



Will travel ban be Republicans's first big break with Trump?

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Republicans confront their first big test about whether to break with their party's new president following the [Supreme Court's decision](#) to allow Donald Trump's contentious travel ban against citizens from six Muslim-majority nations to take effect.

Activists are already calling on GOP lawmakers to stop – and also denounce – the ban. Republicans will face even more pressure from constituents as they head home for the bulk of the summer at the same time they are dealing with their party's decision to replace the Affordable Care Act with a plan that would lead to a rise in premiums by [as much as 20 percent](#).

“This bigoted ban cannot be allowed to take effect again, and Congress needs to step in immediately to nullify it once and for all,” said Margaret Huang, executive director of [Amnesty International USA](#).

Republicans, many of whom actively worked against Trump's unorthodox candidacy, have been reluctant to oppose him after he was sworn in as they relished the thought of the first GOP White House and Congress in a decade succeeding in pushing a conservative agenda.

But many also spent months safely complaining that the travel ban was overly broad, constituted a religious test and was “against everything our country stands for” as [lower court after lower court](#) ruled against his executive order limiting travel to the United States by citizens of Iran, Libya, Somalia, Sudan, Syria and Yemen.

Democrats eagerly prodded Republicans to take a position. Just hours after the court decision, a Democratic candidate running against a Republican House member from California immediately began to use the travel ban as a political weapon.

“Everyone should be treated equally no matter their religion, or the color of their skin,” wrote Kia Hamadanchy in an email. “It's that simple, but Republicans like Rep. Mimi Walters can't seem to grasp this fundamental right.”

The Supreme Court agreed Monday to hear the matter when it reconvenes in October, though its unclear what practical implication, if any, the case would have on a ban that was only ever designed to last for 90 days.

Still, Trump quickly boasted of the victory, one of his few he has had since his inauguration. Instead, his presidency has been largely defined by months of leaking, infighting and negative publicity stemming from an [FBI investigation](#) over whether his associates colluded with Russia in meddling in the presidential election. And his agenda has gotten virtually nowhere in Congress.

“As president, I cannot allow people into our country who want to do us harm,” Trump said in a statement Monday. “I want people who can love the United States and all of its citizens, and who will be hardworking and productive.”

But what Trump called a victory could also prove to be the breakpoint Republicans can use to show they’re independent of a president whose approval ratings struggle to remain at 40 percent.

It won’t be easy. Most Republican lawmakers, including House Speaker Paul Ryan, R-Wis. and Senate Majority Leader Mitch McConnell, R-Ky. remained silent except those who strongly supported Trump and the ban.

“President Trump issued this order within his constitutional and statutory authorities to protect the safety of our nation and its citizens,” Sen. Sen. Jim Inhofe, R-Okla.

It may be difficult for Republicans to oppose the president when they want to work together to pass overhauls to the nation’s health care system and its tax code, write a federal budget for fiscal 2018, which begins Oct. 1, and dramatically pare the size of government. And GOP lawmakers are well aware Trump retains significant support among conservatives.

"It's a constitutional decision," Sen. Marco Rubio, R, Fla. said of the court action. "I never felt the president didn't have the authority to do it. People can debate whether it's good policy or bad policy, but I've never questioned his constitutional authority to do it."

Nine Republican senators face re-election next year. While only two, Nevada’s Dean Heller and Arizona’s Jeff Flake, are considered vulnerable, the travel ban could have an impact.

“This is a major win for Trump,” said [David Bier](#), an immigration expert at the Cato Institute who drafted immigration legislation as senior policy adviser for Rep. Raúl Labrador, R-Idaho. “The justices that would have allowed the entire ban to go into affect even said in their opinion that this implies that the court thinks that the government will succeed.”

But Kevin Madden, a Republican strategist and adviser to 2012 GOP presidential nominee Mitt Romney, said Republicans have a reprieve until the court makes a decision in the fall following the arguments.

“If you were for the measure, you certainly feel validated, as the president's embrace of today's news indicates,” he said. “If you were against it, the court's willingness to hear oral arguments later this year indicates that the issue isn't truly settled just yet.”

Earlier this year, Republicans reacted strongly to Trump’s original travel ban that barred Syrian refugees and immigrants from seven predominantly Muslim countries from entering the United States.

“Ultimately, we fear this executive order will become a self-inflicted wound in the fight against terrorism,” Sens. John McCain of Arizona and Lindsey Graham of South Carolina said in a statement at the time.

Republicans reacted more positively to a revised order, which Trump complained was “watered down.”

Just last month, Sen. Roy Blunt of Missouri, a Republican leader in the Senate, said the administration should focus on implementing a more rigorous vetting system. “I think you can do that without a travel ban and hopefully, we are,” he told Fox News Sunday. Blunt’s office declined to comment Monday.