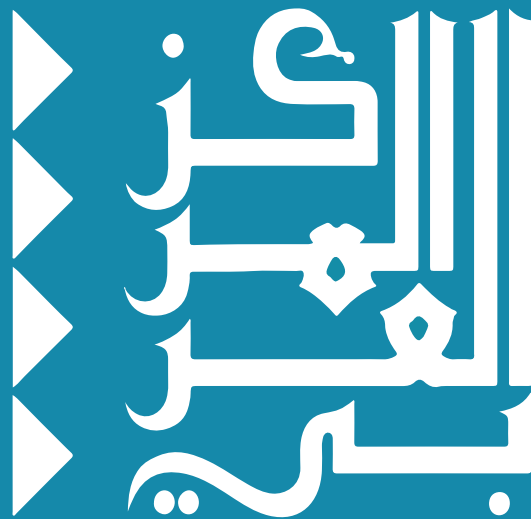


Congressional Update

Week Ending March 17, 2017

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I. Courts Block President Trump's Revised Executive Order on a Travel Ban

President Donald Trump's revised March 6, 2017 Executive Order, which was scheduled to go into effect on March 16 at 12:01 a.m., has again been blocked from implementation. On March 15, federal judges in Hawaii and Maryland blocked implementation of the revised order which temporarily bars new visas for travelers from six Muslim-majority countries: Iran, Libya, Somalia, Sudan, Syria, and Yemen. The revised order, signed by the president on March 6, also suspends temporarily the admission of refugees into the United States.

The administration says these measures are needed to protect the country from terrorist threats. Critics, including Democratic-led states and civil-liberties groups, say the travel restrictions are an illegitimate attempt by the president to fulfill a campaign promise to ban Muslims from the United States. President Trump called the courts' decision a judicial overreach and promised to fight the ruling.

Congressional reaction was mixed with both Republicans and Democrats opposing the ban. On March 15, Senator Ben Cardin (D-Maryland) released a statement noting that "President Trump continues to believe that he and his administration are above the Constitution of the United States. And once again, a federal judge carried out his constitutional duty of checks and balances on dangerous overreach from an executive order that targeted individuals based on religion. Despite minor changes, this latest

executive order was just as legally objectionable and morally reprehensible as the original."

II. President Trump's Proposed Fiscal Year 2018 Budget

On March 16, President Trump presented his \$1.1 trillion FY 2018 budget to Congress. The budget calls for a \$54 billion increase in military spending to be offset by cuts in domestic programs and in the State Department's Foreign Assistance budgets. Under the proposed budget, the State Department would face a 29 percent reduction in funding. The original reduction for State was thought to be as high as 37 percent over three years, but was reduced to the current 29 percent under pressure from Secretary of State Tillerson.

Congressional reaction to the proposed budget has been minimal so far. The Senate is out of session until March 20, and reactions from House members are varied with some supporting the budget and others, primarily Democrats, opposed to the steep cuts in domestic spending. However, Senator Lindsey Graham (R-South Carolina), chair of the Senate Appropriations State Foreign Operations Subcommittee, has declared the budget "dead on arrival." The upcoming budget and appropriation processes are likely to be grueling sessions as legislators grapple with the budget cuts. On Friday, State Department Spokesman Mark Toner said that Israel will not see cuts in its foreign assistance. Assistance to other countries, however, is being evaluated. Even though Congress no longer earmarks funding for Israel, that funding is sacrosanct to pro-Israel members of Congress.

The administration was quick to point out this is a “blueprint” of the FY 2018 budget and that the full White House budget will not be presented until May. Nevertheless, the budget “blueprint” clearly indicates President Trump’s preference for “hard power” over “soft power.

Senator Cardin, the ranking member on the Senate Foreign Relations Committee (SFRC), has been critical of the president’s proposed budget. *The Hill* newspaper reported that on March 10, Senator Cardin sent a letter to Budget Committee Chairman Senator Mike Enzi (R-Wyoming) and ranking member Senator Bernie Sanders (I-Vermont) urging the committee to reverse the Trump Administration’s expected budget cuts to the State Department. According to the article, in the letter Cardin requested that the Foreign Affairs Budget Account (known as the “150 Fund”) be no less than \$60 billion and funding for UN-related accounts be a minimum of \$5.75 billion.

On March 16, Senator Cardin issued a press release in response to the proposed cuts to the Foreign Assistance/State Department account. He noted that he was “...deeply disappointed and dismayed to find out that despite the concerns raised by bipartisan Members of Congress and even by his own Secretary of State, President Trump appears determined to gut US national security by slashing the State Department and USAID budgets by 36 percent.”

Also on Thursday, House Foreign Affairs Committee (HFAC) Chairman Ed Royce (R-California) issued a statement expressing his concern “...that deep cuts to our diplomacy will

hurt efforts to combat terrorism, distribute critical humanitarian aid, and promote opportunities for American workers. Especially when the U.S. is fighting ISIS and millions are at risk of starvation around the world.”

III. Proposed Arms Sales to Saudi Arabia

The Trump Administration is soon expected to formally notify Congress of its intention to resume the sale of 16,000 precision-guided munitions valued at more than \$300 million to the Kingdom of Saudi Arabia. Congress would then have 30 days to act to disapprove the sale through a joint resolution of disapproval. Senators Rand Paul (R-Kentucky) and Chris Murphy (D-Connecticut) stated their opposition to the sale during the Senate Foreign Relations hearing on Yemen on March 9. Murphy said during the hearing he did not understand why the United States would provide precision-guided munitions that would allow the Saudis to target civilians in Yemen more efficiently. In the House, Representative Ted Lieu (D-California) issued a statement stating his strong objection to the sale, noting that it would face “vociferous, bipartisan opposition in Congress.” This while Saudi Arabian Deputy Crown Prince Mohammad bin Salman visited the United States in an effort to reset American-Saudi relations.

IV. Congressional Letter Regarding Yemen Port of Hodeida

On March 13, Representatives Ted Lieu (D-California) and John Conyers (D-Michigan) and 50 co-signers sent a letter to Secretary of State Rex Tillerson urging him to “use all US

diplomatic tools to help open the port of Hodeida to international humanitarian aid organizations and save lives of hundreds of thousands of Yemeni children who face starvation.”

V. Bahrain Foreign Minister Meets with HFAC Chair Ed Royce

Earlier this week, HFAC Chair Ed Royce (R-California) met with Bahrain’s Foreign Minister Khalid bin Ahmed al Khalifa. According to Chairman Royce’s press release they discussed the

US-Bahrain bilateral relationship, efforts to combat ISIL, and the threat from Iran. Royce also raised the need for the Bahrain government to respect human rights to counter Iran’s influence among the Shia population in Bahrain.

VI. Confirmations

On March 15, the Senate confirmed Dan Coats to be Director, National Intelligence, by a vote of 88-11. Senator Rand Paul (R-Kentucky) was the only Republican to vote against Coats’s confirmation. Democrats voting against the confirmation were: Senators Tammy Baldwin (Wisconsin), Cory Booker (New Jersey), Tammy Duckworth (Illinois), Kirsten Gillibrand (New York), Kamala Harris (California), Jeff Merkley (Oregon), Ed Markey (Massachusetts), Bernie Sanders (Vermont), Elizabeth Warren (Massachusetts), and Ron Wyden (Oregon).

On March 15, the Senate confirmed the three-star ranking of Lt. General H.R. McMaster by a vote of 88-10. McMaster, President Trump's

National Security Advisor, does not require confirmation; however, Senate confirmation is required to keep McMaster's three-star military ranking. The 10 Democrats voting against McMaster’s three-star ranking were Cory Booker, Kirsten Gillibrand, Kamala Harris, Mazie Hirono (Hawaii), Ed Markey, Claire McCaskill (Missouri), Jeff Merkley, Bernie Sanders, Chuck Schumer (New York), and Elizabeth Warren.

VII. Hearings

Senate Foreign Relations Committee:

On March 15, the SFRC convened to hear the testimonies of five witnesses, representing three nongovernmental organizations, on the continuing humanitarian crisis in Syria. March 15 marked the sixth year of fighting since the Syrian uprisings began and the committee called this hearing in order to assess the damage caused by the conflict thus far and to hear suggestions on the US government’s role as the fighting persists. The witnesses asked to testify before the committee included Drs. Farida, Abdulkhalek, and Rajab of the Syrian American Medical Society (SAMS), Mr, Neal Keny-Guyer, CEO of Mercy Corps, and the Right Honourable David Miliband, President of the International Rescue Committee (IRC). It was interesting to note that due to the fear of persecution upon their return to Syria, the doctors used aliases and two of the three concealed their faces with medical masks.

The witnesses described in great, often graphic, detail the humanitarian crisis unraveling in Syria, particularly in Aleppo, where the three

Syrian doctors worked prior to arriving in the United States. The five witnesses explained that their organizations are attempting to address the growing need for essential goods like food, water, and flour, medical attention and medicine, and proper education. Overwhelmingly, the witnesses agreed that the United States has been the biggest supporter of humanitarian aid to refugees and internally displaced citizens, but they implored the senators to keep the United States active in combatting the crisis, provide the nonmilitary organizations (e.g., State Department and USAID) with appropriate budgets, and help facilitate a political end to the war. Other topics of the hearing included the use of chemical weapons on civilians, Russian and Syrian military aggression in targeting aid convoys and hospitals, and the future of the refugee and humanitarian crises if the Syrian war is not resolved soon.

Miliband suggested there are three considerations for the Trump Administration and Congress: 1) the United States must be involved in diplomatic efforts, 2) slashing foreign assistance will be a tragedy for the people of Syria, and 3) the March 6, 2017, Executive Order regarding the travel ban and the suspension of US refugee resettlement program are bad decisions. Lengthy delays are far too long; any suspension or delay in the refugee resettlement program should be shortened to 20-30 days at most. Miliband also noted that, for any US foreign policy to be effective, it needs to have an effective humanitarian assistance program.

The witnesses were greeted with bipartisan support for their efforts and a number of members suggested steps the US government should pursue to help alleviate the trouble Syrians are facing. Three members called for the White House not to decrease funding for the State Department, United Nations, and other organizations. In addition, several members criticized the Trump Administration's temporary ban of Syrian refugees entering the United States. Finally, the committee noted two relevant issues that have recently been raised on the Senate floor. Committee members Marco Rubio (R-Florida), Tim Kaine (D-Virginia), and Chris Murphy (D-Connecticut) teamed up to introduce a resolution recognizing the sixth anniversary of the war in Syria (see below). In addition—according to Senator Chris Coons (D-Delaware)—Senators Rubio and Ben Cardin (D-Maryland) may reintroduce legislation to hold the Syrian regime responsible for war crimes committed against civilians. In 2015, Senators Cardin and Rubio introduced S756, Syrian War Crimes Accountability Act of 2015. The Senate passed the bill in July 2015 and referred it to the HFAC. No action was taken and the bill died at the end of the 114th Congress.

VIII. Legislation Introduced

(1) Syria

Syria (SRes87): Introduced on March 15 by Senators John McCain (R-Arizona), Marco Rubio (R-Florida), and Chris Murphy (D-Connecticut), the resolution “expresses the sense of the Senate concerning the ongoing conflict in Syria as it reaches its six-year mark in

March, the ensuing humanitarian crisis in Syria and neighboring countries, the resulting humanitarian and national security challenges, and the urgent need for a political solution to the crisis.” The resolution has been referred to the SFRC.

(2) President’s Revised Travel Ban

President Trump’s March 6 Travel Ban (S668): Introduced on March 15 by Senators Tom Carper (D-Delaware) and 23 Democratic cosponsors, the bill would “nullify the effect of the recent executive order regarding border security and immigration enforcement.” The bill has been referred to the Senate Judiciary Committee. The text of the legislation is not yet available.

President Trump’s March 6 Travel Ban (S608): Introduced on March 13 by Senator Dianne Feinstein (D-California) and 37 Democratic co-sponsors, the bill would “nullify the effect of the March 6, 2017 Executive Order that temporarily restricts most nationals from six countries from entering the United States.” The bill has been referred to the Senate Judiciary

Committee. The text of the legislation is not yet available.

President Trump’s Revised Travel Ban (HR1503): Introduced on March 10 by Rep. Zoe Lofgren (D-California) and 172 cosponsors, the bill would “provide that the Executive Order entitled ‘Protecting the Nation from Foreign Terrorist Entry into the United States’ (March 6, 2017), 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, Homeland Security, and Intelligence Committees. The text of the legislation is not yet available.

(3) Authorization for the Use of Force

Authorization for the Use of Force (HJRes89): Introduced on March 15 by Reps. Jim Banks (R-Indiana) and Walter Jones (R-North Carolina), the resolution would “authorize the use of U.S. Armed Forces against al-Qaeda, the Taliban, the Islamic State of Iraq and Syria, successor organizations, and associated forces.” The resolution has been referred to the HFAC.

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