

115TH CONGRESS  
2D SESSION

# S. 3652

To support the peaceful resolution of the civil war in Yemen, to address the resulting humanitarian crisis, and to hold the perpetrators responsible for murdering a Saudi dissident.

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## IN THE SENATE OF THE UNITED STATES

NOVEMBER 15, 2018

Mr. MENENDEZ (for himself, Mr. YOUNG, Mr. REED, Mr. GRAHAM, Mrs. SHAHEEN, and Ms. COLLINS) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

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## A BILL

To support the peaceful resolution of the civil war in Yemen, to address the resulting humanitarian crisis, and to hold the perpetrators responsible for murdering a Saudi dissident.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Saudi Arabia Account-  
5 ability and Yemen Act of 2018”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—PEACEFUL RESOLUTION OF THE CIVIL WAR IN YEMEN  
AND PROTECTION OF CIVILIANS

Sec. 101. Statement of policy.

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Sec. 103. United States strategy for ending the war in Yemen.

Sec. 104. Report on accountability for violations of international law, including war crimes, and other harm to civilians in Yemen.

Sec. 105. Suspension of arms transfers to Saudi Arabia.

Sec. 106. Prohibition on in-flight refueling of Saudi coalition aircraft operating in Yemen.

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Sec. 108. Imposition of sanctions with respect to persons supporting the Houthis in Yemen.

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TITLE II—SAUDI ARABIA ACCOUNTABILITY

Sec. 201. Imposition of sanctions on persons responsible for the death of Jamal Khashoggi.

Sec. 202. Report on Saudi Arabia's human rights record.

TITLE III—GENERAL PROVISIONS

Sec. 301. Rule of construction.

Sec. 302. Sunset.

**1 TITLE I—PEACEFUL RESOLU-**  
**2 TION OF THE CIVIL WAR IN**  
**3 YEMEN AND PROTECTION OF**  
**4 CIVILIANS**

**5 SEC. 101. STATEMENT OF POLICY.**

6 It is the policy of the United States—

7 (1) to support United Nations-led efforts for a  
8 comprehensive political settlement that leads to a  
9 territorially unified, stable, and independent Yemen;

10 (2) to insist on the urgent need for a political  
11 solution, consistent with United Nations Security  
12 Council Resolution 2216, or any successor United

1 Nations Security Council Resolution demanding an  
2 end to violence in Yemen and peaceful resolution of  
3 the conflict in that country;

4 (3) to reject all statements, policies, or actions  
5 advocating for a military solution to the civil war in  
6 Yemen; and

7 (4) to encourage long-standing United States  
8 security partners, including the Government of  
9 Saudi Arabia and the Government of the United  
10 Arab Emirates, to take the lead in confidence-build-  
11 ing measures that open space for political dialogue  
12 to end the war in Yemen and address the humani-  
13 tarian crisis.

14 **SEC. 102. SENSE OF CONGRESS.**

15 It is the sense of Congress that—

16 (1) direct negotiations between the Government  
17 of Saudi Arabia and representatives of the Houthi  
18 movement (also known as “Ansar Allah”) are re-  
19 quired—

20 (A) to reach a political solution;

21 (B) to address the suffering of the Yemeni  
22 people; and

23 (C) to counter efforts by Iran, al Qaeda,  
24 and ISIS to exploit instability for their own ma-  
25 lign purposes;

1           (2) the Government of Saudi Arabia and the  
2           Government of the United Arab Emirates bear sig-  
3           nificant responsibility for the economic stabilization  
4           and eventual reconstruction of Yemen; and

5           (3) the United States and the international  
6           community must continue to support the work of  
7           United Nations Special Envoy Martin Griffiths to  
8           achieve a political solution to the civil war in Yemen.

9   **SEC. 103. UNITED STATES STRATEGY FOR ENDING THE**  
10                           **WAR IN YEMEN.**

11          (a) **DEFINED TERM.**—In this section, the term “ap-  
12       propriate congressional committees” means—

13               (1) the Committee on Foreign Relations of the  
14       Senate;

15               (2) the Committee on Armed Services of the  
16       Senate;

17               (3) the Committee on Foreign Affairs of the  
18       House of Representatives; and

19               (4) the Committee on Armed Services of the  
20       House of Representatives.

21          (b) **STRATEGY.**—Not later than 30 days after the  
22       date of the enactment of this Act, and every 90 days there-  
23       after until a complete cessation of hostilities in the Yemen  
24       civil war, the Secretary of State, the Administrator of the  
25       United States Agency for International Development, the

1 Secretary of Defense, and the Director of National Intel-  
2 ligence shall provide a briefing to the appropriate congres-  
3 sional committees on the progress of the United States  
4 strategy to end the war in Yemen.

5 (c) ELEMENTS.—The briefing required under sub-  
6 section (b) shall include—

7 (1) a summary of the United States national  
8 security interests threatened by continued civil war  
9 and instability in Yemen;

10 (2) a description of the steps necessary to end  
11 the civil war in Yemen and achieve a territorially  
12 unified, stable, and independent Yemen;

13 (3) a description of whether the Saudi-led coal-  
14 ition, the internationally recognized Government of  
15 Yemen, local Yemeni forces, and Ansar Allah are  
16 taking the necessary steps referred to in paragraph  
17 (2);

18 (4) a description of United States activities to  
19 encourage all parties to take the necessary steps re-  
20 ferred to in paragraph (2);

21 (5) an assessment of the threat posed by Al  
22 Qaeda and the Islamic State in Yemen to United  
23 States national security, including—

24 (A) a comprehensive list of all sources of  
25 support received by these groups; and

1 (B) an assessment regarding whether the  
2 activities of Al Qaeda in the Arabian Peninsula  
3 and the Islamic State in Yemen have expanded  
4 or diminished since the beginning of the war in  
5 Yemen;

6 (6) an explanation of how the United States  
7 has used, and plans to use, its military and diplo-  
8 matic leverage—

9 (A) to end the civil war in Yemen; and

10 (B) to move the stakeholders in the war to-  
11 ward a political process to end the war;

12 (7) an assessment of Iran’s activities in Yemen,  
13 including—

14 (A) a comprehensive summary of all recipi-  
15 ents of illicit Iranian support in Yemen; and

16 (B) an assessment regarding whether the  
17 scope of Iran’s influence and activities in  
18 Yemen have increased or decreased since the  
19 beginning of the war in Yemen;

20 (8) a description of Russia’s activities in Yemen  
21 and an assessment of Russia’s objectives for such  
22 activities; and

23 (9) any other matters relevant to ending the  
24 civil war in Yemen.

1 **SEC. 104. REPORT ON ACCOUNTABILITY FOR VIOLATIONS**  
2 **OF INTERNATIONAL LAW, INCLUDING WAR**  
3 **CRIMES, AND OTHER HARM TO CIVILIANS IN**  
4 **YEMEN.**

5 (a) SENSE OF CONGRESS.—It is the sense of Con-  
6 gress that—

7 (1) all stakeholders in the conflict in Yemen  
8 should end all practices involving arbitrary arrests,  
9 enforced disappearances, torture, and other unlawful  
10 treatment;

11 (2) all stakeholders in the conflict in Yemen  
12 should reveal the fate or the location of all persons  
13 who have been subjected to enforced disappearance  
14 by such stakeholders;

15 (3) all persons who remain in custody as a re-  
16 sult of the conflict in Yemen should be granted im-  
17 mediate access to their families;

18 (4) the locations of all detention facilities run  
19 or supervised by members of the Saudi-led coalition  
20 should be revealed and brought under the super-  
21 vision of the Prosecutor General of Yemen;

22 (5) independent monitors should be granted ac-  
23 cess to all places of detention in Yemen;

24 (6) all stakeholders to the conflict in Yemen  
25 should fully cooperate with the United Nations  
26 Panel of Experts on Yemen.

1 (b) DEFINED TERM.—In this section, the term “ap-  
2 propriate congressional committees” means—

3 (1) the Committee on Foreign Relations of the  
4 Senate;

5 (2) the Committee on Armed Services of the  
6 Senate;

7 (3) the Committee on Foreign Affairs of the  
8 House of Representatives; and

9 (4) the Committee on Armed Services of the  
10 House of Representatives.

11 (c) REPORT.—Not later than 90 days after the date  
12 of the enactment of this Act, the Secretary of State shall  
13 submit a report to the appropriate congressional commit-  
14 tees that describes the causes and consequences of civilian  
15 harm occurring in the armed conflict in Yemen, including  
16 war crimes, and gross violations of human rights as a re-  
17 sult of the actions of all parties to the conflict.

18 (d) ELEMENTS.—The report required under sub-  
19 section (c) shall include—

20 (1) a description of civilian harm occurring in  
21 the context of the armed conflict in Yemen, includ-  
22 ing—

23 (A) mass casualty incidents; and

24 (B) damage to, and destruction of, civilian  
25 infrastructure and services, including—



1 (i) hospitals and other medical facili-  
 2 ties;

3 (ii) electrical grids;

4 (iii) water systems;

5 (iv) ports and port infrastructure; and

6 (v) other critical infrastructure;

7 (2) violations of the law of armed conflict com-  
 8 mitted during the war in Yemen by—

9 (A) all forces involved in the Saudi-led coa-  
 10 lition and all forces fighting on its behalf;

11 (B) members of the Houthi movement and  
 12 all forces fighting on its behalf;

13 (C) members of violent extremist organiza-  
 14 tions; and

15 (D) any other combatants in the conflict;

16 (3) as examples of violations referred to in  
 17 paragraph (2)—

18 (A) alleged war crimes;

19 (B) specific instances of failure by the par-  
 20 ties to the conflict to exercise distinction, pro-  
 21 portionality, and precaution in the use force in  
 22 accordance with the law of armed conflict;

23 (C) arbitrary denials of humanitarian ac-  
 24 cess and the resulting impact on the alleviation  
 25 of human suffering;

1 (D) detention-related abuses; and

2 (E) other acts that may constitute viola-  
3 tions of the law of armed conflict; and

4 (4) recommendations for establishing account-  
5 ability mechanisms for the civilian harm, war crimes,  
6 other violations of the law of armed conflict, and  
7 gross violations of human rights perpetrated by par-  
8 ties to the conflict in Yemen, including—

9 (A) the potential for prosecuting individ-  
10 uals perpetrating, organizing, directing, or or-  
11 dering such violations; and

12 (B) establishing condolence payments for  
13 the impacted members of the civilian popu-  
14 lation.

15 (e) FORM.—The report required under subsection (c)  
16 shall be submitted in unclassified form, but may contain  
17 a classified annex.

18 **SEC. 105. SUSPENSION OF ARMS TRANSFERS TO SAUDI**

19 **ARABIA.**

20 (a) DEFINED TERM.—In this section, the term “ap-  
21 propriate committees of Congress” means—

22 (1) the Committee on Foreign Relations of the  
23 Senate;

24 (2) the Committee on Foreign Affairs of the  
25 House of Representatives;

1           (3) the Committee on Armed Services of the  
2       Senate; and

3           (4) the Committee on Armed Services of the  
4       House of Representatives.

5       (b) RESTRICTION.—Except as provided in subsection  
6 (c), during the period beginning on the date of the enact-  
7 ment of this Act and ending on September 30, 2020, the  
8 United States Government—

9           (1) may not sell, transfer, or authorize licenses  
10      for export to the Government of Saudi Arabia any  
11      item designated under Category III, IV, VII, or VIII  
12      on the United States Munitions List pursuant to  
13      section 38(a)(1) of the Arms Export Control Act (22  
14      U.S.C. 2778(a)(1)); and

15          (2) shall suspend any licenses or other approv-  
16      als that were issued before the date of the enact-  
17      ment of this Act for the export to the Government  
18      of Saudi Arabia of any item designated under Cat-  
19      egory IV of the United States Munitions List.

20      (c) EXCEPTION.—The prohibition under subsection  
21 (b) shall not apply to sales, transfers, or export licenses  
22 relating to ground-based missile defense systems.

23      (d) WAIVER.—The President may waive the restric-  
24 tion under subsection (b) for items designated under Cat-

1 egories III, VII, and VIII of the United States Munitions  
2 List not earlier than 30 days after—

3 (1) the Secretary of State, in coordination with  
4 the Secretary of Defense, submits a written, unclas-  
5 sified certification to the appropriate committees of  
6 Congress stating that—

7 (A) such waiver is in the national security  
8 interests of the United States;

9 (B) the Saudi-led coalition, during the  
10 180-day period immediately preceding the date  
11 of such certification, has continuously—

12 (i) honored a complete cessation of  
13 hostilities in the Yemen civil war, including  
14 ending all air strikes and all offensive  
15 ground operations that are not associated  
16 with al Qaeda in the Arabian Peninsula or  
17 ISIS;

18 (ii) fully supported, in statements and  
19 actions, the work of United Nations Spe-  
20 cial Envoy Martin Griffiths to find a polit-  
21 ical solution to the conflict in Yemen; and

22 (iii) abstained from any actions to re-  
23 strict, delay, or interfere with the delivery  
24 of cargo to or within Yemen unless—

1 (I) such action was taken exclu-  
2 sively to carry out inspections based  
3 on specific intelligence that a cargo  
4 shipment contains weapons prohibited  
5 under United Nations Security Coun-  
6 cil Resolution 2216; and

7 (II) the Saudi-led coalition timely  
8 submitted any reports required under  
9 such Resolution after the conclusion  
10 of such action; and

11 (C) Ansar Allah or associated forces, dur-  
12 ing the 180-day period immediately preceding  
13 the date of such certification—

14 (i) launched missile or unmanned aer-  
15 ial vehicle strikes into Saudi Arabia or the  
16 United Arab Emirates;

17 (ii) conducted ground incursions into  
18 the territory of Saudi Arabia or the United  
19 Arab Emirates;

20 (iii) accepted weapons, weapons com-  
21 ponents, funding, or military training from  
22 the Islamic Republic of Iran;

23 (iv) attacked vessels in the Red Sea;  
24 or

1 (v) prohibited or otherwise restricted,  
2 directly or indirectly, the transport or de-  
3 livery of humanitarian or commercial ship-  
4 ments to and within Yemen; and

5 (2) not later than 45 days after the submission  
6 of the certification under paragraph (1), the Comp-  
7 troller General of the United States submits a writ-  
8 ten, unclassified report to the appropriate commit-  
9 tees of Congress assessing the responsiveness, com-  
10 pleteness, and accuracy of such certification.

11 (e) CLASSIFIED BRIEFING.—If the Secretary of State  
12 and the Secretary of Defense determine that Ansar Allah  
13 has engaged in any of the actions described in subsection  
14 (d)(1)(C), the Secretaries shall provide a classified brief-  
15 ing to the appropriate committees of Congress not later  
16 than 10 days after submitting the certification under sub-  
17 section (d)(1) to provide details to support such deter-  
18 mination.

19 **SEC. 106. PROHIBITION ON IN-FLIGHT REFUELING OF**  
20 **SAUDI COALITION AIRCRAFT OPERATING IN**  
21 **YEMEN.**

22 No Federal funds may be obligated or expended  
23 under section 2342 of title 10, United States Code, or  
24 under any other applicable statutory authority, to provide  
25 in-flight refueling of Saudi or Saudi-led coalition non-

1 United States aircraft conducting missions as part of the  
2 ongoing civil war in Yemen.

3 **SEC. 107. IMPOSITION OF SANCTIONS WITH RESPECT TO**  
4 **PERSONS HINDERING HUMANITARIAN AC-**  
5 **CESS AND THREATENING THE PEACE OR STA-**  
6 **BILITY OF YEMEN.**

7 (a) SENSE OF CONGRESS.—It is the sense of Con-  
8 gress that the President should continue to implement Ex-  
9 ecutive Order 13611 (77 Fed. Reg. 29533), relating to  
10 blocking property of persons threatening the peace, secu-  
11 rity, or stability of Yemen.

12 (b) SANCTIONS.—Not later than 60 days after the  
13 date of the enactment of this Act, the President shall im-  
14 pose the sanctions described in subsection (c) with respect  
15 to each person that the President determines—

16 (1)(A) is knowingly blocking access to Yemeni  
17 ports, ports of entry, or other facilities used by the  
18 United Nations, its specialized agencies and imple-  
19 menting partners, national and international non-  
20 governmental organizations, or any other actors en-  
21 gaged in humanitarian relief activities in Yemen; or

22 (B) is otherwise hindering the efforts of such  
23 organizations to deliver humanitarian relief, includ-  
24 ing through diversion of goods and materials in-  
25 tended to provide relief to civilians in Yemen;

1           (2)(A) is knowingly threatening the humani-  
 2           tarian actors referred to in paragraph (1)(A); or

3           (B) is engaging in acts of violence against such  
 4           actors in Yemen or across conflict lines and borders;

5           (3) is responsible for actions or policies that are  
 6           intended to undermine—

7                     (A) the United Nations-led political proc-  
 8                     ess to end the conflict in Yemen; or

9                     (B) efforts to promote stabilization and re-  
 10                    construction in Yemen;

11           (4) is a successor entity to a person referred to  
 12           in paragraphs (1) through (3);

13           (5) owns or controls, or is owned or controlled  
 14           by, a person referred to in paragraphs (1) through  
 15           (3);

16           (6) is acting for or, on behalf of, a person re-  
 17           ferred to in paragraphs (1) through (3); or

18           (7) has knowingly provided, or attempted to  
 19           provide, financial, material, technological, or other  
 20           support for, or goods or services in support of, a  
 21           person referred to in paragraphs (1) through (3).

22           (c) SANCTIONS DESCRIBED.—

23           (1) IN GENERAL.—The sanctions described in  
 24           this subsection are the following:



1 (A) ASSET BLOCKING.—In accordance with  
2 the International Emergency Economic Powers  
3 Act (50 U.S.C. 1701 et seq.), the President  
4 shall block all transactions in all property and  
5 interests in property of a person subject to sub-  
6 section (a) if such property and interests in  
7 property—

8 (i) are in the United States;

9 (ii) are transported into the United  
10 States; or

11 (iii) are in, or come into, the posses-  
12 sion or control of a United States person.

13 (B) ALIENS INELIGIBLE FOR VISAS, AD-  
14 MISSION, OR PAROLE.—

15 (i) EXCLUSION FROM THE UNITED  
16 STATES.—The Secretary of State shall  
17 deny a visa to, and the Secretary of Home-  
18 land Security shall exclude from the  
19 United States, any alien subject to sub-  
20 section (b).

21 (ii) CURRENT VISAS REVOKED.—

22 (I) IN GENERAL.—The issuing  
23 consular officer, the Secretary of  
24 State, or the Secretary of Homeland  
25 Security (or a designee of any such

1 officer or Secretary) shall revoke any  
2 visa or other entry documentation  
3 issued to an alien subject to sub-  
4 section (b), regardless of when such  
5 visa was issued.

6 (II) EFFECT OF REVOCATION.—

7 A revocation under subclause (I) shall  
8 take effect immediately and shall  
9 automatically cancel any other valid  
10 visa or entry documentation that is in  
11 the alien's possession.

12 (2) INAPPLICABILITY OF NATIONAL EMER-  
13 GENCY REQUIREMENT.—The requirements under  
14 section 202 of the International Emergency Eco-  
15 nomic Powers Act (50 U.S.C. 1701) shall not apply  
16 for purposes of the imposition of sanctions under  
17 this section.

18 (3) PENALTIES.—Any person that violates, at-  
19 tempts to violate, conspires to violate, or causes a  
20 violation described in subsection (b), or any regula-  
21 tion, license, or order issued to carry out such para-  
22 graph, shall be subject to the penalties set forth in  
23 subsections (b) and (c) of section 206 of the Inter-  
24 national Emergency Economic Powers Act (50  
25 U.S.C. 1705) to the same extent as a person that

1 commits an unlawful act described in subsection (a)  
2 of such section.

3 **SEC. 108. IMPOSITION OF SANCTIONS WITH RESPECT TO**  
4 **PERSONS SUPPORTING THE HOUTHIS IN**  
5 **YEMEN.**

6 (a) DETERMINATION.—Not later than 30 days after  
7 the date of the enactment of this Act, the President shall  
8 determine if the Houthi movement (also known as “Ansar  
9 Allah”) has engaged meaningfully in United Nations-led  
10 efforts for a comprehensive political settlement that leads  
11 to a territorially unified, stable, and independent Yemen.

12 (b) SANCTIONS.—If the President is unable to make  
13 the determination described in subsection (a), the Presi-  
14 dent shall impose the sanctions described in subsection (c)  
15 on any person that the President determines—

16 (1) has knowingly assisted, sponsored, provided,  
17 or attempted to provide significant financial, mate-  
18 rial, or technological support for, or goods or serv-  
19 ices in support of, the Houthis movement in Yemen,  
20 its successor entities, entities that own or control, or  
21 are owned or controlled by, the Houthi movement, or  
22 entities acting for, or on behalf of, the Houthi move-  
23 ment;

24 (2) has knowingly engaged in any activity that  
25 materially contributes to the supply, sale, or direct

1 or indirect transfer to or from the Houthi movement  
2 in Yemen, its successor entities, entities that own or  
3 control, or are owned or controlled by, the Houthi  
4 movement, or entities acting for or on behalf of the  
5 Houthi movement, of any firearms or ammunition,  
6 battle tanks, armored vehicles, artillery or mortar  
7 systems, aircraft, attack helicopters, warships, mis-  
8 siles or missile systems, or explosive mines of any  
9 type (as such terms are defined for the purpose of  
10 the United Nations Register of Conventional Arms),  
11 ground-to-air missiles, unmanned aerial vehicles, or  
12 related materiel, including spare parts;

13 (3) has knowingly provided any technical train-  
14 ing, financial resources or services, advice, other  
15 services or assistance related to the supply, sale,  
16 transfer, manufacture, maintenance, or use of arms  
17 and related materiel described in paragraph (2) to  
18 the Houthi movement in Yemen, its successor enti-  
19 ties, entities that own or control, or are owned or  
20 controlled by, the Houthi movement, or entities act-  
21 ing for or on behalf of the Houthi movement;

22 (4) is a successor entity to a person described  
23 in paragraph (1), (2), or (3);

1           (5) is an entity that owns or controls, or is  
 2           owned or controlled by, a person described in para-  
 3           graph (1), (2), or (3); or

4           (6) is an entity that is acting for, or on behalf  
 5           of, a person referred to in paragraph (1), (2), or (3).

6           (c) SANCTIONS DESCRIBED.—

7           (1) IN GENERAL.—The sanctions described in  
 8           this subsection are the following:

9                   (A) ASSET BLOCKING.—In accordance with  
 10           the International Emergency Economic Powers  
 11           Act (50 U.S.C. 1701 et seq.), the President  
 12           shall block all transactions in property, or inter-  
 13           ests in property, of a person subject to sub-  
 14           section (b) if such property or interests in prop-  
 15           erty—

16                       (i) are in the United States;

17                       (ii) are transported into the United  
 18           States; or

19                       (iii) are in, or come into, the posses-  
 20           sion or control of a United States person.

21           (B) ALIENS INELIGIBLE FOR VISAS, AD-  
 22           MISSION, OR PAROLE.—

23                   (i) EXCLUSION FROM THE UNITED  
 24           STATES.—The Secretary of State shall  
 25           deny a visa to, and the Secretary of Home-

land Security shall exclude from the United States, any alien subject to subsection (b).

(ii) CURRENT VISAS REVOKED.—

(I) IN GENERAL.—The issuing consular officer, the Secretary of State, or the Secretary of Homeland Security (or a designee of any such officer or Secretary) shall revoke any visa or other entry documentation issued to an alien subject to subsection (b), regardless of when such visa was issued.

(II) EFFECT OF REVOCATION.—

A revocation under subclause (I) shall take effect immediately and shall automatically cancel any other valid visa or entry documentation that is in the alien's possession.

(C) DENIAL OF CERTAIN TRANSACTIONS.—Any letter of offer and acceptance, or license to export, any defense article or defense service controlled for export under the Arms Export Control Act (22 U.S.C. 2751 et seq.) or the Export Administration Act of 1979

(50 U.S.C. 4601 et seq.), as continued in force by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), requested by a person described in subsection (b) shall be denied until the date that is 180 days after the date on which the Secretary of State certifies to Congress that any action by such person described in subsection (b) has ceased.

(2) INAPPLICABILITY OF NATIONAL EMERGENCY REQUIREMENT.—The requirements under section 202 of the International Emergency Economic Powers Act (50 U.S.C. 1701) shall not apply for purposes of the imposition of sanctions under this section.

(3) PENALTIES.—Any person that violates, attempts to violate, conspires to violate, or causes a violation of paragraph (1), (2), or (3) of subsection (b), or any regulation, license, or order issued to carry out such paragraph, shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of such section.

1 (d) EXCEPTION.—The sanctions described in sub-  
2 section (c)(1) shall not apply to any act incidental or nec-  
3 essary to the provision of urgently needed humanitarian  
4 assistance.

5 **SEC. 109. GAO REVIEW OF UNITED STATES MILITARY SUP-**  
6 **PORT TO SAUDI-LED COALITION.**

7 (a) REVIEW.—The Comptroller General of the United  
8 States shall conduct a review of the United States military  
9 support to the Saudi-led coalition that evaluates—

10 (1) the manner and extent to which the United  
11 States military provides support to the Saudi-led co-  
12 alition;

13 (2) how the Department of Defense prioritizes  
14 aerial refueling capabilities in support of the Saudi-  
15 led coalition;

16 (3) the manner and extent to which the United  
17 States has been reimbursed for aerial refueling sup-  
18 port of Saudi-led coalition aircraft;

19 (4) whether and how the Department of De-  
20 fense determines the extent to which its advice and  
21 assistance has reduced civilian casualties and dam-  
22 age to civilian infrastructure, including evaluating a  
23 differentiation between dynamic and deliberate tar-  
24 geting by the Saudi-led coalition;



1           (5) whether and how the Department of De-  
2       fense determines the efficacy of defensive advice and  
3       assistance to the Saudi-led coalition, including with  
4       respect to ballistic missiles and other threats to the  
5       sovereignty of regional partners; and

6           (6) the responsiveness, completeness, and accu-  
7       racy of any certifications submitted pursuant to sec-  
8       tion 1290 of the John S. McCain National Defense  
9       Authorization Act for Fiscal Year 2019 (Public Law  
10      115–232).

11       (b) BRIEFING.—Not later than 180 days after the  
12      date of the enactment of this Act, the Comptroller General  
13      of the United States shall provide the preliminary results  
14      of the review conducted under subsection (a) to—

15           (1) the Committee on Armed Services of the  
16      Senate;

17           (2) the Committee on Foreign Relations of the  
18      Senate;

19           (3) the Committee on Armed Services of the  
20      House of Representatives; and

21           (4) the Committee on Foreign Affairs of the  
22      House of Representatives.

23       (c) FINAL REPORT.—During the briefing required  
24      under subsection (b), the Comptroller General shall notify  
25      the committees referred to in such subsection when a final

1 report summarizing the results of the review conducted  
 2 under subsection (a) will be submitted to such committees.

## 3 **TITLE II—SAUDI ARABIA** 4 **ACCOUNTABILITY**

### 5 **SEC. 201. IMPOSITION OF SANCTIONS ON PERSONS RE-** 6 **SPONSIBLE FOR THE DEATH OF JAMAL** 7 **KHASHOGGI.**

8 (a) IN GENERAL.—Section 1263 of the Global  
 9 Magnitsky Human Rights Accountability Act (22 U.S.C.  
 10 2656 note) is amended—

11 (1) in subsection (a), in the matter preceding  
 12 paragraph (1), by striking “(b)” and inserting “(c)”;

13 (2) by redesignating subsections (b) through (j)  
 14 as subsections (c) through (k), respectively;

15 (3) by inserting after subsection (a) the fol-  
 16 lowing:

17 “(b) JAMAL KHASHOGGI.—Not later than 30 days  
 18 after the date of the enactment of the Saudi Arabia Ac-  
 19 countability and Yemen Act of 2018, the President shall  
 20 impose the sanctions described in subsection (c) with re-  
 21 spect to any foreign person, including any official of the  
 22 government of Saudi Arabia or member of the royal family  
 23 of Saudi Arabia that the President determines, based on  
 24 credible evidence—

1           “(1) was responsible for, or complicit in, order-  
2           ing, controlling, or otherwise directing an act or acts  
3           contributing to or causing the death of Jamal  
4           Khashoggi; or

5           “(2) has materially assisted, sponsored, or pro-  
6           vided financial, material, or technological support  
7           for, or goods or services in support of an activity de-  
8           scribed in paragraph (1).”;

9           (4) in subsection (d), as redesignated, in the  
10          matter preceding paragraph (1), by inserting “or  
11          (b)” after “subsection (a)”;

12          (5) in subsection (f), as redesignated, by strik-  
13          ing “subsection (b)(1)” and inserting “subsection  
14          (c)(1)”;

15          (6) in subsection (j), as redesignated, by insert-  
16          ing “or (b)” after “subsection (a)”;

17          (7) in subsection (k), as redesignated, by strik-  
18          ing paragraphs (1) and (2) and inserting the fol-  
19          lowing:

20               “(1) the Committee on Foreign Relations of the  
21               Senate;

22               “(2) the Committee on Banking, Housing, and  
23               Urban Affairs of the Senate;

24               “(3) the Committee on Foreign Affairs of the  
25               House of Representatives;

1           “(4) the Committee on Financial Services of  
2           the House of Representatives; and

3           “(5) the Committee on Ways and Means of the  
4           House of Representatives.”.

5           (b) BRIEFINGS.—Not later than 15 days after the  
6           date of the enactment of this Act, and every 45 days there-  
7           after, the Secretary of State, in conjunction with the Sec-  
8           retary of the Treasury and the Director of National Intel-  
9           ligence, shall provide a briefing to the appropriate congres-  
10          sional committees (as defined in section 1263(k) of the  
11          Global Magnitsky Human Rights Accountability Act, as  
12          amended by subsection (a)(7)) regarding the implementa-  
13          tion of the amendment made by subsection (a)(3).

14   **SEC. 202. REPORT ON SAUDI ARABIA’S HUMAN RIGHTS**  
15                           **RECORD.**

16          Not later than 30 days after the date of the enact-  
17          ment of this Act, the Secretary of State, in accordance  
18          with section 502B(c) of the Foreign Assistance Act of  
19          1961 (22 U.S.C. 2304(c)), shall submit an unclassified,  
20          written report to Congress that—

21               (1) includes the information required under  
22               such section 502B(c);

23               (2) describes the extent to which officials of the  
24               Government of Saudi Arabia, including members of  
25               the military or security services, are responsible for

1 or complicit in gross violations of internationally rec-  
2 ognized human rights, including violations of the  
3 human rights of journalists, bloggers, and those who  
4 support women’s rights or religious freedom;

5 (3) describes the extent to which the Govern-  
6 ment of Saudi Arabia—

7 (A) has knowingly blocked access to Yem-  
8 eni ports, ports of entry, or other facilities used  
9 by the United Nations, its specialized agencies  
10 and implementing partners, national and inter-  
11 national nongovernmental organizations, or any  
12 other actors engaged in humanitarian relief ac-  
13 tivities in Yemen;

14 (B) has hindered the efforts of the organi-  
15 zations referred to in subparagraph (A) to de-  
16 liver humanitarian relief, including through di-  
17 version of goods and materials intended to pro-  
18 vide relief to civilians in Yemen;

19 (C) has prohibited or directly or indirectly  
20 restricted the transport or delivery of United  
21 States humanitarian assistance to Yemen; and

22 (D) complied with the Secretary of State’s  
23 statement on October 30, 2018, related to  
24 “ending the conflict in Yemen”; and

1           (4) identifies the percentage by which civilian  
2           casualties and deaths, respectively, increased as a re-  
3           sult of Saudi coalition air strikes in Yemen between  
4           November 2017 and August 2018.

5                   **TITLE III—GENERAL**  
6                   **PROVISIONS**

7   **SEC. 301. RULE OF CONSTRUCTION.**

8           Nothing in this Act may be construed to limit the  
9           authority of the President pursuant to the International  
10          Emergency Economic Powers Act (50 U.S.C. 1701 et  
11          seq.).

12   **SEC. 302. SUNSET.**

13          This Act shall cease to be effective on the date that  
14          is 5 years after the date of the enactment of this Act.

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