

GAO Highlights

Highlights of [GAO-24-106183](#), a report to congressional requesters

Why GAO Did This Study

Recent high-profile acts of TNR against U.S.-based persons highlight TNR's threat to national security. Some advocates and members of Congress have called for more accountability for foreign governments that benefit from U.S. arms transfers yet engage in TNR against U.S.-based persons.

GAO was asked to review federal agency efforts to address TNR using available tools, including Section 6 of the AECA. This report examines the extent to which: (1) agencies have collected and analyzed information about the nature and prevalence of TNR against U.S.-based persons; (2) agencies have used available tools to hold individuals accountable for TNR against U.S.-based persons; and (3) the U.S. government has implemented Section 6 of the AECA.

GAO analyzed documents and interviewed officials from nongovernmental organizations and the Departments of State, Defense, Justice, and Homeland Security.

What GAO Recommends

Congress should consider amending the reporting requirement in Section 6 of the AECA to improve visibility into agency or administration decision-making regarding the implementation of the statute. GAO is also making four recommendations, including that DOJ take additional steps to enhance the common understanding of TNR and develop a department-wide position on any gaps in legislation for addressing TNR. DOJ agreed to take additional steps to enhance common understanding of TNR and said it will consider analyzing potential gaps in legislation for addressing TNR.

View [GAO-24-106183](#). For more information, contact Chelsea Kenney at (202) 512-2964 or kenneyc@gao.gov.

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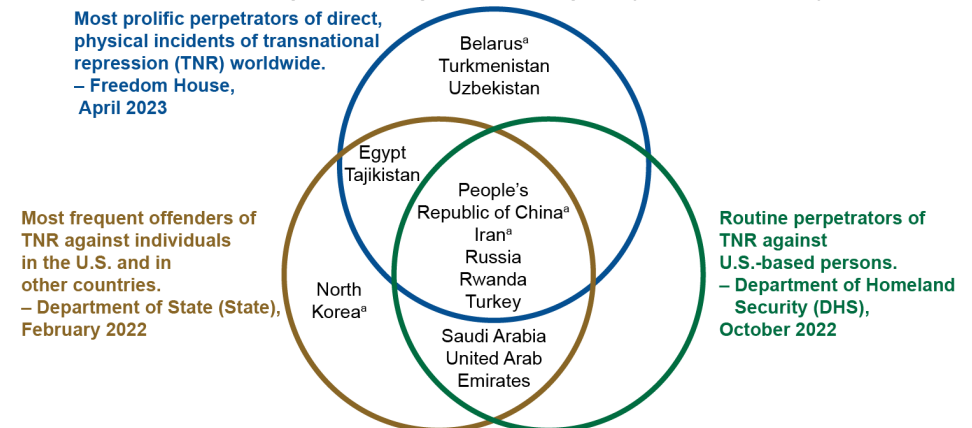
HUMAN RIGHTS:

Agency Actions Needed to Address Harassment of Dissidents and Other Tactics of Transnational Repression in the U.S.

What GAO Found

Foreign governments may use various tactics—from spyware to assault—to silence U.S.-based dissidents. Agencies have worked to track such incidents, generally known as transnational repression (TNR). Agencies have reported on foreign governments known to engage in TNR worldwide, some of which receive U.S. arms transfers. However, officials said that a lack of common understanding of TNR hinders efforts to fully track incidents against U.S.-based persons.

Foreign Governments that Received U.S. Arms Transfers in Fiscal Year 2017-2021 and/or Were Named as Transnational Repression Perpetrators in Reports (Issued 2022–2023)



Sources: GAO analysis of Freedom House, State, and DHS reports, and Department of Defense data. | GAO-24-106183

^aDid not receive any U.S. arms transfers in fiscal year 2017-2021.

Note: For more details, see figures 2 and 4 in GAO-24-106183.

U.S. law does not specifically criminalize TNR, but agencies have used existing tools to penalize individuals for TNR against U.S.-based persons. State imposed visa restrictions on 76 Saudis believed to have been engaged in acts of TNR, including the murder of U.S. resident Jamal Khashoggi. FBI officials said gaps in U.S. law limit their ability to counter TNR, but DOJ has not developed a DOJ-wide position on the sufficiency of existing laws. Developing such a position may help Congress determine whether new legislation is needed to address TNR.

Section 6 of the Arms Export Control Act (AECA)—which prohibits arms transfers to countries that the President determines are engaged in a consistent pattern of acts of intimidation or harassment against individuals in the U.S.—offers a way to hold some governments accountable for TNR against individuals in the U.S. However, no such determinations have been made, and none of the agencies we spoke with had performed any work related to implementing the statute. Because Section 6 only requires reporting following a positive determination, it is unclear the extent to which the law has ever been considered. Amending its reporting requirement could improve visibility into how, if at all, the law is used.