



CONGRESS

Why Congress' sanctions push cooled even as Russia's aggression didn't

President Joe Biden got deference this month — a stark contrast with Donald Trump, whose approach to Moscow got handcuffed early.



“The president would have overwhelming bipartisan support to use his existing executive authorities for tough sanctions against Russia in the event of conflict,” Sen. Mitch McConnell said. | Francis Chung/E&E News/Politico

By **ANDREW DESIDERIO**
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Congress chained Donald Trump’s Russia policy, forcing harsh sanctions on him just months after taking office. Joe Biden is getting a lot more deference.

After [weeks of furious bipartisan talks](#) on a Russia sanctions package — and repeated assertions that Congress had to deliver a strong message to Vladimir Putin as he [nears an invasion of Ukraine](#) — senators are settling for a symbolic rebuke. They’re explaining their lack of action by saying Biden already has all the power he needs to punish Moscow.

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It's a stark contrast with how they handled the former president, whose approach to Putin got handcuffed early by a harsh, bipartisan sanctions bill. Many of the same lawmakers who chose to go heavy-handed on Trump now are largely deferring to Biden's promises to bring down the hammer on Putin — chiefly a sign of lawmakers' increasing inability to come to an agreement, even in the face of war.

“They’ve basically announced to the world and to Putin and the Russians that they intend to impose sanctions,” the Senate Intelligence Committee’s top Republican, Florida Sen. Marco Rubio, said of Biden’s administration in a brief interview this week. “He doesn’t need a bill to do the sanctions. Congress not passing a bill isn’t going to change our ability to respond to this.”

But lawmakers' Russia stalemate is especially notable given that last year's disastrous U.S. withdrawal from Afghanistan left members of both parties leery of the sitting president's foreign-policy planning. It's not that the GOP suddenly trusts Biden more: Only last month, Senate Republicans forced a divisive vote on sanctions for Nord Stream 2, the Russia-to-Germany pipeline that has become a central issue in the fight over penalties for Moscow.

What truly drove the whimper-not-bang end of this year's sanctions debate was the sharp contrast between the political food fights of Trump's Russia policy and the multilateral maneuvering that has dominated Biden's relationship with Moscow. Both parties had something to gain from pushing back at Trump; with the threat of war still hanging over Europe, both parties now would rather step lightly than overstep.

"If ever there was a moment that we should not be seeking immediate political advantage, this is probably one of those," Rubio said after emerging from a classified briefing this week. "I imagine there will be time to look back and see how this was handled and whether it could have been done better. But now is probably not the best time for that."

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Indeed, the lack of a sanctions accord sparked only mild criticism from the president's political opponents.

“White Houses often don’t like sanctions that are negotiated by Congress. They like to have the full leeway,” Sen. Kevin Cramer (R-N.D.) said, calling it “unfortunate” that a robust sanctions bill couldn’t pass before senators left Washington on Thursday.



Sen. Bob Menendez speaks during a hearing to examine U.S.-Russia policy on Dec. 7, 2021, in Washington, D.C. | Alex Brandon-Pool/Getty Images

The Senate managed to respond in the form of a resolution that preemptively warned the Russian president to cease his threats to Ukraine and NATO, pushing past Kentucky Republican Rand Paul’s objections to even that non-binding resolution. That amounted to a serious climbdown from the legislative conversation that Democrats themselves initially kicked off, with Foreign Relations Chair Bob Menendez (D-N.J.) authoring what he called a “mother of all sanctions” bill designed to cripple the Russian economy.

The Menendez bill served as the starting point for the talks, which dragged on for more than four weeks and even saw both parties reach a deal on central elements of a plan to assist Ukraine militarily in the event of an invasion. In the

end, though, both parties decided it wasn't worth continuing as a weeklong recess inched closer and as Putin's intentions became clearer.

To be sure, the Senate's inability to come together on a deterrent sanctions bill stemmed from substantive policy disagreements between the two parties over the scope and timing of the sanctions.

Even so, the Biden administration's diplomatic and military hands now have an even longer rope and a pseudo-guarantee that Congress won't come knocking on their door for the time being. As Cramer put it, the president is getting "full leeway" — for now, at least.

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Menendez's GOP counterpart on the Foreign Relations panel, Sen. Jim Risch of Idaho, predicted that there would be a "coming-together" between Democrats and Republicans on a sanctions bill if Russia moves into Ukraine. Still, the fate of such a measure could depend on how the Biden administration, in concert with European allies, responds to stepped-up Russian aggression that could play out within the next 24 hours.

Biden, who won the White House campaigning on his foreign policy chops, is even getting some tempered praise from Republicans for some of his moves vis-a-vis the crisis to date. Senate Minority Leader Mitch McConnell, for example, commended Biden for sending additional U.S. troops to eastern Europe, even as he pushes the president to impose preemptive sanctions that the administration has thus far resisted.



FOREIGN POLICY

Senate negotiators at an 'impasse' on Russia sanctions bill

BY ANDREW DESIDERIO

“The president would have overwhelming bipartisan support to use his existing executive authorities for tough sanctions against Russia in the event of conflict,” McConnell said on the Senate floor this week.

As the bipartisan talks over a sanctions package dragged on, senators started to acknowledge that the window had likely closed for them to take action in a way that would impact the outcome — especially given Biden’s Thursday declaration that he believes Putin will ultimately invade.

“The president clearly knows that we have been attempting to work together in good faith on sanctions,” Sen. Mike Rounds (R-S.D.), a Foreign Relations Committee member, said in a brief interview. “We can stay in here, but we would not be able to do anything right now anyway. This is up to Mr. Putin to make a decision, and then it’s going to be up to the president to respond.”

Lawmakers could also draw up legislation to force Biden’s hand if they believe his response to an invasion is insufficient or requires new authorizations. But the divisions between the two parties that were laid bare over the past few weeks could complicate even a post-invasion sanctions push.



DEFENSE

U.S. sounds new alarms on Ukraine and details Russian invasion plan

BY NAHAL TOOSI AND MACKENZIE WILKES

Democrats have insisted that their proposals would be simply additive in a way that expands Biden’s existing powers by allowing him to impose crushing sanctions on Russian financial institutions. Republicans released their own legislation this week that would also hit Russian banks, but would do so with

so-called secondary sanctions, which punish entities that do business with the Russian companies.

European officials **have raised alarm** about such a proposal because much of the continent's commerce stems from business engagements with Russia. Republicans contend that such severe measures are necessary given that Putin has largely been unmoved by previous U.S. sanctions.

“With Putin, a gentle approach probably isn't the way to go,” said Risch, who angered Menendez this week when he released the GOP-only legislation. “I suspect and I predict that if there's an invasion, my bill is going to become very, very popular.”

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