



IndivisibleEB.org

Senator Kamala Harris  
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**To:** Senator Kamala Harris  
**From:** Indivisible East Bay  
**Date:** June 25, 2019  
**Subject:** Resisting the Trump Agenda

**Iran and the Middle East:** It's important to maintain lines of communication with our allies and Iran during these tense times, brought on by our own president's effort to destabilize an already unstable region by reneging on international agreements like the JCPOA. We're glad to see that the Senator co-sponsored the Prevention of Unconstitutional War with Iran Act[1]. As tensions flared up in the Strait of Hormuz last week, we were glad to see Senators Kaine, Lee, Merkley, Sanders, Murphy, and Paul send a letter[2] to the administration demanding explanations for the new troop deployments to the Middle East.

**Question:**

- How does the senator view Congress' Article I power to authorize and appropriate funds for war in the context of a POTUS who has unilaterally withdrawn the US from not just international agreements like JCPOA and the Arms Trade Treaty[3] but also Senate ratified treaties like Intermediate-Range Nuclear Forces Treaty?
- Will the senator join with Sen. Kaine, Lee, et al to demand accountability for troop deployments to area near Iran?

**National Defense Authorization Act:** We thank Sen. Harris for voting NO on the motion to proceed to the NDAA. Please continue to vote NO and rally your colleagues to block the NDAA until it includes the bipartisan Udall-Paul amendment to prohibit unauthorized military operations in or against Iran. Congress must act to prevent war.

**AUMF Repeal and the House FY 2020 Defense Appropriations bill** - As the Global War on Terror drags on in its 18th year, in addition to the staggering costs in blood (between 480,000-507,000 killed[4]) and treasure (nearly **\$6 trillion** by one account[5]), there have been Kafkaesque unintended consequences like the Al-Alwi v. Trump case. Justice Breyer's dissent[6] to the SCOTUS cert denial brings attention to the possibility of the entire population of GITMO remaining in detention, possibly for the rest of their lives, without ever getting a trial. The precedent from Hamdi v. Rumsfeld allows the Dept. of Defense to detain and deny due process for the "duration of the conflict"; the result is perpetual detention *without trial*[7] unless Congress acts to make the "duration of the conflict" *finite*. This perversion of our laws can only be remediated by Congress carrying out its Constitutional duty to repeal the blank check for endless war.

**Questions:**

- Does the senator support the language of the AUMF repeal (which includes an 8-month sunset provision) in the recently passed House Defense Appropriations bill?

- Does the senator agree with the House bill's rescission of DoD authority to transfer/reprogram funds towards the hideous and ineffective border wall?
- Will the senator carry forward the work of House Democrats who blocked the submarine deployment of the W76-2 low-yield "more usable" nuclear warhead[8]?
- Will the senator work with Sen. Reed (RI) to ensure that both the Senate Defense Appropriations bill and the NDAA will not weaken the House bills' limitations on American nuclear programs that the administration has been working to expand?

**ICE and CBP Detention Facilities:** We share Sen. Harris' serious concerns about conditions in these facilities and these agencies' apparent defiance of Congressional oversight and their own rules. Less than a mile away, less than two days ago, a lawyer for Dept. of Justice argued in front of a 9th Circuit Court of Appeals panel for the authority to detain children in unsanitary conditions, on cold bare concrete floors, and in cages[9].

**Questions:**

- What is she doing to protect migrant families right now?
- We thank her for her legislation to protect immigrants, but even if it passes in the future, what is she doing to ensure that it will be enforced even by an administration that disagrees with it?
- Will the senator commit to voting against any funding bill that leaves out explicit requirements for HHS (or any agency with jurisdiction over immigrant youth) to adhere to the Flores Agreement/Consent Decree?
- Will the senator commit to voting against any DHS appropriations bills that would increase funding for detention?

**Border Supplemental Appropriations Bill:** We do believe that the money for DHS and HHS is clearly intended to improve conditions for detainees, not increase their ability to lock up and separate families. But we are worried that won't matter to this administration. We understand that money is needed to care for immigrants, but we are very worried agencies will take this money and use it to make our Southern border even worse.

**Questions:**

- What is Sen. Harris pushing to include in the final version of this bill?

**American Dream and Promise Act:** We ask Sen. Harris to move to proceed to the bill on the Senate floor.

**Gun Safety/Any Good and Popular Legislation Passed in the U.S. House:** We want Sen. Harris to force the Senate to vote on the excellent legislation that has passed in the House. It will help us win the Senate in 2020 both by forcing Republicans to cast unpopular votes and by taking steps to make the Senate a functioning legislative body that Democrats actually want to get elected to (instead of just running for president). And at the very least it will take up time that would otherwise be spent confirming bigoted and unfit judges.

**Politicization of the Federal Judiciary:** We believe that the Republicans' accelerating politicization of our courts demands a response that takes back some of the power that they have unscrupulously grabbed. Such a response would include an end to lifetime appointments, reforms to the confirmation process, and potentially additional seats to bring the courts into balance.

**Questions:**

- Does Sen. Harris agree with that assessment of the problem?

-She has said that legislation to expand the courts is on the table. Has she looked at some of the various plans to expand both the Supreme and lower courts?

-Does she have any other ideas to prevent a politicized judiciary from striking down progressive legislation?

**Election Security:** The Mueller Report and Mueller's press conference on May 27th have raised this issue to be front and center. While Republicans have raised some meaningful objections to specific proposals, Senator McConnell's outright refusal to even consider efforts to prevent election interference are unacceptable. States rights matter, but this is no longer merely a state concern. Election security is now a matter of national security. Refusing to even fund it is tantamount to not defending the country against a foreign attack. At a minimum, the Senate should include the \$600 million in election security in the House version of the Financial Services Appropriations bill[10]. We would like the senator to use her unique position on both Intelligence and Appropriations to persuade her reluctant colleagues of the seriousness of this problem.

**Questions:**

- Does the senator view election security as national security concern?

**American Family Act of 2019:** We thank her for co-sponsoring this bill.

**Investigations and Oversight:** We want Sen. Harris as a member of the Senate Intelligence Committee, to obtain information necessary to perform oversight regarding the counterintelligence investigation, begun in 2016, that ultimately led to the Mueller investigation. We are also very concerned about the Trump administration's pattern of resisting oversight by refusing to testify or turn over documents. We think it is very important for Congress to have access to the information it needs to act as a check on the executive branch and ask Sen. Harris to continue doing everything she can to hold them accountable. Though we have multiple major policy disagreements with the senator's colleague, Senator Grassley, we commend him for following up on and disclosing efforts by CIA to monitor communications between whistleblowers and members of Congress[11]. We ask her to prioritize additional protections for government whistleblowers. Whistleblowers who are brave enough to come to testify before Congress, especially members of the Intelligence Community, now need even more protection from a vindictive Commander in Chief and a pliant Attorney General who has shown a penchant for wild conspiracy theories and is actively pursuing those on Trump's "enemies list"[12] (such as his promise to investigate Hillary Clinton).

**Town Hall:** We, of course, understand that Sen. Harris is very busy right now, and we encourage her to follow her dreams--many of us in this room could be convinced to vote for her if she plays her cards right. But we are feeling a little neglected as her constituents. We ask her to at least hold 1 town hall here in California for every 20 or so forums she attends in other parts of the country.

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