

# Policy Void: What Trump's Rescinding of the U.S. Conventional Arms Transfer Policy Means

How the absence of a Conventional Arms Transfer policy could disrupt the U.S. security cooperation and assistance enterprise

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Conventional Arms

March 20, 2025

Among the long list of [18 executive orders](#) released by the White House on March 14 was a directive from President Trump rescinding [National Security Memorandum \(NSM\) 18](#) – the Biden administration's Conventional Arms Transfer (CAT) policy. At a time when various Biden-era policies are being reversed, the revocation of the NSM-18 came as no surprise. But what is unprecedented is the absence of any directive to take its place, leaving the world's largest arms transfer ecosystem without

a CAT policy for the first time since 1977. It remains to be seen when the Trump administration will announce a replacement, but in the meantime, the absence of a policy could add significant confusion to the U.S. security cooperation and assistance enterprise.

## What is a CAT Policy

While not required by law, CAT policies in one form or another have been in place since first introduced by President Carter in 1977. In short, CAT policies are presidential directives outlining the whole-of-government approach to arms transfers and the key criteria for the review and evaluation of arms transfer decisions. Though CAT policies are not legally binding, they are intended to orient U.S. security cooperation and assistance towards a unified set of objectives and ensure they reflect a common set of interests, considerations, and processes.

The impact of CAT policies has varied – indeed, a 2019 GAO report found that the transition between the Obama and first Trump administrations' CAT policies did not result in any changes in arms transfer processes. Instead, CAT policies often serve as a touchstone for understanding an administration's overall political vision for arms transfers, which helps explain the stark differences between the rhetoric and the practical implementation of the directives.

Such was the case with the Biden administration's NSM-18, which placed greater emphasis on restraint, human rights, and international humanitarian law (IHL) and introduced a new prohibition of arms transfers in the event they were “more likely than not” to contribute to certain atrocities. Though the directive helped catalyze new processes and mechanisms for evaluating arms transfers, mitigating risks of atrocities, and investigating potential harms inflicted by U.S. weapons, its rhetorical promises fell far short in practice – most especially in the context of enduring U.S. support for Israel's military campaigns in Gaza and Lebanon. It is possible, however,

that the directive had a greater impact behind the scenes on more routine security cooperation activities and decisions, especially for partnerships that drew less political scrutiny or controversy.

## What the Absence of a CAT-Policy Means

The Trump administration's decision to rescind NSM-18 without introducing a new policy to take its place could have a disorienting effect on one of the most consequential instruments of U.S. foreign policy. In the absence of a CAT policy, individual agencies are left to their own discretion in assessing arms transfer decisions, relying on existing statutes and regulations that offer little by way of policy guidance or overarching strategic objectives. Over time, the effect could be to fragment arms transfer decision-making, create discrepancies in approaches within the interagency, and confuse efforts to align disparate activities with clear policy priorities.

The interruption comes amidst an already unmoored moment for the security cooperation and assistance enterprise. Since taking office, the Trump administration has not only cut jobs and defunded agencies involved in U.S. arms transfers but has also shuttered mechanisms and processes all while breaking with longstanding foreign policy approaches. In other words, while the lack of a CAT policy might have been more manageable under more conventional circumstances, in the context of newly adversarial relationships with allies, greater ambiguity with respect to adversaries, and the emergence of a highly transactional, power politics approach to foreign policy from the White House, its absence is all the more consequential. Indeed, given the pace of the U.S. arms trade and the daily decisions regarding security cooperation and assistance, even short-term confusion could have unintended effects.

## What to Expect Going Forward

Without a CAT policy in place, it seems likely that the White House will direct agencies to revert to the [2018 CAT policy](#) (known as NSPM-10) that was introduced by the first Trump administration, at least as an interim measure. That memorandum garnered more attention than many of its predecessors when it was introduced, in part, for the emphasis it placed on [economic imperatives](#) and on preserving U.S. preponderance in the global arms market. That framing departed from past memos, which presented arms transfers principally as tools in service of key foreign policy and national security objectives. Beyond the typical reference to the defense industrial base common in CAT policies of the past, the 2018 memo placed a particular focus on the commercial aspects of the U.S. arms trade and explicitly encouraged government-directed advocacy on behalf of industry.

Whether President Trump decides to introduce a new policy to replace his 2018 directive remains to be seen. But a new CAT policy may not be necessary or even desirable. The 2018 memorandum, while emphasizing the commercial benefits of arms transfers, was also the first to include an explicit reference to reducing civilian harm-related risks. Moreover, much of the rest of the directive reflects familiar standards and imperatives echoed in both the Obama and Biden era memos. Given how fast-paced the changes in policy approaches have been over the past two months, the 2018 CAT policy, despite its excessive focus on commercial interests, might offer a degree of continuity and a predictable baseline for security cooperation and assistance approaches.