

**Congress of the United States**  
Washington, D.C. 20515

February 24, 2021

The Honorable Joseph R. Biden, Jr.  
President of the United States of America  
The White House  
1600 Pennsylvania Avenue NW  
Washington, D.C. 20500

Dear President Biden,

We write to express our strong support for your decision to end U.S. participation in offensive operations in the Saudi/UAE-led war in Yemen, as well as related weapons sales, and we applaud your Administration's full commitment to a diplomatic resolution to the conflict.

We also strongly support your decision to lift the previous Administration's Foreign Terrorist Organization (FTO) and Specially Designated Global Terrorist (SDGT) designations on Ansar Allah. While we have no illusions about Ansar Allah's destructive role in this conflict – as underscored most recently by their decision to launch a new offensive in Marib and their drone attacks into Saudi Arabia – this designation would have had the practical impact of severely exacerbating the crisis, prolonging the conflict, and ultimately costing the lives of many more civilians.

These are critical first steps for bringing about peace to Yemen.

For nearly six years, the U.S. has aided and abetted the catastrophic Saudi/UAE-led military intervention in Yemen, despite the coalition's unconscionable record of indiscriminately bombing tens of thousands of civilians and destroying civilian infrastructure, including hospitals, schools, refugee camps, sewage treatment plants, and markets. This brutal war and the associated de-facto blockade have contributed to producing the world's largest humanitarian crisis, with more than 13 million Yemenis now experiencing extreme hunger and millions more teetering on the brink.

Congress has repeatedly invoked its constitutional war powers authority by voting to end unconstitutional U.S. participation in this war via War Powers Resolutions and amendments to the FY2019, 2020, and 2021 National Defense Authorization Acts, including provisions that mandated an end to intelligence sharing and logistical support for airstrikes. Most recently, Congress also passed a provision in the FY2021 National Defense Authorization Act requiring detailed reporting regarding U.S. involvement in Saudi Arabia's de-facto blockade of Yemen's air and seaports. Bipartisan majorities of Congress have also voted to block several weapons sales approved by the Trump Administration over concerns about the war in Yemen.

We seek to ensure that the Biden-Harris Administration's Yemen policy will adhere to the limitations sought by majorities of Congress in the numerous bipartisan votes on this subject. Accordingly, we request clarification from appropriate members of the Biden-Harris Administration regarding the following aspects of its policy on Yemen:

*Regarding military support to members of the Saudi/UAE-led coalition*

- What military, intelligence, logistical, or other activities was the U.S. performing when the Biden-Harris Administration ("the Administration") took office? Under what legal authorities were they performed?
- Which of these activities does the Administration view as constituting involvement in "offensive operations"?
- Which of these activities have already ceased, and which activities does the Administration plan to cease in the immediate future?

- Which of these activities does the Administration plan to continue, and what activities does it plan to commence, if any? Under what legal authority is the Administration authorized to engage in continuing any such activities?
- You have said that the United States will “continue to support and help Saudi Arabia defend its sovereignty and its territorial integrity and its people” from “threats from Iranian-supplied forces in multiple countries.” What activities does this policy entail, and under what legal authority is the Administration authorized to engage in such activities?
- Does the Administration plan to continue providing maintenance and spare parts for the Royal Saudi Air Force, or engage in any other activities that enable continued airstrikes within Yemen?
- To the best of the Administration’s knowledge, which activities has the U.S. performed that contributed to the de-facto blockade of Yemen? Which activities does the Administration plan to continue, if any, and under what legal authority is the Administration authorized to engage in such activities?
- Would the Administration support a Congressional effort that seeks to codify through legislation a permanent end to unauthorized U.S. military support and weapons sales for the Saudi/UAE-led coalition’s war on Yemen?

*Regarding weapons sales to members of the Saudi/UAE-led coalition*

- What weapons systems does the Administration deem “relevant” to offensive operations?
- Given the complexity of the conflict, certain weapons, services, and other military equipment provided for defensive purposes could quickly become offensive in response to, for example, a cross-border attack. Has the Administration placed limits on the assistance it deems as defensive? If so, what are these limits?
- Of the many weapons the Trump Administration agreed to sell to the Kingdom of Saudi Arabia (KSA) and UAE, including the \$8 billion sales to KSA and the UAE announced in 2019, the \$800 million in weapons sales to KSA announced in late 2020, and the \$23 billion sales to the UAE announced in late 2020, what categories of weapons is the Biden-Harris Administration planning to block delivery of? Does the Administration consider the Reaper Drones and the F-35s in the UAE sale offensive weaponry?
- Which weaponry offered to KSA and the UAE over the past four years has yet to be delivered, and will all of those items be subject to review?
- Will transfers of naval equipment be blocked due to their potential role in supporting the de-facto blockade?

*Other matters related to U.S. policy towards Yemen*

- Will the Administration restore and expand humanitarian funding for all parts of Yemen? Will the Administration call on the Saudi/UAE-led coalition to end the de-facto blockade and urge them to help expand funding for the multilateral humanitarian and reconstruction response to ensure assistance reaches all parts of Yemen?
- Will the Administration put pressure on the UAE to end the occupation and annexation plans of Socotra and other parts of southern Yemen?
- Will the Administration pressure KSA and the UAE to stop the arming and financing of non-state armed groups, some affiliated with al-Qaeda, in Yemen? Will the Administration end U.S. security cooperation, training, or other assistance until they do so?
- Will the Administration pursue or support an independent, international investigation into the credible allegations of torture, mass detention, sexual abuse, enforced disappearances, and targeted assassinations of political opponents carried out by the UAE and its allied militias as part of its counterterrorism operations in Yemen?
- Will the UAE be held accountable for its documented diversion of U.S.-sold weaponry to non-state armed groups, including affiliates of al-Qaeda?
- How does the U.S. plan to support the UN-led peace negotiations? What steps will the U.S. take to ensure that internationally led peace negotiations reflect the array of interests and parties fighting in the conflict and the voices of women and civil society leaders who have thus far been excluded in formal talks?

Again, we strongly support your Administration's efforts to end unconstitutional U.S. participation in the Saudi/UAE-led war in Yemen, and we are eager to support your commitment to a good-faith peace process. Given the dire urgency of the crisis in Yemen – with the United Nations estimating that a child under the age of five dies every 10 minutes on average – we request the Administration's response before March 25, 2021, which marks the 6<sup>th</sup> anniversary of the disastrous Saudi-led military intervention. We also ask that the Administration provide, to the extent possible, public responses to maximize transparency over U.S. activities and policy related to Yemen. We thank the Administration in advance for your prompt response to these questions.

Sincerely,



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Peter A. DeFazio  
Member of Congress



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Ro Khanna  
Member of Congress



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Debbie Dingell  
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Bonnie Watson Coleman  
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