

VALUES IN ARMS EXPORT ACT OF 2026

Violations of Human Rights and Law of War

Around the world, attacks on medical facilities, humanitarian workers, and civilian populations are on the rise. This conduct is driven by a failure to respect human rights and the law of armed conflict, and the U.S. cannot tolerate it from any nation claiming to be a partner. Arms sales programs can be a valuable tool to build the defense capabilities of allies and exert influence over their military conduct, but the existing arms sales process has not effectively improved partner conduct. The *Values in Arms Export Act of 2026* would ensure that human rights and the law of armed conflict are core considerations in approving arms transfers and sales.

Congress's Eroding Authority

Regulating foreign commerce, such as the trade in arms, is the prerogative of Congress. Strict and effective oversight of arms sales is imperative if Congress continues giving the Executive Branch the authority to carry out these sales. Instead, the Executive Branch, particularly under the current administration, has too often bypassed Congress and circumvented meaningful Congressional oversight. This is a distortion of the fundamental separation of powers and Congress must reassert its authority.

The *Values in Arms Export Act of 2026*

This bill amends the *Arms Export Control Act* to make clear that partner countries that receive U.S. weapons are expected to use those weapons in compliance with internationally recognized human rights and international humanitarian law. To enforce these requirements, the bill creates a mechanism where the Executive Branch, Congress, or a newly created Human Rights and Law of War Oversight Board can each designate a country as a “country of concern” if the country is violating those principles. A designation would last for three years, and the country would be required to submit to a newly created program of enhanced monitoring. The Secretary of State would then review that information (along with any other relevant information, including credible reports from civil society actors) to determine if any actions violate the principles laid out at the start of the bill. The Congressional committees of jurisdiction and the oversight board would also have direct access to the information.

If a country: 1) commits further violations during the three-year period; 2) is designated a second time within a ten-year period; or 3) fails to make sufficient progress on reforms, the country would be banned from U.S. arms sales for ten years. The country would have to discontinue the use of U.S.-provided weapons or return the arms. The bill would provide a mechanism for early termination of the ban.

The new Human Rights and Law of War Oversight Board would have significant oversight and policy responsibilities. In addition to the authority to make designations, the Board would be empowered to conduct its own investigative and oversight work, monitor compliance, and assess new policies to ensure respect for human rights and law of armed conflict remain central considerations in the future.

The bill would also require assessments by the State Department, DoD, and the Intelligence Community of the risk of weapons being used to commit human rights and law of war violations before a sale or export license can be approved.