

From Trump to Biden

The Way Forward for U.S. National Security

Edited by John Hannah & David Adesnik - January 2021

FOREWORD

FDD Senior Management

On January 6, 2021, a mob of American rioters stormed the Capitol building in Washington, DC. The ensuing melee led to the killing of a Capitol Police officer and the death of four rioters. The episode was a national disgrace. It was an assault on Congress. It was an attempt to forcibly overturn the results of a democratic election. It was a gift to foreign enemies whose main goal is to see American power and leadership laid low, riven by internal division and chaos. And it would not have happened without the encouragement of the president of the United States, Donald Trump.

The abortive insurrection was launched just as this edited volume on Trump's national security legacy was about to go to publication. Indeed, FDD's scholars had the unenviable task of having completed our foreign policy assessments of the most controversial president in modern memory at the very moment the most shocking events of his presidency were unfolding.

Trump's term in office will forever be defined by the terrible events of January 6. Nothing will change that. To a lesser extent, it will be defined by his mercurial decision-making style. Trump was a "post-policy" president who vexed allies and enemies alike. And as we can attest, he vexed think tankers, too.

Yet there are foreign policy lessons to be learned from the Trump presidency. Whether challenging the Chinese Communist Party after years of accommodation and even obsequiousness, applying maximum pressure on the regime in Iran, or forging peace between Israel and no fewer than four Arab states, there are important wins to process. And even where Trump stumbled, such as by insulting NATO allies; flattering dictators such as Kim Jong Un, Xi Jinping, and Vladimir Putin; pressuring Ukraine to advance his own re-election; attempting to help Turkish President Recep Tayyip Erdogan avoid accountability for a massive sanctions-busting scheme; making a bad "peace" deal with the Taliban; or suddenly withdrawing troops from Syria, there are lessons to be learned. We cannot simply dismiss four years of policymaking because Trump's legacy is now indelibly stained.

America must learn from these last four years. Given the political climate and the toxic ideologies and divisions that will persist well after Trump is gone, that will not be easy. But FDD remains committed to playing a role in the foreign policy and national security debates that are sure to come. Our hope is that those debates remain substantive and respectful and ultimately serve to defend America's democracy. To be sure, that democracy has emerged bruised and battered after these four years, if not longer. But it still stands tall. And we have every intention of joining with our fellow Americans – Democrats, Republicans, and independents alike – in helping to keep it that way and opposing all adversaries that would threaten our nation's constitutional order and national security.

INTRODUCTION

John Hannah and David Adesnik

Two years after FDD published its midterm assessment of President Donald Trump's foreign policy, the job of evaluating his administration's legacy on national security affairs has not gotten easier.¹ As Trump's presidency ends, his shortcomings as the leader of the world's most powerful liberal democracy are starker than ever. The insults flung at longstanding democratic allies. The flattery of tyrants. The questioning of solemn treaty commitments. An oftentimes shambolic decision making process marked by confusion, flip flops, and deep contradictions between Trump and his top advisors. The list goes on. And all of it magnified in the final months of his presidency by Trump's unprecedented refusal to acknowledge the legitimacy of his successor, President-elect Joe Biden, his extended quest to overturn the results of a democratic election, and the shocking spectacle of a pro-Trump mob storming the U.S. Capitol as Congress assembled to fulfill its constitutionally mandated duty to certify Biden's status as the nation's next commander in chief.

The events of January 6, 2021, will forever tarnish Trump's place in American history. On top of all the other outrages, large and small, associated with his tenure, there will no doubt be a powerful instinct within the incoming Biden administration to recoil from everything associated with the 45th president, including the entirety of his foreign policy. But as this volume of essays suggests, that would be a serious mistake. In the 25 chapters that follow, FDD experts offer a systematic analysis of Trump's term in office, tackling on an issue-by-issue basis the vast majority of topics of greatest significance to U.S. national security. They pull no punches in areas where they judge Trump's efforts to have fallen short or even failed. But the authors also find many instances in which his initiatives had real merit in terms of advancing important American interests and are worthy of being maintained or built upon by the Biden administration.

Pointing out where the Trump administration may have succeeded in no way mitigates Trump's incitement of an insurrection against our constitutional order. Rather, it is an effort to point out what can be salvaged as Biden seeks to repair the damage done at home and abroad.

All of the chapters in this volume follow the same three-part structure: 1) a factual description of the Trump administration's policy in a given area; 2) an assessment of that policy's successes and shortcomings; and 3) a series of recommendations for the new administration and Congress. While each chapter stands on its own and readers should not hesitate to focus on their areas of interest, taken together they paint a comprehensive portrait of Trump's foreign policy and offer a wide menu of useful policy ideas for the Biden administration.

America First

While Trump – not always without justification – touted his unpredictability as an asset in foreign relations, he also said that his overall approach to the world could be understood by one common-sense principle: “America First.” A blend of populism, nationalism, mercantilism, isolationism, and unilateralism, this maxim helped explain his transactional view of alliances, lack of attention to human rights, and skepticism of free-trade deals and foreign military commitments.

In many instances, the results were mixed. Amid Trump's public scolding, NATO members continued to increase their investments in collective defense. But the contempt Trump showed for his European counterparts also made it harder to mobilize some of the world's most influential democracies to meet common threats, particularly from China.

Trump's efforts to establish a strong personal bond with Saudi Arabia's Crown Prince Mohammed bin Salman helped win the kingdom's backing for the historic normalization deals that Israel struck with several Arab neighbors. But Trump's willingness to excuse the crown prince's worst human rights transgressions triggered a congressional backlash that threatened the broader U.S.- Saudi partnership.

Trump's unshackling of the U.S. military helped accelerate the takedown of the Islamic State's caliphate. But his rush to rapidly withdraw troops from Syria, Iraq, and Afghanistan risks giving the Islamic State a new lease on life while empowering a witches' brew of other enemies, including Iran, the Taliban, and al-Qaeda.

In some cases, Trump's actions fed suspicions that America First had given way to the pursuit of his own personal interests first. Whatever the constitutional implications of his "perfect" phone call with Ukraine's new president in 2019, it created the damaging perception that Trump was withholding U.S. assistance to a critical partner unless it acted to advance his re-election prospects. Less well-known but also troubling were Trump's efforts, at the urging of Turkish President Recep Tayyip Erdogan, to stop federal prosecutors from holding accountable close Erdogan associates involved in a multibillion-dollar scheme to circumvent U.S. sanctions on Iran.

Trump's idiosyncratic decision-making style often confounded efforts to develop and execute a coherent national strategy, "America First" or otherwise. Policy by presidential tweet was a fact of life for senior administration officials, who often received no warning of major policy reversals, including their own firings. Trump showed little interest in expert briefings. He trafficked in disinformation on Twitter. Cabinet members risked online harangues if they publicly reported basic facts at odds with Trump's preferred narrative.

It is a truism that even the best-managed process can produce bad policies. But the opposite can be true, too. In Trump's case, there were several important achievements worth highlighting that the incoming national security team would be wise to recognize and build on.

Achievements to Preserve

Biden would be well-served by giving careful study to the Trump administration's two foundational documents on national security affairs – its National Security Strategy, published in December 2017, and the corresponding National Defense Strategy, issued just weeks later.²

These documents provide a powerful assessment of the primary challenges that confront the United States – in particular the return of great power competition – and the policies required to secure America's wellbeing. They have already become among the most influential national security texts produced by any administration in decades. The Biden administration would do well to take seriously many of their core concepts, even as it works to put its own unique stamp on policy.

The two strategies' key innovation was their paradigm shattering approach to China. After a generation of misguided efforts by presidents from both parties to accommodate China's rising power and integrate it into the U.S.-led, rules-based international order, the Trump team correctly identified Beijing to be America's fiercest rival, and the Chinese Communist Party's ambition for global primacy to be the greatest international threat we face. To its credit, the administration did more than any of its predecessors to begin contesting and constraining Chinese power across all domains – diplomatic, economic, military, cyber, ideological, and technological. Integral to this effort were substantial increases in overall defense spending to restore the readiness of U.S. forces and invest in technologies critical to maintaining American military superiority.

Whatever adjustments Biden believes may be needed to better address the China challenge – including working more with allies, elevating human rights, making greater investments in domestic sources of U.S. power, and developing a more sustained diplomatic track with Beijing to avoid miscalculation and carve out areas for possible collaboration – he would also do well to recognize what was almost certainly the Trump administration's most important insight: Winning the strategic competition with China, without blowing up or impoverishing the world in the process, will be the defining challenge of U.S. foreign policy for the next several decades and the likely centerpiece of any successful effort to rebuild the foundations of a bipartisan approach to international affairs.

Biden should also embrace Trump's most unambiguous diplomatic success – the historic peace deals that he helped broker between Israel and several Arab states. In doing so, Trump defied longstanding conventional wisdom that held such deals to be impossible absent a final resolution of the Palestinian conflict.³ While relations had been warming between Israel and many of its neighbors for years, the Trump administration early on made their further advancement a major priority and skillfully seized the opportunity that arose in the last six months of 2020 to negotiate a series of normalization agreements with the United Arab Emirates, Bahrain, Sudan, and Morocco. There is every reason to believe that additional breakthroughs are in the offing – including with Saudi Arabia, the Muslim world's most influential state – but achieving them will require sustained U.S. focus and support. An important moment now exists for American diplomacy to restructure the geostrategic map of the Middle East in ways enormously beneficial to U.S. interests. Biden should not let it pass.

The Trump achievement that may be hardest for Biden to accept is the exceptional leverage the United States now enjoys vis-à-vis Iran – made possible by Trump's controversial decision to withdraw from the Iran nuclear deal, formally known as the Joint Comprehensive Plan of Action (JCPOA), and re-impose crippling sanctions. Biden and several of his top advisors played key supporting roles in negotiating the JCPOA, consider it one of President Barack Obama's most important successes, and were harshly critical of Trump's decision to leave. While Biden now acknowledges that a new agreement will be necessary to correct the JCPOA's shortcomings, he has also said that he is prepared to bring America rapidly back into compliance as a first step toward that new deal – a move that would require lifting Trump's toughest sanctions and squandering much of the leverage now available to pressure Iran to curtail its malign behaviors. Whether Biden can set aside his past criticisms of Trump's policy and exploit the strong hand that he has inherited to negotiate a better deal will be an important early test of his foreign policy.

Build Back Bipartisan

Biden faces a daunting set of international challenges and threats, compounded exponentially by the devastation wrought by the coronavirus pandemic as well as the country's alarming levels of polarization. After the tumult and division of the past four years, culminating in the sitting president's inciting his supporters to launch an insurrection against the seat of American democracy, a visceral

impulse to adopt some version of ABT, or Anything But Trump, will be understandable. But it should be resisted. Instead, what is required at this moment of hyper-politicization is a clear-eyed assessment of the Trump record that, in as objective a manner as possible, cuts through the sound and fury of his presidency to identify both the mistakes that Biden should seek to correct as well as the successes that are worthy of building up on.

That is the task to which this project seeks to contribute. It aims, first and foremost, to provide as concise and accurate an accounting as possible of the Trump era and, on that basis, offer the Biden team and the new Congress a set of clear recommendations for addressing the most critical issues confronting U.S. foreign policy. In doing so, FDD also hopes in its own small way to help advance Biden's oft-declared goal of not only re-establishing a modicum of bipartisanship in America's approach to the world, but also restoring a measure of national unity in defense of the democratic values, norms, and traditions that – no doubt to the great delight of our adversaries – have been sorely tested in recent years yet ultimately remain the nation's greatest source of strength and success both at home and abroad.

AFGHANISTAN

Bill Roggio

CURRENT POLICY | AFGHANISTAN

The Trump administration's policy toward Afghanistan swung erratically between a 2017 decision to increase U.S. troop levels and wage the war more effectively and an all-out effort late in the president's term to negotiate a full withdrawal in the face of steady Taliban advances on the battlefield. The latter reflected President Trump's increased efforts to "end the endless wars" not only in Afghanistan but also in Iraq, Syria, Somalia, and other countries where the United States has engaged jihadists since al-Qaeda's 9/11 attack.

In August 2017, following a lengthy policy review, Trump announced that – despite his "original instinct ...to pull out" – he would add approximately 4,000 troops to the 8,500 already in Afghanistan. Trump declared, "Our troops will fight to win," including "obliterating ISIS, crushing al-Qaeda [and] preventing the Taliban from taking over the country." Trump loosened the military's restrictive rules of engagement and vowed that any subsequent drawdown of troops would be conditions-based, not timeline-based, which had been the preference of his predecessor, President Obama.

As part of his announcement, Trump said the United States would pressure Pakistan to cease its support for the Taliban. In 2018, the administration suspended up to \$1.3 billion of military assistance in response to Pakistan's failure to crack down on terrorist groups. In an effort to show that it was serious in the fight against the Islamic State in Afghanistan, Trump also authorized the use of the Massive Ordnance Air Blast against a cave complex – the largest non-nuclear bomb ever dropped in combat.

After Trump appointed Zalmay Khalilzad as the U.S. special advisor on Afghanistan, the United States and the Taliban commenced negotiations in Qatar in late 2018. After several fits and starts, a U.S.-Taliban agreement was signed on February 29, 2020. The Trump administration hailed the four-page document as a peace deal that would end the decades-long war in Afghanistan.⁴ Trump said, "I really believe the Taliban wants to do something to show that we're not all wasting time."⁵ He also said that

the Taliban “will be killing terrorists,” including al-Qaeda, despite the fact that the group historically has been a steadfast ally of the Taliban.⁶ Similarly, Secretary of State Mike Pompeo proclaimed that the Taliban “agreed that they would break that relationship and that they would work alongside of us to destroy, deny resources to and have Al Qaeda depart from that place.”⁷

The agreement has four parts. First, it includes “guarantees and enforcement mechanisms” that would prevent Afghanistan from being used by terror groups. However, the agreement does not detail what the guarantees are or how the enforcement mechanisms are to be managed.

Second, a “timeline for the withdrawal of all foreign forces from Afghanistan” was established. The United States agreed to conduct a phased withdrawal of its forces, with all troops leaving the country by April 2021. The Taliban, in turn, agreed to halt attacks on U.S. forces.

Third, after the first two conditions are satisfied, “the Taliban will start intra-Afghan negotiations with Afghan sides.” The Taliban, which do not recognize the Afghan government as legitimate, refuse to negotiate with it directly, hence the term “Afghan sides.” The Afghan government is to be but one party among other elements of civil society.

Fourth, a “permanent and comprehensive ceasefire,” as well as “the completion and agreement over the future political roadmap of Afghanistan,” are to be discussed at the so-called intra-Afghan talks. There are no conditions in the agreement for a “reduction in violence.” Nor is there a requirement for a ceasefire to begin at any particular time.

ASSESSMENT | AFGHANISTAN

Just one year after President Trump’s much-anticipated announcement of his Afghanistan policy in 2017, he backtracked. The administration opened up negotiations with the Taliban before any tangible gains were made on the battlefield. In fact, the Taliban’s grinding military campaign allowed them to gain control of, or influence over, a significant percentage of Afghan districts throughout the country. The Taliban were not losing ground; they were slowly gaining it. Pakistan, once seen as a major contributor to the problems in Afghanistan, was suddenly characterized as a partner in peace.⁸ And Qatar, which had played host to the Taliban’s embassy and sheltered some of their fighters over the years, was cast as a neutral host for peace talks.

By September 2019, the United States and the Taliban were on the cusp of signing a deal. It was called off by the president when the Taliban killed an American soldier. Despite this, both parties signed the agreement five months later. While the deal has been described as a peace agreement, it is not. Nowhere does it state that the United States and the Taliban, or the Afghan government and the Taliban, have ended hostilities. Nor is a ceasefire between the Afghan government and the Taliban a requirement. It is an item to be discussed at a future date. If anything, the deal ensures that the United States leaves Afghanistan in exchange for nebulous Taliban assurances that they will not allow terror groups to attack the United States or its allies. Put another way, the agreement is a withdrawal deal, not a peace deal.⁹

Despite promises to the contrary from U.S. officials, the Taliban have neither denounced al-Qaeda nor hunted down or turned over a single al-Qaeda leader or operative. The deal calls for “enforcement mechanisms” to ensure the Taliban will not support terror groups. Yet no mechanisms have been put in place.¹⁰

Prior to 9/11, the Taliban said that they would not allow Afghan soil to be used to attack U.S. interests. The Taliban lied then, and there is no reason they should be trusted now. In fact, to this day, the Taliban deny al-Qaeda even has a presence in Afghanistan, which is obviously false.¹¹¹² Al-Qaeda, which is still operating in Afghanistan, found the deal to be so favorable that it publicly endorsed the agreement.¹³ Any deal should have first required the Taliban to renounce al-Qaeda and hunt down or expel remaining al-Qaeda operatives from the country.¹⁴

The Trump administration was so eager to make a deal that it excluded the Afghan government from talks. This was because the Taliban refuse to recognize the Afghan government, which they view not only as “un-Islamic” and “illegitimate,” but also as a “puppet” of the United States and the West.¹⁵ In the agreement, the United States committed the Afghan government to freeing 5,000 Taliban prisoners, even though the Afghan government was not part of the negotiations. This somewhat ironically reinforced the Taliban’s view that the Afghan government is a U.S. puppet.

In short, the Trump administration’s deal legitimized the Taliban, delegitimized the Afghan government, and provided the Taliban with further incentives to attack the Afghan government, all while absolving the Taliban of their crime of harboring al-Qaeda both before and after 9/11. Taliban attacks against the Afghan government have spiked. The Taliban see themselves as the victors of the war and have repeatedly vowed not to share power with the Afghan government.

RECOMMENDATIONS | AFGHANISTAN

The political will to ensure that the Taliban do not regain power and that al-Qaeda and other terror groups do not retain safe havens in Afghanistan remains absent across the American political spectrum. Yet Taliban-al-Qaeda relations remain as strong as ever; the Taliban are stronger today than at any point since 9/11; and al-Qaeda is still a potent threat to the United States.

Therefore, the United States has compelling national security interests in preventing the Taliban from regaining control of Afghanistan and in limiting the terrorist threat emanating from South Asia. The Biden administration should implement several policies to that end:

1 Immediately put an end to the withdrawal deal with the Taliban. The existing deal benefits only the Taliban. It does not ensure a Taliban break with al-Qaeda, has no enforcement mechanisms built in, delegitimizes the Afghan government, and raises the Taliban’s stature in the international community. If the Biden administration is determined to leave Afghanistan despite the fact that there are compelling U.S. national security interests in remaining, no deal is required to do so.

2 Disrupt the Taliban’s state-building project. The Taliban’s ultimate goal is to return to power, restore their Islamic Emirate of Afghanistan (the official name of their government from 1996 to 2001), and impose their harsh brand of Sharia on the Afghan people. If the Biden administration is willing to keep a presence in the country, U.S. forces can continue to train and support Afghan forces that battle the Taliban. American airpower remains an effective check on the Taliban. In mid-October 2020, U.S. air support helped the Afghan government prevent Helmand’s provincial capital of Lashkar Gah from falling to the Taliban.

3 Keep military options open. If the United States does not wish to retain troops in Afghanistan, it still has the means to help slow the return of the Taliban to power and the resurgence of al-Qaeda. Washington can continue to provide military aid and economic and diplomatic support to the Afghan government and its forces. The United States can also encourage regional countries that have interests in seeing the Taliban fail, such as India, to support the Afghan government.

4 Isolate the Taliban diplomatically. The United States must roll back a decade's worth of efforts to legitimize the Taliban as a responsible actor in Afghanistan and in the international community. The Taliban's political office in Doha, Qatar, should be shut down immediately. The Taliban use this office to promote themselves as the true government of Afghanistan as well as to fundraise and develop contacts throughout the Middle East and beyond. All talk of delisting Taliban leaders from the UN sanctions regime must end. Taliban political, military, and propaganda leaders and operatives should be added to the UN sanctions list.

5 Increase the pressure on Pakistan. Without the support of the Pakistani state, the Taliban insurgency would be a shell of itself. The Taliban rely on Pakistan for safe haven. The Taliban operate recruiting offices, training camps, religious schools, weapons and ammunition storage depots, hospitals, and safe houses in Pakistan. Families of senior and midlevel Taliban leaders live in Pakistan with the approval of the government. The Pakistani military and its Inter-Services Intelligence Directorate provide weapons, munitions, and advice to the Taliban's military. The United States must apply meaningful pressure on Pakistan to get it to end this support. A sanctions regime similar to the one targeting Iran should be implemented to pressure the Pakistani government to cease its support for the Taliban.

CHINA

Emily de La Bruyère and Nathan Picarsic

CURRENT POLICY | CHINA

The Trump administration's 2017 National Security Strategy declared that "China and Russia want to shape a world antithetical to U.S. values and interests."¹⁶ This came in sharp contrast to the previous administration, which in 2015 asserted that "the scope of [U.S.] cooperation with China is unprecedented."¹⁷

In the first half of its term, the Trump administration confronted China mainly on trade issues, leading the administration to impose tariffs on \$250 billion of Chinese imports. In January 2020, the United States and China reached a "Phase One" trade deal,¹⁸ lifting some of the tariffs and prompting talk of a new calm in the U.S.- China relationship.¹⁹

That truce was shattered by COVID-19. Trump initially complimented China's handling of the virus but later changed his tone.²⁰ He began referring to COVID-19 as the "China virus" and accused Beijing of colluding with the World Health Organization (WHO) to obscure China's misconduct.²¹ In April 2020, the Trump administration activated the Defense Production Act in response to China's preclusive purchasing of personal protective equipment. The administration announced in July it would withdraw from the WHO.

The tensions that grew out of the pandemic led to aggressive Trump administration moves in other arenas, such as technology, human rights, and military affairs.

The administration issued a series of executive orders intended to shore up industrial supply chains as well as informational vulnerabilities. These orders placed restrictions on products from Chinese technology firms, including Huawei in telecommunications and DJI in unmanned aerial vehicles.

In May 2020, the administration issued an executive order blocking Chinese researchers with ties to the security apparatus from using F or J student visas to enter the United States.²² An order in August prohibited downloads of WeChat, a messaging, social media, and electronic payment application that is owned by China's Tencent Holdings and captures large quantities of information; another in September outlined ambitions to remediate dependencies on China for critical materials.²³ One week after the 2020 elections, yet another order banned Americans from investing in firms connected to the Chinese military.²⁴

All these measures reflect a growing concern over China's military-civil fusion program – Beijing's strategy and institutional apparatus that wields Chinese commercial and civilian positioning and resources, at home and abroad, for coercive ends.²⁵ Beginning in June 2020, the Department of Defense produced a list of 31 Chinese military-linked companies operating in the United States, its response to a long-unaddressed tasking from the 1999 National Defense Authorization Act.²⁶

The Trump administration also issued sanctions in response to Beijing's human rights violations at home and aggressive posture abroad. In July 2020, the Treasury Department sanctioned the Xinjiang Production and Construction Corps for its connections to mass detention and forced labor in Xinjiang.²⁷ In August, the State and Commerce departments levied sanctions against China Communications Construction Company for its role in China's provocative South China Sea island building campaign.²⁸

Finally, the administration made a concerted effort to vocalize its China policy to domestic and global audiences. In June and July 2019, the national security advisor, FBI director, secretary of state, and attorney general delivered a series of speeches describing the threat posed by the Chinese Communist Party (CCP). "If we don't act now, ultimately the CCP will erode our freedoms and subvert the rules-based order that our societies have worked so hard to build," Secretary of State Pompeo said.²⁹

ASSESSMENT | CHINA

The Trump administration's recognition of the CCP threat was necessary and long overdue. But the approach was still reactive and defensive – and too often unilateral. The United States needs an effective strategy to contest Beijing's influence across all competitive domains. Such a strategy must account for China's military-civil fusion strategy, standardsetting ambitions, and weaponization of international systems and organizations.³⁰ This strategy must be multilateral, incorporating allies and partners as well as the private sector.

Beijing is currently pursuing a global offensive for information dominance. Technology firms such as Huawei and ByteDance provide Beijing with valuable tools, including the ability to aggregate data and shape narratives. Beijing also competes in less flashy segments of the technological contest: The CCP prioritizes technical standards, physical infrastructures and manufacturing, and supply chain nodes. These constitute the software and hardware of the emerging advanced technological landscape.³¹

Too often, the administration appeared to be chasing Hydra heads. A better approach would be to define the critical sectors of information competition and compete holistically. Simply ripping and replacing Chinese-made telecommunications equipment or imposing tariffs on Beijing for anti-market policies has little effect in a contest for global supremacy. The United States must provide positive, affirmative alternatives to Chinese standards, infrastructures, and critical supply chains.

To its credit, the Trump administration understood the U.S.-China competition as, at least in part, a struggle over global political norms. Beijing engages in human rights atrocities domestically. It also seeks to proliferate its authoritarian model globally. The CCP's imposition of the National Security Law in Hong Kong and ongoing genocide of the Uyghur minority in Xinjiang underline as much.³²

Still, the Trump administration was passive in terms of setting global norms. Indeed, Trump openly admired Chinese leader Xi Jinping's untrammelled authority. This left Congress to take the lead by passing the Hong Kong Human Rights and Democracy Act and the Uyghur Human Rights Policy Act with overwhelming bipartisan support. In foreign policy, however, there is no substitute for presidential leadership. The United States can halt China's authoritarian offensive only if Washington defines the playing field, targets China's sensitivities, and attends in advance to the vulnerable targets of Beijing's assaults.

While the Trump administration was able to elevate the China challenge among some of its allies, it failed to inspire a systemic and coordinated effort on the part of its allies, its partners, and the private sector. Washington has recognized that China has bent institutions of global governance to serve its narrow interests, including the WHO and various standard-setting bodies. But it is not enough simply to withdraw from those institutions (just as it is not enough to ban Huawei or TikTok). The United States has to play a leading role in reforming existing organizations while still possible and, where necessary, build new ones free of China's co-optation. Washington must do so multilaterally, in conjunction with other global stakeholders. It must also incorporate the private sector into decision making – and structures of accountability – to shape a world in which China's global influence is diminished.

With Trump's help, the pandemic elicited greater pushback against Beijing's global presence. Yet the CCP's confidence and aggressiveness have only grown. And the pandemic has accelerated the flow of global resources – including capital and data – to China.

RECOMMENDATIONS | CHINA

U.S. policy should be built upon a bipartisan consensus that Beijing's repressive regime is proliferating authoritarianism abroad, intends to undermine U.S. leadership, and seeks to shape international norms, standards, supply chains, and institutions to serve its interests. The United States must not lose sight of today's great power competition. Beijing is not a responsible stakeholder. Washington must formulate a competitive strategy tailored to countering Beijing's approach.

1 Compete to define emerging technical standards, especially in key information domains such as modern logistics and the regulation of cross-border data flows. China intends to set the rules for the future. The United States must respond with dedicated multilateral efforts in UN-linked bodies such as the International Organization for Standardization and the International Telecommunication Union and in industry associations such as the Institute of Electrical and Electronics Engineers. U.S. government

research and development (R&D) funding should shift from basic research and toward later-stage, applied technology efforts. R&D funding and government research institutes, such as the Defense Advanced Research Projects Agency and the National Science Foundation, should be enlisted in the race to define technical standards globally.

2 Defend or replace international organizations at risk of being co-opted by Beijing, while activating alternatives. Beijing has co-opted or inserted its own advocates into a wide range of international organizations. The challenges these organizations pose must be analyzed and prioritized. For example, an overhaul of the World Trade Organization should be a priority. Beijing's 2001 accession to the body enabled its global offensive. An alternative or remodeled institution, formed with trusted allies and partners as well as the private sector, would not only reassert a rules-based global trade regime but also help create a system defined by multinational companies in a way that balances asymmetric exposures to, and dependencies on, the CCP.

3 Fund trusted supply chains with allies and partners. Beijing's military-civil fusion strategy seizes critical chokepoints within global supply chains. These positions offer direct economic returns and access to advanced technology. In times of crisis, as COVID-19 revealed, these positions also deliver coercive leverage. Washington should invest in physical infrastructure and production – with help from adjustments to the tax code and other incentives for public-private partnership – to protect against Beijing's manufacturing leverage. Washington should prioritize new infrastructure systems and relevant supply chains (such as 5G base stations, data centers, and critical raw materials such as rare earth elements).

4 Highlight and respond to China's human rights abuses. The CCP is conducting genocide in Xinjiang. The CCP has stripped Hong Kong of its democracy and autonomy. The White House and Congress must respond to these abuses not just with clear statements of principle or threats of sanctions, but also with measures that impose a greater cost on the regime, including prosecution of criminal actions related to, and seizures of goods produced by, forced labor. The United States should also mobilize coordinated action with allies across the globe.

5 Target China's military and diplomatic sensitivities. U.S. military and diplomatic strategy should activate Beijing's – both for tactical advantage and, strategically, to shape China's resource allocations. For example, the United States should respond to Beijing's violation of the Sino-British Joint Declaration in Hong Kong by recognizing Taiwan. The Department of Defense should develop new operational concepts that demonstrate, for example, a capacity to penetrate the Chinese military's anti-access posture.³³ Diplomatic and military positioning should be signaled in a consistent and competitive fashion to guarantee that China's Communist leaders understand the costs of their actions and the depth of U.S. resolve.

EUROPE

Eric S. Edelman and Philip Kowalski

CURRENT POLICY | EUROPE

President Trump's scant regard for the multilateral institutions that underwrote European security after World War II placed immense strain on the transatlantic relationship. The state of NATO, deterrence

against Russia, U.S.-UK relations and even freedom of movement between the United States and Europe has undergone unprecedented challenges under Trump.

Trump often engaged in harsh criticisms of his European counterparts and raised complex issues in terms that made reasoned discussion among allies difficult. Most notably, he continually charged not just that key European NATO members were “freeriding” on U.S. defense expenditures (a long-time U.S. complaint), but that they were somehow delinquent on “dues” to NATO, which do not actually exist. Trump even characterized his plan to cut U.S. troops in Germany from 40,000 to 25,000 as punishment for Germany’s alleged failure to pay.³⁴

Absent U.S. leadership, Libya also became a source of significant tension in Europe, with France and Turkey supporting opposite sides in the conflict.³⁵ The administration’s passive stance left NATO members at odds with one another and has largely benefitted Turkey’s authoritarian President Recep Tayyip Erdogan as well as Russian President Vladimir Putin. However, the Trump administration did belatedly impose sanctions on Turkey for its purchase of the Russian S-400 air and missile defense system.³⁶

Trump disparaged Montenegro’s membership in NATO, nursed grievances against Ukraine for its alleged involvement in the 2016 election, and failed to provide rhetorical support for Georgia despite intensified Russian backing for the breakaway regions of Abkhazia and South Ossetia.³⁷ In Belarus, Trump opted for silence as protesters contested the fraudulent re-election of Alexander Lukashenko, who requested Russian assistance in putting down popular protests.

Trump offered vocal support for the withdrawal of the United Kingdom from the European Union. As Britain limped to its formal withdrawal from the European Union on January 31, 2020, Trump did not shy away from cheering on the divorce. Although he hinted at Washington’s political and economic support for the United Kingdom in the aftermath of its withdrawal, Trump did not follow through with any concrete plan for a free trade agreement and closer relations with the United Kingdom.³⁸

One area where Trump’s European diplomacy was more active was the Serbia-Kosovo dispute, in which the administration repackaged efforts already underway and tied them to its broader push to prompt Muslim-majority countries to establish diplomatic ties with Israel.

Regarding Europe’s energy sector, the administration, with widespread bipartisan congressional support, attempted to dissuade Germany and the European Union from implementing the Nord Stream 2 Pipeline. The pipeline would bypass Ukraine, causing severe shock to its economy, while further increasing Europe’s energy dependence on Russia. Secretary of State Pompeo threatened to sanction the project, potentially including European companies involved in its activities.³⁹

The COVID-19 pandemic added significant challenges for U.S.-EU relations. On March 13, 2020, Trump announced a travel ban from Europe to the United States. Europe reacted in kind. As European coronavirus cases declined over the summer while American numbers continued to rise after a short plateau, the European Union decided to reopen its borders to travel, but not to the United States. For the first time since World War II, civilian non-essential travel between Europe and the United States is largely nonexistent, and may not resume until vaccines reach the U.S. public.

ASSESSMENT | EUROPE

The Trump administration pursued a high-pressure relationship with Europe. Although the administration's concerns about burden sharing in the alliance are valid (and have been shared by most previous administrations), there is a significant danger of doing lasting damage to transatlantic ties. The long-term strategic challenges posed by China and Russia will be far more effectively countered if the United States and Europe have a respectful relationship and can cooperate effectively.

One persistent source of tension was Trump's insistence that the Group of Seven (G7) expand to include Russia, which was ousted from the group after its illegal seizure of Crimea in 2014. Although European leaders are adamant that Russia should remain outside of the G7, Trump repeatedly raised the issue. The president consistently failed to come to grips with the fallout of the Crimea annexation, which raises the potential for future *fait accompli* land grabs of contested territory. Large scale military conflict might have gone out of vogue in Europe, but hybrid-warfare attempts to annex disputed territories remain a challenge, as the National Defense Strategy suggests.

Trump's well-publicized urging of NATO members to spend more on defense achieved some tangible results. Twenty-three out of 29 NATO members spent more in 2019 than in 2014, while eight members reached the NATO guideline of spending 2 percent of GDP on defense.⁴⁰ Most of the countries that increased their military budgets to meet NATO guidelines are in Eastern Europe and the Balkans, which face a more immediate threat from Russia than their Western European counterparts.

The Trump administration's early efforts to strengthen NATO's defenses via the European Deterrence Initiative (EDI) made a significant contribution to bolstering Europe's defense posture. However, since 2019, EDI spending declined by \$2 billion, decreasing from a peak of \$6.5 billion in fiscal year 2019 to \$4.5 billion in the administration's fiscal year 2021 budget request. Successful deterrence will require sustained efforts to enhance European defense.⁴¹

The administration's decision to pull the United States out of the Joint Comprehensive Plan of Action (JCPOA) was a source of serious friction with key European allies. While the European Union, France, Germany, and the United Kingdom rejected following in Washington's footsteps, most European businesses felt compelled to comply with U.S. sanctions on Iran. Before the UN arms embargo on Iran expired under the terms of the JCPOA, the United States pushed to implement the deal's "snapback" to pre-2015 sanctions, creating another point of tension in transatlantic relations and underscoring the persistent difficulty the administration faced in getting the balance right between isolating the Islamic Republic while maintaining good relations with Europe.

As China's economic clout and mercantilist statecraft grow, it is vital for Washington to strengthen its trade relations with the European Union. Instead, Trump raised tariffs against European goods, prompting the European Union to scramble in response to what it viewed as an unprecedented and unprovoked trade dispute. On the other hand, the administration has had some success in moving Europe toward a consensus on the dangers Huawei poses to Europe's 5G future.⁴²

RECOMMENDATIONS | EUROPE

1 Ensure the long-term viability of NATO by emphasizing its foundation of shared values. The Biden administration should show that it values NATO. The administration must utilize America's position as the alliance leader to steer the organization through several potential crises. In Libya, the administration

should promote a negotiated solution to the civil war. Eastern European NATO members must be assured that they are just as important as their Western counterparts, that there are no second-class citizens in NATO, and that the obligations of collective defense, entailed in Article V, are non-negotiable. At the same time, the United States needs to deal with the democratic recession among some NATO allies to ensure the alliance remains one based on democratic values.

2 Develop a common strategy with Europe for managing China. U.S. European allies increasingly recognize that the rise of China requires greater transatlantic cooperation and coordination. Challenges include Beijing's predatory economic statecraft, the geopolitical implications of China's Belt and Road Initiative, the Chinese Communist Party's malign political influence campaigns, and maintaining the West's qualitative technological edge. The new administration should formulate a transatlantic strategy to tackle these challenges.⁴³

3 Resolve trade disputes amicably and restore freedom of movement between the European Union and United States. The unprecedented crisis presented by COVID-19, which effectively ended nonessential movement between Europe and the United States, must be resolved as quickly as possible. Europe is America's strongest trade partner, and it must be treated as such, particularly in the face of manipulative Chinese economic policies.

4 Negotiate and conclude a post-Brexit trade agreement with the United Kingdom. The British withdrawal from the European Union presents an enormous opportunity for the United States and the United Kingdom to establish closer relations – not just economically, but politically as well. It is imperative to begin dialogue on what this relationship will look like.

5 Lead on mediating Eastern Mediterranean disputes. The Biden administration must use its influence to resolve potential Eastern Mediterranean disputes before outside actors place themselves as arbitrators of such disagreements. This includes Libya but also the territorial dispute between Turkey, Cyprus, and Greece.

6 Seek European consensus on moving forward from the JCPOA. The Biden administration's ability to counter Iran's nuclear weapons ambitions requires the help of European allies. Getting beyond the current disagreement over snapback sanctions and charting a credible course for addressing not only the JCPOA's weaknesses but also the range of Iran's non-nuclear malign activities will be critical objectives. The United States should not cave on its core demands but should work closely with Europe to bridge gaps wherever possible.

7 Support democratic movements in Eastern Europe, and help Russia's neighbors counter aggression. Belarus, Ukraine, and a host of other European countries on Russia's periphery must receive Washington's support as they seek to both improve their democratic frameworks and reduce Russia's threatening influence.

INDIA

Cleo Paskal

CURRENT POLICY | INDIA

For decades, U.S. policy has focused on India in relation to other countries, not on India itself. In that context, India was often ‘hyphenated’ – first as part of the India-Pakistan conflict and then in terms of India- China relations. Under the Trump administration, U.S. policy remained hyphenated, but India (under the term “Indo”) was finally recognized for its anchoring role in a region of significant strategic importance: the Indo-Pacific. India was thus recognized as an important partner in countering the rise of China amidst the new great power competition currently escalating between Washington and Beijing.

In November 2017, President Trump delivered an address at the Asia-Pacific Economic Cooperation APEC summit in Vietnam in which he described his vision for a “free and open Indo-Pacific.” This new label quickly replaced references to the Pacific or Asia-Pacific region.⁴⁴

In May 2018, the Department of Defense changed the name of U.S. Pacific Command to U.S. Indo-Pacific Command,⁴⁵ and in November 2019, the Department of State published a new report titled “A Free and Open Indo-Pacific: Advancing a Shared Vision.”⁴⁶

Along with this change in terminology, the administration sought to elevate India’s status as a U.S. partner. In its December 2017 National Security Strategy, the administration stated, “We will expand our defense and security cooperation with India, a Major Defense Partner of the United States, and support India’s growing relationships throughout the region.”⁴⁷ In September 2018, Washington and New Delhi established the U.S.- India 2+2 Ministerial Dialogue for top-level foreign and defense ministry officials.

The two governments also signed several important agreements, most notably the Communications, Compatibility and Security Agreement in 2018, allowing for deeper and faster defense interoperability and information sharing. In 2020, the two countries signed the Basic Exchange and Cooperation Agreement, allowing for the sharing of real-time satellite imagery.⁴⁸

The United States and India have now signed the four foundational defense agreements necessary for much deeper integration and interoperability.

Additionally, in 2019, the United States and India held their first tri-service exercise, Tiger Triumph.⁴⁹ India also agreed to purchase billions of dollars’ worth of military equipment, including drones and Apache and Seahawk helicopters.⁵⁰ Following India’s June 2020 border conflicts with China, Delhi’s defense requirements have increased, and the Pentagon has been attentive and adaptable.

The Free and Open Indo-Pacific construct also calls for broader values-based partnerships across the Indian and Pacific oceans. In that context, the Trump administration worked on building the U.S.-India-Japan relationship, in part through the annual India-hosted trilateral MALABAR naval exercises as well as the first U.S.-India-Japan trilateral leaders meeting in November 2018 at the G20.

The Trump administration also encouraged the revival of the Quadrilateral Security Dialogue (or Quad) involving the United States, India, Japan, and Australia, with the four foreign ministers meeting for the first time in September 2019 and again – in person despite COVID- 19 – in Tokyo in October 2020.⁵¹ The India-Australia link had been the weak link within the Quad; however, that relationship seems to be growing stronger, with India inviting Australia to join MALABAR in 2020. The two countries also signed a mutual defense logistics agreement in 2020.⁵²

Most visibly, Trump and his Indian counterpart, Narendra Modi, traded visits, with each leader appealing to the others’ voters. Modi joined Trump and a crowd of over 50,000 for the “Howdy Modi!” event in Texas in September 2019.⁵³ The next February, Trump addressed a crowd of 110,000 in Gujarat,⁵⁴ after

which Trump and Modi announced an upgraded U.S.-India Comprehensive Global Strategic Partnership.⁵⁵

While Trump himself offered to “mediate” on Kashmir, the administration largely stayed quiet on issues India deems internal. The administration also backed India following China’s border incursions starting last May.⁵⁶

On trade, there was scant progress toward a deal with India despite the two sides’ clear interest. Occasionally, Trump railed against “tariff king” India.⁵⁷ However, business-to-business relationships were strong and, in 2019 and 2020, the United States was India’s top trading partner, importing \$58 billion of Indian goods in 2019 and exporting \$34 billion.⁵⁸

ASSESSMENT | INDIA

The U.S.-India relationship made major advances on the diplomatic and security fronts, owing in part to mutual concerns about China, yet bilateral efforts to bring down trade barriers proved lackluster at best.

Even while campaigning in 2016, the Trump team recognized both the importance of the Indo-American community and the appeal of Modi. The campaign released an ad in which Trump says, in English, “The Indian and Hindu community will have a true friend in the White House.” Trump spoke Hindi in the ad, adapting a catchphrase Modi used in his successful 2014 campaign: *Ab ki baar, Trump sarkar* – loosely, “Time for a Trump government.”⁵⁹ While the majority of Indo-Americans still voted Democratic, Trump made strong inroads domestically and electrified Modi supporters in India.

The administration successfully strengthened the bilateral relationship, especially on strategic issues. In July, Secretary of State Pompeo said, “The United States has never been more supportive of India’s security.” He added that the United States desires “a new age of ambition in our relationship” with India, and that “India is one of a few trusted, like-minded countries whose leaders I call on a regular basis for counsel and collaboration, on issues that span continents.”⁶⁰ A week before the November 2020 U.S. elections, both Pompeo and the secretary of defense visited India for another 2+2.

Admittedly, there were some frictions in the bilateral relationship, which tended to involve U.S. dealings with third parties of concern to India. In particular, Trump’s plans to abandon both Washington’s Syrian Kurdish partners and the pro-U.S. government in Afghanistan shook Indian faith in the United States as a trusted long-term partner, sowing doubts that anti-U.S. alliance lobbies in New Delhi used to full advantage. The return of U.S. sanctions on Iran also caused consternation because they forced Indian buyers to stop importing Iranian oil and risked aggravating the delicate New Delhi-Tehran relationship, which India deems necessary for fear of domestic Shiite terror cells.

While bilateral relations deepened across the defense sector, some in India, even those with pro-U.S. leanings, perceived the defense outreach as a transactional effort to benefit U.S. firms rather than Indian security. However, as critically needed U.S. weaponry arrives in India and information sharing increases, that position is softening.

While the Chinese border incursions largely silenced overt pro-Beijing lobbies in India, the pro-Moscow lobby (which often works in tandem with Beijing) continued to enjoy substantial influence. The most notable example is India’s ongoing determination to purchase Russia’s

S-400 advanced surface-to-air missile system, which gathers intelligence and, if put into operation, would embed Russian advisers in the Indian defense arena for decades. This could both trigger sanctions under U.S. law (the Countering America's Adversaries Through Sanctions Act) as well as preclude India from gaining access to some high-tech U.S. equipment, including the F-35 stealth fighter. This would undoubtedly please Moscow and Beijing. On trade, the main obstacles to a bilateral agreement revolved around access for agricultural products, medical equipment, and pharmaceuticals and India's data localization regulations, to name a few. There was also confusion surrounding the Trump administration's changing position on H1-B visas, though border closures due to COVID-19 made this issue less urgent.

Overall, while significant progress was made in strengthening U.S.-India ties, the partnership is still vulnerable in places, and there are a range of actors, namely China and Russia, who actively seek to undermine that progress.

RECOMMENDATIONS | INDIA

Pre-election statements by President-elect Biden and Vice President-elect Kamala Harris led New Delhi to worry that a Biden White House would involve itself in issues India considers internal, such as Kashmir.⁶¹ More recently, however, the incoming administration's focus seems to be shifting to India's potential international role, including in the Indo-Pacific.

This builds on Biden's contention that the growth of U.S.-India strategic relations really started under President Obama. During Biden's first post-election phone call with Modi, the president-elect expressed his desire to "strengthen and expand the U.S.-India strategic partnership" while maintaining a "secure and prosperous Indo-Pacific region."⁶² The incoming administration thus has a prime opportunity to deepen, accelerate, and strengthen what is already working.

1 Continue defense sales and cooperation. To rapidly increase India's capacity to defend itself and act as an effective partner in the Indo-Pacific, the Biden administration should pursue additional weapons sales to India and identify surplus U.S. military equipment and platforms that New Delhi can acquire at low cost or even for free, as occurred with the USS *Trenton* in 2006.⁶³ This will show that the U.S.-India relationship is more than transactional.

2 To bolster Indian opponents of buying Russian weapons, impose sanctions on all foreign buyers of prohibited Russian military hardware. The Trump administration hesitated to impose sanctions on Turkey for purchasing the S-400 but eventually did so in December 2020. The United States should be equally firm with all others, such as Qatar and Saudi Arabia, now considering an S-400 purchase. The prohibition and consequences must be clear to India.

3 Work to formalize the Quad, ideally expanding it to include economic and trade components. Washington could join, or at least not impede, the Supply Chain Resilience Initiative, which currently consists of India, Japan, and Australia.

4 Support Delhi should it desire to establish Quad operational bases in the Andaman and Nicobar Islands and, ideally, in U.S. territories (possibly Guam), Australia, and Japan, too. This could dovetail with the U.S. secretary of the navy's call to establish a numbered fleet (the 1st Fleet) in the Indo-Pacific.⁶⁴

5 Continue the policy of publicly backing India against terrorist and Chinese aggression. The incoming administration should exhibit restraint with public comments about issues India considers domestic, unless they involve specific, incontrovertible cases of human rights abuses.

6 Deepen existing cooperation on counterterrorism and intelligence sharing with Indian counterparts on issues that can affect strategic decision making. For example, the United States and India should cooperate to combat transnational corruption, such as market manipulation that undermines the Indian economy, and foreign influence operations targeting key Indian leaders.

7 Facilitate trade policies that allow India to become a supply chain alternative to China in sectors in which onshoring to the United States is not viable. This includes not impeding Indian economic engagement with third countries, which often has the advantage of cutting out Beijing. For example, Washington should not push for trade barriers that block low-cost Indian pharmaceuticals from markets in Asia and Africa.

8 Support India's lead on diplomatic initiatives of mutual benefit. For example, some in the Indian strategic community are proposing an Indo-Pacific Charter – a version of the Atlantic Charter of 1941 incorporating 21st-century concerns – that would provide a cooperation and coordination framework for like-minded countries on issues such as governance of space, data, and protection of democracies.

IRAN

Mark Dubowitz and Richard Goldberg

CURRENT POLICY | IRAN

Over the last two years, the Trump administration's "maximum pressure" campaign – an effort modeled on President Reagan's "victory" strategy to defeat the Soviet Union – continued to drain financial resources from the Islamic Revolutionary Guard Corps (IRGC) and to squeeze Iran's leaders to make a choice between regime survival and negotiations.

In 2019, President Trump established a U.S. policy to drive Iranian oil revenue to near-zero,⁶⁵ imposed sanctions on Iran's metal industries,⁶⁶ and ordered the IRGC designated as a foreign terrorist organization.⁶⁷ The Treasury Department designated the Central Bank of Iran and Iran's National Development Fund for financing terrorism,⁶⁸ while Treasury's Financial Crimes Enforcement Network issued a final rule declaring Iran's financial sector a primary jurisdiction of money laundering concern.⁶⁹

In 2020, Trump imposed sanctions on Iran's construction, manufacturing, mining, and textile sectors, while authorizing the Treasury Secretary to impose sanctions on any other sector of Iran's economy.⁷⁰ This authority was later used to blacklist the entire Iranian financial sector, including 18 banks that had not yet been subject to U.S. sanctions.⁷¹

The administration also employed sanctions as a tool of political warfare, not just economic pressure. The president imposed sanctions on the supreme leader's business empire, highlighting corruption at the very top of the Iranian regime.⁷² The administration also designated Foreign Minister Javad Zarif and noted the foreign ministry's record of coordination with the IRGC.⁷³ After the administration made a

compelling case, the 39-member Financial Action Task Force called on global financial institutions to re-impose countermeasures on Iran's financial sector due to the regime's continued money laundering and terror finance activities – a significant blow to Iran's efforts to legitimize itself within international fora.⁷⁴

Separately, the Trump administration leveraged Israel's exfiltration of a secret Iranian nuclear archive to emphasize the regime's deliberate violation of the 2015 nuclear deal, formally known as the Joint Comprehensive Plan of Action (JCPOA). For example, the Treasury imposed sanctions on Iranian nuclear weapons scientists still employed at a secretive organization run by the founder of Iran's past nuclear weapons program. At the International Atomic Energy Agency (IAEA), U.S. diplomatic pressure produced a resolution calling on Iran to answer questions about its possible concealment of undeclared nuclear material and activities. Treasury also designated the Atomic Energy Organization of Iran for its uranium enrichment activities,⁷⁵ and the State Department ended all sanctions waivers for JCPOA nuclear cooperation projects.⁷⁶

Trump's policy with regard to military deterrence evolved in the last two years of his administration. For most of 2019, the United States did not respond militarily to an Iranian shoot-down of an American drone, mine attacks on ships in the Persian Gulf, a cruise missile attack against Saudi Arabia, and increasing rocket fire targeting U.S. interests in Iraq. That changed in late December when, in the midst of an up-tick in Iranian-sponsored plots against U.S. interests, the United States bombed facilities belonging to Iran's most powerful militia proxy in Iraq. Days later, Trump ordered a strike killing IRGC Quds Force Commander Qassem Soleimani and Iraqi militia leader Abu Mahdi al-Muhandis.⁷⁷

Finally, the administration's decision to trigger the snapback mechanism of United Nations Security Council Resolution 2231 led to a dispute at the UN Security Council. The other four permanent members do not acknowledge the snapback of UN sanctions on Iran and therefore insist that the UN arms embargo on Iran expired in October 2020. U.S. policy states a snapback did occur, so the embargo remains in force. Accordingly, the president threatened sanctions if Russia or China attempt to transfer conventional arms to Iran.

ASSESSMENT | IRAN

The maximum pressure campaign succeeded in limiting the resources available for the regime's malign activities. Iran was forced to cut its defense budget by more than 24 percent, while terrorist proxies such as Hezbollah continue to report financial pressure due to lost subsidies from Tehran.⁷⁸ Recent data from the International Monetary Fund estimates Iran has less than \$9 billion in accessible foreign exchange reserves and is heading for a loss of 5 percent of

GDP for 2020.⁷⁹ The regime has suffered a catastrophic loss of oil revenue – with one estimate in March 2020 of 144,000 barrels per day in oil exports – while total exports, including non-oil goods and services, were expected to decline nearly 60 percent in 2020 compared to 2017.⁸⁰ The rial-dollar exchange rate fell to an all-time low of over 250,000 to 1 in late 2020, down from 38,400 when Trump took office.⁸¹

With an economy teetering on the brink of collapse, protests against the regime are happening more frequently. In late 2019, after the regime announced a cut in gasoline subsidies, nationwide protests erupted. Iran's leaders responded by shutting down the internet for days and killing 1,500 people.

American and Israeli strikes on Iran's military infrastructure – including the killing of Iran's top battlefield commander, Soleimani, and possibly Iran's nuclear weapons architect, Mohsen Fakhrazadeh – further

weakened the regime. The financial and psychological costs of apparent sabotage operations against Iran's nuclear and missile programs also took their toll.

Despite these successes, it is impossible to describe the maximum pressure campaign as truly "maximum." JCPOA related sanctions were only re-imposed in late 2018. Entire sectors of the Iranian economy were left untouched by U.S. sanctions until January 2020, while the Iranian financial sector, including 18 banks, escaped sanctions until October 2020. The administration only recently began to use its naval capabilities to intercept illicit cargoes coming from Iran, which, if continued, could dramatically reduce the leakage in U.S. sanctions involving China, Venezuela, and Syria.

Meanwhile, American political warfare against Iran suffered from inherent contradictions between expressing support for the Iranian people while claiming to pursue the ultimate goal of a deal with their tormentors – a deal that would not address human rights. Additionally, U.S. signaling of troop drawdowns in Iraq, Afghanistan, and Syria stoked fears among allies that the strike on Soleimani was the exception that proved the rule with respect to Trump's willingness to hold Tehran accountable for aggression and terrorism.

Tehran's perception of American willingness to use force and of Washington's backing for Israeli use of force is paramount in a maximum pressure campaign – both to deter attacks on U.S. interests and to deter Iran from developing nuclear weapons. This concern became ever more relevant as Iran continued its own counter-pressure campaign: accumulating more low-enriched uranium every day, including enrichment at the underground Fordow facility, testing advanced centrifuges, and producing (and selling) excess amounts of heavy water. Iran also reduced its nuclear breakout timeline from one year to a few months.

While U.S. policy moved in the right direction, it would have been more effective with a stronger focus on human rights, increased military deterrence operations, and sustained enforcement of truly "maximum" economic pressure.

RECOMMENDATIONS | IRAN

For the Biden administration:

- 1** Avoid past mistakes of offering sanctions relief to Iran prior to the implementation of a comprehensive agreement that addresses the full range of Iran's malign activities, including the irreversible dismantlement of key nuclear and missile capabilities.
- 2** Demand Iran fully account for its past and present undeclared nuclear activities. If Tehran refuses, press for the IAEA Board of Governors to refer Iran to the UN Security Council for breaching the Nuclear Non-Proliferation Treaty.
- 3** Enforce existing and impose new sanctions on entities connected to the IRGC and other terror-related activities.
- 4** Enforce sector-based sanctions on Iran's financial sector until Iran addresses international concerns related to money laundering and terror finance
- 5** Affirm that sanctions imposed pursuant to Executive Order 13224 on Iran's central bank and key institutions, including in Iran's energy sector, constitute terrorism sanctions, and that no sanctions relief that directly or indirectly benefits entities subject to terrorism sanctions will be provided to Iran until Iran ceases its terror-related activities.

- 6** Expand efforts to block U.S.-designated Mahan Air's flights to Europe and the Gulf. The Biden administration should use secondary sanctions to target Mahan's ticketing agents and ground services operators as well as banks facilitating the airline's payments for airport services.
- 7** Maintain strict oversight and parameters for the Swiss-based humanitarian channel to enable the sale of food and medicine to Iran while preventing the regime from diverting humanitarian goods from the Iranian people.
- 8** Continue efforts to interdict Iranian arms shipments to Iraq, Yemen, and Syria.
- 9** Enforce existing and impose new sanctions on entities connected to Iran's missile programs.
- 10** Enforce existing sanctions to prevent the transfer of arms by Russia or China to Iran.
- 11** Provide maximum support to Iranian aspirations for democracy. Lift the U.S. travel ban on Iranians, and make human rights one of the demands for the negotiation of a comprehensive agreement.
- 12** Ensure the United States has a credible military option to reinforce its economic and financial pressure. This must include a military plan to prevent Iran from producing a nuclear bomb, and a credible U.S.-supported military strategy to counter Iranian influence in the region. The United States should provide allies such as Israel all the support necessary to resist Iranian aggression.
- 13** Build on the Abraham Accords to continue the normalization between Israel and key Arab and Muslim countries, including Saudi Arabia, and strengthen these alliances against Iranian malign activities in the region.

For Congress:

If the Biden administration provides premature sanctions relief to Iran or refuses to affirm that energy, banking, and other key sanctions are tied to Iran's terrorism- or missile-related activities or to the supreme leader or his office, Congress should:

- 1** Schedule quarterly classified briefings by senior administration officials to review Iran policy.
- 2** Request periodic testimony by the Financial Crimes Enforcement Network to assess the risks of money laundering and terror finance within Iran's financial sector.
- 3** Send letters to foreign financial institutions and companies, including those that hold assets belonging to the Central Bank of Iran, the National Iranian Oil Company, the National Iranian Tanker Company, and other entities designated under U.S. terrorism-, missile-, or supreme leader's office-related authorities, to warn them of the risks of processing or engaging in any transactions.
- 4** Build on bipartisan IRGC sanctions enacted by the Countering America's Adversaries Through Sanctions Act by prohibiting the suspension or waiving of sanctions on Iran that would provide financial benefit to Iranian entities designated pursuant to terrorism authorities – unless and until the president certifies to Congress that Iran is no longer a state sponsor of terrorism.
- 5** Consider legislation that would require the president to immediately re-impose any suspended or waived sanctions on Iran if Iran or one of its proxies conducts a missile attack against U.S. interests or any country with which the United States has a defense relationship.
- 6** Introduce a resolution that opposes the Biden administration's return to the JCPOA and the lifting of all sanctions without addressing the nuclear flaws of the JCPOA as well as Iran's ballistic missile development, support for terrorism, human rights abuses, and other destabilizing and malign activities.
- 7** Codify Executive Order 13949, which deters the transfer of arms to Iran.

8 Consider legislation preventing the cancellation of the U-turn transaction prohibition involving any foreign financial institution transacting with any Iranian bank.

IRAQ

John Hannah

CURRENT POLICY | IRAQ

In Iraq, the final two years of President Trump's term were largely dominated by the same two challenges that shaped its first two years: battling the Islamic State of Iraq and Syria (ISIS) and constraining Iran. But whereas the war against ISIS took clear precedence from 2017 to 2018, the U.S. priority later shifted decisively toward thwarting the Iranian threat.

After ISIS lost its last stronghold in Iraq in late 2017, the administration maintained approximately 5,000 troops to stop ISIS from reconstituting. U.S. forces provided Iraqi counterparts with training, air power, intelligence, and logistics to prevent the organization's full-blown resurgence.

Trump's decision to withdraw from the 2015 Iran nuclear deal and re-impose sanctions set the countries on a new collision course across the Middle East, including in Iraq. After the United States moved in April 2019 to prohibit all Iranian oil exports, Tehran initiated a broad campaign of violent attacks, directly and via proxy, against U.S. interests. In Iraq, the offensive manifested in escalating rocket attacks targeting U.S. personnel by pro-Iranian militias affiliated with the state-sanctioned Popular Mobilization Forces (PMF).

The attacks intensified significantly in the wake of a mass anti-government protest movement that erupted in October 2019 among mostly Shiite youth in Baghdad and southern Iraq. The demonstrations focused not only on the government's corruption and failure to deliver basic services and jobs, but also on its subjugation of Iraqi sovereignty to Iran. The government of Prime Minister Adel Abdul-Mahdi, in complicity with Iran and its militia proxies, brutally cracked down. Abdul-Mahdi was forced to resign, though he remained in a caretaker capacity for five months as Iraq's political elite struggled to name a successor.

While repressing protesters, the government stood aside as rocket attacks against U.S. targets intensified.⁸² When an American was finally killed in late December, the United States unilaterally retaliated against Kataib Hezbollah (KH), one of Iran's most powerful proxies.⁸³ A series of events followed in rapid succession that brought the United States and Iran to the brink of war and U.S.-Iraqi relations to a new low. First, a PMF mob violently assaulted the U.S. Embassy. Second, a U.S. drone strike killed Qassem Soleimani, Iran's most important general, and Abu Mahdi al-Muhandis, the de facto commander of the PMF. Third, pro-Iran elements in Iraq's parliament passed a non-binding resolution calling for the expulsion of U.S. forces. And fourth, Iran launched a ballistic missile attack on two bases hosting U.S. troops, injuring more than 100.⁸⁴

Tensions remained high throughout 2020, including a second U.S. retaliatory strike against KH.⁸⁵ Nevertheless, the loss of Soleimani and Muhandis, pressure from U.S. sanctions, and the ravages of COVID-19 clearly weakened Iran's hand in Iraq. In May, Tehran acquiesced to the rise of a new prime

minister, Mustafa al-Kadhimi, an Iraqi intelligence chief with longstanding ties to Washington. The United States initiated a strategic dialogue with Kadhimi's government in the hope of revitalizing the bilateral partnership, including hosting Kadhimi at the White House.⁸⁶ Shortly after Kadhimi's visit, and consistent with understandings reached in the strategic dialogue, the United States announced it would reduce troops in Iraq from 5,200 to 3,000.⁸⁷ More startling, in a move that caught Kadhimi by surprise, the administration threatened in late September to shutter the U.S. Embassy in Baghdad and launch massive airstrikes against Iran's proxies if Kadhimi did not end the militia attacks.⁸⁸ The warning triggered a flurry of Iraqi political activity, including with Iran, that resulted in the militias' announcing a temporary ceasefire, conditioned on the eventual withdrawal of U.S. forces.⁸⁹ After the U.S. presidential election, the administration announced it would withdraw another 500 troops, leaving a total of 2,500 U.S. forces in Iraq on the eve of President-elect Biden's inauguration.⁹⁰

ASSESSMENT | IRAQ

The defeat of the ISIS caliphate was one of the most significant accomplishments of Trump's term. His subsequent decision to maintain U.S. troops in Iraq to prevent an ISIS resurgence, strengthen Iraqi security institutions, and counter Iran's malign influence stood in stark contrast to his capricious demands to withdraw U.S. forces from Syria. It also stood in stark contrast to the decisions of his predecessor, Barack Obama, whose hasty departure from Iraq led to the rise of ISIS and enabled Iran to increase its influence.

The full-blown emergence of Trump's maximum pressure policy against Iran created complications for U.S. policy in Iraq. In late 2018, after Trump's withdrawal from the nuclear deal, rocket attacks by pro-Iran militias forced the United States to withdraw its diplomats from Basra, the capital of Iraq's southern oil region near Iran's border.⁹¹ After the U.S. decision to drive Iran's oil exports to zero, escalating rocket attacks and U.S. demands that Abdul-Mahdi rein in the PMF only highlighted the Iraqi government's impotence. When the United States was finally forced to take unilateral action to protect its personnel against Iran-backed attacks, including Trump's decision to assassinate Soleimani and Muhandis, the U.S.-Iraq relationship reached its nadir, with Abdul-Mahdi and the Iraqi parliament pressing for a U.S. withdrawal and Trump threatening crushing sanctions should Iraq insist upon a hostile eviction of U.S. troops.⁹²

Iran's ballistic missile attack against U.S. troops in January, combined with the steady stream of militia rockets, constrained the ability of U.S. forces to fulfill their anti-ISIS mission. Force protection inevitably became a growing preoccupation, leaving U.S. soldiers increasingly hunkered down on their bases. The rocket attacks almost certainly accelerated the U.S. decision in 2020 to withdraw from at least eight bases across Iraq and consolidate the U.S. presence at two or three locations – though the U.S. military publicly attributed the move, as it did the subsequent decision to reduce troop levels to 3,000, to the increased ability of Iraqi security forces to keep ISIS at bay independently.⁹³

Though extremely high-risk, the killing of Soleimani and Muhandis, in retrospect, may have diverted the U.S.-Iraq relationship from a disastrous trajectory. Their elimination left Iran bereft of its two most important operatives in Iraq. Their sudden absence unquestionably weakened Iran's position politically, creating space for the unexpected emergence of a Western-leaning independent like Kadhimi as prime minister, who offered the possibility of a renewed U.S.-Iraq partnership. The Trump administration wisely sought to test that proposition by initiating the U.S.-Iraq Strategic Dialogue, including welcoming Kadhimi to the White House in the middle of a presidential election campaign and global pandemic.

The administration's sudden threat to close the U.S. Embassy and strike militia targets unless Iraq's Western leaning but weak premier ended militia attacks was an extremely risky gambit. If implemented, an American abandonment of Baghdad in a hail of bombs could badly harm U.S. interests by destabilizing Iraq and leaving both Iran and ISIS far less constrained. That said, the threat seemed to pay dividends, pushing the Iraqi government to undertake an unprecedented political effort with other Iraqi actors as well as Iran that resulted in the militias' announcing a cease-fire that temporarily curtailed their attacks on U.S. interests.

RECOMMENDATIONS | IRAQ

1 Reach a new bilateral understanding to keep a small U.S. military presence in Iraq. In the face of enormous pressure from Iran-backed forces, Kadhimi has publicly said that Iraq still needs U.S. military support to fight ISIS and strengthen Iraqi security forces.⁹⁴ He has also condemned attacks on U.S. personnel and underscored Iraq's responsibility to protect them. The Biden administration should take advantage of Kadhimi's interest in resurrecting the strategic relationship. To do so, it should reach a new security understanding that reframes the U.S. role in supporting Iraq's security and independence, including a cooperative effort to constrain the malign influence of Iran and its proxies. Importantly, the small U.S. presence in Iraq also serves as a critical enabler of continued U.S. efforts to counter ISIS and Iran in eastern Syria.

2 Prioritize initiatives that bolster Iraq's economy while undermining Iranian influence. The combination of the collapse in world oil prices, COVID-19, and massive corruption has left Iraq facing the prospect of economic collapse. There are a number of ways for the United States to support the Iraqi economy and U.S. companies while simultaneously countering Iranian influence. Several are now on the agenda with Kadhimi's full backing and need to be executed, including large-scale deals for U.S. companies to expand Iraq's electricity and natural gas sectors, thereby ending its heavy dependence on Iranian imports.⁹⁵ Along similar lines, the United States should encourage the Gulf Arab states to invest in Iraq's power and gas infrastructure while also moving rapidly to connect Iraq to their own electric grids. In the financial realm, the United States should support an International Monetary Fund deal to help alleviate Iraq's massive budget shortfall, but on the condition that the government implements structural reforms of its cash-based economy that shut down major avenues of corruption – from which Iran and its proxies are among the greatest beneficiaries.

3 Use U.S. influence in a discreet but focused strategy to help Kadhimi resist Iranian pressure, ensure free and fair elections, and strengthen Iraq's peaceful protest movement. The United States retains substantial political influence in Iraq and internationally that Washington should wield to advance its goal of a sovereign and independent Iraq in close partnership with the United States. Working with its most influential foreign allies, the United States should encourage a coalition of more moderate factions in Iraq's parliament to back Kadhimi's economic reforms, his support for a continued U.S. military presence, and his call for early elections under a new law that breaks the stranglehold of sectarian parties and militias on Iraq's political system. The United States and its allies should also support maximum UN monitoring and oversight of new elections to ensure the process is fair, transparent, and legitimate. Additionally, the United States needs a policy that helps Iraqi demonstrators by publicly condemning violence against them, sanctioning their abusers, and channeling their energies into an effective political movement for reform and Iraqi sovereignty.

4 Keep U.S. pressure on Iran’s proxies. Working in coordination with the Iraqi government and foreign partners as much as possible, the United States should be ready to sanction a lengthy list of malign Iraqi actors, to include not just senior pro-Iranian militia figures but also high-profile political leaders and former officials implicated in large-scale corruption, human rights abuses, sanctions busting, terrorism, or undermining Iraq’s stability. Efforts should be made to locate and seize assets in foreign jurisdictions and return them to the Iraqi people. While the United States should strongly favor supporting Iraqi government efforts to counter serious threats to U.S. personnel, it should remain ready to act unilaterally if the government proves unwilling or unable to do so.

ISRAEL

Jonathan Schanzer and David May

CURRENT POLICY | ISRAEL

Trump administration’s Israel policy notched a significant victory with the signing of the Abraham Accords, the September 2020 peace agreement between the United Arab Emirates, Bahrain, and Israel. It was a landmark for regional stability and a wake-up call for Palestinian officials whose national project has stalled. The Palestinians now find themselves increasingly isolated in their own neighborhood.

Palestinian Authority (PA) President Mahmoud Abbas began the Trump era with a May 2017 meeting at the White House, a high-water mark for the octogenarian leader. To his chagrin, the Trump administration subsequently recognized Jerusalem as Israel’s capital in December 2017, moved the U.S. Embassy to the city in May 2018, signed a bill in August 2018 to halt economic aid to the PA until it stopped paying terrorists, and recognized Israel’s sovereignty over the Golan Heights in March 2019. In November 2019, Secretary of State Pompeo expressed the administration’s view that Israeli settlements in the West Bank are not illegal “per se.”⁹⁶ The White House also cut funding to certain Palestinian aid programs and some international organizations viewed as biased against Israel. Pundits warned that these pro-Israel moves would set the region afire, but the Arab street did not erupt in protest.⁹⁷ Perhaps the only notable exception was Gaza, where Hamas continues to stoke unrest.

In January 2020, President Trump released his Israeli-Palestinian peace plan.⁹⁸ The framework frontloaded benefits for Israel, such as allowing it to declare sovereignty over roughly 30 percent of the West Bank. The plan also included benefits for Palestinians, especially economic assistance. Yet to access these benefits, the Palestinians would have to put their house in order over a four-year period. If that deadline expired without meeting the Trump administration’s demands, the Israelis would have a green light to annex additional territory in the West Bank. The administration’s demands of the Palestinians included herculean efforts such as fighting corruption and reuniting Palestinian factions that have been at war since 2007.

Concurrently, the Trump administration doubled down on its parallel policy of peacemaking between Israel and the Sunni Arab Gulf states. The roots of this rapprochement can be traced to the mutual fear of Iranian aggression, concerns about the 2015 Iran nuclear deal, antipathy for Islamist groups such as the Muslim Brotherhood, and fear that Washington would pivot away from the region.⁹⁹ The Trump

administration leveraged the quiet growth of Israel-Gulf relations and pushed for a broader regional framework that ultimately matured in 2020. In October, Sudan entered into a normalization deal with Israel. Morocco followed suit in December.

Early signs of normalization were apparent when Bahrain hosted the White House's economic workshop for Palestinian prosperity in June 2019.¹⁰⁰ In January 2020; several Arab envoys attended the unveiling of Trump's peace plan. Others issued statements of cautious optimism.¹⁰¹ Meanwhile, administration officials made trips to other Arab countries to encourage normalization with Israel.

When the United Arab Emirates and Bahrain finally normalized their ties with Israel, they presented their decision as a means of staving off Israeli annexation in the West Bank. Encouragingly, they also indicated their desire for a warm peace, unlike the cold relations that followed Israeli agreements with Egypt in 1979 and Jordan in 1994.¹⁰² The United Arab Emirates and Bahrain emphasized their continuing support for the Palestinian cause, yet they – and perhaps a number of other countries, including Sudan and Morocco – have clearly ceased to view the Palestinian issue as a core national interest.

Israel's military prowess, close ties with the United States, technological innovation, and other attributes have made it an attractive partner. Other Arab countries may now follow in the footsteps of the United Arab Emirates and Bahrain. Forthcoming normalization deals could include Oman, Saudi Arabia, and even Qatar.

ASSESSMENT | ISRAEL

The Trump administration, specifically Trump's son-in-law, Jared Kushner, championed an outside-in approach to Middle East peace that prioritized peace deals with regional states over intensive negotiations between Israel and the Palestinians, even if peace between the Palestinians and Israelis remained a priority. Previous administrations had attempted to create Israeli-Palestinian peace as a precursor to the normalization of Israel's relationships in the Middle East. They failed repeatedly. The Trump team focused instead on the potential for progress elsewhere. In doing so, the United States notched significant diplomatic victories and laid the foundation for a new regional order in which the Palestinian conflict no longer dictates the course of Israeli-Arab relations.

Gulf Arab states stand to gain tremendously from Israel's innovation, particularly in the defense and water technology sectors. Israel, meanwhile, will enjoy greater regional integration, particularly given the United Arab Emirates' status as a commercial and transportation hub. Both sides will benefit from increased coordination to thwart Iran's nefarious activities. The warm peace between Israel and the Gulf states could even set an example to thaw the cold Israeli-Egyptian and Israeli-Jordanian peace deals.

Of course, the Palestinian-Israeli conflict persists. The Palestinians still seek international support to pursue their strategy of intransigence, irredentism, and rejectionism. However, their leverage is eroding as acceptance of Israel becomes a regional norm. In the coming years, Abbas (or his successor) may encounter pressure from Israel's new partners to negotiate in good faith.

These new partners will likely have leverage. With a global pandemic, declining oil revenues, and numerous foreign and domestic challenges, Arab countries are already adjusting their financial support for the Palestinians. This has been reflected in an 85 percent decrease in Arab funding provided to the Palestinian Authority.¹⁰³

Of course, pressure on the Palestinians may not yield fruit. Abbas (who also serves as Fatah's chairman) is too weak to negotiate, let alone implement a deal with Israel. Abbas has ruled for a decade past the end of his allotted term as president. He refuses to name a successor despite his age and failing health. Pervasive corruption has undermined PA legitimacy.

Meanwhile, the Gaza Strip is ruled by the terrorist group Hamas, which violently expelled Fatah in 2007 and is committed to Israel's destruction. Hamas and Fatah routinely pledge unity in the cause of Palestinian statehood, yet their mutual antipathy has prevented any such deal from materializing. For sustainable peace to be achieved, the Palestinians must first get their house in order. The upside of Arab-Israel normalization is enormous, even if the Palestinians continue to refuse negotiations. Nothing short of a transformed Middle East hangs in the balance. Still, the United States must proceed cautiously. The United Arab Emirates and other countries normalizing ties with Israel have professed their desire to acquire cutting-edge American military technology previously off limits to them – the F-35 multirole aircraft is at the top of their list. However, as demonstrated by the fall of the shah in Iran in 1979 or even by the current problems with Turkey, the United States must be careful about supplying military hardware to Middle Eastern governments. Today's friend could quickly become tomorrow's enemy. And the United States must remain committed to Israel's qualitative military edge.

RECOMMENDATIONS | ISRAEL

- 1 Evaluate the previous administration's policies individually and assess where successes can be amplified under new U.S. leadership.** Complete reversals would stunt U.S. progress.
- 2 Be open to creative thinking on the Israeli-Palestinian conflict.** Trump's alternative approach jolted a stagnant, decades-old peace process. The Biden administration can seize on this opportunity.
- 3 Continue to encourage regional normalization and support other countries looking to benefit from both peace with Israel and upgraded ties with the United States.** The White House has a tremendous opportunity to promote regional stability by uniting American allies to counter both Shiite and Sunni extremists.
- 4 Assess individual countries' needs to determine where improving their trilateral relationships with the United States and Israel could bolster regional security.** This can help encourage the Palestinians to negotiate, serve as a bulwark against Iranian regional ambitions, and increase coordination among American allies. For example, the United States should:
 - a. Elevate Oman's profile with congressional visits and by sending a high-level White House delegation. The United States should also allow Oman to access International Development Finance Corporation funds for infrastructure projects, particularly in the ports of Duqm, Salalah, and Sohar.
 - b. Seize on the Saudis' waning support in Congress to encourage them to support emerging regional peace deals and make peace with Israel themselves.
- 5 Work with the Arab states that have normalized with Israel to ensure that their domestic policies, public rhetoric, and votes at the United Nations reflect these new realities.** This is essential for a warm peace. Additional efforts should be made to ensure the flourishing of economic ties and cooperation across multiple fields with the countries that have already committed to peace. These efforts should serve as inducements for countries considering similar moves.

6 Combat the systemic anti-Israel bias that permeates the UN system. Greater scrutiny should be placed on organizations that exacerbate the Palestinian-Israeli conflict, such as the UN Relief and Works Agency, which falsely inflates the number of refugees claimed by the Palestinians. Similar scrutiny should be placed on the UN Human Rights Council, which unfairly targets Israel in a disproportionate manner and ultimately undermines the stated mission of the organization. Such moves can also ultimately empower the independence of the Palestinians, which remains an important American policy objective.

7 Ensure that increased military support for Arab allies that make peace with Israel does not adversely affect Israel's qualitative military edge. This is enshrined in U.S. law.

8 Actualize the congressional vision for a U.S.-Israel Operations-Technology Working Group.¹⁰⁴ This will ensure that Israel's best technology that can help the United States address specific needs is accessible to the United States earlier and in a manner that enables the United States to protect this technology from reaching the hands of adversaries.

9 Make the restoration of aid to the PA contingent upon the PA's commitment to U.S.-led diplomacy and halting payments to terrorists. The White House should be wary of Palestinian attempts to disguise these payments.

10 Prepare for a chaotic Palestinian succession. Abbas is more than a decade past the official end of his term as president. Abbas' age, poor health, lack of legitimacy, and refusal to appoint a successor could yield a volatile succession crisis.

LATIN AMERICA

Emanuele Ottolenghi

CURRENT POLICY | LATIN AMERICA

The Trump administration's Latin America policy focused on the president's "America First" priorities of battling illegal immigration, combating drug trafficking, and renegotiating trade relationships as well as on toppling the Maduro regime in Venezuela. While it devoted more attention to the region than its predecessors, the administration's transactional approach to advancing Trump's campaign promises sometimes came at the expense of longstanding U.S. interests, such as supporting democracy and fighting corruption.

Trump placed an early emphasis on Mexico. His vow to stop illegal border crossings by building a wall (that Mexico would finance), as well as his threat to abandon the North American Free Trade Agreement (NAFTA), strained relations.¹⁰⁵ Trump's threats to close the border completely and impose punitive tariffs finally led Mexico to step up its efforts to stop undocumented migration into the United States.¹⁰⁶ Mexico also agreed to renegotiate NAFTA on terms slightly more favorable to Washington, resulting in the 2018 U.S.-Mexico-Canada Agreement (USMCA).¹⁰⁷

The administration used similar hardball tactics with El Salvador, Honduras, and Guatemala – all jurisdictions contributing to illegal immigration to the United States. Trump cut off \$450 million in aid to the three countries over their lack of progress on combating illegal migration.¹⁰⁸ The aid was restored

after each of the three countries reached migration agreements with the United States that established safe third-country provisions for asylum seekers.¹⁰⁹

Trump invested in personal relationships with the region's populists, including President Jair Bolsonaro of Brazil, President Andrés Manuel López Obrador of Mexico, and President Nayib Bukele of El Salvador. Trump maintained strong relations with Honduran President Juan Orlando Hernández – even after Hernández's brother was indicted on drug trafficking charges in New York¹¹⁰ and concerns arose that Hernández himself might be implicated.¹¹¹ Hernández, along with Guatemala's then-President Jimmy Morales, supported several U.S. priorities, including stemming migrant caravans, recognizing Jerusalem as Israel's capital,¹¹² and sanctioning the terrorist organization Hezbollah. This likely explains why the Trump administration was silent as the two leaders shut down anti-corruption programs sponsored by the United Nations and the Organization of American States (OAS), respectively.¹¹³ Morales was even invited for a meeting with Trump in the Oval Office.

In Venezuela, the administration recognized opposition leader Juan Guaidó as the country's legitimate president in January 2019,¹¹⁴ as did most states in Latin America and Europe. The administration also backed a failed uprising in April 2019 to oust the regime of Nicolás Maduro.¹¹⁵ The administration made extensive use of sanctions and law enforcement actions against more than 100 Maduro regime targets, including the national oil company, for involvement in narco-terrorism, drug trafficking, and corruption. The most significant actions included the designation of Maduro's vice president, Tareck El Aissami, as a drug kingpin in 2017;¹¹⁶ the indictment of Colombian businessman Alex Saab, the alleged mastermind of Venezuela's sanctions-evasion schemes with Iran;¹¹⁷ and, ultimately, the indictment of Maduro himself in March 2020.¹¹⁸

The administration also increased pressure on Venezuela's anti-American, authoritarian, socialist regional allies, Cuba and Nicaragua – primarily leveraging sanctions and, in Cuba's case, rolling back concessions granted to Havana by the Obama administration.¹¹⁹

In 2018, the Department of Justice designated four Central American gangs and drug cartels (alongside Hezbollah) as transnational criminal organizations.¹²⁰ The FBI also established a new, Miami-based anticorruption unit to target corrupt officials throughout Latin America under the Global Magnitsky Human Rights Accountability Act.¹²¹

ASSESSMENT | LATIN AMERICA

The administration scored some important successes in Latin America. On immigration, Trump's confrontational tactics ultimately got Mexico, El Salvador, Honduras, and Guatemala to act more aggressively against migrants seeking to enter the United States illegally. On trade, he was eventually able to replace NAFTA with USMCA, which Congress approved in July 2020.

The administration's pressure campaign in Venezuela also enjoyed some successes. It mobilized significant international recognition of the Guaidó-led opposition,¹²² isolating the Maduro regime. It imposed sanctions,¹²³ gave a green light to law enforcement actions,¹²⁴ and denied the regime resources.¹²⁵ The administration was unambiguous about the need to remove Maduro from power, return Venezuela to democracy through free and fair elections, and then rebuild the country's economy.¹²⁶ Nevertheless, despite concerted efforts, Maduro remains entrenched.

The administration also deserves credit for spurring more U.S. activity in Latin America. Trump traveled to Argentina in 2018 for a G20 summit. He held numerous bilateral meetings with regional leaders there and on the margins of other international events. Regular high-level trips to the region by other administration officials also yielded considerable goodwill.¹²⁷

Less noticed but equally important, the administration organized periodic ministerial summits and working groups focused on terrorism that were widely attended by regional officials,¹²⁸ including investigators, prosecutors, judges, and other law enforcement and intelligence agencies.¹²⁹ These efforts culminated in five countries – Argentina, Colombia, Honduras, Guatemala, and Paraguay¹³⁰ – declaring Hezbollah a terror group.

On the negative side of the ledger, the administration's efforts to strengthen governance and transparency across the broader region were lacking. The use of prosecutions was sparing, leaving the impression that corrupt officials responsible for a wide range of crimes (including terror finance and drug trafficking) enjoy impunity not only in their own countries but also in the United States.

In September 2019, for example, the administration welcomed to Washington Paraguay's de facto strongman, Vice President Hugo Velázquez, despite his alleged role in blocking important domestic investigations into money laundering and terror finance.¹³¹ Trump's aforementioned transactional approaches to corruption with Honduras and Guatemala are another example, as was his relationship with Honduran president Hernández, despite his brother's conviction in New York on drug trafficking charges. When former Mexican defense minister General Salvador Cienfuegos was arrested in Los Angeles on drug trafficking and corruption charges, the Trump administration yielded to Mexico's diplomatic offensive and returned him home, where he likely will not be prosecuted.¹³²

Despite the focus on great power competition in its National Security Strategy, the administration did little to push back against deepening Russian and Chinese penetration of Latin America. With numerous Latin American countries struggling with public debts, high inflation, unemployment, and, most recently, the COVID-19 crisis, China found easy ways to establish a foothold in the region, buying up strategic assets and offering aid.¹³³ Russia, too, sought to insert itself more,¹³⁴ especially in Venezuela, and to a lesser extent with traditional U.S. allies in the hemisphere.

In 2019, the administration did ramp up efforts to combat the rising influence of China in the region through the revamped Growth in the Americas initiative and through nascent efforts to shift U.S. investment and U.S. supply chains from Asia to Latin America. The administration also worked, with mixed results, to raise concerns about worrying Chinese practices in the region, including predatory loans and illegal fishing.

RECOMMENDATIONS | LATIN AMERICA

1 Ramp up sanctions programs and prosecutions. The Trump administration did not fully exploit these important policy tools in target-rich countries. Its focus on convincing regional allies to designate Hezbollah as a terrorist entity is a case in point: This success could have been expanded further with joint designations and law enforcement actions in the five countries that passed measures against Hezbollah. The incoming administration can build on this success by sharing intelligence, coordinating joint actions, and asking allies to implement their own measures against targets within their jurisdictions.

2 Promote transparency and good governance. The Trump administration faced a familiar dilemma in accomplishing its goals in a region where partners and friends often score high on the corruption index. Nevertheless, the Biden administration can forge a middle path between targeting U.S. friends and doing nothing. Especially when it comes to allied countries, targeting mid-level officials, such as judges and prosecutors, for taking bribes or obstructing justice sends a strong message to regional leaders. It is the impetus they need to tackle their countries' widespread corruption. Re-establishing anti-corruption programs in Central America is a good first step, but building up domestic anti-corruption institutions is also essential.

3 Rethink counter-narcotics policy. The Trump administration's aggressive counter-narcotics strategy led to numerous new indictments and designations over the past four years, as well as increased pressure for action in countries such as Mexico and Colombia. Nevertheless, excessive focus on interdiction and crop eradication alongside kingpin designations and indictments has led to a lack of imagination on how to combat domestic demand for, rather than just supply, of lethal drugs such as cocaine. The administration should conduct a broad reassessment, which should include robust law enforcement action against the money laundering networks working for the cartels.

4 Empower regional allies to counter Venezuela. Unseating Maduro has been a multilateral effort led by regional democracies, one that the Biden administration should continue to pursue. A democratic and prosperous Venezuela would represent a setback for Russian, Cuban, and Iranian interests in the region. The Trump administration sought to rally Lima Group member states to support the Guaidó-led legitimate government, with a view to free and fair elections. More efforts are needed, however, to get other Latin American countries to impose travel bans, asset freezes, and sanctions against Maduro regime officials.

5 Maintain pressure on Cuba and Nicaragua. The Biden administration should similarly continue its predecessor's pressure against Cuba and Nicaragua. Violent repression and corruption in Nicaragua, as well as Cuban meddling in Venezuela, run counter to America's long-term, bipartisan interests in Central America and the Caribbean Basin. The Obama administration pursued détente with these regimes, but their behavior did not change.

6 Contain Russia and China in the region. The next administration needs to devise new economic incentives and strategies to keep friends in America's orbit. Spiraling debt, inflation, and unemployment, in a region beset by some of the worst social inequalities in the world, become harder to address when America builds trade barriers and reduces aid.

LEBANON

Tony Badran

CURRENT POLICY | LEBANON

The Trump administration sought to escalate pressure on Hezbollah while continuing its predecessors' policy of attempting to strengthen Lebanese state institutions and insulate Lebanon's financial system. Yet Washington could not forestall Lebanon's banking sector meltdown and currency collapse or Hezbollah's open domination of the state.

After parliamentary elections in May 2018, Hezbollah dictated Lebanon's government-formation process over the following eight months. By allowing Saad Hariri to return as prime minister, Hezbollah provided

a fig leaf to cover its dominant position. Hariri resigned nine months later amid mass demonstrations against the widespread corruption that brought the government to the edge of complete financial collapse. Hezbollah replaced him with Hassan Diab, a minor figure who resigned seven months later, paving the way for another Hariri nomination.¹³⁵

With bipartisan support, the Trump administration pursued a campaign of sanctions designations targeting Hezbollah's financial networks and money laundering operations. Beginning in 2019, the administration drew on the expanded powers granted by the bipartisan Hizballah International Financing Prevention Amendments Act.

In April 2019, the Treasury Department designated a Lebanese financier for laundering narcotics proceeds and facilitating money movements for Hezbollah.¹³⁶ The following July, Treasury designated two Hezbollah members of parliament and the group's security chief, Wafiq Safa.¹³⁷

These sanctions set the stage for the August 2019 Treasury designation of Jammal Trust Bank – the only Lebanese bank to be sanctioned since the Lebanese-Canadian Bank in 2011.¹³⁸ In early 2020, the Trump administration designated a network linked to Hezbollah's Martyrs Foundation.¹³⁹ Treasury later sanctioned two Hezbollah-allied former ministers as well as a Hezbollah Executive Council official and two companies subordinate to Hezbollah.¹⁴⁰ In October 2020, Treasury designated two senior members of Hezbollah's Central Council.¹⁴¹

In Europe, the Trump administration convinced key allies to eschew the false distinction between Hezbollah's so-called "political" and "military" wings and instead treat the group in its entirety as a threat. In January 2020, the United Kingdom designated all of Hezbollah as a terrorist entity.¹⁴² In April, Germany banned all Hezbollah activities.¹⁴³ The Trump administration also persuaded Kosovo and Serbia to blacklist Hezbollah as a whole.¹⁴⁴ By the end of November 2020, Slovenia and Latvia also joined the list.¹⁴⁵

Driven by popular anger against the entire political class, large-scale Lebanese protests that began in October 2019 challenged the U.S. policy of supporting the Lebanese state. In a failed attempt to quell the demonstrations, security personnel and the Lebanese Armed Forces (LAF) began beating and detaining protesters, dismantling their encampments, and forcibly opening blocked roads. Washington lamentably avoided criticism of the LAF's behavior.¹⁴⁶

The State Department even rushed to release frozen aid.¹⁴⁷ Over four years, the administration provided around \$2.2 billion in assistance, including some \$680 million in military and security assistance.¹⁴⁸ The administration insisted that any international bailout for Lebanon would depend on structural reforms, both political and financial. Yet after a massive explosion at the Beirut Port in August 2020, the administration seemed to welcome a French initiative, coordinated with Hezbollah, that required only limited reforms in return for French-backed financial assistance. Shockingly, a top State Department official said the administration would not oppose Hezbollah's participation in government so long as that government undertook reforms.¹⁴⁹

Washington also acceded to Paris' request for the UN Security Council to renew, without effective changes, the mandate of the United Nations Interim Force in Lebanon (UNIFIL). Finally, the State Department sought to bolster the Beirut government by facilitating an Israeli-Lebanese framework agreement for negotiating the demarcation of the two countries' maritime border.¹⁵⁰ By late November,

the talks stalled and were postponed, as the Lebanese government only hardened its maximalist position.¹⁵¹

ASSESSMENT | LEBANON

While the Trump administration made some progress in Lebanon, it operated under the mistaken belief that there is a difference between Lebanese state institutions and Hezbollah. It failed to realize that any effort to strengthen the Lebanese state ultimately strengthens Hezbollah while undercutting American efforts to exert pressure on the group.

The Trump administration continued to pour money into the LAF even though the army did nothing to address Hezbollah's military build-up. In September, the Israeli government released intelligence showing that Hezbollah had built three facilities in Beirut and the neighboring area to its south for the assembly of precision-guided missiles.

To its credit, the Trump administration implemented a robust sanctions policy against Hezbollah. By contrast, Washington was slow to sanction corrupt political leaders, whether openly or tacitly partnered with Hezbollah. After the country's financial collapse, a full year passed before Treasury employed Global Magnitsky authorities to designate former minister Gebran Bassil for corruption.¹⁵² Bassil, the Hezbollah-allied son-in-law of the Lebanese president and a leading contender to succeed him, was the only prominent political figure targeted.

While Treasury's designation of Jammal Trust Bank was a milestone, Hezbollah's penetration of the financial system runs much deeper than the U.S. government has been willing to publicize. According to a civil complaint filed in New York federal district court, 11 additional commercial banks in Lebanon "knowingly provid[ed] extensive and sustained material support, including financial services to Hezbollah and its companies, social welfare organizations, operatives, and facilitators."¹⁵³

The State Department also supported courses of action that benefited Hezbollah, such as the French initiative to form a new government, which was coordinated directly with Hezbollah.¹⁵⁴ Letting Paris lead the way was doubly self-defeating given that France remains the main impediment to an EU-wide designation of Hezbollah. That said, the administration deserves ample credit for decisions by the United Kingdom, Germany, and others to blacklist Hezbollah *in toto*.

Another example of strategic incoherence is the State Department's ill-timed and unnecessary pursuit of maritime border demarcation talks between Lebanon and Israel.¹⁵⁵ The talks offer the Hezbollah-dominated system in Lebanon the prospect of future revenue from offshore gas in return for nothing – other than allowing a consortium led by Total, the French oil major, to begin operations and investment in Lebanese waters.

The pursuit of maritime talks potentially opens the door to re-litigating the matter of Shebaa Farms, a small strip of land in the Golan Heights claimed by Lebanon, over which the Trump administration recognized Israeli sovereignty.

Similarly, the State Department offered the French and the Lebanese another gift when it assented last August to the renewal, without changes, of the UNIFIL mandate. UNIFIL has been an unmitigated failure at keeping its area of operations south of the Litani River free of armed personnel, assets, and weapons

and at preventing Hezbollah from employing the area as a launch pad for aggression. Since the United States has been unable to reform UNIFIL, the administration should not have renewed its mandate.

Finally, the U.S. Congress deserves credit for passing the Sanctioning the Use of Civilians as Defenseless Shields Act of 2018 (“Shields Act”), which authorizes the president to impose sanctions on Hezbollah, Hamas, and associated entities responsible for the use of human shields to protect their military assets. For example, the three clandestine missile factories exposed by Israeli intelligence are all located beneath residential apartment buildings. However, in the two years since the passage of the Shields Act, the administration did not issue any designations, despite laudable efforts to employ other kinds of sanctions to exert pressure on Hezbollah.

RECOMMENDATIONS | LEBANON

Hezbollah is more than a client or proxy of the Islamic Republic of Iran; it is an extension of the regime. Since the group’s founding at the hands of Iran’s Islamic revolutionary cadres in Lebanon, Hezbollah has served as Tehran’s long arm and as the prime export of the regime’s ideology and revolutionary model. That premise should inform all aspects of U.S. policy. Furthermore, with the group now holding the commanding heights of the country and firmly ensconced in the government apparatus, the United States should jettison the artificial distinction between the Lebanese state and Hezbollah.

1 Do not deal with, let alone fund, a government that includes or is directly influenced by Hezbollah. Supporting the Lebanese government inevitably makes the United States complicit, as Hezbollah shapes and determines the policy of Lebanon’s government and has access to its budget.

2 Escalate pressure on Hezbollah. Washington should pursue this policy regardless of Lebanon’s financial crisis or any regional diplomatic initiative.

3 Craft U.S. sanctions, whether Hezbollah-related or targeting other members of the political class under the Global Magnitsky Human Rights Accountability Act, to reflect the fact that Hezbollah and the Lebanese state are indistinguishable. Washington should not employ sanctions as a tool to micromanage Lebanese politics in the service of some version of state building. Rather, sanctions should aim to squeeze Hezbollah’s financial networks and the corrupt oligarchic system that facilitates and partners with Hezbollah.

4 Continue to pressure the European Union to designate all of Hezbollah as a terrorist organization, but also recognize that increased French investment in Lebanon will likely harden Paris’ opposition to such a designation. Hezbollah itself rejects the EU distinction between its so-called military and political wings. No part of Hezbollah should have license to operate in Europe.

5 Do not extend development and reconstruction aid to Lebanon, whether bilaterally or in the context of an international donor conference. So long as the existing sectarian political order, dominated by Hezbollah, remains in place, such aid only subsidizes Hezbollah and its corrupt partners.

6 Suspend all aid to the LAF. The armed forces continue to collaborate with Hezbollah and have failed to take any action to restrain it, even against exposed Hezbollah missile facilities or arms depots in civilian areas.

7 Move swiftly to employ sanctions pursuant to the bipartisan Shields Act. The use of human shields is a war crime. The United States should target Hezbollah officials and associated entities as well as any Lebanese political and security officials implicated in placing Hezbollah military assets in civilian areas.

8 Insofar as reforming the UNIFIL mandate is not on the table, veto its renewal at the UN Security Council when the mandate expires in August 2021. Absent a major overhaul, UNIFIL is incapable of serving as anything more than a fig leaf for Hezbollah control of UNIFIL’s area of operations.

9 Do not allow Israeli-Lebanese maritime border demarcation talks to drag on through 2021. As Lebanon has now hardened its maximalist position, the United States should pull the plug on the ill-conceived process. In addition, Washington should reassert publicly its position that the Shebaa Farms are not Lebanese, but part of the Golan Heights, which should remain firmly under Israeli sovereignty.

NORTH KOREA

David Maxwell and Mathew Ha

CURRENT POLICY | NORTH KOREA

On February 27, 2019, President Donald Trump and North Korean dictator Kim Jong Un met in Hanoi for their second summit. The meeting ended with Trump walking away from the negotiations because he could not accept Kim’s demands for a comprehensive lifting of U.S. economic sanctions in exchange for North Korea dismantling a single nuclear facility at Yongbyon.¹⁵⁶ While disappointing for the United States, Hanoi was a far more significant failure for Kim, who had raised expectations in Pyongyang that he could secure sanctions relief while maintaining his nuclear and missile programs.¹⁵⁷

North Korea has consistently sought to obtain relief from sanctions while endeavoring to maintain its nuclear deterrent.¹⁵⁸ For instance, the North began rehabilitating the Sohae missile launch facility despite agreeing to dismantle it during the first Trump-Kim summit in Singapore in 2018.¹⁵⁹ There was also unusual training activity at the Yongbyon facility. In April 2019, the Kim regime issued an “end of the year” deadline for the United States to yield to Pyongyang’s demands for sanctions relief as a prelude to diplomacy.¹⁶⁰ North Korea also resumed its testing of short-range ballistic missiles and other new weapon systems as well as continued its aggressive cyber espionage and cyber theft operations.¹⁶¹

Nevertheless, the United States refused Kim’s demand for sanctions relief. Specifically, Congress extended North Korea sanctions that were set to expire on June 26, 2019.¹⁶²

Diplomatic prospects improved when Trump held a surprise meeting with Kim at the Demilitarized Zone on June 30, 2019, which made Trump the first sitting president to set foot in North Korea. The two leaders agreed to resume dialogue, which led to working level negotiations in Stockholm in October 2019.¹⁶³ The talks proved fruitless, however, after North Korea renewed its demands for comprehensive sanctions relief without offering substantive concessions.¹⁶⁴

After Stockholm, North Korea threatened to give the United States a “Christmas gift,” a suspected euphemism for a major provocation such as a nuclear weapon or inter-continental ballistic missile (ICBM) test. This never materialized, but on January 1, 2020, Kim announced that North Korea would resume testing of long-range missiles and nuclear weapons because Pyongyang no longer felt bound by a self-imposed moratorium on testing.¹⁶⁵

Following this announcement, North Korea’s military completed its winter training cycle at full-scale, while the United States and South Korea downsized or suspended several major exercises.¹⁶⁶ In addition,

the North ramped up tensions with South Korea by suggesting an end to the inter-Korean comprehensive military agreement and demolishing a joint liaison office at the border.¹⁶⁷

The regime conducted a missile test in March 2020, after which a number of prolonged absences by Kim led to speculation about his poor health or even that his sister Kim Yo Jong was poised for a possible succession. At the same time, North Korea took extreme measures, such as border closures with shoot-to-kill orders against violators, internal movement restrictions, and limitations on market activity, to protect itself from COVID-19 and suppress reports of outbreaks.¹⁶⁸

As of July 2020, the U.S. policy toward North Korea remained a demand for “complete, verifiable, irreversible denuclearization of the Korean peninsula.”¹⁶⁹ However, at the 75th UN General Assembly meeting in September 2020, while South Korean President Moon Jae-in reissued calls for ending the Korean conflict,¹⁷⁰ Trump – for the first time in three years – omitted North Korea from his speech.¹⁷¹

ASSESSMENT | NORTH KOREA

The failed summit in Hanoi explicitly confirmed that the United States and North Korea disagree about the definition of denuclearization. Whereas the United States expects the North to negotiate a swift dismantlement of its weapons programs, Pyongyang wants immediate concessions while postponing disarmament indefinitely.

Though Trump hoped to reach an agreement with Kim, the president did not surrender to Kim’s one sided demands in Hanoi. While this deserves praise, the administration allowed its diplomatic leverage to dissipate by neglecting the maximum pressure campaign that preceded the summits.

Sanctions enforcement continued to weaken. A report by a UN panel of experts found that Pyongyang’s hackers stole hundreds of millions of dollars by hacking banks and crypto-currency exchanges. The panel also exposed North Korea’s other sanctions-evasion schemes, including illicit banking, overseas exports of labor, and trade in sanctioned goods such as luxury products, coal, and oil. In some cases, China and Russia are actively assisting the regime.¹⁷²

Military readiness also declined as the ROK-U.S. alliance downgraded or even suspended joint training events. Meanwhile, the North Korean military went forward with training at near-full capacity.¹⁷³

There was also increased uncertainty over the future of U.S. forces in Korea due to unresolved Special Measures Agreement (cost sharing) negotiations. In 2020, Trump directed the Department of Defense to provide options for troop reductions in South Korea, which would undeniably be welcomed by the North.¹⁷⁴ Wary of such concessions; Congress barred the reduction of U.S. forces unless the secretary of defense can certify it will not harm U.S. or its allies’ security.¹⁷⁵

A clear indicator that the United States has eased the pressure on Pyongyang is that Kim continues to conduct provocations after Hanoi. Kim’s persistent intransigence underscores that his regime continues to pursue a “long con” diplomatic strategy that employs sweeping but hollow promises to secure concessions and prolong dialogue while giving up little to nothing in return.¹⁷⁶

The Trump administration remained content with the status quo because Kim kept his personal promise to Trump of no further nuclear weapons or ICBM tests. However, North Korea is developing new military

capabilities, such as solid-fuel short-range missiles and rocket launchers that could target key U.S. and South Korean bases on the peninsula.

At a military parade last October, Pyongyang appeared to introduce two new, untested missile systems: the Hwasong-16 ICBM and the Pukguksong-4, a submarine-launched ballistic missile.¹⁷⁷ In addition, the regime displayed a wide variety of advanced conventional weapons showing marked improvement.¹⁷⁸ The UN panel of experts also found that the regime continues to produce fissile material for nuclear weapons development.¹⁷⁹

Despite all of this, North Korea is struggling with the fallout from COVID-19 along with monsoon rains and three typhoons. The regime denies a COVID-19 outbreak, yet it instituted severe population and resource control measures, including border closures and a halt in trade with China. These measures have debilitated North Korea's economy even more than sanctions.¹⁸⁰ Meanwhile, the typhoons have devastated agriculture, risking a food crisis as bad as the 1994–1996 famine, which may have claimed 3 million lives.¹⁸¹

RECOMMENDATIONS | NORTH KOREA

By ramping up diplomacy and pressure, the Biden administration may be able to strengthen ties with Seoul and force Kim to accept denuclearization. This appears to be President-elect Biden's goal. In October 2020, he wrote:

As President, I'll stand with South Korea, strengthening our alliance to safeguard peace in East Asia and beyond, rather than extorting Seoul with reckless threats to remove our troops. I'll engage in principled diplomacy and keep pressing toward a denuclearized North Korea and a unified Korean Peninsula.¹⁸²

The following recommendations can assist Biden's vision:

- 1 Develop an alliance strategy for the Korean Peninsula.** Through the existing State Department-Ministry of Foreign Affairs strategy working group,¹⁸³ Washington and Seoul should reassess strategic assumptions about the nature of the Kim regime and acknowledge Kim's determination to dominate the peninsula. The two countries should maintain a long term focus on solving the "Korea question." This should include unification, deterrence, defense, and denuclearization.¹⁸⁴
- 2 Impose a "maximum pressure 2.0" campaign integrating all elements of U.S. and allied power.** Such a campaign should include five lines of effort: diplomacy, sanctions, military readiness, information and influence activities, and cyber. Kim must see that possession of nuclear weapons jeopardizes his regime's survival. Absent such pressure, Kim will continue to exploit diplomacy to extort concessions while paying only lip service to denuclearization.¹⁸⁵
- 3 Make human rights a priority.** This is both a moral and national security imperative. Kim oppresses his people to remain in power. Seoul and Washington must address human rights in negotiations with the North, support nonprofits working on human rights, and focus on human rights as part of an information and influence campaign.
- 4 Despite past failures, continue efforts to establish a substantive working-level dialogue between the United States and North Korea.** This dialogue should prioritize North Korea's nuclear, biological, and chemical weapons and ballistic missiles. It should also work to establish a comprehensive roadmap

toward North Korea’s verifiable nuclear dismantlement, including how that is defined.¹⁸⁶ Without a working-level consensus, meaningful progress toward denuclearization is unlikely.

5 Encourage Chinese and Russian support for denuclearization while holding them accountable for ongoing violations of UN sanctions they claim to support. The Biden administration should publicize this duplicity and blacklist entities identified as violating sanctions.

6 Strengthen allied military posture. The Biden administration should encourage South Korea to invest in additional military capacity and capability. In full coordination with Seoul, the United States should deploy to South Korea additional combat power consisting of strike capabilities. The incoming administration should also consider increased missile defense and intelligence, surveillance, and reconnaissance assets. To ensure military readiness, ROK/U.S. Combined Forces Command should hold multiple theater-level command post computer-simulated exercises to coordinate joint and combined warfighting elements and increase field training exercises for subordinate components.

7 Stabilize the Special Measures Agreement (cost sharing) process. The outgoing administration made unrealistic and exorbitant demands. The United States and South Korea should quickly conclude negotiations by focusing on how both nations should support Combined Forces Command. The alliance should return to five-year cost sharing agreements instead of annual ones.¹⁸⁷

8 Coordinate a comprehensive strategy for North Korean cyberattacks. The United States should adopt a “layered cyber deterrence” approach, as recommended by the Cyberspace Solarium Commission’s 2020 report.¹⁸⁸ This will require both cyber and non-cyber policy options, such as sanctions and diplomatic coordination with allies in support of norms and principles for cyberspace.

CURRENT POLICY | RUSSIA

The 2017 National Security Strategy identified Russia as a “revisionist power” working “to shape a world antithetical to U.S. values and interests.”¹⁸⁹ The National Defense Strategy identified “long-term, strategic competition” with revisionist powers as “the central challenge to U.S. prosperity and security.”¹⁹⁰ In keeping with these assessments, the Trump administration sought to address Russian threats ranging from election meddling to arms control – often taking a firmer line than its predecessor. Yet the administration’s Russia policy was often contradictory in practice, with President Trump frequently undermining the tough line taken by his administration and both parties in Congress.

To combat Russian election meddling, U.S. Cyber Command (CYBERCOM) conducted preemptive operations targeting Russian trolls during the 2018 elections¹⁹¹ as well as Russian state and criminal hackers ahead of the 2020 elections.¹⁹² The administration also increased election-related cooperation with state and local governments and the private sector,¹⁹³ issued dozens of election-related designations,¹⁹⁴ closed Russian diplomatic facilities,¹⁹⁵ and sought to deter future meddling by authorizing sanctions against “the largest business entities” of any interfering country.¹⁹⁶ Further in the cyber realm, the administration sanctioned and indicted numerous Russian hackers, issued technical advisories exposing Russian cyber threats,¹⁹⁷ and increased cyber cooperation with European allies.¹⁹⁸ CYBERCOM reportedly also infiltrated Russia’s power grid to deter Russian cyberattacks against U.S. critical infrastructure.¹⁹⁹

Following Russia’s attempted assassination in England of former double-agent Sergei Skripal using a nerve agent, the administration expelled 60 Russian intelligence officers and closed Russia’s Seattle consulate – a response Trump later privately complained was too strong.²⁰⁰ The administration also

imposed various congressionally mandated sanctions, including a partial ban on lending to the Russian government and buying Russian sovereign debt, but waived the harshest sanctions.²⁰¹

Altogether, Treasury sanctioned over 365 Russian targets on grounds ranging from aggression against Ukraine to abuses of human rights,²⁰² despite Trump's objection to the Russia sanctions in the Countering America's Adversaries Through Sanctions Act (CAATSA).²⁰³

On arms control, the administration withdrew in 2019 from the Intermediate-Range Nuclear Forces (INF) Treaty, citing longstanding Russian violations.²⁰⁴ The administration also withdrew from the Open Skies Treaty²⁰⁵ and declined to extend New START without a political agreement that improves the treaty's verification measures, covers Russia's new-generation and non-strategic nuclear weapons, and provides a framework for a future multilateral treaty including China.²⁰⁶ Despite nearing an interim deal for a one-year treaty extension and nuclear freeze, disagreement over verification stalled negotiations before the U.S. election rendered them moot.²⁰⁷

In February 2020, Washington fielded a low-yield submarine-launched ballistic missile intended to deter Russian nuclear coercion.²⁰⁸ The administration also increased the U.S. military presence in Poland²⁰⁹ and the Black Sea region,²¹⁰ boosted defense cooperation with Ukraine,²¹¹ Georgia,²¹² and the Baltic states,²¹³ and initially expanded the European Deterrence Initiative (EDI), though Trump diverted almost \$1.1 billion in EDI funding to the border wall.²¹⁴ In contrast to its predecessor, the administration provided lethal military aid directly to Ukraine.²¹⁵

The administration sought to reduce European reliance on Russian energy by supporting U.S. liquefied natural gas exports and alternative energy infrastructure projects.²¹⁶ It opposed TurkStream and Nord Stream 2 (NS2)²¹⁷ – Russian natural gas pipelines that threaten European energy security and Ukraine's economic health and strategic leverage – but refrained from using sanctions to stop NS2 until Congress imposed them in December 2019.²¹⁸ As Congress prepared further NS2 sanctions in the recently passed annual defense bill,²¹⁹ the administration expanded the scope of previous sanctions against firms that help complete NS2.²²⁰

The administration opposed Moscow's support for the Venezuelan and Syrian regimes, including by designating Russian actors helping them evade U.S. sanctions.²²¹ In late 2020, the Treasury Department also designated 13 Belarusian officials and entities for helping rig the country's August 9 election and cracking down on peaceful protesters.²²²

RUSSIA

Eric S. Edelman and John Hardie

ASSESSMENT | RUSSIA

All too often, Trump's inconsistencies and personal predilections undermined his administration's otherwise robust Russia policy.

While Trump achieved moderate success in pushing NATO members to increase defense spending,²²³ he also alienated key allies and shook faith in America's commitment to collective defense,²²⁴ thereby aiding Russian efforts to undermine the Western alliance. Trump's sudden decision to redeploy one-third of

U.S. troops stationed in Germany exacerbated these trends, particularly since he explicitly linked the decision to Berlin's "delinquency" in meeting its defense spending obligations.²²⁵

The administration achieved mixed results in reducing Russian arms sales, an important source of revenue and influence for Russia. The chilling effect from CAATSA sanctions targeting Russian arms sales cost Russia an estimated \$8-10 billion in lost weapons deals,²²⁶ contributing to a decline in Russia's global market share.²²⁷ While Washington failed to dissuade Ankara from purchasing Russia's S-400 surface-to-air missile system, the administration's belated imposition of CAATSA sanctions against Turkey²²⁸ could help convince India and other U.S. partners to reject Russian arms.

The administration made strides in combating Russian election meddling despite inconsistent White House leadership on the issue.²²⁹ Trump does deserve credit for authorizing offensive cyber operations against Russia,²³⁰ but his frequent dismissals of the intelligence community's findings, coupled with his failure to press Putin on the matter,²³¹ likely undermined deterrence of further meddling. Following the December 2020 revelation that Russia had perpetrated what may be the worst cyber breach in U.S. government history, Trump downplayed the incident and contradicted his own secretary of state by suggesting China, not Russia, was responsible.²³²

In Syria, Trump launched airstrikes early in his tenure to punish the Moscow-backed regime for using chemical weapons, whereas the Obama administration failed to enforce its own red line. However, the strikes had no lasting effect. In 2019, Trump's impulsive decision to withdraw U.S. troops enabled Russian forces to return to northeast Syria, where they harassed U.S. troops and expanded Moscow's influence over Washington's Kurdish allies.²³³

Likewise, American inaction in Libya facilitated the expansion of Russia's influence in North Africa and the Eastern Mediterranean and leverage over Europe, which fears the spillover effects of migration and terrorism.

In Venezuela, by contrast, U.S. sanctions – aided by an oversupplied oil market – did help disrupt Russian efforts to circumvent U.S. sanctions on Venezuelan crude exports.²³⁴

Putting aside the questions of impeachment and possible illegality, Trump's decision to link U.S.-Ukraine relations to Kyiv's willingness to advance his personal interests derailed the administration's otherwise strong Ukraine policy and upended a longstanding bipartisan and transatlantic consensus on supporting Ukraine.²³⁵

More recently, Trump was conspicuously absent as European allies grappled with protests in Belarus and Moscow's attempted assassination of opposition figure Alexei Navalny via a banned nerve agent.²³⁶ While German and French counterparts pressed Putin to prevent violence in Belarus and produce answers about Navalny's poisoning,²³⁷ Trump remained silent and neglected to consult European leaders. The administration likewise ignored its legal obligation under the Chemical and Biological Weapons Control and Warfare Elimination (CBW) Act to issue a determination and sanctions for Moscow's chemical weapon use.²³⁸

Unfortunately, this response paralleled Trump's response to the Skripal attack, after which Trump failed to raise the issue with Putin yet found time to congratulate him on winning re-election.²³⁹ The White House also dragged its feet in imposing CBW Act sanctions, despite bipartisan pressure.²⁴⁰

In short, Trump failed to grasp the nature of the Russian challenge despite the clarity official White House and Pentagon strategy documents provided on this issue. While his administration, both parties in Congress, and most European allies recognize Russia is a strategic competitor, Trump seemed convinced he could simply “get along”²⁴¹ with Moscow despite earlier failed efforts to “reset” ties with Russia.

RECOMMENDATIONS | RUSSIA

1 Resist the temptation to forgive and forget Russia’s transgressions for the sake of “getting along.”

Washington must talk to Moscow and should remain open to cooperation where it suits U.S. interests, especially on issues such as arms control and security in the cyber domain.²⁴² To the extent possible, Washington should also avoid pushing Russia and China closer together. But Washington must not forget that Moscow is a strategic competitor. The Putin regime’s interests, goals, and values differ fundamentally from those of the United States and its European allies.

2 Extend New START, but make full use of U.S. leverage. While extending this treaty is in America’s interest, the Biden administration should capitalize on its leverage and the concessions Russia granted to the Trump administration. The Kremlin has already demonstrated its willingness to accept a provisional deal that couples a temporary extension with a warhead freeze and negotiations encompassing Russia’s entire nuclear arsenal. The Biden administration should extend New START but reserve the right to reevaluate annually U.S. participation, with America’s continued adherence conditioned on Moscow’s good-faith participation in negotiations toward a broader deal and on Russia’s agreement to a mutual nuclear arsenal freeze during those talks. Since the looming extension deadline precludes the complex negotiations necessary to address verification of this freeze, the administration should allow the first year of extension to go ahead without an agreement on verification, but should insist that verification be discussed during subsequent negotiations.

3 Field a sea-launched nuclear cruise missile. This capability would complicate Russian (and Chinese) military planning by filling a gap in the U.S. escalation ladder and enhancing diversity in platforms, range, and survivability, and would help counter Russian INF missile deployments and deter Russian nuclear first-use.²⁴³

4 Restore transatlantic unity and strengthen NATO’s Eastern Flank. The Biden administration should repair NATO unity, including by reevaluating the Trump administration’s planned posture realignment. Washington should fully fund the EDI and reverse the recent lull in momentum on vital military construction projects.²⁴⁴ It should also pursue Integrated Air and Missile Defense and additional conventional long-range fires. Washington and its allies should further strengthen NATO’s posture in the Black Sea region, which is currently incommensurate with the region’s strategic importance.²⁴⁵ In addition, Washington should continue working with European allies to address non-kinetic Russian threats, including through cooperation on cyber, energy diversification, and anti-corruption.

5 Develop a comprehensive strategy to coordinate interagency and international efforts against Russian illicit finance. This strategy should target the dirty money of Russian oligarchs, Putin’s cronies, and Russia-based organized criminal groups and seek to disrupt the illicit financial schemes that facilitate Russian support for rogue regimes, strategic corruption, and active measures. The strategy should also aim to strengthen U.S. and international anti-money laundering/countering the financing of terrorism regimes, intelligence and enforcement capacity, and information sharing regarding Russian illicit finance. Finally, Washington should build and credibly communicate a sanctions escalation ladder to deter select high-impact acts of aggression, such as a cyberattack destroying U.S. voter registries.

6 Stand up for human rights and democracy in Russia and throughout the post-Soviet space. The Biden administration should hold Moscow accountable for the Navalny attack, including by designating the individuals and entities involved in the attack and subsequent cover-up²⁴⁶ and by heeding Navalny's calls to redouble Western efforts to target the ill-gotten wealth of Putin's cronies and Russia's corrupt oligarchs.²⁴⁷ In Belarus, the administration should, with European allies, signal that further crackdowns will trigger sanctions against Belarus' top state-owned companies.²⁴⁸ The administration should also designate the Russian propaganda and disinformation specialists Moscow sent to Belarusian state media outlets.²⁴⁹

SAUDI ARABIA

John Hannah and Varsha Koduvayur

CURRENT POLICY SAUDI ARABIA

The Trump administration worked to rebuild ties with Saudi Arabia following their steady decline under President Obama. Investing heavily in a personal relationship with the kingdom's powerful crown prince, Mohammed bin Salman (MBS), President Trump's priorities included partnering with the Saudis on a tougher Iran policy, increasing Saudi purchases of U.S. weapons, getting the kingdom to balance global oil prices, and securing Riyadh's support for improving relations between Israel and the Arab world. While these efforts bore fruit, Trump's willingness to overlook MBS' authoritarianism at home and reckless pursuits abroad triggered a bipartisan backlash that threatened to erode support for the U.S.-Saudi relationship.

Trump's determination to reverse Obama's outreach to Iran was the cornerstone of the U.S.-Saudi rapprochement. Just before his second visit to the White House, MBS compared Iran to Nazi Germany under Hitler.²⁵⁰ Shortly thereafter, Trump withdrew from the 2015 Iran nuclear deal and re-imposed crippling sanctions on Iran, eventually targeting all its oil exports. The administration coordinated with the Saudis to ensure the oil market remained well supplied to avoid price spikes.

The decision to drive Iran's exports to zero triggered a campaign of Iranian escalation against the United States and its Gulf partners. Iranian-backed attacks included the sabotage of two Saudi tankers, a drone strike on a Saudi pipeline, and, most spectacularly, a drone and cruise missile attack against Saudi Arabia's massive Abqaiq oil-processing facility. Despite this flurry of Iranian aggression, Trump for most of 2019 opted not to retaliate militarily – despite repeated threats to do so. Instead, the administration primarily responded by sending additional forces to the region, including the first deployment of U.S. troops to Saudi Arabia since 2003.

The importance Trump attached to Saudi Arabia and MBS was evident in an interview he granted to journalist Bob Woodward in January 2020. Trump bragged that he had "saved"²⁵¹ MBS after the 2018 murder in Istanbul of journalist Jamal Khashoggi, when Congress demanded that the crown prince be held responsible and passed a law to end all support for the Saudi war in Yemen – a measure Trump vetoed. Explaining his willingness to indulge MBS' misdeeds, Trump noted that the Saudis bought billions of dollars' worth of U.S. weapons and wielded huge influence by virtue of their oil power and leadership role in the Islamic world. In May 2019, Trump controversially issued an emergency authorization that bypassed Congress to sell the Saudis (and the United Arab Emirates and Jordan) \$8.1 billion worth of advanced weapons.²⁵²

In March 2020, just as the COVID-19 crisis erupted, MBS launched an ill-timed oil-price war with Russia that wreaked havoc on the U.S. shale industry, causing enormous outrage among key members of Congress. After days of negotiations with the Saudis and Russians, Trump helped broker an agreement on production cuts that eventually stabilized the market.²⁵³ Trump's relationship with the Saudis also seemed to pay dividends when the kingdom helped facilitate U.S.-brokered peace treaties between two of its Gulf neighbors, the United Arab Emirates and Bahrain, and Israel. U.S. efforts to resolve a major rift that pitted the Saudis, Emiratis, Egypt, and Bahrain against Qatar bore fruit in January 2020, with Riyadh reopening its borders with Qatar and both sides pledging to ease tensions.²⁵⁴

Importantly, during Trump's presidency, MBS launched many reforms that Washington had long deemed essential for the kingdom's long-term stability, including introducing taxes, cutting subsidies, reining in the religious police and reactionary clerics, expanding women's rights, and increasing social freedoms for the kingdom's huge under-30 demographic. These changes, however, were coupled with a ruthless determination by MBS to consolidate his absolute power and eliminate all challenges to his authority.

ASSESSMENT | SAUDI ARABIA

Trump's efforts to strengthen U.S.-Saudi relations were generally successful. By going to the kingdom in his first overseas trip as president and investing heavily in MBS' rise, Trump and his son-in-law and senior aide, Jared Kushner, developed a strong personal link to Saudi Arabia's two most powerful leaders, King Salman and MBS. That bond was solidified by Trump's readiness to end Obama's outreach to the kingdom's most dangerous regional adversary, Iran.

Confident in U.S. support, the Saudis provided strong diplomatic backing for Trump's controversial withdrawal from the Iran nuclear deal. Even after Iran began targeting Saudi Arabia, including the near-catastrophic assault on Saudis quickly welcomed the return of U.S. troops to the kingdom for the first time since 2003.²⁵⁵ They also joined a U.S.-led maritime coalition to protect Gulf shipping from Iranian backed attacks.²⁵⁶

Reports surfaced that, privately, the Saudis were concerned by Trump's failure to retaliate militarily against Iran's aggression in the summer of 2019, especially the attack on Abqaiq. Articles casting doubt about the credibility of U.S. security assurances appeared in the Saudi press. Rumors circulated that the kingdom had reached out to Iran to protect itself.²⁵⁷ Saudi officials publicly denied such speculation, which was largely overtaken in January 2020 after Trump ordered the targeted assassination of Iran's most important general and the mastermind of its regional aggression, Qassem Soleimani.

Trump could also claim some credit for cajoling the Saudis to help moderate oil prices – both by increasing supplies when Iranian exports were slashed and by cutting production (albeit belatedly) when COVID-19 triggered a collapse in global demand. Similarly, Trump could credibly assert that he helped temper the kingdom's position on Israel, including minimal Saudi opposition when Trump moved the U.S. embassy to Jerusalem in 2017, and actual support for Israel's normalization deal with the two Gulf states – manifested in Riyadh's immediate granting of overflight rights to airlines from all three countries. In the last days of Trump's presidency, the administration also achieved a major breakthrough in the long-running spat with Qatar, helping to forge a deal to ease tensions that was unveiled during the Gulf Cooperation Council Summit in January 2021.

Trump's goal of selling large quantities of weapons to the kingdom and attracting Saudi investment in the United States was realized – though not nearly to the levels that he hyped.

The greatest shortcoming of Trump's policy toward Saudi Arabia was his failure to tether the rebuilding of relations with one of the Middle East's most influential states to U.S. efforts to curb MBS' worst excesses both at home and abroad. On the issues of greatest concern to the U.S. Congress – especially Riyadh's detention and abuse of human rights activists (among them U.S. citizens), murder of Khashoggi, disastrous air war in Yemen, and covert nuclear and missile cooperation with China – Trump seemed content to grant MBS a free pass.²⁵⁸ Trump rejected even the pretense of holding MBS to account or restraining his most counter-productive actions, which both offended U.S. values and threatened U.S. interests. Rather than working to ameliorate congressional animus, Trump's dismissive attitude exacerbated it, putting the long-term stability of the complicated but crucial U.S.-Saudi relationship on even shakier ground.

RECOMMENDATIONS | SAUDI ARABIA

1 End the “blank check” approach to MBS' actions, while preserving the U.S.-Saudi strategic relationship. For decades, U.S. support has been the linchpin of Saudi security, providing Washington with enormous leverage over the kingdom. There is no reason for U.S. restraint when an impetuous crown prince takes counter-productive steps that endanger important U.S. interests. But rebalancing relations, not rupturing them, should be the Biden administration's goal. Even as it pursues tougher diplomacy to restrain MBS' worst instincts, the administration should keep in mind certain key realities. Saudi Arabia remains perhaps the most influential country in the Arab and Muslim world. Its unequivocal backing for a U.S.-led regional order has been a major asset for American power, as has Saudi support for U.S. strategies to counter Iran, combat terrorism, and balance oil markets. As challenging as it may be to have the Saudis as partners, it would be infinitely worse to have them as an alienated adversary – destabilized, increasingly prone to desperate acts, open to Chinese and Russian patronage, and more vulnerable to the predations of Iran and Islamic extremists.

2 Restore normal order to the conduct of U.S.-Saudi relations. Since the relationship's inception, close personal bonds of trust between American presidents and Saudi monarchs have been the norm. But that personalization was taken to extremes under Trump, with policy regularly conducted via secretive “WhatsApp” communications between Kushner and MBS, consistently marginalizing key elements of the government (including Congress) that have important roles to play in U.S. policy toward the kingdom. The Biden administration should work to re-establish a functioning process of interagency deliberations and congressional consultations, while also seeking to continue a U.S.-Saudi Strategic Dialogue that empowers key agencies to work with Saudi counterparts to advance U.S. objectives across the full spectrum of issues important to American interests.

3 Keep the Saudis in the loop on Iran strategy. The Biden administration's pledge to revive the nuclear deal will not be welcomed in Riyadh. To manage the negative fallout, Biden should ensure that the Saudis, as well as other key U.S. regional partners most threatened by Iran, are regularly consulted and their legitimate concerns accommodated as much as possible.

4 Prioritize expanding Arab-Israeli peace. The Saudis played a key behind-the-scenes role in encouraging normalization deals between Israel and several Arab states, setting in motion a strategic realignment that could transform the region's strategic balance in ways overwhelmingly favorable to U.S. interests. The Biden administration has an historic opportunity to build on this progress with an array of additional Arab and Muslim states, including the Saudis themselves.

5 Press for early progress on key human rights cases. MBS has unjustly imprisoned or detained a number of high profile activists and U.S. dual nationals whose rapid release would significantly improve the prospects for future U.S.- Saudi relations. The Biden administration should make clear that quickly

resolving these cases would strengthen its ability to withstand congressional pressure to downgrade the relationship.

6 Focus more on ending the Yemen war. The Saudis are increasingly eager for an exit that allows them to secure their border and avoid an IRGC-backed takeover of the Yemeni state. Those objectives align with U.S. interests as well and would be at risk if the Saudis unilaterally left the battlefield. The Biden administration should intensify U.S. diplomacy with the United Nations, Saudis, and other powers to de-escalate the conflict. The United States should be seen as helping a partner reach an acceptable settlement, not as abandoning it on the battlefield. Though frustrating, the United States should also continue efforts to improve Saudi aerial targeting to avoid civilian casualties.²⁵⁹

SYRIA

David Adesnik

CURRENT POLICY | SYRIA

The Trump administration never settled on a clear and consistent policy toward Syria. Rather, there was perennial tension between the president's determination to withdraw U.S. forces – now fewer than 1,000 in number – and the insistence of both his advisers and Congress that the United States had vital interests at stake.

As a candidate in 2016, Trump made clear his aversion to continued U.S. involvement in Syria for any purpose other than defeating the Islamic State in Iraq and Syria (ISIS).²⁶⁰ Nevertheless, Trump launched air and missile strikes in 2017 and again in 2018 to punish the Bashar al-Assad regime's use of chemical weapons. Trump also accelerated the U.S.-led campaign against the ISIS caliphate, leading to its defeat in 2018.

While that campaign was still underway, however, Trump began to advocate a withdrawal from Syria. In March 2018, he unexpectedly announced at a public rally that the United States would be leaving Syria soon. "Let the other people take care of it now," Trump said. "We are going to get back to our country, where we belong, where we want to be."²⁶¹ On the advice of his national security team, Trump quietly postponed the withdrawal.

Nine months later, following a phone call with Turkish President Recep Tayyip Erdogan, Trump surprised both his advisers and the other members of the anti-ISIS coalition by announcing a rapid pullout of the roughly 2,000 U.S. troops then in Syria. "We have won against ISIS. We've beaten them, and we've beaten them badly," Trump said. "Now it's time for our troops to come back home."²⁶²

Trump's decision led to the resignation of Secretary of Defense James Mattis, while the Senate voted 68-23 to condemn the withdrawal, with 43 Republicans in favor of the resolution and only three against.²⁶³ Under pressure, the president gradually distanced himself from his original order. In the end, the United States withdrew about half its troops.

In October 2019, following another call with Erdogan, Trump reissued his order for a complete withdrawal. He stated, "The plan is to get out of endless wars," adding that Syria is of little concern because "it's a lot of sand."²⁶⁴

Trump specifically directed a withdrawal from U.S. positions near the Syrian border with Turkey; Erdogan quickly sent an intervention force across the border to attack Ankara's Syrian Kurdish adversaries – integral members of the anti-ISIS coalition. A UN report later documented extensive human rights violations by the Turkish military and Turkish-aligned militias in Syria.²⁶⁵ Russian forces also gained access to parts of northeastern Syria where coalition forces once exercised exclusive control.

Three days after Trump announced the withdrawal, a bipartisan majority in the House voted 354-60 to repudiate the decision.²⁶⁶ As pressure mounted, the president turned to a new rationale for keeping troops in Syria: "We're keeping the oil. We have the oil. The oil is secure. We left troops behind, only for the oil," he said.²⁶⁷ The Pentagon accordingly relocated some units to Syrian oil fields.²⁶⁸

As 2019 drew to a close, a bipartisan coalition in Congress succeeded in passing the Caesar Syria Civilian Protection Act, which mandated sanctions on Assad's foreign enablers while enhancing executive branch authority to target them. The U.S. government also continued to appropriate extensive humanitarian aid, totaling more than \$12 billion since the start of the war.²⁶⁹

At the end of Trump's term, an estimated 500 to 600 troops remained in northeastern Syria. An additional 200 troops serve at a garrison at al-Tanf, a strategic town on the main highway from Baghdad to Damascus – a key artery for Iran's "land bridge" across the Levant.²⁷⁰

ASSESSMENT | SYRIA

Trump's periodic calls for a withdrawal from Syria derived from a mistaken premise that the United States had stumbled into a quagmire. In fact, the U.S. military applied the lessons it learned in Iraq and Afghanistan to minimize both the human and financial costs of its operations in Syria. Principally, the military employed air power, surveillance capabilities, and a small number of advisers to support local allies, the Syrian Democratic Forces (SDF), which fought the bloody ground war against ISIS.²⁷¹

Previous wars also demonstrated the need to ensure local allies could preserve stability after initial successes on the battlefield. Trump himself frequently condemned the Obama administration for its rushed withdrawal from Iraq from 2009 to 2011, which satisfied a campaign promise yet contributed directly to the rise of ISIS. Nevertheless, Trump ignored his own advice with regard to Syria.

The president also refused to recognize the connection between his policy toward Syria and his campaign of maximum pressure against the Islamic Republic of Iran, which has spent an estimated \$20 to \$30 billion to prop up the Assad regime.²⁷² A full withdrawal from Syria would have enabled Assad to reassert control of the oil fields and agricultural resources of northeastern Syria, thereby relieving pressure on his own finances and, by extension, Tehran's. An American departure would also have solidified Tehran's efforts to build a land bridge to the Mediterranean, facilitating its supply of advanced weapons to Hezbollah for ultimate use in a war with Israel.²⁷³

Trump's unwarranted faith in Erdogan's assurances also contributed to errors in Syria. Trump claimed that Turkey would assume responsibility for fighting ISIS, yet Erdogan had consistently turned a blind eye to ISIS and al-Qaeda financiers in Turkey, while sending weapons and funding to Syrian extremists, including al-Qaeda-affiliated al-Nusra Front.²⁷⁴

Trump deserves credit, however, for enforcing the U.S. red line that prohibits the use of chemical weapons in Syria. French and British warplanes even participated in the second round of airstrikes in

2018, a rare instance of transatlantic cooperation in recent years. Still, the strikes had a limited impact; Syrian aircraft continued to bomb civilian targets with conventional munitions. The State Department also reported to Congress that the Assad regime continues to procure materials for chemical weapons production.²⁷⁵

The Trump administration also made a concerted effort to escalate economic pressure on Assad. President Obama's executive orders granted many of the necessary authorities to the departments of Treasury and State to impose sanctions, yet enforcement was intermittent. From 2017 onward, Treasury worked to disrupt the illicit flow of oil from Iran to Syria, while blacklisting many of the oligarchs generating income for the Assad regime.²⁷⁶ After the Caesar Act took effect in June 2020, Treasury and State began to announce new designations on a monthly basis.

While Trump ultimately settled on the presence of several hundred U.S. troops in Syria, his claim that America would keep Syrian oil illustrated the extent to which misinformation drove his policy. The United States is the world's leading producer of oil and gas; it has no legal right to Syria's reserves and does not need them.

The prospects are dim for a resolution of the war in Syria, whether on the battlefield or via diplomacy in Geneva. Trump's top advisors advocated sustainable policies to secure U.S. interests amid ongoing fragmentation and instability. The president's failure to follow that course prevented his administration from focusing its efforts on keeping ISIS down, limiting Iranian and Russian influence, managing tensions with Turkey regarding northeastern Syria, protecting and aiding Syrian civilians, and strengthening U.S. relations with Kurdish and Arab partners in the anti-ISIS coalition.

RECOMMENDATIONS | SYRIA

Secretary of State-designate Antony Blinken explained last May that President-elect Biden's Syria policy would address grave errors made by both the Obama and Trump administrations. As an Obama administration veteran, Blinken said "We failed to prevent a horrific loss of life. We failed to prevent massive displacement of people internally in Syria and, of course, externally as refugees. And it's something that I will take with me for the rest of my days."²⁷⁷

Blinken's candor and openness to self-criticism amount to a refreshing change. To fix past mistakes, the new administration should implement the following recommendations:

- 1 Maintain troops in Syria to prevent an ISIS resurgence.** Effective operations in Syria also depend on the U.S. military presence in Iraq. The Biden administration should request that the Pentagon determine whether Trump's partial withdrawals from either country compromised the mission. If so, reverse the withdrawals.
- 2 Continue to support and train the SDF.** Capable and motivated allies are a rare asset in the region; more than 11,000 SDF fighters lost their lives while fighting ISIS.²⁷⁸
- 3 Target revenue streams that enable Assad to engage in atrocities against the Syrian people.** The Biden administration must build on current efforts to disrupt Syria's illicit oil imports as well as its narco-trafficking. It must also employ the Caesar Act and related authorities to target Assad's oligarchs and foreign facilitators.

- 4 Warn U.S. partners in the Arab world not to normalize relations with Assad.** The incoming administration should make clear that the United States will punish sanctions evasion by entities from friendly states as well as hostile ones.
- 5 Reform and increase humanitarian aid.** The United States and its allies rely on the United Nations to distribute aid to populations under Assad’s control, yet the regime diverts massive amounts.²⁷⁹ Donors should hold the United Nations accountable and ensure it establishes comprehensive safeguards. Donors should also pressure Russia and China to stop blocking aid to populations outside regime control, including the displaced persons camp at Rukban.
- 6 Oppose reconstruction aid while war crimes continue.** Congress may consider an updated version of the No Assistance for Assad Act, which specifies criteria for when reconstruction aid would be permissible.²⁸⁰ The criteria should include safeguards against corruption.
- 7 Help local authorities in northeastern Syria to develop their energy resources in a transparent and equitable manner.** Moving toward self-sufficiency can reduce the need for economic assistance.
- 8 Deter Erdogan from further aggression against the Syrian Kurds.** If Turkish military personnel or proxy forces continue to abuse Syrian civilians, the Biden administration should impose human rights sanctions on key commanders and officials.
- 9 Press the Assad regime to provide information about the status of American citizens who have disappeared in Syria.** The next administration should uphold the U.S. policy of offering no concessions – whether in the form of sanctions relief or diplomatic recognition – for releasing hostages.
- 10 Suspend Syria’s rights and privileges within the Organization for the Prohibition of Chemical Weapons (OPCW).** Russia will likely attempt to obstruct any effort to hold Damascus accountable, but there is a working majority at the OPCW that will respond to U.S. leadership.
- 11 Continue to enforce the U.S. red line on Syrian use of chemical weapons.** Assad is likely to test the new administration’s commitment. If the regime employs chemical weapons, the response should deprive Assad of the means to commit further atrocities, by completely destroying his air force and potentially other offensive capabilities.

TURKEY

Aykan Erdemir and Philip Kowalski

CURRENT POLICY | TURKEY

The Trump administration inherited a relationship with Turkey that was already fracturing. Since his party’s ascent to power in 2002, Turkish President Recep Tayyip Erdogan has transformed his country from a Western oriented secular republic into an authoritarian regime with a democratic façade. Erdogan’s Justice and Development Party has roots in the Muslim Brotherhood and thus harbors an anti-American and anti-Semitic worldview.²⁸¹

Erdogan’s belligerence and irredentist ambitions have provoked or worsened conflicts with almost every one of Turkey’s neighbors. Since 2017, Ankara has also cooperated enthusiastically with U.S. adversaries such as Russia, Iran, and Venezuela, while serving as a sanctuary for Hamas and turning a blind eye to

terror financiers associated with al-Qaeda and the Islamic State.²⁸² Erdogan has deployed Turkish military and proxy forces across the Eastern Mediterranean and Middle East to challenge the United States, its NATO allies, and their regional partners. He has also taken U.S. citizens hostage as bargaining chips in negotiations with Washington. This pattern of hostility has set Ankara and Washington on a collision course.

Failing to recognize Erdogan's deep-seated hostility, President Trump sought to mend the U.S.-Turkish relationship via frequent personal communication with Erdogan and expressions of solidarity. The two presidents, their in-laws, and their business associates have maintained close ties dating to the construction of Trump Towers Istanbul, which opened in 2012. These personal channels often displaced formal diplomatic mechanisms.²⁸³ Still, Trump occasionally pushed back against Erdogan via threats, short-lived sanctions, or other punitive measures, including tariffs and Treasury designations.

In 2017, at Erdogan's behest, Trump sought to persuade the Department of Justice to drop the prosecution of Reza Zarrab, a Turkish-Iranian gold trader who orchestrated one of history's largest sanctions-evasions schemes, which illicitly transferred tens of billions of dollars to Tehran. The prosecution went forward, however, leading Zarrab to plead guilty and implicate Erdogan.²⁸⁴

Turkish leaders sought to secure Zarrab's release before the trial by borrowing the Iranian tactic of taking American citizens hostage, including a North Carolina pastor, a NASA scientist, and a chemistry professor.²⁸⁵ Trump seemed amenable to trading Zarrab for the pastor, Andrew Brunson, yet a congressional backlash ultimately led Trump to impose sanctions on two Turkish ministers, which secured Brunson's release.²⁸⁶

Despite Zarrab's plea and the related conviction of a senior executive at Halkbank, a state-run enterprise, the U.S. government has yet to fine the Turkish lender, whereas it imposed massive fines on European banks for similar offenses. The Department of Justice also pressured federal prosecutors to sign a non-prosecution agreement with Halkbank and grant immunity to suspects, which delayed the bank's criminal prosecution until October 2019.

Adding to the tension, Erdogan sent Turkish troops into northeast Syria to attack the predominantly Kurdish Syrian Democratic Forces (SDF), a key U.S. ally in the campaign against the Islamic State.²⁸⁷

The Kurdish component of the SDF, the People's Protection Units (YPG), grew out of the Kurdistan Workers' Party (PKK), a U.S.-designated foreign terrorist organization that has fought the Turkish state for over 30 years. The YPG's ties to the PKK are a cause of concern, yet Erdogan's hostility also reflects his need to distract attention from his government's corruption, economic failures, and suppression of dissent.

In both 2018 and 2019, Trump announced a full withdrawal of U.S. troops from Syria shortly after phone calls with Erdogan.²⁸⁸ Under pressure from both his own advisers and Republicans in Congress, Trump partially reversed his decisions, yet the October 2019 withdrawal order gave a de facto green light to Erdogan's intervention, which entailed atrocities against civilians and enabled the return of Russian forces to northeast Syria.

ASSESSMENT | TURKEY

U.S. national interests suffered repeatedly over the past four years because of Trump's personal relationships with autocrats such as Erdogan.

Erdogan's unusual access to Trump only emboldened the Turkish leader, leaving him with the impression he could rely on his personal rapport with the president to provide him with a measure of impunity vis-à-vis Congress and U.S. law. Trump's emphasis on interpersonal relations also encouraged Erdogan to pour millions of dollars into hiring Washington lobbyists to curry favor.²⁸⁹

The events of the past four years suggest that the most effective means of reversing Erdogan's hostile courses of action – if only temporarily – is to threaten or employ punitive measures within the context of a coherent bilateral policy. When Trump demanded the unconditional release of Pastor Brunson and followed up with sanctions on two ministers, the Turkish justice system suddenly called off its farcical prosecution and set Brunson free. When the United States employed sanctions in response to Erdogan's intervention in northeast Syria, the Turkish leader restricted the scope of his offensive.

Although Erdogan's hostage diplomacy has waned, one of his prisons still holds Metin Topuz and Nazmi Mete Canturk, two Turkish nationals who worked at the U.S. Consulate General in Istanbul.²⁹⁰ The legal harassment of State Department employees continues to undermine the security and morale of U.S. consular workers abroad.²⁹¹

While the prosecution of Halkbank is finally going forward, Trump reportedly negotiated with Erdogan to ensure a lenient fine, which has only encouraged further noncompliance.²⁹² Since 2017, Turkey has become one of the key hubs for the sale of sanctioned Venezuelan gold and for the Maduro regime's illicit finance network.²⁹³

Erdogan also exploited Trump's permissiveness toward Ankara's purchase of Russian military hardware in violation of the Countering America's Adversaries Through Sanctions Act (CAATSA). The most high-profile violation of that law was Turkey's purchase of the Russian S-400 surface-to-air missile system in 2017. Following Turkey's receipt of its S-400 batteries in July 2019, the Trump administration imposed no sanctions but blocked the delivery of F-35 stealth fighter jets to Turkey and stopped training Turkish F-35 pilots.²⁹⁴ Unsatisfied, Congress added provisions to the annual defense authorization bill qualifying Turkey's purchase of the S-400 air defense system as a "significant transaction" under CAATSA and requiring the president to sanction Ankara.²⁹⁵ Despite Trump's threats to veto the bill, the House of Representatives and Senate passed the legislation with veto-proof majorities. Three days later, the Trump administration imposed CAATSA sanctions, introducing a ban on U.S. export licenses against Turkey's defense procurement agency.²⁹⁶

With regard to the Eastern Mediterranean, Turkey's aggression continues. Guided by the revisionist "Blue Homeland" doctrine, Ankara has explored for gas in waters claimed by Cyprus and Greece, deployed Islamist proxies to Libya, and coerced Tripoli into signing an accord that recognizes Turkish claims to Egyptian and Greek waters.²⁹⁷ Congress responded by authorizing an end to the U.S. arms embargo on Cyprus, which the secretary of state partially lifted shortly before visiting Nicosia in September.²⁹⁸ Congress also passed the bipartisan Eastern Mediterranean Security and Energy Partnership Act, mandating closer coordination with Cyprus, Greece, and Israel, and spurred the administration to take Erdogan's provocations more seriously.²⁹⁹ Still, the administration was slow to mobilize a broader diplomatic coalition to show Erdogan that pursuing his irredentist claims will result in isolation.

RECOMMENDATIONS | TURKEY

- 1 Support democracy and human rights in Turkey.** Erdogan faces a vibrant democratic opposition that decisively won the last round of municipal elections. Washington should allocate additional resources for building the institutional capacity of Turkish civil society organizations and should issue Global Magnitsky sanctions on egregious violators of human rights. Washington should also continually raise the issue of Ankara's mistreatment of its own citizens and relentless assault on their civil liberties.
- 2 Resist Erdogan's hostage diplomacy.** Washington should pressure the Turkish president to release the two remaining U.S. consular employees and should deter Ankara from similar legal harassment of U.S. nationals and employees on frivolous terrorism and espionage charges. Washington should also work with NATO allies to devise a concerted response to counter the Erdogan government's attempts to extract concessions by holding Western nationals and employees hostages.
- 3 End political interference in the legal process against Halkbank so it can proceed on the merits.** Treasury must follow up on the federal cases against Halkbank and its deputy general manager by imposing a fine proportionate to the underlying crimes. The prosecution of additional conspirators, as well as the designation of implicated Turkish officials, would also send a strong message.
- 4 Pressure Ankara to abandon the sanctioned Russian hardware it received in July 2019, namely the S-400 air defense system.** Washington should encourage Turkey to select a replacement built by NATO allies.
- 5 U.S. authorities should strictly enforce CAATSA sanctions imposed in December, to prevent the Erdogan government's attempts to exploit loopholes.** Washington must keep Ankara out of the F-35 program to avoid the security risks posed by the potential co-location of the stealth fighters and the S-400 system. Washington must also accelerate the removal of Turkish entities from the F-35 supply chain.
- 6 Deepen energy and security cooperation with allies and regional partners in the Eastern Mediterranean.** The incoming administration should appoint a special envoy for the Eastern Mediterranean to work closely with the Eastern Mediterranean Gas Forum as a counterweight to Erdogan's disruptive policies.
- 7 Work with the European Union to devise coordinated sanctions against Turkey's violations of its neighbors' maritime borders.** Such sanctions could help discourage Ankara from escalating tensions in the Eastern Mediterranean and derailing ongoing energy projects. Washington should also facilitate diplomatic talks between Turkey and its neighbors and provide incentives for Ankara to join the ongoing energy cooperation in the Eastern Mediterranean.
- 8 Encourage Turkey to pursue the Kurdish peace process.** The United States should work with its European partners and use transatlantic leverage over Ankara as well as the PKK and its affiliates to facilitate the Kurdish peace process within Turkey.
- 9 Help find a modus vivendi between Turkey and the Syrian Kurds.** Washington should facilitate further talks between the YPG's political wing, the Democratic Union Party, and the pro-Kurdistan Regional Government Kurdish National Council to strengthen relations between Syrian and Iraqi Kurds, which would also help build confidence with Ankara. Such an approach would enable Syrian Kurdish forces to remain focused on preventing an ISIS resurgence and would remove incentives for Erdogan to court the Assad regime as a partner against the Syrian Kurds. This approach would also help reverse Ankara's growing diplomatic and military coordination of its Syria policy with Russia.

10 Address corruption and strengthen the rule of law in Turkey by making U.S. economic support contingent on Turkish domestic reforms. Washington should avoid funding Erdogan’s reckless economic policies by offering a swap deal between the Federal Reserve and Turkey’s central bank or by providing funds from the U.S. Treasury’s Exchange Stabilization Fund. Instead, the incoming administration should urge Ankara to sign an Extended Fund Facility with the International Monetary Fund, preconditioned on good governance, thereby requiring the Turkish government to undertake reforms to improve Turkey’s accountability, transparency, and commitment to the rule of law.

YEMEN

Varsha Koduvayur

CURRENT POLICY | YEMEN

In Yemen, the Trump administration’s policy had two broad objectives. One was providing strong support to the Saudi-led war against the Iranian-backed Houthi rebels, who toppled Yemen’s internationally recognized government in 2014. The other was conducting counterterrorism operations, often in cooperation with the United Arab Emirates, against the Yemen-based terrorist group al-Qaeda in the Arabian Peninsula (AQAP) as well as the Yemeni affiliate of the Islamic State. As the war against the Houthis descended into a stalemate, resulting in a high number of civilian casualties and one of the world’s worst humanitarian disasters, the administration came under mounting congressional pressure to end all support for the Saudi campaign – which the administration largely resisted.

Since their intervention began in 2015, with support from the Obama administration, the Saudis have mostly conducted military operations from the air. The Saudi air campaign has been deeply flawed. It has seen errant and deliberate strikes against what appeared to be largely civilian targets, including hospitals, schools, markets, funerals, and wedding parties. UN investigators accused the Saudis (as well as the Houthi rebels) of committing war crimes, while human rights groups suggested that the United States could be held complicit for providing arms to the kingdom.³⁰⁰

After the October 2018 murder in Istanbul of U.S.- based journalist Jamal Khashoggi by an official Saudi hit team, congressional opposition to the Yemen war escalated significantly. Despite administration efforts to stem the anger by ending U.S. refueling operations for Saudi aircraft, Congress in April 2019 passed a bipartisan resolution to cease all U.S. support for the Saudi-led campaign against the Houthis, including advising, intelligence, logistics, and weapons sales. Trump not only vetoed the measure, but a month later, in May 2019, issued a controversial emergency authorization to sell Saudi Arabia and the United Arab Emirates another \$8.1 billion in offensive weapons.³⁰¹

The administration argued that despite the war’s tragedies, the United States should not abandon a longtime partner seeking to prevent the establishment of an Iran-backed terrorist state on its southern border. Over the course of the war, the Houthis have launched hundreds of Iran-supplied ballistic missiles and armed drones against the kingdom, even targeting its capital, Riyadh, as well as an oil pipeline.³⁰²

Diplomatically, the administration backed a UN-led peace effort that in December 2018 produced the Stockholm Agreement, an interim deal that involved local ceasefires in key cities, increased humanitarian access, and prisoner exchanges but was never fully implemented. In 2019, the

administration reportedly established direct contact with the Houthis in an effort to promote a political settlement.³⁰³ The Saudis also stepped up their efforts to find a way out of the conflict, entering into direct discussions with the Houthis in the fall of 2019. After the COVID-19 outbreak, the Saudis declared a unilateral ceasefire in April 2020 in the hope of reviving peace talks but were rebuffed by the Houthis, leading within six weeks to another escalation in fighting. In late December, Riyadh brokered an end to months of infighting between its allies, the Yemeni government and southern separatists, culminating in a new cabinet with more equal representation of northern and southern Yemenis. As members of the new cabinet returned from Saudi Arabia, blasts shook Aden Airport moments after their plane touched down, killing 22 in an attack Riyadh attributed to the Houthis.³⁰⁴

In its final days, the Trump administration was considering designating the Houthis as a foreign terrorist organization, based on the group's attacks against civilian targets in Saudi Arabia. Opponents worried that the move could damage humanitarian efforts and negotiations to end the war.

ASSESSMENT | YEMEN

The Yemen war presented the Trump administration with few good options. Withdrawing U.S. support would have meant abandoning one of America's most important Middle Eastern partners and risking the consolidation on Saudi Arabia's doorstep of a Houthi proto-state beholden to Iran's Islamic Revolutionary Guard Corps (IRGC), with a large arsenal of ballistic missiles and drones – in essence, another Lebanese Hezbollah. Supporting the Saudis, however, meant U.S. complicity in the kingdom's inept prosecution of a costly and messy war that has resulted in large numbers of civilian casualties, widespread humanitarian suffering, and the increasing erosion of congressional support for Saudi Arabia and the U.S.- Saudi partnership.

For all its downsides, Trump's willingness to stand by the Saudis built trust with the kingdom and contributed to Riyadh's willingness to advance his policies in other important areas, including support for the historic peace treaties that its two Gulf neighbors, the United Arab Emirates and Bahrain, signed with Israel in September 2020. The administration could also credibly claim that its support helped the kingdom prevent the worst possible outcome from the standpoint of U.S. strategic interests: the establishment of an IRGC outpost on the oil-rich Arabian Peninsula, straddling critical maritime passages through the Red Sea.

Unfortunately, Trump's public handling of the issue made matters worse. Rather than focus on the threat posed to U.S. interests and values by Iranian and Houthi aggression, massive human rights abuses, war crimes, anti-Americanism, and anti-Semitism, Trump tended to explain his approach in purely transactional terms, repeatedly citing the fact that the Saudis spent billions of dollars on U.S. weapons.³⁰⁵ Comparatively, he rarely acknowledged the war's humanitarian toll, the need for improved Saudi targeting, or the imperative for a political settlement. Rather than addressing legitimate congressional concerns, Trump's style was largely to disregard them, thereby further enflaming opposition and anti-Saudi sentiment. In light of the war's significant costs and risks, both in human lives and geopolitically, a compelling case could be made that the United States should have been more engaged in helping advance a diplomatic settlement. Especially given the kingdom's own growing recognition that its interests require extracting itself from Yemen's military quagmire, the administration may have been better served by devoting greater priority to finding a political solution. Despite all of this, U.S. counterterrorism efforts in Yemen saw important successes. Even as U.S. airstrikes declined from a peak of 131 in 2017, U.S. and UAE operations continued to attrite AQAP's leadership and deny the group

further territory. Among the top commanders eliminated were Ibrahim al-Asiri, AQAP's chief bombmaker, in 2018; Jamal al-Badawi, who was involved in the USS *Cole* bombing, in 2019; and Qassim al-Rimi, the leader of AQAP, in 2020.³⁰⁶ The State Department warned that "AQAP retained areas of influence inside Yemen,"³⁰⁷ though the group was pushed back by Yemeni and UAE-supported security forces. Nevertheless, the threat of its resurgence remains. The AQAP-linked terrorist attack that killed three U.S. sailors in Pensacola was a potent reminder of the group's continued threat to the homeland.³⁰⁸

RECOMMENDATIONS | YEMEN

- 1 Intensify U.S. diplomatic efforts to reach a ceasefire and political settlement.** Given Saudi Arabia's growing interest in an exit strategy, new opportunities may exist for U.S. leadership, working closely with the United Nations, Saudis, Emiratis, other influential states in the region, Europe, and the warring Yemeni actors, to help reconvene serious negotiations. The Biden administration should consider designating a U.S. special envoy for Yemen. A sustained U.S. effort to advance a diplomatic solution, with full Saudi cooperation and backing, could also help mitigate growing congressional frustration.
- 2 Take seriously congressional concerns with the war and Saudi behavior, without abandoning Yemen to Iran or sabotaging the U.S.-Saudi relationship.** The Biden administration needs to work closely with Congress to recalibrate U.S. strategy. It should highlight the threats posed to critical U.S. interests by Iran and the Houthis, and the importance of the United States serving as a reliable ally that stands by longtime partners like the Saudis in containing Iranian imperialism. The administration should also emphasize Saudi Arabia's genuine interest in ending the war and promoting U.S. diplomacy to support a political settlement.
- 3 Increase efforts to improve Saudi targeting and reduce civilian casualties.** Though progress on this front has been woeful, the effort should continue. The shortcomings of the current U.S. program should be evaluated and necessary changes made to improve its effectiveness. The White House and U.S. military leaders should send a strong and consistent message to Saudi leadership that their efforts to prevent civilian casualties need dramatic improvement.
- 4 Maintain counterterrorism operations with Gulf allies.** The contingent of U.S. forces in Yemen plays a critical role in keeping AQAP, one of the world's most dangerous terrorist groups with ongoing ambitions to strike the United States, at bay and on the defensive. The small U.S. footprint is a relatively low-cost but highly effective means of defending vital U.S. interests and lives.

ARMS CONTROL & NONPROLIFERATION

Behnam Ben Taleblu and Andrea Stricker

CURRENT POLICY | ARMS CONTROL & NONPROLIFERATION

Over the past four years, the Trump administration demonstrated a readiness to walk away from arms control agreements whose strategic utility it questioned, especially when other parties were no longer compliant.

After several attempts to encourage Russian compliance with the Intermediate-Range Nuclear Forces (INF) Treaty, Washington formally left the treaty in August 2019. Moscow's violations included the development, testing, and deployment of prohibited missiles.³⁰⁹ Following the U.S. departure, NATO assigned "sole responsibility" for the treaty's collapse to Russia.³¹⁰ Then-Secretary of Defense Mark Esper said the United States plans to deploy ground-based intermediate-range missiles in Asia, but the Pentagon has not yet done so.³¹¹

In May 2020, the administration declared its intention to leave another Cold War-era agreement, the 34-member Open Skies Treaty (OST), again citing Russian violations.³¹² Despite meeting with the Russians in July, the United States exited the OST in November. At the time of this writing, New START, which is set to expire in February 2021, remains the only strategic-level arms control agreement in place with the Russian Federation. During fall negotiations between Washington and Moscow, the Trump administration appeared open to an extension, but the two sides were unable to reach an agreement.³¹³

The expected expansion of China's nuclear arsenal deepened U.S. hesitancy to commit to its own restrictions. Chinese military modernization increasingly challenges Washington's force planning and deterrence posture, creating an operational requirement for missiles previously banned by the INF Treaty.

The Trump administration also withdrew from the 2015 nuclear deal with Iran, formally known as the Joint Comprehensive Plan of Action (JCPOA). Instead, the administration pursued a "maximum pressure" strategy with the stated purpose of bringing Tehran back to the table to negotiate a better deal.³¹⁴ For their part, Iranian officials continued rejecting reengagement with America.

In 2018, Trump became the first sitting U.S. president to hold a summit with his North Korean counterpart and aimed for a denuclearization agreement. At the working level, the administration was unable to reach even the contours of a comprehensive agreement, reportedly due to Pyongyang's insistence on substantial sanctions relief in return for abandoning only certain nuclear facilities.³¹⁵ Despite the stalemate, North Korea abided by a temporary prohibition on long-range missile and nuclear tests, a moratorium whose utility rapidly diminished as short-range tests and long-range weapons development continued.³¹⁶

Washington reportedly explored the prospect of conducting a nuclear test of its own, both in response to U.S. allegations indicating Russia and China had conducted low-yield tests and to gain leverage in future arms control negotiations. This was in spite of the international norm against nuclear testing, established by the 1996 Comprehensive Test Ban Treaty, which the United States signed but has not ratified.³¹⁷

With regard to the Chemical Weapons Convention (CWC), the administration took only limited efforts to shore up the treaty in response to Russia's use of Novichok nerve agents against enemies of the state. In 2019, the United States imposed two rounds of sanctions on Moscow for a 2018 attack in the United Kingdom.³¹⁸ Unlike Europe, the administration did not sanction Russia for a second attack in August 2020. Nor did it fulfill its legal obligation to issue a determination regarding Moscow's culpability.³¹⁹ Moscow has exploited this inertia by attempting to obstruct efforts at the Organization for the

Prohibition of Chemical Weapons (OPCW) to hold Russia and Syria accountable for the use of banned chemical weapons.³²⁰

Despite the Trump administration's skepticism of multilateralism, Washington continued supporting certain international nonproliferation efforts, for example by remaining in forums such as the International Partnership for Nuclear Disarmament Verification even though Russia and China participate only as observers.³²¹

Finally, the U.S. response to the COVID-19 pandemic underscored major deficiencies in U.S. biological event preparedness.

ASSESSMENT | ARMS CONTROL AND NONPROLIFERATION

The Trump administration exited arms control and nonproliferation agreements where doing so could boost U.S. leverage with negotiating partners, shaking conventional wisdom about leaving such agreements.³²² Nonetheless, before withdrawing, Washington should both employ coercive diplomacy to push other parties to return to compliance, as well as conduct red-team exercises to prepare for and offset withdrawal-related fallout. The medium- to long-term costs of the Trump administration's approach remain to be seen and may be dampened by the Biden administration's stated intention to return to or extend select agreements.

To no avail, both the Obama and Trump administrations spent years engaged in compliance negotiations with Russia to save the INF Treaty. These efforts, along with the strength of the U.S. arguments for withdrawal, helped ensure NATO unity, despite the tumultuous relationship between Trump and his European counterparts. The administration also correctly identified OST as a stand-in for actual transparency.

China's development of INF-applicable ballistic and cruise missiles also spurred the American departure.³²³ The Trump administration endeavored to include China in negotiations for a trilateral nuclear reduction agreement, yet Beijing refused to participate in any such talks until Washington and Moscow further reduce their much larger nuclear stockpiles.³²⁴

Regarding Iran, the Trump administration framed its departure from the JCPOA as part of a larger coercive policy intended to secure a better deal. Rather than negotiate, Tehran aimed to outlast the Trump administration's pressure policy.³²⁵ In a bid for leverage, Tehran substantially re-grew its uranium enrichment program. As of November 2020, Iran's "breakout time," or the time required to produce adequate fissile material for one nuclear weapon, had dropped from seven to 12 months under the JCPOA to around 3.5 months.³²⁶

Critics insist that this reduction in breakout time demonstrates the failure of the administration's pressure policy,³²⁷ yet only 20 months have passed since the toughest sanctions returned and waivers permitting oil sales were revoked. As the JCPOA experience demonstrated, greater patience is necessary to secure meaningful concessions from a resolute rogue regime.

After his initial summit with North Korean dictator Kim Jong Un, Trump prematurely claimed to have resolved the North Korean nuclear threat. At their second summit, however, Trump walked away from the table after sensing that Kim wanted to secure economic relief in exchange for token nuclear concessions. Since then, the administration maintained an uneasy *détente* with Pyongyang, at the cost

of letting diplomatic pressure on Kim erode. All the while, according to a UN panel of experts, the regime persisted in circumventing UN sanctions.³²⁸

Despite various adversaries' nuclear advances, Trump's apparent interest in resuming nuclear testing was misguided because there are much better ways to demonstrate American military might. Appropriately, the administration's own Nuclear Posture Review called "on all states possessing nuclear weapons to declare or maintain a moratorium" on testing and specified no current technical need for explosive tests.³²⁹ Rather, the United States retains the ability to check the reliability of its nuclear forces through computational testing and experimental means.

Regarding the CWC, the Trump administration's failure to shore up global norms against the use of chemical weapons catalyzed Congress to advocate for penalizing Russia. Congressional initiatives included proposed Senate legislation, the passage of a bipartisan House resolution, and demands for executive action.³³⁰ With this opportunity, Congress may increasingly seek to reclaim its historical role as a shaper of U.S. nonproliferation policy.

Finally, despite the administration's development of a National Biodefense Strategy in 2018,³³¹ followed by an implementing directive from the president, the Government Accountability Office found that the U.S. biodefense enterprise still has "no clear processes, roles or responsibilities for joint decision making." America must better prepare for the next biological event, whether natural or intentional.³³²

RECOMMENDATIONS | ARMS CONTROL & NONPROLIFERATION

- 1 Extend New START and seek further agreements that are enforceable and verifiable.** China's nuclear weapons capacity is growing, but Washington should still be prepared to explore threat reduction and arms control measures with Beijing where possible. In the interim, the United States and Russia should agree to a modified extension of New START on an annual basis for up to five years, using this time to negotiate with Russia on a follow-on treaty for further reductions, assess Moscow's willingness to begin talks on new missile systems, and improve verification.
- 2 Capitalize on existing leverage to secure a better Iran deal.** The Biden administration should build on the existing U.S. sanctions architecture and attempt to expand a coalition for pressure with Britain, France, and Germany to elicit concessions from Iran, rather than offer premature concessions in a bid to restore Iranian compliance with the time-bound and flawed JCPOA. Washington, with its partners, should seek a broader deal that also addresses Tehran's missiles, arms transfers, and other malign regional activities.
- 3 Hold firm on demands for the complete denuclearization of North Korea, and close international sanctions gaps.** The United States should commit over the long-term to North Korea's full, complete, and verifiable denuclearization as the basis for negotiations, withholding sanctions relief until Pyongyang agrees to a rapid timetable for dismantlement and verification. In the meantime, Washington should seek additional UN blacklisting of North Korea sanctions violators and use diplomatic pressure and the threat of designations to convince other countries to crack down on Pyongyang's illicit activity.
- 4 Do not resume U.S. nuclear weapons testing.** U.S. nuclear testing would risk destroying carefully built international norms and invite reciprocal testing by China and Russia. For now, the United States should continue tracking any low yield testing efforts by China and Russia and address potential violations through diplomatic means.

5 Strive for uniform enforcement of global nonproliferation rules. Washington should provide conventional means of assurance to partners in the Middle East and Northeast Asia who are under threat from revisionist powers, to discourage them from hedging by exploring nuclear weapons capabilities.³³³

6 Strengthen the coalition to hold Russia and Syria accountable at the OPCW. This is an important opportunity to show that multilateral organizations are capable of enforcing global norms.

7 Aggressively fund biological event preparedness efforts and implement a holistic U.S. health security strategy. In line with the 2018 National Biodefense Strategy, Washington should ensure the biological event preparedness enterprise is adequately governed and resourced and ensure well-coordinated national efforts to identify and respond to outbreaks of disease.

8 Strengthen regional and homeland missile defense capabilities. Washington should both expedite the sale of missile defense systems to U.S. partners and better protect deployed American assets with layered missile defenses. To improve homeland missile defense against evolving threats, the United States should seek deployment of another radar system abroad and aggressively fund the development and deployment of Next-Generation Interceptors as part of its Ground-Based Midcourse Defense system.³³⁴

9 Continue to make the case for the expansion and better implementation of the Missile Technology Control Regime and the Hague Code of Conduct against Ballistic Missile Proliferation. Increased membership and adherence to voluntary regimes can help constrain the proliferation of missiles and delivery system technologies.

10 Strengthen Congress' oversight and substantive role in nonproliferation and arms control issues. U.S. policy is more effective when Congress has a say in nonproliferation and arms control policies, programs, and agreements. To that end, Congress should strengthen its ability to evaluate and oversee executive initiatives. The administration should seek to incorporate Congress in future negotiations and submit all such agreements for ratification as treaties.

CYBER

Samantha Ravich, RADM (Ret.) Mark Montgomery, Annie Fixler and Trevor Logan

CURRENT POLICY | CYBER

After the publication of the 2018 National Cyber Strategy, the Trump administration pushed agencies across the U.S. government to develop strategies, policies, and programs that aligned with and supported the national strategy.³³⁵ Despite uneven implementation across the interagency and recent revelations about a devastating cyberespionage campaign against the public and private sectors, the federal government did improve its collaboration with industry, state and local governments, and allies and partners. Such cooperation is critical to deter, combat, and recover from catastrophic cyberattacks.

Under Trump, the Department of Defense (DoD) continued its improvement of cyber capabilities. In its 2018 Defense Cyber Strategy, DoD articulated a “Defend Forward” strategy to disrupt or degrade malicious cyber activity at its source.³³⁶ This proactive approach improved America’s position in the cyber battle-space by leveraging U.S. Cyber Command’s “persistent engagement” concept.³³⁷ The new

strategy also drew support from legislation that established cyber surveillance and reconnaissance as a traditional military activity, and from National Security Presidential Memorandum 13, which authorized offensive cyber operations.³³⁸ Despite the mandate to operate on non-U.S. networks, Defend Forward – as its name suggests – is a defense-oriented strategy, seeking to neutralize imminent threats before attacks are launched. DoD also invested in the defense of its own networks and provided increasing support to the Defense Industrial Base (DIB), while demanding that the DIB improve its own network and supply chain security.

On the civilian side, numerous federal agencies – identified as Sector Specific Agencies (SSAs) in Presidential Policy Directive 21, which focused on critical infrastructure security and resilience – leveraged their unique capabilities and relationships with private industry to improve the reliability of associated infrastructure. The Department of Homeland Security’s Cybersecurity and Infrastructure Security Agency (CISA) emerged as the leader of the federal effort to shore up communications infrastructure and was a prominent point of collaboration across the government and between the public and private sectors.³³⁹ Other agencies performed similar roles within their sectors: The Department of Energy (DOE), for example, ramped up its emergency response efforts through its Office of Cybersecurity, Energy Security, and Emergency Response and funded innovative cybersecurity research at the National Labs.

On the law enforcement side, federal agencies imposed costs on malicious actors through criminal prosecutions, asset freezes and seizures, and the destruction of operational infrastructure.³⁴⁰ These agencies also enhanced cooperation with state and local officials to defend networks and recover from attacks.

Internationally, the U.S. government had limited success in its efforts to secure global communications infrastructure through its Clean Network program.³⁴¹ This State Department-led initiative sought to build partnerships with industry and governments around the world to promote the use of equipment, software, cloud services, and other technology free from the Chinese Communist Party’s malign influence.

While cyberattacks continue unabated, there is now greater awareness not only of the scale of the threat, but of its nature as well. Following its official recognition in the 2017 National Security Strategy, the concept of “cyber-enabled economic warfare” has become widely accepted as the most apt descriptor of a significant component of adversary activity in cyberspace.³⁴²

Against this backdrop, the Cyberspace Solarium Commission (CSC), which Congress chartered in 2018 to develop a strategic approach to defend against significant cyberattacks,³⁴³ developed a new strategic approach: layered cyber deterrence.³⁴⁴ This strategy emphasizes investing in the security and resilience of the networks that underpin national critical infrastructure, improving public-private collaboration, and expanding Defend Forward’s focus to include all elements of government power. This layered approach will enable the United States to more effectively impose costs, deny benefits, and shape behavior in cyberspace.

ASSESSMENT | CYBER

While the Trump administration made strides to better defend military, civilian, and private-sector networks from malicious cyber actors, a lack of leadership at the national level undermined coordination and the implementation of the National Cyber Strategy.³⁴⁵ Public-private collaboration did not develop

sufficiently, with the government struggling to establish the shared analytical capabilities, information sharing instruments, and planning mechanisms necessary to support a collaborative environment. The performance of SSAs was inconsistent, leaving some sectors, such as water production and distribution, vulnerable to cyberattacks.

Other shortcomings were the result of insufficient resourcing. While CISA enjoyed important successes, it struggled to operationalize the National Cybersecurity and Communications Integration Center and stand up the National Risk Management Center. The former's mission is to analyze threats to cyber and communications infrastructure, develop shared situational awareness among partners and constituents, and lead the national response to cybersecurity incidents. The latter leads efforts to prioritize and manage risks to critical infrastructure. The administration and Congress did not properly resource the State Department's Cyber Deterrence Initiative, while DOD still sizes its Cyber Mission Force – the operational arm of U.S. Cyber Command – based on the mission set and threats from 2012 assessments.

The CSC identified the lack of leadership and resourcing as two of the central challenges impeding effective U.S. response to cyber threats.³⁴⁶ Leadership and proper resourcing are also essential to implement one of CSC's core recommendations: the development of a Continuity of the Economy (CotE) plan to reconstitute core economic functions in the aftermath of a cyber event that causes systemic disruption. During the Cold War, the United States developed contingency plans to ensure that essential government functions continued in the event of a nuclear exchange. In the digital age, a significant cyber event could have an equally disruptive effect on the American way of life, particularly if it results from a series of cyber-enabled economic warfare attacks.

The shortcomings of U.S. policy were particularly problematic in light of the persistent and increasing efforts of China, Russia, North Korea, Iran, and non-state actors to exploit network insecurity to steal, disrupt, destroy, or subvert U.S. critical infrastructure and supply chains. Information technology (IT) supply chain attacks are becoming more prevalent, with hackers leveraging the trusted access of third-party vendors to penetrate their clients' networks. While the U.S. government endeavored to educate the private sector about this threat, the widespread and long-term Russian intelligence operation exploiting IT provider SolarWinds revealed significant shortcomings in the government's own defenses.

Beyond cyberespionage, North Korea and Iran continued to use cyber operations to generate funds for their regimes and as a tool of coercion and deterrence against the United States and its allies. Russia and China also continued to conduct cyber theft, but the greater threat is their efforts to create the conditions to destabilize U.S. critical infrastructure during a crisis. Moscow uses cyber and information operations to undermine Western institutions, and Beijing's global campaigns undercut U.S. economic and strategic capabilities. Both countries are suspected of planting malware in critical infrastructure. The United States must thus understand cyberattacks as part of larger strategic goals and develop policies to address these broader challenges rather than behavior exclusively in the cyber domain.

The COVID-19 pandemic demonstrated the far-reaching impact of major disruptive events on the lives of all Americans. The challenges government agencies experienced in responding to the non-traditional national security threat of the pandemic are likely to be repeated when mitigating or recovering from the disruptions caused by a significant cyber event.

RECOMMENDATIONS | CYBER

1 Properly organize and resource the government. Congress and the Biden administration should better organize and resource the government to implement layered cyber deterrence. Specifically:

- The White House needs a national cyber director (NCD) to implement the National Cyber Strategy and lead policy development in collaboration with the private sector and allies and partners. Unlike the previous cyber coordinator position, which the Trump administration eliminated, the NCD should report directly to the president (not the national security advisor) and be empowered to ensure federal agency implementation of the president's strategy and policies, to lead interagency cyber contingency planning and incident response, and to convene senior official meetings. An NCD will better position the government to assess the scope of hacking campaigns like SolarWinds, rapidly attribute their sources, and respond appropriately.
- Congress should increase CISA's funding for administrative and programs support, codify its responsibilities in identifying, assessing, and managing national and sector-specific risks, and establish its ability to "threat hunt" on the ".gov" domain, which might have helped detect the SolarWinds breach sooner.
- The State Department needs an assistant secretary for cybersecurity and emerging technologies (CSET) and resources for the Cyber Deterrence Initiative.
- DoD needs to conduct a force structure assessment of the Cyber Mission Force to ensure it has the appropriate resources and personnel in light of growing mission requirements and increasing threats.

2 Build national critical-infrastructure resilience. The federal government should establish a critical infrastructure resilience strategy and codify its own responsibilities for both national and sectoral (that is, energy, financial services, water, et cetera) risk management. These steps will support the development of a CotE plan. An infrastructure resilience strategy and CotE plan would then analyze the critical functions that support large sections of the economy; prioritize functions for response and recovery efforts; and assess how best to preserve the data upon which those systems rely.

3 Enhance public-private collaboration. The U.S. government should develop a system (like the "Joint Collaborative Environment" described in the CSC report) to collect and share threat information across government and with industry. Strengthening CISA's integrated cyber center and creating a new Joint Cyber Planning Office within CISA will enhance shared analysis of threat information and will enable joint development of plans, procedures, and playbooks to defeat adversarial campaigns.

4 Synchronize efforts with allies and partners. The Biden administration should continue to improve the government's capacity to rapidly share information with allies and partners on malicious activity, including attributing attacks, and taking actions to prevent the activity. This effort should also include working together to establish international norms and, within standard-setting organizations, to develop transparent, rules-based approaches to the management of technology-based systems. An assistant secretary of state for CSET would help enable these efforts.

5 Support a better cyber ecosystem. The federal government should help increase the overall security of the cyber ecosystem by:

- developing a Bureau of Cyber Statistics to collect and assess data to inform policymaking and government programs;
- establishing a National Cybersecurity Certification and Labeling Authority for information and communications technology products;
- creating a Cyber Insurance Certification Institute to work with state-level regulators to develop certifications for insurance products;
- incentivizing small and medium-sized businesses and local governments to use secure, cost-effective cloud services; and
- establishing and seeking long-term funding for a DOE-wide AI Capability center tasked with collecting and disseminating cybersecurity best practices for AI, a necessity for this burgeoning field.³⁴⁷ DOE and its 17 National Labs are best positioned within the government to expand both the science and the cybersecurity best practices of AI to build a more secure cyber ecosystem.

DEFENSE

Bradley Bowman

CURRENT POLICY | DEFENSE

The Trump administration's National Defense Strategy (NDS) made clear in 2018 that "long-term strategic competitions with China and Russia are the principal priorities" for the Pentagon.³⁴⁸ The NDS accepted that deterring rogue states and defeating terrorists remained part of the Defense Department's mission, but suggested the United States had expended scarce time and resources fighting secondary threats.

While the Obama administration's 2014 defense strategy emphasized "rebalancing to the Asia-Pacific," it underestimated the severity of the challenges presented by Beijing and Moscow and did not make great power competition the explicit priority.³⁴⁹ Furthermore, both the Obama administration and Congress consistently failed to provide the U.S. military the timely, sufficient, and predictable funding necessary to conduct operations, maintain readiness, and modernize forces.³⁵⁰ Accordingly, the Pentagon confronted a dangerous readiness crisis in 2017.³⁵¹

Meanwhile, Moscow and Beijing worked to modernize their forces and develop new ways to overcome the United States and its allies on the battlefield.³⁵² "The security and wellbeing of the United States are at greater risk than at any time in decades," warned the bipartisan, congressionally mandated National Defense Strategy Commission in its November 2018 report.³⁵³

To address this increasingly dangerous situation, the NDS declared that the Department of Defense must build a more ready and lethal force able to "deploy, survive, operate, maneuver, and regenerate" in all domains – not just air, land, and sea but also space and cyberspace.³⁵⁴

Anticipating the cost of recovering lost advantages, the Trump administration worked with Congress to raise the Pentagon's budget from \$606 billion in 2017 to \$671 billion the next year, yielding inflation-adjusted growth of 8.2 percent. Modest real growth followed in the next two years; President Trump's final budget request did not keep up with inflation.³⁵⁵

With an emphasis on space and cyberspace, the administration undertook significant reforms to the Department of Defense's structure. This included elevating U.S. Cyber Command to a unified combatant command in May 2018.³⁵⁶ Notably, however, this step did not prevent a devastating cyber operation against the United States that was revealed to the public in December 2020.³⁵⁷

The administration also created U.S. Space Command in August 2019 and established the U.S. Space Force in December 2019. The establishment of the Space Force gave rise to the first new military branch since the creation of the Air Force in 1947.³⁵⁸

In recognition of the growing technological prowess of potential great power adversaries and the changing character of warfare, the Trump administration prioritized military research and development (R&D), with the Pentagon submitting its largest R&D budget request ever for fiscal year 2021.³⁵⁹

Questions linger, however, about whether the current Pentagon R&D spending is sufficient.³⁶⁰ China's share of global R&D rose from 4.9 percent to 26.3 percent from 2000 to 2018, while the U.S. share fell from 39.8 percent to 27.6 percent during the same period.³⁶¹ Key Pentagon R&D areas include « Hyper-Sonics, artificial intelligence, quantum science, biotechnology, directed energy, microelectronics, and 5G networks,» according to former Secretary of Defense Mark Esper.³⁶²

To ensure the U.S. military can effectively employ such capabilities once fielded, the Pentagon also sought to develop a new warfighting doctrine that seeks to link every sensor, system, and weapon into a seamless network that can expeditiously detect threats, determine how to respond, and deliver the necessary munitions.³⁶³ Overall, extensive work remains necessary to restore U.S. military advantages; the success of these efforts will determine the outcome on future battlefields.

ASSESSMENT | DEFENSE

The Trump administration inherited a U.S. military in desperate need of both conventional and nuclear force modernization and suffering from one of the worst readiness crises in years. Many worried about the growing military power of China, but Washington had no effective consensus on defense priorities.³⁶⁴

To its credit, the Trump administration shifted the Pentagon's focus to great power competition and worked with Congress to obtain increased funding³⁶⁵ to improve readiness and initiate the most significant U.S. military modernization effort in decades.

In March 2020, Army leaders testified that the service had “successfully rebuilt tactical readiness,” reporting that 74 percent of active-duty brigade combat teams (BCTs) had reached the top levels of readiness.³⁶⁶ Three years earlier, the Army vice chief of staff testified that only three out of 31 active-duty BCTs “could be called upon to fight tonight in the event of a crisis.”³⁶⁷

In addition, the Army established six modernization priorities and more than 30 associated R&D programs that focused on new missiles, combat vehicles, helicopters, networks, air defense systems, and individual soldier weapons.³⁶⁸ Still, in March 2020 congressional testimony, Army leaders cautioned that the service will require “time and patience” as well as “timely, adequate, predictable, and sustained funding” to field these new capabilities.³⁶⁹

Unfortunately, time is short. Indo-Pacific Command assessed in early 2020 that the military balance of power with China continues to become “more unfavorable.” The command warned that the United States is “accumulating additional risk that may embolden our adversaries to attempt to unilaterally change the status quo before the U.S. could muster an effective response”³⁷⁰

The Trump administration sought and received significant defense funding increases for 2018 to strengthen the U.S. military, but real growth in the defense budget was negligible or nonexistent since then – falling well short of the 3 to 5 percent real annual growth recommended by the bipartisan National Defense Strategy Commission.³⁷¹

To make an effective case for robust defense spending, the Pentagon will need to exercise strong financial stewardship³⁷² and resolve lingering audit challenges.³⁷³ That would help undercut the fiction

that cutting Pentagon waste and inefficiency can yield massive savings that safely enable large cuts in defense funding.

The Pentagon will certainly need robust funding to address continued challenges in the Air Force and Navy without dangerously slashing the size of the Army.³⁷⁴

Despite improvements since 2017, the Air Force’s inventory of aircraft remains too small, too old, and too busy – consistently struggling to achieve adequate aircraft mission-capable rates.³⁷⁵ Similarly, America’s naval fleet is far too small, lacking the capability and lethality that the United States will need to deter and potentially defeat an increasingly capable Chinese military.³⁷⁶ With approximately 85 percent of the joint force based in the continental United States, the Department of Defense lacks sufficient air refueling and sealift capacity; this endangers its ability to deploy forces with sufficient speed in a contingency.³⁷⁷ Additionally, it remains to be seen whether the Space Force will add military capability or simply redundant bureaucratic infrastructure.

Despite significant progress in building combined readiness with America’s allies and partners at the tactical and operational levels, President Trump pursued a number of burden sharing efforts and military withdrawals that have damaged America’s strategic alliances and security.³⁷⁸

At home, in an action that damaged civil-military relations, Trump used the National Guard on June 1, 2020, to aggressively clear from Lafayette Park peaceful protesters exercising their constitutional rights.³⁷⁹

RECOMMENDATIONS | DEFENSE

1 Maintain robust defense funding. To fund current operations, advance vital modernization programs, and avoid a repeat of the 2017 readiness crisis, the Biden administration should seek real growth in the defense budget each year. This level of defense funding is both necessary and affordable.³⁸⁰

2 Solidify America’s alliances. The Biden administration should seek to heal and strengthen alliances that have been damaged in recent years, with a particular focus on NATO. The Biden administration should halt most of the Trump administration’s military withdrawal plans from Germany and task the Pentagon with conducting a new assessment of the U.S. military posture required in Europe with a focus on readiness, alliance unity, and deterrence.³⁸¹ That said, the incoming administration should continue to push allies to invest more in defense while jettisoning Trump’s ill-advised approach to “burden sharing” with countries such as Germany and South Korea.³⁸²

3 Strengthen defense R&D with allies. The United States confronts an intense military technology competition with China and Russia. To win this competition, the Biden administration should establish more effective and systematic military R&D partnerships with tech-savvy democratic allies. That should include a U.S.-Israel Operations-Technology Working Group,³⁸³ authorized in Section 1299M of the National Defense Authorization Act for Fiscal Year 2021.³⁸⁴

4 Strengthen U.S. military posture in the Indo-Pacific. The growing military capabilities of China’s People’s Liberation Army require the United States – along with regional allies and partners – to undertake a series of doctrinal developments, capability investments, and posture adjustments in the Indo-Pacific.³⁸⁵ The Biden administration and Congress should fully support and fund the Pacific

Deterrence Initiative, which would help address a number of serious shortfalls in the region, including those related to infrastructure and logistics.³⁸⁶

5 Avoid timeline-based withdrawals from the wider Middle East. The Trump administration initiated timeline-based troop withdrawals in Afghanistan, Iraq, and Syria that dangerously ignored the advice of commanders, persistent threats, and conditions on the ground. The Biden administration should halt ongoing withdrawals from the wider Middle East and conduct a thorough review of what force posture U.S. interests require in each country.³⁸⁷ A terrorist surge resulting from the withdrawals would not only endanger Americans but would also jeopardize efforts to prioritize the long-term threat posed by China.³⁸⁸

6 Continue robust arms sales programs. The Biden administration should continue and expand arms sales where it serves U.S. interests,³⁸⁹ including to NATO partners in Europe and to partners such as Taiwan³⁹⁰ and India in the Indo-Pacific. In the Middle East, Washington should seek to build a more unified and militarily capable coalition to check the Islamic Republic of Iran, while preserving Israel's qualitative military edge and adhering fully to the law.³⁹¹

7 Improve America's missile defense capabilities. The missile threat to the United States and its deployed forces continues to grow.³⁹² The Biden administration should sustain efforts to strengthen American homeland and theater missile defenses. That should include continued improvements to the Ground-Based Midcourse Defense system, as well as efforts to capitalize on the successful November 2020 test of a Standard Missile-3 Block IIA interceptor against an intercontinental ballistic missile.³⁹³ Congress should also support U.S. Indo-Pacific Command's request for a "360-degree persistent and integrated air defense capability in Guam."³⁹⁴

8 Continue modernizing the U.S. nuclear triad. As Russia and China modernize their nuclear triads, the Pentagon is undertaking a vital and long-overdue effort to modernize all three legs of America's nuclear triad, including the Ground-Based Strategic Deterrent, the B-21 bomber, and the Columbia-class submarine.³⁹⁵ The Biden administration should continue these modernization efforts and Congress should provide the necessary funding.³⁹⁶

ENERGY

Brenda Shaffer

CURRENT POLICY | ENERGY

A mega-shift in the geopolitics of energy took place over the last decade, as the United States ascended to the position of top global oil and natural gas producer. From 2008 to 2018, U.S. oil production more than doubled, and the United States transitioned from a net natural gas importer to a net exporter.³⁹⁷

However, this change has not eliminated the need for Washington to have an international energy policy. The oil market crash of spring 2020 illustrated that oil prices still have a major impact on the U.S. economy; low prices that hurt American producers are now as much of a threat as high prices were in the past.

The Trump administration, including the president himself, attempted to influence the production policies of major oil exporters – primarily Saudi Arabia and Russia.³⁹⁸ The administration aimed to maintain the international oil price within a band high enough to maintain U.S. oil production but low enough not to trigger a U.S. or global recession. The target was approximately \$40 to \$55 per barrel.

At different times, President Trump encouraged Saudi Arabia to increase or reduce oil production and to forge agreements with Russia and other producers in an effort to keep global prices within the target band. Still, the global oil price was low enough to cause bloodletting among U.S. shale producers and thus harm the U.S. industry, which was a goal of both Saudi Arabia and Russia. However, prices are now on an upward trajectory as the market anticipates the large-scale deployment of COVID-19 vaccines.³⁹⁹ Rising prices will likely spur a modest return of some U.S. oil production.

With regard to natural gas, the administration both intensively promoted exports of U.S.-produced liquid natural gas (LNG) and continued previous administrations' efforts to shape international pipeline projects to improve the energy security of U.S. allies, especially in Europe. The administration also reduced bureaucratic impediments to American LNG exports and frequently encouraged allies to purchase those exports.⁴⁰⁰

Like its predecessors that sought to reduce Europe's dependence on Russian gas and bolster the independence of the former Soviet states, the Trump administration supported a two-pronged policy on pipelines to Europe. The first prong was the establishment of the Southern Gas Corridor from Azerbaijan to Europe as part of the east-west Caspian energy corridor.⁴⁰¹ In parallel, the United States adamantly opposed the establishment of new pipelines supplying Russian gas to Europe, including Nord Stream 2 and the proposed expansion of TurkStream. To promote the Southern Gas Corridor, U.S. officials worked with European counterparts to solve regulatory and geopolitical bottlenecks in Italy and continued to give high-level political support to the project.⁴⁰² Aiming to block the completion of Nord Stream 2, which would supply gas directly from Russia to Germany rather than via transit states, the administration threatened severe sanctions, and Congress enacted additional sanctions as part of the latest defense spending bill.⁴⁰³

Finally, the Trump administration – especially the Department of State's Bureau of Energy Resources – promoted energy cooperation in the Eastern Mediterranean basin. However, conflict has recently emerged between several U.S. allies in the region. The conflict is about sovereignty but is being manifested through maritime drilling attempts and efforts to block them. The Trump administration sponsored maritime conflict prevention talks between Lebanon and Israel but not between Turkey and Cyprus and Greece, whose conflict continues to develop. Likewise, the administration actively supported the East Mediterranean Gas Forum but did not invite Turkey to participate.⁴⁰⁴

ASSESSMENT | ENERGY

U.S. oil and natural gas exports have made a significant contribution to global energy security, increased liquidity in key energy markets, and enabled access to natural gas for new importers. Over the last 25 years, Washington's bipartisan energy policy has led to the establishment of an east-west energy and transport corridor linking Europe to the Caspian. Russia's share in key gas markets such as Turkey has been reduced. Thus, Russia benefits from regional instability that could undermine the new supplies, such as the July 2020 military flare-up between Armenia and Azerbaijan, during which Yerevan, which shares a defense pact with Russia, attempted to seize hills above the corridor.⁴⁰⁵ Despite this escalation

and the full-scale Armenia-Azerbaijan war that broke out in late September 2020, the Southern Gas Corridor became fully operational at the end of 2020.⁴⁰⁶

It is good that Washington is still attentive to pipeline geopolitics in Europe, since U.S. LNG exports are not a cure-all for the energy security of America's allies. In most natural gas markets, these exports do not supplant pipeline supplies, mainly owing to the higher price of LNG compared to pipeline natural gas. Energy security demands security of supply but also security of price. Additionally, there are physical limitations in supplying LNG to landlocked countries and to regions entered via straits, such as the Bosphorus, that prohibit the entrance of LNG supply vessels. Intensive promotion of U.S. energy exports has also created the impression that Washington wants to capture markets for LNG exports more than it values energy security. For instance, some members of the German leadership see U.S. opposition to Nord Stream 2 as motivated by commercial self-interest, not only concern about Russia.⁴⁰⁷

The National Defense Authorization Act for Fiscal Year 2021 expanded sanctions designed to prevent the completion of Nord Stream 2. Yet the incoming administration will likely waive the sanctions, seeking to mend fences with Berlin, which adamantly opposes U.S. sanctions against the project.

The Trump administration could have done more to defuse the conflict between its allies in the Eastern Mediterranean. Moscow is the main beneficiary of this infighting between U.S. allies. Washington should invest greater effort in defusing conflict between U.S. allies in the region, mainly Turkey, Greece, and Cyprus.

Trump's attempt at direct intervention in the global oil market likely did not substantially affect Saudi or Russian oil supply policy decisions. Both already had an interest in stabilizing the market. U.S. sanctions dramatically reduced Tehran's export volumes. In 2020, the absence of Iranian supplies did not meaningfully impact prices, due to the significant loss in demand caused by COVID-19 lockdowns. As oil prices rise, however, this is likely to change.

The Trump administration rarely promoted climate change-aversion policies, yet the carbon intensity of the U.S. economy continued to decline.⁴⁰⁸ A major factor in this decline was the continued trend of switching from coal to natural gas in the U.S. power-generation sector. Likewise, despite a relative lack of high-level interest from the administration, U.S. renewable energy production and consumption reached a record high in 2019.⁴⁰⁹

RECOMMENDATIONS | ENERGY

1 Continue to support the unlocking of infrastructure bottlenecks in the United States to facilitate exports. Sustained high oil prices are likely during the first half of 2021 given the deployment of COVID-19 vaccines. High prices for oil and other commodities may usher in the end of the long-running trend of U.S. economic growth (which reversed temporarily during the COVID-19 lockdown periods).

2 Consider adopting a distinct policy toward natural gas rather than lumping it into policies aimed at reducing or eliminating the use of fossil fuels – namely, oil and coal – due to its dramatically lower pollution and climate impact. Switching from coal to natural gas has enabled the United States to drastically lower its greenhouse gas emissions and air pollution while also reducing energy costs. This is also the most efficient way for other countries to quickly reduce emissions and pollution in an affordable manner.

3 Continue to support the energy security of U.S. allies. These American efforts have achieved tremendous success, especially in Europe, where U.S. support shepherded in new gas supplies via the Southern Gas Corridor and U.S. LNG. Natural gas is complementary to current renewable energy technologies. Washington should continue to support projects that help Europe diversify its supply of natural gas.

4 With major international pipelines, actively protect gains achieved with the establishment of the Southern Gas Corridor, which is the East-West corridor from the Caspian Sea to Europe. The U.S. Department of Defense should study the 2020 war between Armenia and Azerbaijan, suggest ways to protect the corridor, and work with U.S. allies to do so.

5 Conduct a practical assessment of the threat posed by Nord Stream 2, the likelihood the project will be completed, and the risk sanctions pose to U.S.-Germany relations. Given that Berlin supports its completion, Washington would be better off accepting that outcome to help restore ties with Berlin.

6 Work to avert conflict between U.S. allies in the Eastern Mediterranean, especially between Greece and Turkey. The United States must leverage its strategic relations with all the actors in the Eastern Mediterranean to establish understandings on maritime delimitation and facilitate peaceful resolutions of the disputes.

HEZBOLLAH'S GLOBAL THREAT

Emanuele Ottolenghi

CURRENT POLICY | HEZBOLLAH'S GLOBAL THREAT

The Trump administration early on recognized the national security dangers posed by the convergence of organized crime and terror finance, and in particular the threat from Lebanese Hezbollah's global criminal syndicate. The administration undertook a number of important initiatives to disrupt Hezbollah's illicit operations.

At the center of Hezbollah's criminal enterprise is the group's Business Affairs Component, a branch of its External Security Organization, which is also in charge of overseas terror plots. On February 9, 2017, Trump signed an executive order⁴¹⁰ directing federal law enforcement efforts to combat Hezbollah's global illicit finance networks. In May 2020, to reduce money laundering risks, the Financial Crimes Enforcement Network also renewed its Real Estate Geographic Targeting Orders for 12 metropolitan areas in the United States,⁴¹¹ requiring title insurance companies to identify the individuals behind shell companies used in all-cash purchases of residential real estate.

The Trump administration also reinvigorated efforts to prosecute Hezbollah's global money laundering operations, especially after a *Politico* investigation in December 2017 found that the Obama administration had put the Drug Enforcement Administration's (DEA's) Hezbollah-focused Project Cassandra on the backburner. The Department of Justice (DOJ) ordered an inquiry into whether Project Cassandra had been stymied, and sought to revive it by creating a new DOJ task force of prosecutors. DOJ also designated Hezbollah as a transnational criminal organization in October 2018.⁴¹²

In 2017, Morocco arrested and extradited to the United States Kassim Tajideen, a top Hezbollah financier who was designated by the U.S. Treasury Department in 2009 and was wanted on fraud, money laundering, and terror finance charges. Tajideen pleaded guilty to one count of conspiracy to commit money laundering and was sentenced in 2019 to five years in prison. In May 2020, a federal judge ordered Tajideen's early release, ostensibly for health concerns arising from the COVID-19 crisis, but reportedly as part of a prisoner swap deal.⁴¹³ Two months later, he was deported to Lebanon.⁴¹⁴

Alongside concerted action against the terror group's financial flows, the administration aggressively pursued Hezbollah in the diplomatic arena, seeking to persuade allies to declare it a terrorist organization. Diplomatic efforts focused on helping allies build law enforcement capacity to increase the number of investigations overseas and facilitate cooperation among agencies tracking illicit finance.⁴¹⁵

In Latin America, the administration organized periodic summits,⁴¹⁶ as well as regular working groups and seminars, designed to bring together practitioners from the region. The events provided investigators, prosecutors, judges, and other members of law enforcement and intelligence agencies with enhanced opportunities to network and share information. The administration also increased the frequency of trips to the region by senior officials and more generally heightened the visible presence of U.S. law enforcement.

Finally, the president signed Executive Order 13318⁴¹⁷ in December 2017 to enforce the December 2016 Global Magnitsky Human Rights Accountability Act. He also signed the Hizballah International Financing Prevention Amendments Act (HIFPAA) in October 2018. Both measures were designed to strengthen policy and law enforcement actions against not just Hezbollah financiers and networks but also their enablers, including corrupt officials in foreign jurisdictions who facilitate Hezbollah's criminal and terror finance activities. Using HIFPAA, Magnitsky, and prior authorities, the administration continued to use sanctions to publicly identify Hezbollah cutouts both abroad and in Lebanon to constrain their ability to conduct financial activities on the terror group's behalf. The administration also designated Hezbollah's allies in Lebanon, sanctioning the country's outgoing Foreign Minister Gebran Bassil for corruption.⁴¹⁸

ASSESSMENT | HEZBOLLAH'S GLOBAL THREAT

The Trump strategy to isolate Hezbollah through diplomatic work with allies enjoyed important successes. At U.S. urging, Argentina, Colombia, Estonia, Germany, Guatemala, Honduras, Kosovo, Latvia, Lithuania, Paraguay, Slovenia, Serbia, Sudan, and the United Kingdom passed a groups and their members to outlawing all Hezbollah activities on their soil. They joined Canada, Israel, the Netherlands, the Gulf Cooperation Council, and the Arab League, all of which previously designated Hezbollah.

Unfortunately, the administration failed to persuade the European Union to extend its partial designation of Hezbollah to the entire terror organization. Nor was it able to convince close Latin American partners such as Brazil, Chile, Panama, and Peru, even though they are all theaters of ongoing Hezbollah illicit activities.

The Trump administration did make progress on the sanctions front. Some of its most important designations included two Lebanese financial institutions – Jammal Trust Bank and three of its subsidiaries (designated under E.O. 13224 on August 29, 2019), as well as Chams Exchange and its owner, Kassem Chams (designated under E.O. 13224 on April 11, 2019).⁴¹⁹ The administration also targeted suspected Hezbollah financier Mohammad Ibrahim Bazzi (who sued Treasury over his

designation.) While the Jammal Trust action marked the first time a Lebanese bank had been designated since 2011, it still left the bulk of Lebanon's troubled banking sector untouched. The administration instead pursued a largely unsuccessful strategy of cooperating with Lebanon's central bank to address the sector's massive exposure to Hezbollah's illicit activities.

On the law enforcement front, DOJ brought to fruition several ongoing investigations against suspected Hezbollah financiers. These investigations led to the arrest of multiple suspected Hezbollah External Security Organization operatives inside the United States⁴²⁰ and the extradition of two suspected Hezbollah financiers from Paraguay, along with the indictments of some of their U.S.-based co-conspirators.⁴²¹ An important case out of Florida's Miami-Dade County also received new momentum when Ghassan Diab, one of the three indicted co-defendants, was extradited from Cyprus in July 2020.⁴²²

While the administration's decision to revive Project Cassandra was commendable, it led to some sub-optimal results. DOJ's decision to create a task force of prosecutors was accompanied by a shift of authority over Hezbollah investigations from the DEA to the FBI. While the DEA remains heavily involved in targeting financial crimes linked to drug trafficking and money laundering, the shift (according to law enforcement officials) led to increased difficulties in information sharing. Trump's failure until May 2020 to appoint a new DEA administrator also hindered the agency's effectiveness.

The case of Kassim Tajideen – the Hezbollah financier released from jail just half-way through his sentence, likely as part of a prisoner swap, underscored the shortcomings of the administration's approach to prosecutions. He returned to a hero's welcome in Lebanon. His case illustrates the downsides of a strategy built on targeting white-collar crimes, which all too often results in long investigations that yield light sentences, frequently watered down by plea bargains. Rather than serving as an example to deter others from colluding with Hezbollah, the relative ease with which money launderers jump off the hook demonstrates little downside to working with the terror group.

RECOMMENDATIONS | HEZBOLLAH'S GLOBAL THREAT

1 Do not reinvent the wheel, but focus on achieving better results. The Trump playbook for fighting Hezbollah's global criminal networks does not lack inputs but is wanting in terms of outputs. Rather than creating a completely different strategy, the Biden administration should focus on making better use of the means already at hand to target the terror group's networks. Critically, the Biden administration should not repeat the mistake of the Obama administration: Pursuing Hezbollah terror financing should continue independent of diplomatic agreements with Iran and Lebanon.

2 Make more frequent Treasury designations. Targeting more entities and individuals requires strengthening the capabilities, including manpower, of Treasury's Office of Foreign Assets Control, Treasury's Terror Finance Intelligence unit, and the Department of State, which are chiefly responsible for these actions.

3 Target Lebanon's banking system more aggressively. Lebanon's economic collapse in 2020 underscored the extent to which the country's central bank is part of the problem, including when it comes to ridding its financial sector of abuse by Hezbollah's global criminal network. U.S. strategy should move toward a more sector-wide approach rather than targeting individual banks once every several years.

4 Make more extensive use of HIFPAA and executive orders in support of the Global Magnitsky Human Rights Accountability Act and against transnational organized crime. These authorities allow the United States to punish enablers and financial supporters not necessarily affiliated with Hezbollah who nevertheless act as facilitators through corruption and white-collar crime. The incoming administration should use these authorities to aggressively pursue Hezbollah and their global illicit financial network.

5 Provide more resources to DOJ to increase its investigative and prosecutorial capacity to pursue Hezbollah-linked cases. DOJ needs to ramp up indictments if it is to make a dent in Hezbollah's global money laundering networks. This cannot be achieved unless more resources are allocated to beef up investigations, including more personnel and better language training for field agents.

6 Revise laws regarding white-collar crime with a clear nexus to designated terrorist groups. For successful deterrence, those convicted of assisting Hezbollah's illicit financial flows need to receive longer jail sentences.

7 Increase diplomacy to convince more allies to issue meaningful terrorist designations of Hezbollah. Such efforts should focus on going beyond mere declarations that Hezbollah is a terrorist group. They must establish national legal frameworks that allow its networks to be targeted by law enforcement. With respect to the European Union, in particular, an effort to improve transatlantic relations could significantly increase U.S. leverage on this critical national security issue.

8 Focus on reducing interagency rivalries and maximizing information sharing. The challenges that affected the intelligence and law enforcement communities on the eve of 9/11, which also impacted the DEA's ability to pursue Hezbollah cases under Project Cassandra, continue to hinder information sharing across the board, diminishing the effectiveness of policy and prosecutorial actions against Hezbollah networks.

HUMAN RIGHTS

Tzvi Kahn, Alireza Nader, and Saeed Ghasseminejad

CURRENT POLICY | HUMAN RIGHTS

President Trump advocated an "America First" foreign policy that often downplayed the human rights abuses of both Washington's authoritarian allies as well as hostile regimes. Accordingly, the White House – with some notable exceptions – treated human rights as a distraction from America's true national interests.

Trump sent the wrong message to some of the world's gravest human rights violators. For example, Trump said he and North Korean leader Kim Jong Un "fell in love" after exchanging letters,⁴²³ and that Kim "loves his people."⁴²⁴ Trump called his Egyptian counterpart, Abdel Fattah al-Sisi, a "great president" who is "doing a great job."⁴²⁵ He described Turkish President Recep Tayyip Erdogan as a "friend of mine" who is "doing a very good job."⁴²⁶ Trump even called Chinese President Xi Jinping a "very, very good man."⁴²⁷ In response to a journalist who described Russian President Vladimir Putin as "a killer," Trump retorted, "There are a lot of killers. Do you think our country is innocent?"⁴²⁸

Nevertheless, Trump imposed sanctions and criticized human rights violations in Iran, Cuba, China, Venezuela, and North Korea. In the case of Syria, Trump ordered airstrikes against the Assad regime in 2017 and 2018 to punish it for attacking its own population with nerve agents. In the case of Saudi

Arabia, Trump imposed sanctions on key officials for the murder of *Washington Post* writer Jamal Khashoggi after bipartisan backlash to his initial downplaying of the killing.⁴²⁹ Of course, Trump declined to target the primary culprit in that murder: Saudi Crown Prince Mohammed bin Salman.

In the case of China, Trump imposed sanctions on Chinese officials for their role in concentration camps containing more than a million Uyghur Muslims in the Xinjiang region. Trump took this step after Congress in June 2020 overwhelmingly passed the Uyghur Human Rights Policy Act, requiring the president to impose sanctions. Trump said he refrained from sanctions until then for fear they would undermine a trade deal with Beijing.

In the case of the regime in Iran, the Trump administration consistently criticized the regime's systematic human rights abuses. This issue was often ignored by President Obama, who failed to support the 2009 Green Revolution. The Trump administration, by contrast, repeatedly expressed support for Iranian protesters.

The administration formalized its human rights policy by establishing a Commission on Unalienable Rights, which aims to enshrine "natural" human rights as an "urgent" priority of U.S. foreign policy.⁴³⁰ However, the commission focused on "principle, not policy" – leaving many important human rights challenges unaddressed.⁴³¹

Trump's approach to human rights was largely consistent with the foreign policy school of realism. This tradition emphasizes the centrality of states and power to international relations, a premise often leading to the conclusion that the pursuit of idealistic causes can prove impractical or counterproductive. To be sure, realism comes in many varieties, and self-described realists have been among the Trump administration's most vocal critics. Yet Trump's instincts on human rights exhibited decidedly realist characteristics.

ASSESSMENT | HUMAN RIGHTS

Even under the best of circumstances, the United States is likely to fall short of its ideals on human rights. Washington often must make difficult decisions regarding when to pressure both foes and allies and when to be more conciliatory. But the willingness to overlook or condone human rights abuses weakens U.S. credibility and promotes a moral relativism that undermines U.S. leadership.

In most cases, the Trump administration failed to achieve any discernible geopolitical benefits by ignoring human rights abuses. Nor did Trump's expressions of personal warmth for abusive leaders have a beneficial impact. North Korea clings to its nuclear arsenal while continuing to threaten and provoke its neighbors. Russia poisons domestic critics such as Alexei Navalny while bullying its neighbors and committing atrocities in Syria. Turkey's repressive policies at home endure, while its government aggravates conflicts across the Levant and Eastern Mediterranean.

But most cases are not all cases. Trump's dealings with the Gulf monarchies demonstrate why consistency may not always be the ideal policy with human rights. The United States traditionally relies upon Saudi Arabia, the United Arab Emirates, and other Sunni Arab regimes to counter Iran, ensure the unhindered flow of oil, and house American military bases. The Gulf monarchies also recently led the way in making peace with Israel. And while Saudi Arabia maintains several ugly black marks on its human rights record, the country has enacted reforms that have widely served to benefit its people.

It makes little sense for Washington to alienate these flawed friends the way it does with an avowed enemy regime such as Iran, Russia, North Korea, or China. These regimes engage in human rights abuses on an entirely different scale. Still, balancing human rights with the pursuit of other strategic objectives does not require a wholesale abandonment of human rights as a matter of principle and policy.

To his credit, Trump (albeit under political pressure) applied sanctions pursuant to the Global Magnitsky Human Rights Accountability Act against 17 Saudis who played a role in the Khashoggi murder. To his detriment, Trump issued evasive and misleading statements about the crown prince's likely foreknowledge of the crime.

Trump's obfuscatory statements unfortunately gave ammunition to defenders of the regime in Iran who argue that Saudi human rights violations are no different than Tehran's systematic human rights abuses. Legitimate criticism of authoritarian states such as Saudi Arabia could have helped the Trump administration gain greater bipartisan support in condemning Tehran's violations, such as the execution of wrestling champion Navid Afkari in September 2020.

Even if Trump placed less emphasis on human rights, his advisors remained committed to the issue. Trump officials widely understood that unrestrained abuses can exacerbate threats to U.S. interests by fueling the conditions that have led anti-American regimes to emerge in the first place. As U.S. Special Representative for Iran and Venezuela Elliott Abrams has written, "The lesson is not that any existing [repressive] regime must be supported lest something worse arrive, but that without reform something worse eventually will, filling the space that regime collapse has created."⁴³²

RECOMMENDATIONS | HUMAN RIGHTS

1 Reinvalidate America's role as a human rights leader. Washington has an opportunity to repair U.S. credibility on this issue, because that credibility derives from the democratic principles Americans practice at home. Including human rights as an integral element of U.S. foreign policy complements, not undermines, American national security objectives.

2 Deliver a major address that explicitly enshrines human rights as a pillar of U.S. foreign policy. While always maintaining a clear distinction between friend and foe, President-elect Biden should make clear that human rights concerns will be an important factor in shaping America's bilateral relationships.

3 Maintain a range of intermediate options to pressure authoritarian allies on human rights without damaging the overall relationship. Partnerships with certain authoritarian states may be a strategic necessity, but the United States can still employ targeted sanctions as well as private and/or public criticism to address human rights violations.

4 Use authorities provided by the Global Magnitsky Human Rights Accountability Act to sanction individuals and entities responsible for serious human rights abuses and corruption around the world. To date, the United States has imposed such sanctions against human rights abusers in Saudi Arabia, Russia, Venezuela, Myanmar, and China, to name a few. The Biden administration should continue to use Magnitsky sanctions against human rights violators as circumstances warrant.

5 Prioritize China's brutal repression of its Uyghur Muslim minority. Through sanctions and tough diplomacy, the Biden administration should make clear that Beijing must halt its persecution of the Uyghurs.

6 Address Tehran’s human rights abuses as part of any future negotiations with the Islamic Republic.

Biden has stated that he would reenter the 2015 nuclear deal with Iran, formally known as the Joint Comprehensive Plan of Action (JCPOA), if Tehran complies with its terms. He has also stated that he would seek, as part of new negotiations, to extend and strengthen the JCPOA’s provisions.⁴³³ In this context, Washington should make clear that Tehran must end its human rights abuses.

7 Reform the UN Human Rights Council. The global body, from which the United States withdrew in 2018, includes brutal dictatorships – such as China, Cuba, Gabon, Pakistan, Russia, and Uzbekistan – among its members, making a mockery of human rights norms. The council also focuses excessively on Israel – falsely describing the Jewish state’s efforts to defend itself as human rights violations – while ignoring major abuses by rogue regimes. The Biden administration should pressure the council to reform and should refrain from rejoining it in the absence of meaningful improvements.

INTERNATIONAL LAW

Orde F. Kittrie

CURRENT POLICY | INTERNATIONAL LAW

The Trump administration took a skeptical approach to international law, which it saw as infringing U.S. sovereignty and restricting America’s freedom of action. As President Trump told the UN General Assembly in 2018, “We will never surrender America’s sovereignty to an unelected, unaccountable, global bureaucracy. America is governed by Americans.”⁴³⁴

The administration’s skepticism of the current international legal system was not completely unfounded. Some aspects of the system are deeply flawed, and several international organizations are being increasingly subverted by the People’s Republic of China (PRC) and other authoritarian regimes. But the administration did not, overall, improve the situation.

One way the administration’s skepticism manifested itself was in threatened and actual withdrawals from several international agreements. Withdrawal from international agreements typically does not violate international law; withdrawal is almost always permissible. However, nations are typically hesitant to withdraw, especially from legally binding agreements, as withdrawals may be perceived by other parties as an indication of unreliability.

Legally binding agreements from which the administration withdrew included the U.S.-Russia Intermediate-Range Nuclear Forces Treaty (on the grounds Russia was “in material breach”),⁴³⁵ the Open Skies Treaty (in response to “Russia’s repeated violations”),⁴³⁶ the U.S.- Iran Treaty of Amity, Economic Relations, and Consular Rights (in response to Iran’s use of it to sue America at the International Court of Justice [ICJ]),⁴³⁷ and the Optional Protocol to the 1961 Vienna Convention on Diplomatic Relations (in response to another lawsuit against America at the ICJ).⁴³⁸

Trump also withdrew from the non-binding 2015 nuclear deal with Iran, citing insufficient “limits on the regime’s nuclear activity – and no limits at all on its other malign behavior.”⁴³⁹ The administration also

exited the largely non-binding Paris Climate Accord, calling it “an agreement that disadvantages the United States to the exclusive benefit of other countries.”⁴⁴⁰

The Trump administration also withdrew from several international organizations. Some did not include significant legally binding obligations, such as the UN Educational Scientific and Cultural Organization (the U.S. withdrawal announcement cited “continuing anti-Israel bias”)⁴⁴¹ and the UN Human Rights Council (the administration similarly cited the organization’s “bias against Israel”).⁴⁴² By contrast, the World Health Organization (WHO) – the United States withdrew after citing the WHO’s subservience to the PRC – did involve legally binding obligations.⁴⁴³

Trump also threatened to withdraw, but did not withdraw, from the North American Free Trade Agreement (NAFTA),⁴⁴⁴ the World Trade Organization,⁴⁴⁵ the U.S.- Korea Free Trade Agreement,⁴⁴⁶ NATO,⁴⁴⁷ and the Universal Postal Union.⁴⁴⁸ These threats were apparently intended to spur renegotiation of the agreements’ provisions or implementation.

The Trump administration also attacked the International Criminal Court (ICC). The ICC was created as a court of last resort for prosecution of the most serious international crimes, in cases where countries were unable or unwilling to investigate themselves.⁴⁴⁹ However, the ICC prosecutor chose to pursue politicized investigations of the United States and Israel, two nonmembers of the ICC, for alleged war crimes both countries thoroughly examined.

In challenging the ICC, the Trump administration was hardly breaking new ground. The ICC investigations were rejected as illegitimate by former Obama administration officials in charge of ICC and detainee issues and by over 330 members of Congress from both parties.⁴⁵⁰

But Trump took the unprecedented step of responding to the investigations by imposing sanctions on two senior ICC officials.⁴⁵¹ Seventy-two ICC member states, including most of America’s closest allies, condemned the U.S. move and rallied around the ICC.⁴⁵²

The Trump administration was repeatedly confronted with the PRC’s effective use of lawfare (law as a weapon of war) in the maritime, aviation, space, cyber, international organization, and nonproliferation domains. For example, the PRC used purportedly private actors to supply Iran’s nuclear program while Beijing claimed to abide by its international legal commitments regarding nuclear proliferation.⁴⁵³ The Trump administration did more to publicize PRC lawfare than did its predecessor.⁴⁵⁴ But it failed to devise a clear strategy for countering PRC lawfare.⁴⁵⁵

ASSESSMENT | INTERNATIONAL LAW

Trump’s pronounced skepticism toward international law provoked criticism even from conservatives. Jack Goldsmith, a leading conservative scholar of international law and senior appointee in the George W. Bush administration, denounced “the greatest presidential onslaught on international law and international institutions in American history.”⁴⁵⁶ According to John Bellinger, who served as the State Department legal adviser during the George W. Bush administration, Trump “seemed to delight, both as a candidate and as president, in ignoring and even ridiculing international law.”⁴⁵⁷

Yet Trump’s rhetoric tended to be more unprecedented than his actions. For example, he was accused of violating the law of armed conflict with April 2017 and April 2018 cruise missile strikes on Syria and the January 2020 targeted killing of Qassem Soleimani, commander of Iran’s Quds Force.⁴⁵⁸ But these

actions were strikingly similar to those of the Obama administration, which undertook 540 targeted drone strikes, killing an estimated 3,473 terrorists and 324 civilians.⁴⁵⁹ These operations were generally not as heavily criticized.

In addition, Trump's threats to withdraw from the U.S.-Korea Free Trade Agreement, NAFTA, and the Universal Postal Union resulted in renegotiated deals that were at least arguably more favorable to the United States.⁴⁶⁰

The U.S. withdrawals from the Iran nuclear deal and the Paris Climate Accord were clearly not illegal. The nuclear deal withdrawal, in particular, was not shocking, as the deal was deeply flawed.

Broadly speaking, the administration's approach to individual negotiations, as well as to international law as a whole, antagonized U.S. allies and advantaged U.S. adversaries.

The rules-based international order, created by U.S. leadership in the wake of World War II, is flawed and has at times been exploited by rogue states and authoritarians. But, on the whole, the rules-based order has benefited the United States and given the world a greater sense of structure and predictability. Indeed, the United States has chosen to enter into over 350 treaties and hundreds of other international agreements since 1945 – to the overall benefit of the United States and its allies.⁴⁶¹

The UN Security Council has provided the United States, as a veto-wielding permanent member, with a powerful vehicle through which to create and enforce international norms. The United States has also often benefited from the perception that it is more law-abiding and committed to the rule of law, both domestically and internationally, than its adversaries.

China, on the other hand, has earned a reputation for consistently spurning the rule of law both domestically and internationally. Yet Beijing has managed to ascend to, and exploit, leadership positions across the UN system. The PRC's persistent subversion of the rules-based international order is particularly dangerous and essential to counter in this era of COVID-19, cyber hacking, weapons of mass destruction proliferation, terrorism, and other severe problems that recognize no borders and place a premium on effective international cooperation.

Unfortunately, the administration made little to no effort to counter Chinese lawfare or to reform the WHO and other international institutions that Beijing has co-opted. The administration exposed China for its malign behavior without taking steps to ameliorate the problem.

The administration also neglected to leverage its own counterterrorism tools to battle lawfare. It failed to implement the bipartisan Sanctioning the Use of Civilians as Defenseless Shields Act. While that law required the executive branch to spotlight and punish terrorist use of human shields (a war crime) by December 2019, it had not done so as of December 2020, despite ample evidence that Hamas, Hezbollah, and other terrorist organizations employ civilians as human shields.⁴⁶²

In the end, Trump drew attention to some failures of the international system but contributed little to reforming it or using it to hold U.S. adversaries accountable for their violations of it.

RECOMMENDATIONS | INTERNATIONAL LAW

1 Recommit to the rules-based international order, both rhetorically and in practice. The United States should not ignore or ridicule international law. However, it should also refrain from treating international law, when misinterpreted by others, as holy writ. There is a third way: effectively using (but not abusing) international law (and relevant domestic law) to achieve strategic objectives in the international arena. While the United States should diligently avoid violating international law, it should deploy and interpret it as aggressively against foreign adversaries as an attorney deploys U.S. law in an American courtroom.

2 Develop and implement a whole-of-government lawfare strategy. The United States has the potential to be the dominant lawfare superpower. It leads the world in the quantity and quality of its attorneys. In the absence of a U.S. lawfare strategy, the PRC, which has explicitly adopted lawfare as a key element of its strategic doctrine, is currently waging lawfare far more aggressively and successfully than the United States. America should emulate Israel's development of an elite office focused on waging and defending against lawfare. Israel's approach to lawfare is a model for a robust new NATO lawfare initiative.⁴⁶³ The U.S. analog should develop and refine lawfare strategy, monitor lawfare lessons and trends worldwide, provide relevant training, cooperate with relevant civil litigators and other private sector experts as appropriate, and coordinate the offensive and defensive lawfare tools available to various federal agencies.

3 Spotlight, and impose accountability for, PRC violations of international law, including by countering PRC use of proxies. In many arenas, the PRC is working to alter international laws to its benefit. In other arenas, including human rights, the PRC itself flagrantly violates international law. In the maritime, cyber, and nonproliferation law arenas, Chinese violations are often undertaken by purportedly private-sector proxies so that the PRC can maintain plausible deniability. The United States must develop and deploy the public diplomacy and legal tools necessary to deter and counter such actions by the PRC and its policymakers.

4 Spotlight, and impose accountability for, terrorist violations of international law. Terrorists and their state sponsors successfully use human shields and otherwise abuse the law of armed conflict to hamstring U.S. and allied war fighters. The United States must counter such tactics more effectively, including by implementing the Sanctioning the Use of Civilians as Defenseless Shields Act.

5 Reinvigorate partnerships with NATO and other U.S. allies. NATO has a special unit and strategy dedicated to tracking lawfare developments worldwide, deriving lessons learned, and incorporating them into training and operations. U.S. lawfare against the PRC, terrorist organizations, and other adversaries will be more successful if it rebuilds its transatlantic coalition. In addition, many of America's closest allies have both the motivation and the leverage (including as key donor countries) to help Washington reform the WHO and other important but flawed international institutions and agreements.

6 Encourage allies to reform the ICC. In recent years, a handful of close U.S. allies – led by Japan, Germany, the United Kingdom, France, and Italy – have contributed more than half of the ICC's budget. They have ample justification to restore the ICC to its core mission as a court of last resort for prosecutions of the most serious international crimes, in cases where countries are unable or unwilling to investigate themselves. Many of these allies have military personnel stationed abroad who could be negatively impacted by precedents set by ICC prosecution of U.S. or Israeli troops.⁴⁶⁴ The recently published final report of an Independent Expert Review of the ICC, commissioned by the ICC member states, criticized as “unsustainable” the ICC's current pursuit of too many cases, including some with “limited feasibility” and insufficient “gravity” (apparent references to the investigations of the United

States and Israel).⁴⁶⁵ The United States should strongly encourage its allies to leverage the review to restore the ICC to its core mission.

INTERNATIONAL LAW

Orde F. Kittrie

CURRENT POLICY | INTERNATIONAL LAW

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In addition, Trump's threats to withdraw from the U.S.-Korea Free Trade Agreement, NAFTA, and the Universal Postal Union resulted in renegotiated deals that were at least arguably more favorable to the United States.⁴⁶⁰

The U.S. withdrawals from the Iran nuclear deal and the Paris Climate Accord were clearly not illegal. The nuclear deal withdrawal, in particular, was not shocking, as the deal was deeply flawed.

Broadly speaking, the administration's approach to individual negotiations, as well as to international law as a whole, antagonized U.S. allies and advantaged U.S. adversaries.

The rules-based international order, created by U.S. leadership in the wake of World War II, is flawed and has at times been exploited by rogue states and authoritarians. But, on the whole, the rules-based order has benefited the United States and given the world a greater sense of structure and predictability. Indeed, the United States has chosen to enter into over 350 treaties and hundreds of other international agreements since 1945 – to the overall benefit of the United States and its allies.⁴⁶¹

The UN Security Council has provided the United States, as a veto-wielding permanent member, with a powerful vehicle through which to create and enforce international norms. The United States has also often benefited from the perception that it is more law-abiding and committed to the rule of law, both domestically and internationally, than its adversaries.

China, on the other hand, has earned a reputation for consistently spurning the rule of law both domestically and internationally. Yet Beijing has managed to ascend to, and exploit, leadership positions across the UN system. The PRC's persistent subversion of the rules based international order is particularly dangerous and essential to counter in this era of COVID-19, cyber hacking, weapons of mass destruction proliferation, terrorism, and other severe problems that recognize no borders and place a premium on effective international cooperation.

Unfortunately, the administration made little to no effort to counter Chinese lawfare or to reform the WHO and other international institutions that Beijing has co-opted. The administration exposed China for its malign behavior without taking steps to ameliorate the problem.

The administration also neglected to leverage its own counterterrorism tools to battle lawfare. It failed to implement the bipartisan Sanctioning the Use of Civilians as Defenseless Shields Act. While that law required the executive branch to spotlight and punish terrorist use of human shields (a war crime) by December 2019, it had not done so as of December 2020, despite ample evidence that Hamas, Hezbollah, and other terrorist organizations employ civilians as human shields.⁴⁶²

In the end, Trump drew attention to some failures of the international system but contributed little to reforming it or using it to hold U.S. adversaries accountable for their violations of it.

RECOMMENDATIONS | INTERNATIONAL LAW

1 Recommit to the rules-based international order, both rhetorically and in practice. The United States should not ignore or ridicule international law. However, it should also refrain from treating international law, when misinterpreted by others, as holy writ. There is a third way: effectively using (but not abusing) international law (and relevant domestic law) to achieve strategic objectives in the international arena. While the United States should diligently avoid violating international law, it should deploy and interpret it as aggressively against foreign adversaries as an attorney deploys U.S. law in an American courtroom.

2 Develop and implement a whole-of-government lawfare strategy. The United States has the potential to be the dominant lawfare superpower. It leads the world in the quantity and quality of its attorneys. In the absence of a U.S. lawfare strategy, the PRC, which has explicitly adopted lawfare as a key element of its strategic doctrine, is currently waging lawfare far more aggressively and successfully

than the United States. America should emulate Israel’s development of an elite office focused on waging and defending against lawfare. Israel’s approach to lawfare is a model for a robust new NATO lawfare initiative.⁴⁶³ The U.S. analog should develop and refine lawfare strategy, monitor lawfare lessons and trends worldwide, provide relevant training, cooperate with relevant civil litigators and other private sector experts as appropriate, and coordinate the offensive and defensive lawfare tools available to various federal agencies.

3 Spotlight, and impose accountability for, PRC violations of international law, including by countering PRC use of proxies. In many arenas, the PRC is working to alter international laws to its benefit. In other arenas, including human rights, the PRC itself flagrantly violates international law. In the maritime, cyber, and nonproliferation law arenas, Chinese violations are often undertaken by purportedly private-sector proxies so that the PRC can maintain plausible deniability. The United States must develop and deploy the public diplomacy and legal tools necessary to deter and counter such actions by the PRC and its policymakers.

4 Spotlight, and impose accountability for, terrorist violations of international law. Terrorists and their state sponsors successfully use human shields and otherwise abuse the law of armed conflict to hamstring U.S. and allied war fighters. The United States must counter such tactics more effectively, including by implementing the Sanctioning the Use of Civilians as Defenseless Shields Act.

5 Reinvalidate partnerships with NATO and other U.S. allies. NATO has a special unit and strategy dedicated to tracking lawfare developments worldwide, deriving lessons learned, and incorporating them into training and operations. U.S. lawfare against the PRC, terrorist organizations, and other adversaries will be more successful if it rebuilds its transatlantic coalition. In addition, many of America’s closest allies have both the motivation and the leverage (including as key donor countries) to help Washington reform the WHO and other important but flawed international institutions and agreements.

6 Encourage allies to reform the ICC. In recent years, a handful of close U.S. allies – led by Japan, Germany, the United Kingdom, France, and Italy – have contributed more than half of the ICC’s budget. They have ample justification to restore the ICC to its core mission as a court of last resort for prosecutions of the most serious international crimes, in cases where countries are unable or unwilling to investigate themselves. Many of these allies have military personnel stationed abroad who could be negatively impacted by precedents set by ICC prosecution of U.S. or Israeli troops.⁴⁶⁴ The recently published final report of an Independent Expert Review of the ICC, commissioned by the ICC member states, criticized as “unsustainable” the ICC’s current pursuit of too many cases, including some with “limited feasibility” and insufficient “gravity” (apparent references to the investigations of the United States and Israel).⁴⁶⁵ The United States should strongly encourage its allies to leverage the review to restore the ICC to its core mission.

INTERNATIONAL ORGANIZATIONS

Richard Goldberg

CURRENT POLICY | INTERNATIONAL ORGANIZATIONS

The 2017 National Security Strategy (NSS) recognized “a competition for influence” in international organizations (IOs) authoritarian actors use to “advance their interests and limit the freedom of their own citizens.” It warned that while the United States participates in IOs, it “must protect American sovereignty and advance American interests and values.” The NSS named specific targets for reform, including the United Nations, and declared the United States would “require accountability and emphasize shared responsibility among members.”⁴⁶⁶

In 2017, then-U.S. Ambassador to the United Nations Nikki Haley demanded two reforms of the UN Human Rights Council (UNHRC) to ensure continued U.S. support and participation.⁴⁶⁷ First, the United Nations must change how it elects UNHRC members to make it harder for human rights abusers to gain seats. Second, the United Nations should remove the council’s standing agenda item related to Israel, which ensures disproportionate criticism of the Jewish state. No other country has a permanent place on the UNHRC agenda. Haley said the United States was “determined to stand up to the UN’s anti-Israel bias.”⁴⁶⁸

After the UN General Assembly rejected the proposed U.S. reforms, the United States withdrew from the UNHRC in 2018.⁴⁶⁹ In 2020, Russia, China, Cuba, and Pakistan all won election to the council for three-year terms.

In 2018, Haley outlined two conditions for continued American funding of the UN Relief and Works Agency (UNRWA), the agency for so-called Palestinian refugees that has long faced criticism for poor management, ties to terrorism, and anti-Semitic incitement.⁴⁷⁰ Specifically, she called on the agency to end incitement against Israel in textbooks used by UNRWA schools, and to provide an accurate count of refugees served by the agency – that is, the number of people UNRWA serves who were personally displaced by conflict in 1948. This number should not include millions of their descendants, who only count as refugees by virtue of the extraordinarily expansive definition the agency applies.

Ultimately, UNRWA rejected the proposed U.S. reforms, and the State Department halted all funding in August 2018, forcing other countries to increase their contributions.⁴⁷¹

In 2020, following the emergence of the COVID-19 pandemic, President Trump accused the World Health Organization (WHO) of being “virtually controlled by China.” He threatened to condition U.S. participation in the WHO on undefined reforms that would prevent the organization from being unduly influenced by Beijing.⁴⁷² Trump detailed U.S. concerns about the WHO’s handling of the coronavirus in a May 2020 letter to WHO Director-General Dr. Tedros Adhanom Ghebreyesus.⁴⁷³ Trump later announced a U.S. withdrawal from the agency, effective July 2021.⁴⁷⁴

Also in 2020, the State Department moved a career diplomat to the Bureau of International Organization Affairs to spearhead efforts to counter China’s “malign influences” at the United Nations.⁴⁷⁵ The appointment came in response to a concerted multiyear campaign by Beijing to co-opt UN agencies so that they serve the Chinese Communist Party’s strategic interests. These interests include setting international technology standards, expanding China’s Belt and Road Initiative, and whitewashing Chinese abuses at home and abroad.

With respect to IO elections, a U.S.-backed candidate for the International Atomic Energy Agency’s (IAEA’s) director general – a critical post in galvanizing multilateral action to confront rogue regimes

such as Iran, North Korea, and Syria – won a hotly contested election in late 2019.⁴⁷⁶ The United States also succeeded in its campaign to defeat China’s nominee to lead the World Intellectual Property Organization (WIPO) in early 2020.⁴⁷⁷ The administration did not take a position on several other elections, however, including the 2017 race for WHO director-general.

ASSESSMENT | INTERNATIONAL ORGANIZATIONS

The Trump administration’s efforts to drive reforms and counter adversaries within IOs achieved mixed results – mostly due to a lack of a comprehensive IO strategy and the absence of a high-level lead interagency coordinator for IO elections. Instead, the administration relied on ad hoc campaigns targeting IOs of interest. Tellingly, when the White House released a summary version of its updated China strategy in May 2020, there was only a passing reference to countering China within IOs.⁴⁷⁸

The Trump administration also gets an incomplete grade for its campaigns to reform specific IOs. In both the UNHRC and UNRWA cases, the administration’s demands were reasonable, and the State Department engaged the organizations for a substantial period before concluding that reform from within was impossible. But both campaigns for reform effectively ended once the United States cut off its support, and the administration never took further steps to induce the reforms Haley outlined as a prerequisite for U.S. support.

The administration’s handling of the WHO perhaps most reflected the lack of a comprehensive IO strategy. In the 2017 campaign for WHO director-general, Beijing’s intensive lobbying efforts propelled Tedros, from Ethiopia, to victory over Dr. David Nabarro of the United Kingdom. This victory occurred even though a prominent public health scholar accused Tedros of trying to hide cholera epidemics during his time as Ethiopia’s health minister.⁴⁷⁹ Tedros’ close relationship to Beijing was well documented at the time.⁴⁸⁰

In January 2020, Tedros would take actions that facilitated China’s attempt to conceal the outbreak of COVID-19 and tell the world that there was no evidence of human-to-human transmission.⁴⁸¹ Tedros’ conduct illustrates the consequences of the administration’s failure to more robustly engage in the 2017 WHO election to prevent the victory of a pro-Beijing candidate. Instead, the administration reasserted itself only in reaction to a global crisis.

Cumulatively, these examples offer lessons that can help form the foundation of a comprehensive IO strategy for the Biden administration. The rules and governance of IOs matter. If a path exists for the United States to exert its diplomatic and financial influence to push through needed reforms, elect like-minded leaders, or otherwise achieve worthy objectives in a given IO, then U.S. participation in the organization has merit. If no such opportunities exist, U.S. funding and participation are unlikely to advance U.S. interests. Yet the alternative approach should not simply rely on cutting U.S. funding or ending U.S. participation if the IO will still exist without the United States. Doing so would merely allow adversaries to take advantage of America’s absence.

It is critical for the United States to compete in IO elections in which the rules and structures allow candidates that share U.S. values to win. In the case of the UNHRC, the rules and structure guarantee that the world’s worst human rights abusers win seats. UNRWA has no board of governors or election for its secretary-general. Ending U.S. taxpayer support and working proactively to undermine and degrade such organizations from the outside make perfect sense. But what about the IOs in which

elections are competitive and U.S. interests are at stake? Here the administration achieved mixed results.

The more recent IAEA and WIPO success stories followed China's stunning mid-2019 victory in taking the helm of the UN Food and Agriculture Organization⁴⁸² and the 2018 unopposed re-election of a Chinese official as head of the International Telecommunications Union.⁴⁸³ China also secured the 2017 re-election of a Chinese official atop the UN Industrial Development Organization⁴⁸⁴— an organization in which the United States ceased participating in 1996. China was also elected to a six-year term on the UN Board of Auditors that began in July 2020.⁴⁸⁵

RECOMMENDATIONS | INTERNATIONAL ORGANIZATIONS

- 1** Task a senior director on the National Security Council (NSC) with coordinating strategies to elect IO candidates who align with U.S. policies and values. The NSC's role in coordinating IO elections is critical because multiple departments may interact with IOs or conduct bilateral engagements during IO elections.
- 2** Given that oversight of U.S. missions to IOs varies across bureaus, appoint a special coordinator for IO elections who reports to the secretary of state. The special coordinator would work closely with the NSC directorate responsible for IO election strategy, represent the State Department at NSC Deputies Committee meetings on IO elections, and ensure the department is properly represented at NSC Policy Coordination Committee meetings.
- 3** Congress should request regular briefings from the administration on upcoming IO elections. Since members and staff interact regularly with foreign governments and IOs, the administration should enlist Congress to convey messages that align with the overall U.S. strategy.
- 4** The administration and Congress should work together to implement a comprehensive strategy to counter China's influence within IOs. Key policies for consideration should include:
 - a. increasing the number of U.S. citizens working in high-level positions within UN agencies;
 - b. waging a campaign within the Security Council and other UN mechanisms to hold China accountable for human rights abuses;
 - c. pressing for Taiwan's membership in UN agencies;
 - d. coordinating with the private sector to stop China from establishing international standards that create an uneven economic playing field or position Beijing to control future technological guidelines;
 - e. formalizing a list of Chinese ideological terms ("Xi'isms") and working with allies to prevent the inclusion of these terms in official documents;
 - f. reviewing Chinese participation in UN peacekeeping operations; and
 - g. reviewing UN procurement of Chinese goods and services.
- 5** With China serving on the UN Board of Auditors, and given the lack of transparency and accountability at UN agencies such as UNRWA, Congress should prohibit funding for UN agencies that do not allow the United States to conduct independent audits (at U.S. expense) when requested.
- 6** The Biden administration and Congress should condition future assistance for UNRWA on changes to its outdated mandate, governance, and conduct and encourage U.S. partners to do the same. Whenever possible, the United States and its partners should consider shifting support for needy Palestinian populations from UNRWA to bilateral assistance channels until reforms are achieved.

7 The Biden administration and Congress should indicate that the United States is prepared to rejoin and fund the UNHRC if it undertakes reforms to prevent the election of abusive regimes and to treat Israel fairly. A state should not be eligible for election to the council unless it is rated “Free” by Freedom House; the council should remove its standing agenda item on Israel; and secret ballots in elections should be eliminated. Pending the implementation of such reforms, the United States should withhold contributions from the UN Regular Budget in an amount equal to the UN contribution to the council.

8 To further combat the systemic anti-Israel bias at the United Nations, the Biden administration and/or Congress should prohibit funding for any UN agency that sponsors, supports, enables, or engages in acts of anti-Semitism pursuant to the authoritative working definition of the International Holocaust Remembrance Alliance.⁴⁸⁶

NATIONAL ECONOMIC SECURITY

Eric B. Lorber and Juan C. Zarate

CURRENT POLICY | NATIONAL ECONOMIC SECURITY

The Trump administration took aggressive steps to implement a key tenet of its 2017 National Security Strategy: “Economic security is national security.”⁴⁸⁷ It achieved two core objectives: ensuring the ability of the United States to compete effectively in the long-term economic and security competition with China, and pressuring rogue states such as Iran, North Korea, and Venezuela to change their behavior and limit the threat they pose to U.S. interests.

The administration blended a wide range of tools in its economic statecraft, including extensive use of sanctions, tariffs, and export controls; a focus on protecting America’s economy through an invigorated and modernized Committee on Foreign Investment in the United States (CFIUS);⁴⁸⁸ the exclusion of foreign adversaries from U.S. telecommunications networks; and the establishment of new organizations designed to compete with Chinese foreign investment.⁴⁸⁹

Over the last two years, the United States ramped up the use of sanctions against material supporters of rogue regimes. For example, Chinese shipping companies that facilitated Iranian oil smuggling were designated;⁴⁹⁰ likewise, Russian energy firms helping Venezuela were sanctioned.⁴⁹¹ In the Iran portfolio, in particular, the Trump administration sanctioned over 300 more targets in four years than the Obama administration did in eight.⁴⁹²

The administration also greatly intensified its efforts to counter China. For example, in 2020, the United States sanctioned Chinese officials in response to the passage of the National Security Law in Hong Kong;⁴⁹³ companies and exploiting forced Uyghur labor in Xinjiang.⁴⁹⁵

The administration’s pressure on China also employed other coercive regulatory measures. In particular, it used the Commerce Department’s Entity List to deny Chinese firms access to U.S. goods, including sensitive technologies in key industries such as semiconductors, artificial intelligence, and surveillance.

The administration also issued a new executive order sanctioning publicly traded securities of Chinese military companies, aiming to starve them of their ability to access U.S. capital.

Beyond coercive measures, the COVID-19 crisis has heightened global sensitivities around Chinese-centric supply chain dependencies – from pharmaceuticals and personal protective equipment to telecommunications. This has resulted in U.S. diplomatic initiatives such as the Clean Network, designed to protect U.S. telecommunications networks from intrusion and theft.⁴⁹⁶ This effort ensures that certain Chinese enterprises cannot compromise U.S. data or infrastructure.

The Trump administration's focus on protecting telecommunications extended to its partners as well. To counter concerns that China is dominating the race for the widespread deployment of 5G technology, the United States pushed countries to limit their exposure to Huawei, China's telecommunications giant.

The U.S. expansion of CFIUS resulted in aggressive screening of foreign investments for national security threats. The administration also exercised its authorities to protect the data of U.S. citizens, using its legal authorities to limit the ability of Chinese telecommunications companies such as Tencent and ByteDance (the owners of WeChat and TikTok, respectively) to operate in the United States.⁴⁹⁷

Finally, the administration moved to counter China's Belt and Road Initiative by launching the Development Finance Corporation (DFC), which was mandated by the BUILD Act, and the Blue Dot Network, a consortium between Australia, Japan, and the United States designed to ensure transparent investment in infrastructure projects around the world. The United States also reauthorized the Ex-Im Bank and established a China-focused program designed to compete with Chinese state-backed entities.

All these efforts complemented the Trump administration's imposition of tariffs on hundreds of billions of dollars' worth of Chinese goods and the "Phase One" trade deal, designed to address unfair Chinese trade practices.

ASSESSMENT | NATIONAL ECONOMIC SECURITY

The Trump administration deserves credit for thinking holistically about national economic security and implementing policies designed to consider trade, technology and innovation, and finance as core elements of national security.

The administration's maximum pressure campaigns on North Korea, Iran, and Venezuela placed enormous pressure on those regimes, forcing costly decisions and a search for help from outside actors. While not achieving all of the administration's stated objectives, the measures prompted budget shortfalls and made it costlier and more difficult for these actors to engage in malign activities.

The administration also used a range of economic statecraft tools – including the threat of secondary sanctions – to enlist America's partners and allies to counter Iran, North Korea, Russia, and China. These actions sometimes antagonized U.S. partners, animated discussions to work around U.S. measures and the use of the dollar, and undermined the credibility of sanctions based on allegations of conduct contrary to international norms. While the use of these tools may prove effective, their aggressive employment made efforts to secure cooperation more challenging with certain allies. The more sanctions are seen as tools of raw diplomacy – and not tied to malign conduct – the less effective, sustainable, and global their impact may be.

The administration deserves significant credit for focusing on the threat from China. It set the stage for sanctioning the Chinese Communist Party's widespread theft of U.S. intellectual property, unfair trade practices, human rights abuses in Xinjiang and Hong Kong, and responsibility for the COVID-19 pandemic. More broadly, the targeting of China represented a tectonic shift. It was a marked contrast to the orthodox policy approach toward China as late as 2015, when the principal policy goals involved incorporating China as a responsible stakeholder in the international system.

The administration misstepped, however, by failing to build sustainable economic security coalitions to counter China's aggressive activities – and to reinforce America's standards and norms. For example, pulling out of the Trans-Pacific Partnership without filling the trade agreement gap with key Asia-Pacific partners allowed the Chinese to step in and sign the 15-member Regional Comprehensive Economic Partnership.

In addition, U.S. efforts to impose trade restrictions on its European allies made it more difficult to enlist them on countering China, which should be the national security priority. While the United Kingdom, Germany, Canada, and France, in particular, share interests in protecting their economies and technology from predatory Chinese activity, imposing tariffs on these countries strained their relations with Washington and made them less willing to create strict investment review mechanisms or to block threatening companies such as Huawei from their critical infrastructure. Likewise, the administration framed many of its protectionist trade policies under the rubric of national security, further antagonizing allies.

To its credit, the administration began to address the challenges of new payment systems, greater use of digital currencies, the availability of mass amounts of financial data, and the rise of Chinese state-owned enterprises on the international scene. The administration began to respond to these changing dynamics through the development of new regulatory regimes and enforcement actions to target the illicit use of these new technologies.

Overall, the administration developed the most comprehensive and aggressive national economic security posture in memory and reshaped the approach to the China challenge. Still, significant challenges remain to build on these positive policy shifts while honing the tools of economic statecraft to ensure the primacy and sustainability of America's economic power.

RECOMMENDATIONS | NATIONAL ECONOMIC SECURITY

1 Focus sanctions on rogue regimes and facilitators, especially proxies that facilitate sanctions evasion and money laundering. The emphasis should not be on coercing allies to adhere to U.S. policy goals – and there should be resistance to relying on a maximalist approach for to all pressure campaigns. Sanctions should be focused on issues of recognized international security and the integrity of the financial system. The sustainability and effectiveness of sanctions will depend on their perceived legitimacy and reflection of risk to the international system, especially the private sector.

2 Prioritize, sequence, and choreograph economic statecraft to promote the most important U.S. policy goals, and employ it to reinforce core partnerships in the face of broader challenges from China. Trade wars and sanctions against partners while trying to get their buy-in on key national security campaigns will alienate allies and undermine the credibility of efforts to isolate rogue behavior. Finding

ways of supporting allies in the face of economic pressure from China should be a critical national security goal for the United States.

3 Work closely with U.S. partners to develop financial, economic, and commercial norms and practices internationally – including transparency and accountability in financial flows, restrictions on the use of data, the protection of individual privacy rights, and anti-corrupt corporate behavior. In the face of explicit efforts by China, Russia, and others to alter international standards, the United States should redouble efforts to counter such efforts within international bodies, the financial system, and in the private sector.

4 Establish information sharing mechanisms with U.S. allies to bolster investment security reviews where China, Russia, and other malign actors are trying to gain influence and access to new technologies, resources, facilities, and capital. Domestically, to ensure the transparency and security of the U.S. financial system, the United States must strengthen legal and regulatory measures to require consistent reporting of ultimate beneficial ownership and foreign investment interests. The United States should also pursue a concerted effort – through the DFC and Ex-Im Bank, among other vehicles – to invest strategically in regions, technologies, and industries deemed essential to U.S. and allied economic and national security.

5 Bolster structures or create new ones along the lines of the proposed D10, a UK-led initiative that would bring together democratic nations to counter shared challenges in limiting supply chain vulnerabilities. Such efforts should also be tied to new trade deals and arrangements to help set standards in the Indo-Pacific and ensure long-term American interests are met.

6 In conjunction with U.S. allies, financial institutions, and payment service providers and technologies, develop new payment platforms and capabilities that facilitate international cross-border payments and financial inclusion, ensure transparency, and reinforce the centrality of U.S.-based payment systems. In concert with major economies and banking centers, U.S. and allied payment systems and technologies should be developed, expanded, and supported in the face of expansive Chinese payment systems.

7 Conduct a review of how U.S. adversaries, international market conditions, new technologies, and fiscal and monetary policies are affecting the attractiveness of the U.S. dollar as the leading trade and reserve currency. This review should yield a strategy to reinforce the use of and reliance on the U.S. dollar internationally – in traditional and novel ways, including the development of stablecoins and central bank-backed digital currencies.

SUNNI JIHADISM

Thomas Joscelyn

CURRENT POLICY | SUNNI JIHADISM

The Trump administration's approach to combating Sunni jihadism was marked by deep ambivalence. On the one hand, President Trump vowed to destroy the Islamic State's territorial caliphate. That mission was successful, as the Sunni jihadists now hold little to no ground throughout Iraq and Syria. Since January 2017, the United States also eliminated a number of senior terrorists, including the Islamic State's overall leader, Abu Bakr al-Baghdadi. On the other hand, the president demonstrated little

interest in the other wars waged by Sunni jihadists. His stated goal was to extricate America from its post-9/11 conflicts, whether conditions on the ground merited a withdrawal or not.

Trump's pledge to end the "endless wars" was a goal at odds with other priorities. Indeed, the Trump administration vowed to prevent the Islamic State from reconstituting its caliphate in Iraq and Syria, but at the same time pledged to withdraw all American forces from both countries.

Trump's "endless wars" rhetoric was aimed primarily at the war in Afghanistan. On February 29, 2020, the State Department entered into an agreement with the Taliban,⁴⁹⁸ with the goal of withdrawing all American forces from Afghanistan by April or May of 2021. However, the agreement was an attempt to paper over an American retreat. The Taliban, along with their al-Qaeda allies, remain on the offensive throughout the country and have not demonstrated a desire to lay down their arms or accept the legitimacy of the Afghan government.

The Trump administration also began to withdraw counterterrorism forces from Africa. The United States has several thousand military personnel stationed on the continent, where they assist partner forces in hunting senior terrorists and preventing the jihadists from capturing ground.⁴⁹⁹ This presence is divided between two spheres. In East Africa, the United States bolsters the federal Somali government and the African Union Mission in Somalia in an effort to contain al-Shabaab, al-Qaeda's branch in East Africa, and hunt members of the Islamic State's upstart affiliate. In late 2020, the administration announced that American troops would be redeployed from Somalia to neighboring countries. In West Africa, the United States supports France's ongoing counterterrorism mission, which began in 2013. The French work with local partner forces in West Africa to track down senior al-Qaeda and Islamic State terrorists throughout the region while preventing the groups from capturing territory.

The Trump administration also continued counterterrorism operations in jihadist hotspots such as Yemen and northwestern Syria, where al-Qaeda figures were regularly targeted with precise drone strikes. The United States thwarted a series of plots hatched by al-Qaeda in the Arabian Peninsula (AQAP), which is headquartered in Yemen and has even targeted the United States on multiple occasions. AQAP successfully executed a terrorist attack at Naval Air Station Pensacola in December 2019, killing three American service members and wounding several others.⁵⁰⁰

Countering terrorist attacks on the homeland was a priority for the Trump administration. By the end of 2019, the FBI was still investigating "more than 2,000 cases tied to" designated foreign terrorist organizations, hundreds of which involved individuals drawn to the Islamic State caliphate's call.⁵⁰¹ The FBI thwarted numerous Islamic State plots, including those directed by virtual planners – jihadists based in Iraq and Syria who provide online guidance to willing recruits.⁵⁰²

ASSESSMENT | SUNNI JIHADISM

The cumulative effect of the Trump administration's policies from 2017 to the end of 2020 was to contain and disrupt the jihadists. Containment meant that not only did the jihadists lose their would-be caliphate in Iraq and Syria; they were also prevented from forming new states in Afghanistan, Somalia, and West Africa.

The administration's chief success was the dissolution of the Islamic State's territorial caliphate. Although Trump claims credit for liberating 100 percent of the jihadist state's territory, the operations in

Syria and Iraq were a continuation of his predecessor's approach. The Islamic State had lost approximately 50 percent of its turf by January 2017.⁵⁰³ The jihadists lost their remaining territory after Trump loosened the U.S. military's rules of engagement ahead of the battles for Mosul and Raqqa, the caliphate's would-be capitals.

Trump empowered American allies to fight in the Middle East rather than putting U.S. troops in harm's way. In Syria, the administration inherited a partnership with the Syrian Democratic Forces (SDF), an army of predominantly Kurdish fighters. In Iraq, the administration continued to work with the Iraqi government as well as Peshmerga fighters in Iraqi Kurdistan. While Iraqis conducted most of the fighting, they were backed by small American military deployments. Together, they liberated the remaining territory held by the Islamic State.

Outside of Iraq and Syria, the administration continued to degrade the Islamic State's so-called provinces. The United States delivered significant blows to the group's Khorasan (Afghanistan) province (also known as ISIS-K), killing a string of its top leaders and damaging its network. Still, ISIS-K and other Islamic State affiliates remain a threat, periodically launching attacks.

With respect to al-Qaeda, the administration had fewer successes. The United States continued tracking down high-value al-Qaeda personnel around the globe. On August 7, 2020, at the behest of Washington, Israeli assassins took out al-Qaeda's deputy emir, Abu Muhammad al-Masri, in Tehran.⁵⁰⁴ Hamza bin Laden, Osama's heir, was another prominent terrorist to perish in this campaign. Other noteworthy al-Qaeda figures were eliminated in Afghanistan, Mali, Syria, and Yemen. Trump also authorized an increase in airstrikes in Somalia, where American airpower has stymied al-Shabaab's attempts to gain ground.

Trump's Afghanistan policy was wildly inconsistent. Long a skeptic of the war, Trump reluctantly agreed to a modest troop increase in August 2017.⁵⁰⁵ At the time, he argued that victory in Afghanistan was necessary to protect American interests. Just over one year later, Trump reversed course, launching negotiations with the Taliban in an effort to justify a complete withdrawal. The Taliban reportedly agreed to several counterterrorism assurances, including a promise to prevent al-Qaeda from using Afghan soil to plan international attacks. However, there is no reason to think the Taliban will comply. The agreement contains no verification or enforcement mechanisms; the Taliban have repeatedly lied about their relationship with al-Qaeda; and there is ample evidence that the two remain allies. A complete withdrawal from Afghanistan by the spring of 2021, as the deal stipulates, would cement America's loss in its longest war, turning over most of the country to al-Qaeda's closest ally.

There is much uncertainty regarding the future of America's counterterrorism campaign. Two successive administrations have attempted to extricate U.S. forces from post-9/11 conflicts. However, Presidents Obama and Trump were mugged by a simple reality: The enemy gets a vote. The Islamic State, al-Qaeda, and other jihadist groups will continue to threaten American interests whether the United States remains committed to the fight or not. The "endless wars" rhetoric obscures this reality, portraying America's presence overseas as the principal problem. It is irresponsible to assert that America can ignore the Sunni jihadist threat.

RECOMMENDATIONS | SUNNI JIHADISM

1 Retain a small U.S. military presence in select jihadist hotspots. The days of large-scale counterinsurgency efforts were over well before Trump's election. The United States ended the Islamic State's caliphate in Syria with fewer than 2,500 U.S. Special Operations Forces on the ground.⁵⁰⁶ They backed up more than 60,000 SDF fighters, who sustained the overwhelming majority of the casualties during the heaviest fighting. The U.S. presence in Syria is augmented by several thousand troops in Iraq. Should the United States completely withdraw its forces, the Islamic State will likely enjoy resurgence, as its members continue to wage guerrilla warfare in both countries. The situation is more complicated in Afghanistan, where America's allies in the Afghan government have proven incapable. Yet there is little political will in Washington to keep a small contingent of American forces in country. As in Iraq, the United States has not had a large military presence in Afghanistan in nearly a decade. There are currently a few thousand American military personnel in country. Should they be withdrawn by the spring of 2021, it will be a boon for the jihadists not only in Afghanistan but around the globe. America's defeat will be obvious.

2 Properly define the enemy. The desire to "end" America's role in the post-9/11 conflicts has led to politicized assessments of the Sunni jihadist threat. The Obama administration dismissed the Islamic State's predecessor organization as an insignificant local force incapable of threatening the West. That was proven false after the self-declared caliphate's rise in 2014. Similarly, too many in Washington have played "disconnect the dots" with respect to al-Qaeda, falsely portraying its regional branches as lesser threats and repeatedly declaring the network's demise to be at hand. The U.S. government should create objective metrics for assessing the Sunni jihadist threat. Such metrics would be rooted in rigorous assessments of the Islamic State, al-Qaeda, and allied groups. Declassified versions of these assessments should be released to the public so that citizens can be better informed.

3 Expose and sanction state enablers. Neither the Islamic State nor al-Qaeda enjoys state sponsorship the way Hezbollah benefits from the regime in Iran. Nonetheless, both have relied on state enablers, cutting deals with various actors in governments throughout the Middle East and South Asia. Al-Qaeda has long maintained a fundraising network throughout the Gulf States and also reached agreements with officials in Mauritania, Pakistan, and Iran. Turkey has been problematic, often providing a permissive environment for both the Islamic State and al-Qaeda. The U.S. government should continue to expose these networks through public statements and sanctions. Ending these relationships is crucially important if the goal is to diminish the Sunni jihadists' long-term prospects.

CONCLUSION

By Clifford D. May

Making America Secure Again

"Make America Great Again" was President Trump's rallying cry. "Build Back Better" was President-elect Joe Biden's campaign slogan. Both phrases recognize the need for restoration, for reversing deterioration and decline, for fixing what is broken. At this moment, that need is more urgent than ever.

On the Wednesday afternoon when Congress was fulfilling its constitutional and ceremonial obligation to count electoral votes, Trump shamefully encouraged the breaching of the Capitol by an unruly and violent mob. Having done so indelibly tarnishes him and his legacy.

That is unfortunate because, in foreign and national security policy, he achieved some significant successes, following eight years of President Obama's diminishing the credibility of American power vis-à-vis America's enemies. Trump also suffered some significant failures. In other areas, he made incremental progress that his successor can advance – if Biden sees his task as building his own presidency rather than building back the Obama White House.

Trump came into office with limited knowledge of international relations and the complex mechanisms by which policy is formulated and implemented. He did know a thing or two about deal-making, and he intuitively grasped the logic of “peace through strength.”

On that basis, he increased defense spending – essential because hundreds of billions of dollars in defense cuts during the Obama years had left the U.S. military with decreasing readiness and aging weapons. Isolationists– now prevalent on both the left and right – will advise Biden to defund the military again. If he takes that route, he will embolden America's enemies, making conflict more likely, not less.

Trump was either smart or lucky to appoint a disciplined soldier/scholar as his national security advisor. Lieutenant General (Ret.) H.R. McMaster's thoughtful process of analysis and prioritization culminated in the 2017 National Security Strategy (NSS). Most significantly, the NSS shattered the rose-colored glasses through which the People's Republic of China had been viewed since the 1970s.

The new NSS recognized that the regime ruling China views itself as an adversary of the United States, and that Beijing has long been implementing a strategy to transform the so-called rules-based liberal international order – to make it decidedly illiberal, with rules made by the Chinese Communist Party, and “antithetical to U.S. values and interests.”⁵⁰⁷

Components of China's strategy include an enormous military buildup for more than defensive purposes, massive and chronic intellectual property theft, influence operations everywhere from campuses to Capitol Hill to Wall Street, debt traps for resource-rich Third World nations, and the manipulation of the United Nations and its affiliated entities – the World Health Organization and the UN Human Rights Council, to name just two examples.

The NSS also recognized that Obama's vaunted “reset” with Russia failed to make President Vladimir Putin America's friend. Though Trump too often defended the Russian strongman, his administration's policies, reinforced by Congress, were muscular compared to those of his predecessors. Were they sufficiently muscular given, among other crimes, the Kremlin's assassinations and attempted assassinations using banned chemical weapons as murder weapons? By no means.⁵⁰⁸

The Islamic Republic of Iran and the dynastic dictatorship that rules North Korea were characterized as “rogue regimes.”

The former, for more than four decades, has pledged “Death to America!” while covertly attempting to acquire the nuclear weapons that could bring its capabilities in line with its intentions. Under Obama's Joint Comprehensive Plan of Action (JCPOA), the theocrats agreed to pause – not end – some aspects of

their nuclear program in exchange for billions of dollars. This attempt to buy – or rent – the goodwill of Iran’s Islamist rulers never enjoyed majority support in Congress or with the public, and in May 2018, Trump withdrew from the JCPOA.

He then began to impose sanctions that have crippled Iran’s economy and reduced the regime’s financial support for a long list of terrorist groups. But the “maximum pressure” campaign was never really a maximum, and slightly more than two years has not been enough time to force Iran’s rulers to make serious concessions in exchange for relief. Elliott Abrams, the president’s special envoy for Iran, believes the regime may be nearing that point – if the new administration does not blink.⁵⁰⁹

Trump also made the bold decision to eliminate Qassem Soleimani, commander of the Quds Force, a branch of Iran’s Islamic Revolutionary Guard Corps, a terrorist organization responsible for killing hundreds of Americans. The ruling mullahs’ longstanding belief (it traces back to the hostage crisis of 1979) that “The Americans can’t do a damn thing!” suddenly seemed questionable.⁵¹⁰

As for North Korea, Obama’s policy of “strategic patience,” a euphemism for doing nothing, achieved nothing. Trump attempted a different approach: personal diplomacy. It, too, fell flat. It was naïve to think that Kim Jong Un would be tempted by Trump’s offers to help him lift his people from poverty. Nor, apparently, did veiled threats of military action prompt the dictator to consider ending his efforts to develop the capability to deliver nuclear warheads to American targets.

For an American president to believe he could mitigate the animosity of self-declared enemies of the United States by offering friendship and a willingness to “address grievances” was hardly novel.

Recall Obama’s hopeful analysis in 2009: “It is important for us to be willing to talk to Iran, to express very clearly where our differences are, but [also] where there are potential avenues for progress. If countries like Iran are willing to unclench their fist, they will find an extended hand from us.”⁵¹¹ Theocratic fists remained firmly clenched.

Eight years earlier, President George W. Bush met with Putin. “I looked the man in the eye. I found him to be very straightforward and trustworthy,” Bush judged, adding: “I was able to get a sense of his soul.”⁵¹² We can now surmise that the souls of former KGB colonels are not so readily accessible.

Trump took meaningful actions against Sunni terrorism in Syria. A small cohort of elite American forces led Kurdish and Arab allies in a campaign that deprived the Islamic State of the territories it had conquered following Obama’s withdrawal of all U.S. troops from Iraq in 2011.

Trump ought to have taken credit for this efficacious policy, making the case publicly and persuasively for such economy-of-force forward deployments as the least-bad means of containing non-state terrorist actors.

Instead, in December 2018, he abruptly announced that he wanted all U.S. troops out of Syria. Secretary of Defense James Mattis, concerned such an abrupt move would threaten the security of both American troops elsewhere in the region and American allies in the antiterrorist coalition, promptly submitted his resignation.

In the end, Trump was persuaded to reverse that decision, but he never appeared to comprehend how dangerous it would be to leave our terrorist enemies to plot and operate unhindered.

Trump also was eager to withdraw the small contingent of troops remaining in Afghanistan and is now leaving behind only a token force. Meanwhile, Ambassador Zalmay Khalilzad, his special representative for Afghanistan reconciliation (a quixotic title), has negotiated a deal with the Taliban that appears likely to enable that ally of al-Qaeda to rule Afghanistan once again.

Biden now faces a tough choice. He can give his military leaders the tools they need to adequately perform their missions in Afghanistan and Syria, including training, advising, and otherwise assisting local allies; carrying out counterterrorism operations; and protecting intelligence assets and themselves. Or he can withdraw them all, as Obama withdrew all troops from Iraq in 2011, which would allow the Islamic State room to revive in Syria and Iraq and, as noted, would hand the Taliban an historic victory in Afghanistan.

The most significant achievement of the Trump administration was the signing of the Abraham Accords, the first time in more than a generation that Arab states have opened formal diplomatic relations with Israel. The United Arab Emirates and Bahrain were the pioneers. Sudan and Morocco are following suit.

An end to the Palestinian-Israeli conflict can now be imagined. Its realization, however, would require Palestinian leaders to define the “Palestinian cause” not as the destruction of the Jewish state, but as two states for two peoples peacefully co-existing. Hamas, which rules Gaza, will never adopt that position. Mahmoud Abbas, the 85-year-old president of the Palestinian Authority, which governs the West Bank – a position he has held since 2005 – has been, at best, ambivalent about what a two-state solution might mean.

Human rights violations abroad were not a priority for Trump. In that, he was consistent with Obama, who largely ignored abuses not just by Tehran, but also by Venezuelan strongman Hugo Chavez, Cuba’s Communist rulers (with whom he established diplomatic relations for no concessions in return), and many others.

However, with Trump’s apparent blessing, Secretary of State Mike Pompeo established a Commission on Unalienable Rights, intended to reinforce fundamental freedoms as understood by the American founders.

Virulent criticism of Pompeo and his commission was immediately forthcoming from what might be called the human rights establishment, an international elite that oppressors. This elite also is untroubled by the fact that the UN Human Rights Council is dominated by some of the world’s most egregious abusers of basic freedoms.^{.513}

From 2013 to 2015, the U.S. Office of Personnel Management was hit with a hack targeting the records of more than 20 million Americans – at that time the largest breach of government data in history. China is believed to have been responsible.^{.514}

The most recent cyber breach of at least six U.S. cabinet-level departments, likely carried out by Russia, makes clear that the tens of billions of dollars spent on cyber defenses by both the Obama and Trump administrations failed to get the job done.

The primary responsibility of a U.S. president is to defend Americans from those intent on doing them harm. In the Trump administration, significant threats, ignored or downplayed by his predecessor, were at least recognized. Accommodation was not the default response.

Following the November election, however, Trump attempted to undermine a key constitutional process: the peaceful transfer of power following an election. History will not judge that lightly.

No one expects Biden to say publicly that Trump's foreign and national security policies served as a necessary corrective to Obama's. But perhaps Biden and his top advisors have learned some lessons over the last 12 turbulent years. It would be premature to rule out that possibility. After the election, Biden said he wants the United States to be "[a] nation united, a nation strengthened."⁵¹⁵ Let us hope he understands that strength is no less vital than unity, so that our many enemies are not led to believe they can damage our interests and values with impunity.

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