

December 3, 2019

The Honorable Adam Smith
Chairman
House Armed Services Committee
2216 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Smith:

We thank you for your leadership in working tirelessly to bring an end to the Saudi-led war in Yemen, which is responsible for threatening tens of millions of innocent people with starvation, disease, and death. We appreciate your commitment to ensuring that the National Defense Authorization Act of 2020 (NDAA) serves as a vehicle to achieve the objective of stopping the war and alleviating the world's worst humanitarian crisis.

As you know, the Smith-Khanna-Schiff-Jayapal amendment that you led in the House NDAA process is the strongest policy ever developed in Congress to terminate unauthorized U.S. military involvement in the Saudi-led bombing campaign in the regime's war against Yemen's Houthis. We applaud your role in spearheading this amendment and securing a bipartisan House majority of 240 affirmative votes—the highest margin of support for any Yemen-focused amendment in the NDAA.

Experts on Saudi Arabia's military capabilities, such as CIA veteran Bruce Riedel, senior fellow at the Brookings Institution, believe that, if effectively enforced, this amendment could quickly halt the Saudi Royal Air Force's airstrikes in Yemen. The Smith-Khanna-Schiff-Jayapal amendment's combination of prohibitions on U.S. intelligence sharing, logistical support, maintenance, and spare parts transfers to Saudi warplanes conducting bombings against Houthi targets not only sends a political message to Saudi Arabia that the war must end. The Saudi coalition's aircraft rely on these continuous U.S. activities that are essential to prosecuting the air war—the prohibition would have an enormous operational impact on Saudi Arabia's ability to launch these deadly airstrikes.

In addition, consistent with the War Powers Act's Section 8(c), your amendment aims to ratify as federal statute a ban on U.S. military personnel from commanding, coordinating, participating in the movement of, or accompanying Saudi or Emirati forces engaged in hostilities against the Houthis unless a specific statutory authorization is first obtained. If incorporated into the final NDAA and signed into law, this expansive prohibition will prohibit U.S. midair refueling as a matter of law—not unilateral administration policy, which can be reversed at any time.

Promising possibilities of peace appear to be emerging after four years of this catastrophic conflict. As the Houthis and Saudis engage in discussions, it is essential that Congress act to spur a negotiated

settlement, using the Smith-Khanna-Schiff-Jayapal provision in the NDAA—the warring parties have been in dialogue privately and publicly for years without an abatement in the humanitarian devastation. As you know, virtually every step of progress towards ending the Saudi-led war in Yemen has come about as a result of external pressure, particularly Congressional pressure. We therefore urge you to do everything in your power to ensure that the comprehensive amendment is incorporated in its entirety into the final NDAA that comes for a vote in the House and Senate.

We concur with leading officials of the Obama Administration, who view the passage of an NDAA with this amendment as a critical check on this president, who might otherwise be “emboldened to launch and sustain unconstitutional wars in the face of majority opposition from Congress, so long as a two-thirds majority does not exist to override a veto.” They conclude, “by advancing life-saving policy over Trump’s opposition, you will demonstrate the legislative assertiveness that is necessary for Congress to serve as an effective check on this administration.”

Thank you for your attention to this critical matter and your ongoing efforts to use your position as chairman of the House Armed Services Committee to end this unconstitutional war.

Sincerely,

Mark Ruffalo (Actor/Activist)

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Yemeni Alliance Committee

Common Defense

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Center for International Policy

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Stephen Wertheim (Co-Founder of Quincy
Institute for Re