



Establishing More Appropriate Treatment of UAS Technology under the Missile Technology Control Regime

ISSUE: Within the multilateral Missile Technology Control Regime (MTCR), the Administration should advocate for more detailed and appropriate guidelines to govern exports of Unmanned Aircraft Systems (UAS) technologies. Such guidelines must draw distinctions between UAS capable of delivering weapons of mass destruction (WMD) and those which are not. Absent such a distinction, the MTCR is needlessly restricting access to critical capabilities that are increasingly essential to successful operations by the U.S. military and our coalition partners.

AIA RECOMMENDATIONS

- Establish performance and survivability criteria in the MTCR, such as Radio Frequency (RF)/Infrared (IR) signature, speed and maneuverability, and absence of weapons delivery systems, which would allow UAS not suitable for WMD delivery to be evaluated for export without a presumption of denial.
- Develop a process to negotiate security arrangements for UAS with specific importing countries before exercising the presumption of denial for export.
- Clarify that lighter-than-air vehicles are not subject to MTCR jurisdiction.
- Review how UAS are covered under the International Traffic in Arms Regulations (ITAR) and make changes to U.S. Munitions List (USML) Category VIII as appropriate.

BACKGROUND

For over 20 years, the multilateral Missile Technology Control Regime (MTCR) has helped slow the proliferation of unmanned WMD delivery vehicles. During that time, however, UAS technology has evolved substantially, leading to the emergence of several systems whose technical parameters make them unsuitable for WMD delivery. Yet these UAS are still subject to MTCR's "strong presumption of denial" for transfer/export because their range and payload meet or exceed the criteria for classification as MTCR Category I vehicles. Applying the MTCR Guidelines to transfers of such UAS does not stem the proliferation of unmanned WMD delivery vehicles. Instead, such constraints needlessly restrict the supply of critical capabilities (such as Intelligence, Surveillance and Reconnaissance, or ISR) that are in very high demand by the U.S. military and our coalition partners. In short, subjecting slow, unarmed UAS with limited maneuverability and performance capability to the same restrictions as cruise missiles is unnecessary and inappropriate.