



ML Strategies Legislative Update

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## ML Strategies 2017 Outlook: Foreign Policy

Unlike many other policy areas where there may be some indication of an overarching strategy or approach to prioritization, the manner in which the Trump Administration will execute foreign policy remains largely unknown. While President-elect Trump has outlined a vision for reduced U.S. interference around the globe, it is also unclear how the incoming executive branch can obtain this goal while simultaneously ensuring the U.S. maintains a competitive edge in the global economy and responds appropriately to inevitable international crisis.

### **Executive Branch Agenda**

The foreign policy agenda outlined to date has not been easy to decipher, especially as President-elect Trump has advocated for both interventionist and isolationist responses to various circumstances around the world. While the Trump transition team has yet to lay out any specific plans, some of the promises made on the campaign trail could be signs of what the executive branch may prioritize in the foreign relations space.

For example, President-elect Trump may task his Administration with re-examining how the U.S. engages as part of multilateral institutions. In particular, President-elect Trump has been highly critical of the North Atlantic Treaty Organization (NATO), arguing that NATO members must be willing to contribute at least two percent of gross domestic product (GDP) in defense spending to be eligible to receive U.S. military assistance. More recently, in the days following passage of a Security Council resolution prohibiting Israel from building settlements in lands claimed by Palestine, President-elect Trump has also called into question the effectiveness of the United Nations (U.N.) and U.S. financial contributions to the world body.

The Trump Administration is also likely to consider how it might work with or distance itself from traditional allies when it comes to countering international terrorism. Without any specificity, President-elect Trump has pledged to defeat the Islamic State of Iraq and the Levant (ISIL) and proposed limitations on immigration to protect the homeland from terrorist attacks. He has also seemed to suggest closer collaboration with key players, such as Turkey, in countering violent extremism, while on the contrary, accused other countries that commonly align with the U.S., such as Saudi Arabia, of financing terrorism.

Further, there is uncertainty regarding how the Trump Administration may engage or disengage in other foreign hotspots. As tensions are likely to remain along the Russia/Ukraine border, it seems that President-elect Trump is poised to take a friendlier position towards the U.S. bilateral relationship with Russia, perhaps at the expense of U.S.-Ukraine relations. It is also uncertain what the Trump Administration may do to lift recent sanctions imposed by the Obama Administration in response to Russia's interference in the 2016 presidential election. Syria is also expected to continue to receive significant attention, and President-elect Trump has stated that he will focus on eliminating ISIL before considering what actions could be pursued against Bashar al-Assad. There seems to be some consensus within the Trump transition team that North Korea ranks high as a potential security threat. Despite this recognition, President-elect Trump has yet to outline any shift in U.S. policy, but has expressed his views that China should "solve the North Korea problem," and that other regional powers, such as Japan, should increase their nuclear arsenal to increase their defensive posture towards North Korea. Finally, the future of the Iran nuclear deal also stands in jeopardy.

President-elect Trump's views on U.S. relations with key countries in South America and Africa are even less clear. Since the election, President-elect Trump has said little regarding U.S. relations in Latin America, although there has been clear division among regional leaders on what the Trump presidency means for future collaboration with the U.S. Similarly, President-elect Trump has been relatively silent on Africa, despite increasing violence and political instability in a number of African countries. During the campaign, however, President-elect Trump acknowledged the challenge of corruption in Africa and suggested his Administration might respond by reducing U.S. development assistance to the continent.

Finally, the Trump Administration is also anticipated to integrate commercial issues with its foreign policy. Linked to President-elect Trump's trade agenda, the Administration is likely to emphasize global economic issues as part of its approach to maintaining bilateral and multilateral relationships. In the coming year, countries around the globe will have to face the consequences of the United Kingdom's (U.K.) referendum vote to leave the European Union (EU). Since the vote, there has been some speculation that President-elect Trump's support for the Brexit could weaken the U.S.-E.U. relationship. Also worth noting are President-elect Trump's threats to raise tariffs on China and to withdraw from the North American Free Trade Agreement (NAFTA) – actions that would likely tarnish U.S. relations with key trading partners. Additionally, expect the Trump Administration to view international commitments to address climate change through a business lens.

### **Key Trump Administration Political Appointees**

The Trump transition team's early cabinet appointments and operations related to international affairs seem to suggest a nonconventional pathway to foreign policy decision-making where President-elect Trump may be less involved in foreign policy on a day-to-day basis than many of his predecessors. In fact, many believe that Vice President-Elect Mike Pence will play a relatively larger role in executing the Trump Administration's foreign policy agenda.

Rex Tillerson, President-elect Trump's nominee to serve as Secretary of State, will also be a leading figure in driving U.S. foreign policy. Like President-elect Trump, many lawmakers have come to question how the Exxon Mobil CEO's global business ties will come to impact U.S. foreign policy. In particular, many Senators – including key Republicans – have criticized Tillerson's perceived friendship with Russian President Vladimir Putin, which was an area of focus during Tillerson's January 11<sup>th</sup> confirmation hearing. As of this writing, President-elect Trump had yet to announce his pick for Deputy Secretary of State, although it was rumored the search process was both contentious and expanding.

Gov. Niki Haley (R-SC), who President-elect Trump has tapped to fill the role as U.S. Ambassador to the U.N., is also adding to the uncertainty on what to expect from the Trump Administration on foreign policy. Aside from her public opposition to the Iran nuclear agreement and – given her parents Sikh faith – Gov. Haley's opposition to President-elect Trump's proposed Muslim ban, her views on many pressing international issues are largely unknown.

President-elect Trump will also replace many of the top diplomats representing the U.S. abroad. While many of these top posts – at levels around 70 percent – have traditionally been held by career foreign service officers (FSOs), it is possible that the Trump Administration will depart from this approach, instead opting to reward supporters and elevate members of the business world in the U.S. foreign policy community. Early evidence of this strategy may be seen in President-elect Trump's choice of Gov. Terry Branstad (R-IA), who is viewed as a Trump loyalist, to serve as U.S. Ambassador to China. Further, while few ambassadorial nominees have yet to be announced, those who will be appointed – and despite some controversy, likely to be confirmed by the Senate – will, in many cases, show stark differences from the predecessors. For example, David Friedman, President-elect Trump's choice to serve as U.S. Ambassador to Israel, is largely viewed as a conservative who has been deeply critical of the current U.S. Government strategy aimed at achieving Middle East peace and has also advocated for moving the U.S. Embassy to Jerusalem.

### **Notable Congressional Committee Changes**

In Congress, there will be consistency at the top of the authorizing committees with jurisdiction over foreign policy. The Senate Foreign Relations Committee will continue to be led by Sens. Bob Corker (R-TN) and Ben Cardin (D-MD), while the House Foreign Affairs Committee will continue to be led by Reps. Ed Royce (R-CA) and Eliot Engel (D-NY). Both committees will see new members in the 115<sup>th</sup> Congress. In the Senate in particular, service on the Foreign Relations Committee is viewed as a way to bolster foreign policy credentials, especially ahead of a presidential run. This is why it is notable that Sen. Cory Booker (D-NJ) will be joining the Committee. Sens. Todd Young (R-IN), Rob Portman (R-OH), and Jeff Merkley (D-OR) will also serve as new members on Foreign Relations.

There will be some changes at the top of the House State, Foreign Operations, and Related Programs Appropriations Subcommittees. In the new Congress, the Subcommittee will be chaired by Rep. Hal Rogers (R-KY), who previously chaired the full Committee but will no longer do so as a result of term limits. Rep. Nita Lowey (D-NY), who serves as Ranking Member of the full Appropriations Committee, is expected to remain the top Democrat on the Subcommittee. In the Senate, the State, Foreign Operations, and Related Programs Appropriations Subcommittee will likely continue to be led by Sens. Lindsey Graham (R-SC) new full Committee Chairman Patrick Leahy (D-VT).

### **Potential Legislative Activity**

Over the next year, there may not be much in the way of significant legislation pertaining to international affairs, but Congress is expected to play a key role in confirming key nominees in the foreign policy apparatus, including new ambassadors to serve at U.S. embassies overseas, authorizing and appropriating foreign assistance, and providing oversight of the executive branch approach to bilateral and multilateral relations.

During the last Congress, there was some push to pass a new Authorization for the Use of Military Force (AUMF) to clarify executive branch authorities for carrying out military activities against ISIL. With a Republican White House and Republican-controlled Congress, it is now unlikely that there will

be a renewed push for a tailored AUMF, allowing the Trump Administration a fairly wide range of options in the fight against ISIL.

One piece of legislation that could potentially see action in the new Congress is a revision of the Justice Against Sponsors of Terrorism Act (JASTA), which some had expected during the lame duck, but was never given consideration. Following the vote last year by which Congress overrode the presidential veto of the bill, members of both parties suggested it may be appropriate to revisit the legislation and make some revisions to address national security issues, including concerns about the safety of U.S. personnel overseas and potential retaliatory action that would allow foreign citizens to bring lawsuits against the U.S. Government.

Aside from confirmation hearings, it is also expected the Senate Foreign Relations Committee, as well as the House Foreign Affairs Committee, will continue to play a key role in spotlighting international crises around the globe. Expect committee hearings next year to focus on a number of topics, potentially including: political instability and nuclear weapons development by North Korea; Russian aggression; security in Afghanistan in light of a rising Taliban insurgency; the civil war in Syria; tensions in the South China Sea; the EU's efforts to address the global migration crisis; prospects for a two-state solution to the Israel/Palestine conflict; sectarian violence in Iraq; the civil war in Yemen; growing political instability in countries such as the Philippines, Turkey, and Thailand; the economic crisis in Venezuela; civil unrest in Burundi, the Democratic Republic of Congo (DRC), and Ethiopia; terrorist attacks in Africa perpetrated by Boko Haram and Al Shabaab; and the status of the peace agreement between the Columbian Government and the Revolutionary Armed Forces of Columbia (FARC).

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