Resolved: The United States Federal Government Should Substantially Reduce Direct Commercial Sales and/or Foreign Military Sales of Arms from the United States
CHAPTER 13—PARTICULAR REPORTS AND DOCUMENTS

Sec. 1333. National high school and college debate topics
(a) The Librarian of Congress shall prepare compilations of pertinent excerpts, bibliographical references, and other appropriate materials relating to:
   (1) the subject selected annually by the National University Extension Association as the national high school debate topic and
   (2) the subject selected annually by the American Speech Association as the national college debate topic.

   In preparing the compilations the Librarian shall include materials which in his judgment are representative of, and give equal emphasis to, the opposing points of view on the respective topics.

   (b) The compilations on the high school debate topics shall be printed as Senate documents and the compilations on the college debate topics shall be printed as House of Representative documents, the cost of which shall be charged to the congressional allotment for printing and binding. Additional copies may be printed in the quantities and distributed in the manner the Joint Committee on Printing directs.


Historical and Revision Notes
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Foreword

The 2019–2020 high school debate topic is: “Resolved: The United States Federal Government Should Substantially Reduce Direct Commercial Sales and/or Foreign Military Sales of Arms from the United States.”

In compliance with 44 U.S.C., Section 1333, the Congressional Research Service (CRS) and the Researcher and Reference Services Division of the Library of Congress prepared this bibliography to assist high school debaters in researching this topic. This bibliography is intended to assist debaters in the identification of references and resources on the subject. In selecting items for inclusion in this bibliography, the Library of Congress has sampled a wide spectrum of opinions reflected in the current literature on this topic. No preference for any policy is indicated by the selection or positioning of articles, books, or websites cited, nor is the Library’s disapproval of any policy, position, or article to be inferred from its omission.

The bibliography was prepared by Audrey Crane-Hirsch, Caitlin Curran, and Laura Deal of the Knowledge Services Group, CRS, and by Kenneth Drexler and William R. Elsbury, of the History and Genealogy Section, Library of Congress, under the direction of project team leader Elizabeth Larson, with assistance from Paul K. Kerr.

We wish the best to each debater as they research, prepare, and present arguments on this year’s topic.

Mary B. Mazanec, Director
Congressional Research Service
National Debate Topic for High Schools, 2019-2020

Resolved: The United States Federal Government Should Substantially Reduce Direct Commercial Sales and/or Foreign Military Sales of Arms from the United States

An Annotated Bibliography on the 2019-2020 High School Debate Topic

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June 2019
Introduction

The 2019-2020 high school debate topic is: “Resolved: The United States Federal Government Should Substantially Reduce Direct Commercial Sales and/or Foreign Military Sales of Arms from the United States.” The topic is selected annually by ballot of the delegates from the National Catholic Forensic League, the National Debate Coaches Association, and the National Speech and Debate Association, all organized under the umbrella organization, the National Federation of State High School Associations.

This selective bibliography, with brief annotations, is intended to assist debaters in identifying resources and references on the national debate topic. It lists citations to journal articles, books, congressional publications, legal cases, and websites. The bibliography is divided into three broad sections: basic concepts and definitions, general overviews, and specific cases.

Summary

The purpose of the bibliography is to provide students with a brief overview of information related to the 2019-2020 high school debate topic.

This compilation is not intended to provide complete coverage of the topic. Further research on the topic may be accomplished at high school, public, and research libraries.

In addition to the resources included in this bibliography, there are many more international organizations, U.S. government agencies, and non-governmental organizations that provide information on the debate topic and sub-topics on their websites. Debaters are encouraged to consult library resources as well as the internet for their research.
Basic Concepts and Definitions

Books


Office of the Chairman of the Joint Chiefs of Staff. DOD Dictionary of Military and Associated Terms. Washington, DC: The Joint Staff, 2019. Available at https://www.jcs.mil/Portals/36/Documents/Doctrine/pubs/dictionary.pdf. The purpose of this dictionary is to standardize terminology so that communication and mutual understanding may be improved between Department of Defense (DOD) agencies, other U.S. government agencies, and U.S. allies. The definition for Foreign Military Sales (FMS) is found on page 89.

Reports


Websites


This webpage contains a description of the Foreign Military Sales program, with links to information about related programs.


A list of the guides, handbooks, manuals, and videos on the policies and procedures of the Foreign Military Sales (FMS) program published by the DCSA.

The Bureau of Political Military Affairs (PM) provides policy direction in the areas of international security, security assistance, military operations, defense strategy and plans, and defense trade.

This site describes the responsibilities and functions of the Third Party Transfers Team and the Foreign Military Sales Team, and provides links to related topics such as the transfer process and the legal basis for arms transfers.

**General Overviews**

**Selected Legislation, Treaties, and Policy Documents**

The following resources give examples of legislation, treaties, and policy documents that have had an impact on arms sale policy. This list is not intended to be comprehensive.

The Foreign Assistance Act of 1961 outlines the basis of the United States' foreign assistance policies and programs. Part II of the law authorizes military assistance to allied countries, including Foreign Military Sales "to any friendly country or international organization."

The Arms Export Control Act (AECA) of 1976 amended the Foreign Assistance Act of 1961 and updated the laws regulating Foreign Military Sales. It authorizes the President to control the import and export of defense articles and defense services. It also requires congressional notification for Foreign Military Sales valued over specific amounts. Note: This compilation does not represent the official version of any federal statute. The official version of federal law is found in the United States Statutes at Large and in the United States Code.
The International Traffic in Arms Regulations (ITAR) implements the export of defense articles as authorized by the AECA. It covers articles, services, and related technology designated by the U.S. Munitions List.


This National Security Presidential Memorandum updated the Conventional Arms Transfer (CAT) Policy used by the U.S. Department of State to determine if a transfer of arms is consistent with U.S. national and economic security interests.

The United States Munitions List, 22 C.F.R. 121. Available at [https://www.ecfr.gov/cgi-bin/textidx?SID=2d9e27dcea36669b435fdfeb56c8dd47&mc=true&node=se22.1.121.11&rgn=div8](https://www.ecfr.gov/cgi-bin/textidx?SID=2d9e27dcea36669b435fdfeb56c8dd47&mc=true&node=se22.1.121.11&rgn=div8).
The U.S. Munitions List (USML) defines what a defense article or defense service is, as regulated by ITAR.

**Articles**


This older article provides an overview of Congress’s original intentions in writing the Arms Export Control Act and in changing the laws governing Foreign Military Sales. Note that its description of the process and bureaucracy supporting Foreign Military Sales is now outdated.


This newspaper article describes Trump Administration policies implemented in 2018 to increase U.S. arms sales to foreign countries.


This article provides an overview of international and national-level mechanisms for controlling the conventional arms trade.


This article discusses risks associated with foreign arms sales and proposes a new "risk index" for use in evaluating potential arms recipients.
The author reviews U.S. laws and regulations regarding foreign sales of small arms and argues that there is a gap between the stated policy of accountability and transparency and actual practice.

**Reports**


**Websites**


**Request and Procurement Process**

**Articles**

Little, Thomas D. "End-use Monitoring is the Key to Success in Foreign Military Sales." *Army Sustainment Magazine*, Sept.-Oct. 2017. Available at https://www.army.mil/article/192447/end_use_monitoring_is_the_key_to_success_in_foreign_military_sales. This article explains how the United States verifies that arms transferred via Foreign Military Sales and Direct Commercial Sales are not used for purposes which violate the Arms Export Control Act.
Reports


Websites


**Impact on the Defense Industrial Base**

**Articles**


In this article, Caverley argues that the United States’ dominance of the global arms market serves to slow the proliferation of conventional weapons and lower worldwide levels of corruption (and associated violence) in the arms industry. As the international market becomes more competitive, he proposes that the United States should form “an informal cartel” with other arms suppliers to continue to moderate the spread of weapons.


Caverley analyzes the number of jobs created by increasing U.S. arms exports, and argues that the industry is an inefficient job creator when compared to other sectors, and therefore instead of focusing on economic benefits, U.S. arms export policy should prioritize foreign policy goals and international security concerns. He also argues that current U.S. export regulations are “a powerful latent foreign policy tool” and should not be loosened.


Gholz examines the Trump Administration’s April 2019 revisions to the U.S. Conventional Arms Transfer policy (see NSPM-10 above) with a focus on the new requirement that decision-making take into consideration "the transfer's financial or economic effect on United States industry and its effect on the defense industrial base." Gholz provides an overview of arms transfers' potential economic effects and proposes ways to measure them.


This news article reports on the growing global demand for arms. The author contends that although the United States is still the leading supplier of conventional weapons, there is increasing international competition for arms sales.


Reports


Hartung, William and Christina Arabia. Trends in Major U.S. Arms Sales in 2018: The Trump Record—Rhetoric vs. Reality. Washington, DC: Center for International Policy, 2019. Available at https://static.wixstatic.com/ugd/3ba8a1_44475f2b94464e77b57c6d33953d939.pdf. This report argues that Foreign Military Sales contracts are concentrated in a small number of companies, and discusses factors relating to arms sales and job creation. It also makes recommendations aimed at improving the transparency and accountability of the arms sales process.

Herbert, Wayne M. "The effects of the U.S. Foreign Military Sales (FMS) program in preserving the Defense Industrial Base." PhD diss., Naval Postgraduate School, 1998. Available at https://apps.dtic.mil/docs/citations/ADA357006. This thesis examines the impact that Foreign Military Sales can have on the preservation of the defense industrial base as well as offers recommendations for the arms transfer process.


Following an executive order, this report details the factors impacting the defense industrial base. It assesses the risks, identifies the impacts, and offers recommendations for improvements.

**Websites**


The Arms Sales Dashboard is a data visualization tool which shows U.S. arms sales by country with data from 2000 to present. It also shows the sales by categories, including Foreign Military Sales and Direct Commercial Sales and the recipients.


This site provides background and information on the defense industrial base sector.

**Impact of International Organizations and Military Alliances**

**Articles**


The author discusses the United States’ use of arms sales to countries identified as key allies in the war on terrorism and presents possible negative long-term effects.


The author argues that in some circumstances, the use of Foreign Military Sales can support military-to-military cooperation, but should not completely replace other programs that support cooperation.


The authors present the conditions under which great powers offer client state arms, alliance agreements, or in some cases both.
**Books**


**Websites**


**Specific Cases**

U.S. Defense Security Cooperation Agency. “Major Arms Sales.” Available at https://www.dsca.mil/major-arms-sales. Listing of the notifications to Congress of possible major arms sales approved by the Department of State. The notifications contain the name of the country, the type of equipment, and the estimated cost of the sale. The listings on this page are of all countries in reverse chronological order. Country-specific information can be found by typing the country name in a search bar at the top right of the page.

**Asia and the Pacific**

**Articles**

The author provides an overview of the current state of the Asian arms market, including recent sales data. He contends that an increasing demand in the region for more sophisticated weapons is good news for both Chinese and American defense companies.

The authors contend that U.S. arms sales are a critical component of maintaining influence in Asia. They argue that a recent decline in U.S. market share puts American foreign policy goals in the region at risk.

The authors examine the strategic benefits of arms sales between the U.S. and India, as well as current obstacles to growth. The authors contend that political concessions will need to be made by both countries in order to increase military trade.

Available at http://americandiplomacy.web.unc.edu/2016/05/are-south-asian-arms-sales-in-the-u-s-national-interest-the-foreign-policy-implications/.
Dorschner argues that India’s reliance on arms purchased from the United States and other nations is detrimental to the national interests of both countries. The author states that both liberal and realist arguments can be used to back his viewpoint.

The author contends that China may soon replace the U.S. as the global leader in the international arms market.

This article examines the reasons behind the decision to lift the arms sales ban on Vietnam. The author contends that U.S. arms sales will help further enhance U.S. influence in Vietnam and the entire region.

This article explores the current state of the Asian-Pacific weapons market, with an emphasis on U.S. arms deals. It predicts that demand in the Asia-Pacific market will remain strong in the foreseeable future, offering the U.S. strategic and commercial opportunities.

U.S. efforts to increase arms deals with Vietnam are explored in this article. Current obstacles to U.S. arms sales to Vietnam are discussed.


**Books**


Presents a systematic examination of the emerging arms race in Asia. The author concludes that the arms race in Asia will lead to instability and military conflicts in the region if left unchecked.

**Reports**


This report contains four essays that explore U.S.-Taiwan defense relations, including references to past and current U.S. arms sales to Taiwan. The essays examine congressional support for Taiwan, the National Defense Authorization Act and Taiwan, the Trump Administration’s Taiwan policy, and China’s pressure on Taiwan.


The author suggests that the sale of U.S. fighter jets to India will boost the strategic convergence between the two countries and will help contain China’s influence in the region.


The EastWest Institute’s report explores political and military issues related to U.S. arms sales to Taiwan. Policy proposals are offered to manage the bilateral relationship between the U.S. and China and to help decrease tensions over U.S. arms sales to Taiwan.
The hearing looks at defense and security issues related to the Indo-Asia-Pacific Region. The statement of Admiral Harry B. Harris Jr, U.S. Navy Commander, U.S. Pacific Command, presents an overview of military relations in the region, including some references to Direct Commercial Sales (DCS) and Foreign Military Sales (FMS) to specific countries.

This hearing looks at the current state of U.S.-Taiwan relations that includes testimony and statistics related to U.S. arms sales. It contains testimony from the U.S.-Taiwan Business Council, American Enterprise Institute, and the Global Taiwan Institute.

This hearing looks at U.S. policy on Taiwan on the 35th anniversary of the Taiwan Relations Act of 1979. References to U.S. arms sales to Taiwan can be found throughout the hearing.

This fact sheet presents an overview of U.S. security cooperation with Japan, including a brief summary of U.S. arms sales.

This fact sheet presents an overview of U.S. security cooperation with South Korea, including a brief summary of U.S. arms sales.

This fact sheet presents an overview of U.S. security cooperation with Vietnam, including a brief summary of U.S. arms sales.

This report explores the current state of U.S.-Indian relations, including a brief overview of defense trade between the two countries.

This report presents an overview of U.S. relations with Taiwan. It contains a detailed section on U.S. arms sales to Taiwan.


### Middle East

**Articles**

Bacher, Ariel. “JCPOA: Implications and Effects on Our Foreign Military Sales Program.” *Public Contract Law Journal* 46, no. 4 (Summer 2017): 873-893. The author argues that Israel’s ability to engage in a preemptive strike against potential Iranian nuclear weapon development, possibly facilitated by Iran’s 2015 Joint Comprehensive Plan of Action (JCPOA), is a military and foreign policy benefit to the United States, made possible primarily through Israeli acquisition of U.S. weapons through the Foreign Military Sales (FMS) program. The author contends that the Arms Export Control Act (AECA) should be amended, to ensure that Israel’s access to the FMS program is not curtailed on grounds that such a preemptive attack might not be considered “legitimate self-defense” under the current AECA statute.


“The Global Arms Trade: Masters of War.” *The Economist* 428, no. 9105, Aug. 18, 2018: 47-48. The article reports that the international arms market is volatile, with total demand growing, more sellers, and a buyer’s market for developing nations. It contends that U.S. arms-export policy delicately balances economic and geopolitical opportunity against preventing the transfer of technologies that could destabilize war zones or be used against the United States—a strategy some commentators argue can be counter-productive.

The author surveys military sales orders by multiple countries in the Middle East, including defensive systems such as aircraft and missile defense, as well as offensive technology such as fighter jets, transport aircraft, helicopters, airborne platforms for intelligence, surveillance and reconnaissance, and drones. The article observes that some countries in the Middle East have had little trouble finding new arms sources when long-time suppliers have reduced or ended their sales.


The author depicts the United Arab Emirates (UAE) as a key U.S. and NATO ally in the Persian Gulf and Middle East, but reports that the United States’ refusal to let the UAE (and other Gulf states) acquire advanced combat aircraft, such as the U.S. F-35 fighter jet, has pushed the UAE to partner with Russia to develop new fighter aircraft for the 2020s.


The article discusses arms purchases by Saudi Arabia and the United Arab Emirates. It articulates reasons the United States should conduct a full-scale review of U.S. Army sales to the Gulf region and provides examples of Gulf States diverting U.S. arms. It calls for the Department of Defense, the Department of State, and the Department of Commerce to do a better job monitoring arms sales.

**Books**


The author, a former National Security Council staffer and CIA analyst, uses declassified documents, Saudi and American memoirs, and eyewitness accounts to provide an inside look at the complex partnership between the two countries. Includes discussions of U.S. weapons sales to Saudi Arabia and Israel.

**Reports**


This report provides background on the relationship between Saudi Arabia and the United States. It discusses the seventy-year alliance, oil, defense and counterterrorism, the war in Yemen, and financial ties.
Risky Business: The Role of Arms Sales in U.S. Foreign Policy

This analysis issued by the libertarian Cato Institute provides a detailed discussion of the forces that shape U.S. arms sales. The authors find that the economic and strategic benefits from widespread arms sales are limited and uncertain, and are greatly overshadowed by negative unintended consequences for the U.S., those buying weapons, and the regional conflicts where U.S. weapons are put to use. The authors urge the U.S. to revise its policies to improve risk assessments, ban sales to countries where the risks of negative consequences are too high, and allow sales only in the limited case where they will directly enhance American security.


This hearing examines the extent to which (if at all) Saudi Arabia has used arms purchased from the U.S. to engage in human rights violations, especially in the war in Yemen. Witnesses testify on whether the U.S. should reduce arms sales to Saudi Arabia, sell only defensive weapons systems to Saudi Arabia, or impose additional constraints on Saudi Arabia’s use of weapons purchased from the United States.


This hearing examined Saudi Arabia’s plans to develop 16 nuclear power plants and the possibility that it could use uranium and nuclear enrichment resources from the U.S. and other countries to develop nuclear weapons. Witnesses discussed whether Saudi Arabia met current criteria for approval of U.S. sales under Section 123 of the Atomic Energy Act, and what conditions, if any, should be put on potential authorizations for the transfer of U.S. technology.


A hearing to examine the progress of Saudi Arabia’s efforts to combat terrorism. Witnesses discuss how the United States and Saudi Arabia have worked together to combat terrorism, as well as addressing aspects of Saudi society and domestic policies that impact that work.


Hearing on the Foreign Military Sales process and some of the inefficiencies with the process that result in allies turning to foreign competitors. It discusses the U.S. interest in providing Saudi Arabia with arms to counter threats against the U.S. posed by Iran. It also discusses U.S. concerns with the Saudi-led military coalition committing war crimes in Yemen and the Saudi campaign to export anti-Western literature and ideology throughout the world.
Available at https://www.govinfo.gov/content/pkg/CHRG-115hhrg29814/pdf/CHRG-115hhrg29814.pdf.
This hearing addressed U.S. interests concerning commercial, diplomatic, human rights, and other issues in the Middle East. Responses from State Department officials to written “questions for the record” after the hearing address arms sales to Libya.

Available at https://www.state.gov/u-s-relations-with-egypt/.
This fact sheet presents an overview of United States relations with Egypt, including sections on military and economic assistance; and bilateral economic relations.

Available at https://www.state.gov/u-s-relations-with-israel/.
This fact sheet presents an overview of United States relations with Israel, including sections on military assistance and bilateral economic relations.

Available at https://www.state.gov/u-s-relations-with-turkey/.
This fact sheet presents an overview of United States relations with Turkey, including security cooperation and bilateral economic relations.

Available at https://www.state.gov/u-s-relations-with-united-arab-emirates/.
This fact sheet presents an overview of United States relations with United Arab Emirates, including United States’ security assistance and bilateral economic relations.

Available at https://www.state.gov/u-s-security-cooperation-with-saudi-arabia/.
This fact sheet presents an overview of United States security cooperation with Saudi Arabia, the United States’ largest Foreign Military Sales customer, including its role in counterterrorism efforts and regional stability.

This report analyzes arms sales in the Middle East. It includes discussions on the role of arms sales in U.S. policy, regional developments, major regional country profiles, and potential issues for Congress.

This report provides context to understand the scope and significance of foreign arms sales, both from the United States and from other countries. Numerous tables provide quantitative data, distinguishing the monetary value of arms agreements from arms deliveries. The report also surveys trends and historical reasons for particular nation-to-nation relationships.


Zenko, Micah and Sarah Kreps. *Limiting Armed Drone Proliferation*. New York: Council on Foreign Relations, 2014. Available at https://www.cfr.org/report/limiting-armed-drone-proliferation. The authors observe that although the U.S. is the world’s leader in possessing and using armed drones, other nations are eager for the technology, either by developing internal capacities, or, in the cases of Pakistan, Turkey, Saudi Arabia, and the United Arab Emirates (UAE), by buying them. The authors argue that the U.S. has a critical opportunity and a unique responsibility to shape worldwide norms for the sale of armed drones. They urge that the U.S. should adopt a strict export control policy.
SUBJECT BIBLIOGRAPHY

This section of the bibliography was compiled by the U.S. Government Publishing Office Library Services and Content Management.


“Resolved: The United States Federal Government Should Substantially Reduce Direct Commercial Sales and/or Foreign Military Sales of Arms from the United States.”

Assessing the Department of Defense’s Execution of Responsibilities in the U.S. Foreign Military Sales Program (hearing, May 17, 2016)
Available at: http://purl.fdlp.gov/GPO/gpo77715
Publisher: U.S. Congress, House, Committee on Armed Services, Subcommittee on Oversight and Investigations
Year/Pages: 2017; 79 p.
Print price: N/A

Code of Federal Regulations, Title 15, Commerce and Foreign Trade, Parts 300-799, Revised as of January 1, 2019
Available at: http://purl.access.gpo.gov/GPO/LPS494
Publisher: National Archives and Records Administration, Office of the Federal Register
Year/Pages: 2019; 1,173 p.
Print price: $68.00

Code of Federal Regulations, Title 32, National Defense, Parts 1-190, Revised as of July 1, 2018
Available at: http://purl.access.gpo.gov/GPO/LPS494
Publisher: National Archives and Records Administration, Office of the Federal Register
Year/Pages: 2018; 1,115 p.
Print price: $67.00
Code of Federal Regulations, Title 32, National Defense, Parts 191-399, Revised as of July 1, 2018
Available at: http://purl.access.gpo.gov/GPO/LPS494
Publisher: National Archives and Records Administration, Office of the Federal Register
Year/Pages: 2018; 1,206 p.
Print price: $69.00

Code of Federal Regulations, Title 32, National Defense, Parts 400-629, Revised as of July 1, 2018
Available at: http://purl.access.gpo.gov/GPO/LPS494
Publisher: National Archives and Records Administration, Office of the Federal Register
Year/Pages: 2018; 465 p.
Print price: $56.00

Commercial Sales of Military Technologies (hearing, June 4, 2009)
Available at: http://purl.fdlp.gov/GPO/gpo26094
Publisher: U.S. Congress, House, Committee on Energy and Commerce, Subcommittee on Oversight and Investigations
Year/Pages: 2012; 121 p.
Print price: N/A

Available at: http://purl.fdlp.gov/GPO/gpo11661
Publisher: U.S. Congress, House, Committee on Foreign Affairs
Year/Pages: 2011; 105 p.
Print price: $11.00

Available at: http://purl.fdlp.gov/GPO/gpo11661
Publisher: U.S. Congress, House, Committee on Foreign Affairs
Year/Pages: 2012; 75 p.
Print price: $8.00

Reforming U.S. Export Controls Reforms: Advancing U.S. Army Interests

Available at: http://purl.fdlp.gov/GPO/gpo64722
Publisher: Defense Dept., Army, U.S. Army War College, Strategic Studies Institute
Year/Pages: 2015; 103 p.
Print price: $14.00

Additional Resources to Search

https://catalog.gpo.gov

The Catalog of U.S. Government Publications (CGP) is the finding tool for information products published by all three branches of the U.S. Government. It includes descriptive information for current and historical publications as well as direct links to full-text documents, when available. The catalog also offers the option to locate a nearby Federal Depository Library that has a particular publication or that can provide expert assistance in finding and using related U.S. government information.

https://www.govinfo.gov

govinfo provides free public access to official publications from all three branches of the Federal Government. In addition to providing an advanced, metadata-powered search experience, govinfo also includes a content management system and a standards-compliant preservation repository.