional—relying on divisive rhetoric, obstructionist tactics, and outright rejection of established norms, institutional processes, and empirical evidence. And, ultimately, the bark of strategic disruption is worse than its bite. Despite the real and lasting consequences of these disruptive actions, the administration’s unorthodox methods have limited its ability to implement lasting and legally binding change.

One of the most important attributes of strategic disruption is its focus on style over substance (Hempel 2018). Conservative buzz words aside, this is no ideologically driven crusade for limited government. Rather, the Trump White House is unabashedly *motivated by image and political expediency*. For Trump, perception is the ultimate arbiter of success. Political pageantry and the appearance of change are far more important than durable legislative victories or deep structural reforms. Thus, while program or agency termination may be a welcome outcome, it is not essential to the administration’s strategy. Rather, the White House’s true purpose is to generate “quick wins” that allow Trump to portray himself as a “change agent,” regardless of the long-term implications. Indeed, slow and methodical policy negotiations that are largely invisible to the public eye—i.e., those that are most likely to bring tangible and lasting benefits—are explicitly devalued by Trump because, as one recent analysis put it, “invisible benefits are boring” (Goldgeier and Saunders 2017).

In other words, capturing public attention and projecting the image of success are the overarching goals of strategic disruption. To accomplish these goals, the Trump White House has adopted an array of unconventional—and, in many cases, explicitly anti-establishment—methods. These methods not only define the Trump administration’s approach to policymaking, they also differentiate Trump’s actions from previous efforts to “deconstruct” the administrative state. By intentionally sowing anger and division, by rejecting time-honored political norms and institutional processes, and by refuting experts and even facts themselves, Trump has veered far outside the establishment playbook.

One of the clearest examples of Trump’s anti-system approach is his *deliberately divisive and antagonistic rhetoric*. Trump instinctively plays to the fears and prejudices of his audience, stoking grievances and division wherever he goes. Scapegoating, fearmongering, and nativism are at the heart of his signature style (Jamieson and Taussig 2017; Heidt 2018). While Trump is certainly not the only purveyor of grievance and division, he has taken these tactics to levels not seen in contemporary presidential politics (Young 2017; Scribner 2017). Moreover, the Trump administration has used this divisive rhetoric as a pretext for its unprecedented attacks on established government programs and agencies—many of which were widely supported and uncontroversial before being singled out for public criticism.

Related to this point is Trump’s *denial of evidence and expertise*. Hempel (2018, p. 184) aptly explains the administration’s unprecedented “assault on truth” as follows: “Trump seems to relish opportunities to embrace discredited facts and ideas over those offered by science and academic elites in order to sow confusion about whose facts will matter . . . He makes up the facts as he goes along. The evidence is overwhelming: birtherism, denial of climate science, accusations about Obama of wiretapping Trump Towers, charges of millions of illegal votes for Hillary Clinton, and perpetual claims of the biggest and best \_\_\_\_\_ (fill in the blank).” Kristiansen and Kaussler (2018) take the argument a step further, characterizing Trump’s pattern of deceptive fabrications and intentional misinformation as a “bullshit doctrine.” Whatever one calls it, Trump’s penchant for denying factual evidence and

propagating confusion and misinformation is a deliberate and powerful political tool—one that the White House has used to cast doubt on targeted programs and institutions, disrupt administrative processes, and distract public attention away from its own mistakes.

Another key element is Trump's explicit *rejection of institutional norms and processes*. In line with Trump's anti-establishment persona, the president has adopted a remarkably obstructionist posture, refusing to comply with countless time-honored political conventions: "Trump refuses to submit his taxes; Trump refuses to hold press conferences; Trump refuses to extricate himself from business interests; Trump refuses to attend intelligence briefings; Trump defends—and even invites!—Russian interference in the presidential election. And so on" (Geroux 2017). Perhaps more importantly, the White House has shown blatant disregard for oversight and administrative process in policymaking. Trump has defied legal requirements to advise and consult Congress, repeatedly ignored the advice of legal counsel, and rejected the time-consuming work of legislative coalition-building in favor of aggressive unilateral action. In particular, the Trump administration has relied heavily on executive orders and presidential proclamations to bend government policy to its will, frequently leaving lawmakers and bureaucratic officials out of the loop entirely (Eggleston and Elbogen 2017–2018; Pfiffner 2018; Waslin 2020). The result is a uniquely unconstrained mode of presidential policymaking—a distinguishing feature of the Trump administration that clearly sets it apart from previous attempts to dismantle federal programs and agencies.

A final component of the Trump administration's strategy is its *opportunistic and improvisational* approach to policymaking. Far from the calculated master plan that animates the deconstruction narrative, the Trump administration has followed a decidedly catch-as-catch-can strategy. It seizes on crisis moments, both real and imagined, as opportunities to weaken targeted agencies and programs. It uses any and all means at its disposal to undermine targeted programs and agencies. Its directives are hastily constructed and issued without careful consideration of the consequences—often provoking vocal opposition from Democrats and Republicans alike, and resulting in a number of high-profile legal defeats in the courts (Eggleston and Elbogen 2017–2018; Wadhia 2019; Liptak and Shear 2020). While frustrating and embarrassing at times, this trial-and-error approach has allowed the Trump administration to test the mettle of its critics and push the boundaries of executive authority—backpedaling and recalibrating when necessary before the next round of attacks. For a notoriously undisciplined president aided by a historically inexperienced White House staff, this pragmatic and unrehearsed style has proven remarkably effective at disrupting the policy process and dominating the news cycle (Pfiffner 2018; Lewis et al. 2018; King and Riddlesperger 2018).

Ultimately, the damage wrought by strategic disruption is *consequential but not catastrophic*. Despite the undisciplined and scattershot nature of the administration's attacks, Trump's disruptive actions have inflicted measurable harm on targeted programs and agencies. In the short run, even temporary disruptions can have irreversible consequences, as social services are halted, trade agreements are canceled, and regulatory protections are lifted. In the longer term, sustained procedural attacks on the bureaucracy have eroded the capacity and legitimacy of federal agencies, hollowing them out through strategic neglect. Agency personnel have left and not been replaced, offices and facilities have been closed, and institutional knowledge has been lost. Moreover, as federal programs have been reduced or eliminated, a cascade of downstream effects for partner agencies and affected communities has followed. Any honest assessment of Trump's anti-administrative agenda must grapple with the real and potentially long-lasting consequences it has already set in motion.

At the same time, it is important to recognize the inherent limitations of the White House's disruption campaign. By flouting legal and administrative protocol and excluding key veto players from the policy process, the administration has ultimately undermined its own ability to implement lasting and legally binding change. The White House's most aggressive attempts to unilaterally slash funding or eliminate targeted offices and programs have been consistently rebuffed by Congress (Johnson 2018; Oswald 2019). Moreover, by relying heavily on poorly constructed and legally questionable executive actions, many of Trump's apparent victories are vulnerable to political reversal or legal nullification in

the courts (Eggleston and Elbogen 2017–2018). At the end of the day, Trump has accomplished little that could not be immediately reversed by a subsequent administration. The administrative state has been disrupted, but not deconstructed; its foundations remain stable and secure.

#### 4. Data and Methods

This research employs an interpretive case research methodology, analyzing Trump era changes to U.S. refugee policy as an instrumental theory-building case study (Haverland and Yanow 2012). This methodological approach is supported by a growing body of scholarship affirming the importance of context-dependent knowledge associated with case-based research—both in advancing our understanding of complex social phenomena (Ragin and Becker 1992; Flyvbjerg 2006) and in generating new theoretical insights and hypotheses to make sense of these phenomena (Walton 1992; Gerring 2004; Rynes and Gephart 2004; Eisenhardt and Graebner 2007; Ridder 2017). In particular, interpretive case study research opens the door to “thick, detailed descriptions of actual actions in real-life contexts” (Rynes and Gephart 2004, p. 455), yielding contextually informed theoretical insights that are difficult to produce through positivist quantitative research alone (Gerring 2004; Flyvbjerg 2006).

More precisely, this study employs an *instrumental case study* design, which examines a single in-depth case as an exemplar of the broader class of phenomena from which it is drawn (Stake 2005; Grandy 2010). The goal of the instrumental method is not only to understand the nuanced dynamics of the specific case under study, but to sharpen theoretical understanding and generate new theoretical propositions about the universe of cases to which it belongs. In this study, the White House’s efforts to dismantle the U.S. refugee program constitute an example of the broader phenomenon of Trump era administrative deconstruction.

Following the instrumental method, a single case is selected based on the premise that it is illustrative of the broader population of cases of interest, but not necessarily representative of that population. Because a perfectly representative sample is impossible in a single-case analysis, case selection focuses instead on cases that “activate more actors and more basic mechanisms in the situation studied” (Flyvbjerg 2006, p. 229)—i.e., cases that are “unusually revelatory” from a theory-building standpoint (Eisenhardt and Graebner 2007, p. 27). A study of refugee policy fits this bill for several reasons.

In part, refugee resettlement is an unusually revelatory case because of its high-profile nature. Refugees have been a focal point of Trump’s anti-immigrant rhetoric, as well as the target of some of the administration’s earliest and most controversial policy actions—including the 2017 travel ban aimed at halting refugee resettlement and barring admissions from several Muslim-majority countries. Further, refugee resettlement is an issue area where key players in the Trump orbit have exerted a good deal of effort to change policy. It is also a domain in which the president enjoys a good deal of executive authority over federal policy. All of these factors suggest that refugee resettlement is a particularly salient example of administrative deconstruction. Not only is it an ideal case to examine the substance and strategy behind the White House’s anti-administrative actions, it is a case where the consequences of those actions are likely to be substantial and long-lasting.

To ensure the integrity and validity of the research, this study employs a triangulation approach to data collection and analysis (Stake 2005; Yin 2014). In collaboration with two undergraduate research assistants, the author utilized the following data collection and analysis methods:

- Review and synthesis of scholarly publications and policy reports on U.S. refugee resettlement (peer reviewed articles and books, background papers, think tank reports, etc.)
- Descriptive statistical analysis of publicly available refugee resettlement data from U.S. government agencies, intergovernmental organizations, and non-governmental policy think tanks (U.S. Refugee Processing Center, UN High Commissioner for Refugees, Migration Policy Institute, etc.)
- Document analysis of a variety of primary and secondary source materials (Trump administration executive orders and proclamations, White House press releases, journalistic reports, judicial opinions, etc.)

- Content and thematic analysis of public statements by elected officials and refugee resettlement officials
- Semi-structured interviews with a small non-representative sample of resettlement professionals in Washington DC, New York, Seattle, and Virginia (resettlement agency personnel, immigration attorneys, refugee policy advocates, etc.)
- Participant observation at two immigration law offices in the Washington, DC, and New York metro areas

During the course of data collection and analysis, the researchers followed a recursive process of pattern-matching between theory and data (Eisenhardt and Graebner 2007). The purpose of this approach is to repeatedly check emerging theoretical insights against the accumulating data, to ensure that the resulting case study and associated theoretical propositions constitute an authentic and accurate representation of the empirical evidence.

## 5. Disrupting Refugee Resettlement

The following case analysis presents a detailed account of the Trump administration's wide-ranging attacks on the U.S. refugee resettlement program. A number recent studies have illuminated key aspects of Trump's anti-refugee agenda—from the president's hostile rhetoric toward refugees (Al-Samman 2017; Scribner 2017), to the legal implications of signature policies like the Muslim travel ban (Ayoub and Beydoun 2017; Addicott 2019; Wadhia 2019). However, this is the first scholarly study to present a comprehensive analysis of the Trump administration's multifaceted assault on the refugee resettlement system as a whole. Using Lewis' (2019) typology of deconstructive acts to frame the discussion, I detail a range of symbolic, substantive, and procedural actions that the Trump administration has taken to undermine the policies and institutions that make refugee resettlement possible.

Beyond a simple description of recent policy changes, this case study is designed to illuminate the larger meaning and theoretical significance of the Trump administration's attempts to dismantle the U.S. refugee resettlement system. In particular, the analysis demonstrates how the White House's actions are deliberately divisive and dismissive of established principles and conventions; how the Trump administration has routinely flouted empirical evidence and institutional processes; how its policies are driven by expediency and opportunism; and, ultimately, how the administration's approach has succeeded at causing major disruption to the resettlement process, but failed to produce durable policy changes or deep long-lasting structural reforms.

### 5.1. Symbolic Disruption: The "Great Trojan Horse" of Refugee Resettlement

A key facet of the Trump administration's disruption campaign takes the form of harsh and highly public symbolic attacks. While rhetoric does not change policy itself, it can lay the groundwork by shaping the terms of debate and providing a presumptive justification for substantive actions. Following this logic, Trump has established a clear pattern of divisive and misleading anti-refugee rhetoric, aimed at transforming the symbolic meaning of refugee resettlement in American political discourse. In place of the conventional resettlement narrative focused on human rights and moral responsibility, Trump has recast refugees as foreign "invaders" who threaten the safety and economic wellbeing of American citizens. In service of this disruptive narrative, the Trump administration has fanned the flames of racism and xenophobia, actively spread misinformation about the costs of resettlement, and cynically rejected the United States' longstanding principled commitment to refugee assistance.

#### 5.1.1. Fear and Loathing

At the core of Trump's symbolic attacks are racist and xenophobic tropes that promote fear and mistrust of refugees. In campaign rallies, press conferences, and even official proclamations, the president has cast doubt on the motives and moral values of refugees, portraying them as lazy, untrustworthy, and insidious. He has insulted refugee homelands as "shithole countries" and claimed

that refugees are unneeded and unwelcome in the United States (Davis et al. 2018). Above all, he has claimed that refugees pose a danger to the safety and economic security of the American people. In stark contrast to previous presidential administrations, Trump makes no mention of the intrinsic vulnerability of refugees fleeing violence, nor does he acknowledge the moral or legal obligations of the United States to protect victims of war and political persecution. The sole focus is on increasing the public perception of refugees as a unique threat to the American way of life (Scribner 2017; Heidt 2018).

Islamophobic warnings about the dangers of radicalism and terrorist violence have been central to this rhetorical strategy (Al-Samman 2017; Scribner 2017). From the earliest days of the 2016 campaign, Trump caricatured refugees as terrorists-in-disguise, and insisted that refugee resettlement from Muslim-majority countries poses an existential threat to national security. At an October 2015 rally in New Hampshire, Trump warned about the menace of Syrian refugees: “They could be ISIS . . . This could be one of the great tactical ploys of all time. A 200,000-man army maybe.” His policy response: “If I win, they’re going back!” (Vitali 2015). Several weeks later, in the wake of the San Bernardino shooting by Muslim immigrants of Pakistani origin, Trump called for “a total and complete shutdown of Muslims entering the United States” (Politifact 2018).

After securing the Republican nomination, Trump doubled down on his claims that nefarious actors were trying to game the refugee admissions system. In particular, he repeatedly described Syrian refugees as a “great Trojan horse” that was “infiltrating” the country. To address the purported threat, he called for “extreme, extreme vetting” including an ideological test to prove that refugees hold “American values” (Tanfani 2016). Just days before the 2016 election, Trump made similar comments about Somali refugees at a campaign stop in Minneapolis—home to the largest Somali-American population in the United States. Denouncing Minnesota’s longstanding resettlement program as a “disaster,” Trump claimed that Somali refugees were “joining ISIS and spreading their extremist views all over our country,” and promised to suspend refugee admissions from “terror-prone regions” if he was elected (Jacobs and Yugas 2016).

Since taking office, President Trump has continued to equate refugees with terrorists, and has repeatedly invoked security concerns as a justification for restrictive policies. Perhaps the clearest example is the Trump administration’s rhetoric around the so-called “Muslim ban.” In direct contradiction to the historical record, which shows extremely low levels of radicalization among resettled refugees,<sup>7</sup> the Trump administration argued that “terrorist groups have sought to infiltrate several nations through refugee programs” and insisted that the threat of refugee-related terrorism in the United States was “a matter of grave concern” (Executive Order 13780). When critics opposed the administration’s actions as discriminatory and unconstitutional, White House officials dubiously insisted that the ban was not about religion, but about national security. As Trump put it, “This is about terror and keeping our country safe” (Politifact 2018).

Trump has similarly exploited racial prejudices and long-simmering economic grievances to stoke opposition towards refugee resettlement among white working-class voters. Engineered and endorsed by known white supremacists inside the White House, Trump’s nativist rhetoric has given public voice to blatantly prejudicial attitudes and centered white supremacist narratives that had previously been out-of-bounds in mainstream American politics (Mendes 2016; Heuman and González 2018). At the same time, Trump has tied these racist and xenophobic sentiments to the economic anxiety and social dislocation felt by many downwardly mobile white working-class voters (Gusterson 2017; Walley 2017; Morgan and Lee 2018). Trump’s anti-immigrant rhetoric has externalized the blame for the ills facing blue-collar Americans. It is not automation, or globalization, or even corporate greed that is responsible for factory closures and economic decay in once-prosperous communities. In Trump’s world, there are specific people to blame—mostly black and brown, many who speak different languages or practice

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<sup>7</sup> Out of 3 million refugees resettled in the United States since the start of the USRAP program in 1980, “not a single refugee has committed a lethal terrorist attack on U.S. soil” (IRC 2017, p. 11). Since 2001, only three refugees have been convicted of terrorism-related offenses (Newland 2015).

different faiths—who are “invading” white America and taking what belongs to white Americans (Campbell 2019).

Of course, fearmongering and scapegoating are not new to American politics. What is novel is the depth and consistency of these rhetorical strategies. According to Heidt (2018, p. 206), “Trump took the tactic to new levels, scapegoating immigrants, Muslims, foreign nations, and the political elite as a means to identify national failures and justify his candidacy.” This message of fear and hatred toward outsiders is core to Trump’s political brand. It fueled his improbable ascendance to the White House in 2016, and it has continued to serve as a key rationalization for a host of punitive and impractical anti-immigration policies under the Trump administration.

### 5.1.2. Disinformation and Dissent

Beyond fearmongering and scapegoating, the Trump administration has actively spread misinformation about the nature and costs of refugee resettlement. One of the Trump administration’s primary disinformation strategies is to deliberately conflate refugees with other types of migrants—especially undocumented immigrants, asylum seekers, and other “irregular” migrants who enter or remain in the United States without prior legal authorization. By definition, refugees are a special class of migrants who are pre-selected, pre-screened, and legally authorized to enter the country before ever setting foot on U.S. soil. Indeed, refugees undergo the most thorough vetting of all immigrants entering the United States (Hall 2017). Yet, Trump has actively conflated refugees with other types of migrants—erasing the legal distinction of refugee status in his rhetorical attacks, and broadly smearing all immigrant populations as criminal and undesirable through the “rhetorics of ‘infestation’” (Chávez 2020).

Another noteworthy disinformation strategy has been to decry resettlement as a drain on public resources and a threat to economic wellbeing. In fact, a substantial body of empirical evidence suggests that refugees contribute to the economic prosperity of host communities in myriad ways—as essential workers in industries like healthcare and food processing (Peters 2020; Fernández-Reino et al. 2020); as homeowners, investors, and entrepreneurs (Kerwin 2018; Capps et al. 2015); and as engines of growth and revitalization in economically ailing communities (La Corte 2016; Misra 2019). Moreover, federal government data suggest that refugees contribute substantially more to the economy than they cost taxpayers in subsidies and services over the long haul (Davis and Sengupta 2017; Buiano and Ferriss 2019). Yet, White House officials have repeatedly called attention to the financial resources required to assist and integrate newcomers, and actively propagated the misconception that refugees subsist on publicly funded government services, leaving taxpayers to foot the bill with no benefit in return.

In a particularly egregious example, White House officials justified cuts to the refugee program in fiscal year 2018 on the grounds that refugees constitute an undue burden on government resources (Davis and Sengupta 2017). To bolster its position, the administration requested an official economic cost-benefit analysis of refugee resettlement, to be carried out by the Department of Health and Human Services. When a draft version of the report was leaked to reporters, it revealed that refugees contributed \$63 billion *more* to the economy than they cost the government over the past ten years. However, the Trump administration suppressed the report, releasing a three-page summary in its place that cited only costs associated with refugee resettlement. When questioned about the findings of the full report, a White House spokesperson dismissed it as illegitimate and “politically motivated” (Davis and Sengupta 2017).

Further, the Trump administration’s stridently anti-refugee rhetoric represents a sharp reversal of bipartisan convention, and a direct rebuke of longstanding normative commitments to human rights and humanitarianism. While resettlement figures have ebbed and flowed over time, and resettlement priorities have shifted with changing presidential administrations, political elites in Washington have largely agreed on the basic principles underlying the U.S. refugee program—in particular, the United States’ commitment to human rights and humanitarianism, and its moral responsibility to promote and uphold these values as a leader in the global system. These principles drove the creation of the USRAP

system nearly 40 years ago (Zucker 1983; Darrow 2018), and they remain salient among lawmakers in both parties today (Tramonte 2019; Atem and Cohen 2020).

Driving the point home, several bipartisan coalitions of U.S. lawmakers at the local, state, and national levels have recently issued public declarations of support for refugee resettlement, highlighting the moral and strategic importance of U.S. participation in the global refugee regime (Tramonte 2019). Among the most notable was a September 2019 resolution in the U.S. House of Representatives affirming U.S. commitment to refugee assistance (H.R. 444), which passed with universal Republican and Democratic support.

The stark contrast between Trump and lawmakers in his own party is instructive. Far from representing the vanguard of the Republican establishment, Trump is careening headlong in the opposite direction—disparaging deeply held principles and daring party leaders to try and stop him. This intentionally divisive, explicitly anti-establishment posture is a hallmark of Trump’s strategic disruption. It is equal parts provocation and pretext—designed both to antagonize the political establishment and to provide a justification for the administration’s unilateral actions to dismantle a valuable and respected program.

## 5.2. Substantive Disruption: Hardliners and Historic Lows

Beyond mere symbolism, President Trump has taken extreme measures to turn anti-refugee rhetoric into policy action. At the highest levels of government, the president has appointed refugee skeptics as policy advisors and agency directors. Further, Trump has made extensive use of unilateral executive actions—from the infamous Muslim travel ban, to a series of historically low annual caps on refugee admissions, to a divisive new rule allowing states and localities to opt out of the federal resettlement program. Most recently, the White House leveraged the COVID-19 pandemic as a pretext to suspend U.S. refugee resettlement indefinitely.

Together, these measures have had a dramatic impact on U.S. refugee resettlement—most especially by sharply reducing the flow of refugees to the United States. They also tell us a good deal about the nature of Trump’s disruptive approach to policymaking. The administration’s actions are divisive and dismissive of established norms and processes, frequently garnering vocal criticism across party lines. They are aggressively unilateral and haphazardly executed, generating formal rebukes and high-profile challenges in the courts. And they are often based on false pretenses and the cynical abuse of entrusted power.

### 5.2.1. Commandeering Federal Agencies

One of the hallmarks of the White House’s strategy has been to elevate and empower ideological opponents of targeted government policies and programs. The goal is to fundamentally reorient the work of key federal agencies, using the levers of power to dismantle government programs from the inside out. To that end, Trump has appointed a stable of anti-immigration hardliners to leadership positions at the White House, Department of Homeland Security, Department of Justice, and Department of State, where they have attempted to turn the federal bureaucracy against itself.

Within Trump’s most trusted inner circle, senior presidential advisor Stephen Miller is widely regarded as the key architect behind many of the administration’s most stridently anti-immigrant policies, including “zero tolerance” and the “Muslim ban” (Miroff and Dawsey 2019). The 34-year-old, who first gained national attention as the author of Trump’s incendiary “America First” inaugural address,<sup>8</sup> has a well-documented history of hard-right nationalist views (Ackerman 2017, 2018; Tracy 2018; Miroff and Dawsey 2019). While largely avoiding the public spotlight, Miller has risen quickly within the Trump administration. According to many sources, Miller has been the main

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<sup>8</sup> The speech was reportedly co-authored by Miller and former chief strategist Steve Bannon (Ackerman 2017).

instigator behind efforts to dramatically reduce the flow of refugees to the United States—even advocating for “zeroing out” the USRAP program altogether (Derysh 2019; Davis and Shear 2019).

At the Department of Homeland Security, which oversees border security and manages the refugee screening process, the White House has appointed a number of prominent immigration hardliners. At the helm of the agency, former Secretary of Homeland Security Kiersten Nielsen became the face of the administration’s “zero tolerance” policy. Among her most noteworthy actions, Nielsen implemented and unapologetically defended the forcible separation of migrant families at the border, and oversaw the incarceration of thousands of asylee children (Swan 2018).

At U.S. Citizenship and Immigration Services (USCIS), a subdivision of DHS, former director L. Francis Cissna and his successor, acting director Ken Cuccinelli, have established a clear record of hardline policies.<sup>9</sup> Their accomplishments include: creating a “denaturalization task force” to root out suspected cases of immigration fraud; advocating for a “public charge” policy that would prevent lawful immigrants from obtaining green cards if they had previously used public benefits like food stamps or public housing assistance; eliminating a deferred action program protecting immigrants with life-threatening illnesses from deportation; and famously removing the phrase “nation of immigrants” from USCIS’s mission statement (Hesson 2018; Jordan and Dickerson 2019).

At the Justice Department, former Attorney General Jeff Sessions took a number of important measures to further the White House’s agenda. As a longtime anti-immigration crusader—and Stephen Miller’s former boss—Sessions pushed for expedited processing and expulsion of asylum seekers, and overturned longstanding legal precedent to impose sharp new restrictions on the legal grounds for asylum (Gelardi 2018). He also revised longstanding procedural rules sharply limiting the authority of immigration judges to manage caseloads in a fair and flexible manner (Reichlin-Melnick 2018).

Gene Hamilton, an early career lawyer who served previously as a Senate staffer for Jeff Sessions, has held position in multiple agencies. Hamilton acted as the immigration policy lead during the Trump transition, and subsequently held positions as counselor to the Secretary of Homeland Security and senior advisor to the Attorney General. During the early months of the Trump presidency, Hamilton worked closely with Stephen Miller to develop and draft the memorandum ending the Deferred Action for Childhood Arrivals (DACA) program, which put in limbo the legal residency status of 800,000 immigrants brought to the U.S. as minors (Blitzer 2017).

Finally, at the State Department, Trump’s cabinet appointees have only begrudgingly supported the White House’s anti-refugee agenda. Former Secretary of State Rex Tillerson and his successor, Mike Pompeo, reportedly resisted cuts to the USRAP program during negotiations over the annual Presidential Determination. However, both ultimately acquiesced to the White House’s demands for the sake of political expediency (Rogin 2017; Blitzer 2018). In search of a more loyal immigration hardliner at the State Department, Miller reportedly pressed for the promotion of Andrew Veprek, a mid-level Foreign Service officer who was unexpectedly elevated to Deputy Assistant Secretary at the Bureau of Population, Refugees, and Migration (PRM). Known for his outspoken skepticism toward refugees, Veprek is widely viewed as a White House proxy inside the PRM, described by colleagues as “Stephen Miller’s vehicle” (Toosi 2018) and “a mini-Stephen Miller” (Tracy 2018).

### 5.2.2. Banning Muslims

True to the hardline ideology of top officials, the Trump administration moved swiftly to restrict refugee resettlement immediately after taking office, issuing the first Muslim travel ban just one week after President Trump’s inauguration. Actually a series of executive actions, the ban was reformulated three times over the course of Trump’s first year in office in response to widespread legal challenges and

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<sup>9</sup> In his previous post as former Attorney General of Virginia, Cuccinelli established a reputation as a diehard anti-immigration hawk, supporting efforts to end birthright citizenship and deny worker benefits to non-English speakers. In fact, during the 2016 presidential campaign, Cuccinelli criticized Donald Trump for being too soft on immigration (Kanno-Youngs and Haberman 2019).

delays. It has become a centerpiece of the Trump administration's crackdown on refugees, as well as a lightning rod for criticism. Despite the surrounding controversy, the travel ban succeeded in sharply curtailing refugee resettlement in the early days of the Trump presidency, and has since dramatically reshaped the pool of eligible applicants who can legally claim asylum in the United States.

The original ban (Exec. Order No. 13769), issued 27 January 2017, was a hastily constructed executive order premised on curbing the threat of terrorism posed by supposedly lax immigration vetting procedures.<sup>10</sup> Among the order's key provisions: (1) it prohibited the entry of foreign nationals for 90 days from seven Muslim-majority countries (Iraq, Iran, Libya, Somalia, Sudan, Syria, and Yemen); (2) it barred the admission of Syrian refugees indefinitely; (3) it suspended the resettlement of all refugees for 120 days; and (4) it mandated that all provisions take effect immediately. With little guidance about how to apply these new policies in practice, the order caused chaos at U.S. airports and generated a firestorm of criticism.

Congressional leaders from both parties vocally objected to the Trump administration's disregard for the policy process. Officials complained that the White House did not consult them in drafting the executive order, nor brief them on its contents before announcing it publicly (Berman 2017). Moreover, immigration attorneys and civil rights advocates claimed that the order was nakedly discriminatory. Given the order's narrow focus on countries with large Muslim populations, critics quickly branded it a *de facto* "Muslim ban," and filed a litany of lawsuits around the country in an attempt to overturn the policy. Facing months of legal battles and delays, including a nationwide injunction by a federal court in Seattle, the Trump administration eventually rescinded the original ban on 16 February (Wadhia 2019).

The second iteration of the travel ban (Exec. Order No. 13780) came less than six weeks after the first, on 6 March 2017. This revised executive order retained the same basic structure. It prohibited the entry of foreign nationals from several majority-Muslim countries for 90 days, and suspended the U.S. refugee resettlement program for 120 days—while additionally reducing the annual refugee resettlement cap by half. However, it relaxed a few key provisions to put the order on firmer legal ground. Iraq was dropped from the list of banned countries, and the indefinite prohibition against Syrians was lifted. The second order also clarified exemptions for lawful permanent residents, dual nationals, diplomats, and persons granted refugee-related relief, and delayed the effective date for 10 days. Despite the concessions, critics condemned the second order as "a rebranded version of the first . . . Muslim Ban 2.0" (Wadhia 2019, p. 10), and a wave of new lawsuits followed.

Facing continued public criticism and several high-profile challenges in the federal court system, the Trump administration issued a third version of the travel ban on 24 September 2017, this time in the form of a presidential proclamation (Proclamation No. 9645). For anti-immigration hardliners, the third time was a charm. Like previous iterations of the ban, the new order denied entry to foreign nationals from a handful of countries deemed a security threat by the Trump administration. In fact, the third ban went further than previous iterations by indefinitely barring entry from eight named countries (Chad, Iran, Libya, North Korea, Somalia, Syria, Venezuela, and Yemen).<sup>11</sup> The key difference was that the administration dropped two Muslim-majority countries from the original list (Iraq and Sudan), while adding North Korea and Venezuela to the roster of banned countries. As the ensuing legal challenges wound their way through the courts, the Trump administration argued that the ban was not based on religion, but on the threat posed by inadequate information gathering and sharing procedures in the banned countries—which, they argued, compromised the United States' ability to properly vet applicants for entry.

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<sup>10</sup> The official name of the order is "Protecting the Nation from Foreign Terrorist Entry into the United States". The text of EO 13769 contains dozens of references to terrorists and terrorism, and asserts that "terrorist groups have sought to infiltrate several nations through refugee programs."

<sup>11</sup> Chad was later removed from the list in April 2018 after it was determined to be in compliance with the Trump administration's procedural requirements for immigration processing and intelligence sharing (Wadhia 2019, p. 11).

In the end, the Supreme Court decided in favor of the White House. In a 5–4 ruling on 26 June 2018, the court upheld the third ban and affirmed the president’s broad discretionary authority to suspend the entry of all foreign nationals deemed “detrimental to the interests of the United States” (Hurd and Schwartz 2018). Dissenting opinions from Justice Sotomayor and Justice Breyer criticized the ban as discriminatory and dangerous, arguing that it was “motivated by anti-Muslim animus” and tantamount to a “Muslim ban” in its practical application (Wadhia 2019, pp. 21–22). However, the court’s ruling means that the ban will stand at least as long as the Trump administration holds power—with lasting, sometimes irreversible, effects for refugees and their families seeking protection in the United States.

### 5.2.3. Lowering the Ceiling

While the Muslim ban represents a targeted attack on a particularly vilified group of immigrants, the Trump administration has also used more blunt instruments to curb refugee arrivals. After repeated attempts to suspend or reduce refugee admissions as part of the travel ban orders in early 2017, the White House seized on the annual Presidential Determination process as a failsafe mechanism to limit new arrivals. Invoking his statutory authority over the admissions ceiling outlined in the 1980 Refugee Act, President Trump slashed the annual resettlement cap to historic lows for three consecutive years—setting a record low with each new order. From an initial Obama-era cap of 110,000 in fiscal year 2017, Trump reduced the ceiling to 45,000 in 2018; 30,000 in 2019; and just 18,000 in 2020. In three years, the total capacity of the USRAP program was reduced by 84%.

While these successively lower ceilings have dramatically reduced refugee figures year-over-year, they have been heavily criticized, both in terms of process and content. After being shut out of policy discussions about the refugee ceiling for fiscal year 2018, Senators Chuck Grassley (R-Iowa) and Dianne Feinstein (D-California) jointly issued a scathing statement rebuking the White House’s cavalier approach to the policy process: “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 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” (Kim 2017).

Further, critics claim that Trump has not only violated the letter of the law in failing to adequately consult Congress, but its spirit as well. The Presidential Determination process was designed to allow policymakers flexibility in responding to global displacement trends and needs—raising or lowering the resettlement ceiling in response to global events. Instead, the Trump administration has used the power of the Presidential Determination mechanism to gut the refugee resettlement system—at a time when more refugees are displaced globally than ever before. It is a flagrant affront to the underlying logic of the system itself (Martin 2018).

### 5.2.4. Opting Out

The Trump administration has further attempted to undercut the nationwide refugee resettlement system by requiring that states and localities formally consent to accepting new arrivals. On 26 September 2019, President Trump issued Executive Order No. 13888, mandating that all local and state jurisdictions submit a signed letter of consent to the Department of State in order to maintain eligibility to receive refugees through the USRAP program. In effect, the order requires that local officials from roughly 600 U.S. counties and 49 states must publicly opt in, simply to maintain the status quo (Blitzer 2019).

Rhetorically, the White House framed the policy as an issue of states’ rights. Based on the premise that “state and local governments are best positioned to know the resources and capacities they may or may not have available to devote to sustainable resettlement,” the order argues that refugees should not be resettled in a given locality without the express consent of local authorities (EO 13888). However, according to the 1952 Immigration and Nationality Act (INA), the federal government maintains legal authority over all immigration-related policies—a power that Trump has repeatedly invoked in defense

of his administration's restrictive immigration policies. In a January 2020 district court ruling, a federal judge in Maryland issued a temporary injunction against the order, concluding that it violated U.S. law by giving state and local governments "veto power" over federal immigration policy (Chishti and Pierce 2020b).

In truth, EO 31888 was never really about devolving authority to states and localities. The goal was to undermine the national refugee resettlement program by turning it into a "partisan wedge issue" and forcing local leaders to take sides (Blitzer 2019). By that measure, the order seems to have failed. As of January 2020, 42 states—including 19 led by Republican governors—announced their continued participation in the USRAP program. While a handful of conservative governors have taken no formal position, Texas is the only state that has publicly opted out of the refugee program—a decision that was vocally opposed by many local officials, including mayors and county leaders from Houston, San Antonio, Dallas, and Austin (Chishti and Pierce 2020b).

Trump administration officials were reportedly caught off guard by the number of governors and local leaders in conservative states who were willing to go on record in support of refugee resettlement (Blitzer 2019). In fact, Utah's Republican governor, Gary Herbert, went a step further, publicly requesting that the Trump administration increase refugee resettlement in his state (Chishti and Pierce 2020b). While litigation over EO 31888 is still pending and the full effects of the order are yet unknown, the response of local officials was a rare Trump-era victory for refugee advocates—and a clear rebuke of the White House's attempts to politicize the issue of refugee resettlement.

#### 5.2.5. Pandemic as Pretext

Most recently, the Trump administration has used the COVID-19 pandemic as a pretext to suspend all U.S. refugee resettlement indefinitely. In mid-March, after the UN High Commissioner for Refugees (UNHCR) temporarily paused its global resettlement operations in response to the pandemic, the Trump administration seized the opportunity to quickly issue its own moratorium on U.S. refugee admissions (Chishti and Pierce 2020a). Though the initial refugee moratorium was for only three weeks, Trump subsequently issued two new blanket bans on immigration in April (Proclamation No. 10014) and June (Proclamation No. 10052). These executive actions suspended nearly all types of new immigration to the United States for 60 days each—including refugees and asylum seekers. Though the bans are technically temporary orders, they have effectively halted both refugee resettlement and land border asylum processing indefinitely (Chishti and Pierce 2020a).

One may reasonably argue that a temporary shutdown of refugee resettlement is warranted amid such unprecedented circumstances. However, draft policy documents written prior to the COVID-19 outbreak reveal that the White House had been planning and waiting for an opportunity to invoke public health concerns as a justification for suspending the U.S. resettlement program (Dickerson and Shear 2020). Moreover, many policy experts and refugee advocates expect that the administration will continue to use the pandemic as a pretext to keep the refugee moratorium in place for as long as possible—despite the fact that resettlement officials believe limited refugee processing can be safely resumed immediately (Herrera and Tsui 2020; Guttentag and Bertozzi 2020).

#### 5.3. Procedural Disruption: "Managed to Fail"

Beyond the realm of official policy, the Trump administration has taken a number of procedural actions to disrupt and frustrate the work of bureaucratic actors and institutions responsible for managing refugee resettlement. These tactics have taken many forms. Leadership vacancies, staff shortages, and reduced capacity in key administrative offices have led to instability and widespread disruptions in the resettlement system. Punitive budget cuts have threatened the viability of refugee-related government programs, while non-profit VolAgs have shuttered as critical funding has dried up. Further, the White House has taken a variety of obstructionist measures to impede administrative action—from its insistence on "extreme vetting" of refugees, to its antagonistic posture towards non-profit VolAgs, to its outright refusal to share information and coordinate policy with other stakeholders. The common

link between these varied strategies is the overriding goal of making the day-to-day work of refugee assistance slower, more difficult, and more uncertain. As one former resettlement official put it, the system is being “managed to fail.”<sup>12</sup>

### 5.3.1. Vacancies and Staff Shortages

One of the simplest ways to undermine the bureaucracy is by starving the system of key personnel. The White House has accomplished this goal in a few ways. At the highest levels of government, the Trump administration has presided over an unprecedented number of leadership vacancies and resignations, which have hampered policy implementation and left government offices rudderless. At the same time, the White House has reallocated resources and reassigned staff responsible for vetting and processing refugees—resulting in reduced capacity and administrative bottlenecks at key points in the resettlement pipeline.

Three years into President Trump’s four-year term in office, nearly a third of the federal government’s Senate-confirmed leadership positions remained vacant. Among them were dozens of high-level posts at agencies involved in the refugee resettlement process—including nearly a quarter of State Department and Health and Human Services positions; half of Justice Department vacancies; and two thirds of Senate-confirmed posts at the Department of Homeland Security.<sup>13</sup> Moreover, among the leadership positions that have been filled, serial turnover has caused major disruptions. Looking again at key agencies in the refugee system, the Trump administration has appointed four Secretaries of State (two as acting secretary); five Secretaries of Health and Human Services (three as acting secretary); five Attorneys General (three as acting secretary); and five Secretaries of Homeland Security (three as acting secretary).

While some vacancies and staff turnover are inevitable in any presidential administration, the scale of the problem under President Trump is unprecedented in modern American history (Tenpas 2020; Gregorian 2019). As a consequence, federal agencies have been plagued by chronic instability and repeated disruptions to policy and basic operations. These problems have been especially pronounced at the Department of Homeland Security, with a large proportion of Senate-confirmed positions unfilled, and multiple long-serving acting secretaries at the helm. Under such circumstances, agency leaders have lacked the authority to make major policy decisions or present a clear long-term vision for the agency. Instead, the department has been forced to rely on White House directives to guide its operations, without the ability to reliably predict or influence the direction of policy.

At lower levels of the bureaucracy, the Trump administration has directed agency officials to reshuffle duties and reallocate staffing resources to accommodate the White House’s policy priorities—reducing administrative capacity critical to the resettlement process. For example, at U.S. Citizenship and Immigration Services (USCIS), a division of DHS responsible for screening and adjudicating asylum and refugee applications, the Trump administration mandated that approximately 100 Refugee Corps officers be reassigned to the Asylum Division (Aziza 2018). Officially, the policy was justified on the grounds that USCIS needed more personnel vetting asylum applicants to address the backlog at the U.S.-Mexico border. However, the move dramatically undercut the capacity of the already understaffed Refugee Affairs Division—effectively trading one major backlog for another.

In particular, internal staffing reassignments at USCIS have severely reduced the agency’s ability to conduct overseas refugee case evaluation visits, known as “circuit rides.” With only a skeletal staff remaining, the Refugee Affairs Division has slashed the number, size, and duration of refugee circuit rides worldwide (Hoffman 2018). As a result, the agency now faces an estimated backlog of over 200,000 refugees awaiting interviews with USCIS officers—while delays cause medical exams and

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<sup>12</sup> Bob Carey, former director of the Office of Refugee Resettlement under president Obama; quoted in (Hoffman 2018).

<sup>13</sup> The Partnership for Public Service’s “Political Appointee Tracker” offers up-to-date information about administrative appointments and vacancies. Available online: <https://ourpublicservice.org/political-appointee-tracker/>.

other time-sensitive elements of the application process to expire (Aziza 2018). As one U.S.-based resettlement official observed, “When there aren’t enough people abroad to interview and process the cases, there is no way to keep the stream of vetted refugees coming . . . The pipeline has dried up.”<sup>14</sup>

### 5.3.2. Budget Cuts and Office Closures

Another obvious method of reducing bureaucratic capacity is to withhold financial resources and force the closure of administrative offices and programs. To that end, the Trump administration has repeatedly threatened major budget cuts to key government agencies responsible for vetting, processing, and assisting refugees. In conjunction with rapidly declining refugee admissions numbers, these cuts have touched nearly every facet of refugee assistance—from overseas emergency relief, to refugee screening and processing, to social service assistance for newly arrived refugees. They have also had major downstream effects on non-profit VolAg agencies, which depend on federal dollars to fund support services for refugees and keep local resettlement offices open.

One of the White House’s most high-profile budgetary tools is the President’s annual budget, issued by the Office of Management and Budget (OMB). While the President’s budget is not binding, it is an important agenda-setting tool, which can be used to signal policy priorities and influence the legislative agenda for the coming year. Throughout the Trump presidency, the OMB’s proposals have taken aim at government agencies and programs critical to refugee resettlement—including both direct cuts to refugee assistance, as well as cuts to wraparound services that make successful refugee integration possible.

In fiscal year 2018, the White House proposed major cuts to both domestic and international assistance for refugees. This included a 31% funding cut to the Office of Refugee Resettlement, which oversees refugee assistance in local communities around the United States, as well as a 10% decrease in funding to the State Department’s overseas Migration and Refugee Assistance fund (Mandelman 2017). In fiscal year 2019, the White House took aim at key social service programs on which new refugee arrivals rely, including deep cuts to government assistance in healthcare, housing and other priority areas (Parrott et al. 2018). However, the cuts for fiscal year 2020 were the most drastic to date. The White House’s proposed budget included a major consolidation of foreign aid that would cut overall spending on refugee and humanitarian assistance by nearly 40%, from \$9.6 billion to \$6 billion. The 2020 budget also included a 90% budget reduction to the Bureau of Population, Refugees and Migration, which directly manages the USRAP program and provides major funding for international refugee assistance around the world (Oswald 2019).

While many of President Trump’s most extreme proposals have been blunted by Congress, they remain consequential. The President’s annual budgets send a clear signal that refugees are neither welcome nor valued by the White House. Leaving aside the economic impact, this is a powerful message with potentially long-lasting effects. Furthermore, the administration’s repeated attempts to defund refugee-related programs have succeeded in propagating a deep and persistent sense of uncertainty about the future. In the age of Trump, refugee assistance is perpetually on the chopping block.

Of course, the clearest consequence of the White House’s relentless campaign against refugee resettlement has been the dramatic reduction in new arrivals over the past three years. Independent of the federal budget, the sudden and sustained drop in refugee admissions under President Trump has jeopardized the economic viability of VolAg offices in local communities across the United States. Because these offices rely on federal funds administered through the USRAP program, the dramatic reduction in new arrivals has meant a rapid and steep decline in VolAg operating budgets.

In fact, the Trump administration has used declining refugee figures as a point of leverage to induce the closure and consolidation of VolAg offices. After refugee admissions and associated funding were slashed in 2018, the State Department revoked federal authorization for VolAg offices expected

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<sup>14</sup> Adam Clark, director of World Relief Durham; quoted in (Aziza 2018).

to resettle fewer than 100 refugees per fiscal year (Rosenberg 2018). This began a kind of forced downsizing of operations, which has continued as refugee numbers plummeted further in 2019 and 2020. By the summer of 2019, budgetary constraints due to dwindling refugee arrivals had forced nearly a third of the country's local resettlement offices—more than 100 out of 325 nationally—to close permanently or suspend operations indefinitely (RCUSA 2019). The loss of expert knowledge and institutional capacity is difficult to fathom.

### 5.3.3. Obstructionism

In addition to staffing and budgetary roadblocks, the Trump administration has taken a deliberately obstructionist approach to making and implementing refugee policy. Against the advice of experts and policymakers on both sides of the aisle, the Trump administration's intentionally cumbersome policy of "extreme vetting" has overburdened federal agencies and contributed to major delays in processing refugee applications. Moreover, the White House has adopted a decidedly antagonistic posture toward non-profit VolAg agencies and other key stakeholders in the refugee arena—withholding information, delaying or canceling routine consultations, and sowing confusion and uncertainty around refugee-related policies.

One of the clearest examples is the introduction of additional screening requirements for refugees. Based on provisions in the 2017 travel ban, as well as a subsequent DHS review of the refugee admissions process, the Trump administration instituted a number of "enhancements" to refugee screening—known colloquially as "extreme vetting." Among other things, the new procedures require more detailed biographical histories, greater scrutiny of biometric data, and increased information sharing between the U.S. government and refugee-sending countries. For applicants from countries deemed "high-risk," the new rules call for additional verification procedures and a "risk-based approach" to regional refugee allocations (Guild 2017; DHS 2018).

While the White House has doggedly insisted on the importance of enhanced screening procedures, policy experts and high-level officials from both major parties have dismissed the notion of extreme vetting as unnecessary and counterproductive (Berman 2017; Eviatar 2017). In practice, the new rules have done little to make the refugee admissions process more secure, given that the risk of terrorist infiltration was exceedingly low to begin with (Bier 2018). Rather, the main result of extreme vetting has been dramatically increased wait times for refugee applicants—and growing backlogs at federal agencies charged with implementing the new procedures (Ackerman 2018; Aziza 2018).

Other examples concern the Trump administration's obstructionist approach to policy implementation and information sharing. Rather than cooperating with resettlement officials and other interested stakeholders, the White House has deliberately withheld essential information and rebuffed requests for consultation with other actors. For instance, despite a longstanding convention of periodic coordination meetings between PRM officials at the State Department and non-profit VolAg leaders, the Trump administration has declined to hold any such coordination meetings. Indeed, the nature of communication with voluntary resettlement agencies has changed fundamentally. As one VolAg official put it, "We don't get any insider information. We just hear what the government chooses to announce to the public, and then we have to adjust accordingly."<sup>15</sup>

The White House has even intentionally propagated uncertainty and misinformation about the implementation of new directives to further disrupt the resettlement system. At each stage of the 2017 travel ban, immigration attorneys and refugee advocates criticized the White House's directives for their vague language and lack of implementation guidelines, arguing that the orders were designed to provoke confusion and chaos (Hoffman 2018; Wadhia 2019). In another telling example, following the White House's executive order allowing states and localities to opt out of refugee resettlement, administration officials announced plans to solicit consent letters from mayors and governors. Yet,

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<sup>15</sup> Adam Clark, director of World Relief Durham; quoted in (Aziza 2018).

rather than requesting letters from local officials, the State Department actually instructed officials *not* to respond, claiming that “the burden is on the resettlement agencies” (Blitzer 2019).

This pattern of intentional misinformation and confusion extends even to questions about the continued existence of refugee resettlement itself. For at least two years, White House officials have leaked reports to the press about its plans to discontinue funding to an unspecified subset of the nine federally contracted VolAg organizations (Ackerman 2018). Likewise, during negotiations over the 2020 refugee admissions ceiling, it was widely reported that Trump administration officials were considering a push to “zero out” the refugee program entirely (Derysh 2019; Davis and Shear 2019). So far, these cuts have not materialized. However, they have fueled anxieties among refugee advocates and agency staff about the Trump administration’s intentions, and heightened fears about the possible long-term damage to the resettlement system.

#### 5.3.4. A Self-Fulfilling Prophecy

For many in the resettlement field, one of the most alarming aspects of the Trump administration’s approach is the way that officials have used self-inflicted disruptions and delays to justify further cuts to the refugee program (Ackerman 2018). In short, the White House has engineered a kind of negative feedback loop, whereby intentional bottlenecks and backlogs have resulted in decreased refugee caseloads—which, in turn, are used to rationalize further cuts to resettlement quotas and agency budgets. If fewer refugees are arriving each year, according to the White House’s subversive logic, why spend taxpayer dollars on maintaining unnecessary offices and programs?

In the face of ever-increasing global demand for refugee protection, the Trump administration has spun a counterfactual narrative about the declining importance of the USRAP program. It is a duplicitous self-fulfilling prophesy, realized through a deliberate campaign to dismantle both the means and the ends of U.S. refugee assistance. Yet, for many inside the resettlement system, it has raised serious concerns about potential long-term losses in institutional knowledge and capacity.

## 6. Discussion and Conclusions

The preceding analysis paints a clear picture of a program under siege. The Trump administration has vocally rejected the normative foundations of U.S. refugee assistance, issued a series of damaging executive orders and policy directives, and deliberately obstructed the bureaucratic actors and institutions that make resettlement possible. The sheer breadth and persistence of the administration’s efforts to undermine the resettlement system are striking. Yet, the underlying motives, methods, and consequences of the administration’s actions are less apparent.

In this study, I advance a novel interpretation of the Trump administration’s so-called “administrative deconstruction” agenda, arguing that the White House’s actions are best understood through the lens of strategic disruption. I contend that the Trump administration has elevated the goal of superficial policy disruption, rather than substantive reform or program termination, as a governing strategy. To achieve its purpose, the White House has employed a variety of divisive, opportunistic, and anti-establishment methods to upend the status quo. While these tactics are genuinely disruptive, and offer the administration a veneer of political success, they are ultimately incapable of producing long-term durable policy change. In the final section of this analysis, I review the evidence from the preceding case study, demonstrating how the Trump administration’s attacks on the USRAP program conform to, and illuminate, this theoretical interpretation.

### 6.1. Image Over Substance

From the start, the Trump administration has prioritized image and political expediency over substantive policy solutions. Long before his electoral victory, Trump’s rhetorical attacks on refugees began laying the groundwork for the administration’s cynical anti-immigrant policy agenda. Yet, Trump’s imagined grievances against refugees are directly contradicted by the empirical evidence, and woefully out of step with members of his own political party. Rather than identifying a

demonstrable policy problem and searching for an evidence-based solution, Trump has engineered a false conflict over a functional and valued program—the perfect setup for the White House’s false solution of halting refugee admissions by any means possible.

Further, neither durable legislative reform nor outright termination of the USRAP program—which administration officials have openly discussed as their ultimate goal—have ever been within the administration’s grasp. Such changes would require painstaking negotiation and coalition-building in Congress, which the White House has been unwilling (or unable) to accomplish. Instead, the administration has opted for tough talk and flashy executive orders to give the appearance of proactive leadership. For Trump, image is everything, and the appearance of success is a far more important driver of policy than the promise of deep or lasting reforms.

### 6.2. *Bucking the System*

One of the clearest takeaways from the refugee policy example is the myriad ways that the Trump administration has defied, rejected, and belittled the norms and conventions of the political establishment. Far from politics-as-usual, the Trump White House has used any and all means at its disposal to advance its agenda, with little regard for precedent or process. Time and again, Trump’s playbook is irreverent, opportunistic, and explicitly anti-system.

This conclusion is borne out, in part, by Trump’s intentionally divisive rhetoric towards refugees, and his blatant disregard for factual evidence and normative principles. Not only has Trump disparaged refugees as violent and lazy, he has shattered the boundaries of acceptable public discourse with intentionally racist and xenophobic tropes, and denounced the principles of human rights and humanitarianism undergirding the resettlement system. Moreover, the administration has actively spread misinformation about the nature and costs of refugee resettlement, and justified its actions with demonstrably false assertions that the United States is safer and more prosperous without refugees. The White House has even peddled the nakedly disingenuous claim that the Muslim ban is not really about banning Muslims. In the Trump era, the normal guiderails of truth and social convention simply do not apply to the president’s actions.

Trump’s anti-establishment methods are further evidenced by the White House’s opportunistic and unapologetic use of unilateral executive authority—and by the public rebukes and legal setbacks these actions have provoked. Examples include the chaotic rollout of the Muslim travel ban; the administration’s unfounded usurpation of the Presidential Determination process; obstructionist attempts to starve federal agencies and non-profit VolAgs of essentials resources and information; and the White House’s indefinite suspension of legal immigration in response to the COVID-19 pandemic. These actions reveal a presidential administration unconcerned with administrative process or oversight, and unconstrained by the conventions of establishment politics.

### 6.3. *Painful But Superficial Wounds*

Taking stock of the consequences, it is clear that the administration’s anti-refugee campaign has done real damage. Travel restrictions and reduced admissions quotas have dramatically decreased refugee arrivals over the past three years—especially from Muslim-majority countries (Krogstad 2019). Staff shortages, budget cuts, and deliberate misinformation have caused “a cascade of delays and interagency confusion,” grinding the refugee processing system to a near standstill (Aziza 2018). These disruptions have contributed to an especially large backlog of pending follow-to-join cases, leaving tens of thousands of individuals and families in limbo as they wait for loved ones to join them in the United States (Hoffman 2018).

In host communities across the United States, new arrivals have all but ceased, and non-profit resettlement agencies are under increasing duress. More than 100 resettlement offices in 23 states have closed their doors or suspended operations, as new refugee arrivals and federal funding have dried up. Other offices have slashed budgets and laid off staff to stretch dwindling resources. There is little doubt that the refugee system will face enduring challenges as it confronts lost institutional capacity, lives

put on hold, and the lingering effects of Trump's divisive anti-refugee rhetoric (Strang and Ager 2010; Fussell 2014; Hynie 2018).

Nevertheless, the damage inflicted by the Trump administration has been relatively superficial, and the mechanisms to overturn many Trump-era policies are clear at hand. For all his bluster and vitriol, Trump's attacks have done almost nothing to alter the institutional structure or statutory basis of the USRAP program. Moreover, given the Trump administration's overreliance on executive orders, the power to change these directives will fall squarely in the hands of the next president. If a pro-immigration president should take control of the White House, they will enjoy broad discretionary authority to resume refugee processing, raise the annual admissions ceiling, and swiftly reverse executive orders like the travel ban.

Other Trump-era policies will continue to be litigated in the courts. Here, the Trump administration's efforts to remake the federal judiciary with conservative appointees may play a role in how those cases are decided. However, Trump's tendency to run roughshod over administrative process means that at least some of these policies are likely to be struck down on administrative grounds.

Trump's procedural attacks on the federal bureaucracy, and the collateral damage to non-profit resettlement agencies, will be harder to repair. In particular, time will be a major factor in how well the system rebounds. If Trump wins a second term in office, the loss of administrative capacity will be significant—and the COVID-19 pandemic will surely complicate efforts to restart the resettlement system, even if a new presidential administration reverses course in January 2021. According to a former high-level official at the Department of Homeland Security, "The longer this kind of delay in the cycle goes on, the more likely it is we'll lose the capacity to welcome refugees . . . Expertise gets lost, people move on, and it becomes increasingly difficult to rebuild."<sup>16</sup>

Ultimately, the refugee resettlement example is a testament to the real but self-limiting damage associated with Trump's unique brand of disruptive politics. Indeed, the very methods that distinguish the Trump administration's unorthodox approach from his predecessors in the White House have undermined his ability to implement deep and lasting reforms. While the façade of the administrative state may be scarred and pockmarked from relentless attacks, the foundations remain firmly intact.

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<sup>16</sup> Mary Giovagnoli, former senior immigration official at the Department of Homeland Security, and current executive director of Refugee Council USA; quoted in (Ackerman 2018).

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