

The Hidden Costs: Transparency and the US Arms Trade

By Elias Yousif

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The Hidden Costs: Transparency and the US Arms Trade

Exploring the urgent need for transparency in the US arms trade and identifying pathways for reform.

By Elias Yousif

The U.S. arms trade is unmatched in its scale and scope, and its effects are equally profound. In nearly all corners of the globe, American defense articles, services, and assistance are shaping peace, conflict, civilian protection, and governance dynamics. But despite its weighty consequences, U.S. security cooperation and assistance suffers from a dangerous lack of public transparency, insulating the enterprise from meaningful oversight, analysis, and accountability. In this environment, U.S. arms transfers reflecting only a narrow set of equities all too frequently contribute to insecurity and abuse. Better outcomes are possible, but unlocking a more evidence-based, accountable, and responsible approach to U.S. arms transfers will depend on overcoming longstanding barriers to U.S. defense trade transparency.

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Introduction

The United States is the world's largest arms exporter. By some measures, it commands 42% of the global arms trade, eclipsing the market share of the next seven largest exporters combined.¹ The effects of U.S. transfers can be profound. Responsibly managed security cooperation and assistance can contribute to stability, deterrence, and the development of closer strategic partnerships. But irresponsible or poorly conceived security cooperation and assistance can do the opposite: fuel violence, enable abuse, or feed corruption.

Given its unmatched scale and scope and the outsize role it plays in shaping global political, security, and human rights landscapes, the U.S. security cooperation and assistance² (SCA) enterprise demands the highest standards of oversight and accountability. But meaningful oversight and accountability can only be realized through good faith transparency that empowers lawmakers, the public, and civil society with the information they need to scrutinize and shape U.S. arms transfer decisions and practices.

Despite these imperatives, the U.S. arms trade remains excessively opaque. Data and information on various SCA programs are largely classified, obscured, untimely, or otherwise inaccessible. In the absence of meaningful transparency, key stakeholders are circumscribed in their ability to influence, guide, or inform U.S. arms transfer decisions and policies, exacerbating the inherent risks of U.S. arms transfers and undermining efforts to improve the strategic utility of SCA. These are not just theoretical concerns. There are numerous examples of SCA efforts that have empowered predatory governments, enabled violations of international humanitarian and human rights law, and undermined U.S. national interests.

This paper explores the critical role of transparency in U.S. security cooperation and assistance (SCA) – not only as a matter of oversight and accountability but also as a means of strengthening U.S. policy and practice.³ It assesses the current state of transparency in SCA programming, examines how transparency practices have evolved, and identifies the key practical and political barriers to advancing transparency. The paper concludes with recommendations for reforms to improve transparency in the U.S. arms trade.⁴

Methodology

Findings, insights, and recommendations in this paper are based on desk research as well as interviews, consultations, and meetings with arms trade and transparency experts, U.S. government officials, and those engaged in addressing the risks and harms associated with the U.S. arms trade.

The paper is further informed by the author's extensive professional experience working on U.S. security cooperation and assistance research, which includes the collection and analysis of SCA data as well as frequent engagement with government and legislative representatives involved in arms trade policy and practice.

Desk research included reviews of primary U.S. government documents, including the Government Accountability Office, Congressional Research Service, budget documents, SCA reports, and others. Interviews were held under the Chatham House rule.

Though the terms are often used interchangeably in common parlance, security cooperation and security assistance are defined as separate, albeit overlapping, activities by the U.S. government.

Security cooperation is defined as: "Activities undertaken by the [Department of Defense] to encourage and enable international partners to work with the United States to achieve strategic objectives."

This can, but does not always, include U.S. security assistance programming, which is defined as "a group of programs, authorized under Title 22 authorities, by which the United States provides defense articles, military education and training, and other defense-related services by grant, loan, credit, cash sales, or lease, in furtherance of national policies and objectives."

Why Transparency Matters

Around the globe, U.S.-supplied arms are instrumental in shaping geopolitical dynamics, armed conflict, civilian protection environments, and state behavior. The stakes are high and demand that U.S. SCA reflects the highest standards of practice as both a moral imperative and national security necessity. Unfortunately, a lack of meaningful transparency creates practical and political hurdles to enhancing the efficacy and responsibility of the U.S. defense trade.

Siloing SCA information within a narrow set of government institutions limits the ability of other stakeholders, including lawmakers, civil society, and other government

agencies, to ensure the enterprise reflects their equities, expertise, and imperatives. Without transparency, external actors cannot make thoughtful interventions that could improve the dexterity, responsibility, and efficacy of Washington's international SCA approaches. As a result, U.S. security cooperation is susceptible to "groupthink," the perpetuation of faulty assumptions, and a distortion of policy priorities. These pitfalls consistently enable short-sighted defense partnerships that undermine broader U.S. interests while implicating the United States in the predatory and abusive behaviors of partner forces.

Similarly, shielding U.S. SCA from external scrutiny can alter the political calculus of engaging in risky defense partnerships. Without public transparency, policymakers are absolved of the responsibility to justify and incur the political costs of SCA partnerships that sacrifice U.S. commitments to international law, human rights, civilian protection, and good governance. The absolution of the responsibility to defend questionable SCA decisions alters the incentive structures within government and encourages a more risk-tolerant and permissive approach to SCA.

Conversely, meaningful transparency is essential to an effective oversight and accountability ecosystem. It can enable informed and more efficient legislative engagement and ensure the public and civil society have their equities reflected in SCA policy and approaches, democratizing what is increasingly a preferred instrument of U.S. foreign policy.

But transparency is not just an exercise in government submission to oversight – effective transparency is essential to ensuring that SCA practice, strategies, and policies effectively advance U.S. interests. Unlike the extensive body of research developed over decades on international development assistance, analysis of SCA remains comparatively limited.⁵ Think tanks, academic institutions, private sector actors, and other stakeholders have sought to bridge this gap, leveraging what little information is available to develop insights on the reverberating effects of SCA and to offer better strategies for mitigating risks, maximizing benefits, and ensuring arms transfers deliver stronger returns for U.S. interests.

Such efforts, however, rely on access to data and information. A more transparent security cooperation ecosystem would empower external stakeholders to conduct meaningful research and provide vital analysis of U.S. arms transfers, security assistance, and defense cooperation. While government officials often recognize the value of these contributions, transparency is needed to create a feedback loop that connects rigorous research with policy development, ensuring that SCA is grounded in evidence-based decision-making.

Transparency is a fundamental principle of good governance and remains especially important to the practice of SCA. It underwrites effective oversight and accountability that not only guards against irresponsible or risky SCA partnerships but also incentivizes a higher standard of practice. Accordingly, policymakers and practitioners should not regard improved information sharing as a threat. Instead, they should see reasonable levels of transparency as inputs into a broader architecture that elevates the efficacy of SCA, minimizes its risks, and aligns it with both U.S. foreign policy and national security priorities.

State of Play for US Weapons Trade Transparency

U.S. government officials often say that the U.S. SCA enterprise is the most transparent in the world. Though there is ample evidence to suggest that this is not true, comparisons to allies or adversaries are misleading.⁶ No country in the world occupies as dominant a position in the global arms trade as the United States.⁷ The list of countries to which the United States has not provided defense articles and services is small, and the scale of these partnerships are often unparalleled. In other words, in the global arms trade, the United States is in a class of its own, requiring a transparency ecosystem to match. Unfortunately, the state of U.S. SCA transparency is poor and, in many ways, deteriorating.

Though a detailed examination of all the ways in which the U.S. government shares or fails to share information on SCA is beyond the scope of this paper, the following section examines key public reporting mechanisms for the enterprise, their transparency value, and what critical aspects of SCA remain obscured from public view.⁸

The Arms Export Control Act (AECA) and Foreign Assistance Act (FAA) are the two principal laws governing all U.S. arms transfers, whether they be commercial arms sales, government-to-government arms sales, or provided as security assistance through U.S. appropriated funds. These transfers occur either under Title 22 (Foreign Relations) or Title 10 (Armed Services) of the U.S. code, which typically mean they are managed by the Department of State or Department of Defense respectively. However, the Department of Defense often implements many of the programs under the Department of State's Title 22 authority.

State Department Reporting

The Department of State (DoS) has authority over a variety of security assistance programs under Title 22 of the U.S. Code.⁹ These include the two main programs for the sale and export of U.S.-origin weapons – Foreign Military Sales and Direct Commercial licenses. They also include programs that provide billions in taxpayer-funded security assistance to partner countries.¹⁰

The quality and quantity of State Department reporting on its security assistance programs varies substantially. There are notable examples of good practice that should be replicated across the Department and by other U.S. government agencies.

This includes the DoS Congressional Budget Justifications (CBJ) for security assistance programming. Unlike those of some of its counterpart agencies, State's CBJ provides yearly figures on the dollar value of security assistance provided and requested by

Foreign Military Finance (FMF)			
(\$ in thousands)			
	FY 2020 Actual	FY 2021 Estimate	FY 2022 Request
FMF Total	6,131,924	6,175,524	6,175,524
FMF Enduring Total	5,645,015	5,598,615	6,175,524
Africa	5,000	*	6,000
Djibouti	5,000	*	6,000
East Asia and Pacific	101,000	*	129,000
Indonesia	14,000	*	14,000
Mongolia	3,000	*	3,000
Philippines	40,000	*	40,000
Thailand	-	*	10,000
Vietnam	12,000	*	12,000
State East Asia and Pacific Regional	32,000	*	50,000
Europe and Eurasia	250,690	*	299,024
Bulgaria	5,000	*	-
Estonia	8,000	*	8,750
Georgia	40,000	*	25,000
Latvia	8,000	*	8,750
Lithuania	8,000	*	8,750
Montenegro	5,000	*	-
North Macedonia	5,000	*	-
Romania	5,599	*	-
Ukraine	115,000	*	115,000
Europe and Eurasia Regional	51,091	*	132,774
Near East	5,120,000	*	5,459,000
Rebels	-	*	-

Figure 1 - Excerpt from the Department of State's FY2022 Congressional Budget Justification

country and program. Critically, these CBJ figures include data from previous fiscal years in addition to the amount requested for the following fiscal year.¹¹

Ukraine		
CTIWFP - Fiscal Year 2020 Department of Defense Training		
Course Title	Qty	Training Location
Global CT Community Of Interest (COI) Workshop	1	Garmisch, GY
Fiscal Year 2020 Program Totals	1	
DOHS/USCG - Fiscal Year 2020 Department of Homeland Security Training		
Course Title	Qty	Training Location
Boarding Officer Basic	1	Charleston, SC
International Maritime Officer (IMOC)	1	Yorktown, VA,
Fiscal Year 2020 Program Totals	2	
Exchange - Fiscal Year 2020 Department of Defense Training		
Course Title	Qty	Training Location

Figure 3 - Excerpt from the Department of State's 2020 - 2021 Foreign Military Training and DoD Engagement Activities of Interest Report

Volume I - Section III - Part III-III - E			
Ukraine			
	FY 2020		
Program	Individual Students	Course Count	Dollar Value
CTIWFP	1	1	\$2,393
DOHS/USCG	2	2	\$39,926
Exchange	8	2	\$64,800
FMF	128	39	\$573,162
FMS	2	1	\$0.00
GSCF	131	4	\$37,154
HMA	24	1	\$48,000

Figure 2 - Excerpt from the Department of State's 2020 - 2021 Foreign Military Training and DoD Engagement Activities of Interest Report

Similarly, the State Department's annual report on Foreign Military Training exemplifies the sort of detail and granularity that is essential for research and analysis of U.S. SCA activities. Despite challenges with timeliness and elements of its methodology (more below), the reports not only provide training information by individual program and country but also detail the specific courses provided and the number of students that participated in the training.¹²

The DoS's practice of publicly listing congressional notifications for Foreign Military Sales (FMS) is also an important contribution to transparency. Unlike its commercial sales counterpart (more below), proposed government-to-government arms sales are posted on the Defense Security Cooperation Agency's (DSCA) website upon their transmittal to Congress and contain information on the proposed recipient, the forecasted value of the sale, the number of items to be transferred, and the rationale for the transfer.¹³

However, information on the Department's other arms transfer programs is either absent or inadequate. Among the most glaring informational gaps continues to be the lack of quality public information on Direct Commercial Sales (DCS). Congressional notifications for DCS licenses are not posted publicly. While some data can be obtained from the Directorate of Defense Trade Controls website, congressional records online, or the Federal Register, the information provided is limited.¹⁴ It is often available only for a short period of time or well after the relevant review period, is difficult to access and interpret, and lacks key details. These missing details include the expected dollar value of the sale (not just the notification threshold value) and specific information about the defense articles or services proposed for transfer beyond their USML category. And while researchers have found ways to connect disparate dots from various and often obscure data sources to provide a fuller picture of DCS transfers and notifications, the lack of a dedicated, accessible, holistic, and detailed public reporting instrument continues to be a challenge.

Commercial sales comprised more than half of all U.S. arms transfers in FY2023, exceeding the dollar value of government-to-government sales by a substantial margin.¹⁵ The availability of information on proposed DCS licenses – or even the public awareness of these proposals – is especially critical at the notification stage, where lawmakers have one of the few practical opportunities to weigh in on arms transfer decisions.¹⁶ Keeping these notifications occluded eliminates a key catalyst for public engagement on these issues and prevents civil society from informing lawmakers' understanding of the merits and consequences of proposed sales.

The opacity of DCS notifications is made worse by the poor quality of post-facto reporting. As required by law, the DoS produces an annual report – colloquially known

as the “655 Report” – that summarizes the defense articles and defense services licensed for commercially permanent export during the previous fiscal year.¹⁷ The report also indicates the value of “shipped” items during the previous fiscal year. But these reports offer insufficient detail. Aggregation of information limits the insights that can be drawn from the publication. Though the reports indicate the importing country, they do not indicate the specific defense article or service licensed for export and instead offer only the quantity of authorized transfers by United States Munitions List (USML) category. DoS provides even less clarity on “shipped” articles and services, which are further aggregated to a single dollar total for all DCS articles and services by country.

Lack of detail is a problem across all U.S. government reporting, including with respect to State Department authorities. Despite the utility of CBJs in determining the country and program level detail for security assistance, there is nearly no information on the substance of these engagements. Neither the CBJ nor regular post-facto reporting beyond the Foreign Military Training Reports indicates, on a country-by-country basis, the specific material, services, or support provided by these programs. In effect, there remains very little public understanding of the nature of the United States’s security assistance partnerships and how they manifest in practice.

Even when the level of detail is robust, inconsistencies in practice undermine transparency efforts. For example, though Volume II of the Foreign Military Training Report offers course title and recipient level detail for planned or ongoing military training purchased through the FMS process, similar details are omitted from Volume I of the report, which, among other things, covers training completed in the previous fiscal year, making it difficult to compare information between reports. Because the information in Volume II is incomplete and includes projections subject to change, the omission of FMS training details in Volume I means there is no definitive public accounting of training details provided through the FMS process.¹⁸

Similarly, and as an additional challenge with respect to commercial transfers, while the Foreign Military Training Report provides detailed information on military training provided or administered by the U.S. government to foreign recipients, it omits information on training sold through the DCS process, including specific information on recipient units, training courses, and training institutions.

Direct Commercial Sales (DCS)
– sales of defense articles or defense services by U.S. industry directly to a foreign buyer, made under a Department of State issued license but not administered, managed, or negotiated by the U.S. government. It is the counterpart to the Foreign Military Sales (FMS) program, under which the U.S. government sells defense articles, services, and training directly to foreign governments or international organizations.

Department of Defense Reporting

Since September 11th, 2001, the number and value of SCA programs under the authority of the Department of Defense (DoD) grew dramatically, becoming a significant component of the so-called U.S. global war on terror.¹⁹ While many of these programs have since been eliminated or consolidated, the DoD's footprint on the SCA remains substantial, especially since it administers many of the programs under DoS authority.²⁰

Like the DoS, the DoD also has its own history of good practice from which it can draw. Among the most comprehensive SCA publications were the CBJs produced by the

FY 2021 OVERSEAS CONTINGENCY OPERATIONS (OCO) REQUEST COUNTER-ISIS TRAIN AND EQUIP FUND (CTEF)			
Similar to the IA, the CJTF-OIR will continue to provide operational support to the QK in the form of equipment in support of their light infantry D-ISIS mission in FY 2021.			
MoD Training and Equipping			
Item	Unit Cost	Quantity	Total
M120A1 Mortar	\$89,619	31	\$2,778,189
M2	\$16,808	54	\$907,632
M2 Mount, MK93	\$1,811	52	\$94,172
M2 Mount, Tripod	\$388	52	\$20,176
M2 Attachment	\$306	52	\$15,912
M2 Cleaning Kit	\$93	52	\$4,836
M4	\$654	1,310	\$856,740

Figure 4 - Excerpt from the Department of Defense's FY2021 CBJ regarding the Counter-Islamic State of Iraq and Syria (ISIS) Train and Equip Fund (CTEF)

Department for its Counter-ISIS Train and Equip Fund (CTEF) and its Afghan Security Forces Fund (ASFF) programs developed specifically to support local partners in Iraq, Syria, and Afghanistan. These CBJs gave detailed summaries of not just the dollars and cents of SCA, but the number and type of capabilities to be provided, as well as the individual government institutions that were to receive them.²¹

Unfortunately, the Department's other public transparency practices fall far short of this standard which, taken together, means that there is virtually no meaningful public reporting on some of the most consequential U.S. SCA programs.

Among the most significant transparency challenges in the Department's SCA portfolio is the lack of practically or analytically useful information in its CBJs. Though the DoD provides a separate CBJ for security cooperation programming, the document is divided between thematic and programmatic tables, with amalgamations of some authorities alongside single programs that prevent useful comparisons. Moreover, the documents

contain almost no country-level specificity, generally offering only information on the relevant combatant command (CCMD) or instead presenting yearly totals by program or activity type. Even when the report does mention noteworthy programs or authorities, they are often aggregated with other initiatives, meaning it is impossible to assign even the dollar value to any one authority.²²

The problem posed by the lack of useful information in DoD CBJs is made worse by the

Category 4: Capacity Building				
10 USC Sec 332	Friendly foreign countries; international and regional organizations; defense institution capacity building (332)			
10 USC Sec 333	Foreign security forces: authority to build capacity (333)	579,994	723,344	1,303,338
P.L. 114-92 Sec 1263	Indo-Pacific Maritime Security Initiative (1263)			

Figure 5 - Excerpt from the Department of Defense FY2024 CBJ for Security Cooperation Program and Activity Funding

near absence of any other public reporting on Title 10 authorities. These programs are among the most practically consequential U.S. security cooperation activities – frequently taking place in insecure environments and often involving the physical deployment of U.S. service members in train, advise, and assist capacities.²³ Research has indicated the troubling degree to which these building partner capacity programs can both enable predatory or irresponsible behavior of security forces as well as place U.S. forces in situations where their engagement in hostilities is highly likely, posing a risk to congressional war powers authorities.²⁴

The Defense Security Cooperation Agency’s (DSCA) Historical Sales Book (formerly Historical Facts Book) does little to address this problem. The congressionally mandated report provides, by country and program, summaries of U.S. Foreign Military Sales (FMS) and Building Partner Capacity (BPC) Programs in dollars for the previous three fiscal years and an aggregated total since FY1950.²⁵ In its current format, the report provides a single yearly sum of FMS for each foreign recipient and yearly sums for BPC programs, in some cases with additional information regarding relevant Combatant Commands or State Department regions. Under current practice, the information provided has inherent methodological and practical shortcomings that severely circumscribe the utility of the data for longitudinal analysis or study. Operational definitions remain unclear, including which stage of the transfer process is being reflected in the report, and information on the weapons systems or platforms sold under FMS is not included. Information on BPC programs is even less clear, with ill-defined financial definitions and no country-level detail.

Methodological problems also plague the DSCA's public database cataloging authorizations and transfers of Excess Defense Articles (EDA), an authority to transfer obsolete or surplus military equipment to foreign partners. The database offers little clarity on its methods or definitions, complicating data interpretation and undermining the transparency value of the resource. Additionally, the database is infrequently updated.²⁶ Though a significant update was made in October 2024, until that point, the database was missing figures for fiscal years 2021, 2022, and 2023.

Congressional Reporting

The lack of publicly available information on U.S. SCA amplifies the importance of the executive branch's reporting to Congress. Indeed, the U.S. Constitution assigns authority for many SCA activities to the legislative branch and the framework laws governing U.S. arms transfers enshrine Congress as a key arbiter of SCA decision-making processes. However, fulfilling this role depends on its own form of transparency. Moreover, congressional reporting feeds into a broader ecosystem of oversight and accountability, where collaboration between lawmakers, civil society, and outside experts sharpens the engagement of overstretched Hill offices and ensures a wider range of equities are represented on these key issues. Unfortunately, the state of congressional transparency is also an area of persistent concern. The challenge is multifaceted and ranges from committee parochialism to capacity limitations to executive branch neglect of its reporting obligations.

Oversight and management of the United States' massive and complex SCA enterprise falls on just a small cadre of legislative staffers, who must balance their arms transfer-related responsibilities against other competing priorities within their vast national security portfolios. With capacities stretched thin, legislative offices struggle to hold the executive branch accountable for its information-sharing obligations and are poorly positioned to take note of or respond to the deteriorating quantity or quality of SCA reporting.

Additionally, political dynamics within Congress also constrain SCA information flows. Much of the executive branch's reporting to Congress on SCA is transmitted to the offices of the Chair and Ranking Members of the Senate and House Foreign Affairs and Armed Services Committees. Intra-party dynamics have, at times, trumped procedure, and offices in leadership have often guarded their access jealously. In some cases, these offices have declined to share information with outside staffers and fellow legislators, even when that information is not classified.

But even these offices often struggle to get information from the executive branch. Demands for more information have often been declined, met with delayed responses,

or been paired with excessively burdensome access parameters. While some of these challenges may be related to national security concerns and efforts to limit leaks of information, the net result is a highly compartmentalized information environment that severely limits not only visibility into the U.S. arms trade but also the sort of cross-sector “public-private” engagements that can improve oversight and accountability.

Deteriorations in the SCA Transparency Ecosystem

Though U.S. SCA has long been shrouded in secrecy, the unfortunate state of transparency owes much to recent years’ deteriorating public reporting on arms transfers and military assistance programs. In some cases, reported data has become less detailed or been subject to less rigorous methodological standards. Since FY2010, for example, the 655 Report on DCS has stopped providing disaggregated subcategories of USML items. Instead, it provides a yearly total for each USML category (see Figures 6 and 7 below).²⁷

Country		Quantity	Value
AFGHANISTAN			
Category I	Firearms, Close Assault Weapons and Combat Shotguns		
	* (a) Nonautomatic and semi-automatic firearms	266	\$ 177,620
	* (b) Fully automatic firearms	10	\$ 73,157
	(f) Riflescopes	66,004	\$ 11,650,155
	* (g) Barrels, cylinders, receivers and complete breech mechanisms	12	\$ 4,577
	(h) Components, parts and associated equipment	1,164,582	\$ 66,889,208
	(i) Technical data	42	\$ 4,081,560
	Category Total	1,230,916	\$ 82,876,277
Category II	Guns and Armament		
	* (a) Guns over caliber .50	9	\$ 7,200
	(k) Technical data	40	\$ 4,072,060
	Category Total	49	\$ 4,079,260

Figure 7 - Excerpt from FY2009 State Department 655 Report

	Quantity	Authorized Value	Shipped Value
Afghanistan	3,844,838	\$ 2,774,094,786	\$ 75,834,983
Category I	3,954	\$ 1,504,623	
Category II	62	\$ 608,235	
Category III	3,700,163	\$ 1,169,590	
Category IV	2,866	\$ 6,769,003	
Category V	1	\$ 25	
Category VII	13,896	\$ 55,594,760	
Category VIII	33,589	\$ 767,679,795	
Category IX	5,489	\$ 4,250,775	
Category X	20,361	\$ 9,436,444	
Category XI	44,187	\$ 971,283,350	
Category XII	12,310	\$ 872,634,433	
Category XIII	274	\$ 29,048,669	
Category XIV	7,679	\$ 1,463,712	
Category XV	3	\$ 50,035,625	
Category XVIII	3	\$ 10,485	
Category XXI	1	\$ 2,605,262	

Figure 6 - Excerpt from FY2010 State Department 655 Report

The DoD’s Historical Sales Book has also become less detailed. Past versions of the report broke FMS down into distinct categories – including FMS Agreements, FMS Construction Sales Agreements, FMS Deliveries, and FMS Construction Deliveries – and provided some country-level information on BPCs.²⁸ But since FY2016, figures have been reduced to a single dollar value for each country by fiscal year for FMS and have omitted all country level detail for BPCs.

Similarly, the DoD’s CBJs for security cooperation have followed the trend of providing increasingly aggregated information, virtually eliminating any country-level detail and making it impossible to discern the exact scale or scope of the Department’s security cooperation activities.

In other cases, reports are no longer publicly available. While reports on arms transfers and military aid programs submitted to Congress were once more widely accessible, albeit on a limited basis, the executive branch has been making increasingly liberal use of “For Official Use Only,” “Sensitive but Unclassified,” or “Controlled Unclassified Information,” designations. Whereas the public and civil society were once able to work with Hill staff to access these reports – albeit on a limited basis – the increasing use of these designations now adds an additional barrier to the availability and transparency value of these publications. And while many civil society actors have filed Freedom of Information Act (FOIA) requests to fill these gaps, they often go unanswered or are outright rejected for legally dubious reasons.

Additionally, the executive branch has become increasingly lax about the timeliness of its reports, even in cases where submission dates are mandated by law. Many key SCA reports have been months or even years late, as was the case for the FY2022 and FY2023 Foreign Military Training reports and the Excess Defense Articles database.

Taken together, these developments point to a troubling downward trajectory for SCA transparency.

Emerging Transparency Risks

Looking forward, despite efforts by civil society and lawmakers to advance a more transparent SCA enterprise, several trends point to even more constrained information ecosystems.²⁹

Among the most acute threats to transparency is the longstanding U.S. government effort to raise notification thresholds for reporting proposed arms transfers to Congress.³⁰ Raising the dollar value floor for notification would effectively reduce the number of arms sales submitted for congressional review, undercutting one of the few meaningful opportunities for lawmakers to weigh in on arms transfer decisions and constraining what has historically been an important de facto transparency mechanism.

The volume of sales occurring below existing thresholds and away from effective congressional oversight underscores the risk. In 2019, for example, as both Democratic and Republican lawmakers were pressing the administration to halt arms sales to the Saudi-led coalition fighting in

Under the Arms Export Control Act, arms sales that reach a certain financial value require congressional notification and review. The transaction value triggering notification and the duration of the review period vary depending on the proposed recipient and weapons system in question.

Yemen, the DoS’s Office of the Inspector General found that more than 4,211 below-threshold arms transfers, worth roughly \$11 billion, were made to the coalition members between 2017 and 2020.³¹ Similarly, despite evidence of grave violations of international humanitarian law and increasing congressional animus towards arms transfers to Israel, reporting suggests that hundreds of sales below notification thresholds have escaped congressional scrutiny.³²

Recipient	Transfer Type	Congressional Review Period	Value Threshold for Major Defense Equipment	Value Threshold for Defense Articles and Services	Value Threshold for Design and Construction	Value Threshold for Firearms
NATO, Israel, Japan, Australia, South Korea, and New Zealand	Foreign Military Sale	15 Calendar Days	\$25 million	\$100 million	\$300 million	N/A
	Direct Commercial Sale	15 Calendar Days	\$25 million	\$100 million	N/A	\$1 million
All Other Recipients	Foreign Military Sale	30 Calendar Days	\$14 million	\$50 million	\$200 million	N/A
	Direct Commercial Sale	30 Calendar Days	\$14 million	\$50 million	N/A	\$1 million

Table 1 - Arms Export Control Act Transfer and Notification Value Thresholds³³

Additionally, because so much of the existing SCA transparency and oversight ecosystem depends on norms rather than statutes, the little access to data that exists hinges on executive branch policy preferences. Whether the informal “tiered review” process that gives certain Hill offices the opportunity to negotiate and place holds on arms transfers, the public posting of FMS notifications to the DSCA’s website, or the increasing use of classification and “For Official Use Only” (FOUO), the executive branch has the prerogative to further constrain public visibility into U.S. arms transfers and assistance activity. And with increasing public awareness and scrutiny of U.S. arms transfer issues, driven by their relevance to many recent conflicts and ongoing humanitarian crises, the U.S. government may feel incentivized to exercise its ability to further obscure information on SCA.

Barriers and Challenges to Weapons Trade Transparency

In the face of the poor and, in many cases, deteriorating U.S. SCA transparency, civil society, lawmakers, and U.S. government officials have encouraged reforms to improve public reporting, oversight, and accountability. Unfortunately, there remain significant practical, political, and strategic obstacles that continue to stymie these efforts. This section provides a selected overview of some of these key obstacles. Where relevant, the section illustrates where these barriers have been inflated or misconstrued and how they can be managed.

Practical Barriers to Transparency

In some cases, constraints on transparency and public reporting on SCA may be related to functional, technical, or resource-based challenges. The vastness of U.S. SCA presents huge methodological hurdles in terms of data collection and synthesis, especially across a siloed interagency bureaucracy.

Within the U.S. government, the various institutions and actors with responsibility over SCA often handle, present, and manage data differently. Collecting that data and reaching into all the corners of government where it may exist is enormously challenging and resource-intensive. For example, while the DoD has long said in its CBJ for security cooperation activities that, although it has intended to better present data on a regional and country basis, “this is not yet possible based on the timeline and process for data collection.”³⁴

These challenges have contributed to reporting fatigue across the enterprise, especially in terms of submissions to Congress. In the absence of more systematic reporting architectures, lawmakers have frequently added reporting provisions to budget authorizations or other recurring legislation, resulting in an accumulation of overlapping and, in some cases, redundant requirements that place a substantial burden on already strained executive branch capacities.

Additionally, though greater investments in the SCA workforce are making improvements in this regard, executive branch turnover coupled with the sheer complexity of the enterprise means that the degree of individual familiarity and institutional knowledge of arms transfer-related issues, methods, and best practices may

be limited. Operating in unfamiliar territory, these officials are likely to be precautionous and may default to more guarded approaches to transparency and information sharing.

Lastly, like all institutions, bureaucratic inertia may also play a role. Even when there may be agreement on the need for improved transparency, re-shaping the structures necessary to implement them is difficult, with even minor reforms creating cascading requirements for a wide range of offices and processes.

Political and Strategic Barriers to Transparency

Beyond the more administrative challenges, there remain firmly held views and assumptions about arms trade transparency that feed political opposition to improving SCA transparency. Though these views are various and multifaceted, several have been especially persistent.

OPERATIONAL SECURITY CONCERNS

Claims that excessive transparency could provide adversaries exploitable insights into U.S. or partner operations, capabilities, and planning have long justified limiting disclosure of key U.S. arms transfer and military assistance information. These operational security (OPSEC) concerns have generally included the risks of revealing gaps in a partner's existing defense capabilities; giving adversaries advance warning of the introduction of new capabilities and therefore, the ability to prepare countermeasures; and potentially disclosing the location or movements of U.S. and partner forces.³⁵

The Department of Defense defines operational security (OPSEC) as a process to “reduce the vulnerability of US and multinational forces to successful adversary exploitation of critical information. OPSEC applies to all activities that prepare, sustain, or employ forces.”

But while OPSEC is an important defense consideration that must be weighed judiciously against other imperatives, past government practice and the tailored nature of proposed transparency reforms suggest these concerns can be overcome.

Public disclosure of individual assistance measures or arms transfers does not necessarily imply a gap in partner capabilities. Arms transfers occur in a variety of contexts and can relate to developing, sustaining, or expanding on a particular set of weapon systems, none of which preclude the existence of analogous capabilities. Conflating transfer information with a capability gap would represent a highly risky assumption on the part of an adversary. Similarly, even advance warning of the transfer of new capabilities does not necessarily provide an easy pathway for opponents to

develop effective countermeasures. The development of countermeasures is a time-consuming process that likely draws on a far wider and deeper range of information and intelligence sources than would be reflected in more regular defense trade transparency mechanisms.

Additionally, not all transfers take place in high-risk OPSEC environments or represent information that is exploitable by adversaries. Routine transfers to longstanding partners, transfers of less sophisticated capabilities, or security cooperation activities with partners whose threat landscape does not involve near-peers are all unlikely to present acute OPSEC risks.

Even in cases where OPSEC risks are high, like Ukraine, the U.S. government has demonstrated an ability to be remarkably transparent in its security cooperation and assistance activities. Though Ukraine is engaged in an industrial-scale, high-intensity conflict with a peer rival, the Biden administration has provided regular updates on the scale, scope, and nature of its arms transfer to Kyiv, suggesting that OPSEC concerns are manageable even in the most hostile environments when sufficient political will exists.

Similarly, OPSEC has not been cited as a concern with respect to FMS notifications, which are often related to the transfer of highly advanced capabilities to partners facing complex security challenges. Indeed, the U.S. government and U.S. partners often publicize news of these transfers as an instrument for public diplomacy and diplomatic signaling.

Vitaly, transparency measures can be shaped to navigate legitimate OPSEC concerns. Public reporting on SCA need not include details on troop movements or other location details; pre-delivery reporting could focus on the dollar value of the specific capabilities rather than quantity; and the specific number of defense articles transferred could be reported after delivery and receipt.

PROPRIETARY COMMERCIAL INFORMATION CONSTRAINTS

The U.S. government has also long claimed that it is constrained in its ability to offer any further information on DCS because of its obligation to protect private companies' proprietary commercial information. Though what specific information the U.S. government is referring to or the exact nature of the risks posed by further disclosure remains unclear, officials have suggested that the concerns center on revealing information that might place industry partners at a competitive disadvantage.

In this framing, the most pertinent information would likely be related to the pricing of specific capabilities within a DCS case, which – according to the U.S. government – could allow domestic or foreign competitors to undercut proposed or ongoing sales. When it

comes to congressional notifications, officials have suggested that, since these relate to proposed sales that have yet to be completed, disclosing information such as pricing could threaten the deal before it is concluded. The U.S. government has also suggested that its obligation is not just ethical but based upon specific legal commitments.

In practice, however, the risks posed to commercial actors, as well as the legal obligations the U.S. government is concerned about violating, are not as severe as has been suggested. Pricing information is made available for government-to-government foreign military sales – which still involve defense industry partnerships – with little discernible damage to private competitive advantage.³⁶ Moreover, information on DCS pricing is often disclosed in other forums, albeit in a disaggregated manner that complicates efforts to leverage the information for public oversight or research.³⁷ Industry representatives have also suggested their concerns around price disclosure are minimal and not a priority in terms of protecting their commercial interests.

Claims by the U.S. government that further DCS disclosures would violate unspecified legal obligations seem to be based on a highly restrictive interpretation of provisions in the Arms Export Control Act (AECA) and its operationalization in the International Traffic in Arms Regulations (ITAR). Section 38(e) of the AECA states that, as an element of the president’s enforcement authority, “the names of the countries and the types and quantities of defense articles for which licenses are issued under this section shall not be withheld from public disclosure unless the President determines that the release of such information would be contrary to the national interest.”³⁸ However, §120.21 of the ITAR explains that the U.S. government understands this language to suggest that “information obtained for the purpose of consideration of, or concerning, license applications shall be withheld from public disclosure unless the release of such information is determined by the Secretary of State to be in the national interest.”³⁹ In other words, the ITAR interpretation, a policy decision, goes beyond the context described in the AECA, a statutory requirement.

Such an interpretation also seems to contradict the explicit requirement in the AECA that the president provide DCS notifications in an unclassified format unless such disclosures “would be clearly detrimental to the security of the United States.” Indeed, across the AECA, the president is mandated and provided the authority to make public information on U.S. arms transfers so long as such disclosures would not represent a national security threat – as opposed to a commercial risk.

POLITICAL WILL AND DISCOMFORT

Beyond practical barriers and perceived risks, political disinterest remains a fundamental obstacle to improving SCA transparency. Among the various reasons for that disinterest is, in part, a preference among key stakeholders in the enterprise for the

freedom of action opacity enables. Admittedly, for all the benefits oversight and accountability provide, it also demands more of policymakers and practitioners. Indeed, the imposition of effective guardrails, by definition, will add constraints to decision-making.

Similarly, demanding more substantial justification for high-risk SCA partnerships will require policymakers to bear the political consequences of decisions that were previously made with little notice or scrutiny. Transparency, especially regarding arms transfers that jeopardize international law and civilian protection imperatives, removes the ability of decision-makers to shirk the political discomfort that should accompany these choices. In this context, there are understandable – albeit counterproductive – institutional incentives that are at odds with greater SCA transparency.

Developing a More Transparent and Responsible SCA Ecosystem

U.S. SCA demands a better standard of practice, one that reflects the severity of the enterprise's risks and consequences. Without transparency, however, developing the requisite oversight and accountability architecture to incentivize more rigorous and responsible approaches to arms transfers will remain exceedingly difficult.

Accordingly, policymakers should think of transparency not as a concession but as an instrument for improving the interest-based outcomes of an increasingly central component of U.S. foreign policy. In this context, and beyond any individual measures, the U.S. government should embrace an ethos of transparency in U.S. SCA, departing from a default presumption of secrecy to a presumption that information should be public, to be concealed only on a case-by-case basis as circumstances demand.

It is important to recognize that the transparency needs of lawmakers, civil society, and other stakeholders will vary. Accordingly, proposals for SCA transparency will, as should be expected, reflect the specific needs of those advocating for them. The information relevant to those working on the ground to investigate and trace cases of weapons diversion, for example, will differ from those undertaking large, longitudinal studies on U.S. SCA. Capturing the breadth of potential transparency reforms is beyond the scope of this paper but speaks to the importance of adopting transparency as a defining principle for the enterprise. Nevertheless, there are overarching transparency measures that the U.S. government can adopt over the short, medium, and long term that would have far-reaching benefits for various stakeholder communities.

Addressing Gaps and Improving Accessibility

Provide public, organized, and accessible reporting on DCS notifications. The DoS should disclose DCS notification at the time of their transmittal to Congress, as is standard practice for FMS over-threshold sales. These disclosures should include specifics about the defense article or service being proposed for license, details on the recipient, and the anticipated dollar value of the sale. These notifications should be posted in a public, online format, as is the case for FMS notifications, and include the same specificity as provided in government-to-government transfer announcements.

Adopt more detailed, disaggregated, and methodologically rigorous year-end reporting on DCS. DoS should reconfigure the congressionally mandated annual 655 Report to disaggregate USML categories. Beyond simply reverting to past practice, new reporting methods should, at a minimum, provide detail at the USML subcategory level. In addition, for items of particular concern, including assembled weapons, ammunition, and explosives, the report should include information on the make, model, quantity, dollar value, actual year of shipment or delivery, destination country, and category of end-users (e.g., military, law enforcement, civilian, commercial). While it may not be practical to provide this degree of detail for every part, component, or element of technical data, at a minimum, this information should be provided for key subcategories of the USML.

Adopt more detailed, disaggregated, and methodologically rigorous year-end reporting on FMS. The DSCA should refine and enhance its congressionally mandated Historical Sales Book to reflect better reporting methodologies, transparency, and clarity. The report should be explicit in its operational definitions, should include separate sections for authorizations and deliveries, and should present specifics on platforms and capabilities authorized or delivered to foreign recipients in each fiscal year under FMS, including information on its associated congressional notification.

Provide comprehensive and detailed year-end reporting on all SCA programming. The U.S. provides hundreds of millions of dollars in defense articles, services, and financing support to foreign security institutions through appropriated funds. DoS and DoD should provide detailed annual, publicly available, and disaggregated reporting on these activities each fiscal year by assistance/cooperation program and country, with explanations for the purpose of assistance. These reports should cover all assistance and cooperation programming authorized under Titles 22 and 10 of the U.S. Code. Such reporting should follow good practice in detail and formatting reflected in other past reports of a similar nature, including, for example, the Foreign Military Training Reports or what had been very detailed budget justifications for the Afghanistan Security Forces Fund (ASFF). Critically, the U.S. government should ensure that data collection

and synthesis methods allow comparison across programs, including those managed by different government agencies.

Provide SCA reporting in machine-readable formats. Current SCA reports are often published in static, non-machine-readable formats, such as PDFs, that limit the ability of stakeholders to easily analyze, sort, or compare data. To enhance accessibility, usability, and transparency of U.S. security cooperation and assistance (SCA) reporting, the U.S. government should publish SCA data in machine-readable formats, such as Excel, CSV, or other standard, structured file types compatible with data analysis software. This reform will enable more efficient, thorough analysis by stakeholders, including policymakers, researchers, civil society organizations, and the public.

Strengthening the Congressional Oversight Ecosystem

Develop reporting mechanisms for sub-threshold transfers. The U.S. government should develop a mechanism for regular and annual reporting on sub-threshold arms transfers not notified to Congress. Such reporting should be public or at least provided in a way that allows for public visibility. Proposals to require the executive branch to report to Congress on all proposed arms transfers to a given recipient once the cumulative value of those sales reaches a particular threshold during a single calendar year would be a good first step.⁴⁰

Lower notification thresholds for certain arms transfer categories. Current value thresholds for congressional arms sales notifications mean that many transfers of less sophisticated or expensive capabilities proceed without legislative or public scrutiny. Many items and services, especially small arms and light weapons and foreign military training, may not come at high dollar values but have an outsized impact on international peace, security, and human rights contexts. Through executive action, the U.S. government should begin providing advance notice to Congress on proposed sales for training valued at \$500 thousand or more and major defense equipment valued at \$1 million or more. While these notices would not trigger the same legislative procedures as a formal notification, they would contribute substantially to oversight and transparency. Critically, these notifications should be made public or, at the very least, provided in a non-classified, non-official use-only format to lawmakers.

Provide lawmakers with notice ahead of delivery. After congressional notification, it may take years for defense articles and services to be exported, during which time strategic or contextual changes may present new risks not initially accounted for during the congressional review process. Giving lawmakers a final opportunity to review an arms sale provides an additional mechanism to ensure that selling U.S. arms to a foreign

recipient remains in the national security interests of the United States at the time of export. Accordingly, the administration should provide congressional notification prior to delivery of defense articles and services. Understanding that deliveries may take place in multiple phases spanning months or years, a notification prior to the first delivery pursuant to a specific package (either a letter of offer and acceptance for FMS or a license for DCS) would be especially valuable, as would a notification of a final delivery pursuant to a specific package.

Addressing Gaps and Inconsistencies in SCA Reporting

Require DoD CBJs for security cooperation activities to provide program, value, and activity level detail by individual country for each fiscal year. The DoD should provide publicly available budget justifications that include dollar figures by country and, where appropriate, details for certain categories of complete (assembled) weapons, ammunition, platforms, and other high-risk commodities by program. There are examples of good practices from which the DoD should borrow; for instance, the DoD should copy the DoS's CBJ practice and provide country-level figures by program. Beyond the requested amount for the upcoming fiscal year, the Defense Department should also provide the estimated and actual amounts committed in previous fiscal years, as State does.

Address gaps and inconsistencies in U.S. Foreign Military Training reporting. Though Volume II of the Foreign Military Training Report offers course title and recipient-level detail for planned or ongoing military training purchased through the FMS process, similar details are omitted from Volume I of the report, which, among other things, covers training completed in the previous fiscal year. Because the information in Volume II is incomplete and includes projections that are subject to change, the omission of FMS training details in Volume I means there is no definitive public accounting of training details provided through the FMS process. The Departments of State and Defense should expand Volume I of the Foreign Military Training Report to include course title and recipient level detail for completed training acquired through FMS as it does for other security cooperation programs to allow for synchronized and longitudinal analysis.

Improve the Excess Defense Articles (EDA) Database. The Defense Security Cooperation Agency should work to improve the consistency of its excess defense articles reporting and strengthen its database methodology. This should include presenting, to the extent possible, the dollar value of EDA transfers based on the calculated financial contribution the transfers represent to the recipient governments. These figures should be explicitly tied to a single measure of item quantity, preferably

of delivered EDA. Finally, these figures should also account for the degree to which the recipient country is offsetting the U.S. cost of the transfer with any form of payment, which itself should be explicitly reflected.

Recommendations Matrix

These proposed reforms would all contribute to SCA transparency. Yet, the relative impact of these proposals on the state of transparency, as well as the political and practical hurdles they may face, vary. Some proposals which might offer more limited improvements of transparency might be easily adoptable. Others might be transformative in terms of transparency but would require more substantial technical and political investments.

The matrix below seeks to compare the impact and relative adoptability of these proposals and provide stakeholders with a sense of where there may be low-hanging fruit to seize, as well as the transformative value of more ambitious reforms. In considering the degree of adoption effort required, the matrix below reflects both the degree of technical and resource investments a proposal might demand, as well as the political opposition that would need to be overcome.

	Marginal Adoption Effort	Moderate Adoption Effort	Significant Adoption Effort
Moderate Impact on Transparency	<ul style="list-style-type: none"> Adopt more detailed, disaggregated, and methodologically rigorous year-end reporting on FMS. Improve the Excess Defense Articles Database. 	<ul style="list-style-type: none"> Address gaps and inconsistencies in U.S. Foreign Military Training reporting. Provide SCA Reporting in machine-readable formats. 	
Significant Impact on Transparency	<ul style="list-style-type: none"> Adopt more detailed, disaggregated, and methodologically rigorous year-end reporting on DCS. 	<ul style="list-style-type: none"> Develop public and congressional reporting mechanisms for sub-notification threshold arms transfers. Lower notification thresholds for certain arms transfer categories. 	<ul style="list-style-type: none"> Provide lawmakers with notice ahead of delivery. Require DoD CBJs for security cooperation activities to provide program, value, and activity level detail by individual country for each fiscal year.

Transformational Impact on Transparency	<ul style="list-style-type: none"> • Provide public, organized, and accessible reporting on DCS notifications. 		<ul style="list-style-type: none"> • Provide comprehensive and detailed year-end reporting on all SCA programming.
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Table 2 - Recommendation Adoption Effort-Impact Matrix

Conclusion

Arms transfers are a powerful instrument of U.S. foreign policy, demanding commensurate levels of caution and responsibility in their use. Under the current paradigm, however, excessive secrecy protects the enterprise from the kind of analysis, political scrutiny, and interdisciplinary insights that could encourage more measured and evidenced-based approaches to SCA. Embracing transparency is essential to shifting away from this model and realizing the strategic, tactical, and ethical advantages that come with enhanced oversight and accountability.

In this way, the U.S. government must re-orient its thinking around transparency. The assumption that transparency generates political, diplomatic, or security risks has too long ignored how a lack of transparency jeopardizes those very same imperatives. The cost of an overly opaque SCA ecosystem has already manifested in the number of security partnerships that misalign with U.S. interests, fall short of policy goals, and often entangle Washington in conflicts, human rights abuses, and violations of international law. The United States can do better.

Undoubtedly, adopting more transparent practices may place new or additional burdens on policymakers and practitioners. But those burdens represent important investments in raising not just the political and moral standards of U.S. SCA, but also the tactical and strategic efficacy of the enterprise. By expanding the community of practice engaged in studying, understanding, and evaluating SCA, the U.S. government stands to gain more contextually rich, evidenced-based, and politically sound policies and approaches.

Endnotes

¹ Stockholm International Peace Research Institute, “Trends in International Arms Transfers, 2023,” Pieter D. Wezeman, Katarina Djokic, Dr. Mathew George, Zain Hussain, and Siemon T. Wezeman, (2024) page 2. <https://www.sipri.org/publications/2024/sipri-fact-sheets/trends-international-arms-transfers-2023>.

² For more on the definition of security cooperation and assistance, please see: United States Defense Security Cooperation Agency, “Chapter 1: Security Cooperation Overview and Relationships.” <https://samm.dsca.mil/chapter/chapter-1>. and United States Defense Security Cooperation Agency, “ESAMM Glossary.” <https://samm.dsca.mil/listing/esamm-glossary>.

³ Citation for security cooperation and assistance pullout box: United States Defense Security Cooperation Agency, “Chapter 1: Security Cooperation Overview and Relationships.” <https://samm.dsca.mil/chapter/chapter-1>.

⁴ United States Defense Security Cooperation Agency, “Chapter 1: Security Cooperation Overview and Relationships.” <https://samm.dsca.mil/chapter/chapter-1>.

⁵ Center for Strategic and International Studies, “Assessment, Monitoring, and Evaluation in Action for Security Sector Assistance,” Erol Yayboke, MacKenzie Hammond, Hijab Shah, and Melissa Dalton, (2019). <https://www.csis.org/analysis/assessment-monitoring-and-evaluation-action-security-sector-assistance>.

⁶ Small Arms Survey, “The Small Arms Trade Transparency Barometer 2022,” Aline Shaban and Irene Pavesi. <https://smallarmssurvey.org/sites/default/files/SAS-Transparency-Barometer-2022.pdf>.

⁷ Stockholm International Peace Research Institute, “Trends in International Arms Transfers, 2023,” Pieter D. Wezeman, Katarina Djokic, Dr. Mathew George, Zain Hussain, and Siemon T. Wezeman, (2024) page 2. <https://www.sipri.org/publications/2024/sipri-fact-sheets/trends-international-arms-transfers-2023>.

⁸ Citation for Arms Export Control Act and Foreign Assistance Act pullout box: Congressional Research Service, “Transfer of Defense Articles: U.S. Sale and Export of U.S.-Made Arms to Foreign Entities,” Christina L. Arabia, Nathan J. Lucas, and Michael J. Vassalotti, (2023) page 1. <https://crsreports.congress.gov/product/pdf/R/R46337>.

⁹ Congressional Research Service, “Transfer of Defense Articles: U.S. Sale and Export of U.S.-Made Arms to Foreign Entities,” Christina L. Arabia, Nathan J. Lucas, and Michael J. Vassalotti, (2023) page 7. <https://crsreports.congress.gov/product/pdf/R/R46337>.

¹⁰ United States Defense Security Cooperation Agency, “ESAMM Glossary.” <https://samm.dsca.mil/listing/esamm-glossary>.

¹¹ Figure 1: United States Department of State, “FY 2022 International Affairs Budget,” page 159. <https://www.state.gov/fy-2022-international-affairs-budget/>.

¹² Figure 2: United States Department of State, “Volume I - Section III - Part III-III – Europe,” in the 2020 - 2021 Foreign Military Training and DoD Engagement Activities of Interest Report, page 7. <https://www.state.gov/wp-content/uploads/2022/03/05-Volume-I-Section-III-Part-III-III-Europe.pdf>.

Figure 3: United States Department of State, “Volume I - Section IV - Part IV-III – Europe,” in the 2020 - 2021 Foreign Military Training and DoD Engagement Activities of Interest Report, page 28. <https://www.state.gov/wp-content/uploads/2022/03/12-Volume-I-Section-IV-Part-IV-III-Europe.pdf>.

¹³ United States Defense Security Cooperation Agency. “Major Arms Sales.” Defense Security Cooperation Agency Press & Media. <https://www.dsca.mil/press-media/major-arms-sales>.

¹⁴ Some information on recent DCS notifications can be found on the Directorate of Defense Trade Control’s website. However, the posts are available for only a brief period of time, do not list recipients, and exclude any narrative explanation as is standard practice in FMS announcements. See: United States

Department of State Directorate of Defense Trade Controls, “Congressional Notifications,” https://www.pmddtc.state.gov/ddtc_public/ddtc_public?id=ddtc_kb_article_page&sys_id=5473e79edbf4130044f9ff621f9619f8; Limited information on DCS notifications can be found on Congress.gov by searching for “DDTC” in Senate and House communications. However, these transmittals only list the threshold value of the sale, and do not include any of the specifics or narrative information provided in FMS announcements. Congressional notification transmittal letters for DCS can be found by searching the Federal Register for “Notifications to the Congress of Proposed Commercial Export Licenses.” These letters contain far more detail, but are often posted months after the notification was provided to Congress well outside of congressional review periods. See: Federal Register, “Document Search,” <https://www.federalregister.gov/documents/search?conditions%5Bterm%5D=%22Notifications+to+the+Congress+of+Proposed+Commercial+Export+Licenses%22>.

¹⁵ United States Department of State, “Fiscal Year 2023 U.S. Arms Transfers and Defense Trade.” *Bureau of Political-Military Affairs*, (2024). <https://www.state.gov/fiscal-year-2023-u-s-arms-transfers-and-defense-trade/>.

¹⁶ Congressional Research Service, “Arms Sales: Congressional Review Process,” Paul K. Kerr, (2024) page 4. <https://crsreports.congress.gov/product/pdf/RL/RL31675>.

¹⁷ 22 U.S.C. § 2415, Section 655(b)(3) of the Foreign Assistance Act (FAA) of 1961, as amended.

¹⁸ United States Departments of State and Defense, “Joint Report to Congress Volume I: Fiscal Years 2020 and 2021,” pages RP2 – RP3. <https://www.state.gov/wp-content/uploads/2022/03/01-Volume-I-Front-Sections2.pdf>.

¹⁹ Center for a New American Security, “Security Cooperation & Assistance: Rethinking the Return on Investment,” Dr. Dafna H. Rand and Dr. Stephen Tankel, (2015). https://s3.us-east-1.amazonaws.com/files.cnas.org/hero/documents/CNAS-Report_Security-Cooperation_FINAL.pdf; Washington Office on Latin America, “Putting the Pieces Together: A Global Guide to U.S. Security Aid Programs,” Adam Isacson and Sarah Kinosian, (2017) page 3. https://www.wola.org/wp-content/uploads/2017/04/WOLA_Putting_the_Pieces_Together_042717.pdf; Center for Strategic and International Studies, “Shifting the Burden Responsibly: Oversight and Accountability in U.S. Security Sector Assistance,” Melissa G. Dalton, Hijab Shah, Tommy Ross, and Asya Akca, (2019) page 7. https://csis-website-prod.s3.amazonaws.com/s3fs-public/publication/190424_Dalton%20et%20al_ShiftingBurdenResponsibly_WEB_v2_0.pdf.

²⁰ Center for Strategic and International Studies, “Shifting the Burden Responsibly: Oversight and Accountability in U.S. Security Sector Assistance,” Melissa G. Dalton, Hijab Shah, Tommy Ross, and Asya Akca, (2019) pages 6-7. https://csis-website-prod.s3.amazonaws.com/s3fs-public/publication/190424_Dalton%20et%20al_ShiftingBurdenResponsibly_WEB_v2_0.pdf.

²¹ Figure 4: United States Office of the Secretary of Defense, “Justification for FY 2021 Overseas Contingency Operations (OCO): Counter-Islamic State of Iraq and Syria (ISIS) Train and Equip Fund (CTEF),” in *Department of Defense Budget Fiscal Year (FY) 2021*, (2020) page 9. https://comptroller.defense.gov/Portals/45/Documents/defbudget/fy2021/fy2021_CTEF_J-Book.pdf.

²² Figure 5: United States Office of the Secretary of Defense, “Fiscal Year (FY) 2024 President’s Budget: Justification for Security Cooperation Program and Activity Funding,” (2023) page 56. https://comptroller.defense.gov/Portals/45/Documents/defbudget/FY2024/FY2024_Security_Cooperation_Justification_Book.pdf.

²³ Brennan Center for Justice, “Secret War: How the U.S. Uses Partnerships and Proxy Forces to Wage War Under the Radar,” Katherine Yon Ebright, (2022) pages 3-4. <https://www.brennancenter.org/our-work/research-reports/secret-war>.

²⁴ Ibid, page 8.

²⁵ United States Defense Security Cooperation Agency. “DSCA Historical Sales Book.” <https://www.dsca.mil/resources/dsca-historical-sales-book>.

²⁶ United States Defense Security Cooperation Agency. “Excess Defense Articles (EDA) Database.” <https://www.dsca.mil/programs/excess-defense-articles-eda>.

²⁷ Figure 6: United States Department of State, “Report by the Department of State Pursuant to Section 655 of the Foreign Assistance Act of 1961, as Amended: Direct Commercial Sales Authorizations for Fiscal Year 2009,” page 11. Accessed through the Stockholm International Peace Research Institute website.

https://www.sipri.org/sites/default/files/research/armaments/transfers/transparency/national_reports/united_states/US_655_FY2009.pdf;

Figure 7: United States Department of State, “Report by the Department of State Pursuant to Section 655 of the Foreign Assistance Act of 1961, as Amended: Direct Commercial Sales Authorizations for Fiscal Year 2010,” page 1. Accessed through the Stockholm International Peace Research Institute website.

https://www.sipri.org/sites/default/files/research/armaments/transfers/transparency/national_reports/united_states/us_655_fy2010.pdf.

²⁸ United States Department of Defense Security Cooperation Agency, “Foreign Military Sales, Foreign Military Construction Sales And Other Security Cooperation Historical Facts As of September 30, 2016,” (2016) pages I and 68. Accessed through the Stockholm International Peace Research Institute website.

https://www.sipri.org/sites/default/files/2018-10/us_dscafacts_2016.pdf.

²⁹ 22 U.S.C. § 2776.

³⁰ Citation for congressional notification thresholds pullout box: Congressional Research Service, “Arms Sales: Congressional Review Process,” Paul K. Kerr, (2024) introduction page.

<https://crsreports.congress.gov/product/pdf/RL/RL31675>.

³¹ United States Department of State Office of the Inspector General, “Review of the Department of State’s Role in Arms Transfers to the Kingdom of Saudi Arabia and the United Arab Emirates,” (2020) page 11.

https://www.stateoig.gov/uploads/report/report_pdf_file/isp-i-20-19_7.pdf.

³² Julian Borger. “US uses loophole to keep 100 arms sales to Israel under the radar amid Gaza war – report,” *The Guardian*, 6 March 2024. <https://www.theguardian.com/us-news/2024/mar/06/israel-weapons-sales-loophole>.

³³ Congressional Research Service, “Arms Sales: Congressional Review Process,” Paul K. Kerr, (2024) page 4. <https://crsreports.congress.gov/product/pdf/RL/RL31675>.

³⁴ United States Office of the Secretary of Defense, “Fiscal Year (FY) 2021 President’s Budget: Justification for Security Cooperation Program and Activity Funding,” (2020) page 66.

https://comptroller.defense.gov/Portals/45/Documents/defbudget/fy2021/fy2021_Security_Cooperation_Book_FINAL.pdf.

³⁵ Definition of OPSEC: United States Department of Defense, “Joint Publication 3-13.3 Operations Security,” (2016) pages I-2. <https://media.defense.gov/2020/Oct/28/2002524944/-1/-1/JP%203-13.3-OPSEC.PDF>.

³⁶ United States Defense Security Cooperation Agency. “Major Arms Sales.” Defense Security Cooperation Agency Press & Media. <https://www.dsca.mil/press-media/major-arms-sales>.

³⁷ As an example, information on DCS notifications can be found in the Federal Register: “Bureau of Political-Military Affairs, Directorate of Defense Trade Controls: Notifications to the Congress of Proposed Commercial Export Licenses,” (Federal Register, 2024), page 44.

<https://www.federalregister.gov/documents/2024/08/19/2024-18503/bureau-of-political-military-affairs-directorate-of-defense-trade-controls-notifications-to-the>.

³⁸ Arms Export Control Act, Pub. L. No. 90-629, 22 U.S.C. § 38, (as amended through P.L. 118-31, enacted December 22, 2023), <https://www.govinfo.gov/content/pkg/COMPS-1061/pdf/COMPS-1061.pdf>.

³⁹ International Traffic in Arms Regulations, 22 U.S.C. § 120.21, <https://www.ecfr.gov/current/title-22/chapter-I/subchapter-M/part-120/subpart-B/section-120.21>.

⁴⁰ Amendment to the Amendment in the Nature of a Substitute Offered by Mr. Davidson of Ohio, H.R. 6609, 118th Cong. (2024). <https://docs.house.gov/meetings/FA/FA00/20240206/116792/BILLS-118-6609-D000626-Amdt-104.pdf>.

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