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2019 HOT TOPICS IN NATIONAL SECURITY



THIRD WAY



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Contents

- 1. Country Brief: Afghanistan1
- 2. Country Brief: China..... 14
- 3. Country Brief: Iran23
- 4. Country Brief: North Korea.....29
- 5. Country Brief: Russia40
- 6. Country Brief: Saudi Arabia and its Role in Yemen54
- 7. Thematic Brief: US Cybersecurity Efforts..... 64
- 8. Thematic Brief: The Department of Defense Budget and Oversight75
- 9. Thematic Brief: Preventing and Countering Terrorism.....84

Country Brief: Afghanistan

Takeaways

The United States entered Afghanistan more than 17 years ago, following the 9/11 attacks. The goal was to prevent the country from returning to a terrorist safe haven that could be used to launch attacks on the American homeland. However, recent evidence and history shows the US military-driven strategy of training, advising, and assisting Afghan military forces has not worked.¹ The Afghan government controls roughly 55% of the country—down from 72% in 2015—with the remainder under the control of insurgent groups like the Taliban.²

A political settlement to the conflict in Afghanistan is the only way to create lasting peace in the country and reduce the terrorist threat to the United States. The Trump Administration is attempting to negotiate a peace agreement between the United States and the Taliban without the involvement of the democratically elected Afghan government.³ President Trump has said US troops will be withdrawn from the country as progress is made in these negotiations.⁴ Congress must now conduct proper oversight by pushing for: 1. an agreement leading to a political settlement between the Afghan government and the Taliban; and 2. a comprehensive exit strategy that improves economic development and governance in the country.

Since the start of the United States' war in Afghanistan on October 7, 2001, Congress has largely abdicated its constitutional oversight role over US troop deployments and “its power of the purse” authority over military spending. As the US government works to negotiate an agreement with the Taliban, Congress must reassert its authority in decision making around US troop deployments by:

- **Rescinding its 2001 Authorization for Use of Military Force (AUMF) permission slip** granting the executive branch unrestrained counterterrorism authority and consider a new, narrowly tailored authorization for US counterterrorism efforts.
- **Ending the blank check for military spending** through the use of the Overseas Contingency Operations (OCO) funding which has operated as a “slush fund” for defense spending.
- **Aligning the Department of Defense's (DoD) budget with its mission.** The Trump Administration plans to withdraw US troops from Syria and Afghanistan while requesting an increase in the defense budget to \$750 billion. If the US withdraws from military engagements, defense spending should also be reduced.
- **Establishing a commission to evaluate the US mission in Afghanistan** and understand what was achieved after 17 years in the country.

The United States' history in Afghanistan includes America's longest war.

United States involvement in Afghanistan has a tumultuous history. In the 1980s, the United States backed insurgents against the Soviet occupation. Then, after the Soviet withdrawal in the 1990s, the Taliban took power, bringing repressive rule and establishing a safe haven from which Al Qaeda planned and executed the 9/11 attacks. In response to those horrific attacks, in 2001, the United States deployed troops to Afghanistan and successfully drove out Al Qaeda and the Taliban regime, eventually paving the way for elections.

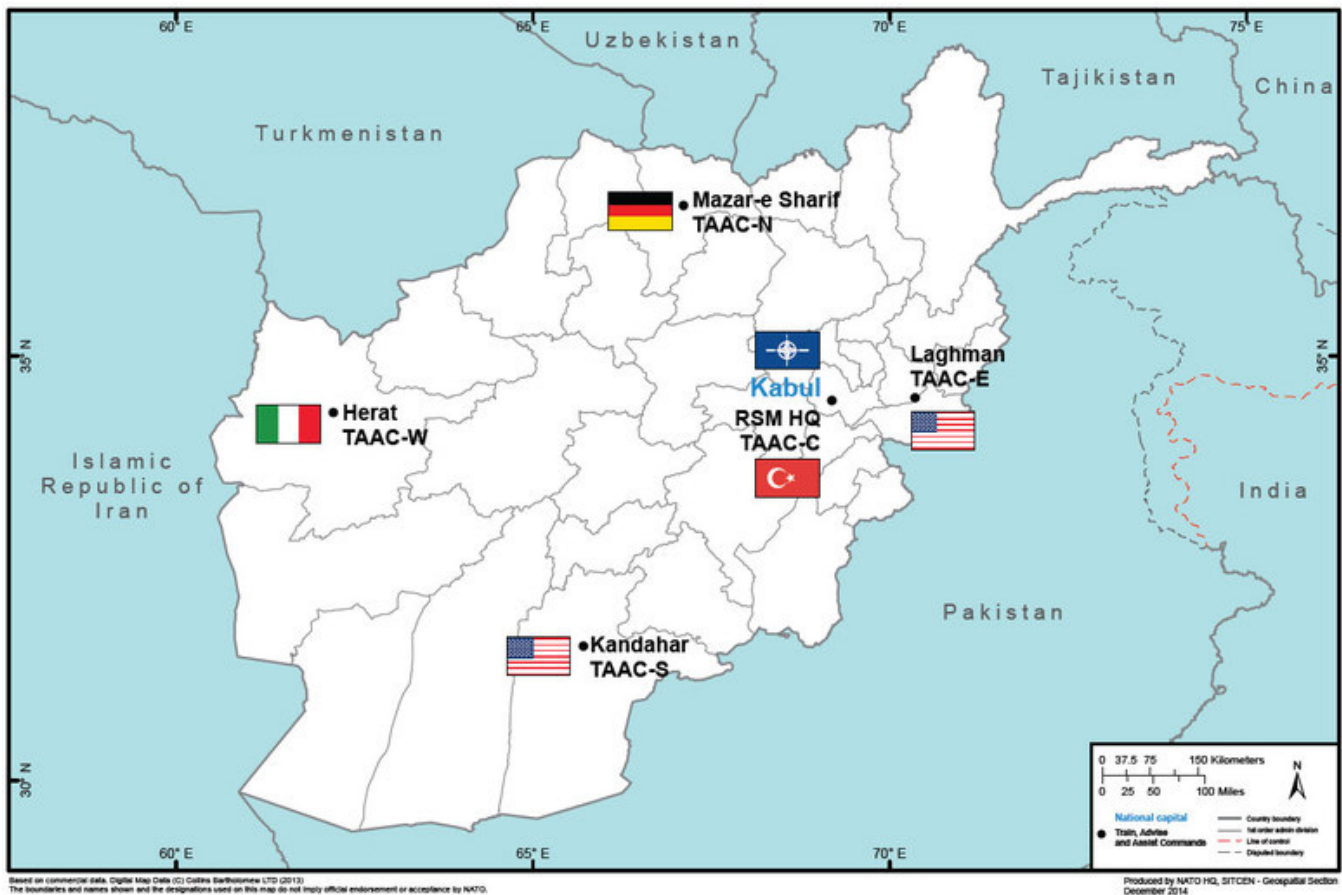
But from 2002 to 2009, in the words of former Defense Secretary Robert Gates, “resources and senior-level attention were diverted from Afghanistan” to Iraq, interrupting US efforts to rebuild Afghanistan.⁵ It was not until the start of President Obama’s tenure in 2009 that the United States shifted its focus back to Afghanistan, sending an additional surge of 30,000 troops to suppress the Taliban insurgency and stabilize the country.⁶ Civilian deaths in Afghanistan nevertheless increased after this period.⁷

In 2014, at the end of Afghan President Hamid Karzai’s tenure and after years of tense relations with his administration, the United States sought a political solution to a disputed election and helped broker a national unity government between President Ashraf Ghani and Chief Executive Abdullah Abdullah. Ghani, a former Afghan Finance Minister with a doctorate from an American school and decades of experience as an academic and World Bank staffer, was elected and continues to serve as president. Abdullah Abdullah, who previously served as Afghanistan’s Foreign Minister, became Chief Executive. The parties did not include the Taliban, a fundamentalist group that continues fighting to this day.⁸

On January 1, 2015, NATO ground forces, including American troops, officially ended their combat mission in Afghanistan, replacing it with a train-and-advise mission. In November 2017, NATO Allies and partners decided to set the number of troops in Afghanistan to 16,000 personnel. Prior to that decision, in June, President Trump had already reversed his campaign pledge to withdraw from Afghanistan and approved a plan by then-Defense Secretary Jim Mattis to send 3,000–5,000 troops to advise Afghan forces.⁹ This brought the number of US forces to 14,000—just a fraction of President Obama’s surge of 30,000 troops in 2009, which nevertheless failed to bring the Taliban to the negotiating table or fundamentally alter the security situation.¹⁰ Currently, there are still 14,000 troops in the country.¹¹ According to DoD, over 2,400 US military personnel and civilian employees have been killed in support of US military operation in Afghanistan.¹² From 2002 to 2017, the United States Congress has appropriated or allocated more than \$900 billion for various State Department and Pentagon programs to support the Afghan security forces.¹³

Despite President Trump increasing the American military presence in Afghanistan, terrorist attacks have continued and the Taliban-led insurgency has raged on, expanding the group’s territorial gains. The Afghan government made attempts in the summer of 2018 to quell this violence, offering two ceasefires to the Taliban.¹⁴ Instead, attacks by the Taliban have continued and the group now controls more territory in Afghanistan than any time since its removal from power in 2001.¹⁵ Attacks by Al Qaeda, which organized the attacks on 9/11 from Afghan territory under the patronage of the Taliban, and by an affiliate of the Islamic State of Iraq and Syria (ISIS) have also led to devastating casualties in Afghanistan, raising concerns that terrorist groups could continue to make further gains in the country.¹⁶

Afghanistan: Resolute Support Mission



The United States' NATO allies have been critical partners in stabilizing Afghanistan. These are the NATO bases currently in the country. Source: "Resolute Support Mission in Afghanistan." *North Atlantic Treaty Organization*, 18 July 2018. https://www.nato.int/cps/en/natohq/topics_113694.htm. Accessed 17 Feb. 2019.

A political settlement is the only way to create peace in Afghanistan and reduce the terrorist threat to the United States, but Congress must play an oversight role in negotiations.

A political settlement to the conflict in Afghanistan is the only option for creating a lasting peace in the country and reducing the terrorist threat to the United States. While the Trump Administration is moving forward with direct negotiations between the United States and the Taliban, President Trump has said he will withdraw all US troops from Afghanistan if progress is made in these negotiations.¹⁷ Congress must conduct proper oversight of this process to ensure the conditions are set for a political settlement between the Taliban and Afghan government. The US government needs a comprehensive exit strategy for troop withdrawal. Congress should prioritize a strategy that shifts to non-combatant support for governance through economic development.

In January 2019, US Special Representative for Afghanistan Reconciliation, Ambassador Zalmay Khalilzad, announced that the United States had reached a framework for peace talks with the

Taliban without the Afghan government. The framework reportedly includes a commitment from the Taliban to a ceasefire and to subsequently negotiate directly with the Afghan government.¹⁸ This is a strategy shift for the US government, which has historically insisted that talks be “Afghan-led” and directly held between the Afghan government and the Taliban. The decision by the Trump Administration to move forward with these talks is reportedly a result of the realization that Trump’s military-driven Afghan policy was not working and has only led to more violence. Despite President Trump’s stated intent to withdraw US troops based on progress in the negotiations, no timetable has been announced.¹⁹

Afghan President Ashraf Ghani is running for reelection in the upcoming April 2019 presidential elections. There is concern this could lead to more violence by the Taliban and to political infighting that could distract from the peace process. As such, the Trump Administration has called for these elections to be delayed; however, the Afghan government has strongly opposed this request.²⁰

Any progress in reaching a political settlement in Afghanistan is positive, and it is certainly time for US troops to come home. But Congress must exercise its proper oversight during these negotiations and hold the Administration accountable to two key priorities: lasting peace and a US military withdrawal.

First, the United States and Taliban must agree to establish conditions for a political settlement between the Afghan government in Kabul and the Taliban. The Afghan government is not at the table in the US negotiations with the Taliban, nor are any groups that will be most impacted by a peace agreement (e.g., women and women’s groups).²¹ Therefore, it is questionable how effective any agreement will be. Afghans should be involved in any political settlement that sets the future direction of their country.

Second, as part of a peace agreement, the United States must develop a comprehensive exit strategy for US troop withdrawal and shift to non-combatant support through diplomatic and humanitarian efforts. Without engagement on both governance and development, Afghanistan could return to the chaos of the 1990s and give rise to terrorist safe havens. The withdrawal strategy should support efforts of the Afghan National Security Forces (ANSF) to secure their country and reduce corruption, through the provision of training, advice, and assistance.

Ultimately, long-term peace between the Taliban and Afghan government coupled with effective governance that promotes rule of law and reduces corruption will keep Afghanistan from backsliding into a terrorist safe haven—the core US priority in the country.

As the United States works to negotiate peace in Afghanistan Congress must also reassert its responsibility to make decisions on US troop deployments.

Since 9/11, Congress has deferred to the president on where the United States deploys troops and how military operations are conducted. But after 17 years of deference and no end in sight for the conflict, this approach is not working. ***Congress must reassert itself by rescinding its war authority permission slip and blank check for military spending that the Executive branch has taken for granted.***

1. Congress should rescind its 2001 AUMF permission slip granting the Executive branch unrestrained counterterrorism authority and consider a new, narrowly tailored authorization for US counterterrorism efforts.

Congress deferred its constitutional authority over matters of war 17 years ago by granting the executive branch a permission slip for unilateral military action. Congress should assert its authority as a co-equal branch of government, rescind the 2001 AUMF, and debate the merits of a new, narrowly tailored counterterrorism authority. The Constitution provides in Article I, Section 8 that “Congress shall have the power to declare war.”²² Congress used this constitutional power when it authorized the 2001 AUMF. After the attacks on 9/11, Congress authorized the president to use force against the people who initiated those attacks. Since then, presidents have used that authority to combat Al Qaeda and its affiliates around the world.

Section 2(a) of the 2001 AUMF authorizes the use of force in response to the 9/11 attacks:²³

Sec. 2. Authorization For Use of United States Armed Forces.

(a) In GENERAL.—That the President is authorized to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations or persons.

The 2001 AUMF was intended to give the president authority to enter into an international armed conflict in Afghanistan against Al Qaeda and the Taliban. The US government believed that Taliban-controlled Afghanistan was harboring terrorist organizations like Al Qaeda, who were responsible for the 9/11 attacks.

The US government should have the “necessary and appropriate” authority to exercise its right to self-defense, but there should be limitations on the authority of the president to take military action without congressional approval. The text of the AUMF does not name or specify terrorist organizations nor provide geographic limits. The Obama Administration interpreted the scope of the 2001 AUMF to fit within the president’s Article II powers as commander in chief and chief executive to use military force against those who pose a threat to US national security.²⁴ This interpretation expanded the scope of the 2001 AUMF from authority to go after Al Qaeda and the Taliban to including “associated forces” of those organizations.

Currently, the United States is engaged in counterterrorism operations across the globe, far exceeding the original intent of the 2001 AUMF.²⁵ The 2001 AUMF has been used to deploy US troops in Afghanistan, the Philippines, Georgia, Yemen, Djibouti, Kenya, Ethiopia, Eritrea, Iraq, Somalia, and others.²⁶ Presidents have claimed that the 2001 AUMF also allows them to fight the Islamic State of Iraq and Syria (ISIS) even though ISIS was not involved in the 9/11 attacks.²⁷

Most congressional members have never had to take a stance on US military operations, despite the changing nature of national security threats. Congress has very little ability to constrain the president’s use of military force because it has not passed a new AUMF since

the 2002 Iraq AUMF.²⁸ Several bills were introduced in the 115th Congress to define the president's authorities in a new AUMF. These bills deserve further consideration in the 116th Congress.²⁹ Congress should now make it a top priority to approve a clear statement of where the president is authorized to use force and against whom.

	Merkey (D) – AUMF Against ISIS, al-Qaeda, Taliban Introduced 5/23/18 S.J. Res. 61	Corker (R)/Kaine (D) – AUMF Against the Taliban, al-Qaeda, and ISIS Introduced 4/16/18 S.J. Res. 59	Kaine (D)/Flake (R) – AUMF Against ISIS, Al-Qaeda, Taliban Introduced in Senate 5/25/17 S.R. Res. 43	Schiff (D) – Consolidated AUMF Resolution of 2017 Introduced 4/27/17 H.J. Res. 100	Engel (D) – AUMF Against ISIS Discussion draft 6/17
PRESIDENT CAN USE “NECESSARY AND APPROPRIATE FORCE” AGAINST...	Taliban, al-Qaeda, and ISIS in Iraq and Afghanistan	al-Qaeda, the Taliban, ISIS, and designated “associated forces.”	ISIS, al-Qaeda, and the Taliban	ISIS, al-Qaeda, and the Taliban	ISIS
WHAT COVERS THE FIGHT AGAINST AL QAEDA?	Merkey AUMF	Corker/Kaine AUMF	Kaine/Flake AUMF	Schiff AUMF	2001 AUMF
THE AUTHORIZATION SUNSETS IN...	3 years	Never, but calls for congressional debate every four years.	5 years	3 years	3 years
HOW DOES THIS AFFECT PREVIOUS AUMFS?	The 2002 AUMF is repealed immediately and the 2001 AUMF after six months.	Repeals 2001 and the 2002 AUMFs; provides uninterrupted authority for military operations conducted pursuant to the 2001 AUMF.	Repeals 2001 AUMF Repeals 2002 AUMF	Repeals 2001 AUMF Repeals 2002 AUMF	Amends 2001 AUMF Repeals 2002 AUMF
WHAT ARE THE LIMITATIONS ON GROUND COMBAT OPERATIONS?	President must submit a request to Congress to authorize use of force, under expedited procedures, in any country other than Iraq and Afghanistan; authorization for the use of ground forces in a combat role is not eligible for expedited consideration.	Requires report to Congress not later than 34 hours after using military force in a country other than Afghanistan, Iraq, Syria, Somalia, Yemen, or Libya.	Requires report to Congress if action takes place outside of Afghanistan, Iraq, Syria, Somalia, Libya, or Yemen.	Notify Congress after ground forces enter a “combat role against an entity or organized and armed group.” No notification required for training, search & rescue, short counter-terrorism raids, ground support for air strikes, and intelligence gathering.	Notify Congress at least before the start of ground combat for non-specialized activities. No notification required for specialized activities (e.g., training allies, search & rescue, short counter-terrorism raids).
PROCESS FOR ADDING OTHER GROUPS TO AUTHORIZATION OF FORCE	Establishes a mechanism for expedited congressional approval of force against groups other than the Taliban, al-Qaeda, and ISIS in Iraq and Afghanistan if certain eligibility criteria are met. Every 6 months the President must certify to Congress that groups against which force is currently authorized still meet this criteria. Reports must be available to the public.	President can go after “associated forces” of the Taliban, al-Qaeda, and ISIS; specifies groups considered associated forces. Not later than 30 days after enactment, the President shall designate any additional associated forces not listed and must report to Congress within 48 hours of designating new associated forces. But no explicit requirement reports must be declassified for public.	Requires Administration to name groups that qualify within 60 days of enactment of AUMF. President must submit report to Congress if they determine other groups fall under authorization after this.	Requires President to notify as part of regular 90 day reports if they use force against group not previously named that President determines falls under the AUMF authorization.	Requires President to notify as part of regular 6 month reports if they use force against group not previously named that President determines falls under the AUMF authorization.
WHAT ARE THE PROCEDURES FOR MODIFYING AUTHORITY?	Bill provides for expedited consideration of resolution	Every four years starting Jan. 20, 2022, the president must submit a proposal to Congress to repeal, modify, or leave in place this AUMF. For 60 days after this quadrennial submission, provides for expedited consideration if Congress repeals or modifies the AUMF.	Bill provides expedited consideration of resolution to modify/withdraw authority.	Bill provides expedited consideration of resolution to modify/withdraw authority using procedures from War Powers Resolution.	Bill provides expedited consideration of resolution to modify/withdraw authority.
REPORTING PERIOD	Once every 6 months	Once every 4 years	Once every 6 months	Once every 90 days	Once every 6 months

This infographic summarizes the most prominent current congressional AUMF proposals by date of introduction. Source: Twardowski, Adam, et al. “Comparing the Major AUMF Proposals – 115th Congress.” Third Way, 11 June 2018, www.thirdway.org/infographic/comparing-the-major-aumf-proposals-115th-congress. Accessed 17 Feb. 2019.

Debating a new AUMF would reassert Congress's constitutional authority over matters of war, limit the potential for unilateral action and unintentional escalation caused by the president, and encourage the series of checks and balances on presidential military authority intended by the Founding Fathers. Any new AUMF must be narrowly tailored and give Congress the clear authority over where the executive branch is conducting military operations, articulate the targets for these efforts, and include an expiration date to prevent authorities passed 17 years ago from being continuously used without any input from Congress.

2. Congress should end the blank check for military spending through the use of the OCO funding. It has been used as a “slush fund” for emergency defense spending and is not subject to spending caps under the Budget Control Act of 2011.

As Congress rescinds its war authority permission slip, it should also revoke its blank check for military spending by eliminating OCO funding. OCO provides the Pentagon with funding not subject to sequestration mandated by the Budget Control Act of 2011 (BCA), a 2011 law that capped federal defense and non-defense spending and was designed to reduce defense spending by \$1 trillion over 10 years.³⁰ Congress has the constitutional “power of the purse” to make decisions on funding for the federal government.³¹ OCO funding has been used since the 9/11 attacks to provide the Pentagon with “emergency” war funding for US operations in Afghanistan, as well as in other places such as Syria and Iraq.³² President Trump has stated he intends to withdraw US troops from Afghanistan³³ and Syria³⁴—as a result, the use of OCO funding should be eliminated.

There are two major categories of defense funding that are typically considered by Congress during the federal budget process. The first is the “base budget,” which covers funding for activities that DoD would conduct if US forces were not engaged in overseas operations. The costs for these activities can be forecasted annually; therefore, DoD can incorporate these costs into their annual budget request. The DoD base budget falls under the spending limits set by the BCA.³⁵

The second major category is known as OCO funding, which is excluded from the spending limitations in the BCA. OCO funding was established as an “emergency” fund for war-related costs because war-related costs cannot be forecasted. It largely ballooned after the 9/11 terrorist attacks to cover spending for overseas combat operations such as those in Iraq and Afghanistan.³⁶ The majority of OCO funding goes to DoD, with only a small portion going to the Department of State.³⁷ It has often operated as a type of “slush fund.” With the base budget under spending limitations, the Pentagon moves traditional base budget activities to OCO as a loophole to sequestration. The Pentagon currently uses roughly \$30 billion of OCO funding for base budget activities, often referred to as “enduring costs.”³⁸ This is problematic because parking base budget activities in OCO funding hides the true cost. These costs are not included in DoD cost projections during budget requests, nor in overall federal spending and deficit projections.³⁹

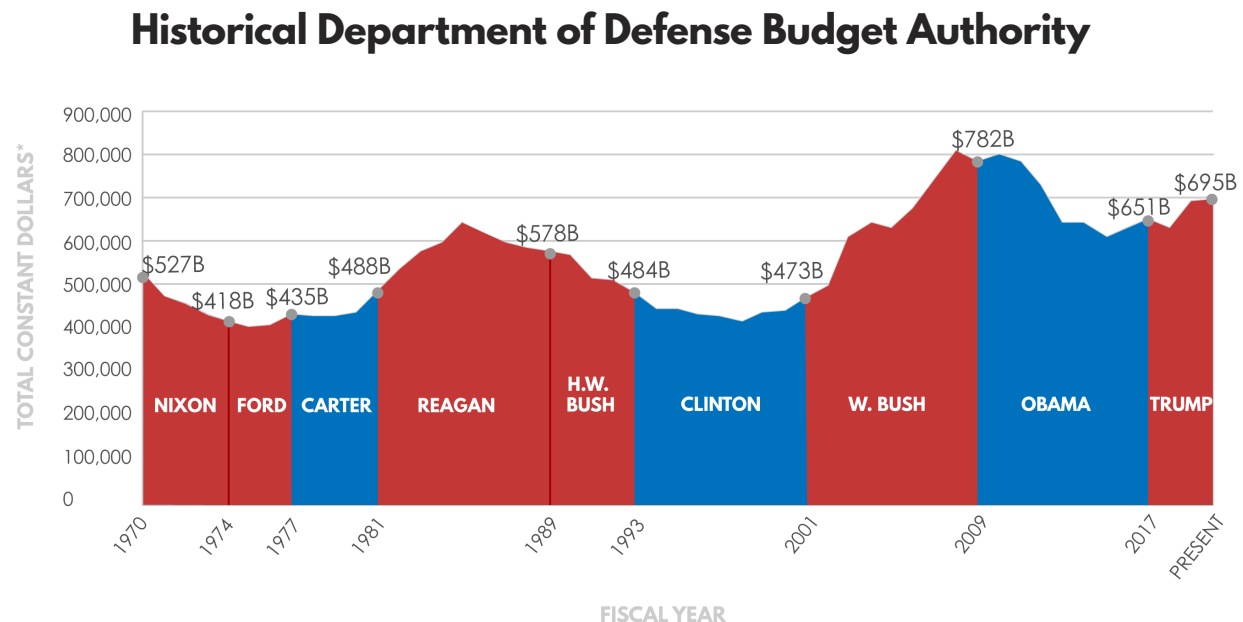
OCO has ballooned over the years. Between 1970 and 2000, non-base budget funding only accounted for about 2% of DoD's total spending. In 2007 and 2008, OCO funding peaked at 28% (\$205 billion in 2007 and \$222 billion in 2008).⁴⁰ Since 2006, \$1.81 trillion has been spent on OCO funding alone.⁴¹ OCO funding has turned into a secondary defense budget.

With President Trump's stated desire to withdraw US troops from Afghanistan and Syria, the blank check for OCO funding must end. Congress must work to fold all Pentagon spending back into the DoD base budget so that it can adhere to BCA limitations.

3. DoD's budget should be aligned with its military commitments.

The size of the defense budget should follow its mission obligations. President Trump recently announced the withdrawal of US troops from Syria and his intention to withdraw from Afghanistan once a peace agreement is reached.⁴² This would end two major US military operations abroad. As the Pentagon is winding down military engagements, they are also requesting an increase in defense spending in fiscal year (FY) 2020. Members of Congress should use their appropriations and authorizing authorities to reject the Trump Administration's call to increase defense spending to \$750 billion.⁴³ The defense budget should align with the department's mission; if US troops withdraw from global conflicts, military funding should also be reduced. With the withdrawal of US troops from Syria and Afghanistan, Congress should look to strategically shift to non-combatant support for governance. Congress should evaluate whether America's diplomats and development entities have the needed funding to continue their vital work in these countries.

The defense budget should not operate like a one-way ratchet, which only goes up. If requested, President Trump's reported FY 2020 defense budget of \$750 billion would be the largest since the height of the Iraq war.⁴⁴ There is historical precedent to wind down the defense budget after the military scales back its operations. In 2013, President Obama reduced funding at the Pentagon as the United States scaled down operations primarily in Iraq and Afghanistan.⁴⁵ Congress should follow the same precedent now and ensure the DoD budget is aligned with its global combat missions.



*Base Budget + OCO Funding

Source: Department of Defense FY 2019 Green Book

Congressional Democrats should use the upcoming budget and nomination hearings for a new Secretary of Defense to inquire why DoD is scaling up their budget while withdrawing from Syria and Afghanistan. In particular, during these processes, Congress must question:

- What is the exit strategy for Afghanistan and Syria, and how will a withdrawal of a US military presence in these countries impact US national security?
- Why is a large increase in defense spending required if US troops are withdrawing from these conflicts, and can this money be better spent?

4. Congress should establish a commission to evaluate the US mission in Afghanistan to understand what was achieved after 17 years in the country.

The US military intervention in Afghanistan has lasted more than 17 years. The United States supported a number of development and economic objectives in the country, but there are questions surrounding what has been achieved. To help assess these questions, Congress should work to establish a commission to evaluate the United States' war in Afghanistan and report on the lessons learned to policymakers. The commission should consist of former military personnel, diplomats, development experts, and civil society leaders, including women's and human rights groups.

The United States has supported the Afghan government over 17 years, with the objective of stabilizing the country and reducing the conditions for a terrorist safe haven. There are still questions about whether the United States has achieved any of its security objectives. The US government needs to take a good hard look inward as to what lessons it has learned and how those lessons should impact decision making on the use of military force in the future.

Without a comprehensive look at the failures and successes of US operations in Afghanistan, the country risks repeating the same mistakes in future decision making around when, where, and how US missions are conducted around the globe.

Conclusion

The United States entered Afghanistan 17 years ago after the 9/11 attacks to prevent the return of terrorist safe havens that can be used to launch attacks on the American homeland. Now, the United States is negotiating with the Taliban to end US military operations and withdraw US troops from the country. Congress must conduct proper oversight of these negotiations and push for: 1. a political settlement between the Afghan government and the Taliban; and 2. a comprehensive exit strategy that improves economic development and governance in the country.

As the US government works to negotiate an agreement with the Taliban, Congress must also reassert its authority in decision making around US troop deployments by:

1. Rescinding the 2001 AUMF permission slip;
2. Ending the blank check for OCO funding;
3. Decreasing defense spending to match scaled-back military missions abroad; and
4. Forming a commission to evaluate the successes and failures of the 17 year US mission in Afghanistan.

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Country Brief: China

Takeaways

- China seeks to rival the United States on the global stage in economic, military, technological, and diplomatic terms. Contesting China's growing influence is the foreign policy challenge that will define the future.
- **Economy:** Whether the United States or China sets the rules for global capitalism will determine how workers in the United States and globally will fare in the modern economy. Unlike pure communism of the past, China's economic approach can coexist with Western capitalism. China is a legitimate and deserving economic power, but China's history of manipulating its currency, stealing intellectual property, dumping steel and other products onto American markets, and subsidizing its own companies show China is not playing by the rules. America must stand up to these unfair economic practices. President Trump's reckless trade war with China is the wrong approach and has cost US businesses billions of dollars in revenue.
- **Military:** China is challenging the United States' military dominance in Asia, worrying our South Korean and Japanese allies and risking a regional arms race. The United States can support our allies through strengthened economic and military cooperation while avoiding direct military conflict with China.
- **Technology:** China's cyber capabilities are a national security threat to the United States. China has used cyberattacks not only to steal intellectual property from US companies, but also US military and intelligence secrets. The United States must protect against Chinese cyberattacks and bring Chinese cyber attackers to justice.
- **Foreign Relations:** While the United States and China are increasingly rivals, the two countries have many common interests and a history of working together. The United States needs to balance competition with cooperation to resolve issues that require global solutions.

Economy: China has a history of unfair trade practices that must and can be addressed without a devastating trade war.

Since it abandoned communism and embraced a market-based economy, China has taken advantage of our open, rules-based system of trade. It has subsidized Chinese exporters and stolen US intellectual property, preventing US firms from fairly competing in China. The result is an uneven playing field, with US workers and companies paying an unfair price.

For both sides to fully realize the benefits of trade, the United States must insist that China play by the rules. China must end its subsidies for Chinese exporters, as well as other unfair trade

practices that give their domestic businesses an advantage in overseas trade. China must also allow US firms to fairly compete within the country. Because innovation and openness are the sources of our economy's vitality, a balanced trade policy would address all the ways China takes advantage of the system. At the same time, the United States must invest more heavily in technology and innovation of its own and must strengthen cybersecurity against China's espionage and theft of intellectual property. However, because our economies are so interlinked, a trade war is a lose-lose proposition.

In 2018, President Trump's escalation of actions against China for its unfair trade practices turned into a trade war, which negatively impacted the US economy and American workers. The Trump Administration's new tariffs on Chinese imports were a blunt and ineffective instrument that cost US businesses \$6.2 billion in October 2018 alone.¹ Despite President Trump's claims that China is paying the United States for these tariffs, they are a tax on imported goods and, in many cases, that cost is passed on to American businesses and consumers.² The trade war between the United States and China has involved a dramatic escalation of retaliatory measures on both sides, and has increased the US trade deficit with China to \$55.5 billion, its highest level in 10 years.³ In December 2018, the United States and China negotiated a 90-day ceasefire to put a pause on the trade war.⁴ But, reflective of the dysfunction in this White House and the current state of the relationship with China, the statements released by the Trump Administration and the Chinese government after this agreement differed greatly. The effectiveness and durability of the agreement are unclear.⁵ Unfortunately, the damage from Trump's trade war with China is already done and global markets have become increasingly volatile.⁶

United States cooperation with China to address these global crises grew even more complicated with the arrest of the Chief Financial Officer (CFO) of Huawei, a Chinese telecom company that is the world's second largest smartphone maker. Huawei has been accused of violating US sanctions on Iran. CFO Meng Wanzhou was arrested in Canada at the behest of US law enforcement in December 2018 and, at the time of writing, is pending extradition to the United States.⁷

The best way to rein in bad Chinese behavior is through international trade agreements like the Trans-Pacific Partnership (TPP), which would have set ground rules for other countries in Asia, putting peer pressure on China to conform.⁸ The TPP proved to be politically unpopular in the United States.⁹ However, other measures that fall short of a trade war could include limiting joint ventures with China in areas where they steal intellectual property, applying sanctions to industries that are subsidized and state-sponsored, developing market opportunities outside of China, and challenging China's trade practices at the World Trade Organization.¹⁰

Military: China's growing military power and muscular foreign policy are alarming US allies... and US war planners.

After World War II, the United States remained the dominant military presence in Asia to promote trade, security, and cooperation and to prevent the emergence of a central regional power like Japan or China. As China rises, it is challenging US presence and influence in the region. Everyone in the region has much to gain from cooperation and much to lose from conflict; thus, policymakers should seek non-military solutions to deal with the threats posed by China to the United States and its allies.

China aspires to return to the dominant position it enjoyed in Asia for thousands of years before going through a century of colonial rule. It has been translating its recent wealth into military power. Every year for two decades, China's military budget increased by double digits, reaching \$175 billion in 2018.¹¹ While this still pales in comparison to the US defense budget—the Department of Defense requested \$686 billion for fiscal year 2019¹²—China's increasing budget has allowed it to invest in new technologies aimed at deterring foreign aggressors while asserting its regional foreign policy aims.

While the United States and China were allies during World War II against the Japanese, once the Communist Party took control of China, the two countries broke off relations.¹³ After decades of internal turmoil post-World War II, during which China remained domestically focused, in the 1970s the country became more globally engaged and began to grow.¹⁴ Now China sees itself as a global power. At the 2017 Communist Party Congress, Chairman Xi Jinping declared that China should “take center stage in the world.”¹⁵

But China's rise poses challenges for the United States:

- **A small standoff in the South China Sea could snowball into a major conflict.** The South China Sea is a major geostrategic water lane through which \$5.3 trillion in trade passes annually—30% of all global trade.¹⁶ Additionally, the US Energy Information Agency estimates that there are 11 billion barrels of oil and 190 trillion cubic feet of natural gas in the South China Sea.¹⁷ China wants to dominate the South China Sea, arguing that the competing claims of Vietnam, Malaysia, Taiwan, Brunei, and the Philippines should give way to its historical rights over the entire territory.¹⁸ For years, Chinese military vessels have been intimidating Vietnamese, Filipino, and Japanese fishermen and commercial vessels over a number of territorial disputes in the South China Sea and elsewhere, leading to worries that a major conflict could erupt.¹⁹



Source: Stearns, Scott. “Challenging Beijing in the South China Sea.” Voice of America. 31 July 2012 <http://blogs.voanews.com/state-department-news/2012/07/31/challenging-beijing-in-the-south-china-sea/>.

While the United States does not take a position on the final settlement of territorial claims, arguing it should be a matter of negotiation involving all parties,²⁰ the potential for major conflict continues to grow. To cement its claims, China has been building and militarizing islands in the South China Sea. These formations are part of a broader strategy to make it difficult for the US military to operate in the region during a conflict and to form a buffer around China.

The United States has mutual defense treaties with Japan and the Philippines.²¹ Should conflict between China and these countries come to a head, the United States would be obligated to consider military action, making conflict more complex and costly.²²

- **The United States must reassure its regional allies and partners to combat Chinese aggression.** While the United States initially assumed a dominant military position in Asia to prevent the reemergence of Japan as a military power after World War II, in recent years America's presence serves as a check on China. In addition to Japan and the Philippines, the United States also has a mutual defense treaty with South Korea.²³ Other countries in the Asia-Pacific region also look to the United States to counterbalance China. Japan, alarmed by China's growing military power, revised the country's pacifist constitution and began building up its armed forces. The United States and the Philippines agreed in 2014 to strengthen US military presence in the Philippines.²⁴ South Korea and the United States have regularly conducted joint military exercises (although President Trump committed to North Korean dictator Kim Jong-un to end these exercises in their June 2018 summit regarding the North's nuclear weapons).²⁵ Besides these treaty allies, Vietnam has also strengthened defense ties with the United States.²⁶ While the United States remains essential to the stability of the regional order—including the free flow of trade—as China grows in strength, the United States must reassure its allies and partners of America's ability and willingness to temper Chinese influence.
- **To stay ahead of China, the United States must invest in technology.** China's investments in technology are not merely aimed at catching up to the United States; in some areas, China seeks to become a leader. The most important new domains of Chinese military technological competition with the United States are Artificial Intelligence (AI) and quantum computing, both of which pose serious threats to America's competitive edge. Major figures from former Google CEO Eric Schmidt to former Deputy Defense Secretary Bob Work warn that China will soon overtake the United States in AI, which the Chinese believe will not only dramatically boost economic growth, but also change the entire character of warfare.²⁷ AI can improve autonomous systems, war gaming, simulation, and information processing.²⁸ China has also invested in a \$10 billion quantum computing center to support military and national defense efforts, whereas the United States has no equivalent project.²⁹ Quantum computing threatens to break widely used encryption standards that safeguard information in the public and private sector.³⁰ If the United States falls behind in the development of AI and quantum computing, China could hone battlefield advantages that will limit our ability to win a war, defend our allies, and preserve the regional order we built after World War II.

In addition to these evolving security threats, China has continued to invest heavily in diversifying and growing its nuclear weapon and ballistic missile programs—which pose a threat to the United States and its allies should conflict ever erupt.³¹ The country has also used economic investments around the globe, through its Belt and Road Initiative, to push its agenda and gain a strategic foothold in many regions, particularly Eurasia, Africa, and Latin America.³²

There is no mistaking China's intentions to challenge US dominance in Asia and the world. To counter the threat of China militarily, the United States must continue to look for ways to strengthen our Asian alliances, including through the provision of ongoing economic and military assistance to these countries. This assistance must be focused on deterring Chinese aggression and strengthening the ability of the United States to respond if needed. The United States must also ensure that the US military and diplomats have the needed resources and

capabilities to deter and rapidly respond to Chinese aggression against the United States and its allies. But if we wish to truly continue to play a dominant role in Asia and around the globe, the United States must also get its house in order and invest more heavily in strengthening its own technological capabilities.

Technology: China uses cyber capabilities to steal our secrets.

Beyond the threats that China poses in Asia, it is using its cyber capabilities to challenge the United States globally. China aggressively uses its cyber capabilities to steal not only intellectual property that belongs to US companies, but also US military and intelligence secrets. In 2015, China hacked the Office of Personnel and Management (OPM), stealing the private information of 22 million US citizens.³³ More recently, it is suspected of being responsible for a hack on the Marriott hotel chain, which is estimated to have stolen the personal information of over 500 million customers.³⁴

China also steals military technology while cultivating contacts throughout the defense industrial supply chain and the US government. These tactics are part of their “Made in China 2025” strategy, which aims to add to China’s economy by focusing on high-tech manufacturing sectors like aeronautics, robotics, and clean-energy vehicles.³⁵ By stealing secrets from US manufacturers, Chinese state-owned enterprises can skip the time and capital normally required for research and development of these technologies.

All nations seek to steal national security secrets, including the United States. But the US is underinvesting in cyber capabilities and security relative to the high stakes, particularly since US technology is vulnerable to Chinese state-sponsored hacking.

The US economy depends on an open Internet, while China is increasingly building separate and isolated systems. But cybersecurity is also one area where the two countries could cooperate and establish joint rules. In 2015, President Obama and Chairman Xi Jinping agreed that their governments would not knowingly conduct economic cyber espionage against each other—though not government espionage—which led to a dramatic drop in cyber espionage the following year.³⁶ The United States and China also agreed to cooperate against hackers, leading to the arrest of the Chinese nationals who broke into OPM in 2015.³⁷ This shows that, by cooperating, we may protect our interests while avoiding costly escalation.

However, in the Trump Administration, Chinese hacking activity has been on an uptick. The cybersecurity firm CrowdStrike has identified China as the most-prolific nation-state threat actor attacking different sectors of the US economy. In response, the US Department of Justice under the Obama and Trump Administrations has indicted a number of Chinese citizens, including Chinese intelligence officials, for their role in malicious cyber actions against the United States. These indictments are critical to demonstrating that the United States will not tolerate China’s behavior, which has often crossed the line from regular intelligence practices to criminal activities. An important law enforcement component of the US response to these cyberattacks must also be to continue to pursue criminal cases against Chinese cyber attackers, when warranted, to deter future attacks. But law enforcement efforts must also be coupled with further diplomacy to address China’s hacking.³⁸

The United States remains woefully unprepared for Chinese cyberattacks that target critical infrastructure—including election infrastructure. China could learn from Russia’s playbook and

interfere in our elections, as it has already been accused of meddling in Australia and New Zealand's domestic politics.³⁹ Congress has an opportunity to draw attention to this important issue while devoting more resources to securing US networks and infrastructure from Chinese hacking.

Foreign Relations: American cooperation with China is necessary, where possible, despite China's threats to the United States and its allies.

China is the largest country in Asia and will be a necessary partner to resolving global threats in Asia, like North Korea's nuclear weapons program. Despite the global sanctions placed on North Korea, China remains North Korea's largest and most important trading partner. In resolving tensions with North Korea, the United States must both leverage China's relationship with the country and hold China accountable for its unfair trade practices and security threats to the United States.⁴⁰

Both China and the United States have permanent seats on the United Nations Security Council and thus have the ability to veto any decisions the Security Council tries to take. Because the United States needs China's cooperation at the United Nations to solve many of the globe's toughest problems—including North Korea, Iran, and countering terrorism—China's cooperation is essential.

Climate change was also a key area of cooperation between the United States and China in the past, though President Trump foolishly withdrew the United States from the historic Paris Agreement aimed at tackling this global threat. Some US states have continued to push forward on the issue, and are maintaining cooperation with China on mutual climate goals.⁴¹

Congress can highlight the tensions and opportunities in the US-China relationship and look for opportunities to boost cooperation between the two countries when possible.

Conclusion

The security and economic challenges in the US-China relationship are considerable, but there is also great opportunity. As both nations increase their trade links, innovate, and create new scientific knowledge, all of humanity can benefit. Given the security and economic stakes involved, both governments must think long term. The United States and China can manage disputes and competition through candid diplomacy and ensuring close military-to-military communication to avoid unnecessary escalation that could inflict needless damage on both countries.

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Country Brief: Iran

Takeaways

For decades, the United States has been working to prevent Iran from obtaining nuclear weapons. But backing out of the Joint Comprehensive Plan of Action (JCPOA), which successfully froze Iran's nuclear program, was a mistake that will have long-term ramifications.

President Trump announced in May 2018 that the United States would withdraw from the JCPOA, or the Iran deal, claiming it was a "bad deal." While the JCPOA did not solve all of the security challenges Iran poses, it did freeze Iran's nuclear program under a strong inspection system to spot any cheating.

The JCPOA, negotiated and agreed to between six nations and Iran, dealt with the most serious security threats posed by Iran. Without the threat of an Iranian nuclear arsenal, the United States would have been able to focus on other issues, including Iran's support of terrorist groups such as Hezbollah and Hamas. Now that America has walked away from the deal, alienated its allies, and lost the economic leverage it had over Iran, it has little ability to address these longstanding issues.

Congress should continue to call for the United States to return to the Iran deal and prioritize passing legislation that restricts the president's ability to go to war with Iran without congressional approval.

The Iran deal was not perfect, but it was successful in freezing Iran's nuclear program and provided the foundation to address the country's other malign activities.

In 2015, when President Obama negotiated the JCPOA, Iran was on the brink of obtaining a nuclear weapon. The country's estimated "breakout time" to produce fissile material for a nuclear weapon was two to three months.¹ After the adoption of the JCPOA and its requirements that Iran roll back its weapons program, the breakout time increased to one year.² International inspections, required under the deal, have repeatedly found that Iran is complying with its obligations.³ Yet President Trump announced in May 2018 that the United States would withdraw from the deal.⁴

President Trump called the agreement a bad deal, focusing on what the United States gave and ignoring what it got.⁵ He measured the deal from perfect rather than the status quo ante. While the United States and other world powers lifted economic sanctions in exchange, Iran agreed to freeze its nuclear program, comply with a robust inspection regime, and permanently commit to not build a nuclear weapon.⁶

The deal was a foundation, not an end state. A tough and smart approach would build upon—not destroy—the deal by addressing the following:

- **Sunset provisions:** While some restrictions in the deal expire or “sunset” at different points and would need to be addressed in the future, others last more than a decade and some last forever.⁷ The agreement commits that Iran will not seek, develop, or acquire nuclear weapons,⁸ reinforcing its obligations under the Nuclear Non-Proliferation Treaty (NPT), which prohibits the country from manufacturing or acquiring a nuclear weapon. Iran also agreed to allow UN inspectors to indefinitely monitor and verify that its nuclear program is only for peaceful purposes. This ensures the United States and its allies can catch any Iranian attempts to cheat.
- **Support for terrorism:** Iran has long been a supporter of terrorist groups, including Hamas, Hezbollah, and other groups throughout the Middle East,⁹ which have killed hundreds of Americans.¹⁰ In 2018, the country was accused of planning attacks in Europe that were foiled.¹¹ The threat of Iran’s sponsorship of terrorism is indeed not addressed in the Iran deal. But walking away from the deal without US negotiating partners and without any indication Iran is in breach of the agreement is a serious blow to US credibility and reduces America’s ability to build future coalitions to deal with Iran’s terrorist threat.
- **Ballistic missile program:** While the deal freezes Iran’s nuclear weapons program, it did not address the development and testing of ballistic missiles designed to be capable of delivering nuclear weapons. However, the United States already has the ability to sanction individuals and companies supporting Iran’s ballistic missile program outside of the JCPOA.¹² Importantly, America’s European allies had expressed a willingness to work with the United States to address concerns about Iran’s missile program. However, since President Trump withdrew from the Iran deal over the objections of those same allies, rebuilding this coalition is unlikely.

The JCPOA was meant to deal with the most pressing problem: Iran was just months away from developing a nuclear weapon. With the United States pulled out of the deal, the safeguards the agreement put in place may very well collapse. And without the coalition that the United States built to negotiate JCPOA in the first place, it will now be nearly impossible to build a coalition to bring sufficient pressure to force Iran back to the negotiating table on these remaining issues.

Even if a better deal was possible, it would require Iran and America’s allies to be willing to negotiate; withdrawing from the deal just made it that much harder to do so.

After announcing the United States’ withdrawal from the JCPOA, President Trump violated the agreement by ordering the Department of Treasury to re-impose sanctions on Iran related to its nuclear program. These sanctions were put back into place, with some exceptions, in November 2018.¹³ The overwhelming majority of these sanctions are “secondary sanctions” to prevent non-US companies and individuals from doing business with Iran. As they will significantly impact European entities, European leaders have created a mechanism to work around US nuclear sanctions and try to maintain certain types of trade with Iran. They have committed to remaining in the JCPOA.¹⁴ In effect, the Trump Administration is seeking to punish US allies

economically for staying in a pact they agreed to with his predecessor. It is no wonder, then, that they are reluctant to work with the United States to reopen the deal.

Strangely, it's only America's European allies that may face the biggest brunt of these re-imposed sanctions. The Trump Administration has already provided exemptions from Iranian sanctions for Iran's biggest petroleum customers like China and India.¹⁵ The United States spent many years building up enough international support to impose strong sanctions that would force Iran to the negotiating table. Major European leaders, including UK Prime Minister Theresa May, French President Emmanuel Macron, and German Chancellor Angela Merkel, believe the deal worked and that Iran is complying—which is why they lobbied President Trump for months to stay in the agreement.¹⁶ To reject their counsel and then ask for their help against their own beliefs is unlikely to get them to return to the negotiating table. Even if new US sanctions do impact Iran's economy, there is little that suggests Iran would also be willing to return to the table after the United States violated the last agreement. As of writing, the deal's participants—including Iran—have signaled they will try to continue the deal, leaving the United States alone in walking away.

If President Trump cannot get the JCPOA negotiating partners to agree on his approach to Iran's nuclear program, his pathway to addressing the issues outside the JCPOA's scope is likely impossible. US Secretary of State Mike Pompeo has laid out 12 conditions that the United States wants to see Iran fulfill as part of any new agreement.¹⁷ However, these demands by the Trump Administration were not agreed to during the initial JCPOA negotiations. By walking away from the Iran deal alone, President Trump has lost the credibility and leverage to shape any of Iran's behavior. He has also damaged the United States' standing with its allies, whose cooperation would be necessary for any new agreement.

Any way you break it down, the Trump Administration's decision put our country and our allies more at risk.

The impact of President Trump's decision could play out in many different ways. But no matter how you slice it, it puts the United States more at risk.

First, the Administration's decision to walk away from the JCPOA and re-impose sanctions could put the United States on a path to sanctioning companies and individuals in countries that are key allies in protecting American security and helping solve crises around the globe. These are the very same countries that the United States partners with to address collective threats such as terrorism and cyberattacks. The Administration's decision puts US cooperation with these key allies at risk.

Second, while Iran says it will abide by the JCPOA for now, only time will tell how its internal political factions respond to US withdrawal. Moderates, like current President Hassan Rouhani, had to overcome enormous pushback from hardline elements inside the Iranian government to even get to the negotiating table. The United States' decision to rip up the deal may have damaged these moderates' credibility while bolstering the hardliners' claim that the United States is not a trustworthy negotiating partner. If Iran pulls out of the deal completely, it would be free from the JCPOA's restraints and may restart its nuclear program without international inspections. Already, Iran says it is developing the infrastructure needed to restart its nuclear program if the JCPOA

completely breaks down.¹⁸ Saudi Arabia, which has recently been subject to congressional action for its increasingly dangerous and destabilizing behavior under Crown Prince Mohammad bin Salman,¹⁹ has also said it would build a nuclear weapon if Iran resumes its nuclear program.²⁰ This would heighten the risk of a devastating arms race in the Middle East.

Additionally, the Trump Administration's direct threats to the Iranian regime and efforts to paint the country as the sole source of instability in the region may increase the risk of direct conflict between the United States and Iran. While ratcheting up sanctions on the country, the Trump Administration has also ramped up its direct attacks on the country's leadership. Secretary of State Michael Pompeo has said that pressure on the Iranian regime will continue to increase if it does not live up to US standards.²¹ For years, many of President Trump's top advisors, particularly National Security Advisor John Bolton, have pushed for a US policy to force regime change in Iran. Recent reports indicate Bolton has already asked the Pentagon to provide the Administration with military options to strike Iran.²² These threats have the potential to escalate tension between the United States and Iran even further and could, even inadvertently, lead to direct conflict between the two. Past threats of regime change have only driven Iran to ramp up its nuclear program to provide the regime with a shield against this threat.²³ If Iran rapidly ramps up its nuclear program, this could embolden Bolton—an architect of the disastrous Iraq war—and others to push for military strikes on Iran's nuclear facilities. That would make a war between the United States and Iran even more likely.

Attacking Iran to destroy its nuclear program would likely be counterproductive. An attack on Iran's nuclear facilities would convince hardliners in Iran that they were right not to trust the United States, and that Iran needs nuclear weapons to protect itself. Moreover, Iran has spread elements of its nuclear program throughout the country, in many cases deep underground. Military strikes may fail to take out all of these facilities and only cause Iran to double down on its nuclear program.

Finally, President Trump's decision to withdraw from the JCPOA is a risk to America's credibility on the global stage and jeopardizes the standing of its diplomatic negotiations in the future. After years of multilateral work to negotiate the JCPOA with our partners, other countries may find it difficult to trust America's word, which may ultimately leave us more isolated and with reduced global influence.

Congress should now focus on reining in the ability of President Trump and his Administration to launch a reckless war with Iran without any oversight, while continuing to push for the United States to return to the JCPOA at every turn. In order to do so, Congress should restrict the president's ability to use military force against Iran without explicit authorization from Congress.²⁴

Conclusion

President Trump's decision to withdraw the United States from the JCPOA was irresponsible and based on unrealistic and fallacious assumptions that a better deal with Iran and the other negotiating partners is possible. The Trump Administration has destroyed America's credibility and leverage, damaging the progress made under JCPOA and making further headway impossible. Congress must continue to call for the United States to return to the JCPOA, while trying to limit the president's ability to launch a devastating war with Iran without congressional oversight.

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Country Brief: North Korea

Takeaways

There are two essential issues in the US-North Korea relationship:

1. Ending the nuclear threat North Korea poses globally.
2. Ending the threat North Korea poses to its South Korean neighbors.

While President Trump claimed to deal with the nuclear threat by holding a historic summit with Kim Jong-un last summer, the agreement they signed was for show and has done nothing to change the threat North Korea poses. North Korea has continued to advance its nuclear weapons and missile programs since the summit was held. Now North Korea is insisting on another summit and, instead of refusing to capitulate to their demands, the Trump Administration has agreed to hold another summit in 2019.

Ultimately, negotiations with North Korea are the best way to reduce the threat the country's nuclear weapons pose to the United States and its allies in the long term. But given past experience, negotiations must produce specific, measurable, and verifiable reductions in North Korea's nuclear capability before further accommodations are made.

A smart and tough deal with North Korea would include:

- Specific and immediate steps to reduce and ultimately eliminate North Korea's inventory of long-range ballistic missiles capable of hitting parts of the United States;
- A path to reducing and eliminating their arsenal of nuclear weapons;
- A verification regime to ensure North Korea does not cheat on any deal, to counteract the country's long history of violating nuclear agreements; and
- Security guarantees coordinated with US allies, especially South Korea and Japan.

Unfortunately, President Trump played his hand poorly by doing four things that put the United States in a weak negotiating position before the June 2018 summit:

1. Lowering his opening bid for negotiations every time he talked about the summit;
2. Getting outfoxed by China, which was more prepared for the talks while President Trump seemed desperate for a signing ceremony;
3. Sowing chaos and confusion before negotiations even began; and
4. Alienating US allies who are critical to securing a deal with North Korea.

President Trump gave away a lot and gained nothing for the United States at his last summit with Kim Jong-un. While repeatedly fawning over him, Trump elevated the tyrant Kim on the world stage, claimed a victory lap for signing a weak and vague agreement that does little to address the nuclear threat from North Korea, and was outmaneuvered by China.

There are two essential issues in the US-North Korea relationship: 1. Ending the nuclear threat North Korea poses globally; and 2. Ending the threat North Korea poses to its South Korean neighbors.

North Korea has spent years developing and testing nuclear weapons that threaten the region, including our allies, South Korea and Japan. Now, thanks to advances in its ballistic missile technology, North Korea has a functional nuclear weapon and intercontinental ballistic missiles capable of striking parts of the continental United States.¹ Tensions between North Korea, the United States, and our allies have increased with the North's advancement of its nuclear and ballistic missile programs. The situation is further complicated by the fact that North and South Korea technically remain at war after the Korean War ended only in an armistice. In addition to nuclear weapons, North Korea has packed enough conventional firepower on its border to destroy the South's capital, Seoul, in a matter of hours if active hostilities ever broke out.² It also has a large arsenal of chemical and biological weapons. A war on the Korean Peninsula could lead to the deaths of millions of people on both sides of the border, including possibly hundreds of thousands of Americans.³ To quell this threat, it must be dealt with through negotiations to denuclearize North Korea.

President Donald Trump met with North Korean leader Kim Jong-un in Singapore on June 12, 2018. This was the first time a sitting American president has ever met with the leader of this reclusive regime. The two discussed North Korea's nuclear weapons program in an effort to negotiate a resolution to the ongoing tension between North Korea and the global community. President Trump and Kim Jong-un signed an agreement after this summit, which contained only four vague commitments:

1. Establishing new United States-North Korean relations;
2. Building lasting and stable peace on the Korean Peninsula;
3. Reaffirming the North Korean commitment toward complete denuclearization; and
4. Recovering remains of prisoners of war or those missing in action.

Despite President Trump's insistence that North Korea is no longer a threat to the United States, North Korea continues to pose a tremendous danger to the United States and our Asia-Pacific allies through both its nuclear and conventional arsenals.

Negotiations with North Korea over its nuclear weapons program continued for a time after the June 2018 summit at the working level with US State Department officials, but appear to have yielded no substantive results. Instead of refusing to capitulate to the North's demands and call for working-level negotiations to continue between the United States and North Korea, President Trump will hold another summit with Kim Jong-un in Vietnam on the 27th and 28th of February.⁴ This risks further legitimizing Kim Jong-un and rewarding him for the North's continued aggressive behavior. Instead, the United States should insist on continued follow-on negotiations to the June 2018 summit and work to hammer out the details of an agreement between the United States and North Korea that is smart and tough, and that includes actionable steps the North will commit to for complete, verifiable denuclearization.

A smart and tough deal with North Korea would include four key elements.

1. The elimination of North Korea's inventory of intercontinental ballistic missiles that allow for a nuclear bomb to be launched on parts of the United States.

To deliver a deal that protects America's interests, the Trump Administration must ensure that any agreement addresses North Korea's inventory of intercontinental ballistic missiles (ICBM). North Korea possess an inventory of different types of vehicles that can deliver a nuclear warhead, including short-, medium-, and long-range ballistic missiles. In recent years, it has developed new and longer-range ICBMs that are thought to be able to reach parts of the continental United States. This means North Korea could conceivably hit parts of the country with a nuclear bomb if it is not stopped.⁵ This is a real and serious threat to the United States. North Korea has also been one of the most prolific exporters of its ballistic missile technology for its financial gain, presenting tremendous security concerns about to whom the country has sold—and could sell—this technology.⁶

A smart and tough deal with North Korea would immediately eliminate the country's ICBM capabilities as this presents a direct threat to the United States. While it is a positive step that North Korea has agreed to suspend its ICBM testing to allow for negotiations,⁷ the country has made no commitment yet regarding its ballistic missile program. The United States and its allies, as well as the United Nations, have imposed a series of sanctions on North Korea for both its nuclear and ballistic missile programs. But these sanctions have not put a stop to the country's advancement of these programs, and many issues remain in getting other countries to comply with the sanctions and avoid business with North Korea.⁸ Any deal made by the United States must aim to eliminate the threat of North Korea's ICBMs and address all ranges of its delivery vehicles in order to protect America's allies.

2. Specific, measurable steps to eventually eliminate North Korea's nuclear weapons arsenal.

North Korea has a significant stockpile of nuclear material to make a large number of weapons that could cause massive destruction and loss of life to our allies, and conceivably to parts of the United States. Some US intelligence estimates have indicated that North Korea has enough fissile material for up to 60 nuclear warheads, with up to 20 of these warheads possibly already assembled.⁹ Of tremendous concern, a 2017 assessment from the US Defense Intelligence Agency reportedly found that North Korea has the capability to miniaturize a nuclear warhead that can actually fit onto an ICBM.¹⁰ If true, this would be a significant step toward giving the country the capability to hit parts of the continental United States. Since 2006, the country has also conducted a number of nuclear tests, which may be done to test the capabilities of its weapons.¹¹

Any final deal the United States makes with North Korea must focus on laying out specific, measurable steps the country will take to eventually eliminate its arsenal of nuclear warheads, including the massive amount of fissile material it holds to continue to fully assemble new warheads. The ultimate end-goal of any negotiated deal should be the complete, verifiable denuclearization of North Korea.

3. A strong inspection and verification regime to prevent more broken promises.

North Korea has a long history of breaking its promises on nuclear deals. In 1994, North Korea negotiated an Agreed Framework under which the United States agreed to supply North Korea with light water reactors in exchange for freezing its nuclear program.¹² But the deal fell apart in 2002 when the United States alleged North Korea started its program back up again.¹³ In 2003, North Korea pulled out of the Nuclear Non-Proliferation Treaty (NPT), which requires non-nuclear weapons states to commit to not developing or acquiring a nuclear weapon. In 2009, Six-Party Talks on North Korea's nuclear program that involved the United States also broke down after North Korea walked away. More recently, in 2012, North Korea promised to stop enriching uranium and halt new tests while allowing international inspectors to enter the country, in exchange for humanitarian aid. But this promising development quickly fell apart when North Korea conducted a long-range missile test.¹⁴

North Korea has now tried to avoid its commitments by playing on differences in definitions with the United States on what denuclearization would mean.¹⁵ North Korea threatened to cancel the summit over US insistence that “unilateral nuclear abandonment” is the starting point for negotiations. Instead, North Korea wants denuclearization to apply to the entire Korean Peninsula, including the removal of US conventional forces, which could mean abandoning our South Korean allies.¹⁶ The summit did not resolve this fundamental tension, which now must be addressed.

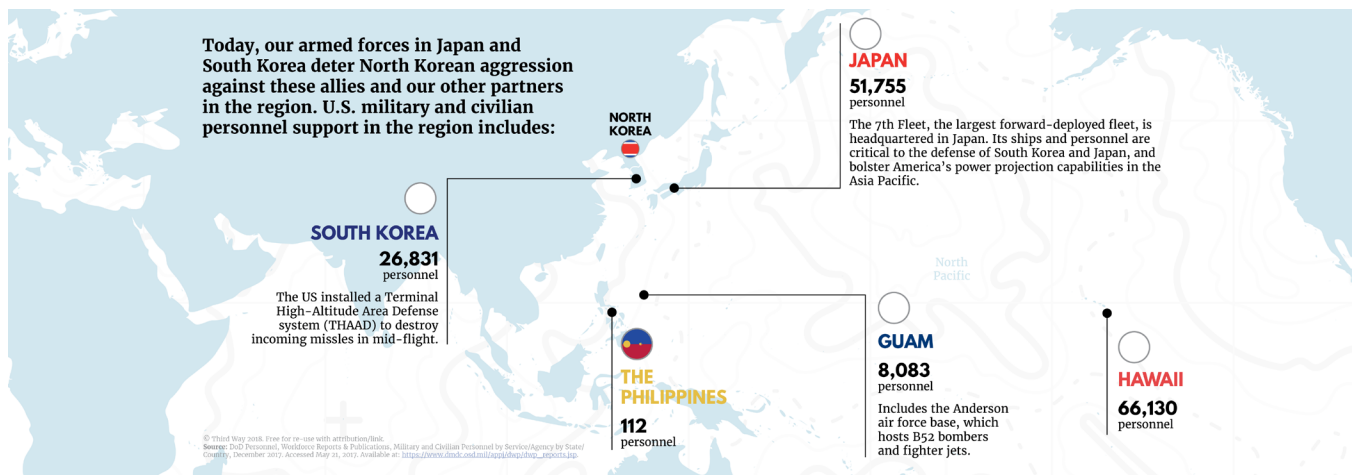
The most effective strategy the United States should pursue to combat this untrustworthiness going forward is *not to trust but verify* compliance with all terms regarding North Korea's nuclear weapons program. This must include an agreement by North Korea to declare the scope of its nuclear program and then establish an extensive architecture to allow international inspectors to verify the scope of the North's program and regularly inspect that the country is upholding its end of any deal. North Korea has a track record of talking, shaking hands with high-level diplomats, and signing agreements—only to break them. President Trump has already approached negotiations with such eagerness that it puts the United States in a weaker negotiating position going forward. The United States should instead move forward with a renewed focus on measurable denuclearization—including a strong and transparent verification and inspection regime—and not be satisfied with symbolic gestures.

4. Coordination with our allies in the region, particularly South Korea and Japan.

The United States has strong partnerships with South Korea and Japan, who are essential negotiating partners. The United States has signed separate treaties with South Korea and Japan that provide for the mutual defense of our nations. Over 28,000 American troops are stationed in South Korea¹⁷ and around 40,000 are in Japan¹⁸—in part to deter against North Korean aggression. These service members would bear the greatest American cost of any conflict with North Korea, which is why any security guarantees in these negotiations must be carefully coordinated with our allies.

In the past, North Korea has demanded that the United States withdraw its forces from the Korean Peninsula in exchange for the North ending its nuclear weapons program. If North

Korea continues this demand and the Trump Administration were to cave, this could further undermine the United States' relationship with its allies while strengthening China's hand in the region. Any negotiations on a change in the US force posture in the region must be coordinated with these allies. President Trump has already acceded to North Korean demands to cancel joint military exercises with South Korea.¹⁹ These joint exercises are essential preparation to ensure American troops, working with South Korean partners, are ready for conflict. Canceling them undermines American military readiness. The United States should not make concessions that weaken our military while the threat from North Korea's nuclear weapons program remains unabated. Any further concessions should be reciprocal as North Korea takes specific steps of their own.



President Trump has weakened our negotiating position in four ways.

The Trump Administration has said it wants to quickly achieve denuclearization in North Korea, believing this can be done in one or a few meetings.²⁰ Already this has proven not to be the case. There have been many agreements with North Korea under previous US administrations that the North has not abided by. To think this will be a quick process is to ignore the history of North Korean nuclear negotiations. Decades of sanctions and isolation of the North Korean regime have only caused the country to advance its nuclear weapons and ballistic programs, not to dismantle them. North Korea will not just hand over its weapons without getting something in return, and there is no history to suggest otherwise. The Trump-Kim June 2018 summit must be viewed as the beginning of a negotiation process—not the end in and of itself. Because the United States could not address all of the key issues for a tough and smart deal, it needs to keep returning to the table until it can.

The Trump Administration will be unable to do this, however, if it continues to:

1. Lower bids even before negotiations start.

The Trump Administration claimed symbolic steps as “victories”²¹ before the Trump-Kim summit was even held and, in doing so, lowered expectations for what the United States would accept as an outcome. The goal for a deal with North Korea is reducing the threat

the country poses to the United States, not simply gaining publicity for the president. It is possible that North Korea's destruction of its nuclear test site may have been only a symbolic gesture or, at worst, a total ruse. Only journalists—not nuclear experts—were on site to verify whether the destruction was done fully and is not reversible.²² The release of three American hostages was seen as an important confidence-building measure leading into negotiations, but these actions also underscore the brutality and capriciousness of the Kim regime. While the United States first insisted on North Korea's complete denuclearization, President Trump later shifted to demanding a series of steps. He then lowered expectations for the summit, claiming it was simply an opportunity to get to know Kim Jong-un. But negotiating against himself is no way to achieve a good outcome for America.

The United States must go into further negotiations with a clear, realistic strategy, viable end-goals, and strong demands for North Korea. The agreement signed by President Trump and Kim Jong-un did not include any agreed-upon definitions or commitments as to how North Korea will denuclearize and what verification for this process would look like. By inflating small concessions as big “victories,” the United States is sending the wrong signal to North Korea that our biggest priority is achieving a deal the Administration can showcase, not a smart and tough one.

2. Let China run the show.

China continues to whisper in North Korea's ear throughout this process. Kim visited China immediately before the summit and shortly thereafter—meeting both times with Chinese President Xi Jinping. The resolution of hostilities with North Korea must not also open the door for China to have more power and impose its will on US allies in the region. China's cooperation and leverage would likely be critical for an effective and sustainable deal with North Korea,²³ but China is playing the long game. China continues to threaten our allies over a number of territorial disputes, and it has a history of malicious behavior toward the United States (e.g., cyberattacks).²⁴ Already, we've seen China partner with Russia to call for an end to the sanctions on North Korea in the United Nations.²⁵ The United States must be careful not to intentionally or inadvertently make China the big winner in negotiations.

3. Sow chaos and confusion before negotiations even begin.

The Administration was unprepared for the June summit, which showed in a lack of consistent strategy and messaging on North Korea. This only served to create chaos and confusion instead of advancing peace. For example, the Administration's mixed-messaging on whether it would be using Libya as a model for negotiations and what that means only served to reinforce North Korea's long-standing fears that the United States is solely interested in removing the country's leadership from power. Libya abandoned its much less advanced nuclear program in 2003; the country's leader Muammar Gaddafi was killed by his own people following a US-led military intervention in 2011. By mentioning Libya and then backtracking, the Administration showed North Korea and the rest of the world that it does not have unified policy goals for North Korea.

Further, President Trump's May 2018 decision to tear up the Iran nuclear deal has also contributed to the chaos and confusion surrounding negotiations with North Korea. This decision demonstrated that the United States might be willing to violate any deal it makes on countries' nuclear weapons programs in the future and go it alone without our allies. The signal this sends to North Korea is unmistakable: what the United States agrees to today

may not, in fact, be what the United States respects tomorrow. President Trump's decision to walk away alone from the Iran deal, particularly when the United States and international inspectors agreed that Iran was not violating the agreement, sends a message to adversaries like North Korea that they cannot take the United States at its word in negotiations.²⁶

4. Alienate America's allies.

South Korea's President Moon Jae-in has been a critical US partner in pushing North Korea to the negotiating table. Unfortunately, in return, when President Trump cancelled the summit with North Korea, he did not notify South Korea ahead of time.²⁷ Further, his cancellation letter focused only on the discussions between the United States and North Korea, minimizing the role of our allies.²⁸

An effective and sustainable deal with North Korea can only be negotiated if our partners in the region are in lock-step with us. Any effective deal going forward will likely have to involve changes to United States and international sanctions on North Korea. For that to work, US partners in imposing these sanctions must agree to do so. Keeping them in the dark on negotiations will only set up a deal for failure.

President Trump gave away more than he gained at the summit.

The deal signed between President Trump and Kim Jong-un may actually end up hurting America's security instead of bolstering it. It made vague promises of "denuclearization" in exchange for security guarantees, but included no specific, measurable steps on either. Kim agreed to inspections of his facilities by neutral independent weapons inspectors—but, thus far, that has not happened.²⁹ The deal failed to even offer an agreed-upon definition of denuclearization, which has been a major sticking point in past agreements. President Trump sacrificed the readiness of American troops in South Korea without achieving any major concessions from North Korea. He has given North Korea legitimacy as a nuclear power on the global stage while giving away key leverage the United States had for negotiations. Moreover, by praising Kim Jong-un profusely, despite his grotesque human rights record, President Trump has made the United States look desperate for a deal while giving credibility to a brutal dictator.

The Administration's strategy toward North Korea has been a failure. North Korea has continued to make developments in its ballistic missile and nuclear weapon program since the summit. In November 2018, reports indicated that North Korea is advancing its ballistic missile program at 16 hidden bases, which boosts their capability of launching nuclear warheads that can reach the United States.³⁰ President Trump has publicly voiced his frustration at the lack of progress on denuclearization and even canceled visits by Secretary of State Mike Pompeo to North Korea.³¹ Instead of using any further summit as leverage to get North Korea back to the negotiating table, President Trump has given into the North's demands and will hold another summit before any further agreements are worked out. A second summit will only serve to lend even more legitimacy and demonstrates the Administration's failed strategy toward North Korea.

While President Trump touts commitments that have already been breached, past presidents were able to obtain specific commitments to halt or roll back particular elements of North Korea’s weapons complex.³²

AMERICAN PRESIDENTS VS. NORTH KOREA

	Pledge Denuclearization	Nuclear Testing Freeze	Ballistic Missile Testing Freeze	Submit to International Inspections	Suspend Reprocessing & Enrichment	Destroy Nuclear Facilities
<div>Clinton</div>	✓	✓	✓	✓	✓	✓
<div>Bush</div>	✓			✓		✓
<div>Obama</div>	✓	✓	✓	✓	✓	
<div>Trump</div>	✓					

With what little the June 2018 Trump–Kim summit achieved, the Trump Administration should now focus its efforts on the task at hand: achieving measurable outcomes from the Kim regime that actually eliminate the threat of its nuclear weapons program. Not another flashy summit that will yield little results.

Conclusion

North Korea poses a tremendous threat to the United States and its Asia–Pacific allies. Ultimately, negotiations are the best option to reduce the threat of North Korea and maintain the security of the United States and its regional allies. But a smart and tough deal with North Korea must include strong and transparent inspection and verification mechanisms to ensure that the North is not able to cheat on any deal, be closely coordinated with US regional allies who provide critical deterrence against North Korean aggression, and eliminate the capability of North Korea to hit the United States with a nuclear bomb. In signing the June 12 deal with Kim Jong–un, President Trump gave away more and got less than any other American president—and the commitments he did receive have already been broken. The Trump Administration should focus on getting a smart and tough deal from North Korea, rather than holding frivolous summits that do not achieve concrete solutions. American national security hangs in the balance.

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Country Brief: Russia

Takeaways

Despite what the President thinks, Russia is our enemy, not our friend. Russia's goal is to undermine America and its allies, sow discord and dissension, weaken alliances, and alienate us from our closest partners.

Russia has done this by:

- **Undermining democracies and Western institutions** by interfering in elections (including the 2016 US election), spreading disinformation, and supporting separatist movements;
- **Attempting to influence the Trump campaign** and other conservative political groups like the National Rifle Association (NRA), as well as the finances of Trump organizations;
- **Threatening the United States' allies** by amassing troops and conducting large-scale exercises near their borders and, in some cases, directly invading their territories;
- **Violating longstanding arms control treaties** with the United States; and
- **Contributing to instability in the Middle East**; for example, Russia provided support to the regime of Bashar al-Assad in Syria, where a seven-year civil war has claimed hundreds of thousands of lives and allowed terrorism to thrive.

The United States imposed a series of sanctions on Russia over the years related to its malicious activities, but further sanctions may be needed—with oversight from Congress—to deter Russia's bad behavior. President Trump cannot be trusted on Russia. During his 2018 summit with Russian President Vladimir Putin, President Trump demonstrated he is advancing Russia's interests at every turn, at the expense of America's security. The US Congress must step in and find a way to counter Russian hostility toward the West despite our president's refusal to challenge Putin at every turn. This includes taking steps to protect US membership in the NATO alliance, which President Trump reportedly wants to withdraw from. Additionally, Congress must demand that all investigations, including the one by Special Counsel Robert Mueller, continue to determine how successful Russia interference efforts have been. Further, Congress should push for the United States to remain in negotiations with Russia over arms control violations—not to scrap these treaties that have kept America safe.

Ultimately, the world is safer when Russia and the United States cooperate. When the other immediate issues are addressed, hopefully the two nations can once again work together on areas of mutual interest.

Russia has undertaken wide-ranging efforts to undermine Western democracies.

Under the leadership of Vladimir Putin, Russia has had an increasingly adversarial relationship with Western nations, particularly after the Iraq War. In recent years, this has included interfering with other nations' domestic politics.¹ Putin's aim is to foment public distrust in governing systems, undermine candidates perceived as hostile to Russian interests, and disrupt post-Cold War alliances to expand Russia's power and influence.² A report by Democrats on the Senate Foreign Relations Committee documents Russia's vigorous efforts to attack democracies it perceives as a threat, including the United States and many of our most important allies.³

The US Intelligence Community has concluded with high confidence that Russia's campaign to influence the 2016 US presidential election was directly ordered by President Putin. Russia took a series of actions aimed at boosting the candidacy of Donald Trump, who was seen as more likely to serve Russia's interests. This strategy involved exploiting social and traditional media platforms to promote propaganda and spread disinformation. To date, 26 Russian nationals and three companies associated with Russia have been indicted in the United States for illegally using social media or hacking into computer networks to interfere in the 2016 US election.⁴ Their tactics included stealing data, using fraudulent accounts, staging political rallies, and promoting pro-Trump or anti-Clinton messages through political advertisements.⁵ Facebook has said that 126 million people may have been exposed to content about the 2016 US election posted by Russian-linked operatives. Nearly 11.4 million people may have been exposed to Facebook ads paid for by fake accounts associated with Russian-linked operatives.⁶ A July 2018 indictment by Special Counsel Robert Mueller of 12 Russian intelligence officers also details how Russian agents stole and released campaign documents to interfere in the election. This included hacking the computer networks of the Clinton campaign, the Democratic Congressional Campaign Committee, and the Democratic National Committee.⁷ Additionally, Russian intelligence services are believed to have hacked into multiple state and local electoral boards.⁸ Special Counsel Robert Mueller and several congressional committees continue to investigate this election interference.

US national security officials, intelligence experts, and others have documented a history of Russian attacks against US institutions, interests, and values even before the 2016 US presidential election. This has resulted in the theft of billions of dollars and data from US businesses and individuals by actors enabled by the Russian government.⁹ Now, Russia has escalated its use of cyber and information warfare to interfere in US elections. Russia's use of cyber and information warfare to interfere in domestic politics is a significant national security threat to the United States. Russia doesn't want to risk a direct confrontation with the West. Therefore, it uses cyber and information warfare to attack the United States, undermine its institutions, and sow division.

The United States is not the only nation Russia has targeted by interfering in its domestic politics. Russia's interference in the 2016 US election follows a pattern of Russia-led influence campaigns and aggression toward America's allies. This political interference has included meddling in France's 2017 presidential election, independence debates in Catalonia and Scotland, and the 2016 Brexit referendum in the United Kingdom. In each case, Russia-connected actors have spread disinformation, amplified separatist voices, and sowed doubts in voters' minds about their democratic systems.¹⁰

We may never know the full extent of Russia's attempts to erode public confidence in US institutions in 2016, but it is clear Russia is not done. Already, US officials, including former Secretary of Defense James Mattis, have concluded that Russia attempted to interfere in the 2018 US midterm elections by spreading disinformation.¹¹ In October 2018, the Department of Justice charged a Russian national in connection with this attempted interference in the midterm elections.¹²

The ultimate result of Russia's efforts could be a distracted, divided Western alliance that can't effectively stand up to Russian aggression. President Trump advanced Russia's agenda by launching a barrage of attacks against America's closest North Atlantic Treaty Organization (NATO) allies at the alliance's summit last year—an attack former Republican Chairman of the Senate Foreign Relations Committee Bob Corker (R-TN) called a “punch [of] our friends in the nose.”¹³

Despite the threat, President Trump has refused to acknowledge that Russia interfered in the election on his behalf.¹⁴ Instead, he held a summit with President Putin last year where he refused to condemn Russia's attacks on the democracies of America and our allies or any of the country's other malicious behavior,¹⁵ including shooting down a civilian airliner over Ukraine¹⁶ and assassinating Russian opponents around the world.¹⁷ The refusal of a sitting president to clearly accept the conclusion of the US Intelligence Community undermines its credibility and authority and is a violation of American values. Moreover, because President Trump's whitewashing of Putin's behavior contradicts bipartisan attitudes toward Russia in Congress, it has given the world the impression that the US government is divided and incoherent on this issue.

Tough and smart policymakers must take the threat of Russian information warfare seriously by investing in cybersecurity, strengthening agencies tasked with ensuring the security of elections, and working more closely with the private sector to identify vulnerabilities that the Russians might exploit. Policymakers must educate the public about Russian disinformation efforts and condemn President Trump's attempts to ignore or downplay them. Congress must also continue to provide resources and push for strengthened assistance, coordination, and information sharing between the Department of Homeland Security and state and local election officials to protect against hacking of election systems. Unfortunately, when congressional Democrats sought additional funding in the last Congress for state election security systems, they were thwarted by Senate Republicans who refused to support these critically needed resources.¹⁸ Congressional Democrats should continue to push for this additional funding in the 116th Congress.

Further, it is critical that we place strong sanctions on Russia and continue to pursue criminal indictments against individuals complicit in this malicious activity. We must send a strong signal to these actors that they cannot operate with impunity. Special Counsel Mueller's investigation must be protected by Congress and continue to move forward without further interruptions or accusations of bias. While the Trump Administration has imposed some sanctions on Russian officials, further action may be necessary to send a strong message to Russia that its behavior will not be tolerated.¹⁹

The United States has imposed several rounds of sanctions on Russia for its harmful behavior, but the Trump Administration has also taken steps to work around these sanctions. The United States has sanctioned Russian actors for the government's interference in the 2016 US election with support of bipartisan legislation in Congress.²⁰ The United States has also sanctioned Russia for a spectrum of other malign activity, including its continued perpetration of human

rights abuses and for corruption.²¹ These sanctions were, in part, championed by Bill Browder, a London-based financier whose lawyer in Russia, Sergei Magnitsky, uncovered millions of dollars in Russian corruption and subsequently died in Russian custody.²²

While these sanctions were placed on Russia through congressional legislation, the Trump Administration has moved to lift some of them. Congress must take action to block these efforts. Recently, the Administration announced it would ease sanctions on a Russian oligarch, Oleg Deripaska, who has close ties both to the Russian government and to Trump's former campaign chairman, Paul Manafort, who was convicted of multiple crimes for charges brought by Special Counsel Mueller. Unfortunately, while the House voted in favor of a bill that would block this move, the GOP-controlled Senate did not follow suit.²³ Moving forward, Congress should continue to evaluate approaches to force the Trump Administration to ratchet-up sanctions on Russia or any other hostile actor found interfering in US elections, and block Administration efforts to loosen Russian sanctions, if warranted. These sanctions must demonstrate to Russia that it will face costs for its destabilizing behavior.

If the United States does not take further action, it is very likely that Russia will continue to repeat its strategy to influence future US elections, as national security officials—including members of President Trump's own administration, such as National Security Agency Director Mike Rogers, Director of National Intelligence Dan Coats, and former CIA Director and now Secretary of State Mike Pompeo—have warned.²⁴

Russia's information warfare has included attempts to influence the Trump campaign, other conservative political groups, and the finances of Trump organizations.

Russia's efforts to undermine America's democratic institutions and sow discord has also involved direct efforts to influence the Trump campaign, the finances of Trump organizations, and other conservative political groups like the National Rifle Association (NRA).²⁵ Investigations must continue into how successful those efforts were.

The investigation by Special Counsel Robert Mueller into Russia's interference in the 2016 presidential election has uncovered substantial wrongdoing by Trump campaign officials and a pattern of concealing Russian contacts. The investigation has yielded 37 indictments or guilty pleas and four prison sentences.

The timeline for Special Counsel Muller's investigation is highlighted in the chart on the following page:

Special Counsel Mueller's Investigation Timeline

October 2017:

Trump campaign foreign policy advisor George Papadopoulos pled guilty to lying to the FBI about his communications with Kremlin-linked individuals. While the Mueller investigation continues, it is clear that the Trump campaign had extensive contacts with Russia during the Kremlin's attempts to influence the 2016 election.

December 2017:

Trump's former National Security Advisor Michael Flynn pled guilty to lying to the FBI about his contacts with Russian ambassador Sergey Kislyak. Flynn was found to have had extensive undisclosed contacts with Russian operatives about the 2016 presidential election.

2017 and 2018:

Former Trump campaign chairman Paul Manafort and his aide, Rick Gates, were indicted on multiple counts for a series of crimes related to their work on behalf of a pro-Russian political party in Ukraine. As part of Mueller's charges, Manafort was accused of committing a number of crimes in collaboration with a former Ukrainian aide who allegedly has close ties to Russian intelligence. Manafort and Gates pled guilty to a number of the charges and a Virginia jury found Manafort guilty on eight additional counts.

January 2019:

Former Trump advisor Roger Stone was indicted and charged with seven counts related to his efforts, at the direction of a senior Trump campaign official, to try to obtain thousands of emails stolen from the Democratic National Committee by Russian intelligence agents to damage the campaign of Hillary Clinton, which were published on the website WikiLeaks.²⁶

The Mueller investigation has also discovered substantial personal business dealings between then-candidate Trump in Russia, which were concealed by Trump associates. During his presidential campaign, Trump claimed that he had no business dealings in Russia. Yet the Mueller investigation has found that negotiations led by the president's personal attorney, Michael Cohen, for the building of a Trump Tower in Moscow continued well into the presidential campaign, during which then-candidate Trump was calling for the easing of sanctions against Russia. Cohen has pled guilty for lying to Congress about these negotiations to obscure the public's understanding of the extent of Trump's ties to the Russian government and his business dealings in Russia well into his president campaign.²⁷ The full scope of the financial influence that Russia has on the Trump organization, as well as the businesses of his son-in-law Jared Kushner, remains a serious question that the House of Representatives and the Special Counsel are investigating. Donald Trump's son, Donald Trump Jr., stated in 2008 about the Trump organization that "Russians make up a pretty disproportionate cross-section of a lot of our assets."²⁸ The extent that those financial ties continued throughout Donald Trump's 2016 campaign and after he became president must continue to be thoroughly investigated.

The American people deserve to know whether Russia's financial leverage over the president and his family members is influencing their decisions. As Chairman of the House Permanent Select Committee on Intelligence Adam Schiff (D-CA) noted:

There have long been credible allegations that Russian money was laundered through the Trump Organization. If Russia could show that Trump, his business or his immediate family had benefited from tainted money or broken the law—or if Trump

believed they could—it would mean that Russia could exert pressure on Trump to influence U.S. foreign policy.²⁹

Further, the American people deserve a president who is open and transparent about dealings with Russia, not one who attempts to hide conversations from the record. President Trump and Russian President Vladimir Putin have reportedly met five times since Trump became president, including during a formal summit meeting in Helsinki, Finland last year and at the Group of 20 (G20) meeting in 2017. Yet no details of what was discussed between Trump and Putin have ever been released to the public; even American officials were left in the dark.³⁰

Russia's interests are not America's interests. Their policy aim is to weaken America; they have been trying to do so through a wide variety of methods. It is no surprise that they would want to influence a presidential campaign and a president. The only question is whether they have succeeded at doing so.

Russia has a history of threatening the United States and its allies militarily.

Russia's military has continued to threaten allies of the United States—it has even gone so far as to seize territory from other countries, which unsettles NATO. After years of focusing on other threats (such as terrorism), Russia's military invasions of Georgia in 2008 and Ukraine in 2014, as well as its threatening military exercises in Eastern Europe, have forced NATO to refocus on its original mission of deterring Russia.³¹ But while Russian military forces threaten the alliance, the country aims to win conflicts and weaken adversaries through economic coercion and information warfare long before battle.

The cornerstone of NATO is its mutual defense commitment. This is vital to US national security interests because if the United States were ever attacked by Russia or another hostile actor, it would be considered an attack on all NATO allies. Thus far, the only time NATO's collective defense obligations have been triggered was to come to America's aid after 9/11.³² Beginning under President Obama and spurred on by Russia's aggressive behavior, NATO members' defense spending has been rising.³³ In 2014, in response to a push by President Obama, NATO countries agreed to try to commit at least 2% of their gross domestic product toward their military. This narrowly defined commitment is not money owed to the United States but is a pledge by NATO members to increase their own defense budgets.³⁴ Since this commitment, NATO allies have spent an additional \$87 billion on defense and collective contributions have risen four years in a row.³⁵

Under President Obama, the United States strengthened NATO by increasing its commitment to its European allies to deter and protect against Russian aggression. In 2016, the United States committed \$3.4 billion to a new European Reassurance Initiative. This involved moving US battalions between Poland, Lithuania, Estonia, and Latvia, adding an entire army brigade toward Europe's defense.³⁶

Despite President Trump's repeated criticisms of NATO, the United States commitment to this alliance has remained unchanged thus far.³⁷ Under bipartisan congressional pressure, the Trump Administration has preserved the European Reassurance Initiative. But President Trump's continuing criticism of NATO and the United States' European allies is a gift to Putin, who seeks to divide and undermine America's allies.³⁸

Advancing Russia's interests, President Trump has now reportedly discussed withdrawing the United States from NATO entirely. This move would be a catastrophic mistake, damaging an over 70-year alliance that serves to protect America's interests and counter the threat of Russia.³⁹ The House of Representatives has approved a bill aimed at preventing the Trump Administration from withdrawing the United States from NATO.⁴⁰ The Senate should now follow suit. Members of Congress must continue to call on the Trump Administration to make America's commitment to mutual defense under the NATO alliance clear—something this Administration has so far refused to do.

Already, Putin is succeeding in dividing the United States and its allies thanks to President Trump. Trump has called for Russia to rejoin the Group of Seven (G7) industrialized nations after the country was removed in 2014 as punishment for its annexation of the Crimean peninsula from Ukraine. This call came as President Trump angered key US allies in the G7 when he leveled trade actions against Canada, labeling it a national security threat, and imposed tariffs on European allies.⁴¹ Canada and other G7 allies are not a threat to the US, but Russia is. These actions will only serve to drive a deep wedge between the United States and its allies, giving Putin exactly what he wants.

The United States must continue to rebuild its military presence in Europe to deter Russian aggression while reaffirming its commitment to the NATO alliance. The United States must also continue modernizing its nuclear deterrent, just as Russia is modernizing its own. Finally, the United States must counter Russian influence over NATO members—who are reliant on Russian sources of energy—by encouraging allies to import US and other non-Russian sources of energy.

Despite the challenges in the US-Russia relationship, there are a few key areas where cooperation is necessary.

Nuclear arms control requires cooperation with Russia.

As the two largest nuclear powers on the planet, the United States and Russia must work together to reduce the threat of nuclear weapons. Arms control negotiations and agreements between the United States and Russia have been an area of cooperation, even during the Cold War. With around 7,000 warheads, Russia can annihilate the United States if it were to launch an attack.⁴² Washington must find ways to work with Moscow to reduce the number and threat of nuclear weapons, secure stockpiles of nuclear materials, oppose proliferating states, and prevent the risk of nuclear terrorism.

The United States and Russia have pursued nuclear arms control through bilateral agreements for years, including the New START Treaty, which President Obama signed in 2010.⁴³ This treaty expires in 2021 unless it is extended.⁴⁴ Russia has also provided support for diplomatic agreements aimed at reducing the development of nuclear weapons in countries of concern. For example, although President Trump announced in May 2018 that the United States will withdraw from the Iran nuclear deal, Russia says it will continue to honor the agreement.⁴⁵ In the run-up to that deal, Russia removed 25,000 pounds of enriched uranium from Iran, effectively reducing its stockpile to 300 kilograms—as required under the deal.⁴⁶

Unfortunately, arms control cooperation between the United States and Russia has been weakened by Russia's violation of a key agreement between the two countries and the Trump

Administration's refusal to continue negotiations. The two countries signed the Intermediate-Range Nuclear Forces (INF) Treaty in 1987, banning an entire group of nuclear missiles that both countries perceived as threats. But in recent years, Russia has blatantly violated this treaty. As a result, the Trump Administration has announced that the United States will suspend implementation of the agreement and withdraw completely in six months.⁴⁷ Instead of working to push Russia to respect the terms of the agreement, the Trump Administration has instead chosen to scrap the agreement in its entirety and eliminate a key source of security for the United States and its NATO allies. Congress should now push for the United States to return to the negotiating table with Russia and should oppose any efforts by the Trump Administration to develop or deploy missiles prohibited by the INF Treaty.⁴⁸

Cooperation with Russia is also required in order to stabilize Syria after years of civil war.

Another area that requires US-Russia cooperation is creating a pathway to stabilizing Syria, where hundreds of thousands of civilians have died over the last eight years.⁴⁹ The United States and Russia have been on opposite sides of the civil war in Syria, with the United States opposing long-time Syrian President Bashar al-Assad, and Russia supporting him. Russia played a key role in enabling and covering up the Assad regime's attacks on its own people, including through the use of chemical weapons.⁵⁰ The conflict has also created a vacuum that has allowed the Islamic State of Iraq and Syria (ISIS) and other terrorist groups to thrive. Foreign fighters who flocked to join ISIS are now returning home and could present security risks to the United States and our allies.

In September 2015, Russia's military intervened in Syria to ensure the survival of Assad's regime, which was on the verge of collapse. While Russia has targeted ISIS and other terrorist groups in its operations, it has also bombed US-backed rebel groups⁵¹ and humanitarian aid convoys supplying rebel-held and civilian areas. This has resulted in the deaths of thousands of Syrians.⁵²

In December 2018, President Trump announced he would withdraw US troops from Syria, declaring ISIS to be "defeated." Although his Administration has offered no timetable for the withdrawal, American military officials have warned that the threat of ISIS remains and the group may stage a resurgence once US troops are pulled out.⁵³ The Pentagon and the United Nations have estimated ISIS still has 20,000–30,000 fighters in Syria and Iraq alone.⁵⁴ The United States must now work with Russia to prevent a resurgence of ISIS in Syria through counterterrorism and countering violent extremism measures. Ultimately, the way forward is through a diplomatic process to stabilize Syria and lead to a sustainable political settlement that charts out the course for the future of the country. This will require cooperation between the United States and Russia.

Conclusion

The relationship between Russia and the United States is at its lowest point since the end of the Cold War. Russia must pay a steep price for its attack on the pillars of American democracy. Without a significant response, there is little to indicate that Russia will refrain from trying to influence US elections moving forward. Yet despite Russia's bad behavior, Moscow and Washington's shared security interests regarding nuclear nonproliferation, Syria, and counterterrorism mean bilateral cooperation must continue where possible. President Trump's contradictory approaches to Russia will require Congress to use its independent voice to ensure that the United States does not diminish its commitment to its European allies in exchange for vague promises of better relations with Russia. Instead, the United States must hold the line on Russia's bad behavior while leaving an extended hand for improved ties around areas of mutual concern like nuclear weapons and terrorism.

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Country Brief: Saudi Arabia and its role in Yemen

Takeaways

The Kingdom of Saudi Arabia has been a close security and economic partner of the United States since the Kingdom's early founding. However, the two countries have differences on a number of key issues, including those related to terrorism, human rights, and regional security threats.

But two actions taken by Saudi Arabia have caused Congress to consider changes to the US-Saudi relationship over the past year:

1. Saudi-led military operations in Yemen that have killed tens of thousands of innocent civilians and left millions on the brink of starvation; and
2. The brutal murder of *Washington Post* journalist Jamal Khashoggi—a Saudi citizen and US resident—carried out by the Saudi government in Istanbul, Turkey.

In the face of Saudi Arabia's recent dangerous and destabilizing behavior, President Trump has doubled down on his support for the Kingdom.

Instead of permitting President Trump to allow autocrats and dictators to operate with impunity, Congress must work to reassert its foreign policy decision making, impose targeted consequences on the Kingdom for its recent actions, and withdraw support for Saudi-led military operations in Yemen.

Saudi Arabia has been a close US security and economic partner, though the two countries diverge on a number of key issues.

The United States and the Kingdom of Saudi Arabia share a number of foreign policy, security, and economic interests. However, over the years, they have differed on a number of critical issues.

US-Saudi relations trace their roots back to the 1930s, when the Kingdom of Saudi Arabia was founded following a nearly 200-year alliance between a tribal leader and a prominent cleric who followed an ultra-conservative form of Sunni Islam known as Wahhabism. Since that time, the House of Saud has been the ruling royal family of the Kingdom. Saudi Arabia was an important US partner during the Cold War against the Soviet Union. After Iran's Islamic revolution in 1979, protecting Saudi Arabia's security became a core US foreign policy priority. Military cooperation between the two countries was solidified during the 1991 Gulf War,¹ during which the United States had more than 500,000 troops stationed in the Kingdom before the vast majority of these forces were withdrawn in 2003.²

Today, the United States maintains a close security partnership with Saudi Arabia. Since the 9/11 terrorist attacks, Saudi Arabia has been an important US counterterrorism partner, sharing valuable intelligence, disrupting terrorist cells, and providing financial support and leadership to a number of global counterterrorism and counter violent extremism initiatives.³ The two countries agreed to a “Joint Strategic Vision Declaration” during President Trump’s May 2017 trip to Riyadh that further solidified counterterrorism commitments.⁴ The Kingdom remains an active member of the US-led Global Coalition to Defeat ISIS⁵ and a partner in US operations against Al Qaeda’s affiliate group in Yemen, Al Qaeda in the Arabian Peninsula (AQAP). The United States trains and advises Saudi security forces through an ongoing training mission.⁶

The United States and Saudi Arabia also have a number of close economic ties. In 2017, Saudi Arabia was the largest US trading partner in the Middle East. Much of this was a result of US imports of hydrocarbons and US exports of weapons, machinery, and vehicles to Saudi Arabia.⁷ From fiscal years 2009 through 2016, the two countries concluded arms sales in aggregate of over \$65 billion.⁸ In 2017, President Trump signed a nearly \$110 billion deal on US military sales to the Kingdom spread out over the next decade.⁹ However, President Trump’s claims that this new agreement would result in hundreds of thousands of jobs for Americans are exaggerated—only half of this money is estimated to be spent in the United States.¹⁰ Further, while US imports from Saudi Arabia of crude oil and petroleum products has declined in recent years with increases in domestic oil production,¹¹ Saudi oil still represents about 11% of total US oil imports.¹²

In addition, the United States and Saudi Arabia have closely coordinated on civil nuclear activities. In 2008, the two countries signed a Memorandum of Understanding, which solidified their cooperation on a variety of civil nuclear activities. The Trump Administration has renewed discussions with Saudi Arabia about a further significant bilateral nuclear cooperation agreement between the two countries known as a “123 agreement.”¹³ In the last Congress, several bills were introduced aimed at ensuring that any such agreement has strong commitments by Saudi Arabia to forgo uranium enrichment and reprocessing, out of concerns that, without these protections, the Saudis could use this US support to help build nuclear weapons.¹⁴

Despite all of these areas of cooperation, the United States and Saudi Arabia have diverged on many key issues of importance. While the Saudi government has been a close US counterterrorism partner, concerns remain about the country’s support for, and ignoring of, a variety of actors outside the government that experts believe have contributed to radicalization and violent extremism that have led to terrorism globally.¹⁵ The financing of a spectrum of global violent extremist groups by wealthy Saudi individuals remains a significant issue.¹⁶

Additionally, the two countries have disagreed on key human rights concerns. The Kingdom remains an absolute monarchy with no democracy and strict restrictions on all civil liberties. The government has cracked down on groups and individuals advocating for political change and has arbitrarily detained and prosecuted advocates and journalists. Of significant concern, Saudi Arabia continues to severely restrict women’s rights and their ability to make basic decisions about their lives.¹⁷ President Obama raised concerns about Saudi Arabia’s human rights abuses directly with Saudi officials on a number of occasions.¹⁸ President Trump and his Administration have refused to do the same.¹⁹

Saudi Crown Prince Mohammed bin Salman (colloquially known as MbS), named by the Saudi king as his designated successor in 2017,²⁰ initially committed to taking steps to modernize the Kingdom. His 2017 lifting of the driving ban for women in Saudi Arabia led some to hope that further societal reforms would follow. Instead, the Crown Prince has been responsible for a

number of actions that have drawn global criticism, including severe human rights abuses, even before the murder of journalist Jamal Khashoggi.²¹

The United States and the Kingdom also differed on a number of core regional security issues during the Obama Administration. In particular, Saudi Arabia strongly opposed the Joint Comprehensive Plan of Action (JCPOA or “Iran deal”), which was signed by President Obama and effectively froze Iran’s nuclear weapons programs while putting in place a strong inspection system to spot any cheating. President Trump pulled the United States out of the deal in May 2018.²² Now, if the deal fully breaks down and Iran resumes its nuclear program, Saudi Arabia has said it will also build a nuclear weapon, potentially starting a regional arms race.²³

Since 9/11, Saudi Arabia has been viewed as a key US partner on a number of mutual security and economic interests. However, the two countries have strongly disagreed on a number of key issues of concern. As a result of the Kingdom’s actions, many on Capitol Hill are attempting to limit or end United States support to Saudi Arabia.

The Trump Administration has doubled down on US support to Saudi Arabia despite the country’s recent destabilizing and dangerous actions.

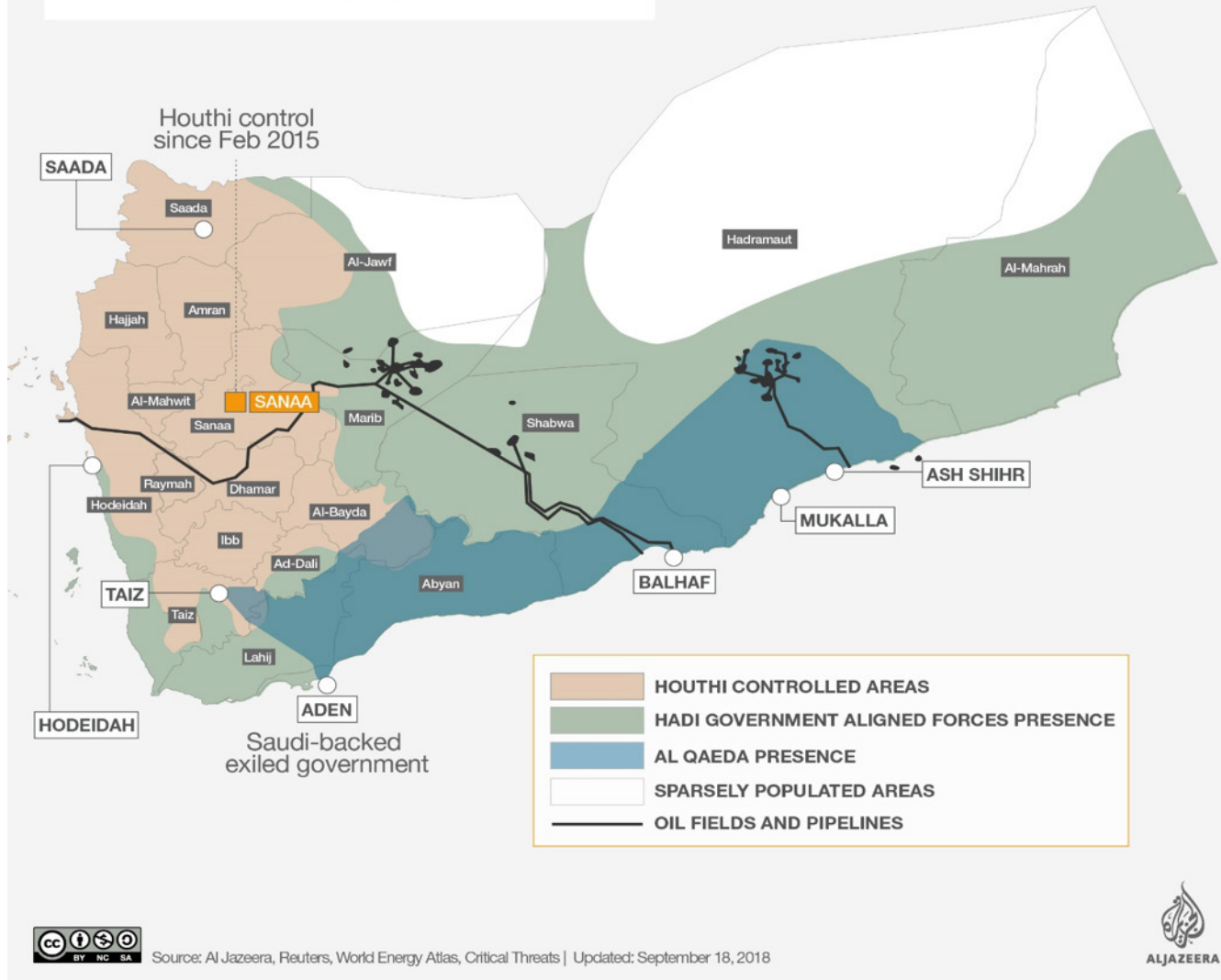
President Trump has made support to Saudi Arabia a central tenet of his strategy in the Middle East. He has not wavered in the face of the Kingdom’s increasingly destabilizing and repugnant actions. Although Saudi Arabia has been escalating the conflict in Yemen over the past several years, the country’s recent killing of a US permanent resident journalist tipped the scales on a growing unease about US support for Saudi military operations in Yemen and the United States’ overall relationship with the country.

Saudi Arabia launched military operations in the neighboring Republic of Yemen in 2015 after the Houthi movement and backers of the late previous Yemeni president ousted the country’s transitional government. These operations are aimed at reversing Houthi territorial strongholds in Yemen and compelling the group to negotiate with Yemen’s UN-recognized transitional leadership. Further complicating the conflict, Iran, Saudi Arabia’s traditional rival, has backed the Houthis with ongoing support. The Saudis have led a coalition air campaign that has conducted strikes across Yemen supported by the United States, which has provided training for Saudi forces, logistical assistance, refueling of aircraft belonging to the Saudi-led coalition, and intelligence, with weaponry purchased from US defense companies. This air campaign has been coupled with joint Saudi and United Arab Emirates (UAE) ground operations.

Saudi operations in Yemen have caused devastating loss of human life and one of the worst humanitarian crises in the world. Often seen as a proxy war between Iran and Saudi Arabia, the conflict has killed an estimated 57,000 people. The United Nations (UN) estimates over 8 million people are facing famine in Yemen due, in large part, to the Saudi blockade of Yemen’s borders and sanctions on the country, which have hindered the delivery of humanitarian assistance.²⁴ The Saudi-led coalition’s indiscriminate bombings have long brought strong criticism from Members of Congress, including Senators Chris Murphy (D-CT), Bernie Sanders (I-VT), Mike Lee (R-UT), Rand Paul (R-KY), Rep. Ro Khanna (D-CA), and others.²⁵ The Houthis have also been criticized for hitting civilians and perpetrating severe human rights abuses in Yemen while continuing to launch drone and missile strikes on the Saudi-led coalition.²⁶

YEMEN

Who controls what



Source: Chughtai, Alia and Faisal Edroos. "Yemen conflict: Who controls what." *Al Jazeera*, Al Jazeera Media Network, 19 Sept. 2018, <https://www.aljazeera.com/indepth/interactive/2016/08/yemen-conflict-controls-160814132104300.html>, Accessed 14 Dec. 2018.

Yet, President Trump has maintained his strong support for the Saudi-led operations in Yemen. In 2016, President Obama reduced US personnel support for Saudi operations in Yemen and limited certain arms transfers out of concerns about the growing crisis. President Trump overturned these limitations.²⁷ Further, in September 2018, the Trump Administration certified that the Saudi and UAE governments were undertaking actions to reduce the risk of civilian harm in their operations in Yemen,²⁸ despite numerous reports from the UN and other groups to the contrary.²⁹ In November 2018, the US Defense Department said it would stop refueling Saudi fighter planes for its operations in Yemen. However, the Trump Administration has continued to double down in resisting any further substantial changes in US support to the Saudis.³⁰ At the time of writing, UN-mediated peace talks between the Yemeni government and Houthis were ongoing.³¹

The killing by the Saudi government of *Washington Post* journalist Jamal Khashoggi, a US resident and Saudi citizen, has brought the Kingdom's actions in Yemen to the forefront of congressional debates on the US-Saudi relationship. In October 2018, Khashoggi, a well-known critic of Saudi Crown Prince Mohammed bin Salman, was murdered inside the Saudi consulate in Istanbul, Turkey. The US Intelligence Community has reportedly determined that the Crown Prince ordered the assassination of Khashoggi in retaliation for his public criticism.³² Senator Lindsey Graham (R-SC) noted, after receiving a classified briefing on the killing from Director of the Central Intelligence Agency Gina Haspel, that "You have to be willfully blind not to come to the conclusion that this was orchestrated and organized by people under the command of MbS and that he was intricately involved in the demise of Mr. Khashoggi."³³ Saudi Arabia has admitted that Khashoggi was killed in its consulate and has detained a number of people in connection with the journalist's death but continues to deny the Crown Prince's role in the killing.³⁴

Despite the US Intelligence Community's assessment to the contrary, President Trump has also refused to acknowledge the Crown Prince's role in this killing.³⁵ The US government has imposed sanctions on 17 individuals it says are linked to the assassination, yet the president refuses to take action against or even directly condemn the Crown Prince.³⁶ In doing so, the president has shown that he is willing to put profits from arms sales over US values, which will signal to autocrats and dictators around the globe that they too can take similar actions with no repercussions. This threatens United States' interests because these actions may only serve to generate more grievances among populations around the globe that have created the conditions that allow conflict and terrorism to thrive.

Congress has an opportunity to rebalance the US-Saudi relationship and reassert its authority in the disastrous foreign policy decisions President Trump makes.

Congress now has an opportunity to reassert its authority in foreign policy decision making and rebalance the US-Saudi relationship. Saudi Arabia is a US counterterrorism partner that has provided valuable intelligence to thwart terrorist attacks on America. Yet it must be clear to the Kingdom that America will not just provide a blank check and will hold its partners accountable for their actions when it is required.

To do so, in 2018, Congress considered legislation to end US support for Saudi Arabia's role in the conflict in Yemen, place sanctions on the Saudi Crown Prince for the murder of Jamal Khashoggi and on those who block humanitarian access in Yemen or aid the Houthis, and suspend arms sales to Saudi Arabia.³⁷ In December 2018, the Senate passed a joint resolution with bipartisan support that requires the president to remove any support provided by US military forces from hostilities in or around Yemen (except for operations directed at Al Qaeda).³⁸ Senate passage of this resolution was an important signal to the Trump Administration and the Saudi government that Congress will not provide endless support to countries, even partners, who perpetrate violence and crime that runs counter to America's interests. The Senate also passed a resolution supporting a diplomatic solution to the conflict in Yemen and condemning the Crown Prince for his role in the murder of Jamal Khashoggi.³⁹ Resolutions have been reintroduced in the House of Representatives and Senate to direct the removal of US armed forces from the hostilities in Yemen. At the time of writing, the House Committee on Foreign Affairs approved their version

of this resolution and it must now be considered in the full House of Representatives.⁴⁰ Congress should approve such a resolution and consider additional bills to impose costs on Saudi Arabia for its actions.⁴¹

Conclusion

Saudi Arabia and the United States share a number of mutual security and economic interests. However, the Saudi actions in Yemen, which have been aided by the United States and left tens of thousands dead and millions starving, and its recent murder of a US-resident journalist demonstrate the country is also capable of dangerous and destabilizing behavior. Instead of criticizing the Saudi Crown Prince for ordering this murder, as concluded by the US Intelligence Community, President Trump has doubled down on his support to the Crown Prince. This action sends a signal to autocrats and dictators everywhere that the United States will continue to support them no matter what actions they take. Rather than allow this to be the status quo, Congress must work to hold Saudi Arabia accountable for its actions and further examine ways the US-Saudi relationship may need to be rebalanced in light of recent events.

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Thematic Brief: US Cybersecurity Efforts

Takeaways

Cybersecurity—ensuring malicious actors cannot harm us online—is a top national security issue for the United States. Director of National Intelligence Dan Coats highlighted the current cyber threats that the United States is facing, stating the “warning lights are blinking red.”¹ A wide range of actors, including nation-states, terrorist and criminal groups, and lone actors, have launched cyberattacks and committed cybercrime over the Internet, causing devastating impacts to US national and economic security.

Unfortunately, the Trump Administration’s cybersecurity efforts lack cohesiveness and effectiveness, starting with President Trump’s refusal to acknowledge Russia’s interference in America’s 2016 presidential election, which utilized cyber tools to spread disinformation and hack into election infrastructure and Democratic Party accounts. While Congress has pushed for more legislation in recent years, these efforts do not reflect a comprehensive strategy to impose consequences on malicious actors.

To strengthen the US government’s efforts to combat malicious cyber activity, Congress must now take action to:

1. **Improve** the US government’s capabilities to identify, stop, and punish human cyber attackers in order to close the growing cyber enforcement gap: the number of cyberattacks launched per year in the United States versus the number of arrests of malicious cyber actors;
2. **Invest** in securing America’s election infrastructure and combating foreign disinformation efforts; and
3. **Re-establish** the United States as a global leader in setting policy around how different actors should behave in cyberspace and boost international cooperation and capacity around these issues.

Cybersecurity is a top national security issue for the United States, with cyber threats posed by a wide range of actors causing devastating national and economic security consequences.

Malicious cyber activity, including cybercrime, has caused devastating impacts to US national and economic security. This activity continues to grow and evolve. According to recent polling Americans view malicious cyber activity as their top security concern, ahead of the economy, nuclear threats, and the Islamic State of Iraq and Syria (ISIS).²

The cyber threat affects all sectors of the economy in the United States and globally. A single cyber incident can disrupt thousands of systems worldwide and cost millions of dollars. For example, the NotPetya cyberattack, the most damaging in history, caused over \$10 billion in damage.³ The White House Council of Economic Advisors estimated in 2016 that malicious cyber activity costs the US economy between \$57 billion and \$109 billion per year.⁴ Other estimates put the number as high as \$3 trillion for the global economy annually.⁵ Because of the borderless nature of cyberspace, a single cyber incident can impact victims in many different countries and can be committed by a perpetrator who is not in any of these locations.

Beyond financial harm, cyberattacks are a serious threat to US national security. Malicious cyber actors have attacked health care systems and critical infrastructure in the United States, such as Industrial Control Systems (ICS), the electric grid, and dams. A successful attack executed on these systems can threaten life and property, and cause large-scale destruction. Hostile nations have used cyberattacks to halt the operations of, and steal sensitive information from, critical US national security institutions and personnel.⁶ For example, in 2014 and 2015, the Office of Personnel Management suffered a massive data breach exposing the sensitive information of up to 22 million people, including personal information in their security clearance forms.⁷ Terrorists and illicit criminal networks have continued to use the Internet as a key operational tool, presenting a threat to US national security.

Perhaps most alarmingly, Russia's interference in the 2016 presidential election—in which they used malicious cyber tools to spread disinformation and hack into election infrastructure and Democratic Party accounts in favor of then-candidate Donald Trump—demonstrates the grave danger cyber threats can pose to US national security and confidence in American democracy.⁸

Of particular concern, there is a burgeoning cybercrime wave in the United States. Cybercrime are crimes that use or target computer networks no matter the perpetrator, and can include such things as data theft, fraud, distributed denial-of-service (DDoS) attacks, worms, ransomware, and viruses.⁹ The Federal Bureau of Investigation (FBI) received more than 300,000 reports of cybercrime via its Internet Crime Complaint Center (IC3) last year.¹⁰ Since the FBI estimates that only 15% of victims report incidences of cybercrime, that number is probably a vast undercount.¹¹ Cybercrime is a major concern to the US government because malicious cyber actors have been able to commit criminal activity, such as stealing assets from America's largest financial institutions, over the Internet. Cybercriminals also benefit from the high demand for malicious cyber tools from nation-states like Russia, Iran, and North Korea, who use these tools to perpetrate attacks on US institutions and people.¹²

The Trump Administration's cybersecurity efforts lack cohesiveness and effectiveness. Congress has done little to strengthen the US government's response to cyber threats.

Despite the growth and evolution of cyber threats, the Trump Administration's approach has lacked coherence. The Administration's strategy to combat this threat has not matched with the president's words and deeds.

The US Intelligence Community (IC) has unanimously concluded that Russia launched malicious cyber operations to influence the outcome of the 2016 presidential election.¹³ Yet President

Trump continues to deny their involvement, undermining the position of the IC and hindering our ability to work with international partners to combat this threat.¹⁴ The president has also resisted imposing sanctions on Russia for its meddling in the 2016 election, despite pressure from Congress. The “Countering America’s Adversaries Through Sanctions Act” (PL 115-44) set a deadline to impose sanctions on Russia for their involvement in the 2016 election. The Administration missed the deadline by several weeks, but eventually bowed to the pressure and agreed to impose the sanctions.¹⁵

Further, while the Trump Administration has taken important steps to expand the US government’s cyber efforts—including by indicting a number of malicious cyber actors and creating new cyber threat information-sharing mechanisms for the private sector—the Administration’s recently released *National Cyber Strategy* lacks a comprehensive approach to addressing this threat and does not meet the benchmarks for an effective strategic approach that allows for proper oversight.¹⁶ While the *National Cyber Strategy* is an important first step, it centers heavily on cyber defense (i.e., trying to protect Americans from attacks) with only a few short sections committed to pursuing the attackers themselves. It proposes no advances in how the government will assess its progress in combating cyber threats and has few innovative, new solutions to address the number of tremendous challenges that exist in doing so.

The Trump Administration is actively undoing the progress made in recent years to establish such leadership. In particular, the Administration has eliminated two key positions on cybersecurity. First, it eliminated the White House Cyber Coordinator position within the National Security Council (NSC), leaving coordination to two senior director-level NSC officials.¹⁷ Second, it downgraded the State Department’s Coordinator for Cyber Issues.¹⁸ The Office of the Coordinator for Cyber Issues at the State Department was established by the Obama Administration as the first senior-level position and office at the State Department working to advance America’s diplomatic efforts on cyber issues and build the capacity of our nation’s diplomats to deal with these threats.

Congress must hold the Trump Administration accountable for its lack of clarity and consistency in its cyber approach, and push for an aggressive and comprehensive cybersecurity strategy for the United States. However, the 115th Congress fell short in these efforts. A Third Way analysis of over 200 pieces of cybersecurity-oriented legislation introduced in the last congressional session shows that more than 87% of the proposed bills focus on defensive measures like information sharing, breach notifications, and investing in better infrastructure. The Senate was too often an impediment to new legislation; 42 bills did not receive a vote in the Senate after passing the House.

Defensive-oriented efforts are critical and deserve much larger support. But they must be balanced with a focus on policies that also help the United States stop, identify, and punish malicious cyber actors and reduce the current level of impunity. Further, the few bills that were introduced in the 115th Congress that are designed to impose consequences on aggressors or boost international cooperation to this end—such as the “Cyber Deterrence and Response Act” (H. R. 5576) and the “Cyber Diplomacy Act” (H.R. 3776)—failed to make progress and deserve reconsideration in the 116th Congress.

Congress must now take action to strengthen the US government's efforts to combat malicious cyber activity.

To strengthen the US government's efforts to combat malicious cyber activity and create coherence and effectiveness in the government's approach, Congress must now take action to:

1. Improve the US government's capabilities to identify, stop, and punish human cyber attackers in order to close the cyber enforcement gap.

The United States is facing a rising and often unseen cybercrime wave. Yet Third Way's research has found that cybercriminals operate with near impunity compared to their real-world counterparts. Right now, the United States is as far from a comprehensive strategy aimed at identifying, stopping, and punishing malicious cyber actors as the nation was from a strategic approach to countering terrorism in the weeks and months before 9/11. Congress must work to address this by putting in place the foundations for such a strategy.

Third Way has launched a new *Cyber Enforcement Initiative* to help Congress do just that.¹⁹ Our research estimates that for every 1,000 cyber incidents, only three ever see an arrest—what we call the **cyber enforcement gap**. That is an enforcement rate of 0.3%.²⁰ By comparison, the clearance rate for property crimes was approximately 18% and for violent crimes 46%, according to the FBI's Uniform Crime Report (UCR) for 2016.²¹

The United States requires a rebalance in its cybersecurity policies: from a heavy focus on building better cyber defenses against intrusion to also waging a more robust effort to go after human attackers. Achieving this would require a more balanced approach that places much more emphasis on law enforcement and diplomacy, while preventing the overreliance on the military that currently exists. Rather than responding to cyber threats that come into the United States with military operations, the US government should and can use its Title XVIII authorities to bring law enforcement to bear against the attacker at any time. Unfortunately, the current prioritization undervalues and underinvests in that response. We can only stop the cybercrime wave and close the cyber enforcement gap by transforming law enforcement, enabled by diplomacy, to go after the human beings perpetrating or ordering attacks.

Third Way has established 10 policy areas that require urgent attention from Congress in order to reduce the cyber enforcement gap:

To Catch a Hacker: Summary of Recommendations

Domestic Enforcement Reform

1. A Larger Role for Law Enforcement
2. A Cyber Enforcement Cadre
3. Better Attribution Efforts
4. A Carrot and Stick Approach to Fugitives

International Cooperation and Coordination Reform

5. An Ambassador-level Cyber Quarterback
6. Stronger Tools in the Diplomacy Arsenal
7. Better International Capacity for Enforcement

Structural and Process Reform

8. Better Success Metrics
9. Organizational Changes and Interagency Cooperation
10. Centralized Strategic Planning



As a first step, Congress must work to establish a baseline to understand the scope of the cyber enforcement problem. This will lay the foundation for a comprehensive strategy aimed at closing the cyber enforcement gap. There must be a comprehensive assessment of current government efforts across all agencies with a role in cyber enforcement to determine what is working, what might need to be amplified, and what might need to change. Establishing a baseline would include requiring a government-wide assessment of the current levels of US law enforcement actions, as well as an analysis of the amount and effectiveness of support provided to other countries by the US State Department to build their capacity around cyber investigations. Without baseline statistics, it is difficult to measure government efforts, develop budget estimates for current levels of effort, or make an informed case for budget increases necessary to support increased enforcement levels. Congress can address this by mandating these baseline assessments and pushing for cyber enforcement agencies to establish better metrics to measure the extent of the problem.

2. Invest in securing America's election infrastructure and combating foreign disinformation efforts.

As America's adversaries have utilized malicious cyber tools and information warfare to attack the United States, undermine its institutions, and sow discord, Congress needs to forcefully push back and invest in securing America's election infrastructure and combating disinformation efforts at all costs.

In 2016, the IC concluded that Russia attempted to not only influence the outcome of the US presidential election, but also inject public distrust in our democratic institutions and electoral systems. Russia took a series of actions aimed at boosting the candidacy of Donald Trump, who was seen as more likely to serve Russia's interests. The indictments from the investigation led by Special Counsel Robert Mueller demonstrate how Russian agents hacked the Clinton campaign, the Democratic Congressional Campaign Committee, and the Democratic National Committee in multiple operations.²² The emails stolen from these hacks were then published on the website WikiLeaks in an effort to publicly undermine the candidacy of Hillary Clinton.²³

While the leaked emails received plenty of press coverage, Russian operatives also targeted election infrastructure. They breached the voter databases and websites of seven states in the run up to the 2016 election.²⁴ There is no evidence these databases were manipulated, but the Russians clearly showed they have the capability to do so. Congress must take action to protect US election infrastructure from future interference and disruption.

Despite a renewed focus on election security before the 2018 midterms, US election infrastructure and mechanisms remain woefully inadequate. Russia's hacking into state election databases shows the vulnerability of election security systems to manipulation. Further, most information security experts agree that paper backups for ballots are crucial for election integrity and the ability to perform accurate and trustworthy audits; yet five states in the United States do not use paper backups.²⁵ The technology used to vote in some states is also often outdated and unreliable.²⁶ Congress has only allocated \$380 million to help states strengthen and modernize their election security systems after the 2016 election. After the voting irregularities of 2000, Congress had allocated an amount 10 times greater.²⁷

Unfortunately, congressional Republicans have stymied efforts to provide more funds for election security and give states the critical resources they need to protect future elections.²⁸ House Democrats have now introduced the "For the People Act" (H.R.1), which contains substantial funding for election security and makes paper backups compulsory for all federal elections.²⁹ The bill is an important first step to ensuring safe, secure, and reliable American elections and instilling public confidence in US democratic institutions.

Additionally, Congress must work to combat foreign disinformation campaigns aimed at sowing division among the American public and injecting doubts in voters' minds about their democratic systems. Russia's efforts to interfere in the 2016 US presidential election included exploiting social and traditional media platforms, including widely utilized platforms such as Facebook and Google, to promote propaganda and spread false or misleading information through the use of fraudulent accounts and advertisements.³⁰ The IC has concluded that Russia's disinformation campaigns were aimed at supporting the candidacy of Donald Trump.³¹ However, Russian operatives often did so by talking less about the election itself. Instead, they focused on issues that have prominence in current US political debates, such as gun rights and support for veterans, with the goal of dividing the American public against each other and promoting Donald Trump's positions on these issues.³²

Countering foreign election interference efforts will require dedicated action from policymakers, working in coordination with private sector companies whose platforms are used to spread disinformation. Members of Congress must educate the public about Russian disinformation efforts and condemn President Trump's attempts to ignore or downplay them. Congress must also work to assess whether the US government has all of the tools it can possibly use to combat foreign meddling in America's elections. The Department of Defense has expanded its cyber operations targeting Russian hackers and agents with "digital alerts," letting them know that the US government can see what they are doing. Congress must evaluate whether these efforts are having enough impact in deterring Russia and other foreign actors from using malicious cyber tools to interfere in US elections.³³

Action is also required from technology companies to shore up their defenses against foreign influence operations and protect against the spread of disinformation. These companies have a responsibility to protect their users from these efforts and to crack down on malicious cyber actors that use their platforms to meddle in democratic elections and divide societies. Bills

such as the “Honest Ads Act” (S. 1989), demanding more transparency for election-related advertising on online platforms, are a step in the right direction.³⁴ That act is now a part of H.R. 1, along with a number of other election security and voting measures that should be made into law.³⁵ Congress needs to ensure that social media companies are stringent in enforcing policies that prevent the spread of disinformation and use of fraudulent accounts on their platforms.

3. Reestablish the United States as a global leader in setting policies on behavior in cyberspace and boost international cooperation and capacity on this issue.

The global nature of the cyber threat requires dedicated and deliberate leadership and coordination at the highest echelons of the US government. Given the scope of countries that are impacted by cyber threats, little progress can be made in America’s cybersecurity efforts if our cyber diplomatic and development efforts are not expanded and ties to partner nations around the globe are not strengthened. To catch international cybercriminals, America needs a coordinated international effort and cooperation on cyber investigations.

A congressional authorization to elevate the Office of the Coordinator for Cyber Issues at the State Department is a good first step, but it is not enough. The office must also be provided with a clear mandate that includes a focus on closing the enforcement gap, strengthening its efforts to identify the perpetrators of cyberattacks, and implementing diplomatic training programs. It must also be provided by Congress with the necessary resources and personnel to be able to implement those initiatives. This is critical to drive forward a rebalance in America’s cybersecurity approach to one that puts the State Department front and center as a key entity for progress.

Additionally, Congress must provide adequate resources to global cyber capacity-building efforts. Currently, the United States provides capacity-building assistance to countries on cybersecurity and cybercrime through US diplomatic, development, and international judicial programs. It is clear that the current levels of funding and manning for capacity-building efforts are not adequate to meet the challenge. To strengthen the capability of partner nations, the US government must assess and expand its support of global cyber enforcement capacity building. It must help foreign authorities understand and address cyber threats as it also works to strengthen its own cybersecurity efforts.

Conclusion

The United States is facing a burgeoning cybercrime wave, and we do not have a cohesive strategy to combat it. Malicious cyber activity costs the United States between \$57 billion and \$109 billion each year, and may cost trillions of dollars globally. It poses a serious national security threat—we have already seen attacks not only against private technology companies, but also the electrical grid, election systems, health care systems, and government agencies. Still, only three in 1,000 cyber incidents result in an enforcement action. We must do more to identify, stop, and punish malicious cyber actors.

While the Administration has made a number of indictments through the Department of Justice, their approach to this threat remains incoherent and inadequate, starting with the president’s refusal to acknowledge Russia’s attempt to influence the 2016 presidential elections.

The Administration has eliminated critical positions from the White House and the State Department, undoing the progress made in previous administrations. Congressional Republicans, along with the White House, have impeded substantial investment to secure our elections.

Congress has an opportunity to assert its authority and act in our national security interest by taking these three steps: 1. improve the US government's capability to identify, stop, and punish malicious cyber actors; 2. invest in election security and combatting foreign influence operations; and 3. reestablish the US as a global leader in cyberspace.

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Thematic Brief:

The Department of Defense Budget and Oversight

Takeaways

Despite the president's contradictory criticism *and* support for the size of the US Department of Defense (DoD) budget, the Administration has continued to request substantial increases in funding for DoD. In addition, President Trump has pushed for ineffective and wasteful missions, such as the creation of a US Space Force and symbolic deployment of active duty troops to the US-Mexico border.

Members of Congress must strengthen their oversight over DoD activities and advocate for a defense budget that promotes strong US national security. In order to do this, congressional Democrats must take action to:

- **Reduce** President Trump's reported Fiscal Year (FY) 2020 Defense Budget of \$750 billion in line with his stated intent to withdraw troops from Syria and Afghanistan;¹
- **Repeal** or add a sunset clause to the 2001 Authorization for the Use of Military Force (AUMF) and consider a new, narrowly tailored AUMF for US counterterrorism efforts; and
- **Reject** the president's symbolic, wasteful military proposals, including holding military parades, deploying active duty troops to the US-Mexico border, threatening a state of emergency, and creating a Space Force—all of which distract from military readiness.

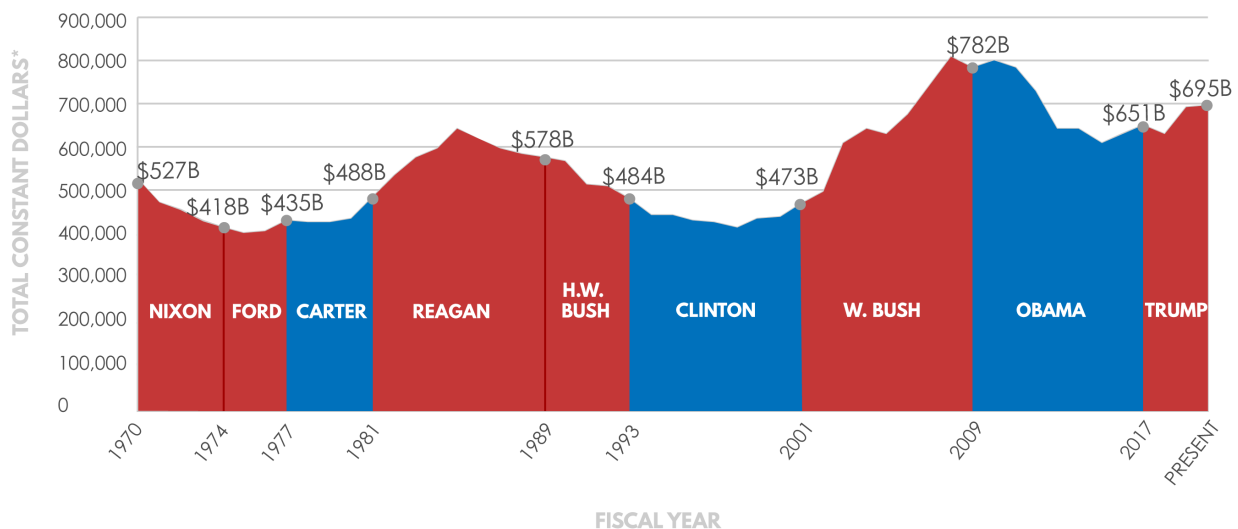
The military needs to align its budget with its need. If President Trump wants to reduce US military forces overseas, the DoD budget needs to reflect such a scaling back.

The Trump Administration is reportedly requesting a surge in defense spending for FY 2020. This dramatic increase in defense spending is contradictory to the president's stated call for the withdrawal of US troops from Syria and Afghanistan. If the United States is scaling back these large-scale military operations overseas, then the defense budget should be reduced to align with these withdrawals.

If requested, President Trump's reported FY 2020 defense budget would be the largest since the height of the Iraq war,² even though the president has said he intends to withdraw troops from a number of global conflicts. While the president has yet to officially submit the FY 2020

budget to Congress, it has been reported that he will seek \$750 billion in military spending for that year alone.³ In 2011, the United States was spending close to \$805 billion (adjusted for inflation) on defense, but as US troops were withdrawn from Iraq by President Obama the military budget was cut in recognition of this scaling back.⁴ Now, the Trump Administration is seeking an exorbitant increase in defense spending while simultaneously withdrawing from US military operations abroad.

Historical Department of Defense Budget Authority



*Base Budget + OCO Funding

Source: Department of Defense FY 2019 Green Book

While the United States needs a strong, agile, and modern military to fight the rapidly changing threats against the country, the president's enormous DoD budget request raises critical questions. Most importantly, the question of what this increased funding will be used for given President Trump's spontaneous decision to withdraw all US military forces from Syria⁵ and his stated desire to end US military operations in Afghanistan.⁶ US troops have been engaged in the Syrian civil war since 2015, largely advising and assisting the Kurdish-led Syrian Democratic Forces who have been on the frontlines in the fight against the Islamic State of Iraq and Syria (ISIS). While President Trump has claimed that ISIS is "defeated," the United Nations (UN), DoD, and others estimate the group still has tens of thousands of fighters in Syria and Iraq.⁷ While there is a strong argument to be made as to whether US forces should have been in Syria without congressional authorization to begin with, withdrawing US troops from Syria now—without a clear strategy for how to maintain security gains—may leave a vacuum that allows ISIS to regroup and emboldens Syrian President Bashar al-Assad and his supporters, Russia and Iran. Additionally, the Administration is reportedly considering a withdrawal of US troops from Afghanistan without a clear exit strategy. All of these decisions come despite protests from US military and diplomatic officials and without any clear strategy for what comes next.⁸

With the withdrawal of US troops from Syria and possibly Afghanistan, congressional Democrats need to question during the budget process and during possible nomination hearings for a new Secretary of Defense why DoD requires an exorbitant increase in funds. Importantly, with the

withdrawal of US troops from these two key battlefields, Congress should also evaluate whether America's diplomats and development entities have the needed funding to continue their vital work in these countries, which will be required to stabilize these countries and prevent them from returning to a safe haven for terrorists. In particular, during these processes, Congress must question:

- **What is the exit strategy for Syria and Afghanistan**, and how will withdrawal of a US military presence in these countries impact US national security?
- **Why is a large increase in defense spending required** if US troops are withdrawing from these conflicts, and can this money be better spent?

It is unclear what the final budget number will be when the Trump Administration submits the FY 2020 DoD budget to Congress. Unsurprisingly, President Trump has behaved erratically when it comes to the defense budget. In October, President Trump asked all cabinet agencies, including DoD, to draw plans to cut their budgets by 5%.⁹ Trump later excluded DoD from the spending cuts but directed the department to request \$700 billion for FY 2020 instead of the \$733 billion that it was originally seeking.¹⁰ In December, Trump publicly called defense spending levels "crazy," but now reportedly intends to request a \$750 billion budget next year from Congress.¹¹

All of this demonstrates President Trump's reckless decision making when it comes to the defense budget and the use of America's military. If US troops are indeed withdrawn from Syria and Afghanistan, Congress must now support a reduction in defense spending that is complementary to this scaling back.

Congressional Democrats should repeal or add a sunset clause to the 2001 AUMF and, if necessary, consider a new, narrowly tailored authorization bill for US counterterrorism efforts.

As the Administration ends the war in Afghanistan, Congress should repeal or add a sunset clause to the 2001 AUMF and, if necessary, consider a narrowly tailored AUMF to deal with the remaining terrorist threats to the nation. Right now, Congress has very little ability to constrain the president's ability to use military force around the globe because it has not passed a new AUMF since 2001.¹²

After the tragic attacks on 9/11, Congress authorized the president to use force against the people who initiated those attacks: Al Qaeda and its associated forces. Since 2014, presidents have claimed that the 2001 AUMF also allows them to fight ISIS, even though the group was not involved in the 2001 attacks but does threaten the United States. Most congressional members have never had to vote on an AUMF, despite the changing nature of the threats. Several members proposed legislation in the 115th Congress to define the president's authorities.¹³ Debating a new AUMF would reassert Congress's constitutional authority over matters of war, limiting the potential for unilateral action and unintentional escalation caused by the president, and encourage the series of checks and balances on presidential military authority intended by the Founding Fathers.¹⁴

Debate over a new AUMF on counterterrorism could help to clarify the remaining terrorist threats and explain where these threats are located. It could also illuminate how to deal with threats while avoiding mission creep and excessive US entanglement in a potential quagmire.¹⁵ For example, should the Pentagon continue its presence in Africa to advise and assist in counterterrorism operations, which is currently operating with little oversight and on questionable authority? The scale of US involvement in the region was brought to the public forefront after the deaths of four US soldiers in Niger last year.¹⁶ Congress should use the new session as an opportunity to reassert its authority over where the executive branch is conducting military operations and the target for these efforts.

Congressional Democrats should reject the president’s symbolic, wasteful military proposals, including holding military parades, deploying active duty troops to the US-Mexico border, threatening to declare a state of emergency, and creating a Space Force—all of which distract from military readiness.

Congress should reject President Trump’s politicization and wasting of military resources designed to pander to his base. These stunts are distracting from efforts to improve and enhance the readiness of America’s troops to combat the real national security threats the country faces.

Under the Trump Administration, there has been unprecedented use of US military resources for political gamesmanship. For example, President Trump wanted to host a military parade in Washington after being impressed with a similar parade on a trip to France. This would have cost an estimated \$92 million at a time when the president has already cost the American economy billions of dollars in a reckless trade war with China.¹⁷ Fortunately, the parade was finally cancelled due to its high price tag.¹⁸

In 2018, President Trump also sent active duty troops to the US-Mexico border as a political maneuver to stoke fears about a “caravan” of Central American migrants seeking asylum. The number of US troops at the border peaked at about 5,800,¹⁹ with reports in December indicating that 2,200 active duty troops will be recalled,²⁰ leaving close to 3,000 troops spread across Texas, Arizona, and California.²¹ However, in January, the Pentagon announced a deployment of 3,750 troops to the border²² and President Trump noted in his February 2019 State of the Union address that he has ordered this additional deployment, leading to further uncertainty around how many troops will remain deployed to the border.²³ Not only do asylum seekers pose zero known threat to the United States, but use of active duty troops for this operation is problematic in three ways:

1. Sending troops to the border is a meaningless political stunt and a waste of precious military resources. The border is already more secure than any other time in US history, and we currently spend more on immigration enforcement than any other federal law enforcement initiative;

2. As former Defense Secretary Jim Mattis made clear, the troops cannot and should not engage directly with asylum seekers, limiting their role to ferrying around Border Patrol personnel and providing intelligence support—roles that could be conducted by other US government entities; and
3. This is a mission best left to law enforcement and border patrol authorities. Our military should stay focused on addressing terrorist threats, not on an ill-defined, unending policing mission for which they are not trained.²⁴

President Trump has recently threatened to declare a state of emergency to unilaterally build a border wall, reportedly using funds from DoD.²⁵ This is his latest use of military resources for a political stunt. It is designed to allow President Trump to circumvent Congress and use a reported \$7 billion in defense funds to build an unnecessary and ineffective wall that does not serve a legitimate national security purpose.

In addition to the military parade, deployment of troops to the southern border, and threats to declare a state of emergency, President Trump is proposing the creation of a new US Space Force, with current DoD plans structuring it inside the US Air Force, similar to the US Marine Corps structured inside the US Navy.²⁶ However, as recently as the 2019 State of the Union address, President Trump is still calling for the creation of Space Force as a sixth branch of the military.²⁷

Organizing Space Force as a separate service branch would reportedly cost the US military up to \$13 billion over five years.²⁸ Many national security experts have highlighted that the US Air Force is already capable of handling any potential space adversaries and setting up a Space Force would waste tax dollars and stretch US military resources.²⁹ Former Secretary of the Air Force Deborah James³⁰ argued that its creation will “...consume a lot of time, a lot of effort and absolutely will be a distraction.”³¹

The creation of a completely new, independent, and unnecessary military branch is nothing more than a political stunt by the president to pander to his base. The creation of a US Space Force would require congressional authorization and appropriations approval. If the Trump Administration submits a proposal for a new US Space Force to Congress without any compelling reason offered as to why a new military branch is necessary and worth the amount of money it would cost, members should reject this proposal.

In the interim, in December, President Trump signed a memorandum re-establishing the US Space Command,³² which was mandated by Congress. This is not the same as the proposed US Space Force, rather it is reestablishing a unified combatant command that once existed and was merged into Strategic Command in 2002.³³ The Space Command will oversee all US operations in space and will be staffed with personnel from existing service branches. The Senate will have authority to confirm the commander and deputy commander of this new combatant command and should use that opportunity to question the nominees on the need for an entirely new US Space Force.

Conclusion

President Trump will reportedly request a substantial increase in the FY 2020 DoD Budget while simultaneously stating he will withdraw all US troops from Syria and Afghanistan. Congress must reject this increase and work to ensure that US defense spending aligns with the actual commitments and needs of a department whose budget has already ballooned out of control. Additionally, congressional Democrats should repeal or add a sunset clause to the 2001 AUMF and consider a new, narrowly tailored AUMF for US counterterrorism efforts to constrain the president's ability to use military force without congressional approval. This is particularly critical at a time when President Trump has continued to waste US military resources on political stunts that in no way support military readiness. Members of Congress must assert their oversight role over DoD activities and advocate for a defense budget that promotes strong US national security, prioritizes the greatest security threats, and is conscious of the growing national debt.

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Thematic Brief: Preventing and Countering Terrorism

Takeaways

The Trump Administration's strategy to prevent and counter terrorism has largely continued the approach of the Obama Administration.

However, this approach is at odds with the president's own rhetoric and actions that make us less safe in the long term. President Trump himself has verbally attacked key allies in the fight against terrorism while embracing counterproductive policies that make it easier for terrorists to recruit. At the same time, he has refused to condemn far-right extremism that has spiked under his presidency.

The United States needs a smart and tough approach to terrorism that includes:

- **Protecting** the American homeland by preventing terrorist attacks and disrupting terrorist networks in the United States;
- **Eliminating** terrorist safe havens and helping allies disrupt terrorist networks abroad;
- **Preventing** the spread of violent extremism and reducing the effectiveness of terrorist recruitment; and
- **Building** up the capacity of partner nations to fight terrorism on their own turf, before it comes to America.

The Trump Administration strategy to prevent and counter terrorism largely continues the approach of the Obama Administration, but has rejected some critical Obama-era policies that made us safer.

Preventing and countering foreign and domestic terrorism remains a key national security priority for the United States. According to recent polls, the American public still views fighting terrorism as a top policy priority.¹

In October 2018, President Trump issued the *National Strategy for Counterterrorism of the United States of America*,² a document that largely continues many of the policies of the Obama Administration to prevent and counter the terrorist threat. Unfortunately, President Trump's own actions and rhetoric are often at odds with this approach. He has attacked and vilified key partners and allies in the fight against terrorism³ while pursuing ineffective and draconian policies, like travel bans, that reflect a fundamental misunderstanding of the terrorist threat.⁴

Outside of the scope of this strategy, President Trump has rejected a number of key policies, instituted by the Obama Administration, aimed at countering terrorism and addressing the drivers of violent extremism that lead to terrorism both at home and abroad. For example, the Obama Administration set clear rules for the use of drone strikes.⁵ President Obama emphasized intelligence collection and targeting, which allowed him to reduce terrorist threats while at least trying to minimize civilian deaths and damage that could be exploited by terrorists for recruitment.⁶ And the Obama Administration rejected the use of torture as both ineffective and immoral.⁷ President Trump has largely reversed all of this,⁸ instead embracing the killing of terrorists' families and promoting those who conducted past torture programs.⁹

President Trump's actions and rhetoric on terrorism make us less safe in the long term.

President Trump sees no distinction between terrorists and the communities that live on the frontlines in the fight against terrorism. Ultimately, this increases the risk of radicalizing more people and makes partnering with communities to prevent terrorism difficult.

President Trump's divisive language alienates and attacks the very partners needed to effectively counter terrorism in America's communities. For example, his repeated denigration of Muslims makes it less likely that community and religious leaders will be eager partners in working with the government to prevent violent extremism.¹⁰ Hate crimes targeting Muslims have remained at historically high levels during President Trump's campaign and presidency.¹¹

In addition, Trump has continued to link the terrorist threat solely to Islam and Muslims, undermining counterterrorism efforts and leading to ineffective policies. His unwillingness to distinguish between terrorists and law-abiding Muslims, who constitute the majority of the Muslims in the United States and around the globe, reinforces terrorist narratives about the United States being at war with Islam.¹² Despite the president's claims that the travel ban is motivated by concerns about security, his own tweets and words display an explicit racial motivation and show that he is not interested in effective counterterrorism measures—only symbolic, xenophobic approaches.¹³

Further, President Trump's failure to prioritize *all* forms of violent extremism, particularly far-right extremism, has threatened American lives and empowered these individuals and groups to launch more violent attacks. As the 2018 attack on a Pittsburgh synagogue demonstrated,¹⁴ attacks motivated by violent far-right ideologies have surged under President Trump. Over the last decade, attackers motivated by far-right extremism have committed more attacks in the United States than any other category of extremism.¹⁵ With far-right extremism surging, the US government should prioritize efforts to counter this deadly threat. But when right-wing extremists commit acts of violence, such as during the "Unite the Right" rally in Charlottesville, Virginia in August 2017, President Trump is silent or even places some blame on the victims.¹⁶ This has empowered the extremists.

President Trump has also attacked America's key global allies, in Europe and elsewhere, whose cooperation and intelligence sharing are crucial to US counterterrorism efforts.¹⁷ His habit of blurting out classified information, for instance, has alarmed critical intelligence sharing partners,¹⁸ while his labeling of allies' trading practices as a "national security threat" threatens to damage critical counterterrorism partnerships.¹⁹ The US government needs the trust and cooperation of the same foreign partners Trump has spent his presidency attacking.

President Trump has also imperiled initiatives aimed at making it harder for terrorists to recruit in the first place. Often, the communities in which radicalization and recruitment take place are the first to notice signs of something amiss. But without education about the danger signs, or training on what to do when they see them, these communities may not know how to respond or who to turn to for help. Supporting communities to respond and intervene *before* an attack takes place, and addressing the root causes of this violence to begin with, is part of a long-term approach known as “countering violent extremism” (CVE). Under the Obama Administration, the federal government promoted domestic and international CVE efforts that encouraged communities, civil society groups, and other key actors to work together to prevent violent extremism before terrorism occurs.²⁰ The Trump Administration has proposed cuts to CVE programs²¹ and, in 2017, rescinded CVE grants that were committed to groups that work to combat right-wing extremism.²² Because it is hard to judge the success of prevention programs, some have questioned the effectiveness of these efforts. But de-funding and de-prioritizing CVE initiatives altogether eliminates one of the early warning detectors of violent extremism.

A smart and tough approach to fight terrorism must support key partners and allies in efforts to prevent and counter this threat both at home and abroad—not denigrate, attack, alienate, and ignore violence against them.

A smart and tough approach to terrorism should include: 1. protecting the homeland; 2. eliminating safe havens; 3. disrupting recruitment; and 4. building up partners.

The United States needs a smart and tough strategy to combat terrorism. Such a strategy must address these four things:

1. The protection of the American homeland by preventing terrorist attacks and disrupting terrorist networks in the United States.

The US government must protect the American homeland from terrorism by disrupting potential terrorist attacks and terrorist networks in the United States. National security and law enforcement must be fully prepared, trained, coordinated, and funded to protect Americans against terrorist threats.

Since 9/11, the United States has not only dismantled terrorist safe havens abroad, but disrupted terrorist networks at home. Through efforts to engage communities, limit terrorist use of social media, and undertake advanced electronic surveillance, for example, we have largely been successful at preventing large networks of terrorists from forming inside the United States.

Still, “lone wolf” terrorism has become an increasing threat. Lone wolf terrorists are not under the operational control of a terrorist group, but receive inspiration from violent extremist groups. As the Islamic State of Iraq and Syria (ISIS) has been pushed out of much of Iraq and Syria, the group has relied more heavily on lone wolf terrorists to perpetrate attacks. These attacks are difficult to prevent because attackers may not be on the radar of law enforcement and may not leave an electronic trail.

But experts have noted some things the United States can do to make lone wolf attacks less likely. To stop these attackers, trust and collaboration between key communities and law

enforcement are essential; these relationships enable communities to alert law enforcement of possible threats. Donald Trump's abhorrent actions to vilify Muslims and Islam and reduce funds to help communities prevent terrorism before it becomes violent will make us less safe in the long run.²³

Domestic extremism that could lead to terrorism, particularly on the far-right, must also be an increasing area of focus for US law enforcement agencies. Members of Congress must push back on the Trump Administration's attempts to deprioritize this rising threat—which is now one of the biggest security risks the nation faces—and ensure adequate resources and training are put forward to combat it.²⁴

To protect the United States from terrorists, the government should strengthen its focus on disrupting terrorist networks and preventing attacks, repair the trust that has been broken by President Trump with key partners in the United States, and reinforce efforts to catch lone wolf terrorists and reduce the threat of domestic terrorism.

2. Eliminating terrorist safe havens and helping allies disrupt terrorist networks abroad.

Since 9/11, a top priority of the US counterterrorism approach has been eliminating terrorist safe havens around the world and dismantling terrorist networks. After the disastrous invasion of Iraq in 2003 by the Bush Administration, followed by years of pursuing ineffective counterterrorism approaches, the United States expanded its support to countries impacted by terrorism to bolster their efforts in the fight against this threat. After his election, President Obama further expanded the tools in the US counterterrorism toolbox, working to disrupt and dismantle terrorist networks through a wide variety of means. His administration also captured or killed a number of terrorist leaders, including Osama Bin Laden, the leader of Al Qaeda.

Despite President Trump's recent claim that ISIS has been "defeated" in Syria, the threat of the group still remains.²⁵ After the United States decimated the ranks of Al Qaeda in Iraq in the late 2000s, portions of the group morphed into ISIS. Seeing the power vacuums that occurred Iraq and Syria, the group took advantage of an opportunity to reorganize, rearm, and rebrand. At its peak in fall 2014, ISIS controlled an estimated 8 million people and 41,000 square miles of territory in Iraq and Syria.²⁶ Since then, a US-supported coalition recaptured major cities in Syria and Iraq while weakening ISIS significantly.²⁷ While ISIS has lost the overwhelming majority of its territory, that does not mean the threat has been completely eliminated; thousands of its fighters are still believed to be alive. The threat from other groups like Al Qaeda also remains.²⁸ Indeed, the Pentagon recently estimated that 20,000–30,000 ISIS fighters remain in Iraq and Syria.²⁹ In comparison, Al Qaeda in Iraq had only an estimated 700 fighters in 2010 when the group was considered "decimated" before its ranks grew once again.³⁰ The United States must continue its efforts to eliminate safe havens and support partner countries in preventing terrorist groups from regrouping, rebuilding, and rebranding.

The United States must also continue its close coordination with allies to deal with returning foreign terrorist fighters who travelled to Iraq and Syria from the United States, Europe, and elsewhere to join ISIS, some of whom may try to return home to perpetrate attacks. US officials have estimated that over 40,000 men, women, and children from 120 different countries, including the United States and countries in Europe, had at one time joined ISIS or were affiliated with the group in Iraq and Syria.³¹ Thousands of those individuals

have already returned home but many family members remain in legal limbo in Iraq and Syria.³² Cooperation between the United States and its allies to resolve this legal limbo and address foreign fighters who pose a threat is more important than ever.³³

Continuing the fight against ISIS and other terrorist groups is the right thing to do, but without a plan to stabilize the regions in which they operate, terrorists could yet again emerge from the chaos.³⁴ Stabilizing these regions must be done with the help of partners on the ground and allies. President Trump should pursue closer ties with these allies and partners, including European partners in the North Atlantic Treaty Organization (NATO), not alienate and insult them as he has done.³⁵ If the United States doesn't want to be the world's policeman, it needs allies to help.

3. Preventing the spread of violent extremism and reducing the effectiveness of terrorist recruitment.

Fighting terrorism means more than just clawing back territory from ISIS. In the long term, it also means addressing the drivers of this violence to begin with and reducing the vulnerability of people to terrorist recruitment. Terrorism cannot be effectively fought through military means alone. The United States must strengthen its support for, and enhance its own efforts aimed at, addressing the root causes of terrorism, including through strengthening the rule of law and good governance. Otherwise, terrorist groups will continue to be able to rebuild. Support for civil society groups that can reach the communities most at risk for violent extremism is also critical. President Trump's actions to deprioritize and reduce funding for US diplomatic and development entities that work to reduce terrorism will hurt, not help, in our fight against terrorism.³⁶

A key component of this approach must also be to combat violent extremist propaganda and narratives online. Because ISIS and other violent extremist groups use the Internet and social media to recruit, the US government must continue to support efforts aimed at countering its narratives and taking terrorist accounts offline. Additionally, while social media companies have made progress in suspending accounts linked to terrorist organizations, there should be greater cooperation between the private sector and government in this regard.³⁷

4. Building up the capacity of partner nations to fight terrorism on their own turf.

The United States should help our partners around the globe prevent and counter terrorism so they can effectively provide for their own security. President Obama set these efforts on the right path by emphasizing cooperation with other countries to share the costs and risks of counterterrorism and make these efforts more sustainable. Already, many of these partner nations have been on the frontlines in these efforts. However, while President Trump's counterterrorism strategy states that international cooperation is a key priority for his Administration, this does not match his real actions, which have aimed to pull the United States back from the world stage, not increase global engagement.³⁸

The United States had dramatically increased its funding to partner nations to support security cooperation since 9/11. The US government must now assess how effective this funding has been and prioritize making it more efficient.³⁹ Additionally, while President Trump has emphasized the need for allies to spend more on defense, the United States spends a tremendous amount of money building up partner nations' military capacity at the expense

of security sector reforms that will make law enforcement more effective.⁴⁰ This is critical not only for the fight against terrorism and violent extremism but to combat other security threats, such as cybercrime. While traditional defense capacity is important, the United States cannot tackle the threat of terrorism without also focusing on stabilization activities, development, and efforts to build up civilian institutions and civil society in these countries.

Conclusion

President Trump's counterterrorism strategy largely continues the approach of the Obama Administration, but the Administration's actual actions and rhetoric are completely disconnected from the strategy's objectives. Congress must use its oversight capacity and power of the purse to advance a smart and tough strategy to counter terrorism that would prioritize the protection of the American homeland by preventing potential terrorist attacks and disrupting terrorist networks in the United States, countering terrorist groups globally, strengthening support for efforts aimed at preventing the spread of violent extremism (including the surge in far-right extremism), and building up the capacity of partner nations to fight terrorism on their own turf.

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