

ISSUE BRIEF

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U.S. Election Should Energize Asia Policies

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The results of the midterm elections could reinvigorate U.S. policies toward Asia, which have suffered from a lack of resources and resolve. The new Congress will likely be more supportive of concluding free trade agreements, funding U.S. defense requirements, and imposing additional sanctions to leverage North Korean compliance with international agreements. That said, U.S. Presidents remain constitutionally predominant in foreign policy.

Trade

Republican Members of Congress have repeatedly voted in greater numbers for free trade agreements than their Democratic colleagues, including the U.S.–South Korea Free Trade Agreement. After the election, pending Senate Majority Leader Mitch McConnell (R–KY) declared that Republicans “believe that international trade agreements are a winner for America.”¹

Yet for the new Congress to approve either trade promotion authority (TPA) or the Trans-Pacific Partnership (TPP), the Obama Administration must show more initiative and enthusiasm than it has to date. President Barack Obama has been reluctant to push for free trade against entrenched special interest groups, such as auto unions.

After four years of informing Congress that it would seek TPA or “fast track” authority at “the appropriate time,” the Obama Administration finally indicated interest in working with Congress in 2014. But thrice in 2014, three-fourths of the Members of the House Democratic Caucus wrote to President Obama rejecting the current framework of the Trans-Pacific Partnership. The TPP, which was initiated by the Bush Administration, is a key component of Obama’s vision for America’s commitment to Asia—his rebalance or “pivot” strategy.

Yet the real test of the President’s rhetoric supporting free trade is whether his Administration asks Congress for TPA and concludes a TPP that truly liberalizes trade.

The Asia Pivot

The Obama Administration heralded its Asia pivot strategy, even proclaiming that the U.S. was now back in Asia as a result. Yet three years later, Asian nations question U.S. military capabilities and resolve—the result of underfunded U.S. defense requirements and perceived missteps in U.S. foreign policy.

Secretary of Defense Chuck Hagel declared that the military is in danger of becoming “a hollow force, one that is not ready, one that is not capable of fulfilling assigned missions. In the longer term, after trimming the military enough to restore readiness and modernization, the resulting force would be too small—too small to fully execute the president’s defense strategy.”²

The new Senate will be inclined to fund U.S. defense requirements more fully, reversing deep cuts to the defense budget enacted by the Obama Administration and Congress. Senator John McCain

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(R-AZ), slated to become chairman of the Senate Armed Services Committee, vowed after the election, “I promise you that we will make it [fixing sequestration] our highest priority.”

Reversing the draconian cuts to the defense budget would make the Asia pivot more of a reality. Despite claims of shifting naval assets to the Pacific, the Obama defense budget will shrink the size of the U.S. Navy, and some ships are already unable to leave port due to lack of funding.³

North Korea

Pundits speculate that President Obama might seek a foreign policy legacy through a Hail Mary diplomatic outreach to North Korea, particularly if a nuclear deal is reached with Iran. But Congress will remain skeptical of the U.S. returning to the Six-Party Talks without clear indications that Pyongyang will resume its pledged denuclearization.

The new Senate could instead be more amenable to imposing additional punitive measures on Pyongyang, particularly after another North Korean provocation. Such measures could include supporting the House-initiated North Korea Sanctions Enforcement Act of 2014 (H.R. 1771) as a way of pressing President Obama to enforce U.S. laws more fully.

Contrary to prevalent media depictions, North Korea is not the most heavily sanctioned country in the world. The U.S., EU, and U.N. have imposed far more pervasive and compelling measures against Iran. Just as strong measures induced Iran to return to the negotiating table, more robust measures are needed to leverage North Korea.

Instead, the Obama Administration continues to pull its punches by only incrementally increasing punishments on Pyongyang for its repeated defiance of the international community. Washington has targeted fewer North Korean entities, primarily for illicit activities and weapons of mass destruction, than it has the Balkans, Burma, Cuba, and Zimbabwe. Nor has Washington designated North Korea as a primary money-laundering concern as it did Iran and Burma.

The U.S. has targeted Zimbabwe, Congo, and Burma for human rights violations, yet has not taken action against North Korea in the nine months since the U.N. Commission of Inquiry accused Pyongyang of human rights violations so egregious as to qualify as crimes against humanity.

What Congress Should Do

Congress should:

- **Promote free trade.** Congress should grant trade promotion authority only if the President is willing to provide credible assurances, including in the text of TPA legislation, that negotiators will seek agreements that actually increase economic freedom and promote trade, not just subsidize or protect favored constituencies at the expense of the general public. Nor should any trade agreement expand the administrative state. The United States should lead efforts to conclude a comprehensive, truly trade liberalizing TPP agreement that sets a precedent for future liberalization.
- **Fully fund U.S. defense requirements.** The United States cannot cut defense spending by 21 percent over the past four years and reasonably expect to maintain its current level of commitment. Shortchanging U.S. defense spending creates an unacceptable risk to America’s armed forces, allies, and national interests in the Asia-Pacific.
- **Insist on North Korea’s complete compliance with U.N. resolutions** as well as its commitment to its Six-Party Talks pledges to abandon its nuclear weapons programs completely and verifiably. There is no utility to returning to nuclear negotiations as long as Pyongyang vows never to abandon its nuclear arsenal.

1. Teresa Welch, “GOP Senate Gives Trade Agreements Promise,” *U.S. News and World Report*, November 5, 2014, <http://www.usnews.com/news/articles/2014/11/05/republican-senate-gives-trade-agreements-promise> (accessed November 20, 2014).

2. Chuck Hagel and General Martin E. Dempsey, “Remarks by Secretary Hagel and Gen. Dempsey on the Fiscal Year 2015 Budget Preview in the Pentagon Briefing Room,” U.S. Department of Defense, February 24, 2014, <http://www.defense.gov/Transcripts/Transcript.aspx?TranscriptID=5377> (accessed October 28, 2014).

3. Hugh Lessig, “Coalition Warns of ‘Death Spiral’ for Strained U.S. Fleet,” *Daily Press* (Newport News, VA), November 13, 2014, <http://www.dailypress.com/news/military/dp-nws-navy-budget-warning-20141112-story.html> (accessed November 21, 2014).

- **Increase pressure on Pyongyang.** The time for incremental responses and relying on the U.N. is past. The U.S. should act against North Korea's illegal activities; its nuclear and missile programs; and any complicit foreign individual, bank, business, or government agency.
- **Highlight North Korean human rights abuses.** Washington should press the U.N. to endorse the Commission of Inquiry recommendation for targeted sanctions against those responsible for human rights violations in North Korea. If China resists, it should be forced to veto the resolution, putting it firmly on the side of a perpetrator of crimes against humanity.

Rising China Poses Risks to U.S. Interests

China is challenging the status quo in the Pacific and seeking to expand its influence at Washington's expense. The U.S. needs to step up its game in Asia by devoting sufficient military resources, resolve, and trade prioritization to back up its rhetoric on the Asia pivot. Otherwise, Washington may find itself sitting on the sidelines in years to come.

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