

Speech to Arms Trade Conference

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The Problems

At the risk of repeating everything Kate just said, let me start by laying out what I see as the major problems with our current arms sale regime.

1. **The United States is selling, or enabling the sale of, arms that are likely to be misused**, either to conduct aggression, violate human rights, escalate regional arms races and instability, fuel corruption or transfer to third parties. The financial, and sometimes diplomatic, pressure to sell these arms is so great that we turn a blind eye to these risks.
2. **Such sales make the United States complicit in their abuse and misuse**, which causes significant damage to our national reputation and our national security. When U.S.-made bombs fall on school buses and hospitals in Yemen, there is no way for us to avoid responsibility, either morally or politically.
3. **Congress is entirely unable to stop even the most egregiously wrong-headed sales**. There has never been a case in which Congress has enacted a law prohibiting an arms sale. We came close with the so-called “emergency” sales to Saudi Arabia and UAE last summer, but we were unable to muster a two-thirds vote to override a veto.

The Solutions

While most of these problems could be solved by an administration that took its responsibility to Do No Harm seriously, I think it’s a fool’s errand to wait for an administration to do that. Many people had placed their hopes in the Obama administration to impose some real controls on the arms industry and conventional arms sales, only to find that Obama took just as mercenary an approach as previous presidents.

Therefore, I think it’s up to Congress to step in, under pressure from the American people, to fix the system. If Congress wanted to act, here are some simple steps they could take:

- 1) **Flip the script**. Instead of continuing a system where all arms sales proceed unless Congress disapproves them, Congress should rewrite the laws to prohibit arms sales unless Congress gives them explicit approval. Even if they only did this for a subset of countries, or for specific types and quantities of weapons, it would be an enormous improvement on the current system.
- 2) **Define sales as assistance**. By defining all security cooperation and arms sales as “U.S. foreign assistance” – as we did back in 2012 in a proposed rewrite of the Foreign Assistance Act of 1961 – we would make all the laws restricting aid to governments that abuse human rights, recruit child soldiers, engage in human trafficking, and so forth apply to the sale of weapons.
- 3) **Conduct risk assessments**. Just like we do Environmental Impact Statements before approving aid and construction projects, Congress could require that every arms sale notice be

accompanied by a written assessment of the risks that the sale would contribute to instability, corruption, aggression, arms races, unauthorized transfers, or violations of human rights or international humanitarian law.

- 4) **Improve oversight of weapons transfers.** Reduce the harm done by proliferation of US-made firearms and 3-D printing technology by keeping them under the control of the State Department rather than the Commerce Department.

The Obstacles

All of that is much easier said than done. It's not that it's technically difficult to write these laws or establish these procedures; it's that there is a lack of political will. And there's a lack of political will for the following reasons:

1. **Arms industry lobbying.** The weapons manufacturers are far more powerful than the human rights community and the peace movement. They donate huge sums to political campaigns, they hire high-powered lobbyists, and they divide up their manufacturing process into as many congressional districts as possible so they can make a jobs argument.
2. **Congressional weakness.** Congress sees little political advantage in taking responsibility for decisions. They see it as far easier and safer to let the executive branch make all the decisions, which they are then free to criticize or take credit for.
3. **Public apathy.** It's hard to get voters excited and motivated around these issues. They're complicated, they're arcane, and there are dozens of other issues that hit closer to home. That said, a recent poll by the Chicago Council on Global Affairs found that 70% of Americans believe that selling weapons to other countries makes the United States less safe, a view that cuts across partisan lines (75% Democrats, 70% Independents, and 62% Republicans).

The Future

In light of these obstacles, it's sometimes hard to imagine that anything will ever change. But I'm here to tell you, change IS possible and it's coming. Here's what keeps me hopeful:

1. **Iran/Yemen.** Look what happened in Congress in just one year. Congress is starting to claw back its authorities over whether and when we go to war and who we sell weapons to. Both houses voted to end U.S. support for the Saudi-led war in Yemen and prevent arms sales to Saudi Arabia and UAE. We're getting votes on stopping war with Iran and repealing the 2002 Iraq war authorization. I could go on!
2. **Demographics.** As we're seeing from the popularity of figures like Bernie Sanders, the younger generation is not going to silently acquiesce in the assumption that the U.S. must exert global military domination. They see a world that is literally burning up, they see raging inequality and injustice, and they see that our current approach to national security is not keeping them safe. It may not be in 2020, but sooner or later we are going to start changing course and I want to thank all of you for helping us get there! As Martin Luther King once said, "the arc of the moral universe is long but it bends toward justice."