



Congressional Update

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I. “Protecting the Nation from Foreign Terrorist Entry into the United States” referred to as the Muslim Ban

President Donald Trump’s January 27 Executive Order titled “Protecting the Nation from Foreign Terrorist Entry into the United States” prohibits all refugees from entering the United States for 120 days. Syrian refugees are prohibited indefinitely, while individuals from Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen are prohibited for 90 days. The executive order has angered House and Senate Democrats who have introduced several bills that would either nullify, block or deny funding to implement the executive order.

Members of Congress are also angered at the manner in which President Trump managed the Executive Order. There was no consultation with congressional leaders, some of whom believe the executive order was motivated by an urge to fulfill a campaign pledge to prohibit Muslim immigrants and refugees from entering the United States. A subsequent report in [Politico](#) that House Judiciary Committee staff helped write the Executive Order has only further infuriated members.

Representative Rodney Frelinghuysen (R-New Jersey), the new chair of the House Appropriations Committee, intends to exercise oversight of the executive order. Frelinghuysen is in position to either provide or withhold funds for some of the President’s initiatives, including the travel ban, should he choose to do so.

Legislation against the Executive Order:

Nullify the Muslim Ban (S274): Introduced on February 1, 2017, by Senators Dianne Feinstein (D-California), Charles Schumer (D-New York), Richard Durbin (D-Illinois), Amy Klobuchar (D-Minnesota), Richard Blumenthal (D-Connecticut), Ron Wyden (D-Oregon), Maria Cantwell (D-Washington), Tom Udall (D-New Mexico), Chris Van Hollen (D-Maryland), Chris Murphy (D-Connecticut), Kirsten Gillibrand (D-New York), Jeff Merkley (D-Oregon), Tom Carper (D-Delaware, Bernie Sanders (I-Vermont), Ed Markey (D-Massachusetts), Tammy Baldwin (D-Wisconsin), Ben Cardin (D-Maryland), Martin Heinrich (D-New Mexico), Maggie Hassan (D-New Hampshire), Sherrod Brown (D-Ohio), Debbie Stabenow (D-Michigan), Catherine Masto-Cortez (D-Nevada), Bob Menendez (D-New Jersey), Patty Murray (D-Washington), Sheldon

Whitehouse (D-Rhode Island), Cory Booker (D-New Jersey), Al Franken (D-Minnesota), Mazie Hirono (D-Hawaii), Elizabeth Warren (D-Massachusetts), Angus King (I-Maine), Bob Casey (D-Pennsylvania), Mark Warner (D-Virginia), Jack Reed (D-Rhode Island), Michael Bennet (D-Colorado), Jeanne Shaheen (D-New Hampshire), Brian Schatz (D-Hawaii), and Tammy Duckworth (D-Illinois), the bill would nullify the effect of the recent executive order that temporarily restricted individual from certain countries from entering the United States. The bill was read the first time and is pending on the Senate calendar.

Feinstein, *et.al*, introduced legislation on January 30 to nullify the executive order. It is unclear why the sponsors introduced similar legislation on February 1. (Note: As of February 3 the text of the bill was not available.)

Nullifying the Ban (S240): Introduced on January 30 by Senators Dianne Feinstein (D-California), Charles Schumer (D-New York), Richard Durbin (D-Illinois), Amy Klobuchar (D-Minnesota), Richard Blumenthal (D-Connecticut), Ron Wyden (D-Oregon), Maria Cantwell (D-Washington,; Tom Udall (D-New Mexico), Chris Van Hollen (D-Maryland), Chris Murphy (D-Connecticut), Tom Carper (D-Delaware), Bernie Sanders (I-Vermont), Ed Markey (D-Massachusetts), Tammy Baldwin (D-Wisconsin), Ben Cardin (D-Maryland), Martin Heinrich (D-New Mexico), Maggie Hassan (D-New Hampshire), Sherrod Brown (D-Ohio), Debbie Stabenow (D-Michigan), Catherine Masto-Cortez (D-Nevada), Tim Kaine (D-Virginia), Kamala Harris (D-California), Patrick Leahy (D-Vermont), Gary Peters (D-Michigan), Chris Coons (D-Delaware), Bob Menendez (D-New Jersey), Patty Murray (D-Washington, Cory Booker (D-New Jersey), Shelton Whitehouse (D-Rhode Island), Al Franken (D-Minnesota), Mazie Hirono (D-Hawaii), Elizabeth Warren (D-Massachusetts), Angus King (I-Maine), Bob Casey (D-Pennsylvania), Mark Warner (D-Virginia) and Jack Reed (D-Rhode Island), the bill would nullify the effect of the recent executive order that temporarily restricted individuals from certain countries from entering the United States. The bill has been referred to the Senate Judiciary Committee. (Note: As of February 3, the text of the bill was not available)

Blocking the Implementation of the Ban (S248): Introduced on January 30 by Senators Chris Murphy (D-Connecticut), Maria Cantwell (D-Washington), Jeff Merkley (D-Oregon), Richard Blumenthal (D-Connecticut), Chris Coons (D-Delaware), Brian Schatz (D-Hawaii), Tammy Baldwin (D-Wisconsin), Chris Van Hollen (D-Maryland), Cory Booker (D-New Jersey), and Patty Murray (D-Washington), the bill would block implementation of the executive order that restricts individuals from certain countries from entering the United States. The bill has been referred to the Senate Judiciary Committee. (Note: As of February 3, the text of the was not available)

Prohibition on Funds to Implement Muslim Ban (HR722): Introduced on January 30 by Representative Grace Meng (D-New York) and 46 Democrats, the legislation would prohibit the

use of federal funds to implement, administer, or enforce the Executive Order entitled “Protecting the Nation from Foreign Terrorist Entry into the United States” signed by President Donald J. Trump on January 27, 2017. The bill has been referred to the House Foreign Affairs Committee (HFAC), Committees on the Judiciary, on Homeland Security and on Intelligence in each case for consideration of provisions that fall within the jurisdiction of the committees of referral.

Muslim Ban (HR724): Introduced on January 30 by Representative Zoe Lofgren (D-California) and 185 cosponsors, the bill would provide that the Executive Order entitled “Protecting the Nation from Foreign Terrorist Entry into the United States”, shall have no force or effect, and to prohibit the use of federal funds to enforce the executive order. The bill has been referred to the HFAC, Committees on the Judiciary, on Homeland Security, and Intelligence in each case for consideration of provisions that fall within the jurisdiction of the committees of referral. (Note: As of February 3, the text of the bill was not available.)

The Republican leadership blocked efforts by Lofgren to bring the bill to the House floor for a vote. For now, it appears that efforts to bring the House bills to the floor for a vote will be unsuccessful in light of Republican leadership opposition.

II. Bills and Resolutions Introduced

(1) Israel-Palestine

Limit Assistance to the Palestinian Authority (HR789): Introduced on February 1 by Representatives Ted Budd (R-North Carolina), Mark Sanford (R-South Carolina), Mark Meadows (R-North Carolina), Diane Black (R-Tennessee), and Louie Gohmert (R-Texas) the bill would amend the Foreign Assistance Act of 1961 to limit assistance to the Palestinian Authority and the Palestine Liberation Organization. The bill has been referred to HFAC. (Note: As of February 3, the text of the bill was not available.)

United Nations Security Council Settlements Resolution (HR769): Introduced on January 31 by Representative Kay Granger (R-Texas) and Lee Zeldin (R-New York), the bill would prohibit voluntary or assessed contributions to the United Nations until the president certifies to Congress that United Nations Security Council Resolution 2334 has been repealed. The bill has been referred to HFAC. (Note: As of February 3, the text of the bill was not available.)

Palestinian Incitement (HRes68): Introduced on January 27 by Representatives Alcee Hastings (D-Florida) and Robert Woodall (R-Georgia), the resolution condemns Palestinian incitement and reaffirms the special bond between Israel and the United States. The resolution has been referred to HFAC.

New Anti-BDS Legislation: (S170): Introduced on January 17 by Senators Marco Rubio (R-Florida) and Joe Manchin (D-West Virginia), the bill would “provide for non-preemption of measures by state and local governments to divest from entities that engage in commerce-related or investment-related boycott, divestment, or sanctions activities targeting Israel, and for other purposes.” The bill has been referred to the Senate Banking Committee. This bill is identified on the [AIPAC website](#) as one of the organization’s legislative priorities.

S170 is the new version of **S2531**, and the House companion bill **HR4514**, Combating the BDS Act, both of which died at the end of the 114th Congress. The focus of the legislation is to protect and legitimize Israeli settlements, making the title somewhat deceptive as the BDS movement has had no discernible impact on Israeli trade or wider economy.

(2) Iran

More Sanctions on Iran (HR808): Introduced on February 1 by Representatives Peter Roskam (R-Illinois), Lee Zeldin (R-New York) and Doug Lamborn (R-Colorado), the bill would impose non-nuclear sanctions on Iran. The bill has been referred to HFAC and Committees on Financial Services, on Ways and Means, on the Judiciary, on Intelligence and on Oversight and Government Reform in each case for consideration of provisions that fall within the jurisdiction of the committees of referral.

III. Confirmations

Secretary of State: On February 1 the full Senate confirmed Rex Tillerson to be Secretary of State by a vote of 56-43. Four Democrats voted for Tillerson: Heidi Heitkamp (D-North Dakota), Angus King (I-Maine), Joe Manchin (D-West Virginia) and Mark Warner (D-Virginia).

IV. Hearings

(1) Israel, the Palestinians, and the United Nations: Challenges for the New Administration

On Thursday, February 2 the House Foreign Affairs Subcommittees on the Middle East and North Africa and on Africa, Global Health, Global Human Rights and International Organizations held a joint hearing on Israel, the Palestinians and the United Nations. The purpose of the hearing was to call for a new US approach to the United Nations including the need for reform. In reality, the hearing was yet another venue to criticize the Palestinians, UNRWA, “Palestinian incitement,” the United Nations for its purported anti-Israel bias, and the former Obama Administration for its decision to abstain on UN Security Resolution 2334 regarding Israeli settlements. The video of the hearing can be viewed at <https://youtu.be/FT20f1VDRSA>.

Testimony was received from [Hillel Neuer](#), Executive Director, UN Watch, [Honorable Brian Hook](#), Founder, Latitude, LLC, [Jonathan Schanzer](#), Vice President for Research, Foundation for the Defense of Democracies; and [Honorable Robert Wexler](#), President, S. Daniel Abraham Center for Middle East Peace. The conservative witnesses reflected the anti-United Nations “group think” of most Committee Republicans, while Wexler was added at the request of Committee Democrats who wanted a more balanced panel.

Christopher Smith (R-New Jersey), Chair of the Africa, Global Health, Global Human Rights and International Organization Subcommittee announced that the Subcommittee, or possibly the full Foreign Affairs Committee will be holding a hearing on UNRWA.

(2) The State of the World: National Security Threats and Challenges.

On Wednesday, February 1, the House Committee on Armed Services held a full committee hearing to assess national security threats and challenges. The witnesses included the former Director of the CIA, General David Petraeus, and the former Acting and Deputy Director of the CIA, Mr. John McLaughlin. Over the course of three hours, General Petraeus and Mr. McLaughlin [testified](#) on their observations of the current state of world affairs, including the situations in Syria, Iraq, Yemen, and Libya. The two former directors also faced a number of questions about the White House’s recent action on immigration as it pertains to the seven Muslim-majority countries and the plausibility of establishing “safe-zones” in Syria and Yemen. Also, it is of little surprise that nearly every member of the committee who chose to pose questions to the witnesses asked about the nature of the Islamic State in Iraq and the Levant (ISIL) as they understood the group and inquired about the appropriate role of the United States in combatting the organization.

Throughout the hearing, members came and went as they wished, some even arrived only to ask questions before exiting the hearing room again. It is interesting to note that Representative Tulsi Gabbard (D-Hawaii)—who recently made headlines for her fact-finding trip to Syria, where she met with President Bashar al-Assad, and is an outspoken critic of the previous administration’s role in Syria—was only in attendance for a short time. She entered the hearing late and left prior to engaging with the witnesses. A video of the hearing can be viewed at <https://youtu.be/7XmNbxAZyXw>

V. Congressional Organization

(1) Senate Foreign Relations Committee: On January 31, the committee met to organize for the 115th Congress and announced the subcommittees memberships. Only the Near East Subcommittee membership is listed. To see the full membership list go to the committee website. www.foreign.senate.gov

Near Eastern, South Asia, Center Asia and Counterterrorism Subcommittee***Republicans****Jim Risch (Idaho), Chair**Marco Rubio (Florida)**Ron Johnson (Wisconsin)**Todd Young (Indiana)**Rob Portman (Ohio)****Democrats****Tim Kaine (Virginia)**Bob Menendez (New Jersey)**Chris Murphy (Connecticut)**Cory Booker (New Jersey)*

(2) House Foreign Affairs Committee: *On January 24, the committee met to organize for the 115th Congress, and announced the subcommittees memberships. Only the Middle East and North Africa Subcommittee is listed. To see the full membership list go to the committee website. <https://foreignaffairs.house.gov/>*

Middle East and North Africa Subcommittee***Republicans****Ileana Ros-Lehtinen (Florida), Chair**Steve Chabot (Ohio)**Darrell Issa (California)**Ron DeSantis (Florida)**Mark Meadows (North Carolina)**Paul Cook (California)**Adam Kinzinger (Illinois)**Lee Zeldin (New York)**Dan Donovan (New York)**Ann Wagner (Missouri)**Brian Mast (Florida)**Brian Fitzpatrick (Pennsylvania)****Democrats****Ted Deutch (Florida), Ranking member**Gerry Connolly (Virginia)**David Cicilline (Rhode Island)**Lois Frankel (Florida)**Brendan Boyle (Pennsylvania)**Tulsi Gabbard (Hawaii)**Brad Schneider (Illinois)**Thomas Suozzi (New York)**Ted Lieu (California)***VI. At the Think Tanks**

On January 31, Freedom House released its annual report [“Freedom in the World 2017”](#) which examines Freedom House’s annual assessment of the state of freedom around the world.

The Report found that, in what is being called a “democracy slump,” global freedoms have declined for the 11th straight year. However, while this has been concentrated in fragile states most years, this year’s decline can be attributed to declines in the world’s ‘free’ democracies. A quarter of these regressions took place in Europe, namely Hungary and Poland, but also included global leaders like France, the United Kingdom, Germany, and even the United States. Also unique to this year was the method in which democratic decline was observed. Rather than coups, civil wars, or other open conflicts, the erosion of democratic liberties was attributed to a

“slow strangling” of democracy through methods like gerrymandering, voter suppression, campaign finance imbalances, the politicization of the judiciary, and political gridlock, which in turn have given rise to the increasingly visible global populist movements.

Turning to major developments in the Middle East, Syria obtained the lowest (and only negative) global freedom score of -1. Other major regional conflicts in Iraq, Yemen, and Libya, contributed to the Middle East and North Africa once again being named the world’s worst performing region in 2016. The panel did note that the US pattern of providing foreign assistance to strategic partners in the region, rather than explicitly championing human rights, has also been a major factor blocking improvements, listing Bahrain as the most notable example. This led to a discussion about the seemingly fond relationship emerging between President Trump and Egyptian president Abdel Fattah al-Sisi, as well as the general affinity for centralized strong men at the expense of democratic values in an era of increased populism. However, it was noted that in order to legitimize and consolidate “strongman rule” and populist policies, these states must find either an internal or external source on which to pin their failures.

Looking at Egypt, Sisi has continued to strengthen the state’s role in the economy and that of the security apparatus, yet he has failed to quell insurgencies while the Egyptian economy continues to be plagued by corruption and mismanagement. The experts noted that Egypt will be unable to contribute to initiatives concerning insurgency movements in the Sinai and region more broadly, or play any serious role in the Israeli-Palestinian conflict, all the while using state media to paint the United States as the primary external factor that is causing Egypt’s woes. It thus remains unclear what strategic advantage the Trump administration hopes to capture from this relationship.

Another major US ally that was discussed in this category was Turkey, which experienced the world’s largest single year decline (-15 in aggregate score) due to crackdowns following the failed July, 2016, coup attempt. President Erdogan has been able to deflect internal criticism by pointing to the U.S. backing of Syrian Kurds and its refusal to extradite Muhammed Fethullah Gülen. Making a case for one of the region’s rare bright spots, Tunisia remains listed as ‘Free’ with an aggregate freedom score of 78 (out of 100) and a perfect score in political rights. Besides Israel, it is the region’s only country listed as ‘free’.