

## Walls, Bans, and Deportations: U.S. Immigration Policy in the Age of “America First”

ASSESSMENTS BY U.S. EXPERTS AND RECOMMENDATIONS FOR GERMANY  
AND EUROPE TO STRENGTHEN INTERNATIONAL COOPERATION ON  
IMMIGRATION ISSUES



Since the presidential election campaign, immigration policy has been one of Donald Trump's top priorities, together with healthcare and tax reform. In the first year of his term, the U.S. president took many measures to fulfill his campaign promises on the issue. The travel bans imposed by executive orders, the proposed construction of a wall along the border with Mexico, the planned overhaul of the immigration system and the move to cut in half the number of refugees admitted on an annual basis are prominent examples indicating the profound realignment of U.S. policy.

Yet immigration policy has deeply stirred and polarized American politics, society, media and experts alike ever since the country was founded. At times, pro- and anti-immigrant lobbies have stood in irreconcilable opposition to each other at the local, regional and national levels.

This paper gives an overview of U.S. experts' assessments on current developments in U.S. immigration policy. The con-

clusion sets forth some of the actions they suggest Germany and the EU could take to strengthen their collaboration with the United States and international cooperation in this field.

### I. Does the United States Benefit from Immigration? No Consensus Among Experts

#### *The Critics*

Problems with immigration policy had already been defined during the presidencies of George W. Bush and Barack Obama, but they were never solved. Many experts from conservative think tanks such as the *Heritage Foundation* or the *American Enterprise Institute*<sup>1</sup>, therefore, support Donald Trump in his endeavors to “repair” the U.S. immi-

<sup>1</sup> If no exact source is cited in this text, the information derives from interviews conducted by the author under Chatham House Rules.

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gration system. They reference the keynote address he delivered on immigration while campaigning for the White House in Phoenix, Arizona, on August 31<sup>st</sup>, 2016 which laid out a 10-point plan.<sup>2</sup> These observers, thus, favor a restrictive immigration policy and generally dispute the notion that immigration benefits the United States.

There are six points of criticism these groups repeatedly advance: 1. Immigrants (especially those not entering the country legally) are responsible for rising crime in the U.S.; 2. Immigrants of low-skilled workers depress wages and drive U.S. citizens out of the labor market; 3. Foreigners are a drag on the social system and drain billions from the U.S. budget; 4. The integration process no longer works as well as it has in the past, and those unwilling to assimilate should have to leave the country; 5. U.S. visas are granted too readily and people under removal orders are not deported; and 6. Border security is insufficient.

The U.S. administration is happy to seize these critical voices to reinforce its own position. Donald Trump's speech on migration on August 31<sup>st</sup>, 2016 mentioned a study by the *Center for Immigration Studies* (CIS), which advocates for less immigration to the U.S.. On August 2<sup>nd</sup>, 2017, the administration quoted George J. Borjas, a Harvard economist specializing in immigration, as a rationale for its immigration reform. In the American academic community, George Borjas is the best-known immigration skeptic. One of his views is that low-skilled immigrants push Americans with no high school diplomas out of the labor market or lower their wages. He also believes that this type of immigration yields no obvious benefit to the American economy, since public expenditures for immigrants outweigh the earnings generated by hiring cheap labor.<sup>3</sup>

#### *Proponents of Immigration*

Many American scholars repudiate the theories of Borjas, the CIS and other immigration skeptics. They stress that the current public debate on immigration does not re-

flect the reality in the U.S..<sup>4</sup> Their counter-arguments can be summarized in three points.

First, crime in the United States cannot be attributed to migrants. Many think tanks believe there is no empirical basis for Donald Trump's claim that migrants and refugees pose a threat to national security and that they bear responsibility for a large portion of violent crime in the United States. On the contrary, figures such as those presented in a study by *Brookings Institution* point to a lower rate of crime among immigrants: native-born Americans, thus, commit the vast majority of violent crimes, including murder, in the United States.<sup>5</sup> The *Cato Institute* also highlights the fact that refugees are less willing to commit terrorist acts than U.S. citizens. Between September 11<sup>th</sup>, 2001 and June 2017, only two refugees living in the U.S. planned or carried out an attack, and there were no victims in either one of the attacks.<sup>6</sup> A survey by the *Chicago Council on Global Affairs* shows that an average of 37% of Americans (20% of Democrats, 61% of Republicans and 80% of Trump supporters) feel that migrants and refugees pose a critical threat - and the number is declining.<sup>7</sup>

Second, immigration advocates firmly believe that immigrants stimulate the U.S. economy and do not constitute a long-term burden on the social system. An analysis by the *National Academies of Sciences, Engineering and Medicine*, comparing research results from 14 leading economists, demographers and other academics (including Borjas), shows that even if first-generation immigrants are net recipients of government assistance, their children become net contributors thanks to education and better

<sup>4</sup> As an example of the discussions among the expert community, see: David Frum, „The Great Immigration-Data Debate“, *The Atlantic*, January 19, 2016. <https://www.theatlantic.com/politics/archive/2016/01/the-great-immigration-data-debate/424230/>

<sup>5</sup> Vanda Felbab-Brown, „The Wall. The real costs of a barrier between the United States and Mexico“, *Brookings*, August 2017.

<https://www.brookings.edu/essay/the-wall-the-real-costs-of-a-barrier-between-the-united-states-and-mexico/>

<sup>6</sup> David Bier, „Statement on the “Refugee Program Integrity Restoration Act of 2017 – H.R. 2826”, *Cato Institute*, June 14, 2017.

<https://www.cato.org/publications/public-comments/statement-refugee-program-integrity-restoration-act-2017-hr-2826>

<sup>7</sup> Dina Smeltz, Ivo H. Daalder, Karl Friedhoff, Craig Kafura, „What Americans Think About America First“, *Chicago Council on Global Affairs*, October 2nd, 2017. <https://www.thechicagocouncil.org/publication/what-americans-think-about-america-first>

<sup>2</sup> Trump advocates securing the border, combating illegal immigration, enforcing deportations, and reducing regular immigration (in all three segments: humanitarian admission, labor migration and family reunification). See: „Transcript: Donald Trump's full immigration speech, annotated“, *Los Angeles Times*, August 31, 2016. <http://www.latimes.com/politics/la-na-pol-donald-trump-immigration-speech-transcript-20160831-snap-htmlstory.html#filter:annotator:Graciew18>

<sup>3</sup> See among others: George Borjas, „The Immigration Debate We Need“, *New York Times*, February 27, 2017. [https://www.nytimes.com/2017/02/27/opinion/the-immigration-debate-we-need.html?mcubz=3&\\_r=0](https://www.nytimes.com/2017/02/27/opinion/the-immigration-debate-we-need.html?mcubz=3&_r=0)

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employment.<sup>8</sup> According to *Cato*, even refugees become net contributors in the long-term.<sup>9</sup> Many experts emphasize the fact that refugees and immigrants, in general, are a boon to the U.S. economy with their hard work, entrepreneurship, innovation and consumption. Dany Bahar of the *Brookings Institution*, for example points out, that immigrants currently make up 15% of the U.S. workforce. One quarter of all entrepreneurs and investors came to the United States as immigrants, and more than a third of new companies have at least one immigrant in their founding team.<sup>10</sup>

Third, it is wrong to make the sweeping assertion that immigrants displace American workers and lower their wages. The above-mentioned analysis by the *National Academies of Sciences, Engineering and Medicine*, as well as *Brookings* concludes that immigration does not have a significant impact on Americans' level of employment and that the effect of immigrants on native-born workers' wages is vanishingly modest. There is, however, one important exception: Immigrants do indeed have an effect on the jobs and wages of native-born Americans without a high school diploma and on those immigrants who came to the U.S. earlier. These three groups compete for the same jobs, and recent arrivals are often willing to work for less money. Undocumented immigrants are generally not in competition with native-born employees, since they take the most strenuous jobs (for example, in agriculture and construction), which native-born Americans would not choose.<sup>11</sup>

This group of experts believes that the true concerns of immigration skeptics are of a different nature. They have more to do with questions of heritage, religion, cultural diversity and demographic trends and have

less to do with the assertion made with reference to security policy and the economy.

## II. Expected Developments in U.S. Immigration policy

Although there is no consensus among experts about the advantages and disadvantages, benefits or even economic or societal damage caused by immigration, most of them share a common assessment of the president's plans and objectives. Trump has five apparent priorities: securing the border, combating illegal immigration, reducing legal immigration, securing comprehensive immigration reform and limiting U.S. engagement in global migration issues.

### *Securing the Border*

Experts consider a further militarization of the U.S.-Mexico border to be the most important development in this area. This trend finds its origin in Donald Trump's executive order of January 25<sup>th</sup>, 2017, entitled "Border Security and Immigration Enforcement Improvements". The White House proposed budget for 2018 calls for hiring an additional 5,000 Border Patrol agents, one of Donald Trump's campaign promises. This would increase the number of agents policing the border to a record 26,370.<sup>12</sup>

Securing the border has been an ongoing issue in the United States since the 1990s. Both Democrats and Republicans alike have supported the idea. The Clinton, Bush and Obama administrations expanded border security. There is, however, a great deal of skepticism among experts regarding the feasibility of building a wall along the entire southwest border (which extends for 2,000 miles/ 3,218 km) and about whether doing so would be an effective way to regulate immigration. Many think tanks such as the *Wilson Center* point out the ineffective track record border controls and security measures have had and that adding more officers and fortifying the border would simply spur the creation of additional smuggler networks through harsher desert terrain.<sup>13</sup> The majority of experts, thus, assume that the U.S. government might build a wall along a short section of the border, ranging from 50 to 70 miles in length (around 100 km), with the aim of better selling it to the public. Financing the wall's construction is still one of the problematic aspects of implementing this plan. At the

<sup>8</sup> The National Academies of Sciences, Engineering and Medicine, "The Economic and Fiscal Consequences of Immigration", Report, 2017.

<https://www.nap.edu/catalog/23550/the-economic-and-fiscal-consequences-of-immigration>

<sup>9</sup> David Bier (Cato Institute), June 14, 2017. See note 6.

<sup>10</sup> See Dany Bahars Analysen in: Brennan Hoban, "Do immigrants 'steal' jobs from American workers?", *Brookings*, August 24, 2017.

<https://www.brookings.edu/blog/brookings-now/2017/08/24/do-immigrants-steal-jobs-from-american-workers/>

<sup>11</sup> The National Academies, Report, 2017, see note 8; Chapter "U.S. Economy" in: Vanda Felbab-Brown (Brookings), August 2017, see note 5; Dany Bahar's analysis in: Brennan Hoban (Brookings), August 2017, note 10. See also: James Traub (Center on International Cooperation, NYU), "Stephen Miller Has a Point, You Cosmopolitans", *Foreign Policy*, August 4, 2017.

<http://foreignpolicy.com/2017/08/04/stephen-miller-has-a-point-people-immigration-refugees-trump-raise-act/>

<sup>12</sup> See official numbers in: Elaine Kamarck, John Hudak, Christine Stenglein, "Immigration by the numbers", *Brookings*, August 15, 2017.

<https://www.brookings.edu/interactives/immigration-by-the-numbers/>

<sup>13</sup> Guadalupe Correa-Cabrera, "Immigration and Border Security in the Age of Trump", *Wilson Center*, March 24, 2017. <https://www.wilsoncenter.org/article/immigration-and-border-security-the-age-of-trump>

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end of August 2017, Trump had threatened the drastic measure of a federal government shutdown; he announced his willingness to bring the administrative machinery of the United States to a grinding halt unless Congress financed the project. Yet for many members of Congress rebuilding Texas, Louisiana and Florida in the aftermath of last summer's Hurricanes Harvey and Irma is seen as more urgent and might further complicate Trump's ambitions along the Southwest border.

One option for the remaining portion of the border, once proposed by current White House Chief of Staff John Kelly, while he was serving as Secretary of Homeland Security, would be deploying drones and additional border surveillance technology (such as mobile and tower-mounted video recording systems, ground sensors, laser equipment or thermal imaging technology), and referring to these systems as a (digital) "wall" instead of expanding the current wall.

Immigration experts in the United States are certain that the Trump administration's anti-immigration rhetoric has already had a deterrent effect. This appears to apply especially to potential immigrants. Researchers expect the tougher rhetoric alone to prompt a steep decline in irregular immigration. This would mean that under the current U.S. government a trend would be amplified that has already been evident for several years: U.S. Department of Homeland Security statistics show that the number of returns at the U.S. border have plummeted since 2004, simply because fewer people are trying to enter the United States.<sup>14</sup>

#### *Countering Illegal Immigration*

There are estimated to be roughly 11 million people living in the United States without a residence permit. The Obama administration already took many steps to curb illegal immigration, triggering a marked rise in annual deportations in the United States since 2008.<sup>15</sup> Even President Obama was tarred with the nickname "deporter in chief". Experts see the further tightening of deportation policies as another trend of the current US immigration policy. In addition to the harsh rhetoric implying that anyone without legal residency status is a criminal, the criteria for deportation have been broadened, funding for the Border Patrol increased and its jurisdiction expanded. According to some scholars, these policies have much more dramatic effects than the now world-famous travel ban of January

2017. They point to the criminalization of immigrants, which constitutes an abrupt departure from the stance of the Obama administration and a break with principles hitherto applied. Many progressive leaning think tanks express their outrage at the methods employed by the Border Patrol agents of the U.S. Immigration and Customs Enforcement (ICE) as well as the allegedly poor humanitarian conditions at deportation facilities along the border. It is also possible that international refugee laws have been violated: some experts assume that people are now being deported, who in fact have the right to seek asylum.<sup>16</sup>

#### *Reducing Legal Immigration*

Experts also agree that the Trump administration wants to push through substantial immigration reform. This was initiated on August 2<sup>nd</sup>, 2017, when the U.S. president threw his support behind a bill by Republican Senators Tom Cotton and David Perdue that aimed to cut legal immigration (roughly a million people annually) in half by 2027, and lower the number of refugees admitted from 85,000 (in 2016) to 50,000 (the U.S. government reduced this figure yet again on September 27<sup>th</sup>, 2017, to 45,000). In addition, the U.S. government wants to prioritize highly qualified workers at the expense of family reunifications and low-skilled workers who enter the country in ways such as the "green card lottery" (Diversity Visa Lottery Program). After the attacks in New York City in October and December of 2017, the U.S. administration trained its sights on these two programs (family reunifications and lottery), in particular, as both offenders had entered the United States legally through one of these programs in 2010 and 2011, respectively.

Experts such as Michael Clemens from the *Center for Global Development* (CGD) believe that restrictions on legal immigration would harm the U.S. economy (see the reasons from immigration proponents in Section I). In his opinion, this reduction would be a disadvantage not only for the United States and the global economy, but even for other countries, where stability, growth, innovation and development are dependent to some degree on remittances and investments by emigrants.<sup>17</sup> Further curtailing

<sup>16</sup> See for example Jeanne Atkinson, „The Growing Threat to the US Asylum System: An Analysis of the Trump Administration's Expansion of Detention and Expedited Removal", Center for Migration Studies, April 6, 2017.  
<http://cmsny.org/publications/atkinson-growing-threat-to-us-asylum/>

<sup>17</sup> Michael Clemens, „The Economic Research Shows Drastic Cuts to Legal Immigration Are a Lose-Lose for the United States and the World", Center for Global Development, July 17, 2017.  
<https://www.cgdev.org/blog/economic-research-shows-drastic-cuts-legal->

<sup>14</sup> See numbers in: Brookings, „Immigration by the numbers", chapter "Deportation", August 15, 2017, note 12.

<sup>15</sup> See statistics by the US Department of Homeland Security in: Brookings, „Immigration by the numbers", chapter "Deportation", August 15, 2017, note 12.



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family reunifications would also hurt the U.S. economy, since many of these immigrants are skilled or even highly skilled. Giovanni Peri, a prominent economist from the University of California, stresses in this context that a third of family migrants who received a green card after 2000 hold a university degree. Regular immigrants today are primarily Asians (Chinese and Indians) who take jobs in the U.S. requiring moderate to high level skills, thereby contributing to local growth and benefiting the country's entire population. Bearing these factors in mind, Peri believes one should expect immigration restrictions to represent a loss rather than a win for the average American worker.<sup>18</sup>

### *Immigration Reform*

Against this backdrop, experts are debating how best to reform the immigration system. The point-based systems of Canada and Australia are seen as models for the Trump administration. The declared goal is to select applicants based on their skills, education, professional experience, age and English proficiency.

Many experts from the *American Enterprise Institute* (AEI), the *Heritage Foundation* and the *Cato Institute*, for instance, back this plan to spur innovation in the country.<sup>19</sup> Other researchers and politicians, such as Republican Senator Lindsey Graham, have voiced concerns that the U.S. could see a future shortage of low-skilled workers, which would be a drag on the economy. According to Michael Clemens (CGD), the notion that America's main need is for highly skilled workers is a political myth.<sup>20</sup> The *Cato Institute*, therefore, recommends establishing a federal visa program for low-skilled guest workers.<sup>21</sup> The hurricanes in the

summer of 2017 sparked a public debate on the value of low-skilled immigrants (both legal and undocumented), since migrant workers played a crucial role in the efforts to rebuild Louisiana after Hurricane Katrina in 2005.

There is consensus among experts that the coveted H-1B visa (a three-year visa for highly qualified foreign workers) must be reformed. This is not because, as President Trump or the *Heritage Foundation*<sup>22</sup> have claimed, this visa allows less qualified workers to enter alongside engineers and programmers. Instead, the primary argument for reform is that the H-1B-visa, which is handed out to some 85,000 people every year, is highly inflexible. Foreign workers are tied to a single employer, and this relationship of dependency prevents them from unlocking their full potential.

Additionally, the *Cato Institute* proposes the creation of state level visa programs. In order to meet local and regional needs, the states should be able to conduct their own immigration policy and recruit various professions as needed. The Canadian Provincial Nominee Program is seen as the blueprint.<sup>23</sup>

### *The International Commitment of the United States*

Faced with the global refugee problem and the United Nation's (UN) call for action, the international community is increasingly being urged to mobilize. U.S. experts in general do not expect the U.S. government to be an active partner in the coming years in international efforts to find solutions to immigration issues.

Experts note that in this age of "America First," the Trump administration's top decision makers don't see the issue of migration as a global challenge. Their priority lies with national security, and thus securing their own borders goes hand-in-hand. The principle of maintaining national sovereignty in the decision-making process is a further reason why the Trump administration decided in early December of 2017 to withdraw the United States from negotiations on a global compact on migration.<sup>24</sup> Govern-

[immigration-are-lose-lose-united-states-and-world](https://www.nytimes.com/2017/08/03/us/politics/legal-immigration-jobs-economy.html?emc=edit_nn_20170804&nl=morning-briefing&nid=72738823&te=1)

<sup>18</sup> See Peri's analysis in: Binyamin Appelbaum, „Fewer Immigrants Mean More Jobs? Not So, Economists Say“, *New York Times*, August 3<sup>rd</sup>, 2017.

[https://www.nytimes.com/2017/08/03/us/politics/legal-immigration-jobs-economy.html?emc=edit\\_nn\\_20170804&nl=morning-briefing&nid=72738823&te=1](https://www.nytimes.com/2017/08/03/us/politics/legal-immigration-jobs-economy.html?emc=edit_nn_20170804&nl=morning-briefing&nid=72738823&te=1)

<sup>19</sup> See for example: Michael Barone (AEI), „An inadvertent argument for Trump's immigration proposal“, *Washington Examiner*, March 8, 2017.

<https://www.aei.org/publication/an-inadvertent-argument-for-trumps-immigration-proposal/>

<sup>20</sup> See Clemens' analysis in: Binyamin Appelbaum, *New York Times*, August 3<sup>rd</sup>, 2017, note 18. For Graham, see: Peter Baker, „Trump Supports Plan to Cut Legal Immigration by Half“, *New York Times*, August 2<sup>nd</sup>, 2017.

<https://www.nytimes.com/2017/08/02/us/politics/trump-immigration.html?mcubz=3&r=0>

<sup>21</sup> See chapter Immigration in: „Cato Handbook for Policymakers“, Cato Insti-

tute, 2017. <https://www.cato.org/cato-handbook-policy-makers/cato-handbook-policy-makers-8th-edition-2017/immigration>

<sup>22</sup> David Kreutzer, „How 'Hire American' Can Fix Our High-Skilled Immigration System“, *Heritage Foundation*, June 19, 2017. <http://www.heritage.org/immigration/commentary/how-hire-american-can-fix-our-high-skilled-immigration-system>

<sup>23</sup> See „Cato Handbook for Policymakers“, 2017, note 21. Regarding the Canadian „Provincial Nominee Program“, see: <http://www.canadavisa.com/provincial-nomination-program.html>

<sup>24</sup> See press release by Nikki Haley, US Ambassador to the United Nations, De-

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ments of the UN member states have been negotiating such a compact since September of 2016. UN representatives are now concerned that this decision could derail the entire negotiation process, even though no other states have followed the United States' lead in withdrawing as of the end of 2017. Kathleen Newland from the *Migration Policy Institute* (MPI), however, points out that this decision may have a silver lining: if the U.S. administration is no longer at the table, it will not be able to undermine the international consensus on the compact, which is slated to be prepared by July 2018.<sup>25</sup>

The fact remains that the White House's decisions on migrants and refugees are at odds with previous UN agreements: at the UN summit on migration in September 2016, the members agreed to improve how future responsibility will be shared with regard to refugees worldwide (in line with Goal 10.7 of the 2030 Agenda for Sustainable Development) and to develop more options for regular migration.<sup>26</sup>

### III. Prevailing Uncertainties

It is still unclear what impact U.S. government policies will have in the coming months and years on other areas of immigration policy. This applies to domestic and foreign policy issues.

#### *Domestic Policy Issues*

How will the cooperation between the federal government and other government entities (Congress, judiciary, states) evolve? To name one example: the future of "sanctuary cities" is currently up in the air. These cities do not extradite non-criminal immigrants who are under deportation orders, since they do not consider themselves to be immigration authorities.<sup>27</sup> It is also uncertain how the private sector would react to a

plunge in the number of undocumented and legal immigrants in the coming years.

In addition, the fate of the "DREAMers" is still uncertain. The acronym comes from the 2001 DREAM Act and stands for "Development, Relief and Education for Alien Minors." This bipartisan initiative applies to illegal immigrants who were brought to the U.S. as children by their families and who have been living in the country for at least five years. The DACA program ("Deferred Action for Childhood Arrivals"), in particular, was introduced through an executive order by President Obama in 2012. It temporarily shields around 800,000 young people from deportation and permits them to study and work. On September 5<sup>th</sup>, 2017, the U.S. government revoked the DACA program. It is set to expire in March of 2018, unless Congress is able to pass a legislative solution before then.<sup>28</sup>

#### *„Travel Ban 3.0“*

Since the beginning of 2017, the U.S. administration and several American judges have been engaged in a tug-of-war on Donald Trump's desired travel ban for citizens of certain African, Asian and especially Middle Eastern countries. After several attempts to curtail travel, the third version of the travel ban (from September 24<sup>th</sup>, 2017) has entered into force following a Supreme Court decision on December 4<sup>th</sup>, 2017. The ban applies to eight countries (Iran, Yemen, Libya, Somalia, Syria, Chad, North Korea and Venezuela), that are subject to different restrictions. The travel ban has no time limit. This means that opponents of "travel ban 3.0" who tried to stop this government policy, as they had done with earlier versions – on the grounds that it amounted to discrimination on the basis of nationality or religion – have lost an important battle. Though the fight is not yet over. The losing side has appealed the decision. Legal experts, therefore, think it is possible that by June of 2018 the Supreme Court will revisit the issue on the basis of its constitutionality.

In addition to the travel ban, the US government has indefinitely shelved a program that made it possible for settled refugees to bring their spouses and children into the U.S. This decision is also being fought in court.

Experts doubt whether these measures, whose ostensible purpose is national security and preventing terror attacks within the United States, will be effective. In particular, many see no direct correlation between

September 2<sup>nd</sup>, 2017.

<https://usun.state.gov/remarks/8197>

<sup>25</sup> „Beyond Stock-Taking: The Path Ahead to a Global Compact for Migration“, MPI Webinar, December 12, 2017.

<https://www.migrationpolicy.org/events/beyond-stock-taking-path-ahead-global-compact-migration> (from 59:00).

<sup>26</sup> See for example following overview: UNHCR, „The United Nations General Assembly high level plenary meeting on addressing large movements of refugees and migrants“, September 19, 2016.

<http://www.unhcr.org/578370434.pdf>

<sup>27</sup> See for example.: Maria Sacchetti, „Trump administration targets 'sanctuary' cities in latest wave of immigration arrests“, *Washington Post*, September 28, 2017.

[https://www.washingtonpost.com/local/immigration/trump-administration-targets-sanctuary-cities-in-latest-wave-of-immigration-arrests/2017/09/28/9b5e7de2-a477-11e7-ade1-76d061d56efa\\_story.html](https://www.washingtonpost.com/local/immigration/trump-administration-targets-sanctuary-cities-in-latest-wave-of-immigration-arrests/2017/09/28/9b5e7de2-a477-11e7-ade1-76d061d56efa_story.html)

<sup>28</sup> See Julia Gelatt, „All Eyes Turn to Congress, Following Trump Decision to Terminate DACA Program“, *Migration Policy Institute*, September 2017. <http://www.migrationpolicy.org/news/all-eyes-turn-congress-following-trump-decision-terminate-daca-program>

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immigration from the countries affected by the ban and the attacks carried out in the U.S. The think tank *New America* emphasizes that all terrorists who have killed Americans in the United States since September 11<sup>th</sup>, 2001 were either U.S. citizens or legal residents whose countries of origin are not on the list of countries covered by the current travel ban.<sup>29</sup> The same is true of the assailants who unleashed attacks in Manhattan in the fall of 2017: both men were legally in the United States and originally hailed from Uzbekistan and Bangladesh. John D. Cohen, professor at Rutgers University, also voices concerns that the travel ban could erode counterterrorism cooperation between the United States and countries such as Yemen, Chad and Somalia. A fact that would not help U.S. efforts combat terrorist networks operating in these areas, such as ISIS and Al-Qaida.<sup>30</sup>

#### *U.S. Budget for Immigration Policy Abroad*

Since the beginning of 2017, there has been great uncertainty among experts about the future budgets for the U.S. Department of State and the United States Agency for International Development (USAID). The Trump administration has offered a proposal for fiscal year 2018 cutting their funding by up to 30%. This would especially affect humanitarian efforts and peacekeeping operations under the auspices of the United Nations.

The White House has asked the relevant departments to submit proposals for cost cutting measures in foreign aid and development programs by September 2018. Several think tanks have participated in the analysis, most notably the *Center for Strategic and International Studies* (CSIS), which created a bipartisan task force headed by two senators. Other participants included the *Heritage Foundation*, which had already supplied ideas in April 2016, the *Center for Global Development* (CGD) and the *Modernizing Foreign Assistance Network* (MFAN).<sup>31</sup>

<sup>29</sup> Peter Bergen, Albert Ford, Alyssa Sims, David Sterman, „Part II. Who are the Terrorists?“, *New America*, 2017. <https://www.newamerica.org/in-depth/terrorism-in-america/who-are-terrorists/>

<sup>30</sup> See Cohen's analysis in: „Supreme Court Cancels Hearing on Previous Trump Travel Ban“, *New York Times*, September 25, 2017. <https://www.nytimes.com/2017/09/25/us/politics/trump-travel-ban-supreme-court.html>

<sup>31</sup> CSIS: „Reforming and Reorganizing U.S. Foreign Assistance“, July 2017, <https://www.csis.org/events/bipartisan-task-force-reforming-and-reorganizing-us-foreign-assistance-report-launch>; Heritage Foundation: „How to Make the State Department More Effective at Implementing U.S. Foreign Policy“, April 20, 2016, <http://www.heritage.org/political->

Their reports mostly conquer that foreign aid and development policy – alongside defense and diplomacy – must remain a strategic pillar in U.S. foreign policy and critical component to further U.S. interests all over the world. All think tanks acknowledge that more must be done to improve the coherence and efficiency of American foreign aid and development policy. A proposal by the *Heritage Foundation* also served as the basis for a discussion as to whether USAID should cease to operate as an independent agency and be installed as a branch of the State Department instead.

On September 7<sup>th</sup>, 2017, the Senate appropriations committee passed a bill for the „2018 Budget for the Department of State, Foreign Operations and Related Programs“. This takes a stand against the Trump administration, which had demanded cuts to foreign aid, development and diplomacy. The senators granted a total of \$51.2 billion for this policy sector – almost eleven billion dollars more than earmarked by the administration. The budget maintained budget appropriations including aid to refugees abroad (\$3.11 billion) and for USAID operations (\$1.35 billion). The committee also opposed the integration of USAID into the State Department.<sup>32</sup> It remains to be seen what the final decisions for the U.S. budget will look like for fiscal year 2018.

#### **IV. Conclusion and Recommendations for Germany and the EU**

##### *Conclusion*

The current immigration policy that Donald Trump is striving to implement follows the principle of „America First“. It sends a signal to the world that many aspiring immigrants are no longer welcome in the United States. There is consensus among U.S. experts that this retreat towards national issues will take place through the implementation of three

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[process/report/how-make-the-state-department-more-effective-implementing-us-foreign](https://www.csis.org/publication/practical-vision-us-development-reform); CGD: „A Practical Vision for US Development Reform“, July 20, 2017, <https://www.cgdev.org/publication/practical-vision-us-development-reform>; MFAN: „A New Foreign Aid Architecture Fit For Purpose“, July 2017, <http://modernizeaid.net/wp-content/uploads/2017/07/MFAN-Co-Chair-Aid-Architecture-Discussion-Draft-.pdf>

<sup>32</sup> „Committee Approves FY2018 State & Foreign Operations Appropriations Bill“, U.S. Senate Committee on Appropriations, September 7, 2017. <https://www.appropriations.senate.gov/news/majority/committee-approves-fy2018-state-and-foreign-operations-appropriations-bill>. See also: Robbie Gramer, „Senate Panel Rejects Trump Plan for Cutting Foreign Assistance“, *Foreign Policy*, September 7, 2017. <http://foreignpolicy.com/2017/09/07/congress-rejects-trump-plan-for-cutting-foreign-assistance-state-department-redesign-diplomacy-senate-appropriations/>

priorities in the months and years to come:

1. Reforming the legal immigration system by drastically reducing the number of immigrants and refugees admitted, inter alia at the expense of reunifying immigrant families; 2. Establishing stricter border security by adding Border Patrol agents, fortifying the U.S.-Mexico border and potentially enacting a long-term travel ban for citizens of certain countries in Africa and the Middle East; 3. Showing less tolerance for vulnerable immigrants already living in the United States (people without a residence permit and possibly young people protected by DACA).

Many researchers fear that the new U.S. immigration policy may have a counterproductive effect on the stated objectives. A majority of scholars reject the idea that a restrictive immigration policy fosters additional growth, boosts employment and lifts wages for native-born Americans in most cases. These experts also doubt that this policy will bolster national security or facilitate counterterrorism.

The Trump administration's decision to withdraw from the platforms of international cooperation on global immigration issues, such as the United Nations, is also viewed as a break from the policies of the Obama administration. The government's current priorities lie in protecting the border and ensuring Americans' safety, as well as safeguarding national sovereignty in decision making processes related to immigration. In this context, experts worry that the foreign aid and development policy of the United States (which include support for refugees in foreign countries) could be subject to fundamental changes in the future. According to experts, this could be a strategic error for U.S. foreign policy as well as for the defense of American interests worldwide.

After President Obama's strong commitment, it appears certain that there will be a lack of U.S. leadership on global immigration issues under Trump. This could significantly exacerbate many global conflict situations. Germany and the EU may find themselves under mounting pressure to fill the emerging vacuum and to take on a leadership role, representing the West and shouldering more responsibility for global immigration issues.

#### *Recommendations for Germany and the EU*

In order to enable cooperation with the United States on immigration issues despite the difficult situation, U.S. experts recommend that Europeans focus on the following points:

1. Register all immigrants and refugees in the EU and prevent dangerous situations from happening that are connected to immigration (such as New Year's Eve in Cologne in 2015).

Simply put: get your own house in order and do your homework. Experts say that these measures could assuage American apprehensions about the security situation in Europe. The 2015 Paris terror attacks, in particular, had a strong impact on the general public in the U.S. Many Americans now fear similar attacks and, therefore, do not trust the Europeans to be reliable partners of the United States when it comes to immigration issues.

#### 2. Improve communications

U.S. experts recommend that Europeans do a better job of emphasizing the progress they have thus far made. Their reasoning for this recommendation is that Americans are not aware of the achievements made. This especially applies to measures for increasing the safety of citizens and the integration of immigrants.

#### 3. Highlight the benefits of immigration

Here, the experts suggest that it is important not to mention the moral obligations tied to flight and migration, but instead to underscore that the safety of the citizens is the highest priority and that immigration, despite its enormous challenges for society, has a positive, medium and long-term effect on the gross domestic product of the country.

#### 4. Support transatlantic exchanges

Americans say this is important so that both sides gain a better understanding of what is currently being done regarding immigration in the United States and in Europe. This would also allow for best practices to be shared more effectively, in areas such as integrating immigrants into the labor market and, last but not least, vocational training.

Moreover, U.S. experts encourage Europeans to take the following initiatives to step up international cooperation on flight and migration:

#### 1. Take a leadership role

The EU should seize the advantage afforded by the United States' lack of leadership to distinguish itself, according to the analysis. Especially at the United Nations, there is now a greater need than ever for a "coalition of the willing" to come to grips with immigration issues. The Europeans could join forces with Canada, in particular, and forge a new dynamic.

#### 2. Take advantage of Germany's credibility

In the United States, Germany is seen by many experts as a serious actor in these issues by virtue of its leading role in the European refugee crisis. Experts recommend that Berlin capitalize on this to advance international cooperation. In particular, Ger-



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many could bring its positive influence to bear on the negotiations for the United Nations' global compact on immigration, which is being prepared on an intergovernmental basis.

### 3. Continue to be demanding and specific

Among U.S. experts there is concern that the absence of clear leadership could ultimately leave both UN compacts on migration and refugees vague and lacking sufficient solutions or political weight, which would doom them to irrelevancy. The hope is that European nations could do their part to navigate these treacherous waters. This calls for political and financial commitment in particular. U.S. experts also stress the importance of focusing on fewer and therefore more concrete resolutions.

### 4. Think regionally

The final recommendation made by U.S. experts is to highlight the necessity of regional cooperation, since the United States has signaled interest for this. Such elements can also be found in the "New York Declaration" on global migration issues, signed by the UN member states in September 2016, and is seen to underpin their efforts in preparing for the global compacts.

In global issues of migration, as in other areas of foreign policy that are of great relevance to the transatlantic relations, the Trump administration's actions will not be the only key factors in the coming years. Much will depend on how the Europeans react to American decisions and whether they are able to challenge Trump's politics of unilateralism and find ways to cooperate in areas of common interest.

## Further Reading

### **The National Academies of Sciences, Engineering and Medicine**

#### **„The Economic and Fiscal Consequences of Immigration“**

Report, 2017

<https://www.nap.edu/catalog/23550/the-economic-and-fiscal-consequences-of-immigration>

### **Brookings Institution**

#### **„Immigration by the numbers“**

Elaine Kamarck, John Hudak, Christine Stenglein, August 15, 2017

<https://www.brookings.edu/interactives/immigration-by-the-numbers/>

### **Migration Policy Institute (MPI)**

#### **„Beyond Stock-Taking: The Path Ahead to a Global Compact for Migration“**

Webinar, December 12, 2017

<https://www.migrationpolicy.org/events/beyond-stock-taking-path-ahead-global-compact-migration>

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