



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

December 9, 2020
(Senate)

STATEMENT OF ADMINISTRATION POLICY

S.J. Res. 77, S.J. Res. 78, S.J. Res. 79, and S.J. Res. 80 - Providing for congressional disapproval of the proposed export to the United Arab Emirates of certain defense articles and services

(Sen. Menendez, D-NJ, and 2 cosponsors)

The Administration strongly opposes passage of Senate Joint Resolutions (S.J. Res.) 77, 78, 79, and 80, disapproving the Foreign Military Sale of certain defense articles, defense services, and technical data to the United Arab Emirates (UAE).

On September 15, 2020, the United States, Israel, the UAE, and Bahrain signed the historic Abraham Accords Declaration, normalizing the UAE-Israel and Bahrain-Israel bilateral relationships, the first such breakthrough for Middle East peace since Israel and Jordan normalized relations in 1994.

These sales to the UAE that would be affected by the joint resolutions directly support the foreign policy and national security objectives of the United States, including those reflected in the Abraham Accords. They do so by enabling the UAE to deter increasing Iranian aggressive behavior and threats issued in the wake of that peace deal. Since the UAE's announcement of its intent to normalize relations with Israel under the Abraham Accords, official Iranian statements have asserted that "the UAE's betrayal won't last long," and that its actions have made it "a legitimate and easy target." In addition to making the UAE more capable of exercising its inherent right of national self-defense, if necessary, these sales also improve the UAE's interoperability with the United States and our allies and close partners, further enabling joint confrontation of regional challenges for years to come.

These sales are consistent with the longstanding commitment and statutory obligation of the United States to maintain Israel's Qualitative Military Edge (QME). The Department of State, in consultation with the Department of Defense, has included in its certification to Congress a determination that these sales will not adversely affect Israel's QME. In a joint statement on October 23, Israeli Prime Minister Benjamin Netanyahu and Defense Minister Benny Gantz endorsed the delivery of advanced defense capabilities to the UAE, noting the commitments by the United States to maintain Israel's QME. Transfer of enhanced capabilities to a partner after normalization of relations with Israel is consistent with decades-long United States precedent. The United States provided enhanced security capability to Egypt following its 1979 normalization of relations with Israel, and provided enhanced security capability to Jordan following its 1994 normalization of relations with Israel.

Additionally, these sales solidify our Nation's position as the security partner of choice for the UAE and others in the region. Through the Abraham Accords and through its request for these sales, the UAE has sent a strong signal to other global powers regarding the strength of its partnership with the United States. Further, the United States provision of enhanced capabilities to a partner that has normalized relations with Israel encourages other partners to follow the same path. Since the August 2020 announcement of the Abraham Accords by Israel, the UAE, and the United States, Bahrain and Sudan have also announced normalization of relations with Israel.

Additionally, consistent with the President's Conventional Arms Transfer Policy, all arms transfers to foreign partners are subject to a case-by-case comprehensive assessment of United States interests. This assessment includes an analysis of the risk of misuse, technology security, and civilian casualties. Congress has been notified of these assessments, and these assessments express confidence that the UAE is capable of protecting the technologies involved and of using them in a responsible manner.

The United States has undertaken many actions to help its partners, including the UAE, strengthen their compliance with international law, including the law of armed conflict. The United States has also taken actions to help the UAE mitigate the risk of civilian harm, including training and advising to improve its targeting processes. Legislation like these resolutions could, without further examination, have unintended consequences for defense procurement and interoperability between the United States and our partners, and could create diplomatic and security opportunities for our adversaries to exploit.

If the President were presented with any of these joint resolutions, his advisors would recommend he veto them.