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WHITE HOUSE PLANS TO SET REFUGEE CAP AT 45,000 FOR NEXT FISCAL YEAR

Refugee cap would be the lowest since at least 1980

By Laura Meckler and Felicia Schwartz
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WASHINGTON – President Donald Trump plans to set the cap for refugee admissions for the coming fiscal year at 45,000, the lowest in decades, according to people familiar with the discussions.

The number won't be officially settled until after senior administration officials consult with members of Congress, as required by law, on Wednesday. A decision is due by Saturday, before the next fiscal year begins.

The State Department had initially pushed for a cap of at least 50,000 but later revised its recommendation to the president to 45,000. The Department of Homeland Security recommended a figure closer to 40,000.

Mr. Trump has already lowered the cap once. A year ago, former President Barack Obama said the U.S. would accept as many as 110,000 refugees in 2017, responding to pressure from a mounting Syrian refugee crisis. After taking office, Mr. Trump lowered the 2017 cap to 50,000 and sought to suspend refugee admissions altogether for 120 days in order to review vetting procedures.

Since 1980, the president has had sole authority to set annual refugee admission caps, and until this year, the cap had never been set below 67,000. In the early 1990s, it topped 110,000 every year, but more recently, the cap hovered between 70,000 and 80,000.

A White House spokesman declined to comment on this year's deliberations.

This year's process has been a contentious one, with White House domestic policy adviser Stephen Miller, who advocates a hardline view on immigration, inserting himself into a discussion that is typically dominated by foreign policy concerns. Early in the process, he recommended a cap as low as 15,000, people familiar with the process said.

Agency officials opposed such a dramatic reduction. Still, the Homeland Security Department pushed to lower refugee admissions below Mr. Trump's 50,000 figure for this fiscal year, which was already the lowest cap on record.

The refugee admission program remains on hold now, though some are admitted through waivers or exceptions mandated by the Supreme Court. Officials said the administration doesn't plan to keep the suspension in place after the 120-day period ends next month. Syrian refugees won't be eligible, though, as all Syrians are banned from traveling to the U.S., unless they qualify for a waiver, under a revised travel ban unveiled on Sunday.

Some refugee advocates were relieved that Mr. Miller's dramatically lower figure doesn't appear to have won the day, but they were dismayed by the decision nonetheless.

"I call it an example of evidence-free policy making because all evidence indicates that refugees result in significant benefits for American society and meet our foreign policy interests, not to mention our values," said Eric Schwartz, president of Refugees International who oversaw such issues at the State Department under Mr. Obama. "We're making policy based on ignorance and prejudice rather than evidence."

But immigration opponents argue that is it far more efficient to help refugees where they live and that no matter how many are admitted to the U.S., it will be a small slice of the total in need.

Mark Krikorian, executive director of the Center for Immigration Studies, said the U.S. should only take in about 5,000 refugees to help "only in the most extreme emergency cases." He called Mr. Trump's preliminary decision "a step in the right direction."

DHS also argued that admitting fewer refugees would allow the agency to direct more resources toward vetting applications for asylum. Refugees remain outside the U.S. while their applications are considered; asylum applicants are filed by people who are already here.

The refugee and asylum programs are similar in that both require applicants to show a well-founded fear of persecution based on race, religion, nationality, political belief or membership in a social group.

But there are differences. First, under an international treaty, the U.S. is obligated to accept people with valid asylum claims, whereas it has the authority to set refugee admissions at any level. Also, asylum applicants who meet threshold criteria are allowed to wait inside the U.S. while their applications are considered, while refugees are often living in desperate conditions.

In addition, once asylum applications are processed, a share of them will be rejected, putting some of those people on a track toward removal from the country. So, vetting asylum applications helps reduce the number of immigrants in the U.S., while also giving peace of mind to those who qualify for the protections.

Leon Rodriguez, who ran the U.S. Citizenship and Immigration Services under the Obama administration, said it was a false choice to pit asylum applicants against refugees. He said there is enough money at DHS to do both "if the administration actually cared about refugees."

- Shane Harris contributed to this article.