

Congressional Update: Week Ending July 21, 2017

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I. Congress

1) Legislation

The majority of the House of Representatives' workload this week focused on preparing the twelve necessary appropriations bills to fund the federal government next fiscal year (which begins on October 1). Normally, Congress would consider and pass the twelve bills separately. This has proven a monumental task in the past, so congressional leaders often consider shortcuts to establish appropriations, such as an omnibus bill, where lawmakers combine the twelve individual bills into a single bundle of legislation and hold one vote. Another option—the preferred route for fiscal year 2018—is called a minibus bill. This is similar to the omnibus, but instead of packaging 12 bills together, three—or in this case, four—bills are bundled and voted on together.

Department of Defense Appropriations Bill, 2018. Among the bills in a minibus bill scheduled for floor consideration next week is the defense appropriations bill. The House already voted to adopt the *National Defense Authorization Act* (NDAA) for fiscal year 2018 (by a yea-nay vote of 344-81). However, the NDAA is simply an authorization that acts as a set of policy objectives that lay the groundwork for appropriations of funds. Now, the House will consider **H.R. 3219**, which actually appropriates the funds that were authorized to be spent under the NDAA. The defense appropriations bill, as recommended by the committee, allocates \$658,114,519,000 for defense related activities; this is over \$28 billion more than requested by the White House. As the bill made its way through committee, an amendment suspending the current authorization for the use of military force (AUMF) was proposed by Rep. Barbara Lee (D-California) and agreed upon by the committee. However, as the GOP House leadership prepares for floor consideration, the provision was removed and replaced with a milder request by Rep. Tom Cole (R-Oklahoma) which mandates the president produce a report detailing an anti-Islamic State (IS) strategy and a request for an AUMF.

State and Foreign Operations Appropriations Bill, 2018. On July 19, the House Committee on Appropriations unanimously agreed to a spending bill, as amended, that provides funding for the Department of State, United States Agency for International Development (USAID), and other agencies. The total budget for state and foreign operations is \$47,364,000,000. This includes a 17 percent decrease in funding for the State Department and a nearly \$360 million cut in an account set aside for funding some United Nations programs. As was outlined in last week's Congressional Update, the bill contains restrictions on funds for the Palestinian Authority (PA) and voices support for Israel, Egypt, Tunisia, and Morocco. This particular funding level has an uncertain future when it reaches the Senate. A number of powerful senators are hesitant to legislate even a 17 percent cut, so the content of this bill could change significantly once House and Senate appropriators hold joint negotiations on the issue.

Homeland Security Budget. The House of Representatives voted to authorize spending for the Department of Homeland Security on July 20 (with a vote of 386-41). Like the budget measures described above, the authorization makes way for the appropriations of funds. Funds appropriated and authorized for the Department of Homeland Security are used for a number of programs, most notably immigration enforcement. On July 18, Representative Mark Pocan (D-Wisconsin) forced a vote on the Appropriations Committee’s bill on an amendment that considers the very issue of immigration enforcement. Under his proposed amendment, no federal funds would be used to enforce President Trump’s immigration order that bars citizens from six majority Muslim countries. While it narrowly failed – almost entirely along party lines – activists have applauded Representative Pocan’s efforts on forcing the first, and thus far only, vote on what is frequently referred to as a “Muslim ban.”

Senate Appropriations. As the House Appropriations Committee worked to fashion a budget, its Senate counterpart released its own guide for federal funding. The document sets forth a fiscal year 2018 funding level that equals the \$1.07 trillion allocated for 2017. Under this spending level, the Department of Defense would receive the same amount of funding as the previous year. The proposed State-Foreign Operations budget, however, would strip the State Department and other international agencies of over \$6 billion in funding.

FTO Passport Revocation Act/Counterterrorism Screening and Assistance Act. On July 19, the House Foreign Affairs Subcommittee on Terrorism, Nonproliferation, and Trade held a markup on two pieces of counterterrorism legislation. The first, **H.R. 425**, amends the *Passport Act of 1926*, allowing the Secretary of State to deny requests for, or revoke, US passports to those determined to be aiding, assisting, abetting, or otherwise helping a foreign terrorist organization (FTO). The second bill, **H.R. 1196**, sets forth the requirements for developing an overall, worldwide system for combatting international travel of terrorists or those deemed to be foreign fighters with FTOs. The two bills were considered *en bloc* and were adopted by voice vote, as amended. The bills will move on to consideration by the full House Foreign Affairs Committee (HFAC).

Hezbollah Sanctions. On July 20, lawmakers in both chambers introduced a few pieces of legislation that target Lebanon’s Hezbollah with more sanctions. HFAC Chairman and Ranking Member, Ed Royce (R-California) and Elliott Engel (D-New York), cosponsored **H.R. 3329**, which amends the *Hezbollah International Financing Prevention Act of 2015*. Senator Marco Rubio (R-Florida) introduced the Senate version of the bill under **S. 1595**. Hezbollah would also be subject to additional sanctions under **H.R. 3342**, which was introduced by Representative Mike Gallagher (R-Wisconsin). This bill sanctions individuals for “gross violations of ... human rights” and determines that Hezbollah is guilty of such acts by using human shields. All the bills were referred to the appropriate committee for consideration.

2) Nominations

President Trump's efforts to fill top bureaucratic posts picked up pace this week as the Senate moved to consider and vote on a number of nominees. Among the relevant posts, Nathan Alexander Sales was considered for the State Department's Coordinator for Counterterrorism and Carl C. Risch stood before the Senate Foreign Relations Committee (SFRC) as nominee for Assistant Secretary of State for Consular Affairs. Christopher Wray, Trump's nominee to head the Federal Bureau of Investigation, was unanimously approved by the Senate Judiciary Committee.

Additionally, the Senate Intelligence Committee heard testimonies from Susan M. Gordon, who was nominated to be Principal Deputy Director of National Intelligence, and Robert P. Storch, nominee for Inspector General of the National Security Agency (NSA). Storch would serve as a crucial internal watchdog of one of the world's most pervasive spy agencies.

Finally, the Deputy Secretary of Defense position was filled this week when the Senate voted to confirm Patrick Shanahan (by a vote of 92-7). The Senate Armed Services Committee also held confirmation hearings to move closer to filling a number of the Department of Defense's upper managerial vacancies.

3) Hearings

A Review of the State Department Reauthorization Bill and Reorganization Plans. On July 17, the SFRC gathered to discuss the State Department's fiscal year 2018 authorization legislation and the ongoing reorganization efforts taking place within the department. Deputy Secretary of State John Sullivan sat before the committee.

While the hearing was to include discussions of both the draft authorization bill for the State Department and the reorganization efforts, most of the conversation centered on the latter. After completing an initial review of the department, State officials – starting with Secretary Rex W. Tillerson and Deputy Secretary Sullivan – are moving forward with recommendations to cut or outsource State Department operations. According to administration officials, the State Department's authorization and reorganization will make it operate more efficiently and waste fewer resources.

Saudi Arabia's Troubling Educational Curriculum. On July 19, the House Foreign Affairs Subcommittee on Terrorism, Nonproliferation, and Trade held a hearing on the Kingdom of Saudi Arabia's ultra-conservative educational curriculum. The witnesses included Nina Shea, director of the Hudson Institute's Center for Religious Freedom; David Weinberg, senior fellow at the Foundation for Defense of Democracies; Frank Wolf, former congressman and senior fellow at the 21st Century

Wilberforce Initiative; and Douglas M. Johnston, president emeritus of the International Center for Religion and Diplomacy.

The expert witnesses began by explaining the problematic nature of the content of Saudi public school textbooks. Despite repeated US requests for reform, they said that the textbooks at the center of the Saudi educational curriculum continue to pave the way for radicalization and contain violent directives. One panelist gave an example of a textbook passage that calls for the killing of any religious group that does not adhere to strict, conservative standards favored by Saudi Arabia's religious establishment. In fact, Johnston claimed the Saudi education curriculum is generally more conservative than the Qur'an itself.

The panelists agreed on core recommendations for the United States. They suggested the State Department should publish a yearly assessment of Saudi Arabia's curriculum reform efforts. Additionally, the Saudis should be encouraged to denounce—if not revoke—previous textbooks that have proliferated throughout the world. Shea went even further and argued that any future US-Saudi defense contracts should be contingent on the amendment of these textbooks and the broader Saudi curriculum.

II. Security and Strategic Concerns

Immigration Executive Order. After an earlier Supreme Court ruling on President Trump's immigration executive order, a federal judge in Hawaii ruled that the administration's refusal to consider grandparents as "immediate" family members with bona fide relationships in the United States ran counter to the highest court's ruling. The judge's order also put a hold on the administration's attempts to bar refugees from the country. This week, the Supreme Court issued a ruling on the Department of Justice's motion to overrule the federal judge. The court allowed parts of the Hawaii judge's ruling to stand and struck down others. As it stands, grandparents traveling from the six banned countries are now included as immediate family members and cannot be barred from entering the United States strictly due to country of origin. However, the Supreme Court reversed the previous decision and allowed broad restrictions on refugees while the case moves forward. The Supreme Court is scheduled to hear oral arguments on the immigration order, in its entirety, this fall.

Country Reports on Terrorism. The State Department produces an annual report assessing the general threat of terrorism, globally, and each specific country's progress in combatting terrorism. The recently released report identified the Islamic State as the single greatest terrorist threat worldwide. Additionally, Iran retained the title of foremost state sponsor of terror. While the report is generally lauded for its authoritative strategic assessments, it does not come without controversy this year. The

State Department, according to critics of the report, “mischaracterized” the security policies in Israel, distorting the real causes of terrorist activity between Israel and Palestine. Rep. Peter Roskam (R-Illinois) penned a letter to Secretary Tillerson, admonishing him for the contents of the report and demanding the State Department amend the report to accurately depict Israel’s security concerns and the PA’s alleged role in inciting violence.

Iran. Iran again found itself in the epicenter of US foreign policy this week. As the week marked the two-year anniversary of the signing of the Joint Comprehensive Plan of Action (JCPOA; or the nuclear deal), the Trump Administration decided to officially recertify that Iran was in adherence to the policies set forth in the landmark agreement. This announcement coincided with a visit by Iran’s foreign minister, Mohammad Javad Zarif, during which he discussed developments in world affairs at the Council on Foreign Relations. At the heart of the conversation was US-Iran relations, both bilaterally and as a result of competing interests in the Middle East. Regarding discussions among Trump Administration officials about whether or not the Islamic Republic was observing the rules set forth in the JCPOA, Zarif affirmed that it was obvious and undeniable that Iran was in compliance with the nuclear deal. He argued that the priority for the United States has never been Iranian compliance, but rather, maintaining sanctions on Iran and weakening its economy.

One day after Zarif’s comments, the Trump Administration made the foreign minister appear prescient when it levied new economic sanctions on Iranian entities and individuals. Citing Iran’s ballistic missile program, support for terrorists, and indiscriminate detention of US-Iranian dual citizens, the US government identified 18 targets for new sanctions. The United States is beholden to the JCPOA for now, but the US-Iranian relationship was strained even further this week.

Iraq and Syria Post-Islamic State. Over the last two weeks in Washington, a significant amount of time has been spent assessing the state of affairs in Iraq and Syria after the inevitable end of the Islamic State’s so-called caliphate. First, the Middle East Policy Council (MEPC) hosted an event on Capitol Hill in an effort to enlighten policymakers and their staffs on ways to avoid the chaos that is sure to follow the post-IS power vacuum. MEPC brought together former Ambassador James Jeffrey, Dr. Denise Natali, Wa’el Alzayat, and Paul Salem to provide insights on the situation unfolding in places like Raqqa and Mosul, and to share recommendations for stabilizing the two countries.

The experts shared a sense of pessimism about the United States’ ability to prevent chaos in the region as IS retreats and new power struggles arise. Each described a gloomy setting where new tensions arise within and between ethnic communities because the factors that precluded the rise of IS—poor governance, limited political and economic opportunity, and sectarianism—will remain, if not grow, once the group is driven out of the cities and reconstruction and reintegration efforts begin. While the

experts provided varying assessments of the United States' ability to support the two countries, all were in agreement about how Washington should help. In the immediate future, they said, the United States should ensure a military presence in each country: in Syria, it is strictly to defeat IS, but in Iraq, it is in order to maintain some semblance of peace. Further, the United States should provide aid for reconstruction and humanitarian support, being careful not to prioritize certain groups over others. As Ambassador Jeffrey stated, post-IS Iraq and Syria will be tough landscapes to navigate, so the United States should focus on helping to alleviate tensions without thinking it can solve all of the problems.

In that same vein, the Wilson Center later held a panel discussion to further evaluate US policy in Iraq following the liberation of Mosul. This panel again included Ambassador Jeffrey, as well as Anthony Blinken, former deputy secretary of state; Colin Kahl, former deputy assistant to the president; and Robert Malley, former senior adviser to the president for the Counter-ISIL Campaign.

These panelists were also in general agreement regarding the United States' role in a post-IS Iraq. They stressed the need to contain Iranian influence in Iraq, as well as the region, stating that a minor American role in Iraq is preferable to much more intense Iranian control. Further, a US presence is critical for preventing "ISIL 2.0" in more vulnerable areas where preexisting, destabilizing conditions must be addressed. A US presence would work best as only a fraction of a greater international coalition that serves to train and advise Iraqi security forces. According to Blinken, maintaining peace in Iraq post-IS depends on establishing decentralized governance. To achieve this, the United States and Iraq must work together to ensure Iraqis have all the resources they need at the provincial levels to provide their own security and services. This, Blinken said, would prevent further sectarian division and help unify the destabilized nation.

III. Around the District

Revitalizing Palestinian Nationalism. On July 13, the Carnegie Endowment for International Peace hosted Dr. Husam S. Zomlot, chief representative of Palestine's General Delegation to the United States, to discuss Carnegie's new report on Palestinian nationalism and the viability of Palestinian institutions. Joining Dr. Zomlot were two of the editors of the report, Perry Cammack and Nathan Brown.

Dr. Zomlot acknowledged that the report is crucial in demonstrating domestic Palestinian politics, but he did not fully embrace some of its findings. While researchers concluded that Palestinians are generally less sure about the direction of the Palestinian national movement, Zomlot was adamant that nationalism is the single strongest force among Palestinians. However, the findings of the report—derived from answers submitted by Palestinian academics and professionals—paint a dimmer picture.

Brown noted that the Palestinians who contributed to the report are disillusioned with internal politics due to distrust in political institutions and the lack of progress in obtaining an independent state. Ultimately, researchers at Carnegie concluded that Palestinian nationalism is at a crossroads at this moment: either efforts will be made to rejuvenate political institutions and foster inclusive governance, or the public will continue to feel excluded and the excess of political energy that exists among the youth will be funneled in a different, possibly more destructive, direction.

The debate swirling around Palestinian nationalism and support for Palestinians was not limited to Palestinian citizens in the last few weeks. This week, news circulated that there are bills in both chambers of Congress that would penalize US citizens for supporting the Boycott, Divestment, and Sanctions (BDS) movement, one of the most well-known in the Palestinian national movement. The American Civil Liberties Union (ACLU), among others, has drawn attention to the *Anti-Israel Boycott Act (S. 720; H.R. 1697)*, which has garnered astonishing amounts of support in Congress despite few cosponsors knowing what is actually in the legislation. After the ACLU's efforts, a number of lawmakers have said they will review the legislation and ensure there are no violations of citizens' rights under the First Amendment. This will likely become a contentious talking point in the next few weeks as the bills become more publicized.