

# U.S. ARMS TRANSFERS

## LEGISLATIVE REFORM AGENDA

### Current Concerns:

The executive branch does not sufficiently weigh human rights and risks of civilian harm in sales decisions.

Arms transfers are not adequately monitored to ensure they do not contribute to foreign corruption or other criminal activities.

Congress has given the executive nearly unchecked power in making arms transfer decisions.

The arms transfers system is almost entirely devoid of public oversight and transparency.

### Overview:

Since the passage of the landmark Arms Export Control Act in 1978, Congress has gradually relinquished to the executive branch all meaningful oversight over who receives U.S. weapons and how they are used to the executive branch. Congress' deference has allowed the executive to prioritize the perceived short-term strategic and economic benefits of arms transfers to the detriment of more enduring national interests, foreign policy objectives, and fundamental U.S. values. The result is a clear association between U.S.-made armaments and the death of children in Yemen; human rights abuses in Cameroon and Nigeria; and the spread of weapons to groups like the Islamic State and criminal gangs in Central America. In 2019, President Trump used emergency powers to authorize an arms transfer to Saudi Arabia and the United Arab Emirates (UAE) despite overwhelming bipartisan opposition, exposing the true limits of Congressional power. The current state of affairs is untenable, and reform is long overdue.

### Congress should adopt a legislative agenda that achieves the following goals:

#### #1. Clarify Responsibilities



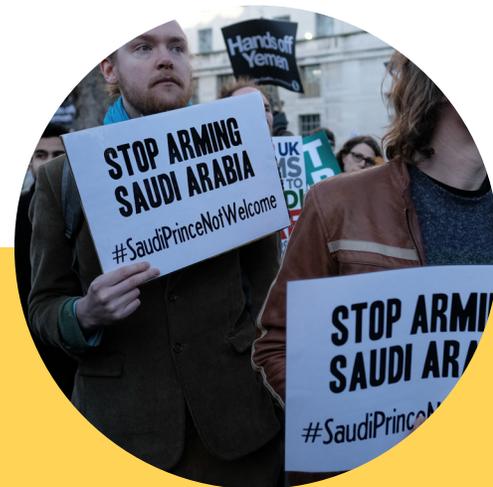
Congress can ensure that the executive adequately weighs human rights and civilian harm concerns in arms transfer decisions through a combination of thorough oversight, more forceful interpretation of existing statutes, and new legislation. This includes both stronger risk assessment and certification measures pre-sale as well as improved end-use monitoring and reporting.

#### #2. Strengthen Oversight



Current levels of congressional oversight are insufficient to prevent arms transfers that engender significant risks to U.S. foreign policy, including human rights, civilian harm, and corruption objectives. Congress needs a full picture of the risks and benefits of an arms transfer and the power to block concerning sales.

#### #3. Increase Transparency



Improving public awareness of arms transfers strengthens congressional oversight to ensure transfers reflect American standards for human rights, anti-corruption, and good governance abroad. Accessible and comprehensive public information on arms transfers to foreign countries and the financial benefits to U.S. and foreign firms is essential.