

TRUMPISM AGAINST THE PUBLIC INTEREST:  
A POLITICAL DISCOURSE ANALYSIS

by

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DISSERTATION

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## DEDICATION

I dedicate this dissertation to my loving and supporting wife of twenty-seven years, Martrese. It seems that I have been in school for most of our life together. Thank you for supporting and encouraging me to finish the Ph.D, through *all* the trials, tribulations, and triumphs we have experienced together. You have been my biggest cheerleader and the grounding of our family while I have worked and pursued academia. I could not have accomplished this undertaking without you! I love you and thank God for you! I dedicate this dissertation to my children: Cilicia, Ezekiel, Samaria, and Malacci for your constant love, support, and for being an inspiration for me to complete the Ph.D. Ultimately, I wanted to make you all proud of me and to be able to inspire all of you to courageously and tenaciously pursue your dreams unto fulfillment. I dedicate this dissertation to my grandchildren: Elijah, Milah, E'mori, and Zarah. You all are the greatest sources of my love, joy, and laughter, on planet earth, and have been very welcome interruptions from the rigors of dissertation writing!

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## ABSTRACT

TRUMPISM AGAINST THE PUBLIC INTEREST:  
A POLITICAL DISCOURSE ANALYSIS

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Trumpism has come to mean different things to different people. This dissertation explores whether Trumpism is an extreme form of New Public Management, privileging values of efficiency and effectiveness, in public policy and public administration, to the exclusion of the value of social equity. Fairclough & Fairclough's (2012) political discourse analysis method is applied to Trump's immigration policy to enact merit-based immigration and to his housing policy to eliminate the Community Development Block Grant program. Using Fairclough & Fairclough's (2012) political discourse analysis method consisting of *argumentation theory* and *critical discourse analysis*, along with Frederickson's "Compound Theory of Social Equity" (1990, 1997, and 2010), this dissertation seeks to answer: 1. Do the New Public Management arguments supporting Trump's policies withstand critical evaluation? and 2. Do the New Public Management values espoused by President Trump and his key policy advocates differ from traditional democratic governance?

## CHAPTER ONE

### INTRODUCTION

Do the New Public Management arguments supporting Trump's policies withstand critical evaluation? Do the New Public Management values espoused by President Trump and his key policy advocates differ from traditional values of democratic governance? These two questions will be pursued through the methodology of "political discourse analysis" as set forth in Fairclough & Fairclough's (2012) *Political Discourse Analysis: A Method for Advanced Students*. For, according to Fairclough & Fairclough, "Evaluation of arguments is seen as a providing a sound (rigorous, non-arbitrary) basis for normative and explanatory critique" (2012: 13). This dissertation will evaluate whether or not Trump's policies, in the areas of housing and immigration, survive scrutiny from a *logical* and *dialectical* perspective as understood in *argumentation theory* (Fairclough & Fairclough 2012). Overall, this dissertation will explore the possibility that *Trumpism* is an extreme application of New Public Management, focusing myopically on *efficiency* and *effectiveness* (otherwise notable aims of public policy and public administration), rather than on traditional democratic governance which also includes the concept of *social equity* as set forth in Frederickson's "Compound Theory of Social Equity" (Frederickson 1990, 1997, and 2010). Arguably, *Trumpism* fails to meet the standard set forth by the authors of *Reinventing Government* (1992), which is considered by many to be a seminal work in New Public Management. For, they cite "equity" as an essential aim of public policy and public administration:

Business does some things better than government, but government does some things better than business. The public sector tends to be better, for instance, at policy management, regulation, ensuring equity, preventing discrimination or exploitation, ensuring continuity and stability of services, and ensuring social

cohesion (through the mixing of races and classes, for example, in the public schools) (Osborne & Gaebler 1992: 45-46).

It makes sense to put the delivery of many public services in private hands (whether for-profit or nonprofit), if by doing so a government can get more effectiveness, efficiency, equity, or accountability. But we should not mistake this for some grand ideology of privatizing government (Osborne & Gaebler 1992: 47)

### Why Housing and Immigration?

Before introducing the discussion with regards to Trump's policies in the areas of housing and immigration, a brief discussion is appropriate as to why the author chose to focus on these specific policy areas and not others? Transportation, the environment, and labor policy, etc., are other areas, for example, that could have been brought under the scrutiny of political discourse analysis as applied in this dissertation. In the area of transportation policy, Trump has sought to eliminate funding for Amtrak's long-distance train service and the Essential Air Service (EAS) program which provides subsidized commercial air service to rural airports (OMB 2017a: 35). Trump's labor policy has sought to eliminate: the Senior Community Service Employment Program (SCSEP), a program meant to transition low-income unemployed seniors into unsubsidized jobs, unemployment insurance benefits, Job Corp centers, job training and employment grants, as well as Occupational Safety and Health Administration (OSHA) training grants (OMB 2017a: 31-32). In terms of the environment, Trump has sought to pull the United States out of the Paris Climate Agreement of 2015 which seeks to mitigate the effects of climate change. Additionally, funding cuts have been sought for the Environmental Protection Agency's (EPA) Office of Enforcement and Compliance Assurance, the Office of Research and Development (ORD), the Great Lakes Restoration Initiative, and up to 50 other EPA programs



have been identified for elimination (OMB 2017a: 41-42). Hence, Trump's narrow focus on *efficiency* and *effectiveness* and the neglect of *social equity* is a charge that could be applied to policy areas such of transportation, labor, and the environment, as well as others. So, why does this dissertation not focus on these areas, but rather housing and immigration?

In the author's opinion, the areas of housing and immigration are more salient in the public debate with regards to *social equity*. By salience, the author means that these policies, arguably, have the broadest impact on individuals and families as stemming from Federal public policy. Federal public policies in the areas of housing and immigration have an immediacy and pervasiveness, in terms of social equity, down to the individual person and household that is not necessarily the case with transportation, labor, and environmental policies.

Furthermore, in keeping with Douglas Rae, et al.'s *Equalities* (1981), which largely informs Frederickson's "Compound Theory of Social Equity," with regards to the *domain of allocation* (the policy maker or agency) and the *domain of account* (the recipient of the allocation) (Rae, et al. 1981: 48-49), the author perceives a straighter line from said policies to individuals and families, from a *social equity* perspective, when housing and immigration policies (see Trump's merit-based rationale as it pertains to legal immigration, OMB 2017b: 15-17) are being considered, rather than say for transportation, labor, and the environment, within the parameters of Federal budget outlays, etc. There is a more obvious *dollar per unit* (or, dollar per individual or household) articulation, for the purposes of political discourse analysis, that is perceptible with housing and immigration than there would be with transportation, labor, or the environment. This is the reasoning behind why certain policy areas were chosen for this dissertation as opposed to others. Nevertheless, the author realizes that his choice of policy areas, for evaluation, could reasonably be deemed subjective and arbitrary.

### Trumpism: Broadly Conceived

*Trumpism*, arguably has come to mean many different things to many people. In a sense, it defies a succinct description or definition. However, there are some characterizations about Trumpism which are more compelling than others. These excerpts below are just a few examples suggesting that *Trumpism* may be viewed as: a rejection of traditional Republican principles such as *Lincolnian* equality, an embrace of *Jacksonian* ethnonationalism, a fascist redux, corporatism, plutocracy, and authoritarian capitalism. The following are *media sources*, pertaining to Trumpism, which will be supplemented by scholarly *peer-reviewed sources*.

Donna Brazile, of *Fox News*, laid out the following observations about Trumpism in her article, “Donna Brazile: Convention shows Republican Party has died and been replaced by Trump Party”:

The Republican Party died a sad death Thursday night, as the party that gave America President Lincoln and ended slavery was replaced by the Trump Party—loyal only to its incompetent, erratic and egotistical leader who rules by dividing Americans instead of uniting us....The Trump Party—which has been deserted by many prominent long-time Republicans—is no longer a party of principles, but a party of a personality cult. In this respect, it is closer to the Communist Party of Trump’s good buddy North Korean President Kim Jong Un than to the party of Lincoln....Gone is the former Republican Party’s commitment to Free Trade, replaced by Trump’s Protectionism War. Gone is the Republican Party’s commitment to less government, replaced by Trump’s ever-increasing grab for executive power. Gone is the Republican Party’s commitment to a “nation of immigrants,” replaced by Trump’s border wall, and Trump’s slanders on people from what he called “s---hole countries.” Gone is the Republican Party’s commitment to preserving checks and balances in our federal government....Gone, most importantly, is the Republican commitment to equality. (Brazile 2020: 1-3)

For Brazile, Trump has transformed the Republican party, the party of Lincoln, by introducing a governance strategy based on division rather than unity. According to Brazile, Trump has moved the party from one of principles to personality cult which has led to the embracing of dictators

like North Korea's Kim Jong Un and Russian President, Vladimir Putin. Other signs observed by Brazile showing that Trumpism has replaced traditional Republican principles include trade wars, disparagement of immigrants, rejection of checks and balances in the federal government, and contempt for "the Republican commitment to equality."

Peter J. Katzenstein, in his article "Trumpism is US" which appeared in the June 2019 edition of *WZB-Mitteilungen* writes:

Focusing excessively on the flaws of President Trump—his ignorance, vulgarity, crudeness and authoritarianism—and on his political genius—to divide, fabricate, destabilize and corrupt—implies that voting him out of office will return America to its normal and better self. Not so. Trumpism is part of America... Trumpism is not an abnormality but a contemporary offshoot of American's Jacksonian tradition... Trumpism has pushed aside both mainstream conservatives and intellectual neoconservatives. Thus it has changed the American conservative movement. Some parts of the Reaganist script endure: tax cuts, small government, strong military, ready acceptance of growing inequality, inaction on or outright opposition to environmental issues, and bulging deficits. New items have been added: misogyny, racial prejudice, and xenophobia. Trumpism rests on three pillars: ethnonationalism, religion, and race. (Katzenstein 2019: 1)

Katzenstein argues rather than *Trumpism* being in aberration or something totally new, that it finds its antecedent core in the tradition of Andrew Jackson, who like Trump, appealed to beliefs based of ethnonationalism, religion and race. According to Katzenstein, Trumpism has replaced American conservatism with "misogyny, racial prejudice, and xenophobia," despite adhering to some parts of the "Reaganist script."

Rejecting the notion that Trumpism is akin to fascism, Dylan Matthews of *Vox*, in his article "I asked 5 fascism experts whether Donald Trump is a fascist. Here's what they said" writes:

So if Donald Trump isn't a fascist, what is he? Well, he's a right-wing populist. And while fascists are rare in 2015, right-wing populists are not. In fact, its kind of weird that America hasn't had a real one before now. The UK has the UK Independence Party (UKIP); France has Marine Le Pen and the Front National; Germany has Alternative for Germany (AfD) and the anti-Muslim Pegida movement; Sweden has the Sweden Democrats; the Netherlands has the

Party for Freedom and its leader, Geert Wilders. These Parties have a lot in common with Trump. They're fiercely anti-immigration and particularly critical of Islam, couching their bigotry as a reasonable precaution and stoking fear about homegrown terrorism....To be very, very clear: Donald Trump is a bigot. He is a racist. He is an Islamophobe and a xenophobe. He profits off the hatred and stigmatization of traditionally oppressed groups in American society. That makes him, and his European peers, and racists in other eras in American history, a threat to crucial values of equality and fair treatment, and a threat to the actual human beings he's targeting and demonizing. (Matthews 2016: 9-10, 11)

Matthews seeks to delve into the question of whether *Trumpism* is fascism. Concluding that Trump is not a fascist, Matthews asserts that "he's a right-wing populist." Like Isaac (2017), Matthews views *Trumpism* to be a piece with the right-wing populism in other parts of the world. Similar to *Trumpism*, right-wing populism in other countries tends to be anti-immigrant and anti-Islam. In Matthews estimation, Trump is "...a threat to crucial values of equality, and fair treatment, and a threat to the actual human beings he's targeting and demonizing."

Similar to Matthews's (2016) rejection of the fascist label for *Trumpism*, Ed Finn, in his article "Is Trump a fascist?", which appeared in Newfoundland and Labrador's *The Independent*, writes:

What Trump does have in common with past autocratic rulers is a close alliance with corporations. As a real estate entrepreneur himself, he is a strong supporter of capitalism and a firm believer in the operation of free market forces....The upshot is that this form of "corporatism" has come to resemble plutocracy rather than fascism. Just as the rich and powerful now control the global economy (capitalism), they now also jointly control governments (plutocracy). Bret Paxton, a professor emeritus of social science at Columbia University, came to the same conclusion in *American Duce*, an article he wrote for the May issue of *Harper's*. Paxton berates Trump for his reactionary cabinet, his Nazi-like rallies, his regressive tax policies, his denial of global warming, his anti-immigration stance, and his defunding of environmental and educational agencies. "These are alarming facts," he admits. "Are we therefore looking at a fascist? Not really. Unchecked executive power indicates generic dictatorship rather than fascism in particular...We might as well call the Trump regime by the appropriate name: plutocracy." (Finn 2017: 6-7)

Finn, like Matthews, rejects the label of fascist for Trump. However, like other autocrats before him, Finn sees Trump's close ties to corporations as evidence that *Trumpism* is, in fact, American plutocracy.

Christian Fuchs's, author of *Digital Demagogue: Authoritarian Capitalism in the Age of Trump* (2018), in his chapter "Trumpism: Donald Trump and Authoritarian-Capitalist Statism," maintains that Trump has successfully persuaded American voters to accept *authoritarian capitalism* from someone representing the economic elite rather than the political elite, in part due to his "smart businesspeople" rhetoric:

'Finally, I realized that America doesn't need more "all-talk, no-action" politicians running things. It needs smart businesspeople who understand how to manage. We don't need more political rhetoric – we need more common sense. "If it ain't broke, don't fix it" – but if it is broke, let's stop talking about it and fix it. I know how to fix it'.

'[I]t's about time that this country had somebody running it that has an idea about money'. 'And if we could run our country the way I've run my company, we would have a country that you would be so proud of [...]. We have the greatest businesspeople in the world. We have to use them to negotiate our trade deals'. (Fuchs 2018: 85-56)

Fuchs goes on to conclude, "The rise of Trump is the story of how a billionaire came to political power. He did not bring about a non-elitist people's politics, but the rise of the capitalist class as directly ruling and dominating politics" (2018: 86).

In addition to the authors writing in *media sources* about Trumpism, scholars are writing in *peer-reviewed journals* about the phenomena of Trump's candidacy and presidency. A small sample of these scholars see Trumpism consisting of: right-wing, nationalist populism, illiberal democracy, plutocracy, sludge, disfigured Americanism, outmoded masculinity, meta-violence, neo-liberal authoritarianism, and inverted fascism.

Jeffrey C. Isaac, editor of *Perspectives on Politics* writes the following in his article "Making America Great Again?":

It is obvious that “Trumpism” is a distinctly American version of the rise of right-wing, nationalist populism, and “illiberal democracy,” that is unfolding in many parts of the world, especially in Europe. In recent months, a great many political science colleagues who write about right-wing populism or authoritarianism in places as far ranging as Russia, China, Turkey, and Egypt have published pieces—in *The Monkey Cage*, *Foreign Affairs*, *Vox*, and a variety of other outlets—about the lessons that American scholars and citizens can learn from these places about current events in the United States. (Isaac 2017: 625)

Isaac asserts that *Trumpism* is an American version of the “right-wing, nationalist populism and illiberal democracy” that has swept other parts of the world. He notes that there may be lessons for Americans to understand what is going on in the U.S. from the scholarship being produced about right-wing populism and authoritarianism in other countries. Nai et al. 2019, in their article “Donald Trump, Populism, and the Age of Extremes: Comparing the Personality Traits and Campaign Styles of Trump and Other Leaders Worldwide,” appearing in *Presidential Studies Quarterly*, concur with Isaac (2017), but go further in positing Trump to have an even more extreme personality type when compared to other authoritarian right-wing, populists.

Paul Pierson (2017), in “American hybrid: Donald Trump and the strange merger of populism and plutocracy” included in *The British Journal of Sociology*, concedes that Trump’s rhetoric during his presidential campaign squares strongly with populism. However, Pierson maintains that when it comes to governance, budgets, etc., Trump is a reliable proponent for the interests of capital. He writes, “One thing that has not occurred on Trump’s watch, however, is a populist rejection of the longstanding Republican commitment to a radically inegalitarian brand of market fundamentalism” (S117).

Lilian Moncrief (2017), in her *Law & Critique* article “Trumpism and Being in Worlds that Fall Between Worlds,” connects Trumpism to “sludge” which stands for the geographical areas of unaccountability where there is rust, inequality, poverty, despair,

economic collapse, etc. According to Moncrief, Trumpism exploits these geographical areas of economic misfortune much like corporations exploit the environment and produce “sludge”.

Mimi Yang’s 2017 article “Trumpism: A Disfigured Americanism” appeared in *Palgrave Communications*. In this article Yang posits that there is a “Vertical Americanism” based on “hierarchies to secure power and control and to maintain cultural purity” and a “Horizontal Americanism” founded on the ideals of Martin Luther King, Jr. and Barack Obama which “equalizes and connects across races, creeds, and social classes” (1) which are kept in balance or tension. However, according to Yang, “Trumpism incarnates an exclusionist, isolationist worldview, which disregards and disrupts the vital symbiosis of the vertical and the horizontal at the core of American culture, disfiguring Americanism (2).

C.J. Pascoe (2017) finds Trumpism to be an anachronistic masculinity which seeks to dominate women and men who are perceived to less masculine. In “Who is a Real Man? The Gender of Trumpism,” which is included in *Masculinities and Social Change*, Pascoe writes the following about Trump:

Different modes of manhood, masculinity, and misogyny have been at the heart of his rise to power....According to many, especially those on the American and global left, the President enacts and represents an outmoded understanding of masculinity—a boorish, sexist, unsophisticated, homophobic, xenophobic, racist, nationalist manhood (121).

Ironically though, Pascoe finds Trump’s critics to use some of the same themes of dominance and distorted masculinity to attack Trump.

Samira Seramo (2017) sees in Trumpism a “meta-violence.” In “The Meta-violence of Trumpism,” appearing in the *European Journal of American Studies*, Seramo writes:

The rise of Donald Trump and the popular movement that surrounds him has relied on emotional evocations of violence—fear, threats, aggression, hatred, and division...At times during the 2016 U.S. Presidential campaign, political tensions resulted in outbursts of physical violence and aggression. More often, however, election violence took on more discrete forms (1).

For Seramo, the meta-violence of Trumpism is less actual violence, but the pervasive specter of violence.

Lastly, David Lebow, in his *Perspective on Politics* article “Trumpism and the Dialectic of Neoliberal Reason” writes:

Trump’s neoliberal brand of authoritarianism is better characterized as *inverted fascism*. A decade ago, Sheldon Wolin foresaw “the specter of inverted totalitarianism,” which continued to trumpet democracy while detaching actual practices from what they were proclaimed to be. Whereas fascism manifested the overgrowth of instrumental rationality, Trumpism issues from hypertrophy of neoliberal reason. In a profound irony, the governmentality proffered as fascism’s antithesis and antidote ultimately reiterates inverted fascist elements. Each of these three aspects of agitation—tapping into real anxieties, corrupting democratic norms through misinformation and transgression, and enabling misdirected aggression—arise in Trumpism, but in characteristically neoliberal ways. (Lebow 2019: 391)

Not disputing Trump’s affinity for right-wing populism and plutocracy, Lebow offers an extensive analysis of the development and “hypertrophy” or excessive growth of neoliberal rationality which he asserts has resulted in the rise of *Trumpism*, an “inverted fascism.” This characterization of Trumpism being an outgrowth of the excesses of neoliberal rationality coincides with the aim of the dissertation—to explore whether Trumpism is an extreme application of New Public Management, which has its basis in neoliberal rationality.



## Trumpism and New Public Management

This dissertation seeks to explore whether Trumpism is a radicalized version of New Public Management. New Public Management (NPM), based upon Neoliberal economic ideas and managerialist ideology, seeks to establish a “corporate” ethic in the public sector.

Frederickson writes:

NPM...is more ideological; it constitutes a specific normative view....At its core, NPM is an attempt to inject corporate values into the public sector. It sees no sacrosanct cultural or societal role for the public sector, and separates it from the private sector only by the type of product being produced. (Frederickson, et. al 2012: 239)

Arguably, Trump has sought to carry out public policy and governance from a narrow “President’s *Management Agenda*” according to his first proposed budget document titled *America First: Budget Blueprint to Make America Great Again* and crafted by Mick Mulvaney, Director of the Office of Management and Budget (OMB 2017a). There is a heavy emphasis on managerialist ideology, as found in NPM, in the opening pages of Trump’s Budget Blueprint. In the section titled “Management,” Mulvaney begins with, “The Federal Government can—and should—operate more *effectively, efficiently, and securely*” (OMB 2017a: 7). He then goes on to highlight “As one of his first acts as President, on January 23, 2017, the President issued a memorandum imposing a Federal ‘Hiring Freeze’” (OMB 2017a: 7). The “President’s Management Agenda” according to Mulvaney, would be “...focused on achieving significant improvements in the effectiveness of its core management functions” (OMB 2017a: 7). Additionally, “The President’s Management Agenda” would “...set goals that are critical to improving the Federal Government’s effectiveness, efficiency, cybersecurity, and accountability” (OMB 2017a: 7). The “President’s Management Agenda” would focus on: holding “...program managers accountable for improving performance and delivering high-

quality and timely services to the American people and businesses”; “...devoting a greater percentage of taxpayer dollars to mission achievement rather than costly, unproductive compliance activities”; rolling back “...low-value activities and let managers manage” (OMB 2017a: 7-8). Mulvaney ended the “Management” section with: “Through this bold agenda, we will improve the effectiveness, efficiency, cybersecurity, and accountability of the Federal Government and make government work again” (OMB 2017a: 8).

Overall, Mulvaney articulated Trump’s beginning policy agenda in terms of NPM and managerialist ideology, giving primacy to “effectiveness”, “efficiency”, and “accountability”, which *should be* goals of public policy and public administration, but to the exclusion of *social equity*, which is also essential to good governance. These NPM and managerialist values of “effectiveness” and “efficiency” provide the framework for Trump’s proposed FY 2018 Budget Blueprint and subsequent budget and policy priorities. “Social equity”, a value of democratic governance, is significantly lacking. Accordingly, this dissertation is an exercise in political discourse analysis, applying *argumentation theory* and *critical discourse analysis* to *Trumpism* as it pertains to Trump’s housing policy—eliminating the Community Development Block Grant Program and his signature *legal* immigration policy—enacting merit-based immigration. The overall goal of this dissertation is to answer two questions: Do the NPM arguments supporting Trump’s policies withstand critical evaluation according to *argumentation theory*? Do the NPM values, such as *efficiency* and *effectiveness*, as applied in Trump’s policies, differ from what one would find in traditional democratic governance, which also includes the value of *social equity*? In sum, the aim of this dissertation is to explore the possibility that *Trumpism* is an extreme and/or distorted application New Public Management.

## Trumpism and Housing Policy

According to Mulvaney, the proposed Trump Budget Blueprint for FY 2018, reflected the “...President’s commitment to fiscal responsibility while supporting critical functions that provide rental assistance to low-income and vulnerable households and help work-eligible families achieve self-sufficiency” (OMB 2017a: 25). “Fiscal responsibility” according to Mulvaney would include a budget request of “...\$40.7 billion in gross discretionary funding for HUD, a \$6.2 billion or 13.2 percent decrease from the 2017 annualized CR level” (OMB 2017a: 25). This budget decrease would result in the elimination of “...funding for the Community Development Block Grant program, a savings of \$3 billion from the 2017 annualized CR level” (OMB 2017a: 17). In keeping with NPM principles of measurement and devolution, etc., Mulvaney gave the following as a rationale for the elimination of the CDBG program:

The Federal Government has spent over \$150 billion on this block grant since its inception in 1974, but the program is not well-targeted to the poorest populations and has not demonstrated results. The Budget devolves community and economic development activities to the State and local level, and redirects Federal resources to other activities. (OMB 2017a: 25)

Finally, in order to “promote fiscal responsibility” the Trump Budget of FY 2018 would eliminate funding for “...the HOME Investment Partnerships Program, Choice Neighborhoods, and the Self-help Homeownership Opportunity Program, a savings of over \$1.1 billion from the 2017 annualized CR level. State and local governments are better positioned to serve their communities based on local needs and priorities” (OMB 2017: 25).

To be sure, other presidents including Carter, Reagan, both Bushes, Clinton, and Obama have sought to either reform and/or decrease funding to the CDBG program (Rich 2014). However, not until Trump, has any president given serious consideration to eliminating the CDBG program. Trump’s extreme focus on *efficiency* and *effectiveness* and neglect of *social*

*equity* would continue to characterize housing policy as set forth in the proposed FY 2019, FY 2020, and FY2021 Budgets (OMB 2018, 2019, and 2020).

### Trumpism and Immigration Policy

Immigration policy has been a primary focal point of Trump's agenda. The centerpiece of Trump's policy to address *illegal* immigration is the border wall. According to the proposed FY 2018 Budget Blueprint, "The Budget would aggressively implement the President's commitment to construct a physical wall along the southern border as directed by his January 25, 2017 Executive Order..." (OMB 2017a: 23). The wall would arguably "...stem the flow of people and drugs illegally crossing the U.S. borders" (OMB 2017a: 23). Additionally, Trump's proposed FY 2018 Budget:

Advances the President's plan to strengthen border security and immigration enforcement with \$314 million to recruit, hire, and train 500 new Border Patrol Agents and 1,000 new Immigration and Customs Enforcement law enforcement personnel in 2018, plus associated support staff. These new personnel would improve the integrity of the immigration system by adding capacity to interdict those aliens attempt to cross the border illegally, as well as to identify and remove those already in the United States who entered illegally. [The Budget] Enhances enforcement of immigration laws by proposing an additional \$1.5 billion above the 2017 annualized CR level for expanded detention, transportation, and removal of illegal immigrants. These funds would ensure that DHS has sufficient detention capacity to hold prioritized aliens, including violent criminals and other dangerous individuals, as they are processed for removal. (OMB 2017a: 24)

From a funding perspective, the Department of Homeland Security was one of the few agencies, along with the Department of Defense, to receive a recommendation for a significant increase in the proposed FY 2018, FY 2019, FY 2020, and FY 2021 Budgets (OMB 2017a, 2017b, 2018, 2019, and 2020). Nevertheless, the goals in the area of immigration would continue to fit within Trump's, arguably, extreme version of NPM in terms of *efficiency*, *effectiveness*, and the overall financial bottom line:

America's immigration policy must serve our national interest. The Budget supports commonsense immigration standards that protect American workers, reduce burdens on taxpayers and public resources, and focus Federal funds on underserved and disadvantaged citizens. When fully implemented these changes have the potential to save American taxpayers trillions of dollars over future decades. (OMB 2017b: 15)

It is arguably in the area of immigration policy that the NPM ideology is most extreme under Trump, casting the morally fraught issue of who gets to come to America and who gets to stay in America, legally, in consistently economic terms and not necessarily for security reasons. For Trump, merit-based admissions for legal immigrants (2017b: 15-17) means focusing on who can most positively impact the government balance sheet. So, whether people are coming to America, legally, for a better life or in order to save their lives and those of their families, Trump's policy goal is to limit entrance to those who are better equipped to pay their own way and not require assistance from the government.

To be sure, Trump is not the first president to seriously consider implementing a merit-based immigration plan. During the administrations of President George W. Bush and that of President Barack Obama, several versions of immigration reform were contemplated. The most significant reforms would have provided legal status and a pathway to citizenship for undocumented immigrants. However, these reforms also included different versions of points-based criteria into the visa system, yet, which did not privilege people with education in STEM. Moreover, unlike Trump's merit-based immigration, the goal of these various reforms was not to cut immigration in half. Nor was the intent, unlike with the RAISE Act, which Trump supports, to do away with the Diversity program (American Immigration Council 2013). Arguably, Trump is narrowly focusing on *efficiency* and *effectiveness* with his pursuit of merit-based immigration with the goal of stemming the tide of *legal* immigration. This is NPM-type policy making carried to a level that downplays or excludes traditional values of democratic governance such as *social equity*.

## The Public Interest

In order to bring some clarity to what is meant by *Trumpism* being against the *public interest*, some fleshing out of the author's assumptions regarding the *public interest* is in order. The author takes, as a foundational treatment of public interest, the scholarly discussion in Carl D. Friedrich's classic work *NOMOS V: The Public Interest* (1962), in which he edited an anthology of theorists writing about the public interest. According to Friedrich, the viewpoints of the authors, which represented the fields of economics, law, philosophy, and political science, ranged "...from a reasoned conviction that the public interest is a central concern of political and legal philosophy to the pointedly argued rejection of it as merely a façade for special interest and partisan position in the political battle" (1962: vii).

From the author's point of view these writings can be grouped into three general schools of thought. The first school rejects the idea that there *is* a public interest (Schubert 1962 and Sorauf 1962). The second school consists of those who see the public interest as nothing more than the aggregate of private interests (Musgrave 1962). Authors in the third school, consisting of those with a more traditional view, see the public interest as a vital social value inextricably linked to democracy (Lasswell 1962 and Colm 1962).

Authors in the first school reject the idea of the public interest because, arguably, there is no scholarly consensus on the public interest. Glendon Schubert reviewed the extant scholarly literature, at the time, and concluded that there was no public interest theory capable of being operationalized for public officials and decision makers. He wrote, "It may be somewhat difficult for some persons to accept the conclusion that there is no public interest theory worthy of the name and that the concept itself is significant primarily as a datum of politics" (1962: 175). Frank J. Sorauf, citing the lack of scholarly consensus regarding the definition of the public

interest, also rejected the idea that there is a public interest and, instead, suggested, “Perhaps the academicians ought to take the lead in drawing up a list of ambiguous words and phrases ‘which would never be missed.’ For such a list I would have several candidates, but it should suffice here to nominate the ‘public interest’” (1962: 190). Theorists, in the second school, typically see the public interest in narrow economic terms: the aggregating of private interests results in the public interest. Hence, policies aimed to further the public interest should really be policies that result in “...efficiency working in the creation and maintenance of material welfare” (Musgrave 1962: 114, see also Buchanan & Tulloch 1962, 1990). Proponents of a more broad-based view of the public interest, the third school, tend to assume the existence of the public interest and view a functioning economy as only *one* part of the democratic order. Harold D. Lasswell sought to advocate for a conception of the public interest that “...contributed to the realization of human dignity on the widest possible scale” (1962: 57). He saw relevant themes of the public interest embodied in the U.S. Declaration of Independence and in the U.N. Charter of Human Rights. Gerhard Colm saw the public interest as consisting of such “proximate objectives” as health, education, political independence, stable social institutions, and individual self-determination (1962: 120). For this third school, the defining feature of the public interest consists of broadly shared concerns and needs of the general populace being given pride of place. These concerns and needs should compel policy makers and administrators to restrain and regulate the liberal economic order towards such ends.

The author of this dissertation, aligning with the third school, conceives the public interest as that which concerns the broadest swath of the public, which largely consists of those who need the policy-making power of government to restrain and regulate the economic order so that basic needs are attended to for all. What this calls for, in the words of more recent

proponents of the third school, is “...a definition of the public interests that ‘turns on the notion of sufficient output for the entire community and on an adequate portion of that output distributed to each member of the community’” (Champlin and Knoedler 2004: 902). This formulation of the public interest is compatible with Frederickson’s “Compound Theory of Social Equity” (1990, 1997, and 2010). For the purpose of this dissertation, the public interest will be construed as that which aims towards *social equity* in terms of Frederickson’s “Compound Theory of Social Equity”. Therefore, when it is being argued that *Trumpism* works against the public interest, what is meant is that Trump’s policies, by and large, forgo serious efforts towards expanding *social equity*. *Efficiency* and *effectiveness*, which certainly contribute to the public interest, however, are given primacy in Trump’s policies, to the neglect of *social equity*.

### Methodology

The methodology for this dissertation will be “political discourse analysis” as set forth in Isabela and Norman Fairclough’s *Political Discourse Analysis: A Method for Advanced Students* (2012). Fairclough & Fairclough (2012) “...adopt van Dijk’s characterization of political discourse as attached to political *actors*—individuals (politicians, citizens), political institutions and organizations, engaged in political *processes* and *events*....” (2012: 17). Furthermore, according to van Dijk (1997b):

...critical-political discourse analysis deals especially with the reproduction of political *power*, *power abuse* or domination through political discourse, including the various forms of resistance or counter-power against such forms of discursive dominance. In particular such an analysis deals with the discursive conditions and consequences of social and political *inequality* that results from such domination. (van Dijk 1997b: 11)



This dissertation will employ Fairclough and Fairclough's (2012) method of political discourse analysis to analyze, evaluate, and critique the arguments and values that underlie Trump's policies in the areas of housing and immigration.

Fairclough & Fairclough (2012) contend that political discourse is primarily argumentative in nature. The type of argumentation that political actors engage in is *practical argumentation* or argumentation for a particular course of action. According to Fairclough & Fairclough (2012), when political actors are speaking or writing for or against particular policies or strategies for government action, they are making practical arguments. Therefore, the first element of Fairclough & Fairclough's (2012) methodology of political discourse analysis deals with practical argumentation, using *argumentation theory*. Fairclough & Fairclough's (2012) use of argumentation theory evaluates political arguments from an *explanatory* perspective and from a *normative* perspective. The *explanatory* perspective, according to Fairclough & Fairclough (2012) describes and evaluates the structure of arguments being made by political actors. The *normative* perspective offers a critique of arguments in terms of whether what is being argued, in terms of supporting premise(s) and final claim(s), is *logically* and *dialectically* persuasive. So, this element of political discourse analysis will be employed to evaluate whether the NPM arguments in support of Trump's policies withstand critical analysis in terms of their *logical* and *dialectical* acceptability.

The second element of Fairclough & Fairclough's (2012) methodology of political discourse analysis focuses on ideology and values from a *critical* perspective as that found within *critical discourse analysis* or CDA. This part of the political discourse analysis will look at the ideology and the values that support and frame the arguments being made for or against certain policies and government strategies. According to Fairclough and Fairclough (2012), this

element of the methodology is also made up of an *explanatory* perspective and a *normative* perspective. The *explanatory* perspective or *explanatory* “critique” will describe how the discourse includes ideology and manipulation, is supporting or rationalizing the status quo, or how it is challenging the status quo. The *normative* perspective or *normative* “critique” takes aim at discourse which fosters domination and marginalization while taking a particular approach to values and argues *for* a particular set of values and *against* values that are contrary. For this dissertation, Frederickson’s “Compound Theory of Social Equity” (Frederickson 1990, 1997, and 2010) will be employed to offer a *normative* evaluation of political discourse arguing in support of Trump’s policies in the areas of housing (e.g. elimination of the CDBG program) and immigration (e.g. enactment of merit-based immigration).

Frederickson’s “Compound Theory of Social Equity” was formulated in order to add the value of “social equity” as a third pillar of public administration, along with the values of “efficiency” and “economy” (Frederickson 1990, 1997, and 2010). Frederickson’s theory is “compound” because it deals with “equalities” and not simply “equality” and “equities” rather than just “equity” (see also Rae, et al. 1981). Frederickson’s “Compound Theory of Social Equity” (Frederickson 1990, 1997, and 2010) will be used to accomplish the second element of Fairclough & Fairclough’s (2012) political discourse analysis, *critical discourse analysis*, which focuses on *explanatory* and *normative* evaluation of ideology and values within political discourse. Fairclough & Fairclough’s (2012) political discourse analysis will be applied to speech and text, both pro and con, pertaining to Trump’s proposals to eliminate the Community Development Block Grant program and to enact merit-based immigration.

### Contribution

This dissertation will be a contribution to the ongoing and vigorous debate about New Public Management, in that it sets forth a rigorous and analytical evaluation of whether *Trumpism* is an extreme form of NPM. Specifically, this dissertation will provide a unique focus on Trump's housing and immigration policy from a "political discourse analysis" perspective in the fields of public administration and public policy. Ultimately, this work will add to the contemporary public policy and governance literature by providing a perspective that is currently underrepresented.

### Dissertation Chapter Outline:

This chapter (Chapter One) sought to lay the foundation for a political discourse analysis of public policy and governance under the Trump administration. Chapter Two will focus on the literature review. Chapter Three will contain a discussion of political discourse analysis (Fairclough & Fairclough 2012)—the methodology which will be applied to public policy and governance under Trump. Chapter Four will focus on Trump's immigration policy—enacting merit-based immigration and passage of the RAISE Act. Chapter Five will focus on Trump's housing policy—eliminating the Community Development Block Grant (CDBG) program. Finally, Chapter Six will conclude by presenting the findings of the political discourse analysis (Fairclough & Fairclough 2012) conducted in the previous chapters and re-situating this dissertation in the wider discussion of public administration and public policy under the Trump administration.

## CHAPTER TWO

### LITERATURE REVIEW

This literature review will demonstrate that this dissertation is a contribution to the debate about New Public Management (NPM) as a model for public administration and public policy. The central aim of this dissertation, to explore whether *Trumpism* is an extreme and problematic application of New Public Management, adds to the ongoing scholarly assessment of NPM. Trump's narrow application of New Public Management ideology results in a focus on the values of *efficiency* and *effectiveness* to the exclusion of the value of *social equity*. This literature review will take stock of the critical scholarly discussions about NPM. Specific attention will be given to literature that deals with the values of *efficiency*, *effectiveness*, and *equity* as these pertain to NPM. The aim of this literature review is to situate the dissertation as a contribution to the scholarly debate about NPM. The central research questions of this dissertation will guide this literature review. Do the NPM arguments supporting Trump's policies withstand critical evaluation? Do the NPM values espoused by President Trump and his key policy advocates differ from those of traditional democratic governance?

#### What is New Public Management?

New Public Management (NPM), according to Frederickson (2012), is a management philosophy or ideology that seeks to inject corporate values into the public sector; and one which traces its intellectual roots to public choice theorists such as James Buchanan and Gordon Tullock (1962), William Niskanen (1971), and Vincent Ostrom (1973). Characteristics of NPM include: budget cuts, privatization, separation of provision and production, contracting out, user charges, competition, separation of politics and administration, strategic planning, changed

management styles, and more use of information technology (Gruening 2001). Additionally, Pollitt (1995) sees NPM as advocating cost cutting, disaggregating traditional bureaucratic organizations into separate agencies, decentralization of management authority, separating provision of public services from purchasing them, introducing market and quasi market-type mechanism (MTM), performance targets, moving from permanent public employment to contracts and performance-related pay (PRP), and emphasis on service quality and customer responsiveness. Kettl (2005) has identified six core components of NPM: 1. Productivity, 2. Marketization, 3. Service Orientation, 4. Decentralization, 5. Policy, and 6. Accountability. Finally, Osborne and Gaebler (1992) outlined ten principles that described the entrepreneurial spirit they observed in American governments: 1. Steering rather than rowing, 2. Empowering rather than serving, 3. Injecting competition into service delivery, 4. Transforming rule-driven organizations, 5. Funding outcomes, not inputs, 6. Meeting the needs of the customer, not the bureaucracy, 7. Earning rather than spending, 8. Prevention rather than cure, 9. From hierarchy to participation and teamwork, and 10. Leveraging change through the market. Other scholars have variously described NPM, these are some of the more prominent characterizations.

### What Do the Proponents of NPM Say?

Proponents of NPM are not wrong to cite efficiency and effectiveness as desirable ends for governmental operations and legitimate values for public administration and public policy. As the putative founder of the study of American public administration, Woodrow Wilson, at the time a political science professor, asserted that “administration is a field of business” and that it should be “businesslike” (1887: 209 and 210). Moreover, efficiency was one of the primary values of Frederick Taylor’s *Principles of Scientific Management* (Taylor 1910), the Progressive

Movement (circa 1890's to the 1920's), and the New York Bureau for Municipal Research, established in 1906 (Greuning 2001). Accordingly, the efficient and effective implementation and management of government prerogatives is what proponents of NPM claim to be the result of this contemporary international management reform.

*NPM is Efficient and Effective*

Pallot (1998), along with others (Osborne and Taebler 1992), see New Zealand as the leading exemplar of NPM. Pallot (1998) reviewed New Zealand's transition through four phases which include: a traditionalist phase characterized by cash accounting and controls over outputs, a managerialist phase, a marketization phase, and a strategic phase. Albeit with some challenges along the way, Pallot (1998) found NPM strategies adopted in New Zealand to result in improved efficiency, improved financial management, and improved strategic policy management.

Walther (2015) reviewed the experiences of countries which have adopted NPM market and customer-centered approaches to public service delivery—the United Kingdom, New Zealand, Canada, the United States, Australia, the Netherlands and Japan. Though these countries experienced various challenges with implementing NPM strategies, in the areas of disaggregation, competition, and incentivization, with adjustments or hybridization (fusing public sector ethos with private sector methods), Walther (2015) sees potential for efficient administration and high-quality services.

In their study of local governments, within the European Union (EU), Matei and Antonie (2014) took complexity theory as a model to describe how NPM is accomplishing efficiency and effectiveness in public service delivery. NPM as implemented in EU local government,

according to Matei and Antonie (2014), functions as a living ecosystem where agents and technologies act and react to one another which results in feedback, via monitoring and evaluation, and, ultimately, leads to policy continuation/policy adjustment. The continuous improvement cycle of NPM, according to Matei and Antonie (2014), will bring about greater levels of efficiency (cost containment) and effectiveness (social impact) in the EU. More specifically, Matei and Chesaru (2014) see Sweden and Romania, both EU member countries, through the adoption of NPM reforms, transitioning from rigid bureaucratic structures, plagued by corruption and fiscal mismanagement to flexible, results-oriented, and resource-efficient decentralized arrangements which are ultimately contributing to the fiscal health of the respective governments.

When surveying citizen's perceptions of service efficiency, responsiveness, equity, and effectiveness in English local governments, Andrews and Van De Walle (2013) found a positive relationship from these values to NPM-type entrepreneurial and performance management strategies, but less so with public-private partnership strategies. In Africa, Hope (2001) finds NPM strategies to be at work across the continent. These strategies fall within the categories of decentralization, civil service reform, and state transformation from centrally planned economies to economies that are characterized by economic liberalism and which pursue growth and development. Despite its challenges with poverty and corruption, Hope (2001) sees economic growth, increased foreign investment, and greater efficiencies taking place in Africa as a result of the NPM-type reforms being pursued across the continent.

In Indonesia, Gaus (2019) observes the whole-of government adoption of NPM to be dependent upon and centered in the higher education system. According to Gaus (2019) Government leaders have taken their cue from the World Trade Organization (WTO) as seeing

education as a tradable and commodifiable service. Additionally, government leaders have sought to structure the university system as an incubator of NPM ethos and skill that can advance the transition of NPM within the government. Notwithstanding the challenges of a preexisting patrimonial system, Gaus (2019) sees the Indonesian government as successfully using Neo-Weberian tactics (extending NPM values of autonomy, marketization, and entrepreneurship through strong state intervention and control), in higher education, to bring about the desired corporate and business norms and beliefs of NPM throughout government. Overall, Gaus (2019) observes Indonesia's higher education system to be more efficient and effective in knowledge production and in furthering NPM because of the NPM-type steering-at-a-distance practiced by the Indonesian government.

#### *Reinventing Government is Efficient and Effective*

While NPM was being initiated in New Zealand and sweeping throughout the world of Westminster-style governments (Frederickson 2012), its American-style counterpart, the *Reinventing Government* (Osborne and Gaebler 1992) movement was being led by the Clinton Administration and continued by the administration of George W. Bush. Breul and Kamensky (2008) see in the presidencies of both Clinton and Bush sweeping and mostly successful efforts to implement NPM-type reforms in American federal government. Clinton's National Performance Review task force completed a 2,000-page report which was eventually distilled down to a smaller report which contained 1,200 recommendations entitled *From Red Tape to Results: Creating a Government That Works Better and Costs Less* (Breul and Kamensky 2008). The work of the National Performance Review task force would continue and evolve throughout both terms of the Clinton Administration and according to Breul and Kamensky (2008), led to



the Federal government costing less and working better for citizens and employees. Several of Clinton's initiatives would be continued by the Bush Administration and would be enacted into law: chief operating officers working directly under cabinet secretaries for the day-to-day management of Federal departments, the President's Management Council for government-wide implementation of the recommendations of the NPR, government-wide employee surveys, later signed into law by Bush, senior executive performance standards, also later signed into law, and the government-wide one-stop web portal, which was continued by President Bush and eventually recognized with a Harvard Innovation Award (Breul and Kamensky 2008).

Over the course of two terms, Breul and Kamensky (2008), find that President Bush made significant progress in improving the management capacity of the federal government. According to Breul and Kamensky (2008), Bush's continuation of "Reinventing Government" resulted in: strengthening fiscal operations—in 2007, 19 of 24 major Federal agencies received audits with no findings, performance-budget integration which required agencies to justify budget requests with past and projected performance information, comprehensive assessments of program performance which increased transparency, increased e-government initiatives, reduction in improper payments, significant cost savings through increased competitive procurement and privatization, and pay for performance for senior executives. In sum, both Clinton and his successor, Bush made significant strides in making the Federal government more efficient and effective through "Reinventing Government" or NPM-style management strategies (Breul and Kamensky 2008).

For many observers of NPM-type government reforms, efficiency and effectiveness is increased when governments adopt a corporate ethos and business management techniques. For many governments, these management reforms have not only positively impacted the financial

bottom line, but they have also made government more customer or citizen focused. Though the forgoing authors see various challenges with the implementation of NPM, they largely view NPM as a successful management reform adopted by governments across the world. However, there are other scholars who have evaluated NPM and find there to be significant deficiencies not only with the implementation, from a technical perspective, of market-type government reforms, but also with the ethos and values of NPM—seeing it as anti-democratic, antagonistic to traditional notions of the public interest, and even harmful to the public servants working in NPM-managed governments.

#### What Do the Critics of NPM Say?

Dunleavy, Margetts, Bastow, and Tinkler (2005) offer a fairly comprehensive critique of NPM reforms in the United Kingdom, the United States, Australia, New Zealand, Canada, the Netherlands, and Japan. Despite any internal managerial gains produced by NPM, Dunleavy et al. (2005) finds NPM, due to its increased level of institutional and policy complexity, to have a negative impact on social welfare in two key areas: 1. Decrease in the level of social problem-solving and 2. Decrease in the level of autonomous citizen competence. These are the overall reasons or outcomes that Dunleavy et al. (2005: 474) cite for the “stabilization and wearing thin of the NPM innovation wave.” Additionally, characterizing NPM to be comprised of three chief integrating themes, disaggregation, competition, and incentivization, Dunleavy et al. (2005) find certain waning trends in all three areas. With respect to disaggregation, sometimes due to policy mistakes or disasters, the following NPM components have been wholly or partly reversed: purchase-provider separation, agencification, decoupling policy systems, and growth of quasi-government agencies. Though competition is still emphasized in all of the countries in which

their research was carried out, Dunleavy et al. (2005) find significantly less reliance on quasi-markets and voucher schemes. Outsourcing, compulsory market testing, intra-government contracting, and deregulation have plateaued along with attendant expectations for improvements in government effectiveness. Lastly, with regards to incentives, Dunleavy et al. (2005) find expectations that performance-related pay positively impact performance to be diminished. Overall, Dunleavy et al. (2005) find NPM to be in serious decline.

Hood and Dixon (2015) in their evaluation of 30 years of NPM in the United Kingdom, on the whole, find government to work worse and cost more. Specifically, they look at the rising cost of government relative to the number of government positions that have been eliminated and the number of complaints against the government during this time period. Hood and Dixon (2015) make a point to clarify that the results of their study are meant to convey nuance in that government has not worked as well as proponents of NPM claim nor as poorly as asserted by NPM skeptics.

### *The NPM Values Critique*

NPM is largely seen as a management reform that puts more emphasis on principles of the market (i.e. efficiency and effectiveness) rather than on values and goods which have been traditionally associated with the public sector such as democracy, the public interest, justice, fairness, and social equity. Even though Osborne and Gaebler (1992) cite equity as being indispensable to governance, NPM and Reinventing Government reforms are not commonly linked to traditional public service values inasmuch as they are understood to focus on efficiency and effectiveness. Norman (2019) employs the competing values framework (Cameron and Quinn 2011 and Cameron et al. 2014) to analyze the challenges for New Zealand as it replaces

its 1988 State Sector Act, which initiated thoroughgoing NPM reforms making New Zealand an early exemplar of the global management reform movement. Norman (2019) sees the proposed Public Service Act as bringing balance back to New Zealand and reducing the fragmentation (e.g. short-termism, internal competition, blaming, and gaming the performance measurement system, etc.) caused by NPM. The Public Service Act seeks to emphasize system-wide values such as ‘spirit of service’, stewardship and free and frank advice. Additionally, New Zealand’s Wellbeing Budget of 2019 (Ardern 2019) moves the government’s focus from solely economic concerns to include “natural, human, and social forms of ‘capital’” (Norman 2019). This fact is noteworthy for the purpose of this dissertation in that New Zealand, the putative watershed country for NPM is moving policy, via the budget, away from a narrow focus on market values of efficiency and effectiveness while Trump’s budgets are calling for more austerity and cuts to social programs (e.g. education, healthcare, and housing, etc.) in the name of efficiency and effectiveness (OMB 2017a, 2017b, 2018, 2019, and 2020).

The competing values framework employed by Norman (2019) would not apply to Trump’s policy efforts which are aimed at *efficiency* and *effectiveness* while neglecting *social equity*. Trump’s budgets propose not only significant funding cuts, in general, to education, healthcare and housing, but also seek to totally eliminate long-standing social impact programs such as the Public Service Loan Forgiveness Program (PSLF), Community Services Block Grant (CSBG), the Community Development Block Grant (CDBG), and the HOME Investment Partnerships Program. Trump’s narrow application of NPM values of efficiency and effectiveness shows that the United States may need to learn from the revised New Zealand model (Norman 2019) with its efforts to focus not only on economic health but also on social health.

Arellano-Gault (2010) takes aim at the philosophical and ethical foundation of NPM vis-à-vis the methodological individualism of public choice and principal-agent theories which underly NPM. Arellano-Gault (2010) refutes the notion that justice is secured by Libertarian ideas of government non-interference and neoliberal economic tenets that reduce government's role to assuring an efficient public service delivery and economy. In fact, Arellano-Gault (2010) argues that the *laissez faire* economic underpinnings of NPM may actually result in supporting and creating injustice. Therefore, Arellano-Gault (2010) calls for more debate about the fundamental values of NPM in terms of justice and equality. Without this fundamental debate about the underlying values of NPM, Arellano-Gault (2010) sees five consequences for society and public organizations that will ensue: loss of organizational mission and the need to create social meaning, loss of political pluralism and the need for political dialogue, loss of collective values and the need for recovering ethics and duty as a part of public service, loss of debate over the meaning of merit and the need for a broad definition, and loss of concern over capture and the need for legal and political protection against. As a corrective to the ethical postulates of methodological individualism and Libertarianism that inform NPM, Arellano-Gault (2010) advocates Rawlsian theories of justice (1971) and the concept of "equalities" formulated by Rae, Yates, Hochschild, Morone, and Fessler (1981).

This author's dissertation will employ Frederickson's "Compound Theory of Social Equity" (1990, 1997, and 2010) in order to evaluate Trumpism, arguably, an extreme form of NPM. This author will give a fuller account of the use of Frederickson's "Compound Theory of Social Equity" (1990, 1997, and 2010) in the "Methodology" section of this proposal, as this theory is utilized in concert Fairclough & Fairclough's (2012) political discourse analysis methodology. Underlying Frederickson's "Compound Theory of Social Equity" is the work of

Rae et al. (1981) on “equalities.” Arellano-Gault (2010) appropriately sees Rae et al. (1981) as a corrective to the methodological individualism and Libertarianism that gives philosophical support to NPM. For, unlike methodological individualism and Libertarianism, Rae et al. (1981) takes into consideration the structural elements in society that require public policy, aimed at equality, to consider more than efficiency and freedom. This is why Rae et al. (1981) theorizes about “equalities” and not merely “equality.” For Rae et al. (1981) these are the following considerations with respect to equality: individual-regarding equalities, segment-regarding equalities, bloc-regarding equalities, prospect-regarding equalities of opportunity, and means-regarding equalities of opportunity. Indeed, these considerations do more for the debate about justice, fairness, and equality than the unrealistic tenets of methodological individualism and the individualism of Libertarianism that underpin NPM.

Similar to Arellano-Gault’s (2010) critique of the fundamental philosophical and ethical foundations of NPM, deLeon and Denhardt (2000) argue against the theoretical foundations of Osborne and Gaebler’s 1992 book *Reinventing Government*. According to deLeon and Denhardt (2000), the basic philosophical premise of reinvention is that the public interest can be approximated by the collective pursuit of self-interest. In other words, similar to Arellano-Gault’s (2010) critique of NPM’s theoretical foundations, deLeon and Denhardt (2000) find reinvention to be based on the economic rationality of public choice, principal-agent, and transaction-cost theories. Osborne and Gaebler’s (1992) emphasis on the market model, citizens as customers, and entrepreneurial management are the objects of deLeon and Denhardt’s (2000) analysis. According to deLeon and Denhardt (2000), the market model, despite whatever gains are achieved through competition, etc., is problematic because it rejects the notion of public spirit and public service. The market model implies that members of society can serve the public

interest best by concentrating on their own self-interest. On this score, deLeon and Denhardt (2000) see reinvention as a denial of citizenship. With respect to Osborne and Gaebler's (1992) construal of citizens as customers, deLeon and Denhardt (2000) see this resulting in a focus on the short-term self-interests of isolated individuals (customers) rather than on the public interest produced through democratic and deliberative processes by the community (citizens), notwithstanding any relative improvements in public service delivery. Finally, as it pertains to the administrator as entrepreneur, de Leon and Denhardt (2000) acknowledge the virtues of being resourceful, creative, and innovative. However, they argue that the "shadow" side of the entrepreneur is the usurpation of the public-will characterized by a narrow focus, disregard for rules, and preference for action that can defy accountability (de Leon and Denhardt 2000).

Box, Marshall, Reed, and Reed (2001) see the stakes as being very high with the embrace of the market model of NPM by American public institutions. Rather than NPM being a passing management fad, Box et al. (2001) see it as displacing substantive democracy. Currently, the market model only leaves room for procedural democracy and that is the protection of individual property rights and individual economic freedom, according to Box et al. (2001). In the market model, there is no room for discussions of justice, fairness, issues of race, gender, etc., for these have nothing to do with efficiency and performance (Box et al. 2001). Citizens are not self-governing participants in a deliberative process, but are rather mostly passive consumers of prescribed services. Public administrators are no longer seekers, shapers, and implementers of the public interest, but are managers and technicians of market machinery with powerful incentives to remain such (Box et al. 2001). In response to this state of affairs, Box et al. (2001) calls on public administrators to reject the market model in favor of a collaborative model. In the collaborative model administrators and citizens rediscover and recreate substantive democracy

(Box et al. 2001). In the collaborative model, citizens and administrators share in the shaping of public policy and work to address the problems of society rather than being confounded and marginalized by the problems of management (Box et al. 2001).

The collaborative model set forth by Box et al. (2001) and its aim towards substantive democracy accords with value of social equity which this author is employing to critique Trumpism, arguably, an extreme form of NPM. For, in Trumpism, there is no mechanism for or evidence of collaborating with the citizens who are impacted by Trump's housing and immigration policies. Rather, from a "management" perspective akin to the market model discussed in Box et al. (2001), there is a top-down approach that is only concerned with economic values of efficiency and effectiveness to the exclusion of values associated with substantive democracy such as social equity.

As Box et al. (2001) sees NPM as a threat to substantive democracy, Timney and Kelly (2000) argue that NPM is a threat to popular sovereignty. Popular sovereignty is manifested through deliberative democracy and citizen participation. NPM with its tendencies to inject private sectors values (e.g. profit maximization and consumerism) into the public sector circumvents deliberative democracy and therefore, popular sovereignty (Timney and Kelly 2000). What remains is a circumscribed Lockean popular sovereignty which only gets expressed through the legislature. Public administrators are cut off from having anything to do with the popular will. The people do not go to the public administrator for redress or input into their government, but only to their elected representatives. This is as John Locke would have it and this is where NPM leaves us, according to Timney and Kelly (2001). Values such as competition, efficiency and effectiveness take the place of values such as openness, accountability and transparency according to Timney and Kelly (2001). Timney and Kelly (2001) see this most



evident in the details of what takes place when public services are contracted out to private corporations. The public is transmuted into the private and popular sovereignty is checked at the door of the corporation, which does not answer to the public, but rather its own shareholders. The goals of the public policy become transformed into private goals for profit-maximization and popular sovereignty becomes non-existent (Timney and Kelly 2001). Timney and Kelly (2001) concede this might not be the case with non-profit contractors.

Balfour and Grubbs (2000) argue that NPM threatens to corrode the character of public servants and undermine public service motivation. Using themes from Richard Sennett's book, *The Corrosion of Character: The Personal Consequences of Work in the New Capitalism* (1998), Balfour and Grubbs (2000) describe the negative consequences of NPM on public employees. Balfour and Grubbs (2000) assert correspondences between Sennett's three characteristics of change (e.g. discontinuous reinvention, flexible specialization, and concentration without centralization) in private enterprise in the *New Capitalism* and Osborne and Gaebler's ten principles of transformation in *Reinventing Government* (1992), which has been widely embraced by the public sector. Just like the dislocation and rootlessness experienced by workers in the private sector chronicled in Sennett (1998), Balfour and Grubbs (2000) see a similar phenomenon taking place in public organizations being run according to NPM.

Balfour and Grubbs (2000) take specific aim at NPM's pronounced emphasis on productivity and the impact this has on the character and work-life quality of public servants. They assert that the consequences of NPM for public employees include a growing sense of indifference, confusion, loss of identity, and a change in the nature of power and control within public organizations. Because of NPM, the character of public administration itself has been permanently and negatively impacted, Balfour and Grubbs (2000) argue. Going forward, Balfour

and Grubbs (2000) maintain that the logic of the marketplace must be balanced with other values such as equity, justice and human dignity.

Zanetti and Adams (2000) see the market model of NPM functioning like Thomas Hobbes's irresistible Leviathan whose absolute values are competition, exchange values, transaction costs, and survival of the fittest. In this arrangement, democratic values are marginalized, and the social contract is substituted for an economic contract (Zanetti and Adams 2000). Eventually, Zanetti and Adams (2000) argue, our ability to recognize or resist administrative evil is eroded. According to Zanetti and Adams (2000), the culture of technical rationality encouraged by NPM has introduced administrative evil, which falls along a continuum where people engage in or contribute to acts of evil, large and small, often without knowing it, simply by acting appropriately within their organizational role. This is the Leviathan effect of NPM and the economic contract of the market model, according to Zanetti and Adams (2000).

This author can see Zanetti and Adams's (2000) Leviathan effect exhibited in some of Trump's proposed immigration policies. The public servants who have engaged in separating children from their parents at the southwestern border of the United States at the direction of the Trump administration have arguably engaged in administrative evil (potentially causing irreparable psychological harm to children), while acting appropriately in their administrative role (Zanetti and Adams 2000). Yet, this can be expected when policies are formulated to focus narrowly on *efficiency* and *effectiveness* to the exclusion of *social equity*. Even in the narrowest ethos of legality, the children of undocumented immigrants are not at fault and therefore, should not be punished for the deeds of their parents. Nevertheless, Trump's, arguably, extreme form of

NPM is expressed with the starkest consequences in the area of immigration, illegal *and* legal vis a vis proposed merit-based immigration policies.

Thomas and Davies (2002) adopt a Foucauldian feminist framework to analyze the implications of NPM for gendered institutions of higher education and women faculty. According to Thomas and Davies (2002) a core element of NPM is to promote new professional subjectivities or identities. NPM, in the academy, seeks to reduce professional autonomy of professors and increase the power of management or administration (Thomas and Davies 2002). Accordingly, Thomas and Davies (2002) seek to understand how women in the academy challenge, shape, or resist the changes that are affecting them, while avoiding totalizing accounts that are too gender determinist.

Thomas and Davies (2002) find women in the academy to negotiate the gendered aspect of NPM in several ways. Some women behave like “social men,” (2002: 390) conforming to the competitive culture and thereby co-opt the dominant masculine discourses. In this way these women resisted gendered discourses that construct women as passive supportive and caring (Thomas and Davies 2002). However, these women reported feelings of anxiety and stress (e.g. some were balancing work and family commitments) and faced criticism. Other women drew on cultural scripts of femininity in order to critique the masculinity of NPM. According to Thomas and Davies (2002: 391), these women were presenting an “alternate self” offering more supportive and collegial ways of working and corresponding with “feminized management styles.” Thomas and Davies (2002) find that these women had a mostly negative experience characterized by feelings of self-doubt and lowered self-worth. Overall, rather than simply privileging the experiences and voices of women, Thomas and Davies (2002) see their study as highlighting the multiple discourses of NPM in the academy.

Lastly, Stewart (1998) sets forth a critique of the NPM and Reinventing Government management models because they are models for the private domain and not for the public domain. According to Stewart (1998), the public domain is the locale where problems and issues are identified and considered for public action, in pursuit of the public interest, even when that interest is debated. NPM obscures citizenship, sets forth a dangerous universality, promotes imbalance in the organization change process, fragments governance, and overemphasizes objectives at the expense of norms and values, argues Stewart (1998).

Stewart (1998) asserts that new directions in public management should embrace the nature of the public domain. Stewart, along with his colleague Stewart Ranson, sets forth a political model for public management that replaces the economic model of NPM: "...such a model would see as the key process public discourse leading to collective choice based on public consent, recognizing that consent will be to the process rather than to each and every choice and that choice will be based upon political judgement" (1998: 23; Ranson & Stewart 1994).

According to Stewart (1998: 23):

This model requires management in the public domain to encompass such issues as enabling public discourse and informing political judgement. Management in the public domain has to be grounded in the distinctive purposes of the public domain which political theory would suggest involves democracy, community, citizenship, equity, and discourse. (23)

Ranson and Stewart's (1994) political model for public management, put forth to replace the economic model of NPM, resonates with this author in his use of Fairclough and Fairclough's (2012) method of political discourse analysis. Fairclough and Fairclough (2012) start from the premise that political discourse fundamentally consists of practical argumentation or argumentation for a particular course of action. Ranson and Stewart's (1994) political model prescribes normative public discourse as does Fairclough and Fairclough's political discourse

analysis, in its evaluation of political speech/arguments in terms of the normative value of deliberativeness. This author will employ Fairclough and Fairclough's (2012) political discourse analysis to evaluate, in part, the dialectical or deliberative attributes of the arguments being made to support Trump's housing and immigration policies. In this sense, Fairclough and Fairclough (2012) are in good company with Stewart and Ranson (1994) and the normative value of public discourse that makes up their political model.

#### Contribution to the Scholarly Discussion about NPM

This literature review shows there to be a longstanding and vigorous debate about New Public Management (NPM). This dissertation is a contribution to this debate in that it sets forth an evaluation of *Trumpism*, arguably, an extreme form of NPM, which focuses narrowly on *efficiency* and *effectiveness* to the neglect of *social equity*. The author will use Fairclough and Fairclough's (2012) *Political Discourse Analysis* for the methodology while examining as cases Trump's policies in the areas of housing (e.g. eliminating the CDBG program) and immigration (e.g. enacting merit-based immigration). In doing so, this dissertation will be a unique contribution to the fields of public administration and public policy.

## CHAPTER THREE

### METHODOLOGY

Do the NPM arguments supporting Trump’s policies withstand critical evaluation? Do the NPM values espoused by President Trump and his key policy advocates differ from those of traditional democratic governance? These questions will be pursued in this dissertation focusing on Trump’s policies in the areas of housing and immigration. These questions need to be addressed due to Trump’s potentially extreme application of New Public Management ideology, focusing primarily on *efficiency* and *effectiveness* to the exclusion of *social equity*. *Social equity* is largely seen as the third pillar of public administration along with *efficiency* and *economy* (Frederickson 1990, 1997, and 2010).

This dissertation will employ “political discourse analysis,” as set forth in Fairclough & Fairclough (2012) as the methodology and will use case study as the approach (Flyvbjerg 2011, Platt 1992, and Stake 2008). The cases will be specific policies pursued by Trump in the areas housing (e.g. eliminating the CDBG program) and immigration (e.g. enacting merit-based immigration). This dissertation will take the multiple case approach to focus on two specific cases (i.e., policy areas) in order to evaluate and potentially critique *Trumpism*— as possibly an extreme version of New Public Management. Political discourse analysis, as a method, and case study as an approach will serve to accomplish an in-depth and rigorous analysis of *Trumpism* as it pertains to housing and immigration policy.

The first question: “Do the NPM arguments supporting Trump’s policies withstand critical evaluation?” is dealt with by employing Fairclough & Fairclough’s (2012) application of *argumentation theory*. In their application of *argumentation theory*, the Fairclough’s analyze, evaluate, and critique practical arguments (arguments for or against certain actions), put forth by

political actors, from an explanatory and normative standpoint. This entails focusing on talk and text (e.g. speeches, budgets, government documents, journal articles, and other forms of discourse) engaged in by political actors from a *descriptive* standpoint—that is analyzing, from a structural perspective, the premises of the arguments being put forth. These premises, according to Fairclough & Fairclough (2012: 47-48) include the following: 1. Values premise, 2. Circumstance(s) premise, 3. Goal premise, and 4. Means-goal premise. The *values (V)* premise says the “Agent is actually concerned with the realization of *V*, or the Agent ought to be concerned with the realization of *V*” (*V* designates the Agent’s actual concerns or the Agent’s value commitments). The *circumstances (C)* premise communicates that the “Agent’s context of action is composed of the following relevant facts: (a) natural facts; (b) social, institutional facts, e.g. the Agent’s value commitments (e.g. duties, promises, social recognized (moral) values and norms).” The *goal (G)* premise is the “Agent’s goal or future state of affairs (*G*) in which Agent’s actual concerns or Agent’s value commitments are realized.” The *means-goal (M-G)* premise is construed as “Action *A* is the means that will (presumably) take the Agent from *C* to *G* in accordance with *V*.” These premises, according to Fairclough and Fairclough (2012: 47-48) support the final “Claim” for action which says “agent (presumably) ought to do *A*.” Going through this process of analysis and evaluation is called the “explanatory” evaluation or *critique*. The following discussion will give an example of applying Fairclough and Fairclough’s (2012) argumentation theory to Trump’s “merit-based” immigration policy. This policy, as set forth in Trump’s proposed FY 2018 Budget (OMB 2017b: 15-17) can be reviewed in Appendix A, Reform Immigration Policy.

An *explanatory* evaluation and reconstruction of the premises and claim pertaining to Trump’s merit-based immigration policy would proceed as follows (Fairclough & Fairclough 2012: 140):

Claim (what needs to be done): Focus “immigration policy on merit-based admissions” (line10)

Circumstances: “Census data show that current U.S. immigration policy results in a large number of residents and citizens who struggle to become financially independent and instead rely on Government benefits financed by taxpayers. In 2012, the census reported that 51 percent of all households headed by immigrants received payments from at least one welfare or low-income assistance program. In addition, participation in welfare programs among immigrant-headed households varies by education level. In 2012, 76 percent of households headed by an immigrant without a high school education used at least one major welfare program compared to 26 percent for households headed by an immigrant with at least a bachelor’s degree.” (lines 1-10)

Goals: “...to reduce Federal outlays for welfare payments to lower-skilled immigrant-headed households.” (lines 11-12)

Means-goal: “Focusing immigration policy on merit-based admissions has the potential to reduce Federal outlays for welfare payments to lower-skilled immigrant-headed households (lines 10-12)

Values: [Effectiveness and efficiency] “...improving policy outcomes and saving taxpayer resources.” (lines 51-52)



Fairclough & Fairclough’s method and schema (2012: 48) for diagramming practical arguments proceeds thus:

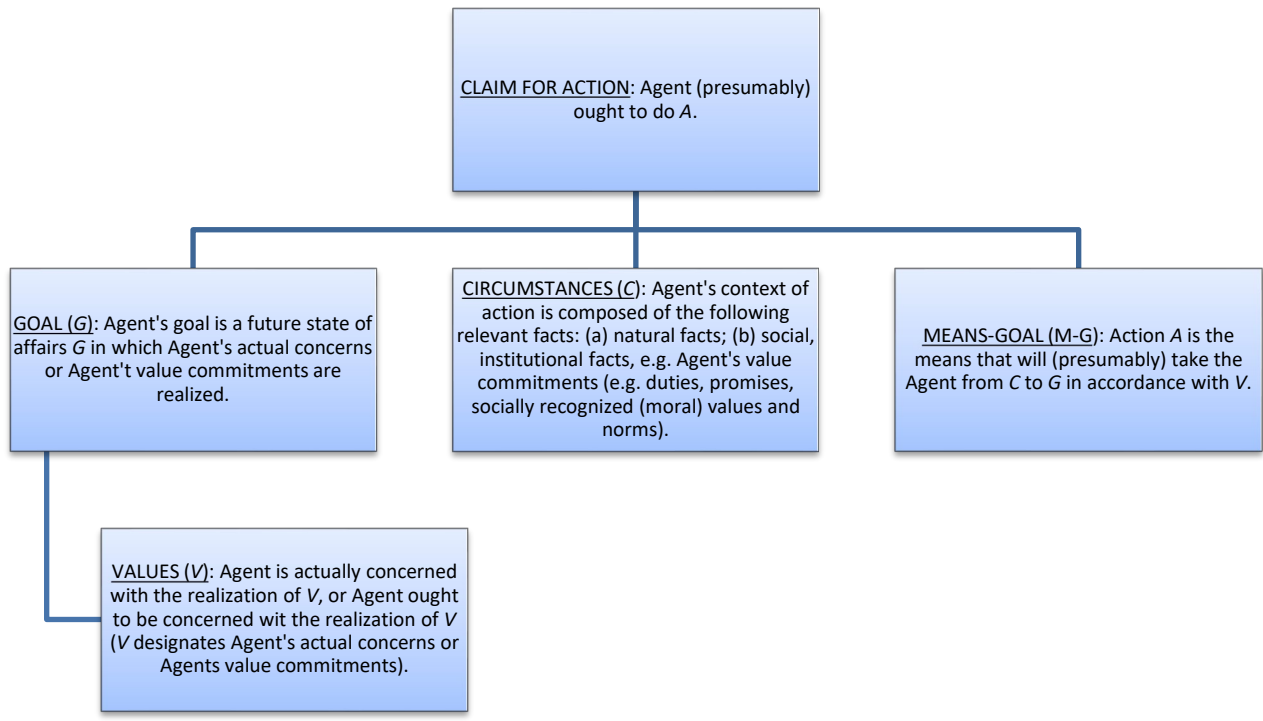


Figure 3.1 Example of Fairclough & Fairclough’s (2012) method for diagramming arguments.

Utilizing Fairclough and Fairclough's (2012: 48) methodology, a diagram of the argument for Trump's merit-based immigration policy would proceed as follows:

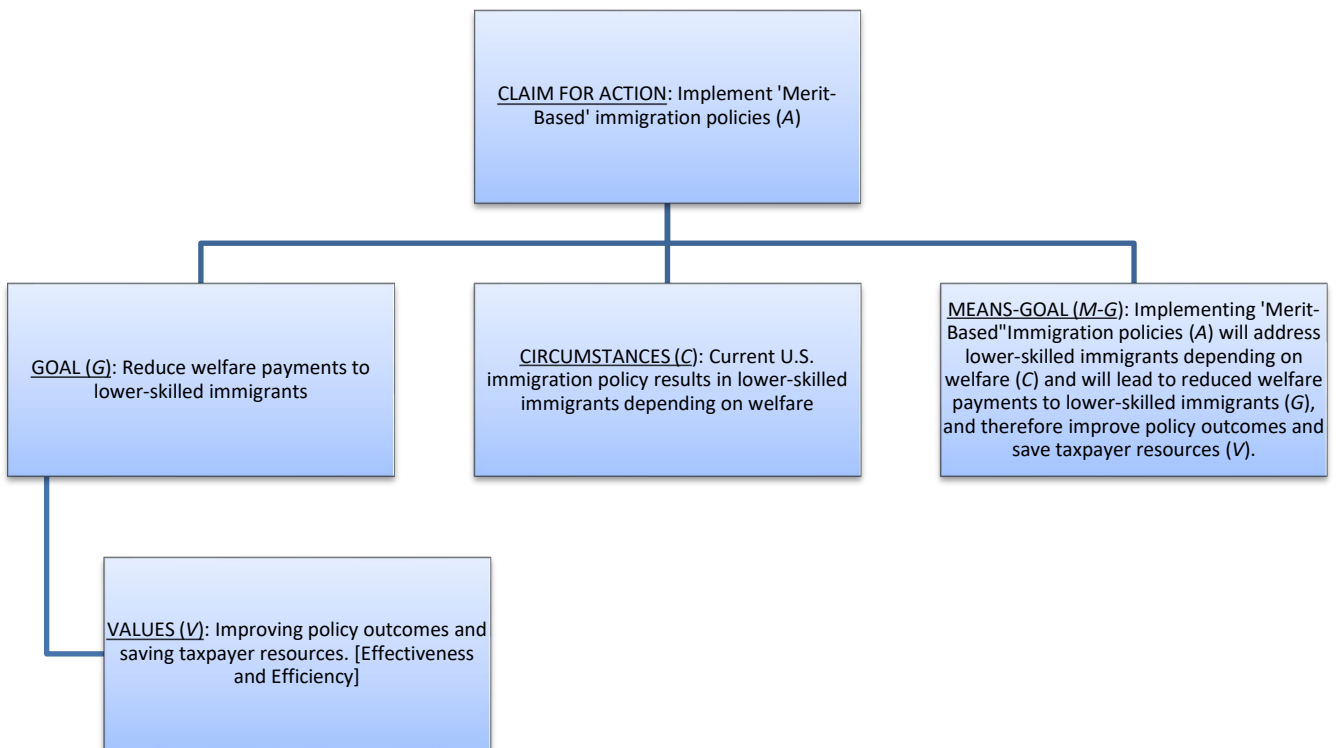


Figure 3.2 Example of using Fairclough & Fairclough's (2012) method to diagram the proposed FY 2018 Budget Blueprint's argument for merit-based immigration.

The “normative” evaluation of practical argumentation, according to Fairclough & Fairclough (2012: 12) seeks to evaluate and critique the arguments by questioning the *logical* and *dialectical* completeness of the premises supporting the “claim” for action and by questioning the claim(s) for action on the merits. Fairclough & Fairclough (2012) begin their *normative* critique, from a logical and dialectical standpoint, by challenging the practical claim with the question “...has the claim stood up to criticism in light of its probable consequences?” (155). Fairclough & Fairclough (2012) write:

A proposal for action is rationally acceptable if it has emerged from a process of deliberation in which it was subjected to rigorous and systematic criticism. Deliberation may involve considering reasons in favor of a proposal but essentially it should involve thinking of reasons *against* it. Minimally, arguers should consider what reasons, if any, support not doing the action (i.e. they should be looking at counter-arguments). (155)

So, for example, when considering Trump’s “merit-based” immigration policy, the *normative* evaluation addresses the practical argument by questioning whether the claim (i.e. the U.S. should adopt merit-based admissions for legal immigrants) has *stood up to criticism in light of its probable consequences*. Furthermore, a normative evaluation would ask: has there been deliberation considering reasons *against* the proposal? *Deliberation* (or consideration of counter-arguments), according to Fairclough & Fairclough (2012), is a key normative aspect for the claim(s) of practical argumentation. They write:

Deliberation may involve examining several alternative proposals, in order to choose the one that is comparably better. Criticizing a proposal amounts to showing that, if adopted, its implementation would either not lead to the intended goal (it would compromise that goal), or that, in the process of leading to the goal, it would undermine other highly important or non-overrideable goals. Given that agents have different hierarchies of goals and values, and that some goals and values override others, a claim will stand up to criticism if the arguer can show that no goals or values that should not be overridden are being sacrificed, or—if sacrificing some goals and values is unavoidable—that the decision to do so can be justified. Almost any action will incur costs of some kind. The question is, are

the costs acceptable in view of goals and values that cannot be overridden? Could there be a reasonable trade-off between these costs and the benefits that are likely to be obtained. (155)

Additional questions, according to Fairclough & Fairclough's political discourse analysis method (2012: 159-172), will be employed to bring a *normative* critique, along logical and dialectical lines. Applied, for example, to Trump's merit-based immigration policy, the questions would be:

1. Is the action being revised in light of feedback and empirical evidence?
2. Will the government's strategy actually deliver the goals? Is it sufficient in view of the goals?
3. Is the government's strategy necessary in view of the goals? What alternative means should be considered?
4. Are the goals of action rationally acceptable? What other goals have been considered?
5. Is the value premise rationally acceptable? Does it actually support the goal and the action?
6. Is the context of action defined in a rationally persuasive way?
7. Is the action represented in a rationally persuasive way?
8. Are the causes of the current situation represented in a rationally persuasive way?

In addition to the *explanatory* and *normative* critique from an *argumentation theory* standpoint, this dissertation will apply Fairclough & Fairclough's *explanatory* and *normative* critique from a *critical discourse analysis* (CDA) perspective in order to answer the second research question: Do the NPM values espoused by Trump and his key policy advocates differ from those of traditional democratic governance? Fairclough & Fairclough (2012: 193) use John Rawls "justice as fairness" perspective (Rawls 1971, 1993, 2001) to critique the values premises

in the examples they cite. In this dissertation, Frederickson’s “Compound Theory of Social Equity” (Frederickson 1990, 1997, 2010) will be used to evaluate and potentially critique the value premises set forth in support of Trump’s policies in the areas of housing and immigration rather than Rawls (1971, 1993, and 2001), because Frederickson (1990, 1997, and 2010) offers a more direct connection to public administration theories.

### Frederickson’s “Compound Theory of Social Equity”

In Frederickson’s “Compound Theory of Social Equity” (1990, 1997, and 2010), he seeks to add a “third pillar” to the existing pillars of public administration—*efficiency* and *economy*. This third pillar is social equity. Efficiency had come to mean “getting the most services possible for available dollars” (1990: 228). Economy had come to mean “providing an agreed-upon level of services for the fewest possible dollars” (1990: 228). Frederickson sought to bring a critique to the discussion over efficiency and economy by adding social equity. Frederickson writes:

To remedy what seemed a glaring inadequacy in both thought and practice, I developed a theory of social equity and put it forward as the “third pillar” for public administration, holding the same status as economy and efficiency as values or principles to which public administration should adhere. The initial reasoning went this way: To say that a service may be well managed and that a service may be efficient and economical, still begs these questions: Well managed for whom? Efficient for whom? Economical for whom? (1990: 228)

Applying Frederickson’s “Compound Theory of Social Equity” (1990, 1997, and 2010) to Trump’s policies and their attendant values of *efficiency* and *effectiveness*, the initial key questions would be: 1. For *whom* is the policy efficient and 2. For *whom* is the policy effective? By such questions, the focus is drawn to those who may not be benefitting from the policy or policies being proposed. So, when it comes to Trump’s merit-based immigration policy, the values are “...improving policy outcomes and saving taxpayers resources” (2017b: 17) or stated

another way—*effectiveness* and *efficiency*. Frederickson’s “Compound Theory of Social Equity” (1990, 1997, and 2010) would ask, at a minimum, for whom will the merit-based immigration policy be an improvement in policy outcome? Which taxpayers will have their resources saved? With these questions, an application of Frederickson’s “Compound Theory of Social Equity” (1990, 1997, and 2010) exposes the fact that Trump’s merit-based immigration policy, as argued in his FY 2018 Budget (OMB 2017: 17), at minimum is not construed to benefit legal immigrants and refugees, even though legal immigrants and refugees could arguably be “taxpayers” (OMB 2017b: 15), even if they are “lower-skilled” (OMB 2017b: 16). For anyone who is in America legally and works, is likely having income taxes withheld and, therefore, is by definition, a “taxpayer” (OMB 2017b: 15). So, part of the critique from a critical discourse analysis perspective would use Frederickson’s “Compound Theory of Social Equity” (1990, 1997, 2010) to evaluate and potentially critique the inequity of Trump’s merit-based immigration policy due to its categorizing some as “taxpayers” and others as “immigrants” and “refugees” because immigrants and refugees can be “taxpayers” as well.

Taking Frederickson’s “Compound Theory of Social Equity” (1990, 1997, and 2010) even further, will focus attention on the “ideal” immigrant targeted for admission into the U.S. under Trump’s merit-based immigration policy. For, this policy does not treat all legal immigrants equally, giving preference to immigrants with advanced degrees in S.T.E.M. fields at the expense of lower-skilled or less-educated immigrants. Utilizing Frederickson’s “Compound Theory of Social Equity” (1990, 1997, and 2010), which incorporates the work of Douglas Rae et al. (1981), will result in a more rigorous analysis of Trump’s merit-based immigration policy, for example, by focusing on: *individual-regarding equalities*, *segment-regarding equalities*, *bloc-regarding equalities*, *prospect-regarding equalities of opportunity*, and *means-regarding*

*equalities of opportunity* as these pertain to legal immigrants seeking entry into the U.S. This deeper analysis will evaluate and potentially critique the inequity of Trump’s merit-based immigration policy as it pertains to *segments* and *blocs* of immigrants (e.g. all immigrants do not have the same opportunity and means to pursue STEM education) and *segments* and *blocs* of originating countries (e.g. all countries do not provide the same opportunity and means to receive STEM education).

Accordingly, employing Frederickson’s “Compound Theory of Social Equity” (1990, 1997, 2010), this dissertation will ask of Trump’s merit-based immigration policy, for *whom* are these policies effective and efficient, for *whom* are these policies going to “improve policy outcomes and save taxpayer resources”? This line of questioning helps to get at the *explanatory* and *normative critique* from a critical discourse analysis (CDA) perspective, which is a part of Fairclough & Fairclough’s (2012) method of political discourse analysis.

### Philosophical Paradigm

Broadly speaking, the philosophical paradigm or *interpretive framework* (Creswell & Poth 2018) for this dissertation is *social constructivism*. Creswell & Poth (2018) write:

In social constructivism, individuals seek understanding of the world in which they live and work. They develop subjective meanings of their experiences—meanings directed toward certain objects or things. These meanings are varied and multiple, leading the researcher to look for the complexity of views rather than narrow the meanings into a few categories or ideas. The goal of research, then is to rely as much as possible on the participant’s views of the situation. Often these subjective meanings are negotiated socially and historically. In other words, they are not simply imprinted on individuals but are formed through interaction with others (hence social construction) and through historical and cultural norms that operate in individual’s lives. (Creswell & Poth 2018: 60)

According to Creswell & Poth (2018: 60) “...subjective meanings are negotiated socially and historically” and “...are formed through interaction with others” and thus are socially

constructed. In other words, social reality, as we conceive it, is the result of interacting with others. It is not some objective “out there” reality that exists independent of social action and interpretation of social action. Social reality is complex and is the result of a complex web of social interaction and construction. The author believes this is how the social world exists and operates. Therefore, *social constructivism* is a fitting philosophical paradigm or interpretive framework through which to conduct research on political discourse.

For, political discourse, is discourse by which political actors seek to construct reality by arguing in favor of particular goals or strategies in order to get to a preferred future state of affairs. The contested values, framing of current affairs, goals, means-goals, and final claims (Fairclough & Fairclough 2012), in political discourse, are not objective or self-evident, but rather negotiated and constructed through the process of practical argumentation and deliberation. This is why *social constructivism* most accurately depicts the phenomenon of political discourse.

### Ontology

Ontology involves a description of reality. This author believes social reality to be multiple, negotiated, and socially constructed. In keeping with Fairclough & Fairclough (2012), this author adopts Searle’s “social ontology” (Searle 1995, 2006) for understanding, evaluating and analyzing political discourse. In framing the issue of social reality, Searle writes:

Our question, in its most broad and naïve form is: How can such animals as ourselves create a ‘social’ reality? How can they create a reality of money, property, government, marriage and, perhaps most important of all language? A peculiarly puzzling feature of social reality is that it exists only because we think it exists. It is an objective fact that the piece of paper in my hand is a \$20 bill, or that I am a citizen of the United States, or that the Giants beat the Athletics 3-2 in yesterday’s baseball game. These are all objective facts in the sense that they are not matters of my opinion. If I believe the contrary, I am simply mistaken. But



these objective facts only exist in virtue of collective acceptance or recognition or acknowledgement. (Searle 2006: 13)

Hence, Searle's "social ontology" fits the basic notion of this author's philosophical assumption as it pertains to ontology, particularly as a description of *social* reality. Searle writes, "...objective facts only exist in virtue of collective acceptance or recognition or acknowledgement" (2006: 13). By "objective facts" Searle is referring specifically to creations of humanity in its relations with each other (e.g. money, property, government, marriage, and language, etc.) This accords well with the philosophical paradigm or interpretive framework of *social constructivism* which informs this dissertation.

Fairclough & Fairclough (2012) find Searle's "social ontology" to be a key concept when it comes to analyzing political discourse. They write:

We find that Searle's social ontology is compatible with that of critical realism (which underlies CDA) but has the advantage of clearly showing the mechanism whereby social institutional reality is created and reproduced through language, with the purpose of creating and regulating relations of power. It also shows how institutional reality connects with human agency by providing people with reasons for action. On the whole, it offers a very plausible explanation of the relationship between agents and structures, and of the role of language in the creation and reproduction of social reality, including power relations. (Fairclough & Fairclough 2012: 73).

In Searle, Fairclough & Fairclough (2012) find a social ontology that fleshes out what is going in political discourse that makes it so potent in constructing social reality. Fairclough & Fairclough (2012) write, "According to Searle (2010), the distinctive feature of social reality is that humans have the capacity to impose functions (status functions) on people and objects, i.e. functions that cannot be performed by these people and objects just on the basis of their physical nature" (2012: 72). For example, the person that we refer to as the President of the United States, can only be the President, with all the attendant power and prestige, because there is a *collectively recognized* status that the person has. It is only because of the *collectively recognized* status that we bestow

on the person we refer to as the President of the United States can that this person is able to exercise power in that role. There must be *collective intentionality* or collective acceptance for the person holding the office of the presidency to be able to function. Hence, the notion of *status functions*.

Fairclough & Fairclough (2012) continue with: “Institutional reality comes into being by acts whereby status functions are assigned to people and objects and these status functions exist in virtue of collective intentionality (often embodied in written documents” (2012: 72). Status functions convey deontic powers, “...i.e. rights, duties, obligations, requirements, permissions, authorizations, entitlements, etc.,” according to Fairclough & Fairclough (2012: 72). For Searle, these deontic powers “...provide the glue that holds human civilization together” (Searle 2010: 9). According to Fairclough & Fairclough, “Deontic powers have a unique trait: once recognized, they provide us with reasons for action that are independent of our inclinations and desires” (2012: 72). Fairclough & Fairclough (2012: 72) sum up the importance of Searle’s social ontology for their method of political discourse analysis in this way:

What is the explanatory value of looking at society in these terms? Searle’s answer is that such an understanding shows how ‘human institutional reality locks into human rationality’ by providing people with reasons for action (Searle 2010: 124) and makes possible an understanding of how power functions in society. In collectively recognizing status functions we accept a series of obligations, rights, duties, responsibilities, etc. Status functions are the *vehicles of power* in society, and the whole point of creating institutional reality is to ‘create and regulate power relationships between people’ (Searle 2010: 106).

### Epistemology

Epistemology is concerned with what constitutes knowledge. Searle’s “social ontology” continues to inform the author’s philosophical paradigm of *social constructivism*, in the area of epistemology, with the idea that “...social ontology is both created by human actions and

attitudes but at the same time has an epistemically objective existence and is part of the natural world” (2006: 12). To clarify this point about epistemic objectivity, Searle writes:

Now, the importance of this distinction for our discussion is this: the fact, for example, that George W. Bush is president of the United States; and the fact that, for example, the piece of paper I have in my hand is a \$20 bill are epistemically objective facts. But the important thing to emphasize is that such social institutional facts can be epistemically objective even though human attitudes are part of their mode of existence. (Searle 2006: 15)

The significance of Searle’s notion of epistemically objective facts, within his social ontology, is that rather than only focusing on *observer-dependent* facts, which highlight *epistemic subjectivity*, *observer-independent* facts, though socially constructed, are highlighted for their *epistemic objectivity*. This is important for political discourse analysis in that socially constructed things such as money, marriage, government, policies, etc. become reified and take on the characteristic of factuality from an *epistemically objective* perspective. So, despite the fact that Donald Trump is president because of a “socially constructed” or *epistemically subjective* convention of the U.S. government system—the *primary* and *general* election process. His being president is an *epistemically objective* fact that carries real power and consequence for social life and social organization. Therefore, Searle’s knowledge claims or epistemology contains elements of *subjectivity* and *objectivity*. This is a distinction that needs to be clarified as this is a qualitative research project and qualitative research typically highlights the *subjectivity* of knowledge as it pertains to epistemological assumptions (Creswell & Poth 2018: 55).

### Axiology

According to Creswell and Poth, “All researchers bring values to a study, but qualitative researchers make their values known in a study. This is the axiological assumption that characterizes qualitative research....We say that researchers ‘position themselves’ by identifying

their ‘positionality’ in relation to the context and setting of the research” (Creswell & Poth 2018: 55). The author’s positionality consists of his being a 46 year-old African-American male who serves as a senior executive for the Local Behavioral Health Authority in Dallas County, Texas. The author is seeking to complete this dissertation as a partial fulfilment for the PhD in Public Administration and Public Policy. Politically, the author typically aligns himself with policies that can be describe as left-of-center. From a values standpoint, the author is concerned with social justice and social equity, within public administration and public policy, which is why this dissertation will be informed by Frederickson’s “Compound Theory of Social Equity” (Frederickson 1990, 1997, and 2010).

#### Procedure for Data Collection and Analysis

Fairclough & Fairclough’s (2012) political discourse analysis methodology consists of analyzing and evaluating political discourse contained in the following types of data: speeches, government reports and other documents, congressional debates, other debates on public matters, internet discussion forums, newspaper articles, etc. (2012: 11). In the examples given by Fairclough & Fairclough (2012), along with the primary source documents for the proposed policies or strategies, most of the secondary data utilized consists of media sources. The reason for the emphasis on media sources, as secondary sources, is to get at the heart of the on-going debate or political discourse contemporaneous to the actual policy formulation and policy legitimation that is taking place. For, Fairclough & Fairclough (2012) are seeking to analyze the deliberative process not only within single-agent arguments, but also within the public debate, which is often captured, contemporaneously in media sources. Specifically, Fairclough &

Fairclough (2012) go beyond the United Kingdom budget reports or the policy making texts, in their examples, to also include reactions and evaluations of the proposed policies. They write:

From the perspective of critical social analysis and CDA, it is more illuminating to take as our object of analysis and evaluation not just the reports themselves, but also reactions to and evaluations of the reports by other participants in the public debate over government strategy. We will therefore also look at how the arguments of Alistair Darling and George Osborne were evaluated in various contexts by politicians, economists and journalists (economic and political commentators). This focus is of course necessarily selective and represents only a section (though a significant one) of (mainly elite) opinion. In Chapter 5 we will analyze a comments thread in the *Guardian* which represents a section of lay opinion. (117)

Academic or peer-reviewed sources are often helpful, in taking a deeper dive into established immigration or housing policies, but rarely are these sources contemporaneous to or involved in the actual debate or political discourse surrounding policies-in-the-making as this process is playing out.

The author will collect these types of data primarily, although not exclusively, through internet/on-line sources. The key characteristics of the data will be “talk” and “text”. The forms of the data may include print and online text or speech as well as audio and visual (e.g. audios and/or videos of political speech, etc. from sources such as YouTube, etc.). The data will be analyzed using Fairclough & Fairclough’s political discourse analysis method (2012).

Lastly, but importantly, Fairclough & Fairclough’s (2012) political discourse analysis method can be applied to arguments related to policies that have been enacted as well as to policies that are still in the proposed stage (e.g. policy formulation or policy legitimation). However, the emphasis that Fairclough & Fairclough (2012) make is on the presumptive and defeasible nature of the deliberation or political discourse surrounding the policy under review. They treat the proposed policy as an open question in order to apply the critical questions of

reasonableness in an effort to not just to determine if the policy answer was right, but also if the process was right, normatively speaking, from an *argumentation theory* perspective and from a *critical discourse analysis* perspective.

So, for example, an enacted policy, such as the Affordable Care Act, in keeping with Fairclough & Fairclough (2012), would be subjected to critical questioning from a synchronic standpoint focusing specifically on the enacted policy, albeit, in its “proposed” stage (e.g. policy formulation and policy legitimation) with all of the attendant synchronous evaluations and debates, etc. This author focuses on the proposed Trump budgets, containing Trump’s policy priorities, and related proposed legislation (e.g. the RAISE Act), similar to Fairclough & Fairclough (2012) with the United Kingdom Budget reports, because the aim is to focus on political strategy or proposed policy which captures the fundamentally argumentative, deliberative, presumptive, and defeasible nature of political discourse which Fairclough & Fairclough (2012) take as a starting point.

## CHAPTER FOUR

### MERIT-BASED IMMIGRATION

In President Trump's first joint-address to Congress on February 28, 2017, he included remarks about merit-based immigration:

I am going to bring back millions of jobs. Protecting our workers also means reforming our system of legal immigration. (Applause.) The current, outdated system depresses wages for our poorest workers, and puts great pressure on taxpayers. Nations around the world, like Canada, Australia and many others, have a merit-based immigration system. (Applause.) It's a basic principle that those seeking to enter a country ought to be able to support themselves financially. Yet, in America, we do not enforce this rule, straining the very public resources that our poorest citizens rely upon. According to the National Academy of Sciences, our current immigration system costs American taxpayers many billions of dollars a year.

Switching away from this current system of lower-skilled immigration, and instead adopting a merit-based system, we will have so many more benefits. It will save countless dollars, raise worker's wages, and help struggling families—including immigrant families—enter the middle class. And they will do it quickly, and they will be very, very happy, indeed. (Applause)

I believe that real and positive immigration reform is possible, as long as we focus on the following goals: To improve jobs and wages for Americans; to strengthen our nation's security; and to restore respect for our laws. If we are guided by the well-being of American citizens, then I believe Republicans and Democrats can work together to achieve an outcome that has eluded our country for decades. (Applause) (Remarks by President Trump in Joint Address to Congress 2017)

However, the argument for a merit-based immigration policy is most fully set out in his proposed FY 2018 Budget *A New Foundation for American Greatness* (OMB 2017a). For the purpose of employing the political discourse analysis method of Fairclough & Fairclough (2012), the entire argument in the section "Reform Immigration Policy" (OMB 2017a: 15-17) is presented in Appendix A, Reform Immigration Policy.

## Overview

Lines 1-7 of “Reform Immigration Policy” lay out the *goals* premise of the proposed merit-based immigration policy: “serve our national interest”; “protect American workers”; “reduce burdens on taxpayers and public resources”; “focus federal funds on underserved and disadvantaged citizens”; and “save American taxpayers trillions of dollars over future decades” (OMB 2017b: 15). Additionally, lines 21-22, which are part of the *means-goal* premise, include the primary goal to “...reduce Federal outlays for welfare payments to lower-skilled immigrant-headed households” (OMB 2017b: 16).

Lines 8-73 set forth the *circumstances* premise in a lengthy *argument from authority*—“Census data” and “...a recent report by the National Academy of Sciences (NAS) on the Economic and Fiscal Consequences of Immigration....” According to the “Census data” (line 8), the present *circumstances* consist of a state of affairs wherein “...current U.S. immigration policy results in a large number of residents and citizens who struggle to become financially independent and instead rely on Government benefits financed by taxpayers” (lines 8-11). Lines 11-19 of the *circumstances* premise argue, “In 2012, the census reported that 51 percent of all households headed by immigrants received payments from at least one welfare or low-income assistance program. In addition, participation in welfare programs among immigrant-headed households varies by education level. In 2012, 76 percent of households headed by an immigrant without a high school education used at least one major welfare program compared to 26 percent for households headed by an immigrant with at least a bachelor’s degree.” This reasoning, correlating the education level of immigrants with the utilization of welfare, within the *circumstances* premise leads into the *means-goal* premise in lines 19-22, “Focusing immigration



policy on merit-based admissions has the potential to reduce Federal outlays for welfare payments to lower-skilled immigrant-headed households.”

Lines 23-39, by appealing to the *authority* of “...a recent report by the National Academy of Sciences (NAS) on the Economic and Fiscal Consequences of Immigration...” (lines 23-25) continue to lay out the *circumstances* premise by arguing “...that each immigrant who lacks a high school education may create as much as \$247,000 more in costs at all levels of government than they pay in taxes over the next 75 years. Based on data from the Census Bureau’s Current Population Survey, 8.2 million adults with a high school education or less settled in the United States from abroad between 2000 and 2015. The NAS study also found that, in 2013, first generation immigrants (across all skill levels) and their dependents living in the United States may have cost government at all levels as much as \$279 billion more than they paid in taxes for all levels of government, when the cost of national defense and other public goods are included on an average cost basis. The Federal costs alone were estimated to be as much as \$147 billion if all public goods and benefits are included” (lines 25-39). The *circumstances* premise in lines 23-39 conveys the idea that immigrants with lower education, in particular, and all immigrants, in general, create more costs, at all level of governments, than they pay in taxes. This line of argumentation is employed to support the *means-goal* of merit-based immigration.

Though not exactly the same as existing legal immigration policy, refugee policy is included in the *circumstances* premise in order to bolster the argument for merit-based immigration (lines 40-73), even though the solution being proposed for addressing the costs regarding refugees is not merit-based immigration, but rather “reducing the number of refugees” (lines 73-74). The reduction of refugees “...increases the number of dislocated persons the United States is financially able to assist, while increasing the number of refugees may have the effect of

reducing the refugee population the United States is able to assist financially” (lines 73-77).

Though this analysis is not primarily focused on refugee policy, it is important to note that the argument for reducing refugees is being presented with the argument for merit-based immigration as an overall strategy to reduce legal immigration to the United States.

In lines 78-85, the *values* premise, which informs the *circumstances, goals, means-goals* premises and the *claim for action*, is laid out: “The Administration is exploring options for budget presentation that would make transparent the net budgetary effects of immigration programs and policy. The goal of such changes would be to capture better the impact of immigration policy decisions on the Federal government’s fiscal path. Once the net effect of immigration on the Federal Budget is more clearly illustrated, the American public can be better informed about options for improving policy outcomes and saving taxpayer resources.” The normative framework being used in this argument for merit-based immigration is based on “improving policy outcomes and saving taxpayer resources” (lines 84-85) which is another way of advocating for *effectiveness* and *efficiency*—the two values most prominent in Trump’s annual budgets (OMB 2017a, 2017b, 2018, 2019, and 2020).

Accordingly, the normative judgment or *final claim for action* is made, based upon the values of *effectiveness* and *efficiency* or “improving policy outcomes and saving taxpayer resources”, in lines 85-87: “In that regard, the Budget supports reforming the U.S. immigration system to encourage: merit-based admissions for legal immigrants, ending the entry of illegal immigrants, and a substantial reduction in refugees slotted for domestic settlement.” This analysis will continue to focus on merit-based immigration.

### Argument Reconstruction

Having given an “overview” (Fairclough & Fairclough 2012: 119-125) of the most detailed argument for Trump’s merit-based immigration policy, in the proposed FY 2018 Budget (OMB 2017b: 15-17), the next step is to provide a reconstruction of this argument (Fairclough & Fairclough 2012: 125-128). According to Fairclough & Fairclough’s method of political discourse analysis, reconstructing the argument under analysis includes clearly outlining the elements or “premises” of the argument and diagramming the argument. Of necessity, the elements and “premises” of the argument will be stated “more succinctly” (Fairclough & Fairclough 2012: 125) in the *diagramming* part of the reconstruction than in the *outlining* part of the reconstruction. The elements and “premises” of the argument in “Reform Immigration Policy” (OMB 2017b: 15-17) can be *outlined* as follows:

*Claim* (lines 85-87): In that regard, the Budget supports reforming the U.S. immigration system to encourage: merit-based admissions for legal immigrants....

*Circumstances* (lines 8-19, 23-39 which also consists of an *argument from authority*—see Fairclough & Fairclough 2012: 55-56, 127-128, 141-142): Census data show that current U.S. immigration policy results in a large number of residents and citizens who struggle to become financially independent and instead rely on Government benefits financed by taxpayers. In 2012, the census reported that 51 percent of all households headed by immigrants received payments from at least one welfare or low-income assistance program. In addition, participation in welfare programs among immigrant-headed households varies by education level. In 2012, 76 percent of households headed by an immigrant without a high school education used at least one major welfare program compared to 26 percent for households headed by an immigrant with a least a bachelor’s degree....Estimates from a recent report by the National Academy of Sciences (NAS) on the Economic and Fiscal Consequences of Immigration indicate that each individual immigrant who lacks a high school education may create as much as \$247,000 more in costs at all levels of government than they pay in taxes over the next 75 years. Based on data from the Census Bureau’s Current Population Survey, 8.2 million adults with a high school education or less settled in the United States from abroad between 2000 and 2015. The NAS study also found that, in 2013, first generation immigrants (across all skill levels) and their dependents living in the United States may have cost government at all levels as much as \$279 billion more than they paid in taxes for all levels of government, when the costs of national defense and other public goods are included on an average cost basis. The Federal costs alone were estimated to be as much as \$147 billion if all public goods and benefits are included.

*Goals* (lines 1-7): America's immigration policy must serve our national interest. The Budget supports commonsense immigration standards that protect American workers, reduce burdens on taxpayers and public resources, and focus Federal funds on underserved and disadvantaged citizens. When fully implemented, these changes have the potential to save American taxpayers trillions of dollars over future decades. (see also the primary goal "...to reduce outlays for welfare payments to lower-skilled immigrant-headed households" from the *means-goal* premise)

*Values* (lines 82-85): Once the net effect of immigration on the Federal Budget is more clearly illustrated, the American public can be better informed about options for *improving policy outcomes and saving taxpayer resources* [mine, *effectiveness* and *efficiency*].

*Means-goal* (lines 19-22): Focusing immigration policy on merit-based admissions has the potential to reduce Federal outlays for welfare payments to lower-skilled immigrant-headed households.

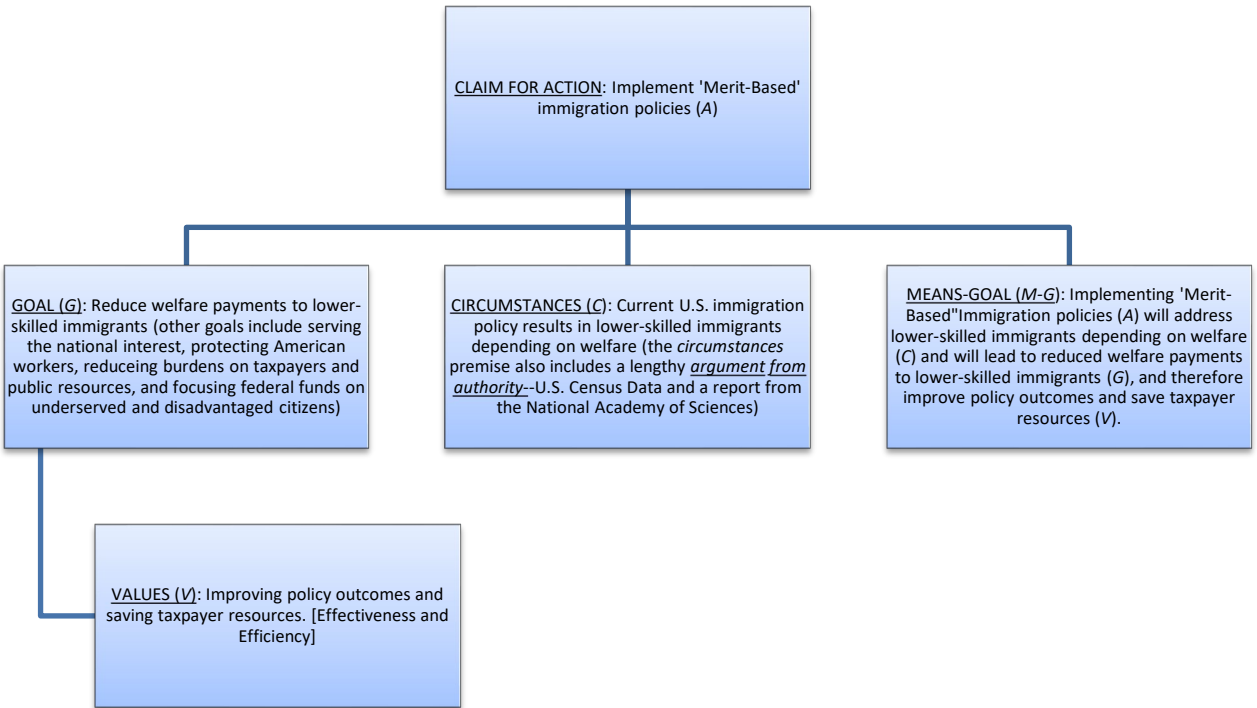


Figure 4.1 The argument for merit-based immigration in “Reform Immigration Policy” of Trump’s FY 2018 proposed Budget (OMB 2017b: 15-17)

### Argument Evaluation

Following the “overview” and the “argument reconstruction”, Fairclough & Fairclough’s (2012) political discourse analysis method calls for “argument evaluation” (2012: 128-135; see also pp. 153-173 for argument evaluation). Fairclough & Fairclough’s argumentation evaluation consists of “...a dialectical evaluation...in terms of critical questions aimed at the premises, at the argument as a whole and at the claim” (2012: 128). With regards to the *circumstances* premise, Fairclough & Fairclough ask, “Is the existing situation described in a rationally acceptable way?”; “Is the context of action defined in a rationally persuasive way?”; and “Are the causes of the crisis represented in a rationally persuasive way?” (2012: 128, 169, and 172). As it pertains to the *goals* premise, the critical questions are: “Are the goals of action rationally acceptable?” and “What other goals have been considered?” (2012: 163). When it comes to the *values* premise: “Is the value premise rationally acceptable?” and “Does it actually support the goal and the action?” (2012: 165-166). As for the *means-goal* premise or “strategy”: “Will the government’s strategy actually deliver the goals?” and “Is it *sufficient* in view of the goals?” (2012: 160). Additionally, in considering the *means-goal* premise or “strategy”: “Is the government’s strategy *necessary* in view of the goals?” and “What alternative means should be considered?” (2012: 161). Finally, when evaluating the *claim for action*, Fairclough and Fairclough pose the following critical questions: “Has the claim stood up to criticism in light of its probable consequences?” (2012: 155); “Is the action being revised in light of feedback and empirical evidence?” (2012:158-159) and, ultimately, “Is the action represented in a rationally persuasive way?” (2012: 170). These questions comprise the *logical* and *dialectical* argument evaluation that makes up the first part of Fairclough & Fairclough’s (2012) political discourse analysis method which is informed by *argumentation theory*. The second part of Fairclough &

Fairclough's (2012) political discourse analysis method is *critical discourse analysis*, which is strengthened by analysis of argumentation (2012: 85-86), will be discussed and applied later in this chapter.

**Is the existing situation described in a rationally acceptable way? Is the context of action defined in a rationally persuasive way? Are the causes of the crisis/situation represented in a rationally persuasive way?**

The FY 2018 Budget describes the existing situation regarding current immigration policy by referencing 2012 Census data, which could be an allusion to the 2012 Census report *Statistical Abstract of the United States: 2012* (U.S. Census Bureau 2012), and the National Academy of Sciences' report *The Economic and Fiscal Consequences of Immigration* (Blau and Mackie 2017). With this appeal to authoritative sources, the proposed FY 2018 Budget seeks to establish the *circumstances* premise of the argument for merit-based immigration by pointing to the official publication about U.S. population statistics and to the publication of a prestigious research institution. Appealing to authority or expert opinion is common in argumentation (Walton 2006). To this end, Fairclough & Fairclough's (2012) political discourse analysis method gives guidelines for evaluating an appeal to authority:

For instance, in order to accept an argument based on an appeal to expert opinion, a critical question will be whether or not the individual is an expert in the actual field under discussion. If the answer is yes, then the argument has survived critical testing based on this question, and a new question can be asked (and so on, until there appears to be no other reason why the conclusion cannot be provisionally accepted in those circumstances). However, if the answer is no, then the inference to the claim is defeated (Walton 1992a, 1996, 2007b). The question indicates that in all circumstances when appeal to expert opinion is based on the views of an expert whose field of expertise is other than the relevant one (e.g. a linguist pontificating on nuclear physics), the argument, although based on a plausible argument scheme, will default. This does not mean that the linguist's view may not be in fact correct, but only that the argument *from authority* in this

particular case is not reasonable; the claim cannot be validly supported in *that way*. (Fairclough & Fairclough 2012: 55)

In this case, the answer to the critical question of whether the statisticians who produced the 2012 census data and the researchers who produced the NAS report are experts in the field under discussion is yes. Following Fairclough and Fairclough's (2012) recourse to Walton, Walton's critical questions for a "position-to-know argument" or an appeal to authority also include "Is *a* an honest (trustworthy, reliable) source?" and "Did *a* assert that *A* is true (false)?" (Walton 2006: 86). In this case, the U.S. Census Bureau statisticians and the National Academy of Sciences researchers are considered trustworthy and reliable as producers of verifiable data and honest research. However, the problem arises with the appeal, on the part of the proposed FY 2018 Budget, to 2012 Census Report and to the NAS study, when the critical question is asked: "Did *a* assert that *A* is true (false)?" In other words, the question is whether the 2012 Census Report and NAS study are being accurately represented by the proposed FY 2018 Budget. Did *a* (in this case, the 2012 Census Report and the NAS study) assert that *A* (the claims of the proposed FY 2018 Budget about immigrants' educational status and use of welfare and the claims about the future fiscal consequences of immigration) is true (false)?

The proposed FY 2018 Budget asserts:

Census data show that current U.S. immigration policy results in a large numbers of residents and citizens who struggle to become financially independent and instead rely on Government benefits financed by taxpayers. In 2012, the census reported that 51 percent of all households headed by immigrants received payments from at least one welfare or low-income assistance program. In addition, participation in welfare programs among immigrant-headed households varies by education level. In 2012, 76 percent of households headed by an immigrant without a high school education used at least one major welfare program compared to 26 percent for households headed by an immigrant with a least a bachelor's degree. (OMB 2017b: 15-16)



However, the 2012 U.S. Census report does not actually make these claims. Furthermore, when it comes to *educational attainment*, *income*, and *poverty status*, the 2012 U.S. Census report shows data which is more positive than what the proposed FY 2018 Budget argues (U.S. Census Bureau 2012: 45, see Table 41. Foreign-Born Population—selected Characteristics by Region of Origin: 2010). As a starting point, in 2010, there were 37,606,000 foreign-born individuals living in the U.S. In terms of “educational attainment”, the data is shown for “persons 25 years old and over” for a total of 31,876,000 individuals. Of this total, there were 9,499,000 immigrants without a high school education or 30 percent. Additionally, there were 22,377,000 immigrants with a high school education or more education which is 70 percent. So, the majority of immigrants in the U.S. reported in the 2012 U.S. Census report, with respect to educational attainment, had a high school education or more. The proposed FY 2018 Budget neglects to include this fact in its *circumstances* premise.

Additionally, the 2012 U.S. Census report shows the household median income for immigrants is \$50,341 dollars and “persons below the poverty level” at 7,162,000 or 19 percent of the total number of immigrants included in the report. This means that 80 % of immigrants were “at or above poverty level.” Again, these facts or data points in the 2012 U.S. Census report are not included in the proposed FY 2018 Budget argument for its *circumstances* premise. More importantly, the 2012 U.S. Census report (U.S. Census Bureau 2012) does not make any correlation between the educational status of immigrants and welfare use. Therefore, with respect to Walton’s critical question about appeals to authority (Walton 2006: 86): Did *a* (the 2012 U.S. Census report) assert that *A* (the FY 2018 Budget claim about immigrant-head households education and welfare use) is true (false), the answer is no, the 2012 U.S. Census report does not assert what the proposed FY 2018 Budget is claiming.

However, a “Google” search of the proposed FY 2018 Budget assertion about 2012 Census data showed the quote to significantly resemble information contained in a 2015 report titled *Welfare Use by Immigrant and Native Households: An Analysis of Medicaid, Cash, Food, and Housing Programs* authored by Steven A. Camarota of the Center for Immigration Studies (CIS). The proposed FY 2018 Budget asserts:

In 2012, the census reported that 51 percent of all households headed by immigrants received payments from at least one welfare or low-income assistance program. (OMB 2017b: 15-16)

The 2015 CIS report includes the following:

In 2012, 51 percent of households headed by an immigrant (legal or illegal) reported that they used at least one welfare program during the year, compared to 30 percent of native households. Welfare in this study includes Medicaid and cash, food, and housing programs. (Camarota 2015: 1)

In 2012, 51 percent of immigrant households with one or more workers accessed one or more welfare programs, as did 28 percent of working native households. (Camarota 2015: 1)

During 2012, the SIPP shows that 51 percent of immigrant households used at least one major welfare program during the year, compared to 30 percent of native households—a 21 percentage-point difference. (Camarota 2015: 2)

...the majority of immigrant households (51 percent) with a worker during the year still access one or more welfare programs. (Camarota 2015: 14)

The SIPP shows a 21 percentage-point difference between immigrant and native households’ welfare use—51 percent vs. 30 percent. (Camarota 2015: 23)

Based on data collected in 2012, 51 percent of households headed by immigrants (legal or illegal) reported that they used at least one welfare program, compared to 30 percent of native-headed households. (Camarota 2015: 23)

These quotes show that the CIS report *Welfare Use by Immigrant and Native Households: An analysis of Medicaid, Cash, Food, and Housing Programs* (Camarota 2015) rather than the 2012 Census report *Statistical Abstract of the United States: 2012* (U.S. Census Bureau 2012) as the likely source of the data point quoted in the proposed FY 2018 Budget’s assertion that “...51

percent of all households headed by immigrants received payments from at least one welfare or low-income assistance program” (OMB 2017b: 15-16).

The FY 2018 Budget continues:

In 2012, 76 percent of households headed by an immigrant without a high school education used at least one major welfare program compared to 26 percent for households headed by an immigrant with at least a bachelor’s degree. (OMB 2017b: 16)

The 2015 CIS report argues:

In 2012, 76 percent of households headed by an immigrant who had not graduated high school used one or more welfare programs, as did 63 percent of households headed by an immigrant with only a high school education. (Camarota 2015: 1)

Even though many welfare programs are targeted at households with children, it is still remarkable that 76 percent of immigrant households with children and 52 percent of native households with children reported in 2012 that they used at least one welfare program. (Camarota 2015: 8)

In 2012, 76 percent of immigrant headed households headed by a person who had not graduated high school used at least one welfare program. (Camarota 2015: 15) Households headed by college-educated immigrants have significantly higher welfare use than households headed by college-educated natives—26 percent vs. 13 percent. (Camarota 2015: 2)

The Most-Educated Immigrants. Table 5 shows that welfare use for the most-educated immigrant households is surprisingly high at 26 percent. (Camarota 2015: 16)

Again, these quotes show the CIS report (Camarota 2015) to be the likely source of the data point used by the proposed FY 2018 Budget to assert “In 2012, 76 percent of households headed by an immigrant without a high school education used at least one major welfare program compared to 26 percent for households head by an immigrant with a least a bachelor’s degree” (OMB 2017b: 16). Therefore, as a likely source of the information for the proposed FY 2018 Budget’s appeal to expert opinion (pertaining to welfare use of immigrants and correlating educational levels), the CIS report (Camarota 2015) is subject to Walton’s critical questions as it

pertains to “appeal to expert opinion” or “position-to-know” arguments: 1. Is *a* in a position to know whether *A* is true (false)?, 2. Is *a* an honest (trustworthy, reliable) source?, and 3. Did *a* assert that *A* is true (false)? (Walton 2006: 84-86).

When it comes to answering the questions: Is *a* (CIS) in a position to know whether *A* (the FY 2018 Budget’s assertions about immigrant’s education and use of welfare) is true (false) and Is *a* (CIS) an honest (trustworthy, reliable source), some critics raise doubts about CIS. According to a Reuters article by Luciana Lopez, “Hate watchdog groups like the Southern Poverty Law Center and the Anti-Defamation League have accused NumbersUSA and CIS of attempting to use mainstream arguments to sell proposals aligned with white nationalism” (Lopez 2016). The Southern Poverty Law Center has the following on its website about the Center for Immigration Studies (CIS):

While CIS and its position within the Tanton network has been on the Southern Poverty Law Center’s (SPLC) radar for years, what precipitated listing CIS as an anti-immigrant hate group for 2016 was its repeated circulation of white nationalist and antisemitic writers in its weekly newsletter and the commissioning of a policy analyst who had been previously pushed out of the conservative Heritage Foundation for his embrace of racist pseudoscience. These developments, its historical associations, and its record of publishing reports that hype the criminality of immigrants, are why CIS is labeled an anti-immigrant hate group.

CIS reports have been widely criticized and debunked by groups such as the Immigration Policy Center and the CATO Institute. Alex Nowrasteh, an Immigration Policy Analyst at CATO said in early 2017, “Oh, I’m convinced that [CIS executive director Mark Krikorian is] wrong about all the facts and issues. They’re wrong about the impact of immigrants on the U.S. economy and on U.S. society.” Speaking about CIS to Univision in August of 2017, Illinois Rep. Luis Gutierrez stated, “Their research is always questionable because they torture the data to make it arrive at the conclusion they desire, which is that immigrants are criminals and a burden on the U.S. and our economy. It is the worst kind of deception, but politicians, the conservative media and some Americans eat it up because it always looks somewhat legitimate at first glance.” (Southern Poverty Law Center 2020)

In an article about Trump's appointment of two advisers to the Department of Homeland Security, with ties to the Center for Immigration Studies (CIS) and the Federation for American Immigration Reform (Fair), Rafael Bernal, of *The Hill*, writes:

Groups such as CIS and FAIR have traditionally been fringe voices in the immigration debate, even among conservatives. They are part of a network of organizations founded by John Tanton, a Michigan ophthalmologist who's espoused opposition to immigration on the grounds of population reduction and protection of an ethnic white majority. (Bernal 2017)

Bernal also quotes Mario H. Lopez, president of the Hispanic Leadership Fund, "a conservative advocacy organization" regarding the two Trump appointees associated with CIS and FAIR:

"People who shill for groups that are intertwined with eugenicists, population control environmentalists, and who have alt-right extremists on staff, and whose core beliefs about humanity spit in the face of basic conservative principles should have no place in a Republican Administration." (Bernal 2017)

Carly Goodman, of *The Washington Post*, upon the passing of John Tanton, founder of CIS, FAIR, and other similar groups, writes:

To gain even more authority, Tanton founded CIS to act as an independent-seeming "think tank" that could produce research with a "greater appearance of objectivity," in the words of FAIR President Dan Stein. This approach helped the media and policy makers embrace its work. (Goodman 2019)

Iyengar and Massey (2019), in their *Proceedings of the National Academy of Sciences* article, "Scientific Communication in a Post Truth Society", cite CIS as one of several organizations which distorted the findings of the NAS study *The Economic and Fiscal Consequences of Immigration* (Iyengar and Massey 2019: 7659).

Robert Farley (2018), of *FactCheck.ORG*, in his article "Will Trump's Wall Pay for Itself?" also cites distortions of the NAS study, by CIS. According to Farley, Mackie, the Director of the NAS study, concluded the CIS study supporting Trump's wall "...is not a fair or accurate use of the report's findings" (Farley 2018)

Ben Rosen (2016), of *The Christian Science Monitor*, in his article “Do immigrants receive more welfare than natural born citizens?” writes the following about CIS’s research on immigrants’ use of welfare:

A study from a pro-‘low immigration’ policy estimates the United States spends 41 percent more on welfare for immigrant households than it does for households headed by natural born citizens. Critics say the study’s methodology is flawed....

The Center for Immigration Studies’ (CIS) analysis builds on an earlier study the organization published in September. The author of the more recent study, public policy analyst Jason Richwine, is no stranger to controversy. In 2013, he was dismissed from his position at the Heritage Foundation after it was revealed that his PhD dissertation at Harvard, titled “IQ and Immigration Policy,” whose abstract asserted that “[t]he average IQ of immigrants in the United States is substantially lower than that of the white native population, and the difference is likely to persist over several generations.”

Immigration policy analyst Alex Nowrasteh of the Cato Institute, who criticized the center’s previous analysis, tells *The Christian Science Monitor* this recent study is “fatally flawed” in the same way.

CIS also touches on a common myth about undocumented immigrants: Do they receive welfare? The short answer is no.

Undocumented immigrants are not eligible for public benefits, and legal immigrants can receive benefits only once they have been a citizen for five years. Yet, the study calculates the welfare costs for children of undocumented immigrants. (Rosen 2016)

These quotes from various sources show that in answering Walton’s critical questions about appeals to expert opinion (Walton 2006: 86): 1. Is *a* in a position to know whether *A* is true (false)?, 2. Is *a* an honest (trustworthy, reliable) source?, and 3. Did *a* assert that *A* is true (false)?, serious doubts are raised about the Center for Immigration Studies and its report about immigrants’ use of welfare, with regards to critical questions #1 and #2, especially #2. There is little doubt that the CIS study (Camarota 2015) is the source for the data about immigrant-headed households, their educational levels, and their use of welfare quoted in the proposed FY 2018

Budget. Therefore, because of the doubtful trustworthiness and reliability of the Center for Immigration Studies and the CIS study (Camarota 2015), the rational persuasiveness of the claims about immigrants' use of welfare in the *circumstances* premises of the proposed FY 2018 Budget, which in part relies on the CIS study (Camarota 2015), is significantly weakened.

The proposed FY 2018 Budget asserts:

Estimates from a recent report by the National Academy of Sciences (NAS) on the Economic and Fiscal Consequences of Immigration indicate that each individual immigrant who lacks a high school education may create as much as \$247,000 more in costs at all levels of government than they pay in taxes over the next 75 years. (OMB 2017b: 16)

However, this worst-case and distorted scenario is not the true import of the chapter being quoted from by the proposed FY 2018 Budget—"Past and Future Fiscal Impacts of Immigrants on the Nation" (Blau & Mackie 2017: 359-493). This is the worst-case scenario because it highlights the fiscal impacts of the *least* educated immigrant—"who lacks a high school education" and it represents fiscal impacts wherein "...Public Goods (defense, federal subsidies, and rest-of-world payments) [are] Included in Incremental Benefit Costs to Immigrants and Descendants" (see TABLE 8-17 of Blau & Mackie 2017: 454). The distortion of this key point argued by the proposed FY 2018 Budget results from using the implications of fiscal impacts based on attributing the costs of public goods on an *average cost* basis rather than on a *marginal cost* basis. Blau & Mackie (2017) present the fiscal impacts for each scenario (*average cost* and *marginal cost*), but they represent their findings in terms of *marginal cost* due to the problem with attributing pure public goods, such as defense, on an *average cost* basis to an additional immigrant. Blau & Mackie write:

To assess the robustness of the panel's historical estimates, we conducted a sensitivity analysis by varying assumptions about program utilization and about how public expenditures are attributed. We broadly followed the methodology of Dustmann and Frattini (2014), who specified two overarching scenarios in which

immigrants incur either the average cost or the marginal cost of public goods, plus a number of subscenarios within each of these two. Their baseline specification has immigrants incurring the average cost of public goods. For our analysis, we used the eight scenarios listed in Box 8-1, the first of which is the average-cost baseline, consistent with Dustmann and Frattini (2014).

Dustmann and Frattini (2014) explained the rationale for examining these particular scenarios. In theory, as explained in Chapter 7, pure public goods can be enjoyed by an unlimited number of citizens, implying that the cost of providing them to an additional immigrant should be zero (the marginal cost scenario). But in practice one expects most services provided by governments to be susceptible to congestion. As described in detail in Chapter 7, assigning to immigrants the average cost of public goods—like defense spending, or total defense outlays—calculated across all U.S. residents is a conservative assumption in that it generates estimates that may overstate the net cost of an additional immigrant. Thus, to examine robustness of findings based on the average-cost approach, the panel included scenarios (5 through 8) that assign a marginal cost of zero for public goods, under the assumption that an additional immigrant does not increase the total cost to the nation of services such as national defense. (Blau & Mackie 2017: 363)

When the *marginal cost* for public goods is applied to an immigrant “who lacks a high school education” the cost is estimated to be \$198,000 more in benefits received than in taxes paid over the 75 year period (see TABLE 8-14 of Blau & Mackie 2017: 445), rather than the figure of \$247,000, based on *average cost*, asserted by the proposed FY 2018 Budget. This is what Blau & Mackie (2017) are actually conveying and not the more dire scenario represented by assuming an *average cost* allocation for public goods. They write:

Government expenditures on public goods are large, accounting for almost one third of total federal spending. Therefore, the average versus marginal cost assumption is quantitatively extremely important in driving fiscal impact estimates. When a marginal cost allocation of public goods is assumed, instead of the average cost allocation, the total net fiscal impact of the first generation group becomes much lower than that of the two native-born groups. (Blau & Mackie 2017: 407)

They go on to conclude, “Although estimates vary across scenarios, fiscal impacts of immigrants are generally positive at the federal level and negative at the state and local levels” (Blau & Mackie 2017: 461). Hence, when it comes to applying Walton’s critical question, regarding



appeals to authority, “Did *a* assert that A is true (false)?” to the assertion of the proposed FY 2018 Budget, the answer is no. The NAS study did not conclude that when considering an additional immigrant, the *average cost* allocation (\$247,000) of public should be applied, but in fact the *marginal cost* allocation (\$198,000) would be more appropriate. Nevertheless, the NAS study did estimate that the immigrant “who lacks a high school education” would cost \$198,000 more in benefits received than in taxes paid, with respects to all levels of government, over a 75-year period of time. However, the trend, according to the U.S. Census of 2012 is that more immigrants had a high school education or better. See the earlier discussion on this point

Furthermore, an additional problem is that the proposed FY 2018 Budget fails to mention what the NAS study says about an immigrant *with* a high school education and the immigrant *with* “some college”. The NAS study estimates that an immigrant *with* a high school education costs \$50,000 more in benefits received than in taxes paid, with respects to all levels of government, over a 75 year-period. This is a significant decrease in costs over a 75-year period than that associated with an immigrant without a high school education (\$198,000). Additionally, immigrants with some college are paying in more than they are taking out.

Moreover, according to Blau & Mackie (2017) state and local governments pay the brunt of the costs of the immigrant *without* a high school education and the immigrant *with* a high school education, rather than the federal government. This is because many immigrants, particularly recent arrivals, are not eligible for federal welfare assistance (Blau & Mackie 2017: 384, 422, and 443), but they do receive significant benefits from the state and local levels of government in the form of public education for their children (Blau & Mackie 2017: 360, 361, 369, 405, 408, and 461).

When it comes to an immigrant with *some college*, the NAS estimate says that \$99,000 *more* in taxes will be paid than in benefits received, with respects to all levels of government, over the 75-year period (see TABLE 8-14 of Blau & Mackie 2017: 445). Hence, the proposed FY 2018 Budget selectively quotes from the NAS study to portray a situation or circumstances that are much more dire than what the study concludes. Hence, to Walton's critical question (Walton 2006: 86): Did *a* (the NAS study) assert that *A* (the claims of the proposed FY 2018 Budget about the future fiscal consequences of immigration) is true (false), the answer is no. The NAS study does not assert or conclude what the proposed FY 2018 Budget is claiming. The NAS study merely includes one scenario (see pg. 364 Box 8-1 Alternatives Scenarios for Attributing Public Expenditures to Immigrants and Natives for "Scenario 1: Immigrants and natives incur the average cost of public goods"--the one referenced by the proposed FY 2018 Budget), among eight scenarios, pertaining to what the future financial impacts *could be* in the case of an immigrant without a high school education when considered on an *average cost* allocation basis. The proposed FY 2018 Budget takes a single data point from the NAS study (Blau & Mackie 2017), about the potential future fiscal consequences of immigration, to further support its *circumstances* premise in the argument for merit-based immigration. Therefore, the existing situation or *circumstances* premise, is not argued, in the proposed FY 2018 Budget, in a rationally acceptable way, as it pertains to the future fiscal consequences of immigration.

The proposed FY 2018 Budget also asserts:

The NAS study also found that, in 2013, first generation immigrants (across all skill levels) and their dependents living in the United States may have cost government at all levels as much as \$279 billion more than they paid in taxes for all levels of government, when the costs of national defense and other public goods are included on average cost basis. The Federal costs alone were estimated to be as much as \$147 billion if all public goods are included. (OMB 2017b: 16)

The most obvious problem with this assertion is that, as with the argument regarding future fiscal consequences of an individual immigrant without a high school education, this data point assumes an *average cost* allocation of public goods rather than a *marginal cost* allocation (see the discussion above). This is the worst-case scenario, which Blau & Mackie (2017) do not conclude their analysis with. They merely include it for the *sake of analysis*.

The less obvious, but more significant, problem with the proposed FY 2018 Budget's *circumstances* premise argument, from this particular data point, is that it is a selectively chosen piece of information from the NAS study without the very important caveats indicated in the NAS study. Blau & Mackie (2017) write:

In the sections that follow, the panel first documents the path of net annual fiscal impacts and the relevant characteristics among immigrants and natives during a recent historical period for which good coverage in annual cross-sectional data exists. Covering 20 years of immigrants' experiences, from 1994 to 2013, these data allow annual fiscal effects to be decomposed into amounts attributable to different immigrant generations. However, it is important to note that these cross-sectional estimates of fiscal impacts are heavily influenced by the age distribution of the underlying groups at the time of data collection. Thus, although such cross-sectional "snapshots in time" are instructive, they do neglect the evolution of fiscal costs and benefits over time that occurs as these groups age—an evolution that we know to be important (see Chapter 7). After children are born, their average fiscal impacts remain negative for many years because they absorb benefits in the form of public education and other support while paying little or no taxes. But children eventually become adults, many of whom work and, for sustained periods, pay more in taxes than they receive in expenditures. (Blau & Mackie 2017: 359-360)

According to Blau & Mackie (2017), "...these cross-sectional estimates of fiscal impacts are heavily influenced by the age distribution of the underlying groups at the time of data collection" thus being "snapshots in time" they "...neglect the evolution of fiscal costs and benefits over time that occurs as these groups age." Therefore, by citing these "snapshots in time", the proposed FY 2018 Budget argues it's *circumstances* premise in a way that does not accurately and completely represent the limitations of the cross-sectional estimates. Hence, the proposed FY

2018 Budget does not accurately and completely represent what the NAS study is saying. The key caveat that the NAS study includes, which the proposed FY 2018 Budget excludes is:

After children are born, their average fiscal impacts remain negative for many years because they absorb benefits in the form of public education and other support while paying little or no taxes. But children eventually become adults, many of whom work, and for sustained periods, pay more in taxes than they receive in expenditures. (Blau & Mackie 2017: 360)

Hence, by only citing the “snapshots in time” data and neglecting the evolution of fiscal costs and benefits over time, which become more positive in terms of taxes paid versus benefits used, the proposed FY 2018 Budget does not accurately and completely represent what the NAS study says. Therefore, when it comes to Walton’s critical question (Walton 2006: 86), posed to arguers relying on expert opinion or the opinion of those in a position-to-know, “Did *a* (in this case, the NAS study) assert that *A* (in this case, the claim by the proposed FY 2018 Budget regarding the cross-section estimates for 2013) is true (false)”, the answer is no, because the proposed FY 2018 Budget does not include the full import of what the NAS study says about the limitations of these “snapshots in time” data. Because of the selective use of the NAS study data by the proposed FY 2018 Budget, without an accurate and complete representation of that data in the NAS study and reliance upon the doubtful and arguably unreliable work of the Center of Immigration Studies and its 2015 report (Camarota 2015), the existing situation or context of action, which comprises the *circumstances* premise, is not described in a rationally persuasive way by the proposed FY 2018 Budget.

**Are the goals of action rationally acceptable? What other goals have been considered?**

The proposed FY 2018 Budget argues the *goals* premise as the following:

America’s immigration policy must serve our national interest. The Budget supports commonsense immigration standards that protect American workers,

reduce burdens on taxpayers and public resources, and focus Federal funds on underserved and disadvantaged citizens. When fully implemented these changes have the potential to save American taxpayers trillions of dollars over future decades. (OMB 2017b: 15)

Additionally, the goal that gets specified in the means-goal premise “Focusing immigration policy on merit-based admissions has the potential to reduce Federal outlays for welfare payments to lower-skilled immigrant-headed households” is “...to reduce Federal outlays for payments to lower-skilled immigrant-headed households” (OMB 2017b: 16). In applying Fairclough & Fairclough’s (2012) concept of “hierarchies of goals”, reducing “...Federal outlays for payments to lower-skilled immigrant-headed households” seems to be the more prominently argued goal among the other goals, for merit-based immigration, asserted by the proposed FY 2018 Budget.

The goal of serving the “national interest,” though legitimate, is vague. Protecting “American workers” is rhetorically convenient, but it begs the question of how current immigration policy threatens American workers. Reducing burdens on taxpayers and public resources is also rhetorically convenient, but misconstrues the issue of the fiscal impacts of immigration (see the previous discussion re: *circumstances* premise). Focusing “...federal funds on underserved and disadvantaged citizens” is a worthwhile goal, but one that is not sincerely pursued in the proposed FY 2018 Budget or subsequent budgets. Saving “taxpayers trillions of dollars over future decades” is also vague. According to Iyengar and Massie (2019: 7659), some of these rhetorically convenient goals do not correlate with the findings of the NAS study (Blau & Mackie 2017):

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...the National Academy of Sciences (NAS) published a report commissioned by its Committee on National Statistics entitled *The Economic and Fiscal Consequences of Immigration*.

Like many NAS reports on topics of public interest, its publication was inaugurated with a press release with a reporting embargo of September 22 at 1pm. The release summarized the report's findings, accurately stating that "the impact of immigration on the wages of native-born workers overall is very small;" that "there is little evidence that immigration significantly affects the overall employment levels of native-born workers;" that "immigration has an overall positive impact on the long-run economic growth in the US;" and that although "first generation immigrants are more costly to governments" as adults, the children of immigrants...are among the strongest economic and fiscal contributors in the US population."

These conclusions were duly reflected in the mainstream press, with headlines in the *New York Times* such as "Immigrants Aren't Taking American's Jobs, New Study Finds" and "Immigration Does More Good than Harm to the Economy, Study Finds" in the *Wall Street Journal*. (Iyengar & Massie 2019: 7659)

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Therefore, the goals to "...protect American workers, reduce burdens on tax payers and public resources, and...save American taxpayers trillions of dollars over future decades" (OMB 2017b: 15), argued in the proposed FY 2018 Budget with respect to merit-based immigration, do not proceed from the reality of immigration as it now stands according to the NAS study (Blau and Mackie 2017; Iyengar & Massie 2019). There is no evidence that American workers are imperiled nor the American economy or budget by the current immigration policy. To this point, a group of economists wrote *An Open Letter from 1,470 Economists on Immigration* (Holtz-Eakin et al. 2017; see Appendix B).

The goal to "...focus Federal funds on underserved and disadvantaged citizens..." appears disingenuous when the cuts to funding for economic development, education, healthcare, and housing, proposed in the proposed FY 2018 Budget Blueprint, are factored in. The proposed FY 2018 Budget Blueprint "Eliminates the Economic Development Administration, which provides small grants with limited measurable impacts...." (OMB 2017a: 13). When in fact, according to its website, the EDA is "...the only federal government agency focused exclusively on economic development" and it "...helps communities in experiencing economic distress, take control of

their future and position themselves for economic prosperity and resiliency” (U.S. Economic Development Administration 2020). The proposed FY 2018 Budget Blueprint also “Eliminates the Minority Business Development Agency” (OMB 2017a: 14) despite the MBDA being “the only federal agency tasked with promoting the growth and competitiveness of minority-owned businesses” (Minority Business Development Agency 2020). These agencies, targeted for elimination in the proposed FY 2018 Budget Blueprint, and their programs are focused on “...underserved and disadvantaged citizens” which is what the proposed FY 2018 Budget claims to be concerned with, in terms of its immigration policy.

In the area of education, the proposed FY 2018 Budget Blueprint “Eliminates the \$2.4 billion Supporting Effective Instruction State Grants program...” (OMB 2017a: 17). However, the purpose of this grant program is to “...provide low-income and minority students greater access to effective teachers, principals, and other school leaders” (Office of Elementary and Secondary Education 2020). The proposed FY 2018 Budget Blueprint also “Eliminates the 21<sup>st</sup> Century Community Learning Centers program...” (OMB 2017a: 17) despite its mission of creating “...community learning centers that provide academic enrichment opportunities during non-school hours for children, particularly students who attend high-poverty and low-performing schools” (U.S. Department of Education 2020). The Federal Supplemental Educational Opportunity Grant program is also eliminated in the proposed FY 2018 Budget Blueprint though it “...provides need-based grants to help low-income undergraduate students finance the costs of postsecondary education” (U.S. Department of Education 2020). The proposed FY 2018 Budget Blueprint goes on to eliminate or reduce funding for programs such as Striving Readers, the Teacher Quality Partnership Grant Program, and Impact Aid Support Payments for Federal Property. All of these education programs slated for reduction or elimination, in the proposed FY

2018 Budget Blueprint are targeted to “...underserved and disadvantaged citizens” which the proposed FY 2018 Budget claims as an area of focus.

When it comes to healthcare, the proposed FY 2018 Budget seeks to “...repeal Obamacare” (OMB 2017b: 1, 9, and 26) which provides health insurance to millions of uninsured citizens. The proposed FY 2018 Budget Blueprint also “Eliminates the discretionary programs within the Office of Community Services, including the Low-Income Home Energy Assistance Program (LIHEAP) and the Community Services Block Grant (CSBG). . .” (OMB 2017a: 22). All of these programs, which get eliminated in the proposed FY 2018 Budget Blueprint, focus on “underserved and disadvantaged citizens”—a stated goal of the proposed FY 2018 Budget’s immigration policy for implementing merit-based immigration.

Finally, as it pertains to housing, the proposed FY 2018 Budget Blueprint “Eliminates funding for the Community Development Block Grant program. . .” (OMB 2017a: 25) which, among other programs, funds Meals on Wheels, a program that provides food for low-income senior citizens. The proposed FY 2018 Budget Blueprint also eliminates funding for the HOME Investment Partnerships Program, Choice Neighborhoods, the Self-help Homeownership Opportunity Program, and Section 4 Capacity Building for Community Development and Affordable Housing (OMB 2017a: 25-26). These housing programs, to be cut or eliminated by the proposed FY 2018 Budget, are all targeted to “underserved and disadvantaged citizens”—a goal of the proposed FY 2018 Budget’s immigration policy.

Hence, when the proposed FY 2018 Budget argues as one of the *goals* for its immigration policy, merit-based immigration, to “...focus Federal funds on underserved and disadvantaged citizens”, the actual budget proposals targeting “underserved and disadvantaged citizens” in the areas of economic development, education, healthcare, and housing, demonstrate no real



commitment to poor citizens, just the opposite. Therefore, the *goal* stated in support of merit-based immigration of redeploying federal funds, to other areas of need or disadvantage, cannot be taken seriously and is, therefore, not rationally persuasive.

Finally, the *goal* of reducing "...Federal outlays for welfare payments to lower-skilled immigrant-headed households" is rhetorically convenient, but it does not pass logical scrutiny. Blau & Mackie (2017: 384, 422, and 443) argue that immigrants, particularly recent immigrants, typically do not qualify for Federal welfare programs. So, there is no clear correlation between lower-skilled immigrant headed households and the receipt of Federal welfare payments. Nevertheless, the proposed FY 2018 Budget, as it pertains to its merit-based immigration policy, has as its main goal "...to reduce Federal outlays for welfare payments to lower-skilled immigrant headed households" and arguably demonstrates its reliance on the questionable Center for Immigration Studies and its 2015 report *Welfare Use by Immigrant and Native Households: An Analysis of Medicaid, Cash, Food, and Housing Programs* (Camarota 2015). Therefore, the main goal of the proposed FY 2018 Budget for implementing merit-based immigration, reducing welfare payments to lower-skilled immigrant headed households, is not argued in a rationally or dialectically acceptable way.

When goals are vague or fail to meet the test of rational acceptability, Fairclough & Fairclough (2012) ask, "Should other possible goals (imaginaries) be examined?" (2012: 130). Additionally, with respect to evaluation of an argument's *goal* premise, Fairclough & Fairclough (2012) write:

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It does not follow that an agent ought to do an action *A* in order to realize a goal unless the action will not damage that goal or other goals that should not be compromised, or unless the action does not have unacceptable costs that outweigh its benefits, and these 'costs' should be understood not only in material terms, but in terms of human wellbeing, or as moral costs. The question of which other goals that agent should consider can not only defeat the argument's validity but also

rebut the argument's claim, by indicating that the agent should not engage in action that compromises other goals that is committed to (or, from the perspective of his critics, goals that he should be committed to, such as other agents' legitimate goals) (Fairclough & Fairclough 2012: 163)

Claims to action based on an insufficient critical examination of the appropriate goals of action are not well supported and should be rightly challenged.

Reasonable deliberation should be more than instrumental. It should not merely try to find the most efficient means in view of given goals, but should also question the goals and consider the possibility of alternative goals. It should not merely ask 'what should we do in order to reach the goal?' but also 'what goals should we pursue?' and 'are taken-for-granted goals reasonable or justified?' (Fairclough & Fairclough 2012: 165)

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So, to the question of should other goals be examined, in light of the rational and dialectical unacceptability of the proposed FY 2018 Budget's stated goals for its merit-based policy, the answer is yes, other goals should be examined.

Tom Jawetz, of the Center for American Progress, in his report *Restoring the Rule of Law through a Fair, Humane, and Workable Immigration System* (2019) writes:

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Build a generous and well-functioning legal immigration system that can be responsive to the nation's changing needs. This would include realistic and independent evidence-based avenues for immigration that allow families to stay together and businesses to get the workers they need, while enhancing all workers' rights to fair and increasing wages, safe working conditions, and the opportunity to thrive together. The rules of such a system would be designed to recognize the fact that the only way to have an immigration system that works is to more closely align supply and demand, rather than force the system to adhere to artificial caps, untethered from reality and revisited only once in a generation at best. (Jawetz 2019: 2)

David J. Bier, of the Cato Institute, in "Why the Legal Immigration System Is Broken: A Short List of Problems," cites concerns with the current immigration system, some of which could be turned into alternative goals to those argued for in the proposed FY 2018 Budget's immigration policy:

In no particular order, here is a list of a few problems that comprehensive immigration reform should address (a few of which are mentioned in the immigration chapter of the *Cato Handbook for Policymakers*):

1. A far too restrictive system overall.
2. Static immigration quotas.
3. Quotas on nationalities—the law micromanages immigrant demographics.
4. Immigrants wait in line for decades.
5. Immigrant workers are counted against multiple quotas.
6. There’s a limit for immigrants with “extraordinary ability”.
7. Workers without college degrees only get 5,000 green cards.
8. The president can end the refugee program unilaterally.
9. No immigration category for entrepreneurs.
10. No way to create new immigration categories without congressional action.
11. Immigrants generally cannot apply for permanent residency on their own.
12. Spouses and minor children of new immigrants count against the quotas.
13. There’s a quota on new spouses and minor children of current permanent residents.
14. Children of temporary workers grow up here, wait in line with their parents for permanent residency, and get kicked out of line on their 21st birthday.
15. Immigrants can live here for decades without receiving permanent residency.
16. Illegal immigrants cannot leave and reapply to return legally.
17. Spouses and children of temporary workers are banned from working.
18. The law requires immigrants to pretend that they don’t want to immigrate.
19. Forcing employers to advertise positions that are already filled.
20. Temporary workers cannot easily change jobs.
21. No temporary visas at all for year-round workers without college degrees.
22. Noncitizens can access federal welfare programs after five years.
23. The president can ban any immigrants that he doesn’t like.
24. No opportunity to appeal visa denials.
25. The burden of proof is on immigrants and their sponsors, not the government.
26. America has closed borders with a few holes. (Bier 2018)

Krishnadev Calamur, of *The Atlantic*, writes the following in “A Functional Immigration System Would Look Nothing Like America’s” (2018):

Trump’s support for a policy that attracts skilled workers might run counter to his administration’s actual actions, but it underscores a conundrum that has bedeviled successive presidential administrations: how to fix the country’s immigration system, with its years-long backlogs and millions of undocumented workers, while remaining competitive in a global marketplace.

Any answer would draw from the three elements that make up legal immigration in the Western world: an economic stream, a family stream, and a humanitarian stream. (Calamur 2018)

Hence, these are just a sampling of what others have offered as alternative goals for consideration as it pertains to legal immigration policy in the U.S.

**Is the value premise rationally acceptable? Does it actually support the goal and the action?**

The proposed FY 2018 Budget argues, “Once the net effect of immigration on the Federal Budget is more clearly illustrated, the American public can be better informed about options for improving policy outcomes and saving taxpayer resources” (OMB 2017b: 16-17). “...improving policy outcomes and saving taxpayer resources” align with values of *effectiveness* and *efficiency*. *Effectiveness* and *efficiency* are necessary, but not sufficient, values of public policy. Public policy should also be concerned with *social equity*. However, a fuller discussion about social equity and merit-based immigration will come later in the section on *critical discourse analysis*. So, as to the question of whether the values of *effectiveness* and *efficiency* are, in and of themselves, rationally acceptable, the answer yes.

For now, the questions that remains are do the values of *effectiveness* and *efficiency* support the *goal* of reducing “...Federal outlays for welfare payments to lower-skilled immigrant headed households”? and do the values of *effectiveness* and *efficiency* support the action of “Focusing immigration policy on merit-based admissions...”? As argued in the previous sections on the rational persuasiveness of the *circumstances* and the *goals* premises, there is no evidence that significant Federal outlays are being expended for welfare payments to lower-skilled immigrant headed households. Therefore, the *values* premise, as construed, is not rationally acceptable and

does not support the *goal* and the action. Additional critical questions which deal with the overall strategy of merit-based immigration, will be applied in the next section on the RAISE Act.

### **The RAISE ACT**

Senator Tom Cotton and Senator David Perdue introduced the RAISE Act (S. 1720) on August 2, 2017. The RAISE Act was endorsed by President Trump. President Trump, joined by Senator Cotton and Senator Perdue, made comments together, about the RAISE Act from the White House on August 2, 2017. While the *argument evaluation*, to be undertaken later, will focus on the combined comments of President Trump, Senator Cotton, and Senator Perdue as one single argument, their respective comments, presented below, will be treated individually for the purpose of *overview, outline, and diagramming*:

#### **President Trump's Comments Re: RAISE Act:**

1 Thank you very much. It's great to be here today to unveil legislation that  
 2 would represent the most significant reform to our immigration system in  
 3 a half a century. I want to thank Senators Tom Cotton and David Perdue  
 4 for their tremendous work in putting together this historic and very vital  
 5 proposal. As a candidate, I campaigned on creating a merit-based  
 6 immigration system that protects U.S. workers and taxpayers and why  
 7 we are here today. Merit-based. The RAISE ACT, R-A-I-S-E, the RAISE  
 8 ACT will reduce poverty, increase wages, and save taxpayers billions and  
 9 billions of dollars. It will do this by changing the way the United States  
 10 issues green cards to Nationals from other countries. Green cards provide  
 11 permanent residency, work authorization, and fast track to citizenship. For  
 12 decades, the United States was operated and has operated a very low  
 13 skilled immigration system, issuing record numbers of green cards to low-  
 14 wage immigrants. This policy has placed substantial pressure on American  
 15 workers, taxpayers, and community resources. Among those hit the  
 16 hardest in recent years, have been immigrants and very importantly  
 17 minority workers competing for jobs against brand new arrivals and it has  
 18 not been fair to our people, to our citizens, to our workers. The RAISE Act  
 19 ends chain migration and replaces our low-skilled system with a new  
 20 points-based system for receiving a green card. This competitive  
 21 application process will favor applicants who can speak English,  
 22 financially support themselves and their families, and demonstrates skills

23 that will contribute to our economy. The RAISE Act prevents new  
 24 migrants and new immigrants from collecting welfare and protects U.S  
 25 workers from being displaced. And that's a very big thing. They're not  
 26 going to come in and just immediately go and collect welfare. That doesn't  
 27 happen under the RAISE Act. They can't do that. Crucially, the Green  
 28 Card reforms in the RAISE Act will give American workers a pay raise by  
 29 reducing unskilled immigration. This legislation will not only restore our  
 30 competitive edge in the 21st century, but it will restore the sacred bonds of  
 31 trust between America and its citizens. This legislation demonstrates our  
 32 compassion for struggling American families who deserve an immigration  
 33 system that puts their needs first and that puts America first. Finally, the  
 34 reforms in the RAISE Act will help ensure that newcomers to our  
 35 wonderful country will be assimilated, will succeed, and will achieve the  
 36 American dream. I'd like now to invite Senator Cotton and Senator Perdue  
 37 to say a few words. Thank you. Thank you very much.

#### Overview of President Trump's Comments re: RAISE Act

President Trump began his comments by describing the RAISE Act as "...the most significant reform to our immigration system in a half a century" (lines 1-3). With such a description, Trump is highlighting his belief in how significant this legislation is. He then goes on to thank Senators Cotton and Perdue as the primary authors of the RAISE Act (lines 3-5). In lines 5-7, Trump asserts his *claim* for action and contextualizes it within the framework of fulfilling a campaign promise, "As a candidate, I campaigned on creating a merit-based immigration system that protects U.S. workers and taxpayers and why we are here today." Trump is basically saying that he is keeping a campaign promise to protect American workers and taxpayers by implementing a merit-based immigration system. His argument implies, at this point, that the current immigration system or policy does not protect American workers and taxpayers, but in fact, imperils them. Trump's normative claim of implementing a merit-based immigration is supported by the constraints of his campaign promise, which in terms of Searle's *social ontology* (Searle 1995, 2010), has become an *institutional fact*, which also impacts or informs the

*circumstances* premise for Trump and Perdue. More will be said about the campaign promise and Searle later.

Lines 5-7 and 9-20 make up Trump's *circumstances* premise supporting his argument for implementing merit-based immigration. Again, Trump's campaign promise (lines 5-7), made as a candidate for president, informs and constrains his actions now that he has become president. This a part of the current situation in which the RAISE Act is being argued for. More will be said later about the socially constructed reality (see Searle 1995, 2010) that Trump's campaign promise has contributed to and the relation to power, manipulation, and domination in the upcoming *critical discourse analysis* section.

In lines 9-14, Trump specifies that the current Green Card system will be changed by the implementation of the RAISE Act, "It will do this by changing the way the United States issues Green Cards to nationals from other countries." Currently, according to Trump, "Green Cards provide permanent residency, work authorization, and fast track to citizenship. For decades, the United States...has operated a very low skilled immigration system, issuing record numbers of Green Cards to low-wage immigrants." By describing the current system in these terms, Trump is seeking to establish how much "low-wage immigrants" are getting, "permanent residency, work authorization, and fast track to citizenship." By implication, according to Trump, the American people are not getting as much in return, under the current immigration system.

In lines 14-20, Trump sharpens his critique of the current immigration situation, seeking to bolster the *circumstances* premise of his argument. He asserts, "This policy has placed substantial pressure on American workers, taxpayers, and community resources. Among those hit the hardest...have been immigrants and...minority workers competing for jobs against brand new arrivals...." By construing the current policy in this way, Trump is seeking to demonstrate

how newly arriving immigrants are threatening the job prospects for immigrants already living in the United States and minority workers. Trump, then further sharpens his critique of the current policy and current situation with “...it has not been fair to our people, to our citizens, to our workers.” In doing so, he is seeking to establish an “us versus them” argument and couching it in terms of *fairness*. More will be said about the value of *fairness* in the upcoming analysis of Trump’s *values* premise. In lines 18-20, Trump concludes the *circumstances* premise of his argument by summing up the implications of replacing the current immigration policy with merit-based immigration, “The RAISE Act ends chain migration and replaces our low-skilled system with a new points-based system for receiving a Green Card.” By characterizing traditional family-based immigration as “chain migration”, Trump is framing this element of the current immigration policy in a negative light, which will be discussed later in the *critical discourse analysis* section. Trump ends by juxtaposing the current “low-skilled system” with “a new points-based system.”

In lines 6-9, 18-19, and 23-29, Trump lays out the *goals* premise of his argument in support of the RAISE Act. According to Trump, the goals, or *imaginaries*— “...possible future state of affairs and systems” (Fairclough & Fairclough 2012: 3) being pursued include the following:

...a merit-based system that protects U.S. workers and taxpayers....will reduce poverty, increase wages, and save taxpayers billions and billions of dollars....ends chain migration and replaces our low-skilled systems....prevents new migrants and new immigrants from collecting welfare and protects U.S. workers from being displaced....will give American workers a pay raise by reducing unskilled immigration.

By citing all the goals sought via merit-based immigration, Trump is seeking to demonstrate how much is to be gained by moving from the traditional or current immigration system to one that is based on so-called “merit”. Fairclough and Fairclough (2012) speak of *hierarchies* of goals and values to point out that often an agent ranks goals and values in terms of priority of importance,



etc. (2012: 38 and 58). Applied to Trump's goals, arguably protecting American workers and taxpayers is the primary *goal* among a hierarchy of goals as it is most closely linked to his *claim* for action—create a merit-based immigration system. For, Trump argues, implementing a merit-based immigration system “will give American workers a pay raise”, hence, the RAISE Act.

In lines 17-18 and 29-36, Trump lays out the *values* premise of his argument which gives support to the *circumstances* premise and *goals* premise. Again, from a *hierarchy* of values perspective (Fairclough & Fairclough 2012: 38 and 58), Trump's primary value, articulated in this argument, is fairness, “...it has not been fair to our people, to our citizens, to our workers”.

Trump argues the remainder of values within the *values* premise:

This legislation will not only restore our competitive edge in the 21<sup>st</sup> century, but it will restore the sacred bonds of trust between America and its citizens...demonstrates our compassion for struggling American families who deserve an immigration system that puts their needs first and thus puts America first...will help ensure that newcomers to our wonderful country will be assimilated, will succeed, and will achieve the American dream.

Besides protecting American worker and taxpayers, Trump argues for restoring the “sacred bonds of trust between America and its citizens,” suggesting that the sacred bond is broken because of the current immigration system. Purportedly, Trump wants to demonstrate “compassion for struggling American families” by implementing the merit-based immigration system. Finally, according to Trump, the new system will make sure that new immigrants “will be assimilated, will succeed, and will achieve the American dream.” The rhetorical import of Trump's *values* premise implies that the current immigration system is deeply flawed and is an affront to the American people.

Lastly, in lines 5-9, 18-19, and 23-29, Trump sets forth the *means-goal* premise of the argument. In this *means-goal* premise, Trump seeks to establish that implementing merit-based immigration, as a *means* or *strategy*, is both *necessary* and *sufficient*. In Fairclough & Fairclough

(2012) *goals* are also construed as *imaginaries* (2012: 3-5), while the *means* to attain the *goals* are characterized as *strategies* (2012: 24). Trump argues the *means-goals* premise as follows:

...creating a merit-based immigration system that protects U.S. workers and taxpayers....Merit-based. The RAISE Act...will reduce poverty, increase wages, and save taxpayers billions and billions of dollars....The RAISE Act ends chain migration and replaces our low-skilled system....The RAISE Act prevents new migrants and new immigrants from collecting welfare and protects U.S. workers from being displaced. And that's a very big thing. They're not going to come in and just immediately go and collect welfare. That doesn't happen under the RAISE Act. They can't do that. Crucially, the Green Card reforms in the RAISE Act will give American workers a pay raise by reducing unskilled immigration.

Essentially, Trump enumerates all the current negatives, as he perceives them, with the current immigration policy and argues that merit-based immigration is the *strategy* which is both *necessary* and *sufficient* in bringing about needed reforms. Trump's comments about the RAISE Act will be analyzed further in the *argument evaluation* and *critical discourse analysis* sections, respectively.

### Argument Reconstruction

Following the *overview* of Trump's argument in support of the RAISE Act, Fairclough & Fairclough's (2012) political discourse analysis method calls for a *reconstruction* of the argument being made. Part of the *reconstruction* is setting forth the elements or premises of the argument in an *outline* and then through *diagramming* the argument. The diagramming (see Fig. 4.3 below) of the premises of the argument is by necessity much briefer than in the outlining.

Trump's argument for the RAISE Act is outlined as follows:

*Claim* (lines 5-7): As a candidate, I campaigned on creating a merit-based immigration system that protects U.S. workers and taxpayers and why we are here today. Merit-Based...

*Circumstances*: (lines 5-7, 9-20): As a candidate, I campaigned on creating a merit-based immigration system that protects U.S. workers and taxpayers and that is why we are here

today....It will do this by changing the way the United States issues Green Cards to Nationals from other countries. Green Cards provide permanent residency, work authorization, and fast track to citizenship. For decades, the United States was operated and has operated a very low-skilled immigration system, issuing record numbers of Green Cards to low-wage immigrants. This policy has placed substantial pressure on American workers, taxpayers, and community resources. Among those, hardest hit in recent years, have been immigrants and very importantly minority workers competing for jobs against brand new arrivals and it has not been fair to our people, to our citizens, to our workers. The RAISE Act ends chain migration and replaces our low-skilled system with a new points-based system for receiving a Green Card.

*Goals* (lines 6-9, 18-19, and 23-29): ...a merit-based system that protects U.S. workers and taxpayers....will reduce poverty, increase wages, and save taxpayers billions and billions of dollars....ends chain migration and replaces our low-skilled system....prevents new migrants and new immigrants from collecting welfare and protects U.S. workers from being displaced....will give American workers a pay raise by reducing unskilled immigration.

*Values* (lines 17-18 and 29-36): ...it has not been fair to our people, to our citizens, to our workers....This legislation will not only restore our competitive edge in the 21<sup>st</sup> century, but it will restore the sacred bonds of trust between America and its citizens...demonstrates our compassion for struggling American families who deserve an immigration system that puts their needs first and thus puts America first...will help ensure that newcomers to our wonderful country will be assimilated, will succeed, and will achieve the American dream.

*Means-goal* (lines 5-9, 18-19, and 23-29): ...creating a merit-based immigration system that protects U.S. workers and taxpayers....Merit-based. The RAISE Act, R-A-I-S-E, the RAISE Act will reduce poverty, increase wages, and save taxpayers billions and billions of dollars....The RAISE Act ends chain migration and replaces our low-skilled system....The RAISE Act prevents new migrants and new immigrants from collecting welfare and protects U.S. workers from being displaced. And that's a very big thing. They're not going to come in and just immediately go and collect welfare. That doesn't happen under the RAISE Act. They can't do that. Crucially, the Green Card reforms in the RAISE Act will give American workers a pay raise by reducing unskilled immigration.

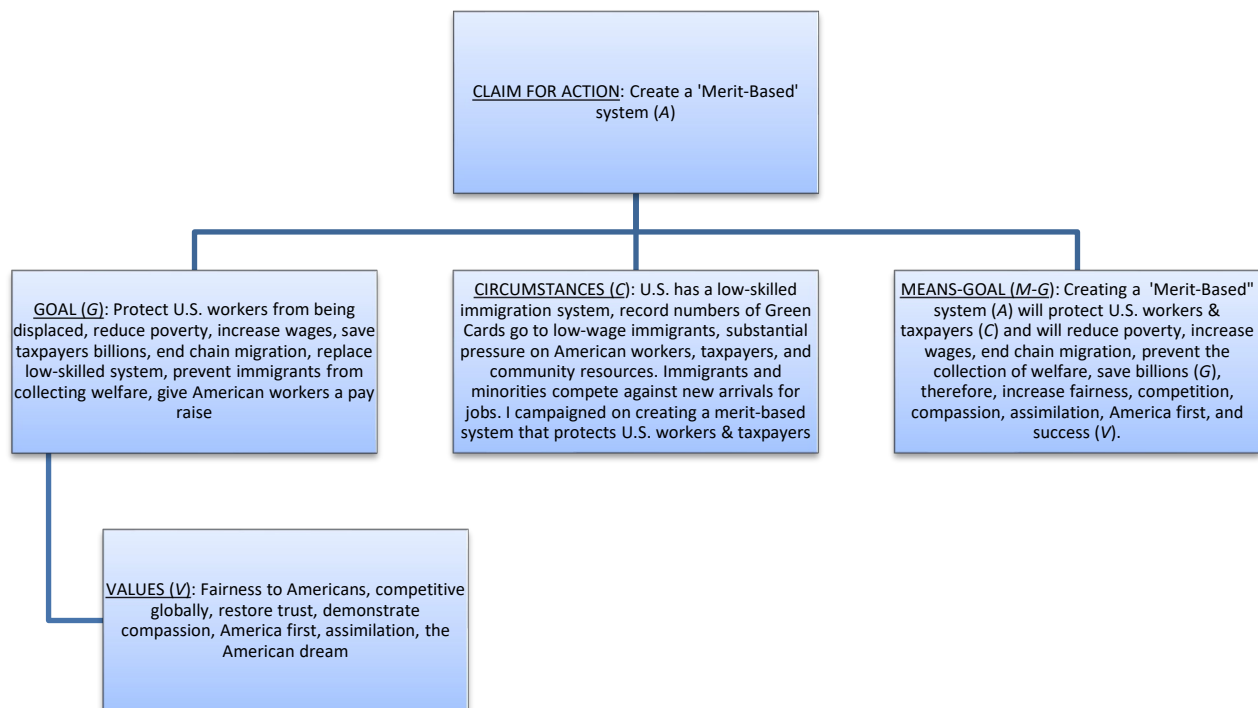


Figure 4.3 Trump's Comments re: The RAISE Act

Senator Tom Cotton's Comments re: RAISE Act:

1 Thank you, Mr. President. I'm very excited to be here with Senator Perdue  
2 and President Trump to be introducing the new version of the RAISE Act.  
3 Our legal immigration system should accomplish two main goals: one, it  
4 should help American workers get a decent pay raise and have a higher  
5 standard of living and, two, it should help promote economic growth—  
6 make America more competitive in the world. Our current system simply  
7 doesn't do that. It's over a half century old. It is an obsolete disaster and it's  
8 time for it to change. So, first we bring over a million immigrants into this  
9 country a year. That's like adding the population of Montana every single  
10 year--adding the population of Arkansas every three years. the vast  
11 majority of those workers, or those immigrants, come here, not because of  
12 their English language abilities or their job skills, or their job offer or their  
13 educational attainment. In fact, only one fifteen, only one in fifteen out of  
14 a million new immigrants come here because of their job skills and their  
15 ability to succeed in this economy. That means it puts great downward  
16 pressure on people who work with their hands and work on their feet.  
17 Now, for some people, they may think that that's the symbol of America's  
18 virtue and generosity. I think it's a symbol that we're not committed to  
19 working class Americans and we need to change that. Second, we also  
20 lose out on the very best talent coming to our country--the most ultra high  
21 skilled immigrants who can come here and bring their entrepreneurial  
22 spirit and their innovative capabilities, and make a higher wage, create  
23 new jobs for other Americans and new immigrants, speak English, and  
24 contribute to our economy, and stand on their own two feet, and pay taxes,  
25 and not receive welfare, and not drive down wages for working-class  
26 Americans. The RAISE Act will change all of that by reorienting our  
27 Green Card system towards people who can speak English, who have high  
28 degrees of educational attainment, who have a job offer that pays more  
29 than a typical job in their local economy, who are going to create a new  
30 business or who are outstanding in their field around the world, and I'm  
31 excited and I look forward to working with Senator Perdue and President  
32 Trump to pass this legislation through the Congress and make this kind of  
33 very fundamental sweeping change for the first time, in over 50 years, to  
34 our immigration system. Thank you.

### Overview of Senator Cotton's Comments re: RAISE Act

U.S. Senator Tom Cotton (R-Arkansas) is the primary sponsor of the RAISE Act, joined by U.S. Senator David Perdue (R-Georgia). This section includes an *overview* and *reconstruction* of Senator Cotton's argument in support of the RAISE Act which would implement a merit-based immigration system. The *reconstruction* of Senator Cotton's argument will include an *outline* of the premises and claim for action as well as a *diagram* of the argument. The *evaluation* of Senator Cotton's argument will follow later in the chapter. The same will be applied to Senator Perdue's comments. These are all elements of Fairclough & Fairclough's (2012) *argumentation theory* which, along with *critical discourse analysis*, comprises their political discourse analysis method.

Senator Cotton begins his comments about the revised RAISE Act with the *goals* premise of the argument. In lines 3-6, he asserts:

Our legal immigration system should accomplish two main goals: one, it should help American workers get a decent pay raise and have a higher standard of living and, it should help promote economic growth—make America more competitive in the world.

Echoing the sentiments of President, Cotton sees the primary goal of the U.S. immigration system in terms that benefit the American worker. The second “main” goal, according to Cotton is to make America more competitive, economically. Accordingly, Cotton sees the U.S. immigration narrowly in economic terms—it should benefit American workers and the American economy.

In lines 6-16 and 19-26, Senator Cotton articulates the *circumstances* premise of his argument. In doing so, he goes to considerable lengths to demonstrate, in his view, that the current system is an “obsolete disaster”. He then proceeds through a litany of failures of the traditional immigration system asserting the following:

The vast majority of those workers, or those immigrants, come here, not because of their English language abilities or their job skills, or their job offer or their educational attainment. In fact, only one in fifteen, only one in fifteen out of a million new immigrants come here because of their job skills and their ability to succeed in this economy. That means it puts great downward pressure on people who work with their hands and work on their feet.

In describing the people currently immigrating to the U.S. in these terms, Cotton is seeking to demonstrate the need for an immigration system (merit-based) which will bring in a more qualified cohort of immigrants who can succeed in the American economy. The accuracy of Cotton’s description of current immigrants is highly questionable. A fuller account of the current immigration system has been addressed previously in the section of the analysis dealing with the *circumstances* premise of the proposed FY 2018 Budget.

In lines 18-19, Cotton lays out the *values* premise of his argument through a criticism of the current system, which, according to Cotton, some defend (as a *counter-claim* in lines 17-18) as “...the symbol of America’s virtue and generosity”, with “I think it’s a symbol that we’re not committed to working class Americans and we need to change that” (addressing the *counter-claim*). Hence, Cotton sees implementing a merit-based immigration system more in line with a commitment to working class Americans. With this articulation of “commitment,” Cotton is impugning the current system to strengthen his argument to implement a new one—merit-based immigration via the RAISE Act.

Senator Cotton asserts the *means-goal* premise of his argument, in lines 26-30 with the following:

The RAISE Act will change all of that by reorienting our Green Card system towards people who can speak English, who have high degrees of educational attainment, who have a job offer that pays more than a typical job in their local economy, who are going to create a new business or who are outstanding in their field around the world....

In the *means-goal* premise, Cotton is saying the RAISE Act will bring in highly qualified immigrants and will replace a system that currently brings in unqualified immigrants who negatively impact American workers and the American economy. Overall, Senator Cotton is arguing that implementing a merit-based immigration system is both *necessary* and *sufficient* to accomplish the two goals previously stated, "...help American workers get a decent pay raise and have a higher standard of living...and make America more competitive in the world."

### Argument Reconstruction

Senator Cotton's argument will be further analyzed in the *argument evaluation* and *critical discourse analysis* sections. This section, for the purpose of *reconstructing* the argument, includes an *outline* and *diagram* (see Figure 4.4) of the premises of Senator Cotton's argument for the RAISE Act. The following is an outline of the premises of Cotton's argument:

*Claim* (lines 32-34): ...pass this legislation through the Congress and make this kind of very fundamental sweeping change for the first time, in over 50 years, to our immigration system.

*Circumstances* (lines 6-16 and 19-26): Our current system simply doesn't do that. Its over a half century old. It's over a half century old. It is an absolute disaster and its time for it to change. So, first we bring over a million immigrants into this country a year. That's like adding the population of Montana every single year—adding the population of Arkansas every three years. The vast majority of those workers, or those immigrants, come here, not because of their English language abilities or their job skills, or their job offer or their educational attainment. In fact, only one in fifteen, only one in fifteen out of a million new immigrants come here because of their job skills and their ability to succeed in this economy. That means it puts great downward pressure on people who work with their hands and work on their feet....Second, we also lose out on the very best talent coming to



our country—the most ultra high skilled immigrants who can come here and bring their entrepreneurial spirit and their innovative capabilities, and make a higher wage, create new jobs for other Americans and new immigrants, speak English, and contribute to our economy, and stand on their own tow feet, and pay taxes, and not receive welfare, and not drive down wages for working-class Americans.

*Goals* (lines 3-6): Our legal immigration system should accomplish two main goals: one, it should help American workers get a decent pay raise and have a higher standard of living and, two, it should help promote economic growth—make America more competitive in the world.

*Values* (lines 18-19): I think it’s a symbol that we’re not committed to working class Americans. [By implication, the *value* is a *commitment to working class Americans*]

*Means-goal* (lines 26-30): The RAISE Act will change all of that by reorienting our Green Card system towards people who can speak English, who have high degrees of educational attainment, who have a job offer that pays more than a typical job in their local economy, who are going to create a new business or who are outstanding in their field around the world....

*Counter claim* (lines 17-18): Now, for some people, they may think that that’s the symbol of America’s virtue and generosity.

*Dealing with counter-claim* (lines 18-19): I think it’s a symbol that we’re not committed to working class Americans and we need to change that.

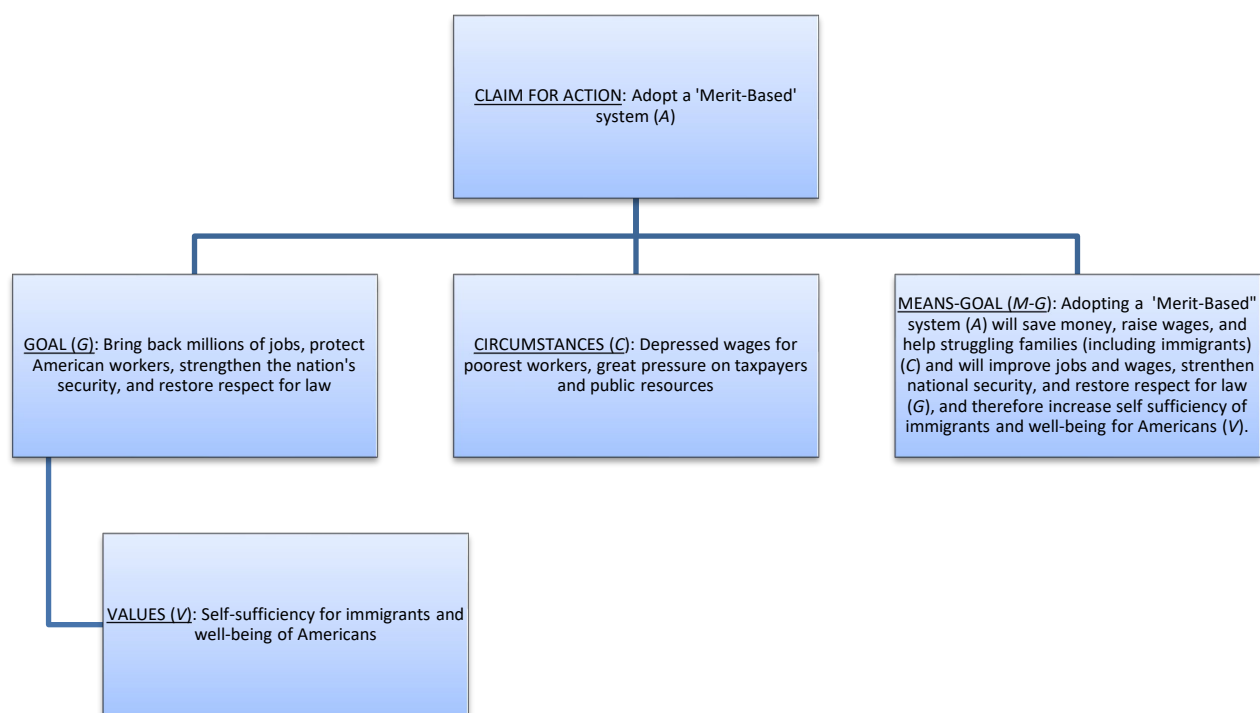


Figure 4.4 Senator Cotton's Comments re: The RAISE ACT

Senator David Perdue's Comments Re: The RAISE Act:

1 Thank you, Tom. Thank you, Mr. President. Good afternoon,  
2 everyone. First of all, Mr. President. I want to thank you for your  
3 leadership on this immigration topic. I think this is extremely critical  
4 for our country. You talked about it often on the campaign trail. You  
5 said job one is growing the economy. It's part of why I believe you're  
6 standing here, why I'm standing here. You've also said that it's as a  
7 Fortune 500 CEO. I'm the only Fortune 500 CEO in Congress and I've  
8 lived around the world much of my career and I can tell you nothing  
9 that we're going to do right now is more important than this in terms of  
10 growing our economy. The reason we need to do this is very simple—  
11 our current system does not work. It keeps America from being  
12 competitive and it does not meet the needs of our economy.  
13 Today, as Tom said, we bring in 1.1 million legal immigrants a year.  
14 Over 50 percent of our households of legal immigrants today  
15 participate in our social welfare system. Right now, only 1 out of 15  
16 immigrants that come into our country, come in with skills that are  
17 employable. We've got to change that. As business guys, Mr.  
18 President, you and I understand we need a new approach. We need to  
19 fix this immigration system. So, we took a look at best practices. We  
20 looked at countries like Canada, Australia and others. What we're  
21 introducing today is modeled on the current Canadian and Australian  
22 system. It's pro-worker. It's pro growth and its been proven to work.  
23 Both have been extremely successful in attracting highly skilled  
24 workers to those countries. We can all agree, the goals of our nation's  
25 immigration system should be to protect the interests of working  
26 Americans, including immigrants, and to welcome talented individuals  
27 who come here, legally, and want to work and make a better life in  
28 themselves. Our current system makes it virtually impossible for them  
29 to do that. If we're going to continue as an innovator in the world and the  
30 leader economically, it's imperative that our immigration system focus  
31 on highly skilled permanent workers who can add value to our  
32 economy and ultimately achieve their own version of the American  
33 dream. What we're talking about today is very simple, its measured,  
34 it's a rational approach to immigration that will allow us to finally fix,  
35 once and for all, this broken system, in a strategic way, that will  
36 reposition America as a global leader economically. Mr. President, I'm  
37 proud to stand here with you and Tom Cotton. I look forward to  
38 passing this in the U.S. Congress and making this the law of the land

39 and letting it be a sweeping change for America. Thank you.

#### Overview of Senator Perdue's Comments re: RAISE Act

Similar to the treatment of President Trump's and Senator Cotton's argument for the RAISE Act, this section will consist of an *overview* and *reconstruction* consisting of an *outline* followed by a *diagram* (see Figure 4.5) of Senator Perdue's argument in support of the RAISE Act. Fairclough's (2012) *argument evaluation* and *critical discourse* analysis will be applied to Senator Perdue's argument later in this chapter. The analysis will now proceed to the *overview* of Senator Perdue's argument as he is the co-sponsor of the RAISE Act, along with Senator Cotton.

Senator Perdue begins his comments with the *circumstances* premise of his argument for the RAISE Act which appears in lines 3-5, 11-17, 28-29. Perdue asserts, "I think this is extremely critical for our country. You talked about it often on the campaign trail. You said job one is growing the economy." Perdue is reminding President Trump of his presidential campaign promise to create a merit-based immigration system. In doing so, Perdue is establishing an *institutional reality* that constrains Trump's actions now that he is president. Fairclough & Fairclough (2012: 47) in referencing the work of Searle (1995, 2010) on the *construction of social reality*, set forth the notion that "promises" become part of the *institutional reality* or serve as *institutional facts* which inform *circumstances* that agents must consider when contemplating what choices to make and which actions to take. Invoking Trump's campaign promise adds force to Perdue's argument as it gives Trump a *desire-independent, external reason* for action. In Searle's social ontology, *desire-independent, external reasons* for action, along with *status*

*functions*, are the building blocks of social and political of power (Fairclough & Fairclough 2012: 47, 73).

In lines 11-17, Perdue continues with the *circumstances* premise of his argument. He argues:

Our current system does not work. It keeps America from being competitive and its does not meet the needs of our economy. Today, as Tom said, we bring in 1.1 million legal immigrants a year. Over 50 percent of our households of legal immigrants today participate in our social welfare system. Right now, only 1 out of 15 immigrants that come into our country, come in with skills that are employable. We've got to change that.

Like President Trump and Senator Cotton, Senator Perdue frames the current U.S. immigration system as one that brings in people who are mostly dependent on welfare. This assertion has been dealt with extensively earlier in this chapter. Nevertheless, it is a consistent point of *representation* or *framing* (see Fairclough & Fairclough 2012: 171, 242) by Trump, Cotton, and Perdue in order to advocate for a merit-based immigration system via the RAISE Act.

In lines 28-29, Perdue concludes his *circumstances* premise with the contention that despite having the goals of the U.S. immigration system being "...to protect the interests of working Americans, including immigrants, and to welcome talented individuals who come here, legally, and want to work and make a better life in themselves," the current system will not allow this to happen.

Perdue lays out the *goals* premise of his argument in lines 24-28:

We can all agree, the goals of our nation's immigration system should be to protect the interests of working Americans, including immigrants, and to welcome talented individuals who come here, legally, and want to work and make a better life in themselves.

Like, President Trump and Senator Cotton, Senator Perdue sees the role of the immigration system in terms of protecting the interests of working Americans. Both Trump and Perdue, unlike Cotton, seem to include immigrants currently living in America within the group of

Americans who need protecting from the negative occupational and economic impacts of newly arriving immigrants. Additionally, the *goal* of bringing in more talented immigrants will somehow, according to Perdue, benefit working Americans and immigrants already living in the U.S.

Senator Perdue elaborates the *values* premise of his argument in lines 29-35. Building on his earlier statement in line 5, “You said job one is growing the economy,” Perdue frames the *values* supporting the *circumstances*, *goals*, and *means-goals* premise as those of America being “an innovator in the world and leader economically.” *Innovation* and *economic leadership* are the *values* that Perdue argues coincide with welcoming talented individuals to the U.S. who want to have a better life. Hence, according to Perdue, *innovation*, *economic leadership*, and *the American dream* are the *values* that support the normative claim for action to implement a merit-based immigration system.

Finally, Perdue asserts the *means-goal* premise of his argument in lines 18-24. He maintains:

We need to fix this immigration system. So, we took a look at best practices. We looked at countries like Canada, Australia, and others. What we’re introducing today is modeled on the current Canadian and Australian system. It’s pro-worker. It’s pro-growth and its been proven to work. Both have been extremely successful in attracting highly skilled workers to those countries.

Perdue is arguing that a merit-based system, like that of Canada and Australia, will fix the failings of the current immigration. By framing the Canadian and Australian system as a “best practice”, “pro-growth”, “proven to work”, and “extremely successful”, Perdue is leaving no doubt that he believes merit-based immigration, Canadian and Australian-style, is both *necessary* and *sufficient* to accomplish the *goals* which the current system is not accomplishing—protecting the interests of working Americans and welcoming talented individuals who are pursuing the American dream.

### Argument Reconstruction

In this section, Perdue's argument is *reconstructed* through an *outline* and diagram (see Figure 4.5) of the elements or *circumstances*, *goals*, *values*, and *means-goal* premises, along with the normative *claim* for action, of his argument. This is in keeping with Fairclough & Fairclough's (2012) *argumentation theory* element of their political discourse analysis method.

The outline is as follows:

*Claim* (lines 38-39): ...passing this in the U.S. Congress and making this the law of the land and letting it be a sweeping change for America.

*Circumstances* (lines 3-5, 11-17, and 28-29): I think this is extremely critical for our country. You talked about it often on the campaign trail. You said job one is growing the economy....The reason we need to do this is very simple—our current system does not work. It keeps America from being competitive and it does not meet the needs of our economy today. Today, as Tom said, we bring in 1.1 million legal immigrants a year. Over 50 percent of our households of legal immigrants today participate in our social welfare system. Right now, only 1 out of 15 immigrants that come into our country, come in with skills that are employable. We've got to change that. As business guys, Mr. President, you and I understand we need a new approach....Our current system makes it virtually impossible for them to do that.

*Goals* (lines 24-28): We can all agree, the goals of our nation's immigration system should be to protect the interests of working Americans, including immigrants, and to welcome talented individuals who come here, legally, and want to work and make a better life in themselves.

*Values* (lines 5 and 29-35): You said job one is growing the economy....If we're going to continue as an innovator in the world and the leader economically, its imperative that our immigration system focus on highly skilled permanent workers who can add value to our economy and ultimately achieve their own version of the American dream.

*Means-goal* (lines 18-24): We need to fix this immigration system. So, we took a look at best practices. We looked at countries like Canada, Australia, and others. What we're introducing today is modeled on the current Canadian and Australian system. It's pro-worker. It's pro-growth and its been proven to work. Both have been extremely successful in attracting highly skilled workers to those countries.

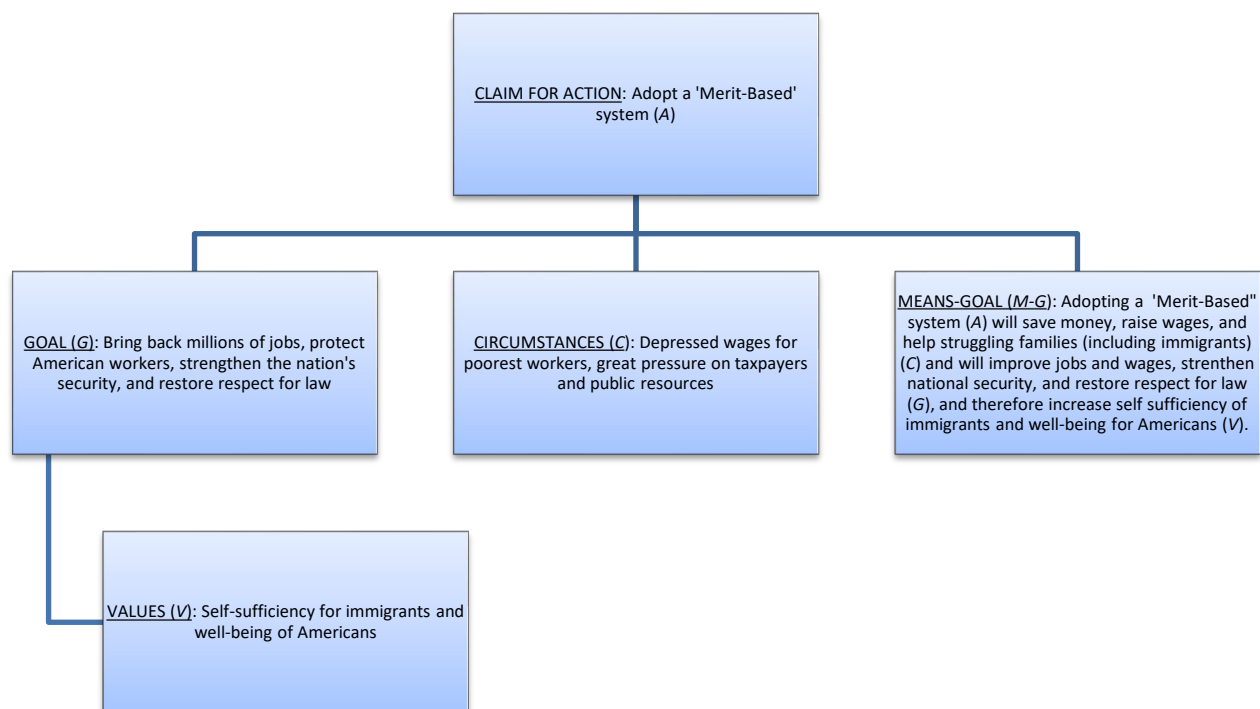


Figure 4.5 Senator Perdue's Comments re: The RAISE ACT



Evaluation of Arguments Made by Trump, Cotton, and Perdue

**Is the existing situation described in a rationally acceptable way? Is the context of action defined in a rationally persuasive way? Are the causes of the crisis/situation represented in a rationally persuasive way?**

Trump, Cotton, and Perdue contend that the current U.S. legal immigration system negatively impacts American workers, because of job displacement and wage depression, and the U.S. economy, due to the cost of welfare for low-skilled immigrants, in their respective *circumstances* premises. However, this construal of the circumstances has received criticism. An article in *The Times of Israel*, “ADL slams Trump-backed GOP plan on immigration as ‘cruel, un-American” says:

Most economists dispute the president’s argument, noting that immigration in recent decades doesn’t appear to have meaningfully hurt wages in the long run. Increased immigration is also associated with faster growth because the country is adding workers, so restricting the number of immigrants could slow the economy’s potential to expand. (Times of Israel Staff and Associated Press 2017: 2)

Regarding the *circumstances* premise asserted about low-skilled immigrants collecting welfare, the same article goes on to say:

In a nod to his outreach to blue-collar workers during the campaign, Trump said the measure would prevent new immigrants from collecting welfare for a period of time and help US workers by reducing the number of unskilled laborers entering the US. But the president is mischaracterizing many of the immigrants coming to the United States as low-skilled and dependent on government aid. The

Pew Research Center said in 2015 that 41 percent of immigrants who had arrived in the past five years held a college degree, much higher than the 30 percent of non-immigrants in the United States. A stunning 18 percent held an advanced degree, also much higher than the US average. (Times of Israel Staff and Associated Press 2017: 2)

Binyamin Appelbaum, of *The New York Times*, in the article “Fewer Immigrants Means More Jobs? Not So, Economists Say” writes:

The economic impact of low-skilled immigration is more hotly debated....Economists agree that other factors, notably technological improvements, are primarily responsible for the broader deterioration in the fortunes of the American working class....Most studies put the negative impact on low-skilled wages closer to zero....(Appelbaum 2017: 1)

Josh Boak, Erica Werner, and Donna Cassatta in their *New York Times* article “GOP Plan to Slash Legal Immigration Wins Trump’s Support” write: Most economists dispute the president’s argument, noting that immigration in recent decades doesn’t appear to have meaningfully hurt wages in the long run. (Boak, Werner, and Cassata 2017)

David Nakamura, of *The Washington Post*, in his article “Trump, GOP senators introduce bill to slash legal immigration levels” writes:

Opponents of the bill said that immigrants help boost the economy and that studies have shown they commit crimes at lower levels than do native-born Americans. “This is just a fundamental restructuring of our immigration system which has huge implications for the future,” said Kevin Appleby, the senior director of international migration policy for the Center for Migration Studies. “This is part of a broader strategy by this administration to rid the country of low-skilled immigrants they don’t favor in favor of immigrants in their image.” (Nakamura 2017: 2)

Nevertheless, there *is* some support for the *circumstances* premise set forth by Trump, Cotton, and Perdue. In a *Politico* article entitled “Why Trump’s New Immigration Bill Senses”, George Borjas, an economist, writes:

Since President Donald Trump on Wednesday endorsed the immigration bill proposed by Senators Tom Cotton and David Perdue, various politicians of all

stripes have condemned it. They've accused the bill of being undemocratic, un-American and economically unsound. Many have confidently asserted that more immigrants are always better than fewer. This rush to judgment is way over the top, and largely uninformed. The current immigration system is desperately in need of reform, and a careful examination of the proposal shows that not only would it likely create substantial economic gains for the country in the long term, it would also eliminate elements of our current policy that are hard to defend. (Borjas 2017:1-2)

Borjas goes on to say:

And why exactly is this type of merit-based visa allocation such a good thing from an economic perspective? Despite all the disagreement that economists have over the details of the economic impact of immigration, there is little, if any, disagreement about the fact that high-skill immigration benefits the United States far more than low-skill immigration. High-skill immigrants are more complementary to America's existing productive infrastructure. High-skill immigrants pay more in taxes and receive fewer services. Exceptional high-skill immigrants will introduce knowledge and abilities that we will learn from, making us more productive, and expanding the frontier of what is economically possible in our country. And high-skill immigration, unlike low-skill immigration, will reduce, rather than increase, income inequality. In fact, the people who will lose out the most from the Cotton-Perdue proposal are the high-skill workers in STEM fields, both native and foreign-born, who are here already. They will now have to compete with many more qualified workers for available jobs. (Borjas 2017: 3)

To be sure, Borjas is arguably in the minority of economists who argue *for* the benefits of the merit-based immigration policy being proposed Trump, Cotton, and Purdue.

R.J. Hauman of the *Federation for American Immigration Reform (FAIR)*, in a summary of S. 1720—The RAISE Act, concurs with the *circumstances* premise asserted by Trump, Cotton, and Purdue:

Currently, the U.S. admits over 1 million immigrants per year but only 1 out of 15 new immigrants are admitted based on skills while 2/3 are admitted simply because of a family relationship. This policy of chain migration has resulted in a generation-long influx of low-skilled and low-educated immigrants. The RAISE Act ends this senseless practice of chain migration and replaces our current employment-based system with a merit-based point structure. (Hauman 2017: 4)

Lastly, Heather Long, of *The Washington Post*, wrote the following in “It’s a ‘grave mistake’ for Trump to cut legal immigration” confirming some support for the circumstances premise argued by Trump, Cotton, and Perdue:

There is growing support for moving the United States to a more merit-based immigration system. The idea is to attract more of the immigrant workers that the country desperately needs. At the moment, only 15 percent of green cards are issued for employment reasons, according to Department of Homeland Security data. “There is a case for adopting a Canada-style system of 'points' whereby preference is given to people with desired skills,” said Martin Barnes, chief economist at BCA Research in Montreal. (Long 2017: 2)

However, the lengthy discussion about the *circumstances* premise of the proposed FY 2018 Budget and the numerous critics of the description set forth by Trump, Cotton, and Perdue regarding the current situation with U.S. legal immigration seriously calls into question the rational persuasiveness of Trump, Cotton, and Perdue’s *circumstances* premise.

### **Are the goals of action rationally acceptable? What other goals have been considered?**

President Trump wants to implement a merit-based immigration system which:

...protect U.S. workers and taxpayers...will reduce poverty, increase wages, and save taxpayers billions and billions of dollars...ends chain migration, replaces our low-skilled system...prevents new migrants and new immigrants from collecting welfare and protects U.S. workers from being displaced...will give American workers a pay raise by reducing unskilled immigration.

Yet, according to Blau & Mackie (2017) and the 1,470 economists who wrote a letter titled *An Open Letter from 1,470 Economists on Immigration* (Holtz-Eakin et al. 2017) to Trump and the Congressional leadership, neither American workers nor the American economy is endangered by the current system of immigration. Therefore, protecting U.S. workers and taxpayers is a laudable goal, but not one required by the current immigration system. Hence, this goal is not rationally acceptable.

Trump claims that merit-based immigration “prevents new migrants and new immigrants from collecting welfare.” This argumentation sets up a false “straw man” because newly arriving immigrants are prohibited from collecting welfare for the first five years that they are in the U.S. The RAISE Act did not initiate this policy. It was actually initiated under the Clinton administration as a part of welfare reform in the 1990’s. In fact, the RAISE Act mentions the law that was signed by President Clinton which contains the five-year prohibition barring newly arriving immigrants from receiving welfare. Hence, Trump is citing a goal of preventing “new migrants and new immigrants from collecting welfare” when in fact it is currently not possible under the present immigration system. Therefore, this goal is unnecessary and is not rationally acceptable.

Finally, Trump has a goal of giving Americans a pay raise with the implementation of merit-based immigration. Economists have concluded that cutting immigration in half, which is the larger goal of the RAISE Act, would actually damage the economy. Therefore, it is doubtful that implementing merit-based immigration would result in a pay raise for Americans. Quoting U.S. Senator Charles Schumer, a *Times of Israel* article titled “ADL slams Trump-backed GOP plan on immigration as ‘cruel, un-American,’” says:

“The bottom line is to cut immigration by half a million people, legal immigration, doesn’t make much sense,” said Senate Democratic leader Charles Schumer of New York, who called it a “nonstarter.” (TOI Staff and AP 2017: 1)

Senator Cotton and Senator Perdue argued for *goals* premises similar to those of Trump. Cotton said the immigration system “...should accomplish two main goals: one, it should help American workers get a decent pay raise and have a higher standard of living and, two, it should help promote economic growth—make America more competitive in the world.” Perdue said, “We can all agree, the goals of our nation’s immigration system should be to protect the interests

of working Americans...and to welcome talented individuals...” Again, Blau & Mackie (2017) thoroughly evaluated the impact immigrants are having on American workers and the economy and concluded that immigrants are not negatively impacting American workers or the economy, just the opposite. Other economists concur with Blau & Mackie (2017), including the 1,470 economists who wrote the letter to President Trump and the Congress—*An Open Letter from 1,470 Economists on Immigration* (Holtz-Eakin 2017). Therefore, the *goals* premises argued by President Trump, Senator Cotton, and Senator Perdue are not rationally acceptable because they purport to address problems which are not perceived to be problems by most economists, regardless of philosophical perspective, who have weighed in on the RAISE Act. Furthermore, the RAISE Act has failed to gather enough support for passage in Congress even when Republicans held clear majorities in the U.S. House of Representatives and in the U.S. Senate (2017 and 2018). Nevertheless, it is still a strategy of the Trump administration to pass the RAISE Act. The most recent version, H.R. 2278-RAISE Act. was introduced in the U.S. House of Representatives in 2019.

**Is the value premise rationally acceptable? Does it actually support the goal and the action?**

The *values* premise argued by Trump, Cotton, and Perdue include: concern for fairness to American workers, compassion for struggling American families, concern that newcomers will be assimilated, will succeed, be self-sufficient, and achieve the American dream, and an overall higher standard of living and economic growth. To be sure, these are praiseworthy values in and of themselves. However, critics find the arguments for merit-based immigration to problematic from a *values* standpoint.

The staff of the *Times of Israel*, in “ADL slams Trump-backed GOP plan on immigration as ‘cruel, un-American’ write:

“This proposed legislation is cruel, anti-family and un-American,” said ADL CEO Jonathan A. Greenblatt. “These are the types of policy makers that exacerbate immigrant bashing and nativist attitudes in this country. We support an immigration policy that is comprehensive, protects our security, reunites families and improves our economy while honoring our values as a nation of immigrants. Diversity is our country’s strength and immigration has made America great.” (Times of Israel Staff and Associated Press 2017: 1)

The *American Immigration Council* in “The RAISE Act: What Lies Beneath the Proposed Points System” writes:

A preliminary analysis reveals that the proposed points system likely would put some categories of people at a tremendous disadvantage. Those groups include women, people who work in the informal economy (including those who do unpaid work), individuals with family ties to U.S. citizens but without formal education and employment history, middle-aged and older adults, and applicants from less-developed countries. The problems identified in this analysis raise concerns not only about the technical design of the points system, but the foundational values upon which the proposed new system is based. These concerns suggest that, before eliminating existing visa categories and replacing them with others, lawmakers must carefully explore the impacts of any new program to determine whether such a program can meet the needs of the nation. (American Immigration Council 2017: 1)

The *American Immigration Council* article continues:

Under the proposed points system, potential immigrants are largely valued in terms of their human-capital attributes (an individual’s current skills, knowledge, and experience), and therefore, their presumed capacity to produce economic value. (American Immigration Council 2017: 5)

In addition to the possible negative impact on U.S. economic competitiveness, the proposed points system raises concerns about its potential gender bias. As noted above, the system would disproportionately prioritize applicants with STEM degrees. **Women, who are traditionally underrepresented in STEM fields**, not just in the United States but in other countries as well, would have fewer opportunities to immigrate under the proposed points system. Additionally, in some countries women have less access to education and work opportunities than men and would be systematically excluded from these channels. (AIC 2017: 6)

The assignment of points based on age also raises concern regarding the moral and practical implications of age discrimination. The United States has evolved into a country that *stands out* globally for its principles of inclusion and civil-rights protection, and for fighting against discrimination of all sorts. However, this bill seems to go against those values that are embedded in *domestic policy*. By privileging younger cohorts over older ones, this system reduces the chances of admission of people who, because of their age, have more experience, knowledge, and wisdom. This certainly does not reflect core American values. (American Immigration Council 2017: 6)

Even if we adhere to the purely economic rationale upon which this new system is premised, the potential contributions of women who work in the care economy are not adequately valued. Immigrant women who perform their work in the domestic sphere help sustain the current workforce, raise the future workforce, care for the elderly and sick, and play a critical role in household well-being. Their contributions to the economy are, therefore, not only immediate, but also longstanding. (American Immigration Council 2017: 6)

The proposed points system may also result in nationality bias, which will be translated into a systematic exclusion of immigrants from countries with lower levels of human capital arbitrarily valued under the system. The *Diversity Visa component*, which has been an important part of the U.S. immigration system for more than twenty years, would—under this bill—be terminated. (American Immigration Council 2017: 6)

In “Trump Supports Plan to Cut Legal Immigration by Half”, Peter Baker of *The New York*

*Times* writes:

Critics said the proposal would undercut the fundamental vision of the United States as a haven for the poor and huddled masses, while the president and his allies said the country had taken in too many low-skilled immigrants for too long to the detriment of American workers. (Baker 2017: 1)

Democrats and some Republicans quickly criticized the move. “Instead of catching criminals, Trump wants to tear apart communities and punish immigrant families that are making valuable contributions to our economy,” said Tom Perez, the chairman of the Democratic National Committee. “That’s not what America stands for.” (Baker 2017: 2)

He [*mine*, Stephen Miller] rejected the argument that immigration policy should also be based on compassion. “Maybe it’s time we had compassion for American workers,” he said. When a reporter read him some of the words from the Statue of Liberty — “Give me your tired, your poor, your huddled masses yearning to breathe free” — Mr. Miller dismissed them. “The poem that you’re referring to



was added later,” he said. “It’s not actually part of the original Statue of Liberty.” He noted that in 1970, the United States allowed in only a third as many legal immigrants as it now does: “Was that violating or not violating the Statue of Liberty law of the land?” (Baker 2017: 4)

Julie Gelatt, of the *Migration Policy Institute*, in “The RAISE Act: Dramatic Change to Family Immigration, Less So for the Employment-based System” writes, “The concepts advanced in the RAISE Act and the philosophy undergirding it would represent dramatic changes to current immigration policy and to long-held American precepts about the value of immigration.” (Gelatt 2017: 3)

David Nakamura, of *The Washington Post*, in “Trump, GOP senators introduce bill to slash legal immigration levels” writes:

Trump’s critics accused the administration of pursuing policies that would harm immigrants and racial minority groups. “This offensive plan . . . is nothing but a series of nativist talking points and regurgitated campaign rhetoric that completely fails to move our nation forward toward real reform,” Sen. Richard Blumenthal (D-Conn.) said in a statement. (Nakamura 2017: 1)

Accordingly, despite the *values* premises articulated by Trump, Cotton, and Perdue, the RAISE Act is generally seen as offensive and un-American by those who oppose or criticize merit-based immigration and the RAISE Act, from a values standpoint. Furthermore, because Trump, Cotton, and Perdue are ostensibly seeking to solve problems which have no significant basis in reality—immigrants by and large are not negatively impacting American workers nor the American economy, the *values* premises being articulated ring hollow. Therefore, the *values* premises asserted by Trump, Cotton, and Perdue, in support of the RAISE Act are lacking in terms of rational acceptability.

**Will the government’s strategy actually deliver the goals? Is it *sufficient* in view of the goals?**

In evaluating the argument for a particular course of action or strategy, Fairclough & Fairclough (2012) maintain that a strategy might be *necessary*, but not *sufficient* to achieve the stated goals. They write the following about the British government’s austerity strategy to address the global economic crisis of 2008:

Criticism along these lines does not deny that austerity is necessary, but warns that it will not be sufficient to achieve economic recovery. It amounts to saying that the means are not sufficient in view of attaining goals. Let us observe that this is different from warning against negative consequences that will make the goal impossible to achieve. Pointing to negative consequences may rebut the claim and thus indicate that the opposite of the claim is the right action to take. Pointing out that the means are insufficient (or as we shall see below, not necessary) may defeat the argument in the sense of showing that it is invalid, but does not suggest that the opposite of the claim should be adopted. (Fairclough & Fairclough 2012: 160-161)

This part of the analysis focuses on the *means-goal* premise. The proposed FY 2018 Budget states the *means-goal* premise in support of merit-based immigration as follows: “Focusing immigration policy on merit-based admissions has the potential to reduce Federal outlays for welfare payments to lower-skilled immigrant-headed households” (OMB 2017b: 16). The focus on welfare use by immigrants makes up the bulk of the argument in the proposed FY 2018 Budget for merit-based immigration. However, as argued previously, there is a weak correlation between “Federal outlays for welfare payments” and “lower-skilled immigrant-headed households”. Therefore, implementing merit-based immigration is not a *sufficient* strategy for reducing federal outlays for welfare payments to lower-skilled immigrant headed households.

The proposed FY 2018 Budget includes protecting American workers as one of the goals for implementing a merit-based immigration policy (OMB 2017b: 15). Similarly, President Trump, Senator Cotton, and Senator Perdue argue that the RAISE Act will protect American workers.

However, doubts have been raised about the purported negative impact that immigrants have on American workers (Blau & Mackie 2017; Holtz-Eakin 2017). In fact, questions have been raised about the potential negative impact that the RAISE Act, which is part of a larger strategy to reduce immigration by half, could have on the U.S. economy and the job market. Hence, the *means* in the case, merit-based immigration via the RAISE Act is not *sufficient* to accomplish the stated goals because the stated goals, protecting American workers and protecting the U.S. economy, are not perceived to be a problem under the current immigration system. Furthermore, implementing merit-based immigration may in fact hurt the U.S. job market and the economy (Blau & Mackie 2017; Holtz-Eakin 2017). Therefore, the *strategy* of the Trump administrating with respect to merit-based immigration and the RAISE Act is not *sufficient* and may in fact do harm.

According to the *American Immigration Council's* article titled “The RAISE Act: What Lies Beneath the Proposed Points System?:

As detailed in the bill, this proposed system would represent a departure from the demand-driven model that characterizes the U.S. employment-based immigration system. Under the current system, employers are allowed to select the workers they need, subject to government regulations. Specifically, employers can petition for foreign workers through different *visa preference categories*. Because they respond directly to the labor needs of employers, immigration systems that are demand-driven and employer-led have proven to be the most successful models for facilitating economic growth and competitiveness....Switching from a demand-driven to a human-capital model entails some risks. While selective migration strategies such as the points systems can be an effective way of attracting highly-educated individuals, the intended objective of increasing national economic competitiveness is not guaranteed. Research has shown that even if an immigrant selection system produces a higher proportion of high-skilled immigrants, the economy does not reap benefits if these people cannot find jobs to match their skill set. (American Immigration Council 2017: 5)

Binyamin Applebaum, of *The New York Times*, in his article titled, “Fewer Immigrants Mean More Jobs? Not So, Economists Say” writes:

The Trump administration on Wednesday embraced a proposal to sharply reduce legal immigration, which it said would preserve jobs and lead to higher wages — the same argument advanced by the Kennedy and Johnson administrations half a century ago. But economists say...that there is no clear connection between less immigration and more jobs for Americans. Rather, the prevailing view among economists is that immigration increases economic growth, improving the lives of the immigrants and the lives of the people who are already here. (Applebaum 2017: 1)

Julia Gelatt, of the *Migration Policy Institute*, in the article “The RAISE Act: Dramatic Change to Family Immigration, Less So for the Employment-Based System” writes:

Entry through the points systems would surely be incredibly competitive, with only the most highly educated, most English fluent, highest-paid STEM workers making the cut. In 2016, 236,000 people applied for H-1B visas that are capped at 85,000 per year. And some would-be immigrants from India and China wait ten years or more for an employment-based visa. The question is: If only those scoring the most points could get in, would critical labor market gaps be filled? The RAISE Act would allow for quadrennial adjustment of the points categories and scoring by characteristic, but would not allow for flexibility to adjust the overall numbers of green cards to reflect changing economic conditions. The main lesson learned by Canada, Australia, the United Kingdom, and others that have used the points system is that flexibility and regular adjustment of selection criteria are essential for success. (Gelatt 2017: 3)

Heather Long, of *The Washington Post*, writes the following, in her article titled “It’s a ‘grave mistake’ for Trump to cut legal immigration in half”:

Trump portrays immigrants as scooping up American jobs. But the data appears to tell a different story. U.S. unemployment is at 4.4 percent. In May, unemployment hit the lowest level since 2001, a milestone Trump celebrated. That implies there aren't many people struggling to find work. At the same time, the United States has 5.7 million job openings, which is near a record high. It's been that way for a year now. Business leaders with big and small firms say they can't find enough workers. They are especially vocal about not being able to find enough people for really low-skilled, low-pay work and for really high-skilled jobs. Trump is already heeding the calls for more lower-skilled workers. His administration recently bumped up visas for seasonal foreign workers by 15,000, a 45 percent increase from last year. (Long 2017: 2)

Lastly, David Nakamura, of *The Washington Post*, in his article “Trump, GOP senators introduce bill to slash legal immigration level writes:

Alex Nowrasteh, an immigration policy analyst at the Cato Institute, wrote that the bill “would do nothing to boost skilled immigration and it will only increase the proportion of employment-based green cards by cutting other green cards. Saying otherwise is grossly deceptive marketing.” (Nakamura 2017: 2-3)

The foregoing critical evaluation of merit-based immigration via the RAISE Act, consisting of sentiments from journalists, policy analysts, and economists, poses serious doubts about the efficacy of the RAISE Act. Therefore, the strategy to implement merit-based immigration is, arguably, not *sufficient* to meet the needs of the American economy or the workforce.

**Is the government’s strategy *necessary* in view of the goals? What alternative means should be considered?**

In terms of whether a strategy is *necessary*, Fairclough & Fairclough (2012) write, “To suggest that there are alternatives is to suggest that the action is not strictly speaking necessary. Other actions could lead to the goal, maybe even more efficiently or more in accordance with the argument’s stated values” (2012: 161). The following, which was said about the British government’s austerity strategy in responses to the 2008 financial crisis, could also be said about Trump’s merit-based policy in response to the need for immigration reform:

The government’s argument has not adequately shown that it has considered any of these [alternative means] or that its preferred choice can withstand critical examination. It has not shown that it can give a satisfactory answer to questions such as: (a) Which alternative actions that might also bring about the goal has the government considered? (b) Among possible alternatives, is the government’s proposal the most acceptable in light of considerations of efficiency and probable consequences and in light of the government’s stated value commitments? In other words, it has failed to convince that its own alternative is necessary in view of the goal, that it is a comparatively better alternative, and that it is really

underlain by a concern for fairness, as claimed. (Fairclough & Fairclough 2012: 162)

Merit-based immigration via the RAISE Act continues to be a strategy pursued by President Trump and his Republican allies in Congress. The most recent version of the RAISE Act (H.R. 2278) was introduced in the U.S. House of Representatives in April of 2019. Applying Fairclough & Fairclough's (2012) "critical examination" to Trump's continued pursuit of merit-based immigration demonstrates that neither Trump nor his allies have satisfactorily answered the following questions: (a) Which alternative actions that might also bring about the goal has the government considered? (b) Among possible alternatives, is the government's proposal the most acceptable in light of considerations of efficiency and probable consequences and in light of the government's stated value commitments?

The fact of the matter is that despite the arguments asserted by the proposed FY 2018 Budget, President Trump, Senator Cotton, and Senator Perdue for merit-based immigration couched in terms of economic rationality—for the sake of the economy and the American jobs market, serious questions have been raised suggesting that merit-based immigration may prove to be damaging to the American economy and workforce. Nevertheless, Trump and his allies have persisted to call for merit-based immigration without giving serious consideration to adjustments or alternatives which may benefit the American people and the economy. Therefore, President Trump and his allies have, arguably, not demonstrated that merit-based immigration is, strictly speaking, *necessary*.

The *Times of Israel* Staff in collaboration with the Associated Press in their article "ADL slams Trump-backed GOP plan on immigration as 'cruel, un-American'" write:

The White House said that only 1 in 15 immigrants comes to the US because of their skills, and the current system fails to place a priority on highly skilled immigrants. But the Senate has largely ignored a previous version of the measure,

with no other lawmaker signing on as a cosponsor. GOP leaders have showed no inclination to vote on immigration this year, and Democrats quickly dismissed it. (Times of Israel Staff and Associated Press 2017: 2)

Binyamin Applebaum, of The New York Times, in his article “Fewer Immigrants Mean More Jobs? Not So, Economists Say” writes:

Some economists argue that it would be better to just let the market make decisions, for example, by using a system like the H-1B visa program that allows companies to request permission for workers to come to the United States on a temporary basis. (Applebaum 2017: 2)

Jordain Carney, of *The Hill*, writes the following in his article titled “Rubio: Trump-backed immigration bill won’t pass Senate:

Rubio pointed to the fight over green cards as a "big difference of opinion" that he has with the White House-supported legislation, but noted he backs changes to the legal immigration system. "Where I probably have a big difference of opinion with this bill is that it sets an arbitrary cap on the number of people that are able to come through with a green card. I don't think that should be an arbitrary cap, that number should be driven by demand," he told the Florida CBS station. (Carney 2017: 1-2)

### **Has the claim stood up to criticism in light of its probable consequences?**

Fairclough & Fairclough (2012) write the following about consequences of proposed courses of action within practical arguments:

In relation to the evaluation of practical claims in light of their consequences, we make the following theoretical proposal. Questions such as the above amount to saying that a purely instrumental rationality will not suffice: agents always ought to consider *other goals*, not just try to find the most efficient means–end relation in view of one given goal. Instrumental rationality might turn out to be narrow-minded or morally questionable if, in fulfilling some stated goal of action, the action ends up negatively affecting other legitimate concerns (of the agent or of other agents), concerns which the agent ought to have considered before acting. Briefly, if the action has consequences that *undermine the stated goal of action*, then the action displays a failure of rationality in the instrumental sense: the means that were supposed to achieve the goal did not achieve it. This would indicate that *deliberation over means* was not sufficient: if it had been, it would have become apparent that the costs of the proposed action would outweigh

its benefits, and that it would not be efficient in delivering the goal, while other means would perhaps be. If the action has negative consequences that *undermine other legitimate goals*, goals that should be not overridden, then it displays a failure of rationality *which is more-than instrumental*. It indicates that *deliberation over goals* would have been necessary but was not sufficiently (if at all) carried out: agents ought to have considered which other goals should not be compromised in the realization of their stated goal. Both of these situations are, in our view, the strongest type of challenge that can be aimed at a practical argument, as they can refute the argument's conclusion, not merely show that there are problems with some premise or with the validity of the *argument*. (Fairclough & Fairclough 2012: 155-156)

Accordingly, there has been criticism of Trump's merit-based immigration policy and its potential consequences. Priscilla Alvarez, of the *Atlantic Online*, in "Is a 'Merit-Based' Immigration System a Good Idea?" writes:

While the president has yet to offer details, a merit-based system would pose its own challenges to economic prosperity. Critics believe that a merit-based system that prioritizes high-skilled workers could hurt the economy by harming industries that rely on low-skill immigrant labor, and that fears that immigrants are not assimilating or are overly reliant on the social safety net are overblown....A system that deliberately excluded low-skilled workers might raise labor costs in industries that rely on those workers, increasing prices for consumers but boosting wages for workers. (Alvarez 2017: 1)

Alvarez quotes Tamar Jacoby, the president of ImmigrationWorks USA, "...a national organization that advocates for the legalization of undocumented immigrants", "Everyone thinks the points bring the brilliant people....The fact is that even the countries that started with a system like that, invented the system like that, Canada and Australia, have over the past 20-25 years moved away from a strictly diploma-based and skill-based system" (Alvarez 2017: 2)

Peter Baker, of *The New York Times*, in "Trump Supports Plan to Cut Legal Immigration by Half" writes:

In asking congress to curb legal immigration, Mr. Trump intensified a debate about national identity, economic growth, worker fairness and American values that animated his campaign last year. Critics said the proposal would undercut the fundamental vision of the United States as a haven for the poor and huddled



masses, while the president and his allies said the country had taken in too many low-skilled immigrants for too long to the detriment of American workers.... But Senator Lindsey Graham, Republican of South Carolina, noted that agriculture and tourism were his state's top two industries. "If this proposal were to become law, it would be devastating to our state's economy, which relies on this immigrant work force," he said. "Hotels, restaurants, golf courses and farmers," he added, "will tell you this proposal to cut legal immigration in half would put their business in peril." Cutting legal immigration would make it harder for Mr. Trump to reach the stronger economic growth that he has promised. Bringing in more workers, especially during a time of low unemployment, increases the size of an economy. Critics said the plan would result in labor shortages, especially in lower-wage jobs that many Americans do not want. The National Immigration Forum, an advocacy group, said the country was already facing a work force gap of 7.5 million jobs by 2020. "Cutting legal immigration for the sake of cutting immigration would cause irreparable harm to the American worker and their family," said Ali Noorani, the group's executive director. (Baker 2017: 1-3)

Aline Barros, of *Voice of America News*, in "Merit-based Versus Family-based Immigration

Explained" writes:

But critics say the American economy also needs low-skilled workers, and a merit-based system would hurt industries that rely on them. A merit-based system would also cost the government more because the government would have to review the applications and pay resettlement costs that are currently covered by sponsoring families. Critics also see the merit-based system as un-American. (Barros 2017)

The *Times of Israel* Staff and the Associated Press, in their article "ADL slams Trump-backed

GOP plan on immigration as 'cruel, un American'" write:

Trump has long advocated for the changes and vowed during an immigration speech in Phoenix last August to overhaul the legal immigration system "to serve the best interests of America and its workers." He voiced support for the Senate bill at a rally last week in Ohio, where his call for a "merit-based system" that "protects our workers" generated loud cheers. Some immigrant advocates have criticized the proposal, saying that slashing legal immigration would hurt industries like agriculture and harm the economy. "Our system is broken, but the response should be to modernize it, not take a sledgehammer to it," said Jeremy Robbins, executive director of New American Economy, a group backed by former New York City Mayor Michael Bloomberg. (Times of Israel Staff and Associated Press 2017: 2)

The *American Immigration Council* writes the following in its article “The RAISE Act: What Lies Beneath the Proposed Points System?”:

Both Australia and Canada use points-based systems to select economic migrants. In both cases, research has shown that generically qualified immigrants selected through such systems often have difficulties finding or maintaining employment in their professions; in other words, they have not been able to fully utilize all of their skills.

Unlike S.744, the points system in the RAISE Act does not contain a dedicated path for less-skilled immigrants. Less-skilled immigrants play a fundamental role in the “essential economy”-- which encompasses the food services and hospitality industries, construction, agriculture, elder care, and manufacturing. By ignoring this fact, the RAISE Act could harm those industries. (American Immigration Council 2017: 5-6)

In his *The New York Times* article “Fewer Immigrants Mean More Jobs? Not So, Economists Say,” Binyamin Applebaum writes:

“The average American worker is more likely to lose than to gain from immigration restrictions,” said Giovanni Peri, an economist at the University of California, Davis....A recent analysis by economists at JPMorgan Chase concluded that halting immigration completely would reduce annual economic growth by 0.3 percent....Also, Mr. Clemens said that points-based systems tended to prioritize education. That might not be advantageous to the economy when in fact employers also need workers with fewer skills. He noted that the Commerce Department has projected that demand for workers without a college education will significantly outstrip the growth of the working-age population. “It’s a political myth that the principal need is for high-skilled workers,” he said. (Applebaum 2017: 2)

Ken Thomas and Jill Colvin, of the Associated Press, in their article “GOP plan to slash legal immigration wins Trump’s support” write, “Increased immigration is also associated with faster growth because the country is adding workers, so restricting the number of immigrants could slow the economy's potential to expand” (Thomas, Colvin et al. 2017)

In “Lindsey Graham says Trump’s immigration proposal would be ‘devastating’ for South Carolina,” Caitlin Byrd of *The Post and Courier* writes:

In a statement, Graham expressed strong skepticism of a Trump-backed bill that

would put new limits on legal immigration and seek to create a merit-based system to entice high-skilled workers to come to the United States but not those in the agriculture and tourism industries. “South Carolina’s agriculture and tourism industry advertise for American workers and want to fill open positions with American workers. Unfortunately, many of these advertised positions go unfilled,” Graham said in his statement. “Hotels, restaurants, golf courses and farmers will tell you this proposal — to cut legal immigration in half — would put their business in peril.” (Byrd 2017: 2)

Patti Domm of *CNBC* writes the following in “Trump supports immigration bill that could have negative impact on his own agenda”:

Prakken [*mine*, Macroeconomic Advisers co-founder Joel Prakken] said immigrants are probably a bigger portion of the growth in the labor force, since the U.S. population is aging, immigrants are generally younger and many come to the U.S. specifically to work. Industries that could see big impacts would be agricultural, leisure and hospitality and construction, he said. “There would be spot shortages,” he said. He said one adverse impact could be that companies in some industries could move operations outside the U.S. if they can’t find enough workers, which would be opposite the Trump administration’s efforts to attract more jobs. “It’s another one of these cases where [a law] could have adverse consequences that move in the opposite direction of some other initiative the administration is trumpeting,” he said. (Domm 2017: 3)

Heather Long, of *The Washington Post*, in “It’s a ‘grave mistake’ for Trump to cut legal immigration in half,” writes:

A Washington Post survey of 18 economists in July found that 89 percent believe it’s a terrible idea for Trump to curb immigration to the United States. Experts overwhelmingly predict it would slow growth — the exact opposite of what Trump wants to do with “MAGAnomics.” “Restricting immigration will only condemn us to chronically low rates of economic growth,” said Bernard Baumohl, chief global economist at the Economic Outlook Group. “It also increases the risk of a recession.”

Many economists and business leaders endorse the skills-based approach. Canada and Australia, among other countries, use this method. But there’s heavy criticism for the RAISE Act’s plan to slash the number of green cards from 1 million a year to 500,000 over the next decade. In the first year alone, the bill cuts the number of green cards by 41 percent. “We need to modernize the immigration system, but cutting immigration in half is bad for the economy and bad policy,” says Jeremy Robbins, executive director of New American Economy, a coalition founded by former New York City mayor Michael Bloomberg to improve U.S. immigration

policy. Robbins points out that Canada and Australia — the supposed models for the Trump administration's reforms — both let in more than double the number of immigrants per capita than the United States does. There are also concerns that such a dramatic cut to legal immigration would cause illegal immigration to rise.

In April, over 1,400 economists from across the political spectrum sent a letter to Trump urging him not to cut immigration. The letter said there was “near universal agreement” on the “the broad economic benefit that immigrants to this country bring.” Thomas Simons, senior economist at Jefferies investment firm, said a 50 percent reduction would be “absolutely harmful to an economy with a population undergoing the demographic transformation.”

“Limiting immigration to the U.S. is a grave mistake,” says Mark Zandi, chief economist at Moody’s Analytics. “The only way to meaningfully increase U.S. economic growth on a sustained basis anytime soon is to increase immigration.” During the campaign, Zandi predicted that Trump's protectionist stances on trade and immigration would lead to a “lengthy recession.” (Long 2017: 2)

The foregoing shows there are many critics of merit-based immigration and the RAISE Act.

However, there is also support for Trump’s merit-based immigration policy. According to Alvarez (2017):

Dan Stein, the president of the Federation for American Immigration Reform, which supports curtailing immigration, said a merit-based approach could reduce the flow of immigrants coming into the United States. “The merit-system is also a surrogate for moving away from a system that the country doesn’t really get to control and regulate how many come in every year and who they are because of chain migration, the family-preference system,” Stein said, adding that a points system would be one part of the whole. (Alvarez 2017)

Alvarez continues:

George Borjas, a professor of economics and social policy at Harvard’s John F. Kennedy School of Government who studies immigration and has made the case for stricter immigration policies, argues that high-skilled immigrants have the potential to contribute more to the U.S. economy. “The argument for high skilled as opposed to low skilled is two-fold,” he said. “One is the perception that if you’re going to think of which kind of immigrant has the bigger potential to push outward the frontier of knowledge in this country, it would be high-skilled immigrants; two, they’re also economically beneficial in the sense that high-skilled immigrants are much more likely than low-skilled immigrants to pay higher taxes and to receive fewer services.” This, he added, is true from a purely economic perspective, but neglects to acknowledge what kind of country the

United States wants to be in regard to immigration: one focused on economic outcomes or one based on values. (Alvarez 2017)

Lastly, in his article “Trump, GOP senators introduce bill to slash legal immigration,” David Nakamura of *The Washington Post* writes:

Groups that favor stricter immigration policies hailed the legislation as a step in the right direction. Roy Beck, president of NumbersUSA, said the Raise Act “will do more than any other action to fulfill President Trump’s promises as a candidate to create an immigration system that puts the interests of American workers first.” (Nakamura 2017: 3)

Hence, there is some support for Trump’s strategy to implement merit-based immigration, however, the number of economists, policy analysts, journalists, and elected officials who have cited the potential negative consequences of merit-based immigration and the RAISE Act is significant. Accordingly, in terms of *rational* and *dialectical* acceptability, the arguments presented by the proposed FY 2018 Budget, President Trump, Senator Cotton, and Senator Perdue fail to stand up to criticism in light of the probable consequences of implementing merit-based immigration.

### **Is the action being revised in the light of feedback and empirical evidence?**

Despite the significant criticism from economists and policy analysts, President Trump and his Republican allies continue to seek the passage of the RAISE Act. The most recent version, H.R. 2278 was introduced into the U.S. House of Representatives in April of 2019. Therefore, irrespective of empirical evidence and significant opposition within his own party, President Trump maintains merit-based immigration as a strategy, ostensibly, to accomplish his goals of protecting American workers and the U.S. economy. Hence, Trump’s *claim* for action (e.g. implement merit-based immigration) is not being revised in light of feedback and empirical evidence?

**Is the action represented in a rationally persuasive way?**

The arguments for merit-based immigration presented by the proposed FY 2018 Budget, President Trump, Senator Cotton, and Senator Perdue are in many ways, rhetorically effective, but not rationally persuasive. There is little agreement among credible economists and policy analysts with the basic *circumstances premises* being asserted—immigrants are hurting American workers, immigrants are hurting the American economy, and immigrants are dependent on welfare. These are the basic reasons given in support of merit-based immigration. In fact, most serious economists argue just the opposite—immigrants are good for the economy and the workforce and most immigrants are self-sufficient, given the 5-year prohibition on receiving welfare by new arrivals.

The proposed FY 2018 Budget, President Trump, Senator Cotton, and Senator Perdue go to great lengths to frame the argument for merit-based immigration within economic rationality, even citing so-called statistical evidence. However, the real gist of the arguments being made are based upon ideology which is prevalent in American society about immigrants. There is a significant belief within the American populace that immigrants are hurting the economy, competing with Americans for jobs, and at the same time dependent on welfare. Overall, Trump, Cotton, and Perdue are making arguments which are *rhetorically* persuasive, but lacking in *rational* and *dialectical* acceptability. Therefore, the *claim* for action, implementing merit-based immigration, is not presented in a rationally persuasive way.

Lay Normativity and Merit-Based Immigration

Fairclough & Fairclough's (2012) political discourse analysis calls for significant evaluation of *elite* opinion (e.g. journalists, economists, politicians, academics, etc.) and its attendant normativity, however, *lay* normativity is also part of Fairclough & Fairclough's methodology (2012: 117, 183-197). For this part of the analysis, regarding lay normativity, here is a small sample of comments, selected in the order of appearance in the comments section, in response to Peter Baker's August 2, 2017 *New York Times* article written about the announcement of the proposed RAISE Act--"Trump Supports Plan to Cut Legal Immigration by Half" (Baker 2017):

*Mark Parker (Orlando, FL)* commented August 2, 2017: There should be ZERO tolerance for illegal immigration. Either the current immigration laws should be enforced 100% or they should be changed. I am not anti-immigration. If the current immigration laws do not reflect their intended purpose – then the laws need to be changed. Until that time – they need to be enforced. (20 Recommend)

*Vicki Farrar (Albuquerque, NM)* commented August 2, 2017: The New Trump Doctrine: Without immigrants who have more children than the native-born Americans, our economy will tank because there won't be enough tax payers and workers supporting economic growth. Trump will balance his huge cuts in immigration with prohibitions on abortion and withdrawing women's access to birth control. That way, we native born Americans will produce more babies. (5 Recommend)

*Gene (Boston)* commented August 2, 2017: At present many immigrants do jobs that most Americans do not want. Allowing in only skilled workers can only do harm to our native workforce. The only reason they're desirable to some American businesses is they'll be paid lower wages than comparable American workers. (5 Recommend)

*MQOAH (USA)* Replying to Gene (Boston) commented August 2, 2017: Sorry but I am a highly skilled and educated American born citizen. However, I have worked many unskilled low-wage jobs since I was 16 to put money in my pocket and support myself through college. Furthermore, even after I had an advanced degree, owing to the state of the economy I had to return to this type of work. Therefore, your "argument" that Americans don't want the jobs is completely false and misguided. Correct me if I am wrong but it appears (1) that you (and many of the Dems and Dems in Republican clothing) either have never rolled up your sleeves and gotten your hands dirty, or (2) are pushing empty and paper thin arguments premised on Americans not wanting the jobs, to arguing about notions of fairness, to stating that we are a nations of immigrants etc. All of which are ignorant of the reality of working class Americans, and only serve to (A) promote

poverty amongst working class Americans, (B) increase the number of non-American low wage uneducated workers (which again increases poverty) and ALL of which results in the increase of gov't programs (or persons on gov't programs) which ultimately results in an increase in the Democratic voting base. (1 Recommend)

*Tullymd (Bloomington, Vt)* commented August 2, 2017: We need immigrants to preserve our democracy. It's the "non immigrant population that elected Trump. (1 Recommend)

*Bhaskar (Dallas, TX)* commented August 2, 2017: Thank you, President Trump, for trying to drag our immigration policy from the 18th century to the modern world. Trump is correct -- this will help the poor Americans, mostly blacks, latinos, and rural white. The ethnic leaders are insulted at Trump's suggestion, claiming their communities are better off and unemployment rates have reduced significantly. If that is so -- it appears to be the right time to remove all and any affirmative actions. Which is it ? (9 Recommend)

*M (California)* commented August 2, 2017: When the going gets tough, President Trump goes looking for scapegoats, indifferent to the cost to our nation's stature and to humanity. This is no exception. This was a non-issue until he decided to make it one. Let's not be distracted. (5 Recommend)

*Salome (ITN)* commented August 2, 2017: This move is political gerrymandering on a national scale, not prudent, thoughtfully implemented immigration policy. The GOP hopes to slow the inevitable "browning" of America and neuter the subsequent benefit to Democrats that this demographic shift will surely engender. Ultimately they cannot succeed, as to a large degree, these demographic changes are already baked in the pan. The short game of people like Trump, Bannon, the Kochs is easy to surmise, but it is the long game that is of import. I believe they may think that they have one, but it is clear that they lack the requisite skills and mature vision needed to position the country for the 21st century and beyond. The White House and its adjunct crony philosophers only pretend to leadership and service to the country. They look more and more like children playing dress-up games, morally and behaviorally stunted juveniles wearing daddy's big shoes and over-sized coat. (4 Recommend)

*J Jenks (Portland)* commented August 2, 2017: My knee jerk reaction is to oppose this because Trump supports it. But from what I read in the article, it sounds like a good thing. Encourage those immigrants who are able to make a net contribution to American society and economy and discourage those who would be a drag on it. Of course, my understanding is simplistic at this point, because it's only possible to present so much in a short article. There will be such a variety of situations to be addressed. Hopefully the system will be flexible enough to accommodate the varied realities of people's lives. (18 Recommend)



*Ray (Texas)* commented August 2, 2017: This is just common sense. The USA is the greatest country on Earth, so we should be able to pick from the best and brightest. It will help our country, as well as the rest of the world. (22 Recommend)

*H. Clark (Long Island, NY)* commented August 2, 2017: Immigration is a thorny issue and has been for decades, but we as a country need to think long and hard before issuing edicts on whom to admit based on which criteria, and whether its intention is to be exclusionary, or purely Populist in nature. Would Albert Einstein have been admitted to the U.S. under this proposal, even if his command of English appeared less than fluent? Is a skilled laborer from Manchester, England more valuable than one from, say, Quito or Mumbai? And if command of English is cited as being among the prerequisites for admission, shouldn't we mandate that all Americans currently in the labor force pass an oral and written English exam proving their command of the language? Can all of the current employees at Mar-a-Lago diagram an English sentence and express themselves eloquently? Can Trump? Thorny, indeed. (6 Recommend)

*Campefino (Denver, CO)* Replying to *H. Clark (Long Island, NY)* commented August 2, 2017: And if command of English is cited as being among the prerequisites for admission, shouldn't we mandate that all Americans currently in the labor force pass an oral and written English exam proving their command of the language? And Einstein was fluent in English

*Jamie Ballenger (Charlottesville, VA)* commented August 2, 2017: Even if an English-speaker not from the UK, Australia, or Canada were to apply, the new system would favor those from a privileged class. Educated, able to support yourself and your family, afford own health care, high achievement, and entrepreneurial initiative? Why would they come here if they have all those advantages that many native born Americans don't have. Why wouldn't they stay in their own countries? Oh, I get it...Apartheid American-style. Working-class Americans are undermined by automation, and by American employers who don't want to pay higher wages to anyone, and not by their immigrant neighbors. I don't want a clutch of scared white Americans shaping/ deforming our country and culture. Pax, jb (5 Recommend)

*Skeptical surgeon (Atl)* commented August 2, 2017: There maybe some important changes needed to our immigration laws. Sadly the hateful rhetoric that continues to be pumped out of this white house diminishes us. Perdue is an opportunist and it's unlikely he could support anything that is thoughtful and grounded in evidence. (4 Recommend)

*EM (Seattle)* commented August 2, 2017: Saddened. (1 Recommend)

*Campefino (Denver, CO)* Replying to *EM (Seattle)* commented August 2, 2017: Encouraged.

*PShaffer (Maryland)* commented August 3, 2017: Next time you are in the hospital, take note of who empties your bed pan, gives you a sponge bath, and helps you move from bed to chair. That person will probably have an accent.

In this very small sample of comments to Peter Baker’s article about the announcement of the RAISE Act and Trumps support for cutting legal immigration in half, public sentiment seems to be divided. This section will employ the part Fairclough & Fairclough’s (2012: 117, 183-197) political discourse analysis which consists of evaluating *lay normativity*—the arguments and values of the general public about a given salient issue.

#### Support for the RAISE Act

*Mark Parker (Orlando, FL)* seems to take the law and order approach (“Zero tolerance”) to illegal immigration, which, however, is not addressed by the RAISE Act. Nevertheless, this law and order approach or sentiment is not uncommon. Like many, *Mark Parker (Orlando, FL)* sees the RAISE Act as a matter law, that once enacted, will be the law of the land and therefore needing to be enforced—“Either the current immigration laws should be enforced 100% or they should be changed. I am not anti-immigration. If the current laws do not reflect their intended purpose—then the laws need to be changed. Until that time—they need to be enforced.” *Mark Parker (Orlando, FL)* received 20 “Recommends”.

*Bhaskar (Dallas, TX)* agrees with the rationale that limiting legal immigration will be better for poor and minority Americans, “Thank you, President Trump, for trying to drag our immigration policy from the 18<sup>th</sup> century to the modern world. Trump is correct—this will help poor Americans, mostly blacks, latinos, and rural white. Contrary to rigorous research like that of the NAS study (Blau & Mackie 2017), the belief persists, among some, that immigrants are

taking jobs from native-born U.S. citizens. This is the “zero-sum” argument asserted by Trump, Cotton, and Perdue as a rationale for the proposed RAISE Act and Bhaskar (Dallas, TX) seems to agree. Bhaskar (Dallas, TX) received 9 “Recommends”.

*MQOAH (USA)* also appears to hold the “zero-sum” perspective, seemingly formed by personal experience. In response to *Gene (Boston)* who essentially says less-skilled immigrants are doing jobs that native-born Americans don’t want to do, *MQOAH (USA)* counters that he, himself, “owing to the state of the economy” had to return to one of the “unskilled low-wage jobs” that he held while putting himself through college. *MQOAH (USA)* rejects the arguments pushed by “you (and many of the Dems and Dems in Republican clothing)...premised on Americans not wanting jobs, to arguing about notions of fairness, to stating we are a nation of immigrants, etc. All of which are ignorant of the reality of working class Americans....” *MQOAH (USA)* agrees with the premises asserted by Trump, Cotton, and Perdue—immigrants take low-skilled jobs from working Americans and depend on welfare. *MQOHA (USA)* received 1 “Recommend”.

*J Jenks (Portland)*, who admits to not being a supporter of President Trump, supports the general theory of the case for merit-based immigration and the RAISE Act, “...it sounds like a good thing. Encourage those immigrants who are able to make a net contribution to American society and economy and discourage those who would be a drag on it.” However, *J Jenks (Portland)* also seems to advocate for taking an individualized approach to immigrants, “There will be a variety of situations to be addressed. Hopefully the system will be flexible enough to accommodate the varied realities of people’s lives. *J Jenks (Portland)* received 18 “Recommends”.

*Ray (Texas)* appears to embrace the “America First” philosophy espoused by Trump, “This is just common sense. The USA is the greatest country on Earth, so we should be able to pick from the best and brightest. It will help our country, as well as the rest of the world. *Ray (Texas)* received 22 “Recommends”.

### Criticism of the RAISE Act

*Vicki Farrar (Albuquerque, NM)* sees limiting the number of legal immigrants as a threat to the economy, “Without immigrants who have more children than the native-born Americans, our economy will tank because there won’t be enough tax payers and workers supporting economic growth.” *Vicki Farrar (Albuquerque, NM)*’s sentiments are similar to those of the 1,470 economists (representing “...a broad swath of political and economic views.”) who wrote the following in a letter to President Trump, Mitch McConnell, Chuck Schumer, Paul Ryan, and Nancy Pelosi expressing concern about limiting the number of immigrants coming into the U.S.:

As Congress and the Administration prepare to revisit our immigration laws, we write to express our broad consensus that immigration is one of America’s significant competitive advantages in the global economy. With the proper and necessary safeguards in place, immigration represents an opportunity rather than a threat to our economy and to American workers. (*An Open Letter from 1,470 Economists on Immigration: 2017*)

As Fairclough & Fairclough (2012) note in their analysis of lay normativity in the United Kingdom, with regards to the 2008 global financial crisis, this is an example when *lay* opinion (*Vicki Farrar, Albuquerque, NM*) converges with *elite* opinion (*1,470 Economists*). *Vicki Farrar (Albuquerque, NM)* received 5 “Recommends”.

*M (California)* seems to view the RAISE Act as a challenge to America's traditional stance with regards to immigrants, "When the going gets tough, President Trump goes looking for scapegoats, indifferent to the cost to our nation's stature and to humanity." This comment seems to highlight the potential threat to America's standing in the world and to humanity. This is basically a morals argument used to critique the RAISE Act. *M (California)* received 5 "Recommends".

*Skeptical surgeon (Atl)*, also seeming to comment from a values perspective, writes, "There may be some important changes to our immigration laws. Sadly the hateful rhetoric that continues to be pumped out of this white house diminishes us. *Skeptical surgeon (Atl)* received 4 "Recommends".

*Salome (ITN)* sees the RAISE Act as cynical ploy rather than a serious policy proposal, "This move is political gerrymandering on a national scale, not prudent, thoughtfully implemented immigration policy. The GOP hopes to slow the inevitable 'browning' of America and neuter the subsequent benefit to Democrats that this democratic shift will surely engender." This sentiment is not significantly represented in published *elite* opinion, but is nevertheless interesting. It is basically saying the RAISE Act is a political move, nothing more. *Salome (ITN)* received 4 "Recommends".

*Jamie Ballenger (Charlottesville, VA)* expresses a concern similar to that of the American Immigration Council (American Immigration Council 2017) in their analysis of the proposed RAISE Act, that certain nationalities would potentially be privileged while others are disadvantaged. *Jamie Ballenger (Charlottesville, VA)* comments, "Even if an English-speaker not from the UK, Australia, or Canada were to apply, the new system would favor those from a privileged class. Educated, able to support yourself and your family, afford own health care, high

achievement, and entrepreneurial initiative....Apartheid American-style.” These comments also line up with the concerns addressed later by use of Frederickson’s “Compound Theory of Social Equity” (Frederickson 1990). *Jamie Ballenger (Charlottesville, VA)* received 5 “Recommends”.

These comments, both those in support and critical of the proposed RAISE Act, show that people from the general public are often engaged and thinking through public issues along with those representing *elite* opinion. This section, in keeping with Fairclough & Fairclough (2012) shows that *lay* opinion can be interesting and insightful in ways similar and different than that of *elite* opinion.

### Critical Discourse Analysis and Merit-Based Immigration

*Critical discourse analysis* (CDA) addresses domination, manipulation, and ideologies in discourse (Fairclough & Fairclough 2012: 13). In this section, Fairclough & Fairclough’s (2012) *critical discourse analysis* element of their political discourse analysis employed to analyze and critique the proposed FY 2018 Budget and the arguments for the RAISE Act set forth by Trump, Senator Cotton, and Senator Perdue. Searle’s social ontology (Searle 1995, 2010) will also come to bear as it pertains to *status functions* and institutional reality. Finally, Frederickson’s “Compound Theory of Social Equity” (1998, 2006) will be used to evaluate and critique Trump and his supporter’s emphasis on economic rationality and values such as *effectiveness* and *efficiency* to the neglect of values such as *social equity*.

### The Proposed FY 2018 Budget: Merit-Based Immigration

The proposed FY 2018 Budget asserts that American immigration policy must “...serve our national interest.” However, as stated earlier, serious doubts are raised about whether merit-

based immigration will produce positive benefits. In fact, numerous economists have said that cutting legal immigration in half, the stated rationale for merit-based immigration, would have a negative impact on the economy and, therefore, on the national interest as well. So, it is simply not rationally persuasive to maintain that merit-based immigration would “...serve our national interest.” Therefore, arguing that merit-based immigration would serve the national interest runs counter to the consensus of economists who have evaluated this policy. Hence, the claim of serving the national interest is a manipulation which disregards considerable evidence offered by experts contradicting this claim. This manipulative use of language about the “national interest” can be critiqued as a part of Trump’s overall “America First” ideology and rhetoric, which has been viewed as enshrining nativism, racism, and xenophobia. This critique is especially relevant as it pertains to immigration policy and merit-based immigration.

The proposed FY 2018 Budget goes on to suggest that merit-based immigration would “...protect American workers, reduce burdens on taxpayers and public resources, and focus Federal funds on underserved and disadvantaged citizens.” Again, the NAS study (Blau & Mackie 2017) and economists, in general, have concluded that immigrants pose no threat to American jobs or wages. So, arguing concern to “protect American workers” raises a concern that is not based in reality. This can be seen as a major instance of manipulation in that this claim is debunked by the NAS study (Blau & Mackie 2017) and the proposed FY 2018 Budget cites the NAS study, albeit in a distorted fashion. Nevertheless, the proposed FY 2018 Budget is arguing as a goal “to protect American workers” when in fact the NAS study concludes that American workers are in no danger posed by the current U.S. immigration policy. In general, economists have also concluded that the zero-sum arguments pitting American workers against immigrants do not withstand scrutiny. Furthermore, inaccurately arguing that immigrants pose a

danger to American workers serves only to flame anti-immigrant sentiment and to further marginalize immigrants. This language about protecting American workers is a form of manipulation of the American public and serves to further marginalize and dominate immigrants.

The argument for the goal of reducing “burdens on taxpayers and public resources” is informed by the false notion that immigrants are overwhelmingly using welfare and therefore depleting public resources. Again, the NAS study and economists have pointed out that most immigrants that come to the U.S. do not need welfare because most have education and skills beyond a high school education and if they do qualify for welfare, they are prohibited from its use for the first five years after their initial arrival. So, there is little to no reason to believe that immigrants are a drain on the federal budget, as the proposed FY 2018 Budget claims. The children of immigrants do however use state and local resources for a lengthy period in the form of public education. Yet, these children go on to become adults and for a lengthy period of time pay more into the system than they receive from the system. So again, the goal of reducing “...burdens on taxpayers and public resources...” is a form of manipulation because it raises a concern that is not an issue perceived by experts looking at the fiscal consequences of legal immigration.

The other issue with the goal of reducing “...burdens on taxpayers” is that it implies that immigrants are not “taxpayers”. The fact of the matter is that legal immigrants are overwhelmingly highly educated and have competitive incomes from employment, comparable to their native-born counterparts, and what’s more they are in fact “taxpayers”. So, to juxtapose “taxpayers” with legal immigrants, who in fact have jobs and pay taxes, is a gross form of manipulation and domination. There is no logical justification for excluding legal immigrants, who work and pay taxes, from the so-called group of “taxpayers” for whom the proposed FY



2018 Budget seeks to unburden. By the simple phrase “taxpayer”, the proposed FY 2018 Budget extends the false narrative about immigrants as being tax gluts rather than taxpayers, when in fact, there are clearly cases wherein an immigrant is actually paying more in taxes than a native-born person. This form of in-group/out-group insinuation further marginalizes and delegitimizes immigrants and fuels anti-immigrant sentiment. It is particularly problematic in that it so grossly misapprehends who is actually a “taxpayer”. However, it is rhetorically very effective in framing and advocating for more restrictive immigration policies such as merit-based immigration.

Searle’s social ontology (Searle 1995 and 2010) which supplies concepts such as *status functions* and *deontic powers*, is particularly illuminating when applied to the goal of reducing “burdens on taxpayers”. According to Searle (1995 and 2010) status functions are the “vehicles of power”. Society creates status functions through collective intentionality. Once an individual or groups or objects receive a certain status, certain obligations, rights, privileges, and duties are accorded. In this case, the proposed FY 2018 Budget gives the status function of “taxpayers” to native-born Americans and by implication “non-taxpayers” to immigrants. “Taxpayers” have certain rights and privileges. “Taxpayers” enjoy a certain status and should not be burdened by “non-taxpayers” who, by implication, do not enjoy the same status, rights, and privileges. So, this language about reducing “...burdens on taxpayers”, in a manipulative fashion, sets up a structure to further disempower and devalue immigrants as non-taxpayers, when in fact legal immigrants, the vast majority of whom are employed, are, in fact, also “taxpayers”.

The *goal* of the proposed FY 2018 Budget to “...focus Federal funds on underserved and disadvantaged citizens” cannot be taken seriously when a review of the proposed FY 2018 Budget shows eliminations or funding decreases for programs in the areas of economic development, education, healthcare, and housing. The proposed FY 2018 Budget: “Eliminates

the Economic Development Administration”; “Eliminates the Minority Business Development Agency”; “Eliminates the \$2.4 billion Supporting Effective Instruction State Grants program”; “Eliminates the 21<sup>st</sup> Century Community Learning Centers program”; “Eliminates the Federal Supplemental Education Opportunity Grant program”; “Reduces Federal Work-study significantly”; “Eliminates the discretionary programs within the Office of Community services, including the Low Income Home Energy Assistance Program (LIHEAP) and the Community Services Block Grant (CSBG)”; “Eliminates funding for the Community Development Block Grant program”; “Promotes fiscal responsibility by eliminating funding for a number of lower-priority programs, including the HOME Investment Partnerships Program, Choice Neighborhoods, and the Self-help Homeownership Opportunity Program”; and “Eliminates funding for Section 4 Capacity Building for Community Development and Affordable Housing” (OMB 2017A). All of these programs slated for elimination or reductions in the proposed FY 2018 Budget are programs targeted for people and groups who the proposed FY 2018 Budget refers to as “underserved and disadvantaged citizens”.

Hence, with such sweeping eliminations and decreases to poverty and low-income programs, the purported goal to “focus Federal funds on underserved and disadvantaged citizens” can be justly seen as nothing more than manipulation and deception, and so, by the juxtaposition of “underserved and disadvantaged citizens” with legal immigrants. The spurious claim is being made, or at a minimum implied, that allowing legal immigrants to continue to come into the U.S., under current immigration policy, presents a challenge to focusing “...Federal funds on underserved and disadvantaged citizens.” This claim is rebutted by the numerous eliminations and decreases proposed in the FY 2018 Budget for the very programs benefitting “underserved and disadvantaged citizens.”

This type of manipulative justification for merit-based immigration further marginalizes and problematizes legal immigrants, who are being framed and characterized as a hindrance to Federal financial support to American poor and low-income citizens, when in fact, there is no demonstrable concern in the proposed FY 2018 Budget for such groups of people. So, in addition to pitting “American workers” against legal immigrants, this language has the effect of pitting “underserved and disadvantaged citizens” against legal immigrants, thus further stoking anti-immigrant sentiment and shaping, through deception, distorted beliefs about legal immigrants.

The *circumstances* premise in the proposed FY 2018 Budget and the assertion about lower-skilled immigrants and their use of welfare and the fiscal cost-benefit ratio of immigrants has been amply discussed previously. Nevertheless, from a critical discourse analysis perspective, not only are the respective claims inaccurate, but they are also arguably examples of deliberately manipulative language because the source documents being quoted—the NAS study and alluded to—the 2012 Census report, do not support these claims. Hence, in a nutshell, the proposed FY 2018 Budget marshals inaccurate or misleading data points from the very source documents which point to different and more nuanced conclusions. What’s more, these same distorted data points are included in the speeches supporting merit-based immigration and the RAISE Act of 2017 (S.1720) given by President Trump, Senator Cotton, and Senator Perdue, which will be evaluated, from a critical discourse analysis perspective, later. The use of the distorted data points is meant to lay a foundation that seems factual and empirical in order to support the adoption of a merit-based immigration system. In other words, facts are being distorted to paint a picture of current immigration policy and its effects in order to bring about significant change towards a merit-based system. This is one of the most significant elements of

the whole argument for merit-based system—the description of the current situation, with respect to immigration, is both inaccurate and misleading.

### Trump’s Argument for the RAISE Act

President Trump begins the *circumstances* premise of his argument for merit-based immigration by asserting, “As a candidate, I campaigned on creating a merit-based immigration system that protects U.S. workers and taxpayers and that is why we are here today....” By invoking his campaign promise, Trump is marshalling the power undergirding his promise. According to Fairclough & Fairclough (2012), calling upon Searle’s *social ontology* (Searle 1995, 2010), *promises* often serves as *desire-independent, external reasons* for action. *Desire-independent, external reasons* serve as reasons that cause people to act whether they want to or not. In this case, Trump is saying he *must* act, whether or not he wants to, in order to follow through on his campaign promise. Additionally, invoking the campaign promise adds force to Trump’s argument because he was actually elected as president in large part due to his campaign promises dealing with immigration—building the wall and implementing a merit-based system. Therefore, framing his argument for merit-based immigration as being in keeping with his promise is rhetorically powerful.

However, the argument that implementing merit-based immigration “protects U.S. workers and taxpayers” assumes that the current immigration system is negatively impacting U.S. workers and taxpayers. This argument has been covered extensively earlier in this chapter, in the section that dealt with the *circumstances* premise of the proposed FY 2018 Budget. Blau & Mackie (2017) conclude in their National Academy of Sciences (NAS) study that the current immigration system does not negatively impact U.S. workers or the U.S. economy. Therefore,

Trump is perpetuating a false narrative about the current immigration system and about newly arriving immigrants that has been *naturalized* into an ideology that builds on and fosters anti-immigrant sentiment in the United States. Fairclough & Fairclough (2012) write the following about *ideology* and how beliefs become *naturalized* to the point of being considered common sense:

The theory of ideology is concerned in general terms with the question of how beliefs and concerns which are associated with the interests of particular social groups come to be general beliefs and concerns, and how they come to have effects on social life. Ideologies are part of the way in which the dominance of dominant social groups is achieved, maintained and renewed through particular directions of social change. The capacity of ideologies to have such effects depends upon them not being recognized as such, being ‘naturalized’ (Fairclough 1989) as a part of common sense. (Fairclough & Fairclough 2012: 100)

Hence, Trump is using *ideology* (e.g. the current immigration system hurts U.S. workers and taxpayers) to frame his argument for merit-based immigration in a way that manipulates the U.S. populace and serves to further dominate immigrant groups.

Trump continues his *circumstances* premise, critiquing the current immigration system, with the following contention:

This policy has placed substantial pressure on American workers, taxpayers, and community resources. Among those hardest hit, in recent years, have been immigrants and very importantly minority workers competing for jobs against brand new arrivals and it has not been fair to our people, to our citizens, to our workers. The RAISE Act ends chain migration and replaces our low-skilled system with a new points-based system for receiving a Green Card.

With these rhetorical moves, Trump is using the false ideology (e.g. immigrants are hurting U.S. workers and taxpayers) to further foster an in-group vs. out-group dichotomy, pitting immigrants currently living in the U.S. and minorities against newly arriving immigrants. This move manipulates and exploits potential grievances of groups struggling in the current economy and makes newly arriving immigrants out to be the culprits of a situation that is putting “substantial

pressure on American workers, taxpayers, and community resources.” Arguably, such rhetoric has a significantly damaging impact on immigrants currently in the U.S. and those desiring to enter the U.S. in that it has the effect of marginalizing and stigmatizing such groups, resulting in their domination.

Additionally, the way Trump characterizes current immigrants, in his *circumstances* premise, as low-waged and dependent on community resources, misses the point of Blau & Mackie’s 2017 NAS study—on the whole immigrants are making a positive financial contribution to the American economy and are not negatively impacting American workers. Hence, not only is Trump perpetuating a false narrative about immigrants, he is doing so despite recent evidence to the contrary. Moreover, by denigrating the current immigration system in terms of “chain migration,” Trump is using a racially charged metaphor to describe what has traditionally been a democratically valued, family-based, immigration system in America. Simply put, Trump is using ideology to manipulate the American people, including immigrants *currently* living in the U.S. and minority groups to dominate *all* immigrant groups and newly arriving immigrants, in particular.

Trump’s *goals* premise is full of more of the same ideological talking points which have been refuted by the rigorous evaluation of the current immigration system in Blau & Mackie (2017).

Nevertheless, Trump asserts:

...a merit-based system that protects U.S. workers and taxpayers...will reduce poverty, increase wages, and save taxpayers billions and billions of dollars...ends chain migration and replaces our low-skilled system...prevents new migrants and new immigrants from collecting welfare and protects U.S. workers from being displaced...will give American workers a pay raise by reducing unskilled immigration.

Again, rhetorically, Trump's use of ideology has been effective at manipulating a significant portion of the American populace. Yet, it has come at the expense of immigrants currently living in the U.S. and immigrants desiring to come into the U.S.

Overall, Trump's rhetoric and anti-immigrant ideology, is arguably, a significant departure from recent Republican presidents such as Ronald Reagan, George H.W. Bush, and George W. Bush. Nevertheless, Trump characterizes his pursuit of merit-based immigration in keeping with *values* of fairness, "sacred bonds of trust between America and its citizens", and "demonstrating compassion for struggling American families," etc. Such a move makes the rhetoric and use of ideology all the more manipulative and results in a rationalization for what is arguably merely Trump's political calculus based on anti-immigrant sentiment within America.

#### Senator Cotton's Argument for the RAISE Act

In Cotton's *circumstances* premise, he claims "Our current system...It's over a half century old. It's an absolute disaster and it's time for it to change." Essentially, Cotton is saying that there haven't been any changes to the current immigration system in fifty years. This is simply not true. President Reagan signed into law the Immigration Reform and Control Act of 1986 which made it illegal to hire undocumented immigrants and legalized most undocumented immigrants who came to the U.S. prior to January 1, 1982. George H.W. Bush signed the Immigration Act of 1990 into law which among other measures, created the Diversity Visas program. President Clinton, most significantly, in his signing the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 into law, made it impossible for legal immigrants to receive Federal public benefits for the first five years after admission into the U.S. Therefore, Cotton's recounting of the lack of changes in immigration policy is untrue as well as

disingenuous, particularly because the RAISE Act cites the 5-year public assistance prohibition section of the legislation signed into law by President Clinton.

Cotton continues his *circumstances* premise with:

The vast majority of those workers, or those immigrants, come here, not because of their English language abilities or their job skills, or their job offer or their educational attainment. In fact, only one in fifteen, only one in fifteen out of a million new immigrants come here because of their job skills and their ability to succeed in this economy.

Cotton's comments do not bear out with the facts. According to the 2012 Census Report (U.S. Census Bureau 2012: 44), most legal immigrants living in the U.S. have a high school education or better (81%) and the median income in 2009 was \$61,333.00. Of the 14.7 million legal immigrants counted for "Educational Attainment", 2.8 million lacked a high school education, while 6.7 million had a high school education and/or some college, 3.2 million had a bachelor's degree, and 1.8 million had an "Advanced degree". Therefore, Cotton's argument about the inability of immigrants to succeed in the American economy, under the current immigration system do not stand up to critical scrutiny. Additionally, Cotton's comments feed negative stereotypes about legal immigrants.

Cotton continues his *circumstances* premise with:

Second, we also lose out on the very best talent coming to our country—the most ultra high skilled immigrants who can come here and bring their entrepreneurial spirit and their innovative capabilities, and make a higher wage, create new jobs for other Americans and new immigrants, speak English, and contribute to our economy, and stand on their own two feet, and pay taxes, and not receive welfare, and not drive down wages for working class Americans.

The first question for Cotton's reasoning is, what is, under the current system of immigration, keeping his ideal immigrant from coming to America, at the present time? His logic is likely that less-skilled immigrants are crowding out the so-conceived better-skilled immigrants. However,



he does not say exactly how this is happening. Furthermore, Cotton's language about "contribute to our economy, and stand on their own two feet, and pay taxes and not receive welfare" actually describes the vast majority of, arguably, self-sufficient legal immigrants currently living in the United States (Census Bureau 2012: 44). The 2012 Census Report found the following with respect to legal immigrants: the median income in 2009 was \$61,333.00; only 10% were below the poverty level; and 67% percent were homeowners (U.S. Census 2012: 44). Add these facts to the 80% of legal immigrants who have a high school education or better and it becomes apparent that Cotton's description of legal immigrants, not succeeding under the current immigration system, and the facts reported by the most recent U.S. Census Report are at significant odds. All in all, Cotton's distortion of the facts about legal immigrants amounts to manipulation and domination, by feeding an already present anti-immigrant sentiment in the United States.

Cotton asserts the *goals* premise of his argument:

Our legal immigration system should accomplish two main goals: one, it should help American workers get a decent pay raise and have a higher standard of living and, two, it should help promote economic growth—make America more competitive in the world.

The implicit claim that American workers are harmed by the current immigration system has been rigorously analyzed and found to be baseless by the NAS study (Blau & Mackie 2017). Also, in their letter to President Trump and the Congressional leadership, the 1,470 bi-partisan group of economists argued that immigration is good for the economy and that legal immigrants are not a threat to American workers (*An Open Letter from 1,470 Economists on Immigration* 2017). Therefore, Cotton's *goals* premise is not based on a current problem. Additionally, Cotton's comments serve to further stoke anti-immigrant sentiment by implying that legal immigrants are holding American workers' wages down and preventing them from having a

higher standard of living. Furthermore, Cotton’s juxtaposing “American workers” to legal immigrants potentially casts legal immigrants as somehow un-American, despite the fact that many legal immigrants have become naturalized citizens. This language is manipulative and further has the effect of domination when it comes to legal immigrants.

To his credit, Cotton makes an attempt to be *dialectical* in his argument by entertaining a *counter claim*, a normative requirement for practical argumentation according to Fairclough & Fairclough (2012: 12, 16, 17, and 52). He acknowledges, “Now for some people, they may think that’s a symbol [*mine*, the current U.S. immigration system] of America’s virtue and generosity.” Then he rebuts the *counter claim* with, “I think it’s a symbol that we’re not committed to working class Americans and we need to change that.” Cotton sets up a straw-man argument with saying that the current system, which, in his estimation, keeps us from admitting the best and the brightest, is lauded by some as demonstrating “...America’s virtue and generosity.” He then charges that the current system, in fact, shows that “we’re not committed to working class Americans”. Cotton pits his commitment to working class Americans against the fuzzy-headed values of others—“virtue and generosity”. However, because Cotton use the straw-man tactic, his argument is not truly *dialectical*. Overall, Cotton’s argument for the proposed RAISE Act is factually inaccurate and uses common anti-immigrant rhetoric that is arguably manipulative and which has the potential to further dominate and marginalize legal immigrants.

#### Senator Perdue’s Argument for the RAISE Act

In Perdue’s *circumstances* premise, he reminds President Trump, “You talked about often on the campaign trail. You said job one is growing the economy...” By calling attention to a *promise* Trump made, Perdue is giving an example of a *speech act* that is in Searle’s social

ontology (Searle 1995 & 2010) imbued with a certain *status function* (a promise) by a social actor who has also been imbued with a certain *status function* (then candidate, now President). According to Searle, *status functions* created through *collective intentionality*, because of their attendant *deontic powers* (e.g. rights, authority, responsibility, obligations, etc.), become “vehicles of power” in social life. In this case, Trump’s promise, has become an *institutional fact* because of its *status function* and associated *deontic powers*—obligation, in particular. So, the promise is a vital element of the *circumstances* premise. Trump must act not only because the immigration system purportedly warrants it, but also because he made a promise that he would enact merit-based immigration as a means to helping the U.S. economy, among other goals.

Perdue continues the *circumstances* premise of his argument with:

The reason we need to do this is very simple—our current system does not work. It keeps America from being competitive and it does not meet the needs of our economy today. Today, as Tom said, we bring in 1.1 million legal immigrants a year. Over 50 percent of our households of legal immigrants today participate in our social welfare system. Right now, only 1 out of 15 immigrants that come into our country, come in with skills that are employable. We’ve got to change that. As business guys, Mr. President, you and I understand we need a new approach...Our current system makes it virtually impossible for them do that.

Perdue is largely repeating some of the arguments asserted by Cotton, making the case that under the current immigration system, legal immigrants are not being self-sufficient or successful.

Without repeating the counter factual data cited in response to Cotton’s *circumstances* premise, suffice it to say, there is considerable evidence that demonstrates that legal immigrants are largely self-sufficient (U.S. Census Bureau 2012: 44)) and are making a positive contribution to American competitiveness (Blau & Mackie 2017; *An Open Letter from 1,470 Economists on Immigration* 2017).

However, Perdue adds, “As business guys, Mr. President, you and I understand we need a new approach” after having begun his comments noting that he was one of a very few Fortune

500 CEO's in Congress. In citing his and the President's business backgrounds, Perdue is continuing a narrative that makes legal immigration largely a "business" issue. In many ways, the "business guys" distinction carries its own *deontic powers* because of the *status function*, U.S. society has, through *collective intentionality*, accorded to "business" leaders (see Searle's social ontology in Searle 1995 & 2010). By invoking the "business guys" distinction, Perdue is invoking the accorded expert power that goes with being a business leader. The implied logic is that as business leaders, Perdue and Trump, know better than most that the current U.S. immigration system is not working. Yet, a considerable number of experts who have studied the relationship between legal immigration and the U.S. economy are much more optimistic about the current U.S. immigration system (Blau & Mackie 2017; *An Open Letter from 1,470 Economists on Immigration* 2017). This results in Perdue's comments about legal immigrants not succeeding and weakening U.S. competitiveness, while invoking the "business guys" distinction, arguably being a form of manipulation and power-play with language that may serve to further dominate and marginalize legal immigrants.

Perdue asserts the following in the *goals* premise of his argument:

We can all agree, the goals of our nation's immigration system should be to protect the interests of working Americans, including immigrants, and to welcome talented individuals who come here, legally, and want to work and make a better life in themselves.

Perdue's comments echo those of Trump and Cotton about the goals of the U.S. immigration system being to "protect the interests of working Americans." By doing so, Perdue raises the same straw-man issue that has been adequately dealt with by Blau & Mackie (2017) and the 1,470 economists who wrote the "open letter" to President Trump and the Congressional leadership (2017)—legal immigrants pose no threat to working Americans and actually contribute to U.S. competitiveness. It is interesting to note, however, that Perdue does not totally

juxtapose *American workers* and *legal immigrants*. He asserts, "...the goals of our nation's immigration system should be to protect the interests of working Americans, *including* [italics, mine] immigrants...." The implied logic, however, becomes tortured—"most legal immigrants are not succeeding, are depending on welfare, and are weakening U.S. competitiveness and, yet, are in need of protection because some of them are also "working Americans". Though Perdue, is arguably more charitable toward legal immigrants by "including" them in the category of "working Americans", his argument becomes less intelligible than that of Trump and Cotton, who, more or less, consistently make a distinction between "working Americans" and "legal immigrants".

Perdue continues his argument for the proposed RAISE Act by asserting the following in the *values* premise:

You said job one is growing the economy....If we're going to continue as an innovator in the world and the leader economically, it's imperative that our immigration system focuses on highly skilled permanent workers who can add value to our economy and ultimately achieve their own version of the American dream.

Again, Perdue recalls Trump's campaign rhetoric about growing the economy being job one. Reminding Trump of his *promise* to grow the economy, in part, by fixing legal immigration, within the *values* premise, calls attention, according to Fairclough & Fairclough (2012) to what an agent (Trump) "is actually concerned with" or "ought to be concerned with" (Fairclough & Fairclough 2012: 45, 48-49) and therefore serves as an *internal* reason for action (Fairclough & Fairclough 2012: 70, 76 & 247). Placing the campaign promise in the *values* premise, as an *internal* reason for action, being *desire-dependent*, is different from the campaign promise in the *circumstances* premise, for in the *circumstances* premise, a promise becomes an *institutional fact* and therefore an *external* reason for action (Fairclough & Fairclough 2012: 102). An *external*

reason for action is arguably more powerful because it is *desire-independent* from the actor (Fairclough & Fairclough 2012: 114; Searle 2010: 129, 146-147). In his *circumstances* premise and *values* premise, Perdue, is marshalling the power, enshrined in speech acts, for Trump to act because Trump has both *external* and *internal* reasons for action due to his campaign promise that “job one” would be “growing the economy” and in this case, by fixing legal immigration. Perdue concludes his *values* premise by arguing that Trump must fix the legal immigration system because he promised to do so and because Trump, along with Perdue, values innovation and the economy and wants legal immigrants to “achieve the American dream.”

Perdue asserts the following in the *means-goal* premise of his argument:

We need to fix this immigration system. So, we took a look at best practices. We looked at countries like Canada, Australia, and others. What we’re introducing today is modeled on the current Canadian and Australian system. It’s pro-worker. It’s pro-growth and its been proven to work. Both have been extremely successful in attracting highly skilled workers to those countries.

Perdue is using a rhetorically persuasive distinction to refer to the merit-based system he is advocating by using the phrase “best practices”. However, he cites only two countries, Canada and Australia, while merely referring to “others”. To be sure, there are other countries that use some form of a points-based system such as the United Kingdom and New Zealand. However, it is debatable whether or not the merit-based systems of Canada and Australia should be considered “best practices” or even successful in reaching their respective immigration goals (*Economist* 2016). Therefore, Perdue’s descriptors of the proposed merit-based system as being “pro-worker”, “pro-growth”, and “proven to work”, may be rhetorically convenient, but lacking in veracity. Hence, Perdue’s “best practices” claim and supporting adjectives might amount to manipulation and result in further domination and marginalization of legal immigrants.

### Frederickson's "Compound Theory of Social Equity" and Merit-Based Immigration

H. George Frederickson's "Compound Theory of Social Equity" was formulated as a corrective to the perceived overemphasis of *efficiency* (getting the most service possible for available dollars) and *economy* (providing an agreed upon level of services for the fewest possible dollars) within public administration and public policy. Frederickson sought to add a *social equity* as a third pillar to balance *efficiency* and *economy* in order to highlight a significant value for policy-making and policy implementation. Building on the work of Douglas Rae et al.'s *Equalities*, Frederickson's "Compound Theory of Social Equity" seeks answers to the questions for *whom* are policies and services *efficient* and for *whom* are policies and services *economical*? (Frederickson 1990; Rae, Yates, Hochschild, Morone, and Fessler 1981). These questions regarding *social equity* are questions of *fairness*. In most cases, the value of *economy* has been replaced with the value *effectiveness*, which depending on the context, often refers to *outcomes* or accomplishing what the specific policy or service is intended to accomplish. In Trump's proposed FY 2018 Budget and subsequent budgets, the values of *efficiency* and *effectiveness* are of primary concern to the neglect of *social equity*. To be sure, *effectiveness* and *efficiency* are important for public administration and public policy, but social equity is equally important. For *effectiveness* and *efficiency* are primarily values of management, while *social equity* is a value of government (Frederickson 1990). Public policy and public administration is concerned with both—management and government.

Frederickson (1990), building on the work of Rae et al. (1981), in asking the questions: for *whom* is a policy or service *efficient* or *effective*, uses as analytical categories the following variations or construal of equality to set forth his Compound Theory of Social Equality: 1.

Simple individual equalities, 2. Segmented equality, 3. Block equalities, 4. Domain of equality, and 5. Equalities of opportunity. Frederickson writes:

Rather than a simple piece of rhetoric or a slogan, the Compound Theory of Social Equity is a complex of definitions and concepts. Equality then changes from one thing to many things—equalities. If public administration is to be inclined toward social equity, as least this level of explication of the subject is required. In the policy process, any justification of policy choices claiming to enhance social equity needs to be analyzed in terms of such questions as: (1) Is this equality individual, segmented, or block? (2) Is this equality direct or is it means-equal opportunity or prospect-equal opportunity? What forms of social equity can be advanced so as to improve the lot of the least advantaged, yet sustain democratic government and a viable market economy? The Compound Theory of Social Equity would serve as the language of the framework for attempts in both theory building and practice, and it would serve to answer these questions. (Frederickson 1990: 231)

In applying the “Compound Theory of Social Equity” to Trump’s merit-based immigration policy, specifically the proposed RAISE Act of 2017, important issues of equality and fairness are brought to the fore. The following groups are arguably at a disadvantage when it comes to the RAISE Act’s proposed points system: less skilled immigrants, women, families, older immigrants, and immigrants from certain countries (American Immigration Council 2017).

In its analysis of the RAISE Act, the American Immigration Council concludes, “...the points system in the RAISE Act does not contain a dedicated path for less-skilled immigrants. Less-skilled immigrants play a fundamental role in the ‘essential economy’—which encompasses the food services and hospitality industries, construction, agriculture, elder care, and manufacturing” (2017: 6). Economists and business leaders (Long 2017) along with others such as Senator Lindsey Graham (Byrd 2017) make a similar criticism of the RAISE Act’s decreasing less-skilled labor and the potential harm to certain industries. However, the potential harm doesn’t just pertain to particular industries. less-skilled immigrants are faced with the possibility of being



denied the opportunity to come to the U.S. in order to work and make better lives for themselves and their families.

Employing Frederickson’s “Compound Theory of Social Equity” (1990) to analyze the potential impact of the RAISE Act on less-skilled immigrants shows that the RAISE Act, in effect, takes immigrants as a group from being a “bloc”, such as in the case when one refers to immigrants in distinction from native-born citizens, and segments immigrants into different groups based on “merit” or points—in this case for level of skill. According to Frederickson, “Block equalities...call for equality *between* groups or subclasses”. In this case, for there to be “block equality” all immigrants would be allowed to have “*prospect* equality of opportunity”. In other words, all immigrants, as a “block” would have the “same probability” or “prospect” for accessing the legal route to immigration, irrespective of their skill level. This is largely the way the current U.S. immigration system works.

To be sure, under the current system of immigration, there are preferences given for low-skilled immigrants *and* for high-skilled immigrants. However, one of the main features of the RAISE Act is that less-skilled immigrants are specifically targeted for reduction and therefore exclusion. This changes immigrants from being considered as a “block” and in terms of “*prospect* equality of opportunity” into “segments” with the focus now being “means equality of opportunity.” Frederickson writes the following about “segmented equality”:

Any complex society with a division of labor tends to practice segmented equality. Farmers have a different system of taxation than do business owners, and both differ from wage earners. In segmented equality, one assumes that equality exists within the category (e.g., farmers) and that inequality exists between the segments. All forms of hierarchy use the concept of segmented equality. All five-star generals are equal to each other as are all privates first-class. Equal pay for equal work is segmented equality. Segmented equality is, in fact, systematic or structured inequality. Segmented equality is critically important for public policy and administration because virtually every public

service is delivered on a segmented basis and always by segmented hierarchies. (Frederickson 1990: 230)

The problem with how the RAISE Act constructs “segments” of immigrants is that it arguably excludes immigrants on the basis of skill level—thus creating segmented inequality, which, as Frederickson points out, is acceptable when dealing with the issue of “division of labor”, but raises questions when dealing with a system of immigration, with other considerations at stake, such as traditional American values and issues of fairness and not merely the labor pool. When Frederickson cites the critical importance of *segment equality*, he is pointing to the need to consider “segments” in making policy and implementing policy with a view towards striking the right balance with regards to equality or as he puts it, “systematic or structured inequality”. Frederickson sees *segmented equality* as applicable to division of labor, level of pay for a certain level of work, and provision of public service. “Segmented equality” becomes questionable when applied to deciding who gets to come to America through the legal immigration system, based on level of skill. Deciding who obtains a certain job, receives a certain level of pay, or even who receives a certain level of public service is a different type of consideration than deciding who gets to legally enter the United States. These decisions are usually based on factors of the job market and the overall economy. The U.S. immigration system has traditionally been based on other considerations in addition to the needs of the job market and the economy such as family, the desire for diversity, and American democratic values.

Treating immigrants as “segments”, in terms of low-skill versus high-skill, forces immigrants into a “hierarchy” and takes the focus from being on “*prospect* equality of opportunity” wherein all immigrants, who have the ability to enter the U.S. legally have the *same probability* for doing so, to being one of “*means* equality of opportunity” with regards to admittance into the U.S. Frederickson writes the following about “*means* equality of opportunity”:

Two people have equal opportunity for a job if each has the same talents or qualifications for the job under conditions of means-equal opportunity....In means equality of opportunity, equal rules, such as Intelligent Quotient (I.Q) tests, Standard Achievement Test (SAT) scores, equal starting and finishing points for footraces, and so forth define opportunity. “The purpose and effect of these equal means is not equal prospect of success, but legitimately unequal prospects of success.” Aristotle’s notion that equals are to be treated equally would constitute means-based equality of opportunity. (Frederickson 1990: 231)

Accordingly, by employing “segment equality” and “*means* equality of opportunity” to immigrants, based upon level of skill, the RAISE Act arguably transforms the traditional process of legal admittance to the U.S. into a job interview. If an immigrant has the right skill level, he or she can come in. However, if the immigrant is not skilled enough, he or she is excluded. This construal of immigration, primarily based on skill level, moves the U.S. immigration system away from the values of *social equity* and inclusion to a system of hierarchy and exclusion, ostensibly in the name of *efficiency* and *effectiveness*.

In addition to immigrants who are less-skilled, female immigrants are at a disadvantage with respect to merit-based immigration and the RAISE Act. In analyzing the RAISE Act’s potential impact on immigrants who are women, the American Immigration Council further concludes:

In addition to the possible negative impact on U.S. economic competitiveness, the proposed points system raises concerns about its potential gender bias....the system would disproportionately prioritize applicants with STEM degrees. Women, who are traditionally underrepresented in STEM fields, not just in the United States but in other countries as well, would have fewer opportunities to immigrate under the proposed points system. Additionally, in some countries women have less access to education and work opportunities than men and would be systematically excluded from these channels. (American Immigration Council 2017: 6)

Hence, building on the “segmenting” of immigrants based on skill-level, because of its preference for immigrants with degrees in the STEM fields (Science, Technology, Math, and Engineering), the RAISE Act, in this regard, is potentially more exclusionary towards women who are less likely, than their male counterparts, to have degrees in STEM. Again, this

preference for immigrants with degrees in STEM moves considerations of admittance to the U.S. from what has largely been based on “*prospect* equality of opportunity” to a system based more so on “*means* equality of opportunity”, functionally turning the traditional immigration system based on family ties, the desire for diversity, in certain cases, employer demand into a system based primarily on debatable human resource considerations, while also putting female immigrants at a distinct disadvantage.

The RAISE Act poses significant implications for families. Traditionally, family sponsorship has been one of the primary contributors of immigration to the United States. Opponents of the family sponsorship element of current U.S. immigration policy refer to it pejoratively as “chain-migration”. The proposed RAISE Act changes how current family sponsorship works. In its analysis of the RAISE Act, the American Immigration Council asserts:

Family ties are downplayed in the proposed system. Even though it has been demonstrated that families expedite the social and economic incorporation of immigrants, the points system does not grant any points based on family ties. It has been demonstrated that families provide critical resources for new immigrants (e.g., opportunities for employment, credit, and support). In addition to not granting points based on family ties, the RAISE Act also proposes to eliminate some current categories of family-sponsored immigration. Specifically, the bill would eliminate all family sponsorship beyond spouses and minor children of U.S. citizens and lawful permanent residents. (American Immigration Council 2017: 6)

Hence, the proposed RAISE Act puts at a disadvantage adult children and extended-family, thus curtailing the number of family sponsorships with respect to legal immigration. Family ties, under the proposed RAISE Act, unlike current immigration policy, garner no special consideration from a traditional American values standpoint nor from an economic assistance standpoint. This move in effect makes the immigration system less equitable. Currently, would-be immigrants to the U.S. are given consideration if they have family currently living in the U.S. because it is understood families are a significant economic support to migrating family

members and that family migration fits within the traditional narrative and values of American democracy.

The proposed RAISE Act conceivably pits or “segments” individual immigrants, with “merit” or points, against family-sponsored immigrants. This sets up a system in which value is placed on individual immigrants who supposedly can pay their own way rather on family-sponsored immigrants who may rely, in part or whole, on family already living in the U.S. for financial support. Again, using Frederickson’s “Compound Theory of Social Equity,” under the RAISE Act, immigrants are “segmented” in ways that supersede the current immigration system, thus, inculcating more inequality in a process that has traditionally adhered to traditional American values of *social equity*.

Currently immigrants who can pay their own way and immigrants who are sponsored by family have the same “*prospect* equality of opportunity” or both have the same probability for gaining admission into the U.S. Under the proposed points system of the RAISE Act, individual immigrants, with other point-garnering attributes, are privileged to the disadvantage of family-sponsored immigrants. The immigration system, under the RAISE Act, is further transitioned from one of “*prospect* equality of opportunity” to one of “*means* equality of opportunity” (see Frederickson--“The purpose and effect of these equal means is not equal prospect of success, but legitimately unequal prospects of success,” 1990: 231), while privileging points for educational status and denying points for family status. This proposed move, in effect, not only disadvantages potential *individual* immigrants who have family currently in the U.S., but entire *families* which are attempting to gain admission into the U.S.

The proposed RAISE Act also has the potential to disadvantage immigrants with respect to age. The report on the proposed RAISE Act by the American Immigration Council continues:

The assignment of points based on age also raises concern regarding the moral and practical implications of age discrimination. The United States has evolved into a country that stands out globally for its principles of inclusion and civil rights protection, and for fighting against discrimination of all sorts. However, this bill seems to go against those values that are embedded in domestic policy. By privileging younger cohorts over older ones, this system reduces the chances of admission of people who, because of their age, have more experience, knowledge, and wisdom. This certainly does not reflect core American values. (American Immigration Council 2017: 6)

As the AIC report points out, unlike in most areas of domestic policy, the points system of the RAISE Act puts older immigrants at a distinct disadvantage when compared to their younger counterparts seeking admission into the United States. Immigrants aged 51 or older receive no points in the age category whereas other “age” categories receive points as follows: between 18 and 21—6 points; between 22 and 25—8 points; between 26 and 30—10 points; between 31 and 35—8 points; between 36 and 40—6 points; between 41 and 45—4 points; and between 46 and 50—2 points. Such considerations of age are illegal and have been deemed to be discriminatory when it comes to employment in the U.S. Yet, the proposed RAISE Act, ostensibly introduced as reforming American immigration “for Strong Employment”, uses age to disadvantage older immigrants in a way that would be illegal if applied to older workers in the American workforce.

In applying Frederickson’s “Compound Theory of Social Equity” to the RAISE Act’s point system regarding age, “simple individual equalities” rather than “segment equality” or block “equalities” is where the evaluation of *social equity* should start. In fact, in most cases of U.S. domestic policy where age is considered in terms of “segments” or “blocks”, the purpose is to provide protection or preference, particularly when it comes to older adults. This is because the basic starting point of the values system in America begins with “simple individual equalities” and evolutions in policy are brought forth to correct distortions of this value. According to Frederickson:

Individual equality consists of one class of equals, and one relationship of equality holds among them. The best examples would be one person-one vote and the price mechanism of the market, which offers a Big Mac or a Whopper at a specific price to whoever wishes to buy. The Golden Rule or Immanuel Kant's Categorical Imperative are formulas for individual equalities. (Frederickson 1990: 230)

Hence, age is arguably one of those attributes so inextricably tied to "simple individual equalities" (one person, one vote) and to "*prospect* equality of opportunity" (equal opportunity) that in its point system based on age, the proposed RAISE Act is fundamentally out of step with American norms of *social equity*. Therefore, the proposed RAISE Act, despite its purported concern for values of *efficiency* and *effectiveness*, disregards the value of *social equity* in the fundamental category of age.

Finally, the Proposed RAISE Act puts immigrants with certain national origins at a disadvantage in comparison to other immigrants. The American Immigration Council concludes its analysis of the proposed RAISE Act with the following:

The proposed points system may also result in nationality bias, which will be translated into a systematic exclusion of immigrants from countries with lower levels of human capital arbitrarily valued under the system. The Diversity Visa component, which has been an important part of the U.S. immigration system for many than twenty years, would—under this bill—be terminated. (American Immigration Council 2017: 6)

Should the RAISE Act, in its current form, become law, entire groups of a certain national origin (those with previous low admittance the U.S.) could be at a disadvantage with regards to being able to migrate to the United States. Currently, under the lottery system enacted by the Immigration Act of 1990, 55,000 applicants are chosen, by lottery, from countries with the least amount of immigration to the United States in the previous five years. The proposed RAISE Act would do away with the lottery system, thus making the pool of potential immigrants to the U.S. less diverse and putting immigrants from low admittance countries at a further disadvantage.

Again, the proposed RAISE Act, if enacted would arguably be at counter purposes to what has traditionally been a strong value of American democracy and the U.S. immigration system—*social equity*.

Using Frederickson’s “Compound Theory of Social Equity” to evaluate the RAISE Act’s termination of the diversity visa system demonstrates how one form of “segmented equality” (countries that tend to have more individuals with STEM education) can displace another “segmented equality” (countries with low admittance to the U.S.). The proposed RAISE Act, if enacted will have the effect of putting immigrants from low admittance countries at a disadvantage while privileging immigrants with STEM education, who are typically from certain countries where STEM education is more readily available. So, rather than treating immigrants as a block when it comes to country of origin, the RAISE Act has the effect of “segmenting” immigrants and not in the way in which the Immigration Act of 1990 did, with the aim of increasing diversity—targeting countries with low-admittance for increase admittance. The RAISE Act, if enacted will segment by STEM education (13 points for doctorate or profession degree), among other attributes, the category exceeded only by Olympic medalists (15 points) and Nobel Laureates (25 points). Privileging STEM education while terminating the diversity lottery system, will arguably make immigrants from different countries less equal.

Therefore, viewed through Frederickson’s “Compound Theory of Social Equity,” the proposed RAISE Act presents significant challenges to the value of *social equity* with respect to national origin, skill level, gender, and age of immigrants seeking admission into the United States. Rather than treating immigrants in terms of “simple individual equality” (one person, one vote), “block equality” (equality between groups or subclasses), “prospect equality of opportunity” (equal opportunity or probability for success) or using “segmented equality”



(hierarchy) to further *social equity*, the RAISE Act and its version of merit-based immigration, uses “segmented equality” (hierarchy) and “means equality of opportunity” (legitimized *unequal* prospects for success), in a way that detracts from traditional American values as it pertains to democracy and immigration, particularly the value of *social equity*, all in the name of *efficiency* and *effectiveness*.

### Conclusion

This chapter sought to apply Fairclough & Fairclough’s (2012) political discourse analysis method to President Trump’s merit-based immigration policy (see Table 4.1). Applying *argumentation theory* and *critical discourse analysis* to the arguments for merit-based immigration asserted in the proposed FY 2018 Budget and by President Trump, Senator Cotton, and Senator Perdue in their support of the RAISE Act, offers a systematic and rigorous analytical treatment of one of the most significant policies of the Trump administration.

In evaluating the *circumstances* premises for implementing merit-based immigration, the following questions were posed: *Is the existing situation described in a rationally acceptable way? Is the context of action defined in a rationally persuasive way? Are the causes of the crisis/situation represented in a rationally persuasive way?* The proposed FY 2018 Budget’s circumstances premise argued that under the current immigration policy, most people living in the U.S. and coming into the U.S. are low-skilled, apt to work low-wage jobs, and be dependent on welfare. President Trump, Senator Cotton, and Senator Perdue, in their arguments in support of the RAISE Act, made similar arguments about the current U.S. immigration policy—immigrants harm American workers, immigrants harm the economy, and immigrants are dependent on welfare. Blau & Mackie (2017), in their National Academy Sciences (NAS) report

titled *The Economic and Fiscal Consequences of Immigration*, conducted a rigorous analysis of current immigration policy. Blau & Mackie (2017) found on the whole, immigrants have a positive impact on the American economy, are not threatening the jobs of Americans, and are paying more into the system, than they are taking out of the system. In fact, the only time that immigrants are taking out more than they are paying in is when they are school-aged, attending school, and not working, and this impacts local governments, not the federal government. However, when these same school-aged children become adults, they pay into the system more than they take out of the system over most of the 75-year period which Blau & Mackie (2017) projected for. Therefore, the proposed FY 2018 Budget, President Trump, Senator Cotton, and Senator Perdue, arguably, are not describing the current situation, with respect to the U.S. immigration policy, in a rationally persuasive way.

In evaluating the *goals* premises for implementing merit-based immigration, the following questions were posed: *Are the goals of action rationally acceptable? What other goals have been considered?* The goals premise argued in the FY 2018 Budget included primarily reducing welfare payments to low-skilled immigrants. President Trump, Senator Cotton, and Senator Perdue included the reduction of welfare to low-skilled immigrants as a goal along with protecting American workers and the U.S. economy. Again, these goals would be considered reasonable if they were tied to the current reality. The facts about immigrant achievement and the 5-year prohibition for immigrants receiving welfare negate the need for a policy to address these. Blau & Mackie (2012) and the 2012 U.S. Census Report, cited by the proposed FY 2018 Budget, demonstrate that immigrants are doing significantly better economically than what the proposed FY 2018 Budget, President Trump, Senator Cotton, and Senator Perdue argue. Trump and his allies advocate for goals which do not fit the current situation with respect to immigration in the

U.S. Therefore, the goals articulated in the proposed FY 2018 Budget and by President Trump, Senator Cotton, and Senator Perdue with respect to the RAISE Act, are not rationally acceptable. Furthermore, because immigration policy currently pursued by President Trump is tied to a false narrative and anti-immigrant ideology, no other goals have been pursued during his administration. Merit-based immigration is still the primary strategy for President Trump's legal immigration policy.

In evaluating the *values* premises for enacting merit-based immigration, the following questions were posed: *Is the value premise rationally acceptable? Does it actually support the goal and the action?* The proposed FY 2018 Budget includes efficiency and effectiveness as *values* supporting the argument for merit-based immigration. President Trump, Senator Cotton, and Senator Perdue cite fairness, compassion, and economic rationality among the values supporting their arguments in support of the RAISE Act. All of these values are praiseworthy when considered in the abstract. However, when examined in light of the arguments to implement merit-based immigration, these values do not meet the test of rational acceptability.

The proposed FY 2018 Budget argues for *efficiency* and *effectiveness* as values supporting merit-based immigration. President Trump, Senator Cotton, and Senator Perdue, similarly, argue for values within a framework of economic rationality—merit-based immigration will be good for American workers and for the economy. However, economists roundly criticized Trump's plan to cut immigration in half by implementing merit-based immigration via the RAISE Act. The critique from economic experts says, in sum, merit-based immigration will negatively impact the American economy and the U.S. workforce. Therefore, the economic rationality employed by the proposed FY 2018 Budget, President Trump, Senator Cotton, and Senator Perdue is not rationally and dialectically acceptable.

Lastly, President Trump, Senator Cotton, and Senator Perdue claim to be concerned with *fairness* and *compassion* towards American workers. President Trump and Senator Perdue even argue that merit-based immigration is undergirded by *compassion* for immigrants living in America and those seeking to enter America. These *values* premises are not rationally persuasive because the current U.S. immigration is not negatively impacting American workers or immigrants living in the U.S. Moreover, critics have argued that merit-based immigration would negatively impact those seeking to enter the U.S. and is contrary to traditional American values and attitudes towards immigrants.

For the purpose of evaluating the *means-goal* premises for adopting merit-based immigration, the following questions were posed: *Will the government's strategy actually deliver the goals? It is sufficient in view of the goals? Is the government's strategy necessary in view of the goals? What alternative means should be considered?* The proposed FY 2018 Budget argues, in the *means-goal* premise, for implementing merit-based immigration in order to reduce welfare payments to low-skilled immigrants. Similarly, President Trump, Senator Cotton, and Senator Perdue seek to reduce welfare payments to low-skilled immigrants along with protecting American workers and growing the economy, by passing the RAISE Act. Because these are not rational goals, sought by Trump and his allies, when evaluated against the realities of the current immigration, the *means-goal* or strategy of pursuing merit-based immigration is neither *necessary* nor *sufficient*.

The *goals* as argued by the proposed FY 2018 and by President Trump, Senator Cotton, and Senator Perdue in support of the RAISE Act are not tied to the real needs of the American people with respect to the current immigration system. Immigrants are not, by and large, using welfare. Nor are they hurting the American economy or threatening the jobs of U.S. workers. Therefore,

the *goals* articulated are not rational, which make the *means-goal* or strategy of implementing merit-based immigration irrational. Arguably, new *goals*, with respect to legal immigration policy, should be sought which would necessitate new *means* for achieving the *goals*. However, it remains the policy of the President Trump and some of his Republican allies to pass the RAISE Act and thereby implement merit-based immigration.

To evaluate the dialectical acceptability of the *claim* for action, enacting merit-based immigration, the following critical question was addressed: *Has the claim stood up to criticism in light of its probable consequences?* Numerous critics responded to President Trump, Senator Cotton, and Senator Perdue's advocating passage of the RAISE Act. The criticisms included potential damage to the U.S. economy, harm to U.S. workers, negative impact on certain industries, discriminating against certain groups of people, etc. These criticisms have not been persuasively answered by President Trump, Senator Cotton, and Senator Perdue. Therefore, the claim for action, to implement merit-based immigration via the RAISE Act, has not stood up to criticism in light of its probable consequences.

To gauge the Trump administration's adherence to critical reasonableness regarding its proposal to implement merit-based immigration, the following question is examined: *Is the action being revised in the light of feedback and empirical evidence?* President Trump remains committed to implementing merit-based immigration. The most recent version of the RAISE Act (H.R. 2278) was introduced into the U.S. House of Representatives in April of 2019. Hence, the strategy of implementing merit-based immigration has not been revised in light of feedback and empirical evidence. Despite the plethora of feedback and empirical evidence offered by journalists, economists, and policy analysts, it remains the policy of the Trump administration to implement merit-based immigration.

In order to determine the overall *logical* and *dialectical* character of the argument for implementing merit-based immigration, the following question is posed: *Is the action represented in a rationally persuasive way?* Overall, the arguments for implementing merit-based immigration within the proposed FY 2018 Budget and by President Trump, Senator Cotton, and Senator Perdue are couched in economic rationality, but upon close examination prove not be rationally and dialectically acceptable. The economic rationality employed in the arguments for merit-based immigration is rhetorically persuasive. However, when tested against the facts about the current U.S. immigration system and the general state of immigrants living in America, the economic rationality, employed by Trump, Cotton, and Perdue, is arguably lacking in critical reasonableness and dialectical acceptability. Rather, common false-beliefs about immigrants and the U.S. immigration system are marshalled in support of merit-based immigration. Therefore, the framing of the arguments in support of merit-based immigration and the RAISE Act is not rationally persuasive.

In the brief analysis of *lay normativity* with respect to Peter Baker's *New York Times* article "Trump Supports Plan to Cut Legal Immigration by Half" (2017), public opinion seems to be more or less evenly split in response to the RAISE Act. Some commenters to Bakers article criticized the RAISE Act as un-American, contrary to the current state of legal immigration, and a threat to the economy. Others voiced support for the RAISE Act and the rationale upon which it is being presented.

**Table 4.1 Argument Evaluation Matrix: Merit-Based Immigration**

<b>Critical Question(s)</b>	<b>Answer(s)</b>	<b>Research Question(s)</b>
<b>Is the existing situation described in a rationally acceptable way? Is the context of action defined in a rationally acceptable way? Are the causes of the crisis/situation represented in a rationally persuasive way? (<i>Circumstances Premise</i>)</b>	No	Do the New Public Management arguments supporting Trump's policies withstand critical evaluation?
<b>Are the goals of action rationally acceptable? What other goals have been considered? (<i>Goals Premise</i>)</b>	No No other goals have been considered	Do the New Public Management arguments supporting Trump's policies withstand critical evaluation?
<b>Is the value premise rationally acceptable? Does it actually support the goal and the action? (<i>Values Premise</i>)</b>	No	Do the New Public Management arguments supporting Trump's policies withstand critical evaluation? Do the New Public Management values espoused by President Trump and his key policy advocates differ from traditional values of democratic governance?
<b>Will the government's strategy actually deliver the goals? Is it sufficient in view of the goals? (<i>Means-Goal Premise</i>)</b>	No	Do the New Public Management arguments supporting Trump's policies withstand critical evaluation?
<b>Is the government's strategy necessary in view of the goals? What alternative means should be considered? (<i>Means-Goal Premise</i>)</b>	No	Do the New Public Management arguments supporting Trump's policies withstand critical evaluation?
<b>Has the claim stood up to criticism in light of its probably consequences? (<i>Claim for Action</i>)</b>	No	Do the New Public Management arguments supporting Trump's policies withstand critical evaluation?
<b>Is the action being revised in light of feedback and empirical evidence? (<i>Claim for Action</i>)</b>	No	Do the New Public Management arguments supporting Trump's policies withstand critical evaluation?
<b>Is the action represented in a rationally persuasive way? (<i>Claim for Action</i>)</b>	No	Do the New Public Management arguments supporting Trump's policies withstand critical evaluation?

*Critical discourse analysis* shows the arguments for merit-based immigration to be based on anti-immigrant *ideology* which says that immigrants are taking jobs from Americans, hurting the U.S. economy, and largely dependent on welfare. This *ideology*, having been *naturalized*, is almost “common sense” to many Americans. This allows President Trump and his allies to exploit the anti-immigrant sentiments within the American populace and manipulate public opinion, in an effort that has the result of marginalizing and dominating immigrants currently living in the U.S. and those seeking to gain admission.

Finally, in utilizing Fredrickson’s “Compound Theory of Social Equity,” this analysis demonstrates that merit-based immigration and the RAISE Act, if implemented, may have the effect of undermining *social equity* within the current immigration system. The RAISE Act arguably will foster inequities, among people migrating to the United States, with respect to national origin, skill level, gender, and age. Hence, in the pursuit of *efficiency*, *effectiveness*, economic rationality and so-called fairness and compassion, President Trump’s merit-based immigration policy, if enacted, may seriously threaten the “third pillar” of public policy and public administration—*social equity*.



## CHAPTER FIVE

### COMMUNITY DEVELOPMENT BLOCK GRANT

The previous chapter consists of applying Fairclough & Fairclough's (2012) political discourse analysis to a key proposal within President Trump's immigration policy—merit-based immigration. This chapter will involve Fairclough & Fairclough's political discourse analysis related to a salient policy within Trump's housing policy—the elimination of the Community Development Block Grant program, also known as the CDBG program. According to *America First: A Budget Blueprint to Make America Great Again*, or the proposed FY 2018 Budget Blueprint, the budget:

Eliminates funding for the Community Development Block Grant program, a savings of \$3 billion from the 2017 annualized CR level. The Federal Government has spent over \$150 billion on this block grant since its inception in 1974, but the program is not well-targeted to the poorest populations and has not demonstrated results. The Budget devolves community and economic development activities to the State and local level, and redirects Federal resources to other activities. (OMB 2017a: 25)

Additionally, the elimination of the CDBG program continues to be a priority for President Trump as evidenced in the proposed budgets for fiscal years 2019, 2020, and 2021. In this chapter, the following will be analyzed according to Fairclough & Fairclough's (2012) political discourse analysis method: 1. The proposed FY 2018 Budget Blueprint's statement about eliminating the CDBG, 2. OMB Director Mulvaney's March 16, 2017 press conference statements about CDBG, and 3. Elite and lay opinion regarding President Trump's proposed FY 2018 policy of eliminating the CDBG program. Overall, Fairclough & Fairclough's (2012) political discourse analysis, consisting of *argumentation theory* and *critical discourse analysis*, will be applied to President Trump's proposal of eliminating the Community Development Block Grant program, or hereafter, CDBG.

The proposed FY 2018 Budget Blueprint re: Community Development Block Grant (CDBG)

- 1 Eliminates funding for the Community Development Block Grant
- 2 program, a savings of \$3 billion from the 2017 annualized CR level. The
- 3 Federal Government has spent over \$150 billion on this block grant since
- 4 its inception in 1974, but the program is not well-targeted to the poorest
- 5 populations and has not demonstrated results. The Budget devolves
- 6 community and economic development activities to the State and local
- 7 level, and redirects Federal resources to other activities. (OMB 2017A:  
25)

To introduce an abbreviated analysis, an *overview* and argument reconstruction which includes an *outline*, and *diagram* will be applied to the proposed FY 2018 Budget Blueprint re: CDBG. The more extensive analysis including *argumentation theory* and *critical discourse analysis* will be applied to OMB Director Mick Mulvaney’s March 16, 2017 press conference statements pertaining to the CDBG program.

Overview

In lines 1-2 of the proposed FY 2018 Budget Blueprint, the *claim* or strategy of eliminating “funding for the Community Development Block Grant Program” is asserted. This policy proposal continues to be pursued by Trump in all of the subsequent budgets for fiscal years 2019, 2020, 2021 (OMB 2018, 2019, and 2020). In the proposed FY 2018 Budget Blueprint, the claim of eliminating the CDBG program is a normative claim that is part of a normative argument consisting of a *circumstances* premise, *goals* premise, *values* premise, and a *means-goal* premise. All of these premises, which make up a *conductive* argument (Fairclough & Fairclough 2012: 38, 68, 92, and 133), are asserted in order to arrive at the *normative* claim—the CDBG program should be eliminated.

In line 2, the primary *goal* of eliminating the CDBG program is asserted in the *goals* premise—“a savings of \$3 billion from the 2017 annualized CR level.” The primary goal is

asserted along with other goals to be accomplished by eliminating the CDBG program in lines 5-7, "...devolves community and economic development activities to the State and local level" and "redirects Federal resources to other activities." Fairclough & Fairclough (2012) maintain that there are times when agents argue for multiple goals and these goals are often grouped according to some form of a *hierarchies of goals* (2012: 38, 43, and 155). The proposed FY 2018 Budget Blueprint is chiefly concerned with "a savings of \$3 billion" which will allow other priorities to be funded or "...redirects Federal resources to other activities", but it also seeks to remove the federal government from being involved with community and economic development or "...devolves community and economic development activities to the State and local level."

The *circumstances* premise is asserted in lines 2-5, "The Federal government has spent over \$150 billion on this block grant since its inception in 1974, but the program is not well-targeted to the poorest populations and has not demonstrated results." The proposed FY 2018 Budget Blueprint is highlighting how long the CDBG program has been in operation and its historical cost to-date. Additionally, the *circumstances* premise is asserting that the CDBG program is inefficient and ineffective, which also informs the *values* premise. By pointing out how long the CDBG program has been in operation, its historical cost, and its alleged inefficiency and ineffectiveness, the proposed FY 2018 Budget Blueprint is seeking to formulate a rationally persuasive argument for the elimination of the CDBG program.

In lines 4-5, the *values* premise, which also overlaps with the *circumstances* premise, calls attention to the purported inefficiency and ineffectiveness of the CDBG program. By doing so, the proposed FY 2018 Budget Blueprint is highlighting *efficiency* and *effectiveness* as values which it seeks to maintain or secure with new policies such as eliminating the CDBG program. The *values* premise supports and informs the *circumstances* premise.

The *means-goal* premise, in lines (1-2 and 5-7) can be summed up in the following way: eliminating the CDBG program (*means*) will result in a savings of \$3 billion (primary *goal*) and will allow the federal government to get out of community and economic development (*goal*) while also redirecting Federal funds to the other priorities (*goal*). Overall, the proposed FY 2018 Budget Blueprint, is arguing for the elimination of the CDBG program as measure for cost-savings, budget reallocation, and devolution of community and economic development to states and local governments, in pursuit of *efficiency* and *effectiveness*.

### Argument Reconstruction

Fairclough & Fairclough's (2012) political discourse analysis method, in the *argumentation theory* element, also calls for a "reconstruction" of the argument being analyzed in terms of the final *claim*, the *circumstances* premise, the *goals* premise, the *values* premise, and the *means-goal* premise. Although the argument for eliminating the CDBG program in the proposed FY 2018 Budget Blueprint is considerably short, reconstructing it according to Fairclough & Fairclough's (2012) political discourse analysis method is instructive and lays the foundation for a much more extensive analysis of OMB Director Mick Mulvaney's statements re: the proposed elimination of the CDBG program. The reconstruction of the proposed FY 2018 Budget Blueprint's elimination of the CDBG program is *outlined* as follows:

*Claim* (lines 1-2): [The budget, *mine*] Eliminates funding for the Community Development Block Grant Program....

*Circumstances* (lines 2-5): The Federal Government has spent over \$150 billion on this block grant since its inception in 1974, but the program is not well-targeted to the poorest populations and has not demonstrated results.

*Goals* (lines 2, 5-7): ...a savings of \$3 billion from the 2017 annualized CR level...The Budget devolves community and economic development activities to the State and local level, and redirects Federal resources to other activities.

*Values* (lines 4-5):...but the program is not well-targeted (not *efficient*) and has not demonstrated results (not *effective*).

*Means-goal* (lines 1-2, 5-7): Eliminates funding for the Community Development Block Grant program, a savings of \$3 billion from the 2017 annualized CR level...devolves community and economic development activities to the State and local level, and redirects Federal resources to other activities.

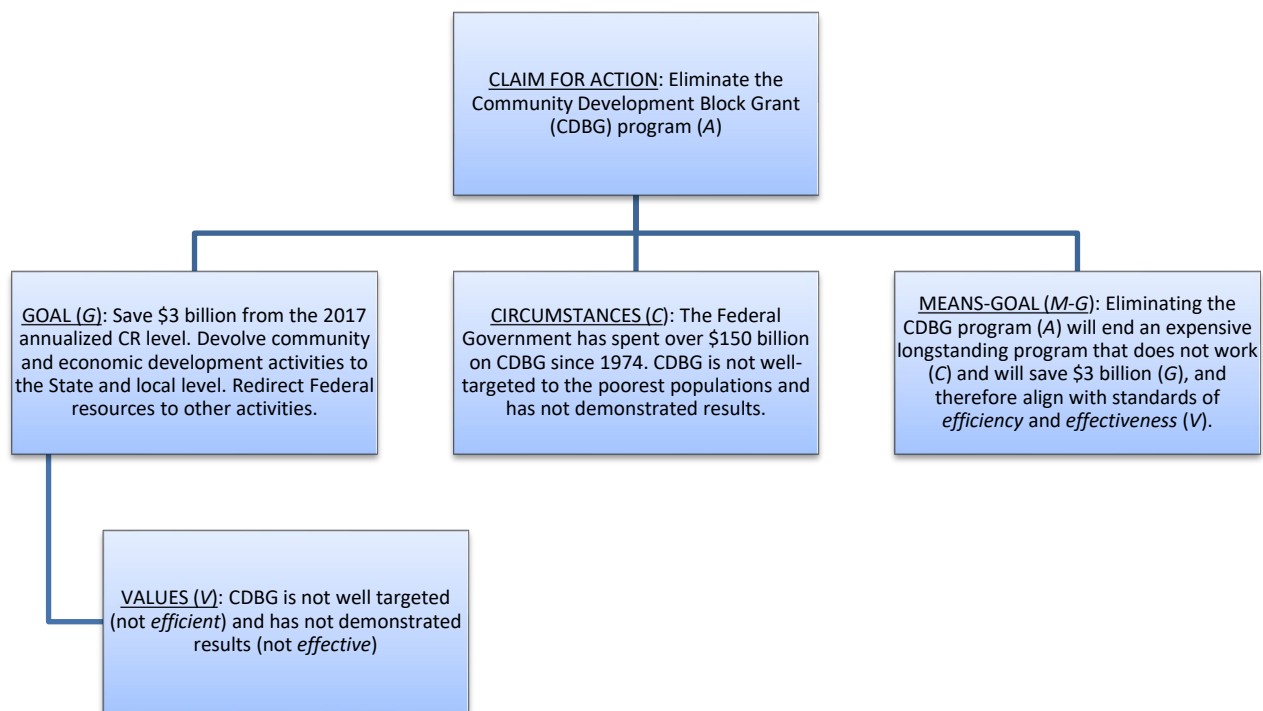


Figure 5.1 The argument for eliminating the Community Development Block Grant (CDBG) program in the proposed FY 2018 Budget Blueprint (OMB 2017a: 25)

Mulvaney's March 16, 2017 Press Conference Re: FY 2018 Budget Blueprint (CDBG)

Reporter# 1: Well as you know Housing and Urban Development and the Community Development Block Grants aren't exclusively about housing. They support a variety of different programs including in part Meals on Wheels that affects a lot of Americans and Austin, Texas today one organization there that delivers those meals to thousands of elderly says that those citizens will no longer be able to be provided those meals. What do you say to those Americans who are ultimately losing out not on housing but on other things that are taken out of this budget?

Mulvaney: But as you know, I think you know, that Meals on Wheels is not a federal program. It's part of that community, that CDBG, the block grants that we give to the States and then many states make the decision to use that money on Meals on Wheels. Here's what I can tell you about CDBG's, because that's what we fund right is that we spent a hundred fifty billion dollars on those programs since the 1970s. The CDBG's have been identified as programs since I believe the first, actually the second Bush Administration, as ones that we're just not showing any results. We can't do that anymore. We can't spend money on programs just because they sound good and great, Meals on Wheels sounds great. Again, that's a state decision to fund that particular portion to it. To take the federal money and give it to the states and say look we want to give you money for programs that don't work. I can't defend that anymore. We cannot defend that anymore. We're 20 trillion dollars in debt. We're going to spend money. We're going to spend a lot of money, but we're not going to spend it on programs that cannot show that they actually deliver the promises that we made to people.

Reporter# 1: Since you're talking about programs that do work or don't work, there's a program called the Shine that's in Pennsylvania, Rural counties of Pennsylvania that provides after school educational programs for individuals in those areas which just so happens to be the state that helped propel President Trump to the White House. I'm curious what you say to those Americans in a community where they tell me today that 800 individuals will no longer, children who need it most, will no longer be provided in those most needy of communities the educational care they need?

Mulvaney: I'm not familiar. Y'all are at an advantage over me because I have to memorize all 4,000 lines. But, so let's talk about after school programs, generally. They're supposed to be educational programs, right? That's what they're supposed to do. They're supposed to help kids who can't, who don't get fed at home, get fed so they do better in school. Guess what? There's no demonstrable evidence that they're actually doing that. There's no demonstrable evidence that they're actually helping results...helping kids do better in school, which is what, when we took your money from you to say look we're going to go spend it on an after school program, the way we justified it was, these programs are going to help

these kids do better in school and get better jobs and we can't prove that's happening.

Reporter# 1: To be clear, we're saying, the administration with this budget is saying that there's no after-school programs out there are doing their job and helping educate these children.

Mulvaney: Now you're asking me a question I don't know the answer to, but I don't believe we cut all the funding for those types of things. Yes, sir.

Reporter# 2: Just to follow up on that, you were talking about the steel worker and Ohio and coal miner in Pennsylvania and so on, but those workers may have an elderly mother who depends on the Meals on Wheels program, who may have kids in Head Start and yesterday or the day before, you described this as a hard power budget, but is it also a hard-hearted budget?

Mulvaney: No, I don't think so. In fact, I think it's I think it's probably one of the most compassionate things we can do to actually tell you....

Reporter# 2: You mean cutting programs that help the elderly and kids?

Mulvaney: You're only focusing on half of the equation. Right? You're focusing on recipients of the money. We're trying to focus on both the recipients of the money and the folks who give us the money in the first place. And I think it's fairly compassionate to go to them and say, look, we're not going to ask you for your hard-earned money anymore. Single mom of two in Detroit, okay, give us your money. We're not going to do that anymore unless we can, unless we can, unless we can guarantee, unless we can guarantee to you that that money is actually be used in a proper function and I think that is about as compassionate as you can get...

Reporter# 3: Just a quick follow up on Meals on Wheels. You mentioned, its one of the programs you have determined that it's not been doing its job effectively. What evidence are you using to make that statement and is not feeding seniors in and of itself, the fulfillment of....

Mulvaney: My understanding from having been in the state government and I may have this wrong. I've been wrong several times today. This may not be the first time. But, my understanding of Meals on Wheels is that, that is a state determination. The Federal government doesn't directly fund that. It funds the Community Development Block Grants, the CDBG, and some states choose to take the money and do the Meals on Wheels. Other states and localities might choose to do something else. We look at the CDBG's and when we do that we look at this as a hundred fifty billion dollars spent over 40 years without the appreciable benefits to show for that type of taxpayer expenditure and that's why we have the reduction.



## Overview

On March 16, 2017, Office of Management and Budget Director, Mick Mulvaney, held a press conference at the White House. During the press conference Mulvaney introduced the proposed FY 2018 Budget Blueprint outlining President Trump's spending priorities and proposed funding decreases. At one point in the interview, a reporter (reporter# 1) asked Mulvaney about the Community Development Block Grant program, slated for total defunding. The reporter (reporter# 1) highlighted the Meals on Wheels program. Apparently, the reporter (reporter# 1) had spoken to an organization in Austin, Texas which said that the elimination of funding to CDBG's would negatively impact its ability to feed elderly people—"...and Austin, Texas today one organization there that delivers those meals to thousands of elderly says that those citizens will no longer be able to be provided those meals. What do you say to those Americans who are ultimately losing out, not on housing, but on other things that are taken out of this budget?" By raising this issue, the reporter (reporter# 1) is calling attention to a potential *negative consequence*, which may serve as a *counterargument*, of the plan (*claim*) to eliminate the CDBG program. According to Fairclough & Fairclough (2012) highlighting *negative consequences* can be one of the more effective ways of rebutting the *premises* and/or the *claim* of an argument (2012: 11, 12, 40, 50, 53, 63-64)

Mulvaney responds to the reporter (reporter# 1) by laying out the *circumstances* premise, the *claim for action*, and the *goals* premise. Mulvaney begins by clarifying that the Meals on Wheels program, the portion funded by CDBG, is actually a state program and not directly funded by the federal government—"But as you know, I think you know, that Meals on Wheels is not a federal program. It's part of that community, that CDBG, the block grants that we give to the states and then the states make the decision to use that money on Meals on Wheels." By making this

distinction, Mulvaney is attempting to say that the proposed FY 2018 Budget Blueprint does not directly cut Meals on Wheels because it does not fund Meals on Wheels, but rather CDBG's, which is part of Mulvaney's next point in his *circumstances* premises.

In continuing his answer to the reporter (reporter# 1) regarding the elimination of CDBG's and the potential funding decreases for Meals on Wheels, Mulvaney argues in his *circumstances* premises that the CDBG program has been an expensive and long-running program that has proven to be ineffective. He counters:

Here's what I can tell you about the CDBG's, because that's what we fund, right, is that we spent a hundred and fifty billion dollars on those programs since the 1970's. The CDBG's have been identified as programs since I believe the first, actually the second Bush Administration, as ones that we're just not showing any results. (Mulvaney 2017)

Because of the purported ineffectiveness of the CDBG program, Mulvaney then proceeds with his *claim* for action—to eliminate the CDBG program:

We can't do that anymore. We can't spend money on programs just because they sound good and great, Meals on Wheels sounds great. Again, that's a state decision to fund that particular portion of it. To take federal money and give it to the states and say look we want to give you money for programs that don't work. I can't defend that anymore. We can't defend that anymore. We're 20 trillion dollars in debt.

Finally, in his response to the reporter (reporter# 1), Mulvaney sets forth the *goal* that will be accomplished by eliminating the CDBG program, reallocation of funds to other priorities—  
 “We're going to spend money. We're going to spend a lot of money, but we're not going to spend it on programs that cannot show that they actually deliver the promises that we made to people.”

The same reporter (reporter# 1), then, poses a follow-up question to Mulvaney, again, highlighting the potential *negative consequences* of eliminating the CDBG program:

Since you're talking about programs that do work or don't work, there's a program called The Shine, that's in Pennsylvania, rural counties of Pennsylvania, that provides after-school educational programs for individuals in those areas which just so happen to be the State that helped propel President Trump to the White House. I'm curious what you say to those Americans in a community where they tell me today that 800 individuals will no longer, children who need it most, will no longer be provided in those most needy of communities the educational care they need?

By posing this question, the reporter (reporter# 1) is further highlighting the potential *negative consequences* of eliminating the CDBG program, on vulnerable populations—the elderly and children.

Again, as with the CDBG program in general, and by association, the Meals on Wheels program, Mulvaney asserts his general conclusion about after-school programs, that they are ineffective, which also informs his *circumstances* premise:

I'm not familiar. Y'all are at an advantage over me because I have to memorize all 4,000 lines. But, so let's talk about after school programs, generally. They're supposed to be educational programs, right? That's what they're supposed to do. They're supposed to help kids who can't, who don't get fed at home, get fed so they do better in school. Guess what? There's no demonstrable evidence that they're actually doing that. There's no demonstrable evidence that they're actually helping results....helping kids do better in school, which is what, when we took your money from you to say look, we're going to go spend it on an after-school program, the way we justified it was that these programs are going to help the kids do better in school and get better jobs and we can't prove that's happening.

This general statement by Mulvaney, about the ineffectiveness of after-school programs, is countered by the same reporter (reporter#1) with a question about the implications of such a general statement, “To be clear, we're saying, the administration with this budget is saying that there's no after-school programs out there are doing their job and helping educate children.” The reporter's (reporter# 1) rebuttal of Mulvaney's general statement about the ineffectiveness of after-school programs seems to have caused Mulvaney to pause and slightly backtrack, as he

responded with, “Now you’re asking me a question I don’t know the answer to, but I don’t believe we cut all the funding for those types of things.”

Another reporter (Reporter# 2), challenged Mulvaney’s argument from a *values* perspective:

Just to follow up on that, you were talking about the steel worker in Ohio and coal miner in Pennsylvania and so on, but those workers may have an elderly mother who depends on the Meals on Wheels program, who may have kids in Head Start and yesterday or the day before, you described this as a hard-power budget, but is it also a hard-hearted budget?

By raising the issue of the proposed FY 2018 Budget Blueprint as possibly being a “hard-hearted budget”, the reporter (Reporter# 2) is inferring that the *values* premise of Mulvaney’s argument might be questionable. According to Fairclough & Fairclough (2012), arguments can be weakened if it can be shown that *values* or *goals* which should not be compromised, are in fact in danger of being compromised (2012: 66, 67, 75, and 76).

Mulvaney, beginning to lay out more clearly the *values* premise of his argument, clarifies by responding to the reporter’s (Reporter# 2) inference about the budget being possibly “hard-hearted”: “No, I don’t think so. In fact, I think it’s probably one of the most compassionate things we can do to actually tell you...” To which the reporter (Reporter# 2) retorts, “You mean cutting programs that help the elderly and kids?” This, then prompts Mulvaney to elaborate on how he believes compassion and effectiveness underlie the proposed FY 2018 Budget Blueprint:

You’re only focusing on half of the equation. Right? You’re focusing on the recipients of the money. We’re trying to focus on both the recipients of the money and the folks who gives us the money in the first place. And I think it’s fairly compassionate to go to them and say, look, we’re not going to ask you for your hard-earned money anymore. Single mom of two in Detroit, okay, give us your money. We’re not going to do that anymore unless we can, unless we can guarantee, to you that that money is actually, be used in a proper function and I think that is about as compassionate as you can get...(Mulvaney 2017)

In laying out the *values* premise of his argument in this way, Mulvaney is collapsing *compassion* for the would-be funder of the program with the value of *effectiveness*. Prior to doing so, he

chides the reporter (Reporter# 2) for focusing only on half the equation—“the recipients of the money” and not the other half of the equation—“the folks who gives us the money in the first place.” The reporter (Reporter# 2) challenges Mulvaney’s “two-halves-of-the-equation” framing when he interrupts Mulvaney’s descriptions of the Single mom of two in Detroit by asking “what if she has her kids in Heads Start?”

Finally, the reporter (Reporter #3) who got the last question challenged Mulvaney’s *ineffectiveness* inference about the Meals on Wheels program which had been raised and discussed earlier in the press conference. The reporter asks:

Just a quick follow up on Meals on Wheels. You mentioned, its one of the programs you have determined that it’s not been doing its job effectively. What evidence are you using to make that statement and is not feeding seniors, in and of itself, the fulfillment of...

In response, Mulvaney does not directly answer the question about the *ineffectiveness* or *evidence* of ineffectiveness of Meals on Wheels, but instead reiterates his argument for the elimination of the CDBG program:

My understanding from having been in the state government and I may have this wrong. I’ve been wrong several times today. This may not be the first time. But, my understanding of Meals on Wheels is that, that is a state determination. The Federal government doesn’t directly fund that. It funds the Community Development Block Grants, the CDBG, and some states choose to take the money and do the Meals on Wheels. Other states and localities might choose to do something else. We look at the CDBG’s and when we do that, we look at this as a hundred and fifty billion dollars spent over 40 years without the appreciable benefits to show for that type of taxpayer expenditure and that’s why we have the reduction (Mulvaney 2017)

Nevertheless, there is a significant reaction in the national media that ensues about the implications of Mulvaney’s statements about CDBG and its association with Meals and Wheels. The reaction to the proposal to eliminate CDBG and the perceived negative impact on Meals on Wheels will be considered in the *argument evaluation* section of this analysis.

### Argument Reconstruction

Having also given an *overview* (Fairclough & Fairclough 2012: 119-125) of Mulvaney's March 16, 2017 press conference in which he discussed and responded to questions about the proposed FY 2018 Budget Blueprint (OMB 2017A), the next step is to provide a *reconstruction* of this argument (Fairclough & Fairclough 2012: 125-128). According to Fairclough & Fairclough's method of political discourse analysis, reconstructing the argument under analysis includes clearly outlining the elements or "premises" of the argument and diagramming the argument. Of necessity, the elements and "premises" of the argument will be stated "more succinctly" (Fairclough & Fairclough 2012: 125) in the *diagramming* part of the reconstruction than in the *outlining* part of the reconstruction. The *premises, claim, negative consequences*, etc. of Mulvaney's press conference dealing with the proposed FY 2018 Budget Blueprint can be *outlined* as follows:

*Claim:* [*author's emphasis*, eliminate the CDBG program] We can't do that anymore. We can't spend money on programs just because they sound good and great, Meals on Wheels sounds great. Again, that's a state decision to fund that particular portion to it. To take the federal money and give it to the states and say look we want to give you money for programs that don't work. I can't defend that anymore. We cannot defend that anymore. We're 20 trillion dollars in debt. We're going to spend money. We're going to spend a lot of money, but we're not going to spend it on programs that cannot show that they actually deliver the promises that we made to people.

*Counter-claim:* [implied by the *Negative Consequences* argument] The CDBG program should not be eliminated.

*Negative Consequences:* Well as you know Housing and Urban Development and the Community Development Block Grants aren't exclusively about housing. They support a variety of different programs including in part Meals on Wheels that affects a lot of Americans and Austin, Texas today one organization there that delivers those meals to thousands of elderly says that those citizens will no longer be able to be provided those meals. What do you say to those Americans who are ultimately losing out not on housing but on other things that are taken out of this budget?...Since you're talking about programs that do work or don't work, there's a program called the Shine that's in Pennsylvania, Rural counties of Pennsylvania that provides after school educational programs for individuals in those areas which just so happens to be the state that helped propel President Trump to the White House. I'm curious what you say to those Americans in a community where they tell me today that 800 individuals will no longer, children

who need it most, will no longer be provided in those most needy of communities the educational care they need?

*Circumstances:* But as you know, I think you know, that Meals on Wheels is not a federal program. It's part of that community, that CDBG, the block grants that we give to the States and then many states make the decision to use that money on Meals on Wheels. Here's what I can tell you about CDBG's, because that's what we fund right is that we spent a hundred fifty billion dollars on those programs since the 1970s. The CDBG's have been identified as programs since I believe the first, actually the second Bush Administration, as ones that we're just not showing any results.... My understanding from having been in the state government and I may have this wrong. I've been wrong several times today. This may not be the first time. But, my understanding of Meals on Wheels is that, that is a state determination. The Federal government doesn't directly fund that. It funds the Community Development Block Grants, the CDBG, and some states choose to take the money and do the Meals on Wheels. Other states and localities might choose to do something else. We look at the CDBG's and when we do that we look at this as a hundred fifty billion dollars spent over 40 years without the appreciable benefits to show for that type of taxpayer expenditure and that's why we have the reduction.... I'm not familiar. Y'all are at an advantage over me because I have to memorize all 4,000 lines. But, so let's talk about after school programs, generally. They're supposed to be educational programs, right? That's what they're supposed to do. They're supposed to help kids who can't, who don't get fed at home, get fed so they do better in school. Guess what? There's no demonstrable evidence that they're actually doing that. There's no demonstrable evidence that they're actually helping results...helping kids do better in school, which is what, when we took your money from you to say look we're going to go spend it on an after school program, the way we justified it was, these programs are going to help these kids do better in school and get better jobs and we can't prove that's happening.

*Questionable Circumstances Premise of Argument:* To be clear, we're saying, the administration with this budget is saying that there's no after-school programs out there are doing their job and helping educate these children.... Just a quick follow up on Meals on Wheels. You mentioned, its one of the programs you have determined that it's not been doing its job effectively. What evidence are you using to make that statement and is not feeding seniors in and of itself, the fulfillment of....

*Goals:* We're going to spend money. We're going to spend a lot of money, but we're not going to spend it on programs that cannot show that they actually deliver the promises that we made to people. [Mulvaney has stated publicly that the overall goal of the proposed FY 2018 Budget is to get to 3% GDP]

*Questionable Values Premise of Argument:* Just to follow up on that, you were talking about the steel worker and Ohio and coal miner in Pennsylvania and so on, but those workers may have an elderly mother who depends on the Meals on Wheels program, who may have kids in Head Start and yesterday or the day before, you described this as a hard power budget, but is it also a hard-hearted budget?... You mean cutting programs that help the elderly and kids?

*Values:* No, I don't think so. In fact, I think it's I think it's probably one of the most compassionate things we can do to actually tell you....You're only focusing on half of the equation. Right? You're focusing on recipients of the money. We're trying to focus on both the recipients of the money and the folks who give us the money in the first place. And I think it's fairly compassionate to go to them and say, look, we're not going to ask you for your hard-earned money anymore. Single mom of two in Detroit, okay, give us your money. We're not going to do that anymore unless we can, unless we can, unless we can guarantee, unless we can guarantee to you that that money is actually be used in a proper function and I think that is about as compassionate as you can get...

*Means-goal:* We look at the CDBG's and when we do that we look at this as a hundred fifty billion dollars spent over 40 years without the appreciable benefits to show for that type of taxpayer expenditure and that's why we have the reduction....



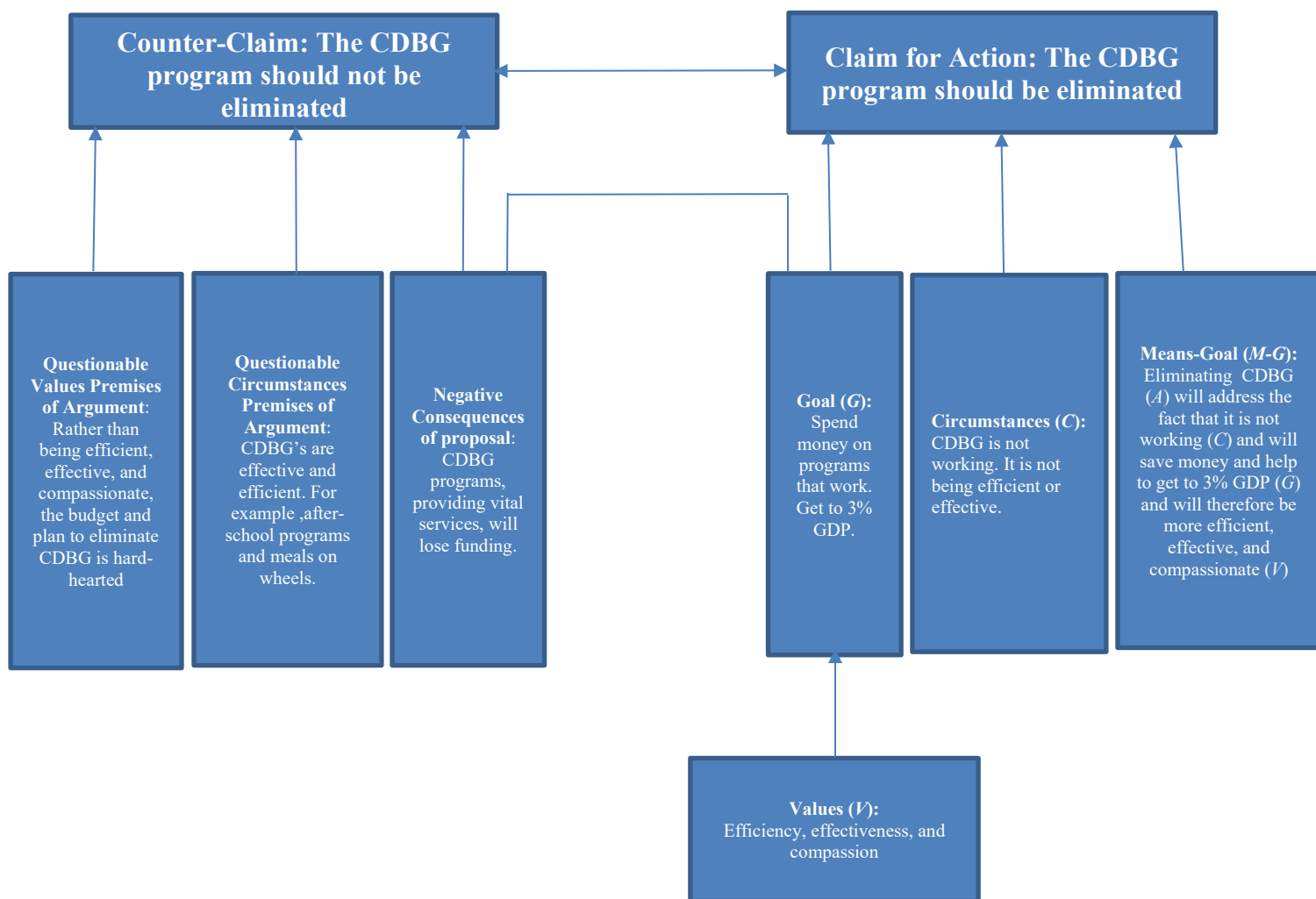


Fig 5.2 OMB Director Mulvaney's March 16, 2017 Press Conference with Reporters

## Argument Evaluation

Following the “overview” and the “argument reconstruction”, Fairclough & Fairclough’s (2012) political discourse analysis method calls for “argument evaluation” (2012: 128-135; see also pp. 153-173 for argument evaluation). Fairclough & Fairclough’s argumentation evaluation consists of “...a dialectical evaluation...in terms of critical questions aimed at the premises, at the argument as a whole, and at the claim” (2012: 128). With regards to the *circumstances* premise, Fairclough & Fairclough ask, “Is the existing situation described in a rationally acceptable way?”; “Is the context of action defined in a rationally persuasive way?”; and “Are the causes of the crisis represented in a rationally persuasive way?” (2012: 128, 169, and 172). As it pertains to the *goals* premise, the critical question is: “Are the goals of action rationally acceptable?” and “What other goals have been considered?” (2012: 163). When it comes to the *values* premise: “Is the value premise rationally acceptable?” and “Does it actually support the goal and the action?” (2012: 165-166). As for the *means-goal* premise or “strategy”: “Will the government’s strategy actually deliver the goals?” and “Is it *sufficient* in view of the goals?” (2012: 160). Additionally, in considering the *means-goal* premise or “strategy”: “Is the government’s strategy *necessary* in view of the goals?” and “What alternative means should be considered?” (2012: 161). Finally, when evaluating the *claim for action*, Fairclough and Fairclough pose the following critical questions: “Has the claim stood up to criticism in light of its probable consequences?” (2012: 155); “Is the action being revised in light of feedback and empirical evidence?” (2012:158-159) and, ultimately, “Is the action represented in a rationally persuasive way?” (2012: 170). These questions comprise the *logical* and *dialectical* argument evaluation that makes up the first part of Fairclough & Fairclough’s (2012) political discourse analysis method which is informed by *argumentation theory*. The second part of Fairclough &

Fairclough's (2012) political discourse analysis method is *critical discourse analysis*, which is strengthened by analysis of argumentation (2012: 85-86), will be discussed and applied later in this chapter.

**Is the existing situation described in a rationally acceptable way? Is the context of action defined in a rationally persuasive way? Are the causes of the crisis/situation represented in a rationally persuasive way?**

The proposed FY 2018 Budget Blueprint describes the Community Development Block Grant (CDBG) as a program that "...is not well-targeted to the poorest populations and has not demonstrated results" (OMB 2017a: 25). In Mulvaney's March 16, 2017 press conference about the proposed FY 2018 Budget Blueprint, he described CDBG as "...just not showing any results." In response to a reporter's (Reporter# 1) question about Meals on Wheels being in jeopardy if CDBG is eliminated, Mulvaney included Meals on Wheels as the type of program that despite sounding good, as one of the "...programs that don't work" and as one of the "programs that cannot show that they actually deliver the promises that we made to the people." In response to the question about after-school programs for children, Mulvaney said, "There's no demonstrable evidence that they're actually helping results...helping kids do better in school..." So, the basic argument being made in the *circumstances* premises, both in the proposed FY 2018 Budget Blueprint and in Mulvaney's March 16, 2017 press conference, is that the CDBG program and its sub-grantee activity such as Meals on Wheels and after-school programs do not show evidence that the programs work. The proposed FY 2018 Budget Blueprint includes the additional criticism that "...the program is not well-targeted to the poorest populations..." This

latter criticism (re: *efficiency*) is given limited validity, with important caveats, in Theodos, Stacy, & Ho 2017.

In their April 3, 2017 letter to Chairman Diaz-Balart and Ranking Member Price, of the Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, 167 bi-partisan “Members of Congress” wrote the following:

Dear Chairman Diaz-Balart and Ranking Member Price:

As the subcommittee develops its FY2018 Transportation, Housing, and Urban Development, and Related Agencies appropriations bill, we respectfully urge you to prioritize commitment for the Community Development Block Grant (CDBG) program, one of the most effective federal programs for growing local economies and for providing a lifeline to families and communities with proven results. We request the subcommittee provide robust funding for CDBG.

Since FY 2005, the U.S. Department of Housing and Urban Development (HUD) has collected accomplishment data for the CDBG program. The data highlights the program’s flexibility to design and implement strategies tailored to meet local needs and priorities. It has provided funds in every state, including housing investments, public infrastructure improvements, and economic development, while also providing public services, including services for seniors, youth, the disabled, and employment training.

While the program helps more than 1,200 cities, counties, states, and rural areas that meet the needs of low- and moderate-income people and communities, funding cuts have severely weakened the ability of grantees to revitalize their communities and respond to local need. We share your commitment to the most effective use of taxpayer dollars, and believe that these grants have proven highly effective. Based on the data that grantees have reported to the U.S. Department of Housing and Urban Development over the past nine years (FY2005 – FY2016), CDBG has:

- Helped over 1.3 million low - and moderate-income persons through single-family, owner-occupied rehabilitation, homeownership assistance, energy-efficient improvements, and lead-based abatement, among other activities;
- Created or retained 387,109 jobs for low- and moderate-income people through a variety of economic development activities;
- Benefited over 42 million low- and moderate-income persons through public improvements including senior centers, child care centers, and centers for people with disabilities;

- Benefited over 133 million low- and moderate-income persons through public services such as employment training, meals and other services to the elderly, services for abused and neglected children, assistance to local food banks, and other services;
- Helped Seniors Live Independently. CDBG funds are used to rehabilitate the homes of low- and moderate-income elderly persons to allow them to age in place, thereby, avoiding costly assisted living and nursing home care. CDBG provides resources to Meals on Wheels and other local food programs to ensure our low- and moderate-income seniors receive daily nourishment and contact. Further, CDBG funds are used to build community centers to allow seniors to receive health and recreational services to stay engaged and healthy;
- Strengthened Families and Communities through Homeownership. CDBG funds are used to assist credit worthy, working families with down payment and closing cost assistance to purchase a home. Homeownership stabilizes neighborhoods, allows families to build assets, and adds to the local tax base;
- Created Safer Communities. Local communities use CDBG to work with local police departments and neighborhood leaders to fight crime and make neighborhoods safer places to live and work by creating and expanding neighborhood watch groups, making safety improvements to homes and businesses, and encouraging local police sub-stations to move into high crime areas;
- Invested in Our Next Generation. Local communities use CDBG funds to provide afterschool programs to low-income children, summer jobs for low-income youth, and build recreation centers to provide a safe outlet for learning, sports and personal growth.

Additionally, every \$1.00 of CDBG leverages an additional \$3.65 in non-CDBG funding.

CDBG makes it way into the local economy through an extensive network of local organizations and remains a lifeline for families and communities. It is one federal program that touches the lives of nearly every American in some fashion. Over 7,200 communities have access to the funds and rely on the program to enhance their life and community. Every State, Territory, and Congressional District receives or has access to CDBG funds. The pressing need in the current economy for these funds remains critical.

While we understand the difficult fiscal decisions we must make in Washington, we appreciate your consideration of this important request and strongly urge you to support at least \$3.3 billion for the CDBG program in FY18 to help grow local economies. (Members of Congress 2017)

The United States Conference of Mayors, also bi-partisan, essentially wrote the same letter to Chairman Diaz-Balart and Ranking Member Price, of the House Appropriations Subcommittee on Transportation, Housing, and Urban Development, and to Chairman Frelinghuysen and Ranking Member Lowey, of the House Committee on Appropriations.

Both of the letters, from Members of Congress and from the Conference of Mayors, counter the *circumstances* premise argued in the proposed FY 2018 Budget Blueprint and by Mulvaney in his March 16, 2016 press conference that the CDBG is not *efficient* and *effective*. The Members of Congress (2017) and Conference of Mayors (2017) cite the following as evidence of the *effectiveness* of the CDBG program: 1.3 million people assisted with homeownership, energy-efficient improvements, and lead-based paint abatement, creation or retention of 387,109 jobs, over 42 million people benefitting from senior centers, child care centers, and centers for people with disabilities, 133 million people receiving employment training, meals and other services to the elderly, services for abused and neglected children, assistance from local food banks, and the provision of after-school programs for children, summer jobs for youth and recreation centers. These are a summary of the results of the CDBG programs operating in urban and rural communities, according to the Members of Congress and Conference of Mayors, thus providing a strong counter to the *circumstances* premise (i.e. CDBG is not effective) set forth in the proposed FY 2018 Budget Blueprint and by Mulvaney in his March 16, 2017 press conference. The Members of Congress and Conference of Mayors also take pains to emphasize that the beneficiaries of the CDBG programs are “low- and moderate-income persons” or “ low-income”, and thus also countering the *circumstances* premise of the proposed FY 2018 Budget Blueprint that the CDBG “...program is not well-targeted to the poorest populations” or that the CDBG is not *efficient*. Therefore, the rational persuasiveness of the *circumstances* premise, of

the FY 2018 Budget Blueprint and set forth by Mulvaney in his March 16, 2017 press conference, is seriously challenged by a significant number of national and local elected officials, and on a bi-partisan basis.

Theodos et al. (2017), of the Urban Institute, in their report titled *Taking Stock of the Community Development Block Grant* conclude that the CDBG program should be reformed rather than eliminated. Some of their recommendations will be discussed later in this chapter, however, they write the following in summing up the current relevance of the CDBG program:

CDBG continues to play an important role today as a unique community development resource. For many jurisdictions, it is a steady source of funding benefiting low-income individuals and communities, which allows them to focus on implementation rather than fundraising. Its flexibility also allows localities to tailor solutions to their own needs and fund a wide range of activities, from providing housing loan counseling to supporting local attractions that generate economic activity. CDBG funds can be used in isolation or combined with other funding to accomplish an array of objectives. (Theodos et al. 2017: 1-2)

To be sure, the CDBG program is not without its critics. In the Autumn 2017 issue of *City Journal*, Steven Malanga writes the following in his article “Let’s Kill the CDBG”:

Nothing in President Donald Trump’s first federal budget, issued earlier this year, produced more howls of indignation than the proposal to kill off a remnant of the War on Poverty known as the Community Development Block Grant program, or CDBG. Politicians, advocates, the liberal media, and executives of nonprofits that receive these often-sizable grants denounced Trump’s plan as devastating. For Jesse Jackson, ending the program meant that Trump had betrayed his pledge to rebuild black urban communities. A Cleveland councilman said that Trump’s proposal would cause a “crisis” in his city, while Boston mayor Marty Walsh warned that the “reckless” cuts would “bring pain.” Democratic senator Tom Udall of New Mexico was “appalled”; his Connecticut counterpart Chris Murphy predicted “utter disaster” for his state. Newspapers nationwide published hundreds of articles about the local initiatives that would die if Trump got his way. Reporters often pointed to what the loss of the grants would mean to communities that had voted heavily for Trump.

The overheated rhetoric came in defense of one of the nation’s most wasteful and ineffective domestic-spending programs. Conceived in the early 1970s as a way to give local officials a say in how federal poverty aid gets doled out, the CDBG has

sent some \$150 billion to impoverished neighborhoods in Baltimore, Buffalo, Newark, and other struggling cities, with little or nothing positive to show for it. Worse, the CDBG has created a local patronage racket, funding politically connected nonprofits that do little to spur economic development. And to build further support, Congress extended CDBG funding to wealthier areas, so that grants now help build tennis courts and swimming pools in neighborhoods with above-average incomes. (Malanga 2017)

Malanga agrees with Mulvaney's charge that the CDBG is not effective. He goes further to say that the CDBG program is "wasteful" and in some cases a "local patronage racket". However, he only provides anecdotal evidence, which is disconcerting to be sure, but he does not provide any systematic evidence to support the claims. This is precisely what Theodos et al. (2017) is calling for—more systematic and robust measurement of the CDBG program. Malanga does, however, mention "a 1993 report by President-elect Bill Clinton's transition team" that was critical of the CDBG program. He also mentions a 2003 Office of Management and Budget review under the George W. Bush Administration (also briefly mentioned by Mulvaney in his March 16, 2017 press conference) that was also critical of CDBG. Yet, to state the obvious, these reviews of the CDBG program, their respective level of robustness notwithstanding, were conducted approximately 15-25 years prior to Trump's proposed FY 2018 Budget Blueprint. This is hardly persuasive evidence to justify eliminating a \$3 billion program, which is arguably benefitting so many and supported by so many.

Therefore, despite the challenges presented with respect to the CDBG, the *circumstances* premise of the proposed FY 2018 Budget Blueprint and Mulvaney's March 16, 2017 press conference, which argues that the CDBG program is without results or is ineffective, is not rationally persuasive. However, even supporters of the CDBG program would agree that it should be improved and better measured. Therefore, the charge in the proposed FY 2018 Budget



Blueprint that the “program is not well-targeted to the poorest populations”, may have some merit, but with important caveats which will be discussed later.

**Are the goals of action rationally acceptable? What other goals have been considered?**

The proposed FY 2018 Budget Blueprint has a *goals* premise of “...a savings of \$3 billion from the 2017 CR level” and secondary goals of devolving “...community and economic development activities to the State and local level” and redirecting “...Federal resources to other activities.” Saving money and redirecting money, in and of themselves, are appropriate goals of fiscal administration and public policy. However, serious questions have been raised about the consequences of eliminating the CDBG program which may directly impact the overarching fiscal goal of the proposed FY 2018 Budget Blueprint—getting to 3% gross domestic product, according to Mulvaney’s opening remarks in his March 16, 2017 press conference. Critics have suggested that eliminating the CDBG program would negatively impact the economy. Therefore, the goal of saving \$3 billion by eliminating the CDGB program could, in fact, endanger the goal of 3% growth. Fairclough & Fairclough (2012) address the issue of when certain goals can come into conflict with other goals and when rationality would dictate that these goes should not be pursued if they will threaten the accomplishment of other more important goals. Fairclough & Fairclough write:

It does not follow that an agent ought to do an action A in order to realize a goal unless the action will not damage that goal or other goals that should not be compromised, or unless the action does not have unacceptable costs that outweigh its benefits, and these ‘costs’ should be understood not only in material terms, but in terms of human wellbeing, or as moral costs. The question of which other goals the agent should consider can not only defeat the argument’s validity but also rebut the argument’s claim, by indicating that the agent should not engage in action that compromises other goals that is committed to (or, from the perspective of his critics, goals that he should be committed to, such as other agents’ legitimate goals). (Fairclough & Fairclough 2012: 163)

Hence, if the goal of saving \$3 billion, by eliminating the CDBG program, could in fact threaten the overall goal of the proposed FY 2018 Budget Blueprint of achieving 3% growth, then this particular goal, arguably, is not rationally acceptable, especially since the redirecting of federal resources is largely not for purposes of economic development.

The goal of the proposed FY 2018 Budget Blueprint to devolve "...community and economic development activities to the State and local level" is what the CDBG program was intended for, in the first place. However, the goal of the proposed FY 2018 Budget Blueprint is devolution without the funding for CDBG. Again, this move may negatively impact the economies of States and local governments, which will lead to a negative impact on the national economy and on the goal of achieving 3% growth. Therefore, the goal of saving \$3 billion, by eliminating the CDBG program, is not rationally acceptable, in light of the potential negative impact on the national economy.

**Is the value premise rationally acceptable? Does it actually support the goal and the action?**

In the *values* premise of the argument for eliminating the CDBG program, the proposed FY 2018 Budget Blueprint focuses on the values of *efficiency* and *effectiveness*: "...the program is not well-targeted and has not demonstrated results." In Mulvaney's March 16, 2017 press conference, he made the claim, as part of his *values* premise, that CDBG's are "...just not showing any results" and were therefore not *effective*. To be sure, *efficiency* and *effectiveness* are appropriate values by which to measure government programs and public policy. However, the characterization of CDBG's as not being *efficient* and *effective* has faced significant rebuttal. The letters by the Members of Congress (Members of Congress 2017) and the U.S. Conference of Mayors (U.S. Conference of Mayors 2017), discussed earlier, give ample anecdotal evidence,

along with a 2017 report by the U.S. Conference of Mayors entitled *CDBG Works: How Mayors Put CDBG to Work* (U.S. Conference of Mayors 2017B), to suggest that any wholesale characterization of the CDBG program as inefficient and ineffective is simply inaccurate. Additionally, the CDBG program is such a large program and with such variation, that it has often defied adequate measurement (Theodos et al. 2017; HUD 2020). Furthermore, there is no evidence of inefficiency or ineffectiveness cited in the proposed FY 2018 Budget Blueprint. Mulvaney, in his March 16, 2017 press conference only casually mentions a review of the CDBG program by the George W. Bush Administration without citing any specific evidence beyond assertions of ineffectiveness with regards to the CDBG program. Therefore, the *values* premise set forth in the proposed FY 2018 Budget Blueprint (e.g. the CDBG program is not *efficient* and is not *effective*) and by Mulvaney in his March 16, 2017 press conference (the CDBG program is not *effective*) is not rationally acceptable. Again, *efficiency* and *effectiveness* are appropriate measures, but the case for eliminating the entire CDBG program, for reasons of efficiency and effectiveness, is simply not rationally persuasive when the amount of anecdotal evidence for the *efficiency* and *effectiveness* of the CDBG program is taken into account.

During Mulvaney's March 16, 2017 press conference, a reporter (Reporter# 2) challenges Mulvaney on the values of the proposed FY 2018 Budget Blueprint:

Just to follow up on that, you were talking about the steel worker in Ohio and coal miner in Pennsylvania and so on, but those workers may have an elderly mother who depends on the Meals on Wheels program, who may have kids in heads start and yesterday or the day before, you described this as a hard power budget, but is it also a hard-hearted budget?

In challenging Mulvaney in this way, the reporter (Reporter# 2) is anticipating and countering Mulvaney's juxtaposing of "taxpayers" or "funders" of programs like the CDBG with the "recipients" of the program by pointing out the fact that the taxpayers and recipients could be

one and the same or at least part of the same family. The reporter (Reporter# 2) rounds out his critique of the *values* of the proposed FY 2018 Budget Blueprint with the question, "...you described this as a hard power budget, but is it also a hard-hearted budget?"

Mulvaney responds to the reporter (Reporter# 2), "No, I don't think so. In fact, I think it's probably one of the most compassionate things we can do to actually tell you..." The reporter (Reporter# 2) interrupted Mulvaney with, "You mean cutting programs that help the elderly and kids?" Mulvaney then elaborates the *values* premise of his argument to eliminate the CDBG program:

You're only focusing on half of the equation. Right? You're focusing on recipients of the money. We're trying to focus on both the recipients of the money and the folks who give us the money in the first place. And I think it's fairly compassionate to go to them and say, look, we're not going to ask for your hard earned money anymore. Single mom of two in Detroit, okay, give us your money. We're not going to do that anymore unless we can...guarantee to you that that money is actually be used in a proper function and I think that is about as compassionate as you can get...

The reporter (Reporter# 2) interrupts Mulvaney again with, "...what if she has her kids in Head Start" referring to Mulvaney's example of the "Single mom of two in Detroit".

Mulvaney rejects the characterization of the proposed FY 2018 Budget Blueprint and the plan to eliminate the CDBG program as being "hard-hearted" and instead espouses a *value* of "compassion" by no longer asking taxpayers to support programs that do not show results. So, in a sense, Mulvaney is conflating the value of "compassion" with the value of *effectiveness*. However, Mulvaney does not answer the challenge posed by the reporter (Reporter# 2) that the "taxpayer" and the "recipient" of the CDBG program services could be one and the same person or could be a part of the same family. Accordingly, Mulvaney's conflating the *value* of "compassion" with the *value* of *effectiveness* fails to address the obvious issue of compassion for the people in jeopardy of losing benefits and services due to the potential elimination of the

CDBG program. Therefore, Mulvaney's *values* premise (e.g. *effectiveness* conflated with "compassion") is not rationally persuasive in justifying the elimination of the CDBG program as a normative conclusion. Additionally, the *values* premise of the proposed FY 2018 Budget Blueprint (e.g. *efficiency* and *effectiveness*) is not rationally persuasive in leading to the normative conclusion of eliminating the CDBG program when consideration is given to the significant amount of anecdotal evidence set forth by the letters from the Members of Congress (2017) and the U.S. Conference of Mayors (2017) as well as the report produced by the U.S. Conference of Mayors, *CDBG Works: How Mayors Put CDBG to Work* (U.S. Conference of Mayors 2017B).

**Will the government's strategy actually deliver the goals? Is it *sufficient* in view of the goals?**

Picking up on the previous discussion related to the critical question of "Are the goals of action rationally acceptable", the answer to the question of will the government's strategy, of eliminating the CDBG program, deliver the goal of \$3 billion in savings, the answer is yes, but it may also generate costs in other areas that would impact the economy, therefore possibly diminishing or zeroing out any potential savings. If this is a real possibility, then there is a significant question as to whether the government's strategy will really deliver the sought after \$3 billion savings. So, there is a real doubt as to whether eliminating the CDBG program will be *sufficient* to accomplish \$3 billion in savings and to be able to redirect Federal funds to other activities.

**Is the government's strategy *necessary* in view of the goals? What alternative means should be considered?**

During the FY 2018 Budget hearing of the U.S. Senate, on May 25, 2017, Mulvaney was challenged with respect to whether eliminating the CDBG and other cuts to domestic spending were *necessary*. United States Senator Van Hollen of Maryland charged that rather than seeking to gain revenue through closing tax loopholes for the wealthy, the Trump administration was seeking economic growth through cuts to services and benefits intended for low- and moderate-income Americans. Mulvaney had opened his testimony by telling the Senators that the goal of the proposed FY 2018 Budget was to get to 3% gross domestic product. Senator Van Hollen's remarks demonstrate that he believed the Trump administration was using *means*, to get to a worthwhile *goal*, that were not strictly *necessary*. Fairclough & Fairclough write, "To suggest that there are alternatives is to suggest that the action is not strictly speaking necessary. Other actions could lead to the goal, maybe even more efficiently or more in accordance with the argument's stated values" (2012: 161). Senator Van Hollen's exchange with Mulvaney shows that closing tax loop-holes for high income earners could possibly be more efficient in getting to 3% economic growth than eliminating the CDBG program and, thereby, avoid negatively impacting low- and moderate-income Americans.

**Has the claim stood up to criticism in light of its probable consequences?**

The criticism resulting from the proposed FY 2018 Budget Blueprint was swift and bipartisan. As shown earlier, during Mulvaney's March 16, 2017 press conference, in which he introduced the FY 2018 Budget Blueprint and answered questions, he faced criticism about the proposed elimination of the CDBG program. Several reporters pointed out that eliminating the

CDBG could negatively impact the recipients/beneficiaries of the Meals on Wheels program and after-school programs. When Mulvaney responded that the proposed budget cuts were an attempt to look out for the “taxpayers” or “funders” of the programs and not just the “recipients” of the programs, one reporter pointed out that a taxpayer and the recipient/beneficiary of the CDBG programs could possibly be one and the same person or closely related, therefore, arguing that the very people that Mulvaney claims to be protecting, could in fact be harmed by the elimination of the CDBG program. The letters from the Members of Congress (Members of Congress 2017) and the U.S. Conference of Mayors (U.S. Conference of Mayors 2017) argue how important the CDBG program is and by implication seeks to demonstrate the consequence of eliminating a program that is having such a universally positive impact throughout urban and rural America.

The most poignant criticism of the proposed elimination of the CDBG program focus on the potential consequence of some Meals on Wheels programs losing some or all of their funding. For, it was established, after some confusion about the fact that most of the funding for Meals on Wheels does not come from CDBG, that Meals on Wheels is funded with approximately 3% of the overall CDBG budget of \$3 billion dollars (Mulvaney’s FY 2018 Budget Briefing of the U.S. Senate 2017), which is approximately \$90 million dollars. Nevertheless, the reaction across the nation was significant. Mulvaney’s immediate response was to continue to defend the proposal to eliminate CDBG and such so-called inefficient and ineffective programs such as Meals on Wheels. However, approximately 2 months after the March 16, 2017 press conference, Mulvaney clarified during a U.S. House of Representatives hearing on the proposed FY 2018 Budget that Meals on Wheels would not be cut in the proposed budget for Health and Human Services Department, which is where the majority of Meals on Wheels funding comes from. Nevertheless, the elimination of the CDBG program is still a priority as exemplified in the

proposed budgets for fiscal years 2019, 2020, and 2021 (OMB 2018, 2019, and 2020). Therefore, at least \$90 million, of the \$3 billion in CDBG funding, that goes towards Meals on Wheels could still be in jeopardy as a consequence of Trump's plan to end the CDBG program.

The critical question for this section of the analysis is has the proposal to eliminate the CDBG program persuasively answered the potential consequences that have been pointed out. The answer is no. The potential consequences have not been seriously addressed at all. Other than pointing out that the states and local governments are better suited to work on community and economic development, neither the proposed FY 2018 Budget Blueprint nor Mulvaney has provided any satisfactory answer regarding the potential consequences of eliminating the CDBG program. Mulvaney has only justified the move based on a purported concern for *efficiency*, *effectiveness*, and "compassion" for the funders of the programs and not just the recipients. Therefore, the *claim*, the CDBG program should be eliminated, though still being pursued, has not stood up to criticism in light of its probable consequences.

### **Is the action being revised in the light of feedback and empirical evidence?**

Despite receiving feedback and evidence that the CDBG program is having a positive impact and producing results, Trump's proposed budgets for fiscal years 2019, 2020, and 2021 still seek to eliminate the CDBG program using the same rationale of inefficiency and ineffectiveness.

Regarding the CDBG program, the proposed FY 2019 Budget says:

The Budget also eliminates programs that are duplicative or have failed to demonstrate effectiveness, such as the Community Development Block Grant (CDBG) program, and devolves responsibility for community and economic development to State and local governments that are better equipped to respond to local conditions. (OMB 2018)

The proposed FY 2020 Budget asserts the following:



The Budget also redefines the proper role of the Federal Government by proposing to eliminate programs that have failed to demonstrate effectiveness, such as the Community Development Block Grant (CDBG) program, recognizing that State and local governments are better equipped to address local community and economic development needs. (OMB 2019)

Finally, the proposed FY 2021 argues:

The Administration continues to propose eliminating programs that lack measurable outcomes or are ineffective. The Budget eliminates CDBG, a program that has expended more than \$150 billion since its inception in 1974, but has not demonstrated sufficient impact. Studies have shown that the allocation formula, which has not been updated since 1978, is ineffective at targeting funds to areas of greatest need, and many aspects of the program have become outdated.

Hence, the answer to this critical question is no, the action of eliminating the CDGB program is not being revised in light of feedback and empirical evidence as demonstrated by the proposed budgets for fiscal years 2019, 2020, and 2021. However, a Notice of Funding Announcement (NOFA) was released by the Department of Housing and Urban Development in June of 2020 for the purpose of funding research into the Social and Economic Impacts of the CDBG and HOME Programs (HUD 2020). The NOFA says:

The Research and Evaluation, Demonstrations, and Data Analysis and Utilization program (referred to as "HUDRD") is managed by HUD's Office of Policy Development and Research (PD&R). Through this NOFA, HUD is announcing the availability of up to \$500,000 in FY 2020 funding for research on the various eligible activities supported by the Community Development Block Grant program. The purpose of this project is to develop a better understanding of the effects of specific eligible Community Development Block Grant (CDBG) and/or HOME Investment Partnerships Program (HOME) activities. HUD recognizes that the local discretion allowed by block grant funding and the particular nature of HOME activities makes evaluation of these programs difficult. However, HUD believes that in-depth evaluations and localized case studies would provide insights into the programs' effectiveness. HUD seeks objective, quantifiable outcome measures that can be attributed to activities supported by these programs, in order to inform policymakers at the federal, state, and local levels.

Therefore, additional empirical insight into the effectiveness of the CDBG program might be gained by this NOFA. Nevertheless, this is no guarantee that Trump will decide to forgo eliminating the CDBG program.

**Is the action represented in a rationally persuasive way?**

Fairclough & Fairclough elaborate on this critical question by suggesting the focus of the analysis look at how the claim for action is “framed” (2012: 170). In other words is the action being represented in a way that shows that “...the rightness of the action [is, mine] so beyond doubt or is the arguer merely cleverly evading the burden of proof by presenting it in this way” (171). “Representations,” according to Fairclough & Fairclough, can be strong rhetorically, but at the same time, not be “dialectically acceptable”. Mulvaney’s most impassioned defense or justification of eliminating the CDBG program is to assert that it does not work and to purport to be concerned about working-class taxpayers (“Single mother of two in Detroit”), despite the fact that these same people or their families may in fact depend on the benefits and services funded by the CDBG program. Mulvaney provides no evidence of the CDBG program not working and did not answer the challenge posed to his “taxpayer vs. recipient” dichotomy. Neither does the proposed FY 2018 Budget Blueprint provide any evidence that the CDBG is inefficient or is ineffective—these characterizations are merely asserted. Therefore, the action is not represented in a rationally persuasive way.

### Lay Normativity and Eliminating the CDBG Program

Fairclough & Fairclough (2012), in addition to analyzing and evaluating elite opinion (e.g. policy makers, journalists, economists, academics, etc.), focus on lay opinion (e.g. readers of news articles, bloggers, people on social media platforms, etc.) or *lay normativity*. This section will focus on the values being articulated in a sample of comments written in response to an article about the reaction of Republicans to the proposed FY 2018 Budget. In their *The Washington Post* article “Even Some Republicans Balk at Trump’s Plan for Steep Budget Cuts”, Snell, Paletta, and DeBonis (2017) write:

President Trump’s proposal to cut federal spending by more than \$3.6 trillion over the next decade — including deep reductions for programs that help the poor — faced harsh criticism in Congress on Tuesday, where even many Republicans said the White House had gone too far. While some fiscally conservative lawmakers, particularly in the House, found a lot to praise in Trump’s plan to balance the budget within 10 years, most Republicans flatly rejected the White House proposal. (Snell, Paletta, and Debonis 2017)

This is the general gist of the article written by Snell et al. (2017). Among the readers of this article, there was some support for the funding decreases in the proposed FY 2018 Budget. However, most readers were critical of the proposed decrease in spending.

#### ***Mark1234***

5/24/2017 4:12 PM CDT

Whenever I see these ridiculous budgets I like to think about the difference in the performance of the US economy compared to Great Britain's in 2009 to now. They imposed some extremely strict austerity measures and their economy stagnated. The US spent a trillion or so, gave almost as much in loans (that have been repaid, with interest) to important industries and companies and we had a shallower dip, shorter dip and stronger recovery.

I can compare the US to any other large global economy and see the same results from 2008 to today. More austerity = lower growth. But the Reps just keep telling us they can do magic and it won't be like that THIS TIME!

As you said, they have what they need. That plus greed and personal selfishness explains all I need to know about the GOP's approach to government spending.

Fairclough & Fairclough (2012) note how there is often convergence in *elite* opinion and *lay* opinion. *Mark1234*'s comments about the potential negative impacts of the proposed budget cuts on the overall economy are similar to the concerns raised by the Members of Congress (2017) and the U.S. Conference of Mayors (2017) that the economy would be negatively impacted by the elimination of the CDBG program. *Mark1234* goes on to criticize the “greed” and “personal selfishness” of the “GOP’s approach to government spending” despite the article pointing out that even Republicans are concerned about the proposed budget cuts. Apparently, *Mark1234* sees the proposed FY 2018, despite Republican consternation, in keeping with the general “GOP’s approach to government spending” characterized by “greed” and “personal selfishness”.

***Jrgordonfla***

5/24/2017 2:32 PM CDT

Why can't you be honest? There are NO 'steep' cuts. There is only a decrease in the rate of growth for some programs. Shouldn't we hope that the U.S. economy will grow and create employment for many so that able-bodied people can begin to separate themselves from government dependency? No one who needs temporary assistance from the federal gov't will not continue to receive support under the proposed budget.

*Jrgordonfla*, in response to a reader critical of the proposed FY 2018 Budget, sees the decrease in spending not in terms of cuts—“There are NO ‘steep cuts’, but rather as a “decrease in the rate of growth for some programs”. *Jrgordanfla* agrees with the rationale put forth by Mulvaney and supporters of the Trump budget, that cutting government programs will incentivize people to get back into the workforce. *Jrgordanfla* writes, “...so that able-bodied people can begin to separate themselves from government dependency.” This also fits with Mulvaney’s “taxpayers vs. recipients” dichotomy—if someone is a *recipient* of a government program, by necessity they cannot also be a *taxpayer*. *ShamanX*'s sentiments are similar to

*Jrgordanfla*'s—"...the poor are getting far too much as it is and it's time to trim the fat. At least 35% of them are able-bodied and can work but it's far easier to feast on the freebies."

***Seattlemom***

5/24/2017 11:49 AM CDT

If you have to make "tough choices", stop making tax cuts the answer to all ills. If there is sacrifice to be made, let the rich tighten their belts as well as the middle class and poor. We are all being sacrificed to an idea that has been proven not to work.

*Seattlemom* seems to be calling for fairness regarding budgetary and taxation decisions—"If there is sacrifice to be made, let the rich tighten their belts as well as the middle class and poor." With the comment "...stop making tax cuts the answers to all ills", *Seattlemom* is echoing the sentiment of U.S. Senator Van Hollen who challenged Mulvaney during the U.S. Senate hearing on the proposed FY 2018 Budget for only looking for savings through cuts to government programs, such as those funded through programs like the CDBG, rather than seeking revenue through taxing the wealthy. Finally, *Seattlemom* critiques what is deemed to be the debunked idea of supply-side economics (i.e., economic growth through cutting taxes and reducing regulation)—"We are all being sacrificed to an idea that has been proven not to work."

***BMO600***

5/24/2017 11:48 AM CDT

A lot of what your saying is True. And should be done. But the Republicans find it a lot easier to balance the budget on the strained backs of the working poor and the Elderly. Rather than do it on the backs of their Rich and Ultra Rich donors. They would rather be crucified on a Cross of Gold. Than to do That!

*BMO600* criticizes the Republicans and the proposed FY 2018 Budget for seeking "...to balance the budget on the strained backs of the working poor and the Elderly." In doing so, *BMO600*, contrary to Mulvaney's "taxpayer vs. recipient" dichotomy, sees the proposed FY

2018 Budget as negatively impacted the “working poor”. *BMOC600*’s idea of “the working poor” highlights the possibility that working taxpayers can also be recipients of governmental programs targeted to the poor, thus arguably refuting Mulvaney’s “taxpayer vs. recipient” dichotomy.

***SilverSpringK***

5/24/2017 9:52 AM CDT [Edited]

It's unacceptable for a president and his advisors to submit a budget that makes the life of the poor and working class much harder, when the President and his advisors live in a gilded bubble. When has Trump ever gone out and spent real time with real people. When they weren't serving him dinner.  
Heartless, ignorant, self serving, callous, elitist

*SilverSpringK* sees the proposed FY 2018 Budget as making “...the life of the poor and working class much harder...” Again, this is another reader who refutes Mulvaney’s “taxpayer vs. recipient” dichotomy by identifying a “working class”, therefore, “taxpayers” who will be negatively impacted by Trump’s proposed spending decreases. *SilverSpringK* ends the critique by characterizing “the President and his advisors” as “Heartless, ignorant, self serving, callous, elitist”—significantly value-laden descriptions.

***MsNallyCat***

5/24/2017 9:32 AM CDT

We need to get rid of the "leaders" in this country that sew divisiveness and discord and refocus on the American zeitgeist that we're all in this together and that we support each other - whether we directly benefit or not, because we all DO benefit when all members of our society are healthy.  
American exceptionalism indeed.

*MsNallyCat* calls for getting rid of leaders who promote “divisiveness and discord” and for reaffirming “the American zeitgeist”. This “American zeitgeist” says “...we all Do benefit when all members of our society are healthy”. This sentiment of an ethic of mutuality, “we’re all in

this together and that we support each other,” is set forth as a critique of “divisiveness and discord” sown by the current “leaders” of the country. *MsNallyCat* argues for an alternative “American exceptionalism” and “American zeitgeist” based on an ethic of mutuality. This ethic of mutuality refutes, from a values perspective, Mulvaney’s “taxpayer vs. recipient” dichotomy which is one of the main principles that underlies the proposed FY 2018 Budget.

### **Team Trump**

5/24/2017 8:51 AM CDT

I propose instead of entitlements to place welfare and aid recipients into work camps where they will be utilized to build the wall and improve the roads in exchange for healthcare, food and housing. Those enterprising people who partake of this program will have learned the work skills that enable them to compete in the workplace should they decide to leave the work camps. Our motto at the work camp: If you don't work you don't eat.

*Team Trump* seems to support the budget cuts of the proposed FY 2018 Budget; and sees “welfare and aid recipients” as people who are not working. *Team Trump*’s solution is to place these people in “work camps” so they can work “in exchange for healthcare, food and housing” and appears to quote the Bible, “If you don’t work you don’t eat”—a loose version of 2 Thessalonians 3:10 (“For even when we were with you, we gave this rule: ‘The one who is unwilling to work shall not eat’”, *New International Version*). This is a position not likely unfamiliar to people who are acquainted with biblical teaching. *Team Trump* seems to share Mulvaney’s “taxpayer vs. recipient” dichotomy in which the assumption is made that funders of benefits and services cannot also be recipients of benefits and services. This logic does not consider the reality of the working-class poor—people who are working, paying federal income taxes, and who also may need benefits and services for themselves and for their families.

**Diane Kraft**

5/24/2017 8:46 AM CDT

One man on TV said he can't find a job, so isn't he entitled to government assistance. Sorry but if you really want to work there are job out there, you can get a job a McDonald's, Burger King, Panera, even a garbage man. Yes their not high paying jobs, but you would be bringing something in to contribute to your household. Plenty of people work in restaurants, maybe not as waiters, but there are other jobs. So it gets me mad when someone says give me the money to the government. The welfare system has gotten out of hand in this country.

*Diane Kraft* appears to see the job market, the ability to find a job, in more positive terms than others. Yet, the types of jobs that *Diane Kraft* sees as “bringing something in to contribute to your household” are jobs that typically do not pay a living wage—“Yes their not high paying jobs....” So, even though a person with such a job would be contributing something to their household, basic needs such as healthcare and housing may still be unmet. *Diane Kraft* believes “the welfare system has gotten out of hand in this country” and the solution being set forth seems to be to reduce government spending and to increase workforce participation in low-paying jobs such as “McDonald’s, Burger King, Panera, even a garbage man.”

**TiredLikeH**

5/23/2017 10:59 AM CDT

"anti-poverty programs, including Medicaid, food assistance and health insurance for low-income children."

None of the programs are actually anti-poverty. They haven't raised a single person out of poverty. On the contrary, fear of losing the benefits keeps some people from getting a better job which would be the first step out of poverty.

*TiredLikeH* seems to hold views similar to Mulvaney, that programs being proposed for cuts do not work and the answer is to get rid of assistance programs so that people will be incentivized to go back to work. Also, like Mulvaney, the ineffectiveness charge is all-inclusive—“None of the programs are actually anti-poverty. They haven’t raised a single person



out of poverty.” Furthermore, the assumption is that people using benefits and services are not currently in the workforce. So, like Mulvaney, *TiredLikeH* does not countenance that working people may also need the services and benefits being considered for reduction by the proposed FY 2018 Budget.

These are just a sample of comments from readers of the article by Snell et al. (2017) showing some support for the funding cuts proposed by the FY 2018 Budget. However, most of the comments, of which this is small sample, show readers to be critical of the funding cuts proposed by the FY 2018. Most of the readers see the funding reductions as lacking in empathy for those who will potentially be impacted by the cuts. Moreover, readers generally rejected the supply-side argument for tax cuts for the wealthy. Finally, readers saw a failure to recognize the needs of the working-class poor—people paying their share of federal income taxes and who may also need benefits and services being proposed for funding decreases in the FY 2018 Budget.

### Critical Discourse Analysis and Eliminating the CDBG Program

Critical discourse analysis (CDA) addresses domination, manipulation, and ideologies in discourse (Fairclough & Fairclough 2012: 13). In this section, Fairclough & Fairclough’s (2012) critical discourse analysis element of their political discourse analysis is employed to analyze and critique the proposed FY 2018 Budget Blueprint and OMB Director Mick Mulvaney’s March 16, 2017 press conference dealing with the proposed FY 2018 Budget Blueprint. Searle’s social ontology (Searle 1995, 2010) will also come to bear as it pertains to *status functions* and institutional rationality. Finally, Frederickson’s “Compound Theory of Social Equity” (1998, 2006) will be used to evaluate and critique Trump and his supporter’s emphasis on economic

rationality and values such as *effectiveness* and *efficiency* to the neglect of values such as *social equity*.

### The Proposed FY 2018 Budget Blueprint

The proposed FY 2018 Budget Blueprint calls for the elimination of all funding for the Community Development Block Grant program. The reasons given for defunding the CDBG program are "...the program is not well-targeted to the poorest populations and has not demonstrated results." These reasons have to do with *values* of *efficiency* ("not well-targeted") and with *effectiveness* ("has not demonstrated results"). *Efficiency* and *effectiveness* are well-established values for public policy and public administration. Therefore, whenever these values are marshalled in support of funding or not funding a particular program there is a sense of legitimacy that is given to the argument being made or to the decision being contemplated. The discourse regarding *efficiency* and *effectiveness* has been so "naturalized" (Fairclough & Fairclough 2012: 100-102) in government and in American society that the burden of proof is often on the expenditure being questioned rather than on the actor making the charge of inefficiency or ineffectiveness.

In the case of the proposed FY 2018 Budget Blueprint, the argument is being made that a program which has been in place for more than forty years and which has enjoyed bi-partisan support can be summed up as inefficient and ineffective, and therefore, in need of elimination. However, the argument in the FY 2018 Budget Blueprint does not provide any evidence of inefficiency or ineffectiveness, but only assertions. To be sure, it has been concluded by some that the CDBG program is difficult to measure in terms of efficiency and effectiveness because the funding is used for numerous and varying purposes (Theodos et al. 2017; HUD 2020). Yet,

this is not the equivalence of saying this longstanding program has proven to be inefficient and ineffective.

Using the characterizations of inefficiency and ineffectiveness to describe the CDBG program may be a rhetorically convenient strategy. However, it arguably amounts to a thinly veiled rationalization, because of the lack of evidence, for what many have deemed to be draconian cuts to programs that low- and moderate-income individuals and families depend on. Without citing any convincing evidence of inefficiency and ineffectiveness, Trump's budgets, for his first term, have consistently called for eliminating the CDBG program for these reasons (OMB 2017A, 2018, 2019, and 2020). It is noteworthy, that even Republicans have remained unsupportive of the proposals to eliminate the CDBG program. The reason for this may lie in the fact that there has yet to be any rationally persuasive evidence supplied in support of eliminating the CDBG program. Rather, supporters of the CDBG program, both Democratic and Republican have cited significant anecdotal evidence of CDBG's effectiveness. What is being set forth consistently, in the Trump budgets, are only *rationalizations* for defunding the CDBG program, based on charges of inefficiency and ineffectiveness. Fairclough & Fairclough write the following about rationalization:

One form of manipulation is *rationalization*, a deceptive argument addressed by Audi (2006) from an epistemological perspective. His discussion is compatible both with the pragma-dialectical speech act approach (referred to above), which points to the *sincerity* or *responsibility* condition of speech acts as a *constitutive* rule, as well as with Habermas's (1984) view of sincerity as a *presupposition* of rational discourse. Audi shows on what grounds we may characterize an instance of practical reasoning as a rationalization and why such an argument fails to meet normative criteria for good argumentation. In a rationalization, the reasons that are ostensibly offered in support of a claim are *not* the reasons that support the claim from the viewpoint of the arguer; the arguer believes the claim for *other* reasons. Rationalizations can be fairly good arguments when considered from an outside, third person perspective and without any knowledge of the wider context of argumentation and debate. This is why they can be persuasive and achieve their deceptive intent. Often, the claim can be validly inferred from the premises and, if

the premises are acceptable, the argument will be sound. The problem is epistemic: from the viewpoint of the arguer, the stated premises do not support the claim. The arguer *knows* that his commitment to the claim is based on *other* reasons, on covert reasons. For *him*, the claim is not inferable from the premises, although it might seem to be inferable for an audience. (Fairclough & Fairclough 2012: 96)

Hence, due to the lack of evidence supporting the charge of inefficiency and ineffectiveness, the proposed FY 2018 Budget Blueprint's, and subsequent budgets', citing of these reasons for eliminating the CDBG can be seen as a form of manipulation and rationalization. In fact, it has only been recently that the Trump Administration has called for an empirical study of the CDBG program, along with the HOME program, to ascertain their respective impact (HUD 2020). Therefore, arguably, the real reason for eliminating the CDBG program, irrespective of charges of its inefficiency and ineffectiveness, is to redirect funds to other priorities of the Trump Administration such as defense, homeland security, the border wall for the southwestern region of the United States, and tax cuts for the wealthy.

#### OMB Director Mick Mulvaney's March 16, 2017 Press Conference

During the March 16, 2017 press conference dealing with the proposed FY 2018 Budget Blueprint, Mulvaney engaged in a back and forth dialogue with reporters. One reporter questioned Mulvaney about the proposed cuts to the CDBG program. Mulvaney defended the cuts to CDBG with the same *rationalization* of the proposed FY 2018 Budget Blueprint—the CDBG program is not effective or is "...just not showing any results." Again, this categorical charge of ineffectiveness is not rationally persuasive because there is no serious attempt to provide evidence for the claim, only a casual mentioning of a review performed by the administration of George W. Bush, but nothing more. The assertion of ineffectiveness is a form of manipulation especially given how the rhetoric of management has become *naturalized* to the

point that the primary focus of public policy and public administration is often unreflectively on *efficiency* and *effectiveness*, to the exclusion of all else. For, during the exchange, Mulvaney is understood by many to say that Meals on Wheels may be a good sounding program, but one that is nevertheless ineffective. When asked about whether feeding seniors is a mark of the effectiveness of the Meals on Wheels program, Mulvaney doubles down on the rhetoric of ineffectiveness. Additionally, Mulvaney, during the press conference, when challenged applied the same rhetoric to afterschool food programs for children.

One of the more significant examples of manipulation is Mulvaney's "taxpayers vs. recipients" dichotomy. For it is with this dichotomy that Mulvaney also casts the cuts to the CDBG program in terms of having compassion for taxpayers. Mulvaney's idea of compassion for the taxpayer is framed by making a distinction between the "...recipients of the money and the folks who give us the money in the first place." Compassion, argues Mulvaney, is no longer asking the single mother of two living in Detroit to support, via taxes, ineffective programs like the CDBG program. To be sure, Mulvaney is not proposing to lower the taxes for the single mother of two, but to make sure that her tax dollars are spent only on programs that are deemed to be effective.

Mulvaney's purported concern for taxpayers is a strong maneuver, rhetorically speaking. Russell Berman (2017), in his article titled "The Mick Mulvaney Budget Hits the Hill" quotes Mulvaney, in reference to the proposed FY 2018 Budget:

"This is, I think, the first time in a long time that an administration has written a budget through the eyes of the people who are actually paying the taxes," Mulvaney told reporters on Monday by way of explaining the budget's core philosophy, which he described more succinctly as "Taxpayer First." "Too often in Washington we only look at the recipient side: How does the budget affect either those who receive or don't receive benefits." (Berman 2017)

In American public discourse, the “taxpayer” has been accorded an elevated status. According to Searle’s social ontology (Searle 1995, 2010) and the concept of *status functions*, which are established through *collective intentionality*, *deontic powers* are socially constructed once things or people are given a certain status within *institutional reality*. *Deontic powers* are the rights, privileges, authority, and duties, etc., that flow from some thing or someone having a certain status attributed by society. In this case, “taxpayers” are accorded a certain amount of prestige and respect, at least within discourse. Therefore, Mulvaney’s argument for eliminating the CDBG program to protect taxpayers has some limited rhetorical power, as described by Searle’s social ontology, but not logical or dialectical power.

For, Mulvaney is making a false distinction between “funders” of services and benefits and “recipients” of services and benefits, in absolute terms. For, he neglects to account for the working class poor who may be both funding the services and benefits and relying on them as well, or they may have family members that rely on programs like the ones funded by CDBG’s. Juxtaposing taxpayers vs. recipients of services relies on faulty logic, and it also serves to stigmatize and marginalize people who need the assistance provided by CDBG’s. During the press conference, Mulvaney is pressed on the logical problem with his “taxpayer vs. recipient” dichotomy, yet, he does not provide an answer to this challenge. Therefore, the “taxpayer vs. recipient” dichotomy can be viewed as a form of manipulation that may also serve to dominate and deprive low and moderate income individuals and families.

Furthermore, Mulvaney’s idea of “compassion” is really an argument for *effectiveness*. It is rhetorically convenient but fails to be persuasive. Yet, it is a major element of the philosophy guiding the FY 2018 budgeting process. Mulvaney is basically saying that compassion is being shown for the taxpayer by no longer taking taxpayer dollars to fund programs deemed to be

ineffective. The problem with this logic is that eliminating the CDBG program may in fact hurt the very taxpayers that Mulvaney claims to be protecting or showing compassion towards, especially since CDBG funds are used for numerous services and benefits in urban as well as rural communities, and for low and moderate income individuals and families. For, cutting funding that the “single mother of two, living in Detroit” may, in fact, depend on is not showing “compassion” to her, but in fact could arguably be seen as being callous. Hence, Mulvaney’s rhetoric with respect to “compassion” is a form of manipulation that may have significantly negative consequences for the very people he claims to be working on behalf of.

#### Frederickson’s “Compound Theory of Social Equity” and Eliminating the CDBG Program

The proposed elimination of the Community Development Block Grant program fails the social equity criterion set forth by Frederickson’s “Compound Theory of Social Equity”. For, the CDBG program was meant to address concerns that Frederickson articulates with respect to social equity. By eliminating the CDBG program, the Trump Administration is taking a one-size-fits-all approach to government expenditure in deeming the program inefficient and ineffective. Rather than reforming the program so that it better achieves its stated purpose, the Trump administration seeks to eliminate the entire program and thereby further exacerbating inequities in communities across the U.S.

In response to the Trump Administration’s proposal to eliminate the CDBG program, the U.S. Conference of Mayors put out a report titled *CDBG Works: How Mayors Put CDBG to Work* (U.S. Conference of Mayors 2017B) to illustrate the types of programs and initiatives that have been funded by CDBG. In the “Forward”, the report says:

CDBG is not just another federal program. It is a lifeline to poor neighborhoods that for too long have suffered disinvestment in both their physical infrastructure and their people. This publication, CDBG WORKS, is designed to

illustrate the types of projects CDBG makes possible. CDBG funds housing rehab programs for in-home seniors and those with disabilities, making it possible for them to gain access and stay in their homes. It funds Boys and Girls Clubs to provide youth productive activities as an alternative to the streets. It supports community and social service organizations that provide counseling to victims of domestic violence and those who suffer from homelessness and mental health problems. The list goes on and on.

CDBG also provides long-term funding needed to revitalize communities and to help them build self-sustaining economies. CDBG funds are used for small business and economic development initiatives; neighborhood infrastructure upgrades are made to attract new investment and businesses to low income areas. The program assists in upgrading the existing housing stock of a neighborhood and provides gap financing for low and modern-income housing development. CDBG helps fund neighborhood facilities such as health centers, community centers and parks that build and sustain the social fabric of a neighborhood. All these initiatives and many more provide jobs for those who need them most.

The examples contained herein scratch only the surface of what CDBG does. They are powerful illustrations of how CDBG serves people in need, and helps build their communities in ways that offer opportunity. That is principally why CDBG has enjoyed broad based bipartisan support in Congress over the years. (U.S. Conference of Mayors 2017b)

The report features ninety-five cities across the U.S. and projects which have resulted from the use of funds from the CDBG program. The following illustrate the diverse communities and projects funded by CDBG: case management and supportive services for homeless individuals in Anchorage, AK; resources for individuals and families in emergency/crisis situations in Ashland, KY; renovation and job creation in the downtown business district of Attleboro, MA; housing and social services in Auburn, WA; housing and economic development in Austin, TX; CDBG business development loans in Bangor, MA; Social Services in Beaverton, OR; infrastructure and community development activities in Bellevue, NE; housing in Bethlehem, PA; before and after-school program in Buffalo, NY; fair housing hotline in Charleston, SC; pedestrian improvement project in Charlotte, NC; domestic violence services in Chicago, Illinois; job training program in Cincinnati, OH; homebuyer assistance in Coconut Creek, FL; and heat



assistance and weatherization services in Des Moines, IA. The projects above benefit both rural and urban communities (U.S. Conference of Mayors 2017). Overall, there are twenty-six eligible activity types that can be funded by CDBG dollars (HUD 2020).

The CDBG program is targeted to low- and moderate-income individuals and families who are living at 80% area median income (AMI) or below (50% AMI--very low and 30% AMI—extremely low). For FY 2018, a family of four, living in Anchorage, AK is considered at 80% AMI with an annual income \$71,000. At 50% AMI, the same family would have an annual income of \$49,600 and at 30% AMI, an annual income of \$31,380. In Buffalo, NY, a family of four at 80% AMI would have an annual income of \$59,750. The same family at 50% AMI would have an annual income of \$37,350 and at 30% AMI, an annual income of \$25,100. Both of these municipalities receive CDBG dollars and both are serving low to moderate income individuals and families. Yet, there are distinct differences in the circumstances and needs of each respective community. The rationale undergirding the CDBG program is to allow for local communities, as different as Anchorage, AK and Buffalo, NY, to plan and meet the varying needs of residents in these communities. Oscar Perry Abello (2017), in his article titled “CDBGs Lack Star Power, With Biggest Impact Often Hidden” writes:

“It's [CDBG, *mine*] based on this fundamental idea that cities are different and towns are different and states are different,” says John Griffith, national director for state and local policy at Enterprise Community Partners. “Providing a source of funding that has broad mandates is particularly useful.” (Abello 2017)

In Anchorage, AK, CDBG funds are used at Safe Harbor Sitka Place and Safe Harbor Muldoon to provide case management and supportive services to homeless individuals with a disability and to families, which includes someone with a disability. The program aims to provide fifty-five individuals and families with resources in order to maintain stable housing. In

Buffalo, NY, CDBG funds are used at The Belle Center on the West Side of Buffalo, to provide before and after-school programs for children K-8 so that their parents can go to work. Activities include homework help, math and English language arts tutoring, exercise and creative arts instruction (U.S. Conference of Mayors 2017: 9 &18). These programs and services are benefitting low- and moderate-income individuals and families and are overseen by state and local policymakers and members of the respective communities. To be sure, CDBG can be improved, however, it is one of the federal government's most enduring and broadly supported attempts to address the issue of social equity with regards to the basic necessities of the working-class and poor.

In Frederickson's "Compound Theory of Social Equity", he is attempting establish *social equity* as a value of public policy and public administration which will be on par with the values of *efficiency* and *effectiveness*. Frederickson notes that historically government policy and programs have been measured in terms of *efficiency* and *effectiveness*. Frederickson offers a corrective to the emphasis on *efficiency* and *effectiveness*, by asking the questions: for *whom* is a particular policy or program efficient and for *whom* is a policy or program effective? By asking these questions, Frederickson is pushing the focus from being on the needs of the policy maker or administrator to focusing on the recipients of the benefit or service. In doing so, Frederickson is forcing the analysis and evaluation of policies and programs to consider social equity and not only efficiency and effectiveness.

Additionally, Frederickson's "Compound Theory of Social Equity" calls for an analysis of social equity or equality that takes into account the varying ways questions of equality come into play. For Frederickson, who builds on the work of Rae et al. (1981), equality is not just one thing but many things. Frederickson uses as analytical categories the following variations or construal

of equality to set forth his “Compound Theory of Social Equality”: 1. Simple individual equalities, 2. Segmented equality, 3. Block equalities, 4. Domain of equality, and 5. Equalities of opportunity. Arguably, the local planning process required for CDBG recipient states and municipalities (i.e. the Consolidated Plan) takes these different types of equalities into consideration. According to HUD:

The Consolidated Plan is designed to help states and local jurisdictions to assess their affordable housing and community development needs and market conditions, and to make data-driven, place-based investment decisions. The consolidated planning process serves as the framework for a community-wide dialogue to identify housing and community development priorities that align and focus funding from the CPD formula block grant programs: Community Development Block Grant (CDBG) Program....The Consolidated Plan is carried out through Annual Action Plans, which provide a concise summary of the actions, activities, and the specific federal and non-federal resources that will be used each year to address the priority needs and specific goals identified by the Consolidated Local Plan. Grantees report on accomplishments and progress toward Consolidated Plan goals in the Consolidated Annual Performance and Evaluation Report (Department of Housing and Development 2020)

States and local jurisdictions receiving CDBG funds are required to make certain “certifications” when submitting their Consolidated Plan. These “certifications” include: affirmatively furthering fair housing, anti-displacement and relocation plan, citizen participation, local needs identification, community development plan, use of funds, excessive force, compliance with Anti-discrimination laws, and lead-based paint requirement. States and local jurisdictions receiving CDBG funds make these required certifications which enshrine additional protections and provision for low and moderate income individuals and families. These are measures that give the force of federal law to matters of social equity. Eliminating the CDBG program would not only deprive communities of funding for housing, social services, and community and economic development, but would also, arguably, remove or weaken meaningful federal protections for low- and moderate-income residents of the community.

### Affirmatively Furthering Fair Housing

States and local jurisdictions receiving CDBG funds are required to certify a commitment to Affirmatively Further Fair Housing, as a part of the Consolidated Plan submission. According to The National Fair Housing Alliance:

The Fair Housing Act has two goals: to end housing discrimination and to promote diverse, inclusive communities. The second goal is referred to as Affirmatively Furthering Fair Housing (AFFH), and it embodies our strongly-held American values of fair access and equal opportunity.

Diverse, inclusive communities with access to good jobs, schools, health care, transportation, and housing are crucial to our nation's prosperity in the 21st century. A hard-learned lesson from the recent economic crisis is that when some of our communities are targeted for discriminatory practices, all of our communities are harmed. Our global competitiveness is challenged when all of our communities do not have the opportunity to succeed together.

The Affirmatively Furthering Fair Housing provision was part of the Fair Housing Act when it was passed by Congress in 1968. Through that provision, Congress directed HUD to make sure that neither the agency itself, nor the cities, counties, states and public housing agencies it funds, discriminate in their programs. Further, Congress intended that HUD programs be used to expand housing choices and help make all neighborhoods places of opportunity, providing their residents with access to the community assets and resources they need to flourish. Unfortunately, too many jurisdictions have taken HUD funds but failed to fulfill their AFFH obligations. And for most of the 50 years since the passage of the Fair Housing Act, HUD has done little to correct this problem. In recent years, HUD increased oversight of its grantees' fair housing compliance, and took steps to give them better tools to ensure they are connecting all of their residents to opportunity, regardless of race, color, religion, national origin, sex, family status or disability. (National Fair Housing Alliance)

The National Fair Housing Alliance sees the goals and values undergirding The Fair Housing Act and the commitment to Affirmatively Further Fair Housing (AFFH) as essential to thriving communities and a strong American economy. Additionally, key protections and benefits are included in AFFH to protect all of a State's or local jurisdictions residents from discrimination "regardless of race, color, national origin, sex, family status or disability". The 2015 AFFH

Rule, as described in “HUD Notice—Affirmative Furthering Fair Housing in the CDBG Program,” seeks to strengthen HUD’s and program participants (States and local jurisdictions) ability “...to promote access to community assets such as quality education, employment, and transportation” (HUD 2015).

In applying Frederickson’s “Compound Theory of Social Equity” to the requirement for CDBG recipient States and local jurisdictions to Affirmatively Further Fair Housing, particularly with respect to the 2015 AFFH Rule, the goal being sought is to ensure *prospect equality of opportunity* (Frederickson 1990: 231) or “to promote access to community assets such as quality education, employment, and transportation” for all persons, ensuring *simple individual equality*, “regardless of race, color, religion, national origin, sex, family status, and disability”. Hence, not only are CDGB recipient States and local jurisdictions required, in their housing development activities, to create housing that is safe, decent, and affordable, they are required to combat the lingering effects of segregation by connecting all residents to “quality education, employment, and transportation.”

Eliminating the CDBG program, as President Trump has sought to do in all of his proposed budgets (OMB 2017a, 2018, 2019, and 2020), would not only take away funding for housing and community development, but it would also remove the Federal requirement, in the AFFH rule, for States and local jurisdictions, including housing authorities, to ensure opportunity and access for all residents to safe, decent, and affordable housing, quality education, employment, and transportation. This would leave States and local jurisdictions to figure out how to replace the lost \$3 billion in CDBG funds and to also figure out how to deal with the resulting lack of opportunity and access to valuable community assets—housing, education, employment, and transportation, without the benefit of HUD’s Consolidated Plan process and the AFFH rule.

Ultimately, this would be a significant diminishment to *social equity*, all in the name of Trump’s pursuit of *efficiency* and *effectiveness*. Jeff Andrews, in his article titled “Trump’s budget guts affordable housing during an affordable housing shortage” writes the following in response to Trump’s proposed FY 2019 Budget and the continuing plan to eliminate the CDBG program:

These cuts, should they become law, would domino throughout the affordable housing market. The enforcement of the Fair Housing Act of 1968, which bars discrimination on the basis of race, gender, color, or creed in housing, is often tied to CDBG funding. If the housing authority wants the money, they have to ensure that its housing policies don’t discriminate or they don’t get the money. For example, the Affirmatively Furthering Fair Housing (AFFH) rule, a delayed Obama-era policy that mandates local housing authorities identify policies that lead to housing segregation, would withhold CDBG funding if a housing authority doesn’t comply. If the CDBG program is eliminated entirely, there’s nothing to enforce the AFFH rule. (Andrews 2018: 3-4)

### Citizen Participation

State and local jurisdictions, receiving CDBG funds, are required to “certify” adherence to a “detailed citizen participation plan” (Certification form for States and Entitlement Communities or local jurisdictions). According to HUD, the primary goal of the Citizen Participation Plan is “...to provide citizens—especially low and moderate income citizens of the community where CDBG-funded activities will take place—an opportunity to participate in an advisory role in the planning, implementation, and assessment of the programs and projects” (*CDBG Citizen Participation for Grant Administrators* [www.hudexchange.info](http://www.hudexchange.info)). The Federal rule, 24 CFR Section 91.105(a)(2)(i) *Encouragement of citizen participation* prescribes the following:

The citizen participation plan must provide for and encourage citizens to participate in the development of the consolidated plan, any substantial amendment to the consolidated plan, and the performance report. These requirements are designed especially to encourage participation by low- and moderate-income persons, particularly those persons living in areas designated by the jurisdiction as a revitalization area or in a slum and blighted areas and in areas where CDBG funds are proposed to be used, and be residents of predominantly

low- and moderate-income neighborhoods, as defined by the jurisdiction. A jurisdiction must take appropriate actions to encourage the participation of all its citizens, including minorities and non-English speaking persons...as well as persons with disabilities (24 CFR Section 91.105(a)(2)(i))

Hence, the CDBG program is concerned not only with the provision of benefits, services, and housing for low- and moderate-income individuals and families, but also seeks the full participation all citizens in the “planning, implementation, and assessment of the programs and projects” funded by CDBG (HUD).

The citizen participation requirement for States and local jurisdictions receiving CDBG funds seeks to involve all affected citizens in the governance process with respect to fundamental benefits and services required for human flourishing and social equity. In addition to providing needed benefits, services, and housing low- and moderate-income individuals and families, the CDBG program promotes social equity by requiring States and local jurisdictions to actively involve the input of all citizens. According to Frederickson:

Social equity emphasizes equality in government services. Social equity emphasizes responsibility for decisions and program implementation for public managers. Social equity emphasizes change in public management. Social equity emphasizes responsiveness to the needs of citizens rather than the needs of public organizations. (Frederickson 1990: 228)

Arguably, the CDBG program, particularly with its detailed citizen participation requirement, adheres significantly to the underlying principles of Frederickson’s “Compound Theory of Social Equity”. Eliminating the CDBG program would not only have a significantly negative impact on benefits, services, and housing for low- and moderate-income individuals and families, but gains for social equity and democratic governance may be seriously threatened.

Trump’s plan, in all of the proposed budgets, to eliminate the CDBG program, ostensibly in the pursuit of *efficiency* and *effectiveness* has been seriously questioned and rejected by Democrats *and* Republicans. Additionally, eliminating the CDBG program with its Consolidated

Plan, Affirmatively Furthering Fair Housing, and Citizen Participation requirements would arguably, undermine social equity. Therefore, the plan to eliminate CDBG fails to be convincing when considering all three values of public administration—*efficiency, effectiveness, and social equity*.

### Conclusion

This chapter aimed to apply Fairclough & Fairclough's (2012) political discourse analysis methodology to President Trump's longstanding proposal to eliminate the Community Development Block Grant program (see Table 5.1). Applying *argumentation theory* and *critical discourse analysis* to the proposed FY 2018 Budget Blueprint and to OMB Director Mick Mulvaney's March 16, 2017 press conference provides a rigorous evaluation of the key arguments for Trump's proposal to end the CDBG program.

In evaluating the *circumstances* premises for ending the CDBG program, the following questions were posed: *Is the existing situation described in a rationally acceptable way? Is the context of action defined in a rationally persuasive way? Are the causes of the crisis/situation represented in a rationally persuasive way?* Both of the *circumstances* premises of the proposed FY 2018 Budget Blueprint and the one argued in Mulvaney's March 16, 2017 press conference assert that, despite the CDBG program being in operation since 1974 and \$150 billion dollars having been spent, the program is inefficient and ineffective. However, when considering the bi-partisan letter from Members of Congress (Members of Congress 2017), the bi-partisan letter from the U.S. Conference of Mayors (U.S. Conference of Mayors 2017a), the report of the U.S. Conference Mayors (U.S. Conference of Mayors 2017b), and the report by Theodos et al. (2017), all attesting to the efficiency and effectiveness of the CDBG program, the existing situation



regarding the CDBG program, as described in the proposed FY 2018 Budget Blueprint and by Mulvaney in his March 16, 2017 press conference, is not being described in a rationally acceptable way. The categorical assessment in the proposed FY 2018 Budget and in Mulvaney's March 16, 2017 press conference that the CDBG program has had no positive impact and has not functioned, in any way, as intended, is not rationally persuasive.

In evaluating the *goals* premises for ending the CDBG program, the following questions were posed: *Are the goals of action rationally acceptable? What other goals have been considered?* The goals sought in the proposed FY 2018 Budget Blueprint, by the elimination of the CDBG program are: saving \$3 billion dollars, reallocating the \$3 billion to other priorities, and devolving community and economic development to States and local governments. The ultimate goal of the proposed FY 2018 Budget, according to Mulvaney, is to achieve 3% economic growth. No additional goals, associated with eliminating the CDBG program, are considered by the Trump administration. In contemplating the potential results of losing the \$3 billion in CDBG funds, the bi-partisan letter from the Members of Congress (2017) and the bi-partisan letter from the U.S. Conference of Mayors (2017A) argue persuasively the economic impact that CDBG is making across the United States. Eliminating the CDBG program would arguably hurt the economies of States and local governments, as well as the national economy. States and local governments would have \$3 billion dollars less for community and economic development. Furthermore, though fiscal adjustments in terms of reductions and reallocations can be rational policies in certain circumstances, such a significant policy of eliminating the CDBG program could have devastating effects on the national economy, may diminish any realized savings by creating significant costs elsewhere, and imperil the ultimate goal of

achieving 3% economic growth. Therefore, the goals being pursued by eliminating the CDBG program are not rationally acceptable.

In evaluating the *values* premises for ending the CDBG program, the following questions were posed: *Is the value premise rationally acceptable? Does it actually support the goal and the action?* The values premise asserted in the proposed FY 2018 Budget Blueprint and in Mulvaney's remarks in his March 16, 2017 press conference include the values of *efficiency* and *effectiveness*. To be sure, *efficiency* and *effectiveness* are appropriate values for public policy and public administration. However, there is no convincing evidence in the proposed FY 2018 Budget Blueprint or in Mulvaney's remarks during the March 16, 2017 press conference to sustain the charge of inefficiency or ineffectiveness with regards to the CDBG program. Additionally, the bi-partisan letter from Members of Congress (2017) and the bi-partisan letter from the U.S. Conference of Mayors (2017a) along with the report from the U.S. Conference of Mayors (2017b) and Theodos, et al. (2017), the CDBG program is asserted to be significantly *efficient* and *effective* in bringing benefits, services, and housing to urban and rural communities across the United States. Therefore, the *values* premise, which includes efficiency and effectiveness, asserted by the proposed FY 2018 Budget Blueprint and in Mulvaney's comments during the March 16, 2017 press conference are not rationally persuasive.

Mulvaney, in his March 16, 2017 press conference and in his appearances before congress, with respect to the proposed FY 2018 Budget, argues for a type of "compassion" which is really a different way to argue for *effectiveness*. Mulvaney's argument, in sum, says in order to show compassion for the funders of the benefits and services or taxpayers, the Trump administration will no longer seek funding for programs that do not show results, such as the CDBG program. Yet, Mulvaney's "taxpayer vs. recipients" dichotomy was rejected by a reporter (Reporter# 2)

who pointed out that “taxpayers” and “recipients” of the benefits and services through the CDBG program could potentially be one and the same. Mulvaney did not provide a satisfactory answer to the reporter’s challenge to the “taxpayer vs. recipients” dichotomy. Therefore, Mulvaney’s “compassion”, conflated with *effectiveness*, is not dialectically acceptable and does not actually support the *goal* or *claim* for eliminating the CDBG program.

For the purpose of evaluating the *means-goal* premises for ending the CDBG program, the following questions were posed: *Will the government’s strategy actually deliver the goals? It is sufficient in view of the goals? Is the government’s strategy necessary in view of the goals? What alternative means should be considered?* The primary goal for eliminating the CDBG program, according to the proposed FY 2018 Budget Blueprint, is to achieve a savings of \$3 billion dollars. The ultimate goal of the proposed FY 2018 Budget, according to Mulvaney, is to achieve an economic growth rate of 3% gross domestic product. Significant questions are raised about the sufficiency of eliminating the CDBG program to achieve the economic goals, when in fact, such a policy could have significantly negative impacts on State and local economies as well as the national economy. Therefore, the Trump administration has not demonstrated, persuasively, that eliminating the CDBG program is a *sufficient* strategy for achieving its economic goals.

With respect to the *necessity* of eliminating the CDBG program to achieve its economic goals, the Trump administration has not satisfactorily argued that there is no alternative to eliminating the CDBG. Therefore, the necessity criterion has not been met or argued in a dialectically acceptable way. For, during the U.S. Senate hearing for the proposed FY 2018 Budget, Chris Van Hollen, the U.S. Senator from Maryland, challenged Mulvaney on the significant funding increases by pointing out that the savings sought were done so without consideration of raising revenue by taxing the wealthy. Mulvaney did not adequately refute the

alternative posed by Van Hollen. Therefore, the *necessity* of eliminating the CDBG has not been persuasively established.

To evaluate the dialectical acceptability of the *claim* for action, eliminating the CDBG program, the following critical question was addressed: *Has the claim stood up to criticism in light of its probable consequences?* Fairclough & Fairclough (2012) maintain that dialectical persuasiveness is a normative feature of practical arguments. That is, practical arguments should not merely deal with reasons for action, they should primarily consider reasons for not acting on a particular decision or policy (2012: 132). During the March 16, 2017 press conference, Mulvaney was confronted with the potential negative consequences for eliminating the CDBG program—programs such as Meals on Wheels and afterschool programs may be in jeopardy of losing funding. Rather than addressing these negative consequences with plans or strategies for their mitigation, Mulvaney mostly defended the elimination of such programs by charging them with being ineffective. Despite the letter from Members of Congress (2017) and the letter from the U.S. Conference of Mayors (2017a) citing the importance of the CDBG program for urban and rural communities across the U.S., there has been no rationally persuasive or dialectically acceptable arguments on the part of the Trump administration for its continued pursuit of eliminating the CDBG program. Therefore, the claim for eliminating the CDBG program has not adequately stood up to criticism in light of its probable consequences. According to Fairclough & Fairclough (2012: 63-64), persuasively arguing the point of potential negative consequences for a proposal can be the strongest method for defeating an argument. To date, the Trump administration has not adequately answered the potential negative consequences of eliminating the CDBG program, therefore it does not pass the test of critical reasonableness in its continued

efforts to eliminate the program, notwithstanding the persistent charges of its inefficiency and ineffectiveness.

To gauge the Trump administration's adherence to critical reasonableness regarding its proposal to eliminate the CDBG program, the following question is examined: *Is the action being revised in the light of feedback and empirical evidence?* Though ample evidence has been set forth, at least anecdotally, for the effectiveness of the CDBG program, President Trump continues to seek the elimination of the CDBG program in the budgets for fiscal years 2019, 2020, and 2021 (OMB 2018, 2019, and 2020). The elimination of the CDBG program continues to be a strategy of the Trump administration, despite its recent Notice of Funding Application (NOFA) seeking applications from academic institutions to study the impacts of the CDBG program (HUD 2020). Hence the *claim* for action is not being revised in light of feedback and empirical evidence.

In order to determine the overall *logical* and *dialectical* character of the argument for eliminating the CDBG program, the following question is posed: *Is the action represented in a rationally persuasive way?* Another way of getting at this question is to ask how is the argument being framed? Overall, the argument to eliminate the CDBG program employs rhetoric rather than *logic* and *dialectic*. Assertions are made about the inefficiency and ineffectiveness of the CDBG program, yet without any persuasive evidence to substantiate these charges. The rhetoric of the "taxpayer vs. recipient" dichotomy posed by Mulvaney gets refuted in real-time during Mulvaney's March 16, 2017 press conference. In not effectively answering the challenge to his defense of cutting the CDBG program in order to protect or show compassion to taxpayers, Mulvaney fails to address the potential negative consequences of eliminating the CDBG

program. Therefore, the *claim* for action, to eliminate the CDBG program, is not represented or framed in a rationally persuasive way.

Table 5.1 Argument Evaluation Matrix: Community Development Block Grant

<b>Critical Question(s)</b>	<b>Answer(s)</b>	<b>Research Question(s)</b>
<b>Is the existing situation described in a rationally acceptable way? Is the context of action defined in a rationally acceptable way? Are the causes of the crisis/situation represented in a rationally persuasive way? (<i>Circumstances Premise</i>)</b>	No	Do the New Public Management arguments supporting Trump's policies withstand critical evaluation?
<b>Are the goals of action rationally acceptable? What other goals have been considered? (<i>Goals Premise</i>)</b>	No No other goals have been considered	Do the New Public Management arguments supporting Trump's policies withstand critical evaluation?
<b>Is the value premise rationally acceptable? Does it actually support the goal and the action? (<i>Values Premise</i>)</b>	No	Do the New Public Management arguments supporting Trump's policies withstand critical evaluation? Do the New Public Management values espoused by President Trump and his key policy advocates differ from traditional values of democratic governance?
<b>Will the government's strategy actually deliver the goals? Is it sufficient in view of the goals? (<i>Means-Goal Premise</i>)</b>	No	Do the New Public Management arguments supporting Trump's policies withstand critical evaluation?
<b>Is the government's strategy necessary in view of the goals? What alternative means should be considered? (<i>Means-Goal Premise</i>)</b>	No	Do the New Public Management arguments supporting Trump's policies withstand critical evaluation?
<b>Has the claim stood up to criticism in light of its probably consequences? (<i>Claim for Action</i>)</b>	No	Do the New Public Management arguments supporting Trump's policies withstand critical evaluation?
<b>Is the action being revised in light of feedback and empirical evidence? (<i>Claim for Action</i>)</b>	No	Do the New Public Management arguments supporting Trump's policies withstand critical evaluation?
<b>Is the action represented in a rationally persuasive way? (<i>Claim for Action</i>)</b>	No	Do the New Public Management arguments supporting Trump's policies withstand critical evaluation?

In the brief analysis of *lay opinion*, there is significant skepticism about the funding decreases in the proposed FY 2018 Budget among the general public that matches that of elite opinion. In the comments responding to the article by Snell et al. (2017), there is *some* support for the funding decreases in the proposed FY 2018 Budget, however most commenters express some form of consternation about the proposed funding decreases. Those supporting the funding cuts do so out of concern for everyone pulling their weight. However, most commenters see the funding cuts as an injustice in that the proposed FY 2018 Budget seeks to defund or eliminate programs that benefit low- and moderate-income individuals and families while giving tax cuts to the wealthy.

*Critical discourse analysis* shows that the argument for eliminating the CDBG program employs rhetoric based on a “taxpayer vs. recipient” dichotomy which does not accord with logical and dialectical normativity. Rather, the argument for eliminating the CDBG program consists of rationalization viz a viz the purported inefficiency and ineffectiveness of CDBG, which results in a manipulative use of *naturalized* managerial and business rhetoric in order to dominate and stigmatize the low- and moderate-income individuals and families depending on the CDBG funding.

Bringing Frederickson’s “Compound Theory of Social Equity” into the analysis of the proposal to eliminate the CDBG program shows that the CDBG program accords with the underlying principles that Frederickson is advocating. The CDBG program was created to provide funding for community and economic development efforts undertaken by and for local communities. The block grant was a devolution of a federal initiative to States and local jurisdictions. The CDBG program has numerous uses and benefits all low- and moderate-income residents living in urban and rural communities. The States and local jurisdictions receiving



CDBG funds are required to proactively address discrimination and segregation as well develop housing connected to quality education, employment, and transportation. There is a robust citizen participation element to CDBG. Hence, it is one of the federal programs that significantly seeks to address concerns of *social equity* as articulated by Frederickson's "Compound Theory of Social Equity". This makes it all the more morally suspect of the Trump administration to seek to eliminate such a far-reaching program, in terms of *social equity*, ostensibly in the pursuit of *efficiency* and *effectiveness*.

## CHAPTER SIX

### FINDINGS

This dissertation sought to use Fairclough & Fairclough's (2012) political discourse analysis method to answer the following questions: Do the New Public Management arguments supporting Trump's policies withstand critical evaluation? Do the New Public Management values espoused by President Trump and his key policy advocates, in pursuit of Trump's policy objectives, differ from traditional democratic values. Overall, the aim has been to explore whether Trumpism is an extreme and/or distorted application of New Public Management.

#### Results

In Chapter Four, this dissertation sought to apply Fairclough & Fairclough's (2012) political discourse analysis method to President Trump's proposed merit-based immigration policy and the RAISE Act. Applying *argumentation theory* and *critical discourse analysis* to the arguments for merit-based immigration asserted in the proposed FY 2018 Budget and by President Trump, Senator Cotton, and Senator Perdue in their support of the RAISE Act, offers a systematic and rigorous analytical treatment of one of the most significant policies of the Trump administration.

In evaluating the *circumstances* premises for implementing merit-based immigration, the following questions were posed: *Is the existing situation described in a rationally acceptable way? Is the context of action defined in a rationally persuasive way? Are the causes of the crisis/situation represented in a rationally persuasive way?* The proposed FY 2018 Budget's circumstances premise argued that under the current immigration policy, most people living in the U.S. and coming into the U.S. are low-skilled, apt to work low-wage jobs, and be dependent

on welfare. President Trump, Senator Cotton, and Senator Perdue, in their arguments in support of the RAISE Act, made similar arguments about the current U.S. immigration policy—immigrants harm American workers, immigrants harm the economy, and immigrants are dependent on welfare. Blau & Mackie (2017), in their National Academy Sciences (NAS) report titled *The Economic and Fiscal Consequences of Immigration*, conducted a rigorous analysis of current immigration policy. Blau & Mackie (2017) found on the whole, immigrants have a positive impact on the American economy, are not threatening the jobs of Americans, and are paying more into the system, than they are taking out of the system. In fact, the only time that immigrants are taking out more of the system than what they are paying in is when they are school-aged, attending school, and not working, and this impacts *local* governments, not the *federal* government. However, when these same school-aged children become adults, they pay into the system more than they take out of the system over most of the 75-year period which Blau & Mackie (2017) projected for. Therefore, the proposed FY 2018 Budget, President Trump, Senator Cotton, and Senator Perdue, arguably, are not describing the current situation, with respect to the U.S. immigration policy, in a rationally persuasive way.

In evaluating the *goals* premises for implementing merit-based immigration, the following questions were posed: *Are the goals of action rationally acceptable? What other goals have been considered?* The goals premise argued in the proposed FY 2018 Budget included primarily reducing welfare payments to low-skilled immigrants. President Trump, Senator Cotton, and Senator Perdue included the reduction of welfare to low-skilled immigrants as a goal along with protecting American workers and the U.S. economy. Again, these goals would be considered reasonable if they were tied to the current reality of the U.S. immigration system. The facts about immigrant educational attainment, financial achievement, and the 5-year prohibition, already in

law as enacted by President Clinton, for immigrants receiving welfare, negate the need for a policy to address these. Blau & Mackie (2012) and the 2012 U.S. Census Report (U.S. Census Bureau 2012), cited by the proposed FY 2018 Budget, demonstrate that immigrants are doing significantly better economically than what the proposed FY 2018 Budget, President Trump, Senator Cotton, and Senator Perdue argue. Trump and his allies advocate for goals which do not fit the current situation with respect to immigration in the U.S. Therefore, the goals articulated in the proposed FY 2018 Budget and by President Trump, Senator Cotton, and Senator Perdue with respect to the RAISE Act, are not rationally acceptable. Furthermore, because immigration policy currently pursued by President Trump is tied to a false narrative and anti-immigrant ideology, no other goals have been pursued during his administration. Merit-based immigration is still the primary strategy for President Trump's *legal* immigration policy. The most recent version of the RAISE Act was introduced into Congress in 2019.

In evaluating the *values* premises for enacting merit-based immigration, the following questions were posed: *Is the value premise rationally acceptable? Does it actually support the goal and the action?* The proposed FY 2018 Budget includes *efficiency* and *effectiveness* as *values* supporting the argument for merit-based immigration. President Trump, Senator Cotton, and Senator Perdue cite fairness, compassion, and economic rationality among the values supporting their arguments in support of the RAISE Act. All of these values are praiseworthy when considered in the abstract. However, when examined in light of the arguments to implement merit-based immigration, these values do not meet the test of rational acceptability due to an inaccurate portrayal of the current U.S. immigration system.

The proposed FY 2018 Budget argues for *efficiency* and *effectiveness* as values supporting merit-based immigration. President Trump, Senator Cotton, and Senator Perdue, similarly, argue

for values within a framework of economic rationality—merit-based immigration will be good for American workers and for the economy. However, economists roundly criticized Trump’s plan to cut immigration in half by implementing merit-based immigration via the RAISE Act. The critique from economic experts says, in sum, merit-based immigration will negatively impact the American economy and the U.S. workforce. Therefore, the economic rationality employed by the proposed FY 2018 Budget, President Trump, Senator Cotton, and Senator Perdue is not *rationally* and *dialectically* acceptable.

Lastly, President Trump, Senator Cotton, and Senator Perdue claim to be concerned with *fairness* and *compassion* towards American workers. President Trump and Senator Perdue even argue that merit-based immigration is undergirded by *compassion* for immigrants living in America and those seeking to enter America. These *values* premises are not rationally persuasive because the current U.S. immigration is not negatively impacting American workers or immigrants living in the U.S. (Blau & Mackie 2017). Moreover, critics have argued that merit-based immigration would negatively impact those seeking to enter the U.S. and is contrary to traditional American democratic values and attitudes towards immigrants.

For the purpose of evaluating the *means-goal* premises for adopting merit-based immigration, the following questions were posed: *Will the government’s strategy actually deliver the goals? Is it sufficient in view of the goals? Is the government’s strategy necessary in view of the goals? What alternative means should be considered?* The proposed FY 2018 Budget argues, in the *means-goal* premise, for implementing merit-based immigration in order to reduce welfare payments to low-skilled immigrants. Similarly, President Trump, Senator Cotton, and Senator Perdue seek to reduce welfare payments to low-skilled immigrants along with protecting American workers and growing the economy, by passing the RAISE Act. Because these are not

rational goals, sought by Trump and his allies, when evaluated against the realities of the current immigration--immigrants are not, by and large, dependent on welfare, are not threatening Americans, and are not hurting the economy (Blau & Mackie 2017; Holtz-Eakin et al. 2017), the *means-goal* or strategy of pursuing merit-based immigration is neither *necessary* nor *sufficient*.

The *goals* as argued by the proposed FY 2018 and by President Trump, Senator Cotton, and Senator Perdue in support of the RAISE Act are not tied to the real needs of the American people with respect to the current immigration system. Immigrants are not, by and large, using welfare. Nor are they hurting the American economy or threatening the jobs of U.S. workers (Blau & Mackie 2017; Holtz-Eakin et al. 2017). Therefore, the *goals* articulated are not rational, which make the *means-goal* or strategy of implementing merit-based immigration irrational. Arguably, new *goals*, with respect to legal immigration policy, should be sought which would necessitate new *means* for achieving the *goals*. However, it remains the policy of the President Trump and some of his Republican allies to pass the RAISE Act and thereby implement merit-based immigration.

To evaluate the *dialectical* acceptability of the *claim* for action, enacting merit-based immigration, the following critical question was addressed: *Has the claim stood up to criticism in light of its probable consequences?* Numerous critics responded to President Trump, Senator Cotton, and Senator Perdue's advocating the passage of the RAISE Act. These criticisms included potential damage to the U.S. economy, harm to U.S. workers, negative impact on certain industries, discriminating against certain groups of people, etc. These criticisms have not been persuasively answered by President Trump, Senator Cotton, and Senator Perdue. Therefore, the *claim* for action, to implement merit-based immigration via the RAISE Act, has not stood up to criticism in light of its probably consequences and there is not *dialectically* acceptable.

To gauge the Trump administration's adherence to critical reasonableness regarding its proposal to implement merit-based immigration, the following question is examined: *Is the action being revised in the light of feedback and empirical evidence?* President Trump remains committed to implementing merit-based immigration. The most recent version of the RAISE Act (H.R. 2278) was introduced into the U.S. House of Representatives in April of 2019. Hence, the strategy of implementing merit-based immigration has not be revised in light of feedback and empirical evidence. Despite the plethora of feedback and empirical evidence offered by journalists, economists, and policy analysts, it remains the policy of the Trump administration to implement merit-based immigration.

In order to determine the overall *logical* and *dialectical* character of the argument for implementing merit-based immigration, the following question is posed: *Is the action represented in a rationally persuasive way?* Overall, the arguments for implementing merit-based immigration within the proposed FY 2018 Budget and by President Trump, Senator Cotton, and Senator Perdue are couched in neoliberal economic rationality, but upon close examination prove not be *rationally* and *dialectically* acceptable. The economic rationality employed in the arguments for merit-based immigration is rhetorically persuasive. However, when tested against the facts about the current U.S. immigration system and the general state of immigrants living in America, the economic rationality, employed by Trump, Cotton, and Perdue, is arguably lacking in critical reasonableness and dialectical acceptability. Additionally, common false-beliefs about immigrants and the U.S. immigration system are marshalled in support of merit-based immigration. Therefore, the framing of the arguments in support of merit-based immigration and the RAISE Act is not rationally and dialectically persuasive.

In the brief analysis of *lay normativity* with respect to Peter Baker's *New York Times* article "Trump Supports Plan to Cut Legal Immigration by Half" (2017), public opinion seems to be more or less evenly split in response to the RAISE Act. Some commenters to Baker's article criticized the RAISE Act as un-American, contrary to the current state of legal immigration, and a threat to the economy. Others voiced support for the RAISE Act and the rationale upon which it is being presented.

*Critical discourse analysis* shows the arguments for merit-based immigration to be based on neoliberal economic rationality and anti-immigrant *ideology* which says that immigrants are taking jobs from Americans, hurting the U.S. economy, and largely dependent on welfare. Neoliberal economic rationality and anti-immigrant *ideology*, having been *naturalized*, are almost "common sense" to many Americans. This allows President Trump and his allies to exploit the anti-immigrant sentiments within the American populace and manipulate public opinion, under the guise of pursuing *efficiency* and *effectiveness*, in an effort that has the result of marginalizing and dominating immigrants currently living in the U.S. and those seeking to gain admission.

Finally, in utilizing Fredrickson's "Compound Theory of Social Equity," this analysis demonstrates that merit-based immigration and the RAISE Act, if implemented, may have the effect of undermining *social equity* within the current immigration system. The RAISE Act arguably will foster inequities, among people migrating to the United States, with respect to national origin, skill level, gender, and age. Hence, in the pursuit of *efficiency*, *effectiveness*, economic rationality, and so-called fairness and compassion, President Trump's merit-based immigration policy, if enacted, may seriously threaten the "third pillar" of public policy and public administration—*social equity*.



In Chapter Five, this dissertation aimed to apply Fairclough & Fairclough's (2012) political discourse analysis methodology to President Trump's longstanding proposal to eliminate the Community Development Block Grant program. Applying *argumentation theory* and *critical discourse analysis* to the proposed FY 2018 Budget Blueprint and to Office of Management and Budget Director, Mick Mulvaney's March 16, 2017 press conference provides a rigorous evaluation of the key arguments for Trump's proposal to end the CDBG program.

In evaluating the *circumstances* premises for ending the CDBG program, the following questions were posed: *Is the existing situation described in a rationally acceptable way? Is the context of action defined in a rationally persuasive way? Are the causes of the crisis/situation represented in a rationally persuasive way?* Both of the *circumstances* premises of the proposed FY 2018 Budget Blueprint and the one argued in Mulvaney's March 16, 2017 press conference assert that, despite the CDBG program being in operation since 1974 and \$150 billion dollars having been spent, the program is inefficient and ineffective. However, when considering the bi-partisan letter from Members of Congress (Members of Congress 2017), the bi-partisan letter from the U.S. Conference of Mayors (U.S. Conference of Mayors 2017a), the report of the U.S. Conference Mayors (U.S. Conference of Mayors 2017b), and the report by Theodos et al. (2017), all attesting to the *efficiency* and *effectiveness* of the CDBG program, the existing situation regarding the CDBG program, as described in the proposed FY 2018 Budget Blueprint and by Mulvaney in his March 16, 2017 press conference, is not being described in a rationally acceptable way. The categorical assessment in the proposed FY 2018 Budget and in Mulvaney's March 16, 2017 press conference that the CDBG program has had no positive impact and has not functioned, in any way, as intended, is not rationally persuasive.

In evaluating the *goals* premises for ending the CDBG program, the following questions were posed: *Are the goals of action rationally acceptable? What other goals have been considered?* The goals sought in the proposed FY 2018 Budget Blueprint, by the elimination of the CDBG program are: saving \$3 billion dollars, reallocating the \$3 billion to other priorities, and devolving community and economic development to States and local governments. The ultimate goal of the proposed FY 2018 Budget, according to Mulvaney, is to achieve 3% economic growth. No additional goals, associated with eliminating the CDBG program, are considered by the Trump administration. In contemplating the potential results of losing the \$3 billion in CDBG funds, the bi-partisan letter from the Members of Congress (2017) and the bi-partisan letter from the U.S. Conference of Mayors (2017b) argue persuasively for the positive economic impact that CDBG is having across the United States. Eliminating the CDBG program would arguably hurt the economies of States and local governments, as well as the national economy. States and local governments would have \$3 billion dollars less for community and economic development. Furthermore, though fiscal adjustments in terms of reductions and reallocations can be rational policies in certain circumstances, such a significant policy of eliminating the CDBG program could have devastating effects on the national economy, may diminish any realized savings by creating significant costs elsewhere, and imperil the ultimate goal of achieving 3% economic growth. Therefore, the *goals* being pursued by eliminating the CDBG program are not rationally acceptable.

In evaluating the *values* premises for ending the CDBG program, the following questions were posed: *Is the value premise rationally acceptable? Does it actually support the goal and the action?* The values premise asserted in the proposed FY 2018 Budget Blueprint and in Mulvaney's remarks in his March 16, 2017 press conference include the values of *efficiency* and

*effectiveness*. To be sure, *efficiency* and *effectiveness* are appropriate values for public policy and public administration. However, there is no convincing evidence in the proposed FY 2018 Budget Blueprint or in Mulvaney's remarks during the March 16, 2017 press conference to sustain the charge of inefficiency or ineffectiveness with regards to the CDBG program. Additionally, the bi-partisan letter from Members of Congress (2017) and the bi-partisan letter from the U.S. Conference of Mayors (2017a) along with the report from the U.S. Conference of Mayors (2017a) and Theodos, et al. (2017), the CDBG program is asserted to be significantly *efficient* and *effective* in bringing benefits, services, and housing to urban and rural communities across the United States. Therefore, the *values* premise, which includes *efficiency* and *effectiveness*, asserted by the proposed FY 2018 Budget Blueprint and in Mulvaney's comments during the March 16, 2017 press conference are not rationally persuasive.

Mulvaney, in his March 16, 2017 press conference and in his appearances before congress, with respect to the proposed FY 2018 Budget, argues for a type of "compassion" which is really a different way to argue for *effectiveness*. Mulvaney's argument, in sum, says in order to show compassion for the funders of the benefits and services or taxpayers, the Trump administration will no longer seek funding for programs that do not show results, such as the CDBG program. Yet, Mulvaney's "taxpayer vs. recipients" dichotomy was rejected by a reporter (Reporter# 2) who pointed out that "taxpayers" and "recipients" of the benefits and services through the CDBG program could potentially be one and the same. Mulvaney did not provide a satisfactory answer to the reporter's challenge to the "taxpayer vs. recipients" dichotomy. Therefore, Mulvaney's "compassion", conflated with *effectiveness*, is not dialectically acceptable and does not actually support the *goal* or *claim* for eliminating the CDBG program.

For the purpose of evaluating the *means-goal* premises for ending the CDBG program, the following questions were posed: *Will the government's strategy actually deliver the goals? Is it sufficient in view of the goals? Is the government's strategy necessary in view of the goals? What alternative means should be considered?* The primary goal for eliminating the CDBG program, according the proposed FY 2018 Budget Blueprint, is to achieve a savings of \$3 billion dollars. The ultimate goal of the proposed FY 2018 Budget, according to Mulvaney, is to achieve an economic growth rate of 3% gross domestic product. Significant questions are raised about the *sufficiency* of eliminating the CDBG program to achieve the economic goals, when in fact, such a policy could have significantly negative impacts on State and local economies as well as the national economy. Therefore, the Trump administration has not demonstrated, persuasively, that eliminating the CDBG program is a *sufficient* strategy for achieving its economic goals.

With respect to the *necessity* of eliminating the CDBG program to achieve it's economic goals, the Trump administration has not satisfactorily argued that there is no alternative to eliminating the CDBG. Therefore, the *necessity* criterion has not been met or argued in a *dialectically* acceptable way. For, during the U.S. Senate hearing for the proposed FY 2018 Budget, Chris Van Hollen, the U.S. Senator from Maryland, challenged Mulvaney on the significant funding increases by pointing out that the savings sought were done so without consideration of raising revenue by taxing the wealthy. Mulvaney did not adequately refute the alternative posed by Van Hollen. Therefore, the *necessity* of eliminating the CDBG has not been persuasively established.

To evaluate the *dialectical* acceptability of the *claim* for action, eliminating the CDBG program, the following critical question was addressed: *Has the claim stood up to criticism in light of its probable consequences?* Fairclough & Fairclough (2012) maintain that dialectical

persuasiveness is a normative feature of practical arguments. That is, practical arguments should not merely deal with reasons for action, they should primarily consider reasons for not acting on a particular decision or policy (2012: 132). During the March 16, 2017 press conference, Mulvaney was confronted with the potential negative consequences for eliminating the CDBG program—programs such as Meals on Wheels and afterschool programs may be in jeopardy of losing funding. Rather than addressing these negative consequences with plans or strategies for their mitigation, Mulvaney mostly defended the elimination of such programs by charging them with being ineffective and inefficient. Despite the letter from Members of Congress (2017) and the letter from the U.S. Conference of Mayors (2017b) citing the importance of the CDBG program for urban and rural communities across the U.S., there have been no *rationaly* persuasive or *dialectically* acceptable arguments on the part of the Trump administration for its continued pursuit of eliminating the CDBG program. Therefore, the claim for eliminating the CDBG program has not adequately stood up to criticism in light of its probable consequences. According to Fairclough & Fairclough (2012: 63-64), persuasively arguing the point of potential negative consequences for a proposal can be the strongest method for defeating an argument. To date, the Trump administration has not adequately answered the potential negative consequences of eliminating the CDBG program, therefore it does not pass the test of critical reasonableness in its continued efforts to eliminate the program, notwithstanding the persistent charges of its inefficiency and ineffectiveness.

To gauge the Trump administration's adherence to critical reasonableness regarding its proposal to eliminate the CDBG program, the following question is examined: *Is the action being revised in the light of feedback and empirical evidence?* Though ample evidence has been set forth, at least anecdotally, for the effectiveness of the CDBG program, President Trump

continues to seek the elimination of the CDBG program in the budgets for fiscal years 2019, 2020, and 2021 (OMB 2018, 2019, and 2020). The elimination of the CDBG program continues to be a strategy of the Trump administration, despite its recent Notice of Funding Application (NOFA) seeking applications from academic institutions to study the impacts of the CDBG program (HUD 2020). Hence the *claim* for action is not being revised in light of feedback and empirical evidence.

In order to determine the overall *logical* and *dialectical* character of the argument for eliminating the CDBG program, the following question is posed: *Is the action represented in a rationally persuasive way?* Another way of getting at this question is to ask how is the argument being framed? Overall, the argument to eliminate the CDBG program employs populist rhetoric and Neoliberal economic rationality rather than *logic* and *dialectic*. Assertions are made about the inefficiency and ineffectiveness of the CDBG program, yet without any persuasive evidence to substantiate these charges. The rhetoric of the “taxpayer vs. recipient” dichotomy posed by Mulvaney gets refuted in real-time during Mulvaney’s March 16, 2017 press conference. In not effectively answering the challenge to his defense of cutting the CDBG program in order to protect or show compassion to taxpayers, Mulvaney fails to address the potential negative consequences of eliminating the CDBG program. Therefore, the *claim* for action, to eliminate the CDBG program, is not represented or framed in a rationally persuasive way.

In the brief analysis of *lay normativity*, there is significant skepticism about the funding decreases in the proposed FY 2018 Budget among the general public that matches that of elite opinion. In the comments responding to the article by Snell et al. (2017) “Even some Republicans balk at Trump’s plan for steep budget cuts,” there is *some* support for the funding decreases in the proposed FY 2018 Budget, however most commenters express some form of

consternation about the proposed funding decreases. Those supporting the funding cuts do so out of concern for everyone pulling their weight. However, most commenters see the funding cuts as an injustice in that the proposed FY 2018 Budget seeks to defund or eliminate programs that benefit low- and moderate-income individuals and families while giving tax cuts to the wealthy.

*Critical discourse analysis* shows that the argument for eliminating the CDBG program employs populist rhetoric based on a “taxpayer vs. recipient” dichotomy which does not accord with logical and dialectical normativity. Rather, the argument for eliminating the CDBG program consists of rationalization viz a viz the purported inefficiency and ineffectiveness of CDBG, which results in a manipulative use of *naturalized* managerial and business rhetoric in order to dominate and stigmatize the low- and moderate-income individuals and families depending on the CDBG funding.

Bringing Frederickson’s “Compound Theory of Social Equity” into the analysis of the proposal to eliminate the CDBG program shows that the CDBG program accords with the underlying *social equity* principles which Frederickson is advocating (Frederickson 1990, 1997, and 2010). The CDBG program was created to provide funding for community and economic development efforts undertaken by and for local communities. The block grant was a devolution of a federal initiative to States and local jurisdictions. The CDBG program has numerous uses and benefits all low- and moderate-income residents living in urban and rural communities. The States and local jurisdictions receiving CDBG funds are required to proactively address discrimination and segregation as well as develop housing connected to quality education, employment, and transportation. There is a robust citizen participation element to CDBG. Hence, it is one of the federal programs that significantly seeks to address concerns of *social equity* as articulated by Frederickson’s “Compound Theory of Social Equity”. This makes it all the more

morally suspect of the Trump administration to seek to eliminate such a far-reaching program, in terms of *social equity*, ostensibly in the pursuit of *efficiency* and *effectiveness*.

### Discussion

The research questions pursued in this dissertation are: Do the New Public Management arguments supporting Trump's policies withstand critical evaluation? Do the New Public Management values espoused by President Trump and his key policy advocates, in pursuit of Trump's policy objectives, differ from traditional democratic values. Overall, the aim has been to explore whether Trumpism is an extreme and/or distorted application of New Public Management. It is the finding of this author that the NPM arguments supporting President Trump's policies do not withstand critical evaluation. It is also the finding of this author that the NPM values espoused by President Trump differ from traditional democratic values. Therefore, in the judgement of this author, Trumpism, as it pertains to Trump's budgets is an extreme and distorted application of New Public Management (see Table 6.1).

**Table 6.1 Research Results and Discussion**

Research Questions	Answer	Brief Discussion
Do the NPM arguments supporting President Trump's Policies withstand critical evaluation?	No	Overall, the arguments for enacting merit-based immigration and eliminating the CDBG program are <i>rhetorically</i> persuasive but are not <i>logically</i> and <i>dialectically</i> persuasive. Therefore, the arguments are not rationally persuasive.
Do the NPM values espoused by President Trump differ from traditional democratic values?	Yes	Overall, the values espoused are primarily based on economic rationality (e.g. <i>efficiency</i> and <i>effectiveness</i> ), to the neglect of serious and credible consideration of democratic values such as <i>social equity</i> .
Overarching Question: Is Trumpism an extreme and/or distorted application of NPM?	Yes	Because Trumpism, as it pertains to the proposed Trump Budgets, relies on NPM values (e.g. <i>efficiency</i> and <i>effectiveness</i> ) and neoliberal/populist <i>rhetoric</i> rather than <i>logic</i> and <i>dialectic</i> , without credible consideration of <i>social equity</i> , Trumpism is an extreme, distorted, and hypertrophied version of NPM.



In terms of the question as to whether the New Public Management arguments supporting Trump's policies withstand critical evaluation when applied to merit-based immigration, on the whole, the Neoliberal economic rationality employed by Trump and his allies is not logically and rationally persuasive. Most economists have rejected the notion that cutting immigration in half, which is the aim of Trump's immigration policy via the RAISE Act, will improve the economy.

In evaluating whether the New Public Management values espoused by President Trump and his key policy advocates, in pursuit of merit-based immigration, differ from traditional democratic values, it is the finding of this dissertation that Trump and his allies used arguments based on *efficiency*, *effectiveness*, and economic rationality to the neglect of traditional democratic values such as social equity and fairness to immigrants. Trump and his allies made arguments, for merit-based immigration, based on economic rationality and populist anti-immigrant rhetoric in ways that cannot be attributed to the prior administrations of Presidents George W. Bush and Barack H. Obama, who both respectively, considered various proposals for the reform of immigration which include points-based systems.

In evaluating whether *Trumpism* is an extreme and/or distorted application of New Public Management, this dissertation finds that the arguments for merit-based immigration were largely based on appeals to anti-immigrant ideology, efficiency, effectiveness, and Neoliberal economic rationality to the neglect of social equity. Despite these arguments, economic experts, by and large, rejected the acceptability of implementing merit-based immigration via the RAISE Act. In fact, most economists predict that implementing merit-based immigration via the RAISE Act will negatively impact the economy. President Trump and his allies' insistence otherwise, demonstrates that Trumpism is an extreme and distorted application of NPM.

The extreme and distorted nature of Trump's application of NPM is evident in the persistent aim of implementing merit-based immigration despite the criticisms, from economic experts, based on the lacking rational persuasiveness of the proposal. Additionally, it is evident that Trump's application of NPM is extreme, as pertains to merit-based immigration, in that the RAISE Act failed to be enacted into law, despite Republicans holding majorities in Congress during the first two years of Trump's presidency. Key Republican allies, included Senator Lindsey Graham and Senator Marco Rubio, rejected Trump's merit-based policy via the RAISE Act.

In terms of the question as to whether the New Public Management arguments supporting Trump's policies withstand critical evaluation when applied to eliminating the Community Development Block Grant (CDBG) program, on the whole, the Neoliberal economic rationality employed is not logically and rationally persuasive. The proposed FY 2018 Budget Blueprint and Mick Mulvaney, Director of the Office of Management and Budget argue for the elimination of the Community Development Block Grant (CDBG) program due to it being ineffective and inefficient. Yet, to date, the Trump administration has not offered any evidence that the CDBG program is ineffective and inefficient. Only recently, in August 2020, has the Trump administration began to make efforts to measure the efficiency and effectiveness of the CDBG, notwithstanding its continued pursuit of the elimination of the CDBG program in the proposed FY 2021 Budget (OMB 2020). Therefore, this dissertation finds the NPM arguments to eliminate the CDBG program are not able to withstand critical evaluation.

In evaluating whether the New Public Management values espoused by President Trump and his key policy advocates, in pursuit of the elimination of the Community Development Block Grant program, differ from traditional democratic values, it is the finding of this dissertation that

the NPM values of *efficiency* and *effectiveness* are given consideration to the exclusion of *social equity* in the arguments to eliminate the CDBG program, which arguably represent one of the federal government's most significant expressions of a commitment to *social equity*.

In evaluating whether *Trumpism* is an extreme and/or distorted application of New Public Management, this dissertation finds that the arguments for eliminating the CDBG program were largely based on appeals to efficiency, effectiveness, and Neoliberal economic rationality along with populist rhetoric about taxpayers vs. recipients of services and benefits. The arguments for eliminating the CDBG program, for reasons of efficiency and effectiveness, were rejected on the grounds that the funding cuts would negatively impact State, local, and the national economy. These arguments were rejected by Democrats *and* Republicans. Trump was not able to eliminate the CDBG program despite having Republican majorities in Congress during the first two years of his administration. Despite the continued rejection of Trump's proposal to eliminate the CDBG, it remains a policy objective to do so even in the proposed FY 2021 Budget (OMB 2020). Therefore, this dissertation finds Trumpism to be an extreme application of New Public Management in its pursuit to eliminate the CDBG program.

### Conclusion

This dissertation set about to explore whether Trumpism is an extreme form of New Public Management. Two cases were examined—Trump's housing policy, eliminating the CDBG program and his signature legal immigration policy, enacting merit-based immigration. These policies are by and large argued from the basis of economic rationality which defies logical and dialectical acceptability. The policies are argued from the basis of *efficiency* and *effectiveness* to the exclusion of *social equity*, which is a traditional democratic value for public administration

and public policy. These findings result in a plausible determination that *Trumpism* is an extreme form of New Public Management, particularly when consideration is given to the Trump proposed budgets.

However, there are limits to the determination that *Trumpism* is an extreme form of New Public Management since this dissertation evaluated only two policies within the proposed Trump budgets. It is the recommendation of this dissertation that additional policies, within the proposed Trump budgets, be examined to further determine whether Trumpism is an extreme form of New Public Management. There is significant evidence, worth further evaluation, that Trump's application of the NPM values of *efficiency* and *effectiveness*, to the exclusion of *social equity*, in the numerous cuts and program eliminations in his proposed budgets, is being carried out in an extreme and distorted manner.

Finally, as presented in the broader discussion of *Trumpism*, in Chapter One of this dissertation, *Trumpism* means many different things to different many people. Convincing arguments have been made that *Trumpism* is a rejection of traditional Republican *Lincolnian* principles (Brazile 2020), an embrace of *Jacksonian* ethnonationalism (Katzenstein 2019), right-wing, nationalist populism, and illiberal democracy (Isaac 2017), bigotry, racism, and Islamophobia, dangerous to human beings (Matthews 2016), plutocracy (Finn 2017), neoliberal authoritarianism (Lebow 2019), and authoritarian capitalism (Fuchs 2018). This dissertation, in finding Trumpism to be an extreme application for NPM, in some ways, coincides with the evaluations of Lebow (2019) and Fuchs (2018), due to the Neoliberal economic rationality which so significantly underpins *Trumpism*.

### Contribution

This dissertation is a contribution to the ongoing and vigorous debate about New Public Management, in that it sets forth a rigorous and analytical evaluation of whether *Trumpism* is an extreme form of NPM. Specifically, this dissertation provides a unique focus on Trump's housing and immigration policy from a "political discourse analysis" perspective in the fields of public administration and public policy. Ultimately, this work will add to the contemporary public policy and governance literature by providing a perspective that is currently underrepresented. The implications for public policy are that policy-makers, analysts, and implementers should take caution to avoid giving values of efficiency and effectiveness primacy, to the neglect of social equity. Additionally, implications for public administration is that administrators should take a policy leadership role when possible and seek to shape policy towards social equity.

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## Appendix A

### Reform Immigration Policy

1 America's immigration policy must serve our national interest. The  
2 Budget supports commonsense immigration standards that protect  
3 American workers, reduce burdens on taxpayers and public  
4 resources, and focus Federal funds on underserved and  
5 disadvantaged citizens. When fully implemented, these changes  
6 have the potential to save American taxpayers trillions of dollars  
7 over future decades.

8 Census data show that current U.S.  
9 immigration policy results in a large number of residents and  
10 citizens who struggle to become financially independent and  
11 instead rely on Government benefits financed by taxpayers. In  
12 2012, the census reported that 51 percent of all households headed  
13 by immigrants received payments from at least one welfare or low-  
14 income assistance program. In addition, participation in welfare  
15 programs among immigrant-headed households varies by  
16 education level. In 2012, 76 percent of households headed by an  
17 immigrant without a high school education used at least one major  
18 welfare program compared to 26 percent for households headed by  
19 an immigrant with at least a bachelor's degree. Focusing  
20 immigration policy on merit-based admissions has the potential to  
21 reduce Federal outlays for welfare payments to lower-skilled  
22 immigrant-headed households.

23 Estimates from a recent report by  
24 the National Academy of Sciences (NAS) on the Economic and  
25 Fiscal Consequences of Immigration indicate that each immigrant  
26 who lacks a high school education may create as much as  
27 \$247,000 more in costs at all levels of government than they pay in  
28 taxes over the next 75 years. Based on data from the Census  
29 Bureau's Current Population Survey, 8.2 million adults with a high  
30 school education or less settled in the United States from abroad  
31 between 2000 and 2015.

32 The NAS study also found that, in 2013,  
33 first generation immigrants (across all skill levels) and their  
34 dependents living in the United States may have cost government  
35 at all levels as much as \$279 billion more than they paid in taxes for  
36 all levels of government, when the costs of national defense and  
37 other public goods are included on an average cost basis. The  
38 Federal costs alone were estimated to be as much as \$147 billion if  
39 all public goods and benefits are included.

40 Some of this cost is  
41 driven by our Nation's current refugee policy. Under the refugee  
42 program, the Federal Government brings tens of thousands of

43 entrants into the United States, on top of existing legal immigration  
44 flows, who are instantly eligible for time-limited cash benefits and  
45 numerous non-cash Federal benefits, including food assistance  
46 through SNAP, medical care, and education as well as a host of  
47 State and local benefits.

48 A large proportion of entrants arriving as  
49 refugees have minimal levels of education, presenting particular  
50 fiscal costs. The HHS Annual Survey of Refugees show that, in  
51 2015, those who had arrived in the previous five years had less  
52 than 10 years of education on average. The survey also showed  
53 that of the refugees who arrived in the prior five years nearly 50  
54 percent were on Medicaid in 2015, 45 percent received cash  
55 assistance, and 75 percent received benefits from SNAP. These  
56 federally supported benefit programs are not tracked separately in  
57 terms of welfare and other benefits; they are added to the bottom  
58 line of the Federal deficit and Federal programs. The way that  
59 refugee spending is typically budgeted for makes it difficult to  
60 attribute the full fiscal costs, including appropriated funds for the  
61 Department of State and HHS, along with fee-funded programs  
62 from the Department of Homeland Security. Additional State and  
63 local funding for services, including public education, is not  
64 captured in the Federal budget, nor are local and State taxes  
65 collected from refugees to the Federal Government. While HHS is  
66 appropriated funds specifically for refugee benefits, many others,  
67 including SNAP and Medicaid, are unallocated to refugees.

68 The paradoxical effect of refugee spending is that the larger the number  
69 the United States admits for domestic resettlement, the fewer  
70 people the United States is able to help overall; each refugee  
71 admitted into the United States comes at the expense of helping a  
72 potentially greater number out of country. Thus, reducing the  
73 number of refugees increases the number of dislocated persons the  
74 United States is financially able to assist, while increasing the  
75 number of refugees may have the effect of reducing the total size of  
76 the refugee population the United States is able to assist financially.

77 The Administration is exploring options for budget presentation that  
78 would make transparent the net budgetary effects of immigration  
79 programs and policy. The goal of such changes would be to  
80 capture better the impact of immigration policy decisions on the  
81 Federal Government's fiscal path. Once the net effect of  
82 immigration on the Federal Budget is more clearly illustrated, the  
83 American public can be better informed about options for improving  
84 policy outcomes and saving taxpayer resources. In that regard, the  
85 Budget supports reforming the U.S. immigration system to  
86 encourage: merit-based admissions for legal immigrants, ending  
87 the entry of illegal immigrants, and a substantial reduction in  
88 refugees slotted for domestic resettlement.



## Appendix B

### An Open Letter from 1,470 Economists on Immigration

Dear Mr. President, Majority Leader McConnell, Minority Leader Schumer, Speaker Ryan, and Minority Leader Pelosi:

The undersigned economists represent a broad swath of political and economic views. Among us are Republicans and Democrats alike. Some of us favor free markets while others have championed for a larger role for government in the economy. But on some issues, there is near universal agreement. One such issue concerns the broad economic benefit that immigrants to this country bring.

As Congress and the Administration prepare to revisit our immigration laws, we write to express our broad consensus that immigration is one of America's significant competitive advantages in the global economy. With the proper and necessary safeguards in place, immigration represents an opportunity rather than a threat to our economy and to American workers.

We view the benefits of immigration as myriad:

- Immigration brings entrepreneurs who start new businesses that hire American workers.
- Immigration brings young workers who help offset the large-scale retirement of baby boomers.
- Immigration brings diverse skill sets that keep our workforce flexible, help companies grow, and increase the productivity of American workers.
- Immigrants are far more likely to work in innovative, job-creating fields such as science, technology, engineering, and math that create life-improving products and drive economic growth.

Immigration undoubtedly has economic costs as well, particularly for Americans in certain industries and Americans with lower levels of educational attainment. But the benefits that immigration brings to society far outweigh their costs, and smart immigration policy could better maximize the benefits of immigration while reducing the costs.

We urge Congress to modernize our immigration system in a way that maximizes the opportunity immigration can bring and reaffirms continuing the rich history of welcoming immigrants to the United States. (Holtz-Eakin et al. 2017)