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# **Relations between the US Intelligence Community and US Presidents, including the Trump Administration**

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## Summary

Intelligence is the main response to the risks and threats facing the national security of a country. The relationship of the intelligence community with decision-makers is the key to the correct way for undertaking intelligence work. In the US case the relationship between the producers and consumers of security is not immune to polemic and throughout history a number of conflicts have developed between the US intelligence community and the White House.

This working paper analyses the historical evolution of the US intelligence community (also referred to in this paper simply as the 'Community'), including its structures and its products. Technology and covert operations have been the driving forces in the Community's evolution, which has been tremendously divided since its inception and has moved progressively towards its own centralisation with the aim of improving coordination and efficacy. This paper also analyses the interaction between different Presidents and the Community, especially the latter's relationship with the current President, Donald Trump.

*'Very often we were critical of what we were getting,  
but we weren't very clear in demanding what we needed.'*  
—Zbigniew Kazimierz Brzezinski

### **(1) Technology and covert operations: the main dynamic forces of the US intelligence community**

The US refrained from creating permanent intelligence structures until the end of the Second World War, although it did create *ad hoc* structures at certain difficult moments. Today, however, the US intelligence community has one of the largest budgets and intelligence-gathering capacities in the world.<sup>1</sup> The transformation is the result of a process of evolution in both its functions and requirements, with the intelligence mandates in the US pivoting from an active strategy based on covert operations to the development of world-class technological capabilities for the localisation and monitoring of targets. The shift has been to the detriment, however, of analytical capabilities, impacting directly upon the country's capacity to understand the world and face risks and threats.

The change was initially driven by the various scandals revolving around covert operations and the investigative committees of the 1970s when the US Congress imposed more control on the direct interventions of the intelligence community and, to avoid abuses, placed conditions on covert operations. In addition, during the Cold War the need to monitor the Soviet enemy also stimulated the development of technological capacities, which evolved first from the use of images to the development of satellite capabilities, and then from the interception of communications to the localisation and monitoring of Internet traffic.

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<sup>1</sup> On the creation and evolution of the US intelligence community, see Gustavo Díaz Matey (2009), 'La Comunidad de Inteligencia estadounidense tras las elecciones de noviembre de 2008: retos y oportunidades de la Administración Obama', Documento de Trabajo, nr 6/2009, Elcano Royal Institute.

In this way, technological development and innovation have exercised a clear impact on the organisation and production of the US intelligence community, transforming the task of information gathering and contributing one of the distinguishing features of US intelligence. Both instruments have been applied to the most diverse forms of action: from the war against communism to the war against drugs and to the war on terrorism.<sup>2</sup> It is at this point that the spectacular development of technological capabilities begins to be applied to covert operations to be able to reach or achieve what human capacities could not, endowing US intelligence with a singular asset for intelligence cooperation with other actors, states and super states.

In very little time, the technological superiority of the US over both allies and competitors became abundantly clear, placing it in a privileged position for intervening and influencing in theatres of interest. A clear example of this was the cooperation with Colombia during the 1990s in the war against drug trafficking. Nevertheless, the US priority on technological capacities and their successful application to direct actions had a negative impact after the Cold War, when the White House no longer needed to solve the puzzles of Soviet capacities but rather to understand the mysteries surrounding Pakistani intentions for developing nuclear weapons, for example, or the real designs of Saddam Hussein on Kuwait.

Focused on the development of applied technology for the intelligence world, the US failed to pay sufficient attention to the development of information derived from open sources, or to the importance of incorporating the skills of experts with specialised knowledge in very specific fields beyond those of the Community. Regrettably, during the 1970s and 1980s, with the ongoing development of different disciplines within the social sciences, the US intelligence Community –focused as it was on the importance of technology– did little more than implement some improvements in the structuring of its analysis, applying structured analysis techniques (non-scientific techniques) aimed, above all, at producing the Presidential Daily Briefs and the National Intelligence Estimates.

Today we know that these non-scientific techniques face important limitations in achieving integrated analysis given that they focus on the solving of problems in specific cases and situations to the detriment of the development of forecasting capacities capable of foreseeing geopolitical events.<sup>3</sup> In the same way, the internal dynamics of the Community –characterised by divisions and rivalries between its various agencies, but also with internal cooperation based on personal relationships and trust, instead of on

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<sup>2</sup> Michael C. Kenney (2003), 'From Pablo to Osama: counter-terrorism lessons from the war on drugs', *Survival* 45, nr 3, IISS, London; and 'Intelligence games: comparing the intelligence capabilities of law enforcement agencies and drug trafficking enterprises', *International Journal of Intelligence and Counterintelligence*, vol. 16, nr 2, 2003.

<sup>3</sup> The *Intelligence Reform and Terrorism Prevention Act* (IRTPA) of 2004 and the *Intelligence Community Directive* (ICD) of 2007 tried to correct the failures of the intelligence community. Today the *Intelligence Advanced Research Projects Activity* (IARPA) offers prizes of up to US\$200,000 for those who present the solutions or techniques that are more effective in forecasting geopolitical events than those currently on offer. See <https://www.iarpa.gov/challenges/gfchallenge.html>.

(cont.)

systemised mechanisms for the evaluation of sources— impacted directly upon the failures of the Community’s analytical capacities to envision the correct response before the 9-11 attacks.

As it became clear in 2004 from the conclusions of the Committee tasked with investigating these attacks,<sup>4</sup> the integration of analysis processes became one of the fundamental avenues for improving the overall work of the Community. Since then, the US has been aware of the importance of incorporating analytical capacities capable of integrating and contextualising available information (both open source and reserved) to be able to understand a situation in its totality.

Since the democratisation of information —fruit of the applied technology revolution— there has clearly been an expansion of available information channels and the emergence of new potential intervention scenarios. Today, however, we are witnesses to significantly heightened complexity and uncertainty in the decision-making process and to a reduction in the time available for decisions, imposing in the final analysis an intensified urgency to improve the analysis processes of intelligence work.

At the same time, the context for covert operations and direct actions, which continue to be one of the key tools of US intelligence, has also changed. The need to reduce the deployments of troops on the ground to avoid their exposure to risk —a response reflected in the ‘light footprint’ strategy of the Obama Administration— deepened the implication of the Community in selective air attacks, unmanned systems, special clandestine operations and support for local allies with the aim of achieving a physical troop withdrawal from distinct scenarios.

In this way, Michael V. Heydon, former Director of the Central Intelligence Agency (CIA) and of the National Security Agency (NSA), connects direct action with technology.<sup>5</sup> Mike Pompeo (Director of the CIA until March 2018) also held a more aggressive vision of intelligence, deploying a larger number of intelligence officials on the ground and making the administrative procedures for action more agile.<sup>6</sup>

In short, as we will see in the following section, the US intelligence community has followed a long road since its creation to becoming what it is today. As we have seen in this section, the road has been shaped by the development of its technological capacities at all levels. But despite the transformative impact that this has on the whole of the Community and its products, we should not forget that the transformation has also had more than a little negative impact by marginalising the appropriate development of other capacities, like analysis, for instance.

In the following section we will complement the initial picture we have drawn of the Community. In it we will analyse the relationship between the producers and consumers

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<sup>4</sup> US National Commission on Terrorist Attacks Upon the United States (2004), *The 9/11 Commission Report*, July, p. 77 and 276.

<sup>5</sup> Michael V. Hayden (2016), *Playing to the Edge*, Penguin Press, New York, p. 10.

<sup>6</sup> ‘CIA Director says more agents being sent into field’, *New York Times*, 4/X/2017, <https://www.nytimes.com/aponline/2017/10/04/us/politics/ap-us-cia-director.html>.

of intelligence, starting from the premise that a clear, appropriate and fluid relationship is fundamental to the correct functioning of intelligence.

## **(2) Why does the US President need an intelligence community?**

The US Intelligence Community has served every US President since its creation in 1949 after the passage of the National Security Act of 1947.<sup>7</sup> Since then, this Community has evolved to become an ecosystem in and of itself, currently comprising 16+1 agencies. The Community's evolution and development has been marked by internal tensions and competition between departments and organisms, not only to preserve or extend competences and powers, but also over budget appropriations. The reality with respect to the Trump Administration is not very different, as we shall see.

In general terms, intelligence provides the information (derived from classified and non-classified sources) that a decision-maker charged with policymaking needs to know. In this respect the Community, in its totality, has the job of providing precise, accurate and objective information in a timely way with the aim of helping the US President defend the nation's territory and defend national interests abroad.

To gather and produce this information –with which the Community can reduce uncertainty in the President's strategic decision-making– is tremendously costly and demands enormous sacrifices. In a world like today's, highly complex and interdependent, and marked by great uncertainty and a large number of changing, intricate, hybrid threats without linear solutions, intelligence work and its products are key to getting strategic decisions right.

Whatever it might look like –and there is no single formula for the relationship between the producers and consumers of intelligence– it requires, beyond any doubt, the implication of both these actors in the process of defining the information covering needs if maximum effectiveness is to be achieved in intelligence work. Without this cooperation, the production process, no matter how good, will not be able to cover the real information needs of decision-makers.

The relationship between consumers and producers of intelligence depends to a large degree not only on external circumstances but also on the personality, perceptions and experiences of different Presidents and their Administrations. This also explains a number of changes and reforms that the Community has experienced throughout its existence. Such changes have been driven by the impact of strategic surprises, failures attributable to design and organisation, or simply by the need to adapt its structures to new situations, but also by a lack of confidence and trust, the rivalries generated in different Administrations and the fear of the concentration of power over secrets and covert activities in a single organisation.

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<sup>7</sup> *National Security Act*, Pub. L. No. 235, 80 Cong., 61 Stat. 496, 26/VII/1947, <https://legcounsel.house.gov/Comps/National%20Security%20Act%20Of%201947.pdf>.

(cont.)

In this respect, one of the most important keys lies in the particular priorities of different Administrations –particularly those set by the President– which significantly condition the work of the Community. This is confirmed by the *Intelligence Reform and Terrorism Prevention Act* of 2004.<sup>8</sup> Presidential priorities are typically oriented, if not set, by the strategic lines articulated during the electoral campaign and revised according to the circumstances of the moment. Therefore, while President Bush won the elections of 2000 with an isolationist discourse, 9-11 prompted his interventionism and elevated terrorism and related issues to the top of his Administration’s agenda of priorities. Contingencies like 9-11 forced Bush to discard previous evaluations, like those of *Global Trends* (December 2000), which had identified climate change and economic questions as the growing global threats for the coming years.<sup>9</sup>

For its part, the Obama Administration aimed its preferences in other directions. Attempting to distance himself from his predecessor, President Obama shifted his strategic priority to Asia-Pacific, while he also made the Iranian nuclear deal and the withdrawal from Iraq and Afghanistan other pillars of his foreign policy, turning his back on Saudi Arabia and Israel and creating a power vacuum in Iraq that contributed to the escalation of sectarian violence in the area and the eventual emergence of Daesh.

The preferences and positions of the new President, Donald Trump, were expressed during his campaign. ‘America First’ has meant increasing the speed of the withdrawal of the US from the different theatres in the face of the tremendously complicated international situation that Trump inherited. This implies a change in priorities, putting off the Secretary of State and initiatives against climate change to focus on other priorities like building the southern border wall. The implementation of priorities is not always rapid, but the change in priorities does affect intelligence planning, which has to re-orient itself to each new Administration in order to cater to its priorities.

On the other hand, to correctly respond to their obligations (and often motivated by their own interests), all US Presidents have diversified their own sources of information and use –in addition to information provided by the Community itself– other tools derived from their own contacts and personal preferences. President Bill Clinton, for example, attached newspaper clippings to the Daily Briefs, while President Donald Trump, according to different information sources, is an avid television viewer.

We cannot affirm, to any degree, that these kinds of information sources are the only ones that US Presidents rely on, but the President himself has, for reasons that are also obvious, his own preferences with respect to how to prioritise the actors that provide him with essential information. Naturally, the plurality of sources implies competition between them, generating clear tensions between specific actors to occupy a predominant position in the advisory line to the President.

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<sup>8</sup> *Intelligence Reform and Terrorism Prevention Act*, Title I, ‘Reform the Intelligence Community’, (2004) PUBLIC LAW 108–458—DEC. 17, 2004, <https://www.gpo.gov/fdsys/pkg/PLAW-108publ458/pdf/PLAW-108publ48.pdf>.

<sup>9</sup> Since 1997 *Global Trends* has been published every four years. In this respect, see ‘Global Trends 2015: a dialogue about the future with nongovernment experts’, December 2000, *National Intelligence Council*, [https://www.dni.gov/files/documents/Global%20Trends\\_2015%20Report.pdf](https://www.dni.gov/files/documents/Global%20Trends_2015%20Report.pdf).

In the same way, the various actors within the complicated network of the Community have their own preferences and agendas. A clear example is the timing used by the former FBI Director James B. Comey in the investigation into the e-mails of the candidate Hillary Clinton during the presidential election campaign of 2016. This is also seen in the investigations into possible Russian interference in the November 2016 election, given that Russiagate even prompted the FBI to seek a judicial warrant to electronically monitor the conversations of Paul Manafort, the campaign manager of the then candidate Donald Trump (while President Trump's son-in-law, Jared Kushner, had to testify before the Senate Intelligence Committee).

Along the same lines, at the beginning of February 2018, the President gave the go-ahead to the publication of a report by the same Senate Intelligence Committee, controlled by the Republicans, which makes clear that the FBI based itself on information derived from the Steele dossier, apparently to prejudice the President. Curiously, a few days later we learnt of the existence of another report prepared by the Democrats.<sup>10</sup>

As we have underlined, tensions and power struggles within the circles closest to the President are quite common across Administrations. This was more than evident in Reagan's cabinet, for instance, and it is patently clear in the case of the power struggles between the different members of Trump's team. During the first moments of his presidency, Trump decided to remove his Director for National Intelligence and the Chairman of the Joint Chiefs of Staff from the ordinary meetings of the National Security Council (the President's highest strategic advisory group). Although he restricted their participation to only extraordinary meetings, he assigned a permanent seat on the Council to his then Chief of Strategy and trusted colleague, Steve Bannon.

Shortly after the forced resignation of his National Security Adviser, Michael Flynn, Trump changed tack. Advised by Flynn's successor, Herbert Raymond McMaster, Trump removed Bannon from these meetings and restored the participation of the Directors of intelligence and the armed forces that he had previously denied. Later, in April 2017, Trump let Bannon go altogether. All of this reveals not only the power struggles within the circles closest to the President or his lack of experience in the public administration of different high-level and confidential positions, but also that the US state machinery modulates and redirects possible outbursts and excesses of the President via the institutional checks-and-balances arrangement.

### (2.1) Presidential trust in the intelligence community

Even before Trump's inauguration, the press had reported on more than a few of the problems emerging between the Community and the Trump Administration regarding the

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<sup>10</sup> On the publication of the report by the Democrats, see 'House committee votes to release Democrats' classified Trump memo', CNBC, 6/11/2018, <https://www.cnbc.com/2018/02/06/house-committee-votes-to-release-democrats-classified-memo.html>. On the publication of the report by the Republications, see Nicholas Fandos & Adam Goldman (2018), 'Trump clears way for secret memo's release', *Washington Post*, 1/11/2018, <https://www.nytimes.com/2018/02/01/us/politics/republicans-secret-memo-nunes.html>. On the Steele Dossier, see Howard Blum (2017), 'How ex-spy Christopher Steele compiled his explosive Trump-Russia dossier', *Vanity Fair*, April, <https://www.vanityfair.com/news/2017/03/how-the-explosive-russian-dossier-was-compiled-christopher-steele>.

so-called Russiagate and the various partisan interests of the distinct players within the Community. The President has focused a large part of his criticism on the 'political hacks', namely the former Director of the FBI, James Comey, the former Director of the CIA, John Brennan, and the former Director of National Intelligence, James Clapper, who are all contributing to an intense media campaign focused on Russia's role in the last elections. Both sides in the polemic focus more on accusations regarding personal professional behaviour, personalities and personal questions than on the important repercussions that such an issue might have for national security.

Nevertheless, there are myriad examples like these over the course of history. One of the most significant regards the former Director of the CIA, Stansfield Turner. We know today that Turner had at a very rocky relationship with President James Carter and with his National Security Advisor, Zbigniew Brzezinski, who managed to exclude Turner from most key meetings with the President.<sup>11</sup>

In a similar vein, another significant example is that of Richard Nixon, who greatly mistrusted the CIA. He called them the 'Ivy League liberals', suggesting that they lacked all analytical integrity and claimed that they had always opposed him politically.<sup>12</sup> Kissinger even claimed that the analytical arm of the CIA was like a subsection of the *New York Times* editorial page.<sup>13</sup> Other examples abound, like that of Jim Woolsey, Director of Intelligence under President Clinton, who claimed that 'I didn't have a bad relationship with President Clinton, I just didn't have one at all'.<sup>14</sup> This would be corroborated in 2000 by David Gernen, a one-time adviser to President Obama, who would later affirm that even Woolsey himself would have supported Trump in the last election. This situation was so clear in Washington that when in 1994 a small plane crashed in the White House gardens, the then Director of the CIA joked that it had been him, trying to get a meeting with the President.

We can see, therefore, that personal relationships highly influence the relationship between producers and consumers of intelligence, if not as much as ideological or political differences. For example, CIA Director George Tenet did not have a very fluid relationship with President Clinton, even though both were Democrats; however, he did with President Bush, who was a Republican.<sup>15</sup>

These examples clearly show that the history of the relationship of different Presidents with the Community has been uneven and highly dependent of the personality of the

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<sup>11</sup> David Priess (2016), *The President's Book of Secrets*, Public Affairs, New York, p. 117.

<sup>12</sup> Robert M. Hathaway & Russell Jack Smith (1993), 'Richard Helms as Director of Central Intelligence', *CIA Center for the Study of Intelligence*, p. 9, [https://www.cia.gov/library/readingroom/docs/DOC\\_0001342704.pdf](https://www.cia.gov/library/readingroom/docs/DOC_0001342704.pdf).

<sup>13</sup> To a large degree, Kissinger controlled the flow of information reaching Nixon, according to the David Priess (2016, *op. cit.*, p. 59 and 64) and the personal admission of Kissinger to Kristian Gustafson (1979), *White House Years*, Little Brown, New York, p. 11.

<sup>14</sup> Priess (2016), *op. cit.*, p. 201.

<sup>15</sup> Bob Woodward (2004), *Plan of Attack*, Simon & Schuster, New York, p. 68.

leader, but also on circumstances. Ultimately this implies that the relationship will have as much mutual confidence as the two sides are capable of forging between themselves.

In this respect, at least until the moment of writing this paper, the relations between Trump and his team and the Community have not been free of controversy. The publication of the report by the Office of the Director of National Intelligence (ODNI) on Russian interference in the presidential election to aid candidate Trump by damaging the campaign of his Democratic rival, Hillary Clinton, aggravated President Trump's idea that the Community is politicised and therefore requires deep reform, focusing primarily on the ODNI and the CIA.<sup>16</sup> Nevertheless, a year after Trump's arrival to the White House, and despite the constant media noise, no significant reforms of the Community have been attempted. This could be because priority has been given to other issues, or it might be that the resignation of Michael Flynn, one of the major proponents of these reforms, has delayed, for the moment, their implementation.

In his time, Nixon tried something similar (not surprisingly, as we have seen, given the opinions that Nixon and Kissinger held of the CIA). Curiously, it ended in Watergate, the largest scandal over the political use of intelligence until 2003, and subsequently in Nixon's own resignation.<sup>17</sup> Recently we have seen Trump's attitude towards the Community moderate: Pompeo and Coats, both confidants of the President, are providing him with the information needed for decision-making, adjusting it to Trump's preferences and tastes. This makes clear that it is the institutions and the people that work in them who execute day-to-day policy, regardless of the statements of the various Presidents. This was the same logic that prompted President Trump to substitute Secretary of State Rex Tillerson in March 2018 by Mike Pompeo, with whom the President has better 'chemistry',<sup>18</sup> and to replace the until then Director of the CIA with his number two, Gina Haspel. The multiple changes in the President's closest circles testify not only to a strengthening of the 'hawks' (reflected in the appointment of Haspel, who directed the CIA's secret prisons in Thailand) but also to the tensions and power struggles within the White House. In Tillerson's case, the disagreements with the President on different issues went public, as with the Iran Deal (over which Trump declared an ultimatum for its revision which expires in a few weeks), North Korea and Climate Change. In the same way, Trump's interest in the State Department is reflected in the 31% budget cut he assigned to it.<sup>19</sup> In the words of Richard Boucher, spokesman for the Department of State with Colin Powell and Condoleezza Rice: 'You don't run

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<sup>16</sup> As we shall see in the following section, there are more than a few voices critical of the ODNI, using the argument that the Office has become a great bureaucratic behemoth that reduces the efficiency of the intelligence gathering tasks of the other 16 agencies. In this respect, see Devin Nunes (R. Calif.), *Chairman of the House Intelligence Committee*, Mike Rogers (R., Mich.) and Alcee Hastings (D., Fla.), who pushed the amendment to freeze the growth of the ODNI in the *House Intelligence Committee 1/V/2007* (Adopted, 297-122), 'A bigger bureaucracy does not make better intelligence', <http://www.nationalreview.com/article/442928/donald-trump-intelligence-agencies-reorganization-needed>.

<sup>17</sup> 273 Memorandum from President Nixon to his Assistant (Haldeman), 19/V/1972, FRUS 1969-1976, vol. II, pp. 620-621.

<sup>18</sup> 'Trump answers questions on Rex Tillerson and Mike Pompeo: full transcript', *New York Times*, 13/III/2018, <https://www.nytimes.com/2018/03/13/us/politics/trump-pompeo-tillerson.html>.

<sup>19</sup> 'Where does Mike Pompeo stand on the issues? Too close to Trump', *New York Times*, 14/III/2018, <https://www.nytimes.com/2018/03/13/opinion/mike-pompeo-issues-trump.html?smid=tw-share>.

(cont.)

foreign policy by making statements, you run it with thousands of people working to implement programs every day',<sup>20</sup>

In any case, for three principal reasons, nearly all Presidents leave office feeling unhappy with intelligence work. First, this is because intelligence is not a crystal ball. What is more, even with good information one can make bad decisions, or the circumstances might adversely condition the results. The situation in Afghanistan is clarifying in this respect: the US has very precise information on the country and on the hostile forces that operate there, along with their modus operandi. Nevertheless, the circumstances of US politics and the very nature of the threat has led to a situation where by 2018 the Taliban are present in 70% of the country.

Secondly, there are the problems that are generated when covert operations become known, which typically result in political responsibility for such transgressions being placed on the President. This occurred in the cases of CIA secret flights and torture in the fight against terrorism, and in the accusations that the Director of Covert Services of the CIA Jose Rodriguez had destroyed key evidence of abuses during the secret interviews.<sup>21</sup>

Finally, often intelligence is the messenger of bad news that Presidents do not want to hear, or which they simply wished were different. Among many examples, the politicising of intelligence in Iraq by the Bush Administration is a paradigmatic case of the partisan use of intelligence, discriminating against the information that does not coincide –or contradicts– previously taken political decisions.

In short, a correct relationship between the President, his team and the Community requires the development of mutual trust and the capacity to know what to ask for and up to where to ask, while remaining clear that what one receives is really what there is. This is not an easy task in a system full of mistrust, political agendas and opposed interests.

### **(3) The President's Daily Brief: what kind of intelligence does the President need?**

As noted in the previous section, even before his inauguration, the relationship of the President-elect with the Community is not exempt from polemic. One of the most controversial points centres on the relevance of the Presidential Daily Briefs (PDB), one of the principal products that the US intelligence community as a whole contribute to the

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<sup>20</sup> Josh Rogin (2016), 'The State Department's entire senior administrative team just resigned', *Washington Post*, 26/1/2016, [https://www.washingtonpost.com/news/josh-rogin/wp/2017/01/26/the-state-departments-entire-senior-management-team-just-resigned/?utm\\_term=.a5be3f62ee67](https://www.washingtonpost.com/news/josh-rogin/wp/2017/01/26/the-state-departments-entire-senior-management-team-just-resigned/?utm_term=.a5be3f62ee67); on the complaints of the State Department, see also 'The desperation of our diplomats', *New York Times*, 28/VII/2017, <https://www.nytimes.com/2017/07/28/opinion/sunday/trump-tillerson-state-department-diplomats.html?mcubz=0>.

<sup>21</sup> Mark Mazzetti & Charlie Savagenov (2010), 'No criminal charges sought over CIA tapes', *New York Times*, 9/XI/2010, <http://www.nytimes.com/2010/11/10/world/10tapes.html>.

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officials charged with strategic decision-making, namely the President and his inner circle.

Formally, the PDB was created during the Administration of Lyndon B. Johnson in 1964 (although since 1946 a daily summary had been prepared in a form comprehensible for the consumers of security), just as the President recommended in his memoirs. Since then the PDB has served 10 Presidents as key analysis on major national security questions. Already in December 2016, Reuters published a note claiming that the President-elect, Donald Trump, only received the PDB once a week.<sup>22</sup> This is not an isolated case of the Trump Administration because other Presidents, like Obama, also did not have enough time to attend to all PDBs.<sup>23</sup>

### (3.1) Evolution of the President's Daily Brief: the clash between the production and consumption of intelligence

From its inception, the PDB has experienced many changes in both content and form. Modifications have revolved around its decision-making utility. As such, given that the PDBs did not warn Nixon of the outbreak of the Yom Kippur War in October 1973 or alert Carter to the Iranian Revolution in 1979, the most significant restructuring in the history of the PDB was undertaken in 1981 during the term of Robert Gates with the object of improving the quality of the analysis and of adjusting the content to the information needs of the President.

The most important reform, however, occurred with the creation of the ODNI. Since then, the DNI has been officially responsible for delivering the PDB document to the President, and for coordinating the work of the 16+1 agencies in preparing the brief.<sup>24</sup>

In the end, these reforms attempt –like many others in history– not only to adjust the analysis to the situations and changes that take place in the international arena but also to adapt it to new times and new Presidents. In this way, reforms have adapted the format and the manner of presenting the PDBs to the habits and preferences of different Presidents. With Obama, for instance, the PDBs began to be disseminated on iPads, with interactive maps and videos. Trump, who demands immediacy, seems to prefer impactful graphs and a more visual format (like Carter and Reagan), despite the fact that Dan Coats claims that Trump asks many interesting questions and that he considerably lengthens the daily meetings, qualifying him as an avid consumer of information.<sup>25</sup>

On the other hand, opinions of the PDB as one of the principal products of the intelligence community are many and varied. They reflect the many criticisms of the Community's work, its quality and relevance, that are based on the political use of intelligence in

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<sup>22</sup> 'Trump gets one presidential intelligence briefing a week', *Reuters*, 8/XII/2016; and 'Donald Trump on Cabinet picks, transition process', *Fox News Sunday*, 11/XII/2016.

<sup>23</sup> Marc Thiessen (2012), 'Why is Obama skipping more than half of his daily intelligence meetings?', *Washington Post*, 10/IX/2012.

<sup>24</sup> Gustavo Díaz Matey (2009), *op. cit.*, p. 10.

<sup>25</sup> Philip Rucker & Ashley Parker (2017), 'How President Trump consumes –or does not consume– top-secret intelligence', *The Washington Post*, 29/VI/2017.

internal power struggles and, in the end, in favour of (or against) particular interests in one way or another.

Among the document's defenders, George H.W. Bush, who in addition to being President was also the Director of the CIA, claims that the PDBs served him well in taking informed decisions on world affairs. Other Presidents, however, have not been as generous with the PDB. Perhaps because Bush Sr and Bill Clinton were avid readers, they, like Carter, were interested in intelligence products and were more positive on the use and utility of the Daily Briefs. Ronald Reagan, on the other hand, was unaccustomed to this type of format and paid less attention to the PDB.<sup>26</sup> We have already underlined the mistrust that Nixon felt towards the Community, including everything that it might produce or contribute.

Mistrust and parallel agendas have been constants themes amongst the different collaborators of the various Administrations. For example, Nelson Rockefeller, Vice President under Gerald Ford, was not very interested in the Daily Briefs, 'and even less in the conspiracy theories inside the State apparatus'.<sup>27</sup> Therefore, not a few advisers and collaborators of different decision-making officials of various Administrations, both Democratic and Republican, have criticised the PDBs with the argument that they were not very relevant, not very realistic and even too academic. Leon Sigmund Fuerth, National Security Adviser to Vice President Al Gore, came to say of the PDB that the importance of analysis on China was not what was happening in China, but rather what the consequences were for the US of what was happening in China.

In the end, the mismatch between the production and consumption of intelligence throughout presidential history has its origin in the mistrust between the two worlds, as pointed out, but also in the incapacity of those responsible for decision-making to communicate what they really need to the Community that must produce this kind of information. It is not clear where this argument begins and where it ends.

We cannot attribute the mismatches between producers and consumers of intelligence to the lack of criteria on the part of different Administrations to know what they really need, or to the incapacity of the Community to translate these information needs into clear intelligence plans. The arguments are more political than academic. If the White House had known in each moment what it needed, it would simply have asked and if the Community would have known how to interpret the request, it would simply have produced it.

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<sup>26</sup> Simi Valley (2011), 'Ronald Reagan, Intelligence and the End of the Cold War: Ronald Reagan Presidential Library', California, 2/XI/2011, <https://www.cia.gov/library/publications/cold-war/ronald-reagan-intelligence-and-the-end-of-the-cold-war/Reagan-and-intelligence.pdf>, p. 10.

<sup>27</sup> 'Memorandum from Director of current intelligence William K. Parmenter to the Director of Central Intelligence July 10, 1975', RDP80B01495 R000600140029-3 CREST, <https://www.cia.gov/library/readingroom/docs/CIA-RDP80B01495R000600140029-3.pdf>.

(cont.)

#### **(4) In search of greater effectiveness through better coordination with, and within, the intelligence community**

Long before the profound changes prompted by the recommendations of the 9-11 Commission or the reforms undertaken by the Obama Administration, a total of some 14 studies since 1947 had recommended centralising in one way or another the different US intelligence services.<sup>28</sup> However, the scope of such reforms could be considered limited and reactive. The outlines of this reactive evolution can be found in the National Security Act that was launched as a result of the beginning of the Cold War, or in the Dulles Report of 1949, prepared after the disaster of the Korean War and which served Walter Bedel Smith, National Director of Intelligence, to make important adjustments in the CIA while also creating a structure for coordinating the preparation of the National Intelligence Estimates (NIE) and establishing the Defense Intelligence Agency (DIA) during what could be considered the birth of the permanent intelligence community in the US beginning in 1961.

Years later, the Schlesinger Report (1971), in a review of the Community, argued that a figure was needed to coordinate the various intelligence-gathering efforts. It would be the first reference in the literature to the figure of a Director of National Intelligence, although it would repeatedly appear thereafter in later studies. The Watergate scandal and Nixon's subsequent resignation prevented the adoption of the entire set of measures recommended in the Schlesinger Report, although it did have a clear centralising impact on the Community.

Later, the Church Commission Report (1976) –focused primarily on the CIA's covert operations in the wake of related scandals in Latin America– definitively altered the relationship of the Community with Congress, as the latter imposed greater control and supervisory measures on the entire Community.

Along these same reactive lines, the first development of distinct structures related to counterterrorism –among them the CIA's Counterterrorism Center (CTC) created in 1986– was the consequence of attacks against the US in the 1980s. Similarly, the creation of the National Counterintelligence Center (NACIC) by Directive 14PDD was the result of the case of Aldrich Ames, arrested, tried and condemned in 1994 for spying for the USSR, the most egregious example of espionage in the annals of US counterintelligence.

In the same way, the subsequent reform of the NACIC agency –which led to the creation of the Office of National Counterintelligence Executive (ONCIX) in 2001– was related to the detention of Robert Hassen, an FBI agent arrested that year for the same reasons as Aldrich, making clear the overriding need to coordinate counterintelligence activities.

But the main argument underlying this reactivity in reforms can be found in the changes and new structures caused by the 9-11 attacks in 2001. On 27 November 2002

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<sup>28</sup> Michael Warner & J. Kenneth McDonald (2005), 'US Intelligence Community reform studies since 1947', *Center for the Study of Intelligence*, Washington DC, April, <https://www.cia.gov/library/center-for-the-study-of-intelligence/csi-publications/books-andmonographs/US%20Intelligence%20Community%20Reform%20Studies%20Since%201947.pdf>.

George W. Bush established the Commission to investigate the 9-11 attacks: the National Commission on Terrorist Attacks upon the United States, also known as the Independent Commission on 9-11. One of its central recommendations was to create the position of Director of National Intelligence, along with an independent structure known as the Office of the Director of National Intelligence, with the goal of enhancing the coordination of the US intelligence community as a whole through heightened centralisation.

As an immediate consequence of the Commission's conclusions, as soon as they were published in July 2004 (even before the creation of the ODNI at the end of that year), the President signed Executive Order 13355 on 27 August 2004. This measure gave even more authority to the old figure of Director of Central Intelligence (DCI) to coordinate the activities of the Community.<sup>29</sup>

Later, in December 2004 and after much deliberation, President George W. Bush signed the law creating the new ODNI and reforming the entire Community. This was to be, in the President's own words, the most significant and effective reform since President Truman appointed Admiral Sidney William Souerts as the first Director of Central Intelligence (DCI) in 1946.

The objective of the new figure of Director of National Intelligence (DNI) would be to direct the Community as a whole (ie, the 16 pre-existing agencies, along with military intelligence) and to direct his own agency. In short, the object of the ODNI is to serve as a new bureaucratic layer to coordinate the entire Community and improve the capacity of the whole for sharing information between agencies and, as a result, avoiding duplicities. Currently, the Director of National Intelligence is something of a bridge between his Office, the 16 agencies and the White House, linking the production of intelligence with the strategic decision-making process.

Together with the creation of the structure of the ODNI in August 2004, Executive Order 13354 also established the National Counterterrorism Center under the previous figure of the DCI who also (as of December 2004 with the entry into law of the Intelligence Reform and Terrorism Prevention Act) was subordinate to the coordination of the new DNI. The goal of the Center, once again, was to centralise all efforts in the fight against terrorism.

Along this line, another key point of the reform consisted in the creation of the CIA mission centres which do not depend directly from any Director, constituting a vertical line on their own within the CIA organisational chart. All of this in the end pursued the fusion of analysis and operations and aimed for heightened agility in the daily work of information gathering and analysis.<sup>30</sup>

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<sup>29</sup> 'Executive Order 13355 of August 27, 2004. Strengthened Management of the Intelligence Community', <http://www.fas.org/irp/offdocs/eo/eo-13355.htm>.

<sup>30</sup> There are 11 centres including the most recent established for North Korea in May 2017. See <https://www.cia.gov/offices-of-cia/mission-centers>.

#### (4.1) The long road to centralisation: criticism of the new structures created after 9-11

The creation of the figure of the DNI has had more than a few detractors, among both Democrats and Republicans, and long before Trump began to comment on the need to simplify the bureaucratic structures of the Community.

Curiously, these critical voices have come primarily from high-level officials who lost relative power with the new reforms. In October 2004, General R. Myers, Chairman of the Joint Chiefs of Staff (JCS), wrote a letter to the Chairman of the House Armed Services Committee, Duncan D. Hunter, complaining that the new legislation undermined the ability of the Pentagon to use intelligence satellites and that this directly impacted upon military deployment on the ground.<sup>31</sup> Donald Rumsfeld also expressed his dislike for the new figure.<sup>32</sup>

Criticism of the DNI has been constant since its creation when John Negroponte was appointed. Michael Hayden, Assistant Director of the Office of the DNI under Negroponte (and who replaced Porter Goss at the head of the CIA in 2006) made his criticism public in 2010. Around the same time, in mid-2010, the DNI, Denis Blair, resigned because of discrepancies over 'what the figure of the DNI should be, and power struggles with Leon Panetta'.<sup>33</sup>

Blair resigned before being fired, alleging that the Obama Administration granted him neither the legitimacy nor the tools that he needed as DNI. Nevertheless, many reports of the Senate Intelligence Committee and from the leaders of the 9-11 Commission strongly criticised the Community for mistakes which led to the attempted terrorist attack of Christmas 2009 and the circumstances that allowed Umar Farouk Abdul Mutallab to board a flight to Detroit that, in the end, translated into a frontal attack on the figure of the DNI personified in Blair.

From the DNI's beginning (with the appointment of Negroponte), four Directors have occupied the post, each generating internal power struggles between departments for control of resources and budgets. As a result, Blair's resignation made clear that either the DNI received a significant boost to achieve heightened coordination between agencies or it would become simply another administrative layer in the complex network of relations within the US intelligence community. This issue seemed to be resolved with the appointment of James R. Clapper, who occupied the position until the end of Obama's term. Perhaps Clapper did not have as many objections as Blair to Obama's drone programme (*Predator Drone Program*) or to Panetta's resort to covert operations, the two spearheads of Obama's counterterrorism policy, as we shall see below.

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<sup>31</sup> 'Intelligence Bill gets fresh Bush support', *Washington Post*, 3/XII/2004.

<sup>32</sup> 'Rumsfeld Memo on Intelligence criticized', *Washington Post*, 8/IV/2005.

<sup>33</sup> 'Obama's top intelligence adviser resigns', *CNN*, 21/V/2010.

## **(5) In search of difference: the presidential relationship with the intelligence community from the Obama Administration to the new Trump Administration**

The Obama Administration arrived in November 2008, after the Bush Administration implemented intelligence community reforms in response to the 9-11 terrorist attacks. From the beginning, Obama attempted to distance his Administrations from the previous one under the mantra of change. However, there was more continuity than reform in his initiatives. Other than the heightened political pragmatism of the Obama Administration, the more detailed treatment of questions like the CIA interrogations, and troop withdrawals in specific conflict theatres, there was no radical change between the two Administrations.

Such pragmatism led the Obama Administration to bet on the well-known 'light footprint' strategy, a focus for interventions to be based on three pillars closely related to intelligence: covert intelligence operations and the use of drones; the deployment of special forces in conflict theatres; and an unprecedentedly pro-active diplomacy. The object was to continue the global war against terrorism while distancing the Obama Administration as much as possible from its predecessor, and to reduce US military presence and budget without losing effectiveness.<sup>34</sup>

In this respect, from the beginning President Trump, like Obama, has been intent on differentiating himself as much as possible from his predecessor; but the repercussions of the debates during the election campaign and the personal quirks of the new President continue to contribute more uncertainty than clarity to the policies his Administration pursues.

To all this should be added the role played by the rigid theoretical frameworks upon which rest the actions of the new occupant of the White House –theoretical frameworks that simplify reality and are sustained upon mere suppositions as to how the world works and why–. Information is the raw material with which we construct and understand the world that surrounds us. With the information we receive through the senses we construct subjective life experiences that necessarily condition us when we analyse the future.

In this way, Trump subjectively constructs these theoretical framings as prisms through which to analyse reality. As such, his choices and preferences are reflections of a set of assumptions as to what he believes and what he expects of the data, since for Trump, just like for the rest of humanity, without these prior models (ie, theoretical frameworks), the data would be nothing more than noise. Thus, Trump does not have the slightest interest in what people tell him about things, for he is '... like a smart person', and he has solid assumptions that he does not plan to change. Sadly, progress is based upon theories to refute conventional ideas and to develop new ones through trial and error and critical evaluation. As the former Director of the CIA, Mike Pompeo, said in January 2018, the intelligence products delivered to the President aim to put him in a better position to

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<sup>34</sup> Committee for a Responsible Federal Budget, 'Panetta presents new defense budget', <http://www.crfb.org/blogs/panetta-presents-new-defense-budget>; in this respect, see also 'US Code, Title 50, S. 3093', *Presidential approval and reporting covert actions*, <https://www.law.cornell.edu/uscode/text/50/3093>.

make decisions. Thus, the crucial issue is the real value of these products and the impact that they have on the President's capacity to take decisions accordingly.

Trust also matters. This has been shown by the firing of Bannon, by the constant changes in Trump's inner circle, by the appointment of Christopher Wray as the new Director of the FBI and by the respective declarations by the DNI, Dan Coats, and the former Director of the CIA, Mike Pompeo, on their good and direct relationship with Trump. Pompeo's successor, Gina Haspel (with a background in direct action and more aggressive in intelligence gathering) also has the trust of the President, as well as that of Pompeo himself, which has been enough for her to become the first woman to direct the CIA.<sup>35</sup> This pattern of behaviour based on affinities will probably continue to condition relations between the Community and the current President.

## **(6) Conclusions: challenges and opportunities for the Trump Administration in its relationship with the intelligence community**

Intelligence is the principal line of response to the risks and threats affecting the national security of a country. Today the US possesses an intelligence community with one of the largest budgets and highest information-gathering capacities of any in the world. It has been the product of a complicated evolutionary process in which the functions and requirements of intelligence officials in the US for a long time held a direct-action strategy based on covert operations –and to the detriment of analysis capabilities– but that has been revised by US intelligence structures as they have adapted in a reactive way to the new realities of the international system. As we have seen in this working paper, after analysing the evolution of the Community, its structures and its products, the situation has been conditioned as much by the personality of different leaders as by the distinct efforts made to centralise a behemoth that presents more than a few problems for those charged with making decisions.

In this way, relations between intelligence products and decision-makers will always be fundamental for the correct operation of the intelligence community. In the case of US intelligence, as we have seen, the relationship is not free of polemics. After analysing the relationship of the current Trump Administration with the US intelligence community we can conclude that one of the major risks to the construction of the desired relationship at this time is the politicisation of this very relationship. Therefore, a large part of the reticence felt between different Administrations and the Community has been based on partisan interests playing out in the core of these structures and the political tensions between them. This implies that one of the major challenges to the US intelligence community is to be capable enough to construct and nuance a correct relationship with the White House. In the specific case of this Administration it will be complicated until the differences stemming from Russiagate have been resolved.

In general terms, independently of related questions like the heterodox protocol of the new occupant of the White House, what is clear is that the behaviour of the Trump

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<sup>35</sup> 'Gina Haspel, Trump's choice for CIA, played role in torture program', *New York Times*, 14/III/2018, <https://www.nytimes.com/2018/03/13/us/politics/gina-haspel-cia-director-nominee-trump-torture-waterboarding.html>.

Administration is unpredictable, and this generates doubts, unease and uncertainty among both allies and enemies. It is also beyond any doubt that Trump, like anyone charged with the power of decision-making, needs structured information to be able to reduce the uncertainty inherent in the process of making decisions. In this respect, the Community and the White House are condemned to understanding each other. It seems that the passage of time, the unique dynamics of the US system and the work of Trump with Dan Coats and Mike Pompeo (until his replacement) has alleviated the difficult relationship between the intelligence community and the White House. Only at the end of the presidential term and with the unfolding of events relevant to national security and US interests will we be able to see whether in the end the intelligence community will have served the Administration correctly.

In the current domestic situation, the Community faces a volatile and complex scenario, of greater uncertainty than during the Cold War; but it must be prepared to confront an increasingly uncertain future. However, the situation is also part of the 'post-truth' world of the new Sophists and of 'alternative realities', which on occasion is promoted from within the system itself. Therefore, the use of critical thought –for the Community, but also for public opinion– will be crucial for knowing what they want us to say and why. In a world like today's, where words are diffuse, where political language is based on generalisations and where immediacy tends to crowd out reflection, we should have the capacity to verify, analyse and think in a critical way with the object of interpreting the reality of an increasingly uncertain world.

Such a situation derives from the very nature of intelligence, itself born of the need to know, to understand the unknown, as a tool applied to what is different. As Constantine Fitzgibbon put it very well, intelligence is knowledge of the enemy, of the competitor, of those that do not belong to what we consider to be part of 'us'. Intelligence is based on anticipation, in an attempt to reduce the uncertainty inherent in the decision-making process, applying knowledge acquired to understand new situations and/or situations derived from the past. This understanding is the capacity to contextualise knowledge and to apply it to real problems, and to foresee the implication of the available options. Nevertheless, and despite enormous intelligence gathering and information processing capacities, they will not serve the US well if they are not capable of converting such information into living knowledge, applicable to specific current realities to respond to the questions of those charged with decision-making. In the specific case of the Trump Administration, it will be essential to overcome much mutual distrust to be able to understand and consequently confront the risks and threats that cloud the US horizon.

To this extent, intelligence is based on the precise historical moment; in this field, practice is the ultimate proof and any intelligence product that is not aimed at action (or refraining from action) is completely irrelevant. The task of intelligence in any organisation is, therefore, to reduce uncertainty in the decision-making process. To understand the limits and limitations of intelligence is fundamental to any speculation as to why there is a tug-of-war relationship between Trump and his intelligence community, although –as argued– his presidency has no monopoly over tensions with it.