AMENDMENT TO RULES COMM. PRINT 117–13
OFFERED BY MR. MEEKS OF NEW YORK

At the end of subtitle C of title XIII, add the following:

SEC. 13. DETERMINATION AND SUSPENSION OF CERTAIN
DEFENSE SERVICES AND SUPPORT TO SAUDI
ARABIA.

(a) STATEMENT OF POLICY.—It is the policy of the
United States—

(1) to continue to support and further efforts to
bring an end to the conflict in Yemen;

(2) to ensure United States defense articles and
services are not used for military operations resulting in civilian casualties;

(3) to ensure section 502 of the Foreign Assistance Act of 1961 (22 U.S.C. 2302; relating to utilization of defense articles) and section 4 of the Foreign Military Sales Act (22 U.S.C. 2754) are upheld and which describe the purposes for which military sales by the United States are authorized, including “legitimate self-defense”, “internal security”, and “preventing or hindering the proliferation of weap-
ons of mass destruction or the means of delivering
such weapons’’; and

(4) to work with allies and partners to address
the ongoing humanitarian needs of Yemeni civilians.

(b) DETERMINATION AND REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 90 days after
the date of the enactment of this Act, the President,
acting through the Secretary of State and the Sec-
retary of Defense, shall determine and report to ap-
propriate congressional committees of whether the
Government of Saudi Arabia has undertaken offen-
sive airstrikes inside Yemen in the preceding year
resulting in civilian casualties.

(2) MATTERS TO BE INCLUDED.—The deter-
mination and report required by this subsection shall
include the following:

(A) A full description of any such air-
strikes, including a detailed accounting of civil-
ian casualties incorporating information from
non-governmental sources.

(B) An identification of Government of
Saudi Arabia air units responsible for any such
airstrikes.

(C) A description of aircraft and munitions
used in any such airstrikes.
(3) FORM.—The report required by this subsection shall be submitted in unclassified form, but may contain a classified annex if necessary.

(c) PROHIBITION ON AUTHORIZING CERTAIN FOREIGN MILITARY SALES TO SAUDI ARABIA.—Upon issuance of an affirmation determination and report pursuant to subsection (b) with respect to offensive airstrikes inside Yemen in the preceding year resulting in civilian casualties, the President may not proceed with any Foreign Military Sale (FMS) using funds authorized to be appropriated by this Act authorizing the export to the Government of Saudi Arabia of defense services related to the sustainment or maintenance of United States-provided aircraft belonging to military units determined to have undertaken such airstrikes.

(d) EXCEPTION RELATING TO TERRITORIAL DEFENSE AND COUNTERTERRORISM OPERATIONS.—Notwithstanding any other provision of this section, the prohibition in subsection (c) shall not include the authority or a requirement to impose any restrictions or prohibitions on any Foreign Military Sale of defense services relating to aircraft engaging in operations—

(1) preventing or degrading the ability of Houthi (Ansar Allah) forces to launch missiles and
unmanned aircraft strikes into the territory of Saudi Arabia;

(2) related directly to counterterrorism efforts against Al-Qaeda in the Arabian Peninsula (AQAP) and its affiliates;

(3) designed to provide territorial air defense;

or

(4) directly related to the defense of United States facilities or military or diplomatic personnel located in Saudi Arabia.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Relations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.