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UNITED STATES SENATE
WASHINGTON, DC 20510-2105
P: 202-224-4543

2400 JFK FEDERAL BUILDING
15 NEW SUDBURY STREET
BOSTON, MA 02203
P: 617-565-3170

1550 MAIN STREET
SUITE 406
SPRINGFIELD, MA 01103
P: 413-788-2690

www.warren.senate.gov

General Joseph L. Votel
Commander, U.S. Central Command
7115 South Boundary Boulevard
MacDill AFB, FL 33621-5101

August 14, 2018

Dear General Votel,

I write to ask for clarification of your testimony regarding U.S. support for operations in Yemen led by the Kingdom of Saudi Arabia (KSA) and the United Arab Emirates (UAE) during your March 13, 2018 appearance before the Senate Armed Services Committee.

The United States provides "limited support to KSA-led coalition military operations against Houthi and Saleh-aligned forces in Yemen …[by providing] coalition defense articles and services, including air-to-air refueling; certain intelligence support; and military advice, including advice regarding compliance with the law of armed conflict and best practices for reducing the risk of civilian casualties."[1] According to public reports and non-governmental organizations operating on the ground in Yemen, coalition airstrikes, including some that are likely to have been supported by U.S. refueling and supplied with U.S. munitions, have resulted in the deaths of thousands of Yemeni civilians since the beginning of the military campaign in 2015, including most recently a school bus carrying dozens of children.[2] During your appearance before the committee earlier this year, I specifically asked you whether U.S. Central Command (CENTCOM) "track[s] the purpose of the missions that it is refueling – in other words, where a U.S.-refueled aircraft is going, what targets it strikes and the results of the mission." You responded, "Senator, we do not." I also asked "when you receive reports … from credible media organizations or outside observers, is CENTCOM able to tell whether U.S. fuel or U.S. munitions were used as part of that strike?" You responded, "Senator, I don't believe we are."[3]

The Department of Defense (DOD) has previously acknowledged the existence of a U.S.-Saudi Joint Combined Planning Cell. Although the United States reportedly "[withdrew] from

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[1] Letter from Department of Defense Acting General Counsel William Castle to Senators Mitch McConnell and Chuck Schumer, February 27, 2018.
[2] New York Times, "Saudi Coalition Bombs School Bus in Yemen, Killing Dozens," Shuaib Almosawa and Ben Hubbard, August 9, 2018, https://www.nytimes.com/2018/08/09/world/middleeast/yemen-airstrike-school-bus-children.html.
[3] Senate Armed Services Committee, "Hearing to receive testimony on United States Central Command and United States Africa Command in review of the Defense Authorization Request for Fiscal Year 2019 and the Future Years Defense Program," March 13, 2018, https://www.armed-services.senate.gov/hearings/18-03-13-united-states-central-command-and-united-states-africa-command.

Saudi Arabia its personnel who were coordinating with the Saudi-led air campaign in Yemen, and sharply reduced the number of staff elsewhere who were assisting with that planning"[4] in March 2016, President Trump subsequently "sent military advisers back into the combat operations centers and resumed sharing information for targeting" after he assumed office.[5] By March 2018, a reporter invited to visit a Riyadh military command center described "American and British advisers look[ing] out over" an operations center in which Saudi officers watched live feeds of "jet fighters, drones and refueling planes" conducting active operations.[6]

A report in *The Intercept* last week described in detail a May 14 Saudi airstrike that "ignor[ed] their own procedures aimed at minimizing civilian casualties," nearly killed a dozen Yemeni civilians, and was conducted with a U.S.-made GBU-12 precision-guided munition.[7] The article is based on a "U.S. intelligence report" that provides a "minute-by-minute account of a single airstrike" and "includes what appear to be comments from an American intelligence analyst attempting to summarize key takeaways." This report appeared to indicate that one or more U.S. representatives were present in the Saudi command center at the time the strike was approved and executed.

The reported presence of U.S. advisors in a command center responsible for actively approving and directing such airstrikes, and the reported existence of at least one U.S. intelligence assessment of an airstrike acknowledging the use of U.S.-manufactured munitions, raise questions about whether the U.S. does in fact have the capability to track the origins, purpose and results of U.S.-supported airstrikes should it choose to do so. Accordingly, I ask that you respond to the following questions for the record at your earliest opportunity and no later than August 30, 2018:

1) In your testimony before the committee, you said that CENTCOM was not able to determine whether U.S.-provided fuel or munitions were used as part of a KSA- or UAE-led coalition strike. *The Intercept*'s reporting suggests that the U.S. intelligence community was in fact able to identify the use of a U.S.-made GBU-12 precision-guided munition in the May 14 Saudi airstrike.
    a) Why is CENTCOM unable to conduct similar identification and analysis?
    b) What additional resources or authorities would it take for CENTCOM to routinely track this information?
2) How many refueling missions has the United States flown in support of coalition operations in Yemen each month over the last 24 months?

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[4] Reuters, "U.S. withdraws staff from Saudi Arabia dedicated to Yemen planning," Phil Stewart, August 19, 2016, https://www.reuters.com/article/us-yemen-security-usa-saudiarabia/exclusive-u-s-withdraws-staff-from-saudi-arabia-dedicated-to-yemen-planning-idUSKCN10U1TL.

[5] The Wall Street Journal, "In a Saudi War Room, Generals Grapple with Ways to Protect Civilians in Yemen," Dion Nissenbaum, March 18, 2018, https://www.wsj.com/articles/in-a-saudi-war-room-generals-grapple-with-ways-to-protect-civilians-in-yemen-1521370801.

[6] *Ibid.*

[7] The Intercept, "U.S.-Backed Saudi airstrike on family with nine children shows 'clear violations' of the laws of war," Iona Craig, Shuaib Almosawa, August 2, 2018, https://theintercept.com/2018/08/02/saudi-airstrikes-yemen-war-laws/.

3) What percentage of coalition aircraft involved in the conflict in Yemen receive U.S. refueling support?

4) Are U.S. military officers or civilians present in the Joint Command Planning Cell or other Saudi, UAE or coalition operations centers overseeing operations in Yemen?

    a) Following the March 2016 reported reduction in personnel, on what date was guidance given to return U.S. military advisors into Saudi, UAE or coalition operations centers? On what date did they return?

    b) Are the individuals present in coalition operations centers assigned to CENTCOM? If so, please provide: the number of assigned individuals; where and in what capacity they are embedded; and a description of their authority and responsibilities. If not, please specify to whom they are assigned and what coordination they conduct with CENTCOM.

5) Please describe the role of U.S. advisors in the targeting process and airstrike approval.

    a) Does the U.S. currently share targeting information with the coalition for the purpose of conducting offensive operations against Houthi and affiliated forces unrelated to the U.S. counter-terrorism mission?

    b) Do U.S. advisors provide input into Saudi, UAE or coalition strikes in any format, or are they present purely as observers?

6) Do the commanders of the KSA- and UAE-led coalition seek U.S. advice before approving airstrikes, and if so, what is the procedure and from whom is advice and approval sought?

    a) Do U.S. personnel participate in the legal evaluation of coalition airstrikes?

    b) If advisors assigned to operations centers witness conduct that does not conform with U.S. standards or the Laws of Armed Conflict, what action are they instructed to take, if any? Please provide any relevant guidance and/or orders.

7) Do U.S. advisors present in coalition operations centers have the ability to communicate with U.S. refueling aircraft supporting coalition air operations?

8) Does the United States conduct after-action assessments or produce intelligence reports summarizing coalition airstrikes in Yemen, such as the one reported by *The Intercept*? Please provide copies of any relevant reports or assessments.

9) Recent media reports have suggested that U.S. special forces are participating in cross-border missions to "locate and destroy" Houthi arms caches. Are any U.S. ground forces in Saudi Arabia or Yemen directly assisting with the coalition effort to defeat the Houthi and affiliated-forces operations, beyond "air-to-air refueling, certain intelligence support, and military advice" as laid out in the February 27 letter from DOD to Senators McConnell and Schumer? If so, what are their responsibilities and under what authorities? Please provide any relevant legal opinions.

10) Have the terms of the Acquisition and Cross-Servicing Agreement (ACSA) signed with Saudi Arabia changed in the last twelve months? Please provide details.

I believe that the public has an interest in understanding the full scope of U.S. support and operations in Yemen and accordingly request that you provide unclassified answers to my questions to the extent possible. You may provide a classified appendix if necessary. My point of contact for this inquiry is Sasha Baker at (202) 224-4543. I thank you for your service, and look forward to clarifying this matter.

Sincerely,



Elizabeth Warren
United States Senator