

United States Senate

WASHINGTON, DC 20510

March 20, 2018

The Honorable James Mattis
Secretary of Defense
1000 Defense Pentagon
Washington, D.C. 20301

Dear Secretary Mattis:

We write with significant concern regarding the Saudi Arabia-led coalition's ongoing military operations against the Houthis in Yemen, which have fueled one of the world's largest humanitarian disasters that has led to over 22 million people in need of aid, over 15,000 civilian casualties, severe infrastructure damage, and spread of disease. We are especially concerned that U.S. support of these operations may be contributing to the worsening humanitarian situation with no political end state in sight.

Under a 2016 acquisition and cross-servicing agreement (ACSA) with Saudi Arabia and a 2006 ACSA with the United Arab Emirates (UAE), DoD provides logistics, supplies, and services to these countries, including inflight refueling that is utilized to support two separate military efforts in Yemen – one against al Qaeda and its associated forces, and the other against the Houthis. Pursuant to section 2342 of title 10, United States Code, any such ACSA made with a country outside the North Atlantic Treaty Organization (NATO) must be noticed to the Congressional Armed Services and Foreign Relations Committees by the Secretary of Defense at least 30 days in advance of signing such an agreement. It is our understanding that DoD has not provided the committees with the notifications required for either of the ACSAs signed with Saudi Arabia or the UAE.

Further, DoD has reportedly provided inflight refueling assistance to support Saudi military operations in Yemen since at least March 2015. However, the ACSA underpinning this assistance was not completed until May 2016.

Lastly, section 2342 of title 10, United States Code, requires that any assistance provided pursuant to this authority be reimbursed with "reciprocal provisions of logistic support, supplies, and services by such government." According to public reports, DoD has been unable to account for reimbursement of the inflight refueling assistance that has been provided to the Saudi-led coalition.

We have significant concerns about the ability of Congress to oversee the use of this authority and expenditure of U.S. taxpayer dollars in support of U.S. partners and allies. As such, we request that you promptly provide the following:

- 1) A copy of the required congressional notifications for the ACSAs with both the UAE and Saudi Arabia. If no such notification exists, an explanation of the DoD's failure to provide the required notification to Congress;

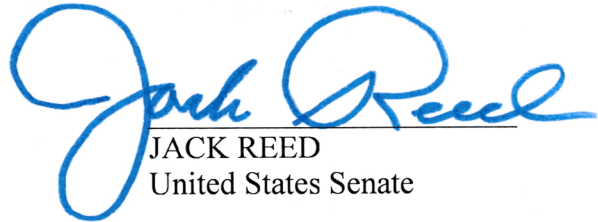
- 2) An explanation and legal justification for the provision of inflight refueling assistance to Saudi Arabian aircraft for over a year prior to the signing of the 2016 ACSA; and
- 3) A full accounting of reimbursements by both the UAE and Saudi Arabia for inflight refueling assistance provided since March 2015.

Thank you for your prompt response to these issues.

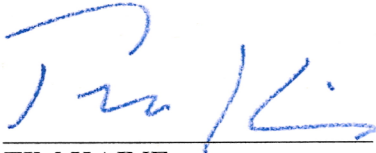
Sincerely,



RICHARD BLUMENTHAL
United States Senate



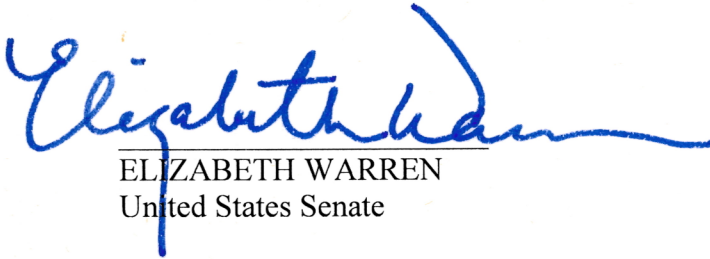
JACK REED
United States Senate



TIM KAINE
United States Senate



JEANNE SHAHEEN
United States Senate



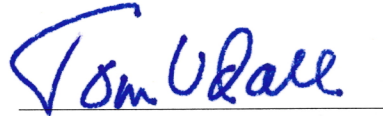
ELIZABETH WARREN
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MAZIE K. HIRONO
United States Senate



TOM UDALL
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