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THE U.S. INTELLIGENCE COMMUNITY AND THE FIGHT AGAINST ISIS: DONALD TRUMP ADMINISTRATION'S NATIONAL SECURITY POLICY

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Abstract: Fight against international terrorism remains one of the keystones of the United States' foreign policy in the upcoming period. The threat of the Islamic State is still grave for the international security, so it is understandable that Donald Trump administration will remain in this course. In the presentation of the new administration's program at the White House website, it is pointed out that "defeating ISIS and other radical Islamic terror groups" will be of the highest priority, and that joint and coalition efforts will be needed. In the inaugural address, the new President stated that the United States intent to "unite the civilized world against Radical Islamic Terrorism". It is initially obvious that, differing from the notion of "fight against violent extremism" used by the Obama administration, the new administration talks about the fight against radical Islamism. In this paper, the authors will analyze and present the key shifts in the United States' national security policy in the wake of the Donald Trump's administration. Key positions of Trump's presidential campaign regarding the foreign policy, national security policy, fight against the Islamic State, and the reform of the Intelligence Community, will be juxtaposed with decisions made during the beginning of the presidential term.

Keywords: Intelligence Community, United States, Donald Trump Administration, Terrorism, National Security Policy, Islamic State.

INTRODUCTION

Decision-making process for the United States President's national security policy could not be properly fulfilled without effective intelligence, institutionalized within the Intelligence Community (IC), if we know that "intelligence as a function of government plays an important role in the creation and implementation of United States foreign and domestic policy."² If we want to fully understand the importance of well-informed decision-making and/or policy-making, we need to know the exact role and responsibility of the intelligence in that process:

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2 Stephen Marrin (2014). "The United States". In: Robert Dover, Michael S. Goodman, and Claudia Hillebrant (Eds.). *Routledge Companion to Intelligence Studies*. London: Routledge, p. 145.

“...those who produce intelligence should refrain from formulating policy—that is not their job. Instead, intelligence professionals should describe the world around them in the most objective way possible, free from political or personal concerns. It is their responsibility to ‘tell it like it is’ to the decision-maker. Occasionally, this involves passing along bad news; for example, telling a policymaker that his or her plans or policies are not achieving their desired ends. This takes a great deal of bravery—no one likes hearing bad news. Given the political intrigue that is often found in organizations, the IC analyst may be the *only* individual who tells the boss unfortunate news. This is the beauty and the power of the position—good decisions can only be made in honest circumstances. To that end, the brave analyst, one who is willing to speak the truth, may be the best friend policymakers have, whether they recognize it or not.”³

However, this relation is not a constant one, nor the reliability of the decision-makers on the intelligence ‘product’ is permanent. Various administrations had different intelligence communities in diverse times, and not all of them had equally reliable and precise intelligence in given circumstances. Some presidents relied heavily on their intelligence agencies, some relied more on their cabinet members. Certain decisions were well-informed; some were intuitive and based on experience. Some of them entered the White House with prejudice towards the world of ‘secret services’, others had intelligence careers before that. “Other factors, from presidential neuroses to domestic political interests, are often more powerful.”⁴ And, finally, there are Presidents who had disputes with intelligence world before entering the White House. New American President, Donald Trump, is unique by many standards – he does not have a political background, he comes directly from the business world, and he refrains from political correctness. Also, during his presidential campaign, Trump had a rather big quarrel with the Intelligence Community.

The transition from Donald Trump’s vastly ill-informed and populist presidential campaign rhetoric towards the first presidential systemic obstacles was rather dramatic, and was not only related to the matters of domestic policy, but also to the ongoing foreign policy and national security issues. The fight against Islamic State of Iraq and Levant (ISIS) was one of the hot topics in the presidential debate, along with the reform of the Intelligence Community in the wake of several domestic and international scandals. The role and the significance of the U.S. Intelligence Community in the war on terror is of great importance for the fight against ISIS as well, especially the defense agencies that make the majority of the Intelligence Community, and are key operational and tactical intelligence providers in the ongoing Middle East situation. Therefore, we will try to explain the relationship between the IC and different Administrations in the key periods of the American foreign policy (the Cold War, the post-Cold War period, the post-9/11 period), and try to give a general prediction about the new Administration’s possible paths and directions of the Intelligence Community in the war against ISIS.

THE U.S. INTELLIGENCE COMMUNITY

The United States Intelligence Community (IC) is probably the largest and the most complex national intelligence system in the world, with seven decades of active national security and foreign intelligence experience. From 1947, when National Security Act⁵ was adopted,

3 Jensen, C.J., McElreath, D.H. & Graves, M. (2013). *Introduction to Intelligence Studies*. Boca Raton: CRC Press, p. 11.

4 Paul R. Pillar (2011). *Intelligence and U.S. Foreign Policy: Iraq, 9/11, and Misguided Reform*. New York: Columbia University Press, p. 6.

5 *An Act to promote the national security by providing for a Secretary of Defense; for a National Military Establishment; for a Department of the Army, a Department of the Navy, a Department of the Air Force;*

until today, this community was built from scratch into a 17-agency all-source intelligence system aimed at both domestic and international (foreign) threats. In brief:

“The U.S. IC is a coalition of 17 agencies and organizations within the executive branch that works both independently and collaboratively to gather the intelligence necessary to conduct foreign relations and national security activities. The primary mission of the IC is to collect and convey the essential information that the president and members of the policy-making, law enforcement, and military communities require to execute their appointed duties. The 17 agencies possess a wide range of capabilities and intelligence needs themselves.”⁶

The history of the IC was rather dynamic and turbulent. Key cornerstones of its development were related to significant events in American domestic or foreign policy. For instance, after the Watergate scandal, the first bigger IC-related legislative reform was made with the Foreign Intelligence Surveillance Act⁷ in 1978. This law was aimed at the improvement of intelligence collection and analysis, as well as to make a clear distinction between various tasks and authorities of then members of the intelligence community (at the time, still not officially named the Intelligence Community). The original idea was to make limitations to the IC covert or illegal ops, and to implement appropriate measures if these activities were carried out in unethical manner. However, in 1981 the Executive Order 12333 on United States Intelligence Activities⁸ was signed by President Ronald Reagan, with the aim to “provide for the effective conduct of United States intelligence activities and the protection of constitutional rights”. The Executive Order “clearly delineated the roles and responsibilities of agencies and individuals within the intelligence community”¹⁰:

“The objective was to ensure that the president and National Security Council received necessary and timely information ‘on which to base decisions concerning the conduct and development of foreign, defense, and economic policy, and the protection of the United States national interests from foreign security threats.’ To achieve this goal, Executive Order 12333 promoted analytical competition in the Intelligence Community and directed it to use all means “consistent with applicable United States law and this Order, and with full consideration of the rights of United States persons” to detect and counter espionage, terrorism, and other threats.”¹¹

The main contribution of the Executive Order 12333 to the reform of the Intelligence Community was precise definition of the roles of the IC members, and for the first time institutionalized it under the name of the Intelligence Community:

- “Collection of information needed by the President, the National Security Council, the Secretary of State, the Secretary of Defense, and other executive branch officials for the performance of their duties and responsibilities;
- Production and dissemination of intelligence;

and for the coordination of the activities of the National Military Establishment with other departments and agencies of the Government concerned with the national security. Congress of the United States of America, 61 STAT. 495.

6 Jensen, C.J., McElreath, D.H. & Graves, M. (2013). *Introduction to Intelligence Studies*. Boca Raton: CRC Press, p. 12.

7 *An Act to Authorize Electronic Surveillance to Obtain Foreign Intelligence Information*. Congress of the United States of America, 92 STAT. 1783.

8 *Executive Order No. 12,333 – United States Intelligence Activities*, 3 C.F.R. 200 (1981 Comp.).

9 William F. Brown, Americo R. Cinquegrana (1985). Warrantless Physical Searches for Foreign Intelligence Purposes: Executive Order 12,333 and the Fourth Amendment. *Catholic University Law Review*, 35(1), 97-179.

10 Cully Stimson (January 24, 2017). *Will Trump Reform the Intelligence Community? History Offers Some Clues*. The Daily Signal, Available through: <http://dailysignal.com/2017/01/24/will-trump-reform-the-intelligence-community-history-offers-some-clues/> (accessed March 10th, 2017).

11 *Ibid*.

- Collection of information concerning, and the conduct of activities to protect against, intelligence activities directed against the U.S., international terrorist and/or narcotics activities, and other hostile activities directed against the U.S. by foreign powers, organizations, persons and their agents;
- Special activities (defined as activities conducted in support of U.S. foreign policy objectives abroad which are planned and executed so that the “role of the United States Government is not apparent or acknowledged publicly”, and functions in support of such activities, but which are not intended to influence United States political processes, public opinion, policies, or media and do not include diplomatic activities or the collection and production of intelligence or related support functions);
- Administrative and support activities within the United States and abroad necessary for the performance of authorized activities and
- Such other intelligence activities as the President may direct from time to time.”¹²

Through the Executive Order, Reagan “not only made the intelligence community more responsive to oversight by elected officials, he also gave each agency clear responsibilities and goals. This empowered the intelligence community to work effectively to generate information necessary to make important policy and national security decisions.”¹³ The Order was used by the presidents for the past three and a half decades, and “has enabled every president to provide clear direction to the intelligence community regarding its organization and objectives.”¹⁴

After 9/11, the American national security policy was dramatically changed and focused on protection of the U.S. national interests both at home and abroad, with all the available means. The reform of the Intelligence Community was imminent, primarily because of the large disappointment with one of the biggest intelligence failures in American history. The key document for the beginning of the new and comprehensive intelligence reform was a 9/11 Commission Report¹⁵, which concluded “that the intelligence community needed significant changes to its organizational structure to better control and coordinate the complex web of intelligence agencies.”¹⁶ Thus, “the first major legislative reform of the intelligence community came in 2004 when President George W. Bush signed the Intelligence Reform and Terrorism Prevention Act (IRTPA) into law.”¹⁷ This Act established the position of the Director of National Intelligence (DNI), who is appointed by the President, but not a member of his Executive Office. However, the DNI is “subject to the authority, direction, and control of the President” to:

- “serve as a head of the Intelligence Community,
- act as the principal adviser to the President, to the National Security Council, and the Homeland Security Council for intelligence matters related to the national security, and
- oversee and direct the implementation of the National Intelligence Program.”¹⁸

¹² *Ibid*, Executive Order No. 12,333.

¹³ *Ibid*, Will Trump Reform the Intelligence Community?

¹⁴ *Ibid*.

¹⁵ The National Commission on Terrorist Attacks Upon the United States (also known as the 9/11 Commission), an independent, bipartisan commission created by congressional legislation and the signature of President George W. Bush in late 2002, was chartered to prepare a full and complete account of the circumstances surrounding the September 11, 2001 terrorist attacks, including preparedness for and the immediate response to the attacks. The Commission was also mandated to provide recommendations designed to guard against future attacks. More through: <https://9-11commission.gov/report/>

¹⁶ Cully Stimson (January 24, 2017). *Will Trump Reform the Intelligence Community? History Offers Some Clues*. The Daily Signal, Available through: <http://dailysignal.com/2017/01/24/will-trump-reform-the-intelligence-community-history-offers-some-clues/> (accessed March 10th, 2017).

¹⁷ *Ibid*.

¹⁸ *An Act to Reform the Intelligence Community and the Intelligence and Intelligence-related Activities of*

Because “intelligence requirements for counterterrorism span a matrix of strategic, operational and tactical analytical levels, and offensive and defensive measures and actions”¹⁹, one of the major changes introduced by the IRTPA was the codification of the National Counterterrorism Center (NCTC), previously established by Presidential Executive Order 13354.²⁰ The idea behind the NCTC was to make a center for joint operational planning and intelligence, which will include officers from different agencies, notably members of the Intelligence Community. The Director of the NCTC reports both the President for counterterrorism planning line of responsibility, and the Director of National Intelligence for intelligence issues. He also has the duty to follow national security policy framework and directions from the President, National Security Council, and Homeland Security Council.

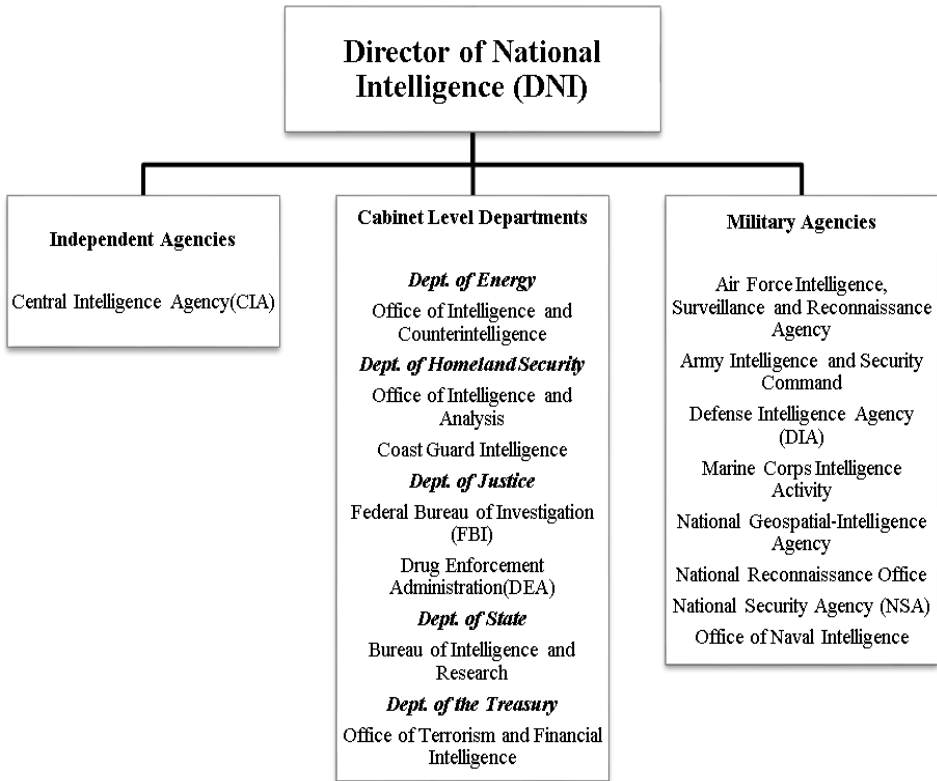


Figure 1. The United States Intelligence Community, Agencies reporting to DNI²¹

Apart from the War on Terror and fight against Al Qaeda in the 9/11 aftermath, the Intelligence Community did not have much of a success on the other fields, and also suffered some major failures, that raised high-level alert in the public about human and privacy rights abuse. First, the fact that the uprising in the Arab countries from 2010 to 2012 appeared completely under the IC radar is one of the setbacks of the intelligence reform, along with several

the United States Government, and for other Purposes. Congress of the United States of America, S. 2845.
 19 Neal A. Pollard & Lt John P. Sullivan (2014). Counterterrorism and Intelligence. In: Robert Dover, Michael S. Goodman, and Claudia Hillebrnad (Eds.). *Routledge Companion to Intelligence Studies*. London: Routledge, p. 247.
 20 Executive Order No. 13,354 – National Counterterrorism Center, 3 C.F.R. (2004).
 21 Carl J. Jensen, David H. McElreath, & Melissa Graves (2013). *Introduction to Intelligence Studies*. Boca Raton: CRC Press, p. 56.

terrorist attacks on American soil. Scandals with diplomatic cables leak (Wiki Leaks) and Edward Snowden revelations about National Security Agency's massive abuse of information and communication technology infrastructure in the U.S. and abroad raised even more questions about the responsibility of the Intelligence Community.

If we consider the stand of Stephen Murrin, that strategic intelligence "has limited influence on American foreign policy"²², and that the main reasons for that are "due to the combination of political commitments and cognitive biases at the highest levels of national policy-making which hinder or otherwise prevent intelligence analysis from influencing policy"²³, we could consider Donald Trump's relation to the Intelligence Community as extremely biased and problematic, but not completely without reason. During the campaign, Trump had several very serious allegations towards some Intelligence Community agencies, which started in October 2016, after the Department of Homeland Security and the ODNI made the statement on Russian involvement in the election process. On multiple occasions from October 2016 to January 2017, Donald Trump commented the allegations by claiming there are direct linkage between the Democratic National Committee and the Intelligence Community, that some agencies purposely leaked false information to the media, and that the masterminds behind the allegations are the same agencies responsible for 2003 intelligence failure over Iraq's weapon of mass destruction.²⁴ However, on the first day of Donald Trump's presidency, he visited the Central Intelligence Agency and sent a message that the media exaggerated about his relation to the Intelligence Community, which could be considered as a good sign of their future relationship.

THE U.S. AND THE FIGHT AGAINST THE ISLAMIC STATE

After the beginning of the Iraqi Civil War in 2014, it was obvious that the new security actor, the Islamic State of Iraq and the Levant (Islamic State, or ISIS) is gaining more territorial control than expected, and after spreading into eastern parts of Syria, it was clear that its conflict potential is far from controllable, especially when we know today that "the Islamic state has grown into a significant stakeholder in the conflicts in Syria and Iraq"²⁵. From summer 2014, the United States entered the conflict with small troops in Iraq, which was followed with air strikes in Iraq and Syria from August, and making of the U.S.-led coalition of fourteen countries fighting ISIS. In two and a half years the number of actors, besides the coalition, involved Iran, Russia, Saudi Arabia, Bahrain, and United Arab Emirates. The situation on the field dramatically changed in 2016, when key towns were liberated, and ISIS lost the majority of territory occupied, especially in Iraq and Syria.

Donald Trump's relation towards the fight against ISIS has shifted since his Presidential Announcement in June 2015. Because ISIS was one of the hot topics during the presidential campaign, Trump has had numerous statements on possible American involvement during his term. First he stated that Syria should be "a free zone for ISIS, let them fight and then you

²² Stephen Murrin (2017). Why Strategic Intelligence Analysis has Limited Influence on American Foreign Policy. *Intelligence and National Security*, DOI:10.1080/02684527.2016.1275139.

²³ *Ibid*, p. 2.

²⁴ Eugene Kiely (January 23rd, 2017). *Trump and Intelligence Community*. FactCheck, Available through: <http://www.factcheck.org/2017/01/trump-and-intelligence-community/> (Accessed March 26th, 2017).

²⁵ Miroslav Talijan, Hatidža Beriša, Rade Slavković (2016). *The Battle against Islamic State: Some of the Possible Strategies*. International Scientific Conference „Archibald Reiss Days“ Proceedings, vol. 2, p. 338.

pick the remnants”²⁶, and after that he supported the Russian military intervention in Syria. In 2016 Trump changed his rhetoric with focusing on the US military capacities for combating ISIS. First he proposed sending 20-30 thousand troops, but soon withdrew that statement, and then proposed the use of NATO and neighboring states (in the Middle East) in ousting ISIS from the region. In many of his speeches, the fight against ISIS was connected with the fight against the “radical Islamic terrorism”.

In the presentation of the new administration’s program at the White House website, it is pointed out that “defeating ISIS and other radical Islamic terror groups” will be of the highest priority, and that joint and coalition efforts will be needed. In the inaugural address, the new President stated that the United States intent to “unite the civilized world against Radical Islamic Terrorism”. It is initially obvious that, differing from the notion of “fight against violent extremism” used by the Obama administration, the new administration talks about the fight against radical Islamism. However, relation towards rhetoric on radical Islamic terrorism changed after Trump began staffing the new Cabinet and Executive Office. New National Security Advisor, Lt. Gen. H.R. McMaster, already gave his stand regarding the fight against the radical Islamic groups. In February 2017, he stated that the label of “radical Islamic terrorism” was not helpful as the perpetrators were “un-Islamic”, which is regarded as a “break from the rhetoric” of Trump’s presidential statements.²⁷ Something closer to the stand of Obama’s administration, which is also encouraging in terms of shifting the discourse from presidential campaign towards more realistic approach. Fight against international terrorism remains one of the keystones of the United States’ foreign policy in the upcoming period. The threat of the Islamic State is still grave for the international security, so it is understandable that Donald Trump administration will remain in this course.

CONCLUSIONS

Donald Trump’s “reality check”, apart from realizing that the division of power in the United States is still a keystone of the American political system, is also visible in his relation to the Intelligence Community and very sensitive question of the future course of American national security policy. First, he realized that the IC is very complex and sensitive legislative and institutional framework and a backbone of the United States counterterrorism strategy. The U.S. involvement in the fight against ISIS during the previous administration could not be implemented without the strong IC. Also, new administration should carefully cooperate with the Intelligence Community, where the position of the Director of National Intelligence is probably the key one. “The Director of National Intelligence would be the key player for implementing any intelligence community reforms dealing with security clearance, intelligence acquisition, and information sharing.”²⁸ Also, President Trump is going to have “a lot of executive discretion as president on how to use the intelligence community, starting with his Director of National Intelligence, former Republican Senator Dan Coats. As a highly successful businessman, Trump will quickly learn that the director’s office works best with a very

²⁶ Donald Trump running for President (Interview) (June 17, 2015). FOX News, Available through: <http://www.foxnews.com/transcript/2015/06/17/donald-trump-running-for-president.html> (accessed March 10th, 2017).

²⁷ Rebecca Flood (February 25th, 2017). Donald Trump and his New National Security Advisor Look Set to Clash on Radical Islam. *Independent*, Available through: <http://www.independent.co.uk/news/world/americas/donald-trump-national-security-advisor-clash-islam-radical-mcmaster-a7599641.html> (Accessed March 25th, 2017).

²⁸ Cully Stimson (January 24, 2017). *Will Trump Reform the Intelligence Community? History Offers Some Clues*. The Daily Signal, Available through: <http://dailysignal.com/2017/01/24/will-trump-reform-the-intelligence-community-history-offers-some-clues/> (accessed March 10th, 2017).

small but highly competent staff that promotes integration and collaboration among the 17 intelligence agencies under its charge and does not conduct operational activities itself.”²⁹ As soon as he becomes well- informed by the closest Cabinet members about the national security priorities, capabilities and strategic and legal framework, the “big picture” will start to appear. Bearing in mind that the threat posed by ISIS is still on, this should be done as soon as possible, if new administration plans to maintain and/or improve the national and international security on the high level.

What are the challenges before the new administration? In the Intelligence Community arena, there are two possible obstacles. Firstly, “the director of national intelligence can foster collaboration and cooperation between intelligence agencies, but has limited authority to direct...”, which means that “...there is no central position that can enforce change throughout the intelligence community.”³⁰ Apart from that, there is a problem with different organizational structures of the 16 agencies, which are tailored for each of the agency’s mission, so the biggest challenge will be to “create an analytical and communications structure that would also make the intelligence community more effective as a whole.”³¹ In the fight against ISIS, Feaver and Brands³² give four different possibilities for Donald Trump:

“As president, he faces a broad range of choices. At one extreme, Washington could abandon its military commitments in the greater Middle East on the assumption that it is U.S. interference that provokes terrorism in the first place. At the other, it could adopt a heavy-footprint surge strategy that would involve using overwhelming military force to destroy globally capable terrorist organizations and attempt to politically transform the societies that produce them. In between lie two options: one, a light-footprint approach akin to that taken by the Obama administration before ISIS’ rise; the other, a more robust approach closer to Washington’s response to ISIS since late 2014.”³³

If we rely strictly on Donald Trump’s discourse shift both in his statements regarding the Intelligence Community and fight against ISIS, we could draw a conclusion that there is a sort of mindset change caused by taking the seat in the White House. Maybe there was even a bigger reliance on his immediate personnel, especially advisory team, regarding the national security policy. That is certainly an encouraging picture, especially after a first impression that Trump publicly had before inauguration. But, one has to consider that there have always been cyclical relationships between the presidents and the intelligence communities, and that today’s misunderstandings and quarrels could become a matter of history as soon as the circumstances change. One of the possible solutions for ending this distrust could be swift and clean ending of the ongoing fight against the Islamic State, something that has already begun, which could open space for further leveling of differences that exist between the President and the Intelligence Community.

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