

*Robert Menendez*  
2<sup>nd</sup> Degree #82

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: 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.

**IN THE SENATE OF THE UNITED STATES—116th Cong., 1st Sess.**

**S. 2066**

To review United States Saudi Arabia policy, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. Menendez to the amendment (No. 82) proposed by Mr. MENENDEZ

Viz:

1 In lieu of the matter proposed to be inserted, insert  
2 the following:

3 **TITLE III—SAUDI ARABIA AC-**  
4 **COUNTABILITY AND YEMEN**  
5 **ACT OF 2019**

6 **SEC. 301. SHORT TITLE.**

7 This title may be cited as the “Saudi Arabia Account-  
8 ability and Yemen Act of 2019”.

1 **Subtitle A—Peaceful Resolution of**  
2 **the Civil War in Yemen and Pro-**  
3 **tection of Civilians**

4 **SEC. 311. STATEMENT OF POLICY.**

5 It is the policy of the United States—

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

9 (2) to insist on the urgent need for a political  
10 solution, consistent with United Nations Security  
11 Council Resolution 2216 (2015), or any successor  
12 United Nations Security Council Resolution demand-  
13 ing an end to violence in Yemen and peaceful resolu-  
14 tion of the conflict in that country;

15 (3) to reject all statements, policies, or actions  
16 advocating for a military solution to the civil war in  
17 Yemen;

18 (4) to encourage long-standing United States  
19 security partners, including the Government of  
20 Saudi Arabia and the Government of the United  
21 Arab Emirates, to take the lead in confidence-build-  
22 ing measures that open space for political dialogue  
23 to end the war in Yemen and address the humani-  
24 tarian crisis; and

1           (5) to support the implementation of the agree-  
2           ments reached between the parties to the conflict at  
3           Stockholm, Sweden on December 13, 2018, con-  
4           sistent with United Nations Security Council Resolu-  
5           tion 2451 (2018).

6 **SEC. 312. SENSE OF CONGRESS.**

7           It is the sense of Congress that—

8           (1) continued direct negotiations between the  
9           Government of Saudi Arabia, the internationally rec-  
10          ognized Government of Yemen, and representatives  
11          of the Houthis movement (also known as “Ansar  
12          Allah”) are required—

13                (A) to reach a political solution;

14                (B) to implement the agreements reached  
15                between the Saudi-led coalition, the internation-  
16                ally recognized Government of Yemen, local  
17                Yemeni forces, and Ansar Allah at Stockholm,  
18                Sweden on December 13, 2018 (referred to in  
19                this subtitle as the “Stockholm Agreement”);

20                (C) to address the suffering of the Yemeni  
21                people; and

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



1 after until a complete cessation of hostilities in the Yemen  
2 civil war, the Secretary of State, the Administrator of the  
3 United States Agency for International Development, the  
4 Secretary of Defense, and the Director of National Intel-  
5 ligence shall provide a briefing to the appropriate congres-  
6 sional committees on the progress of the United States  
7 strategy to end the war in Yemen.

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

10 (1) a summary of the United States national  
11 security interests threatened by continued civil war  
12 and instability in Yemen;

13 (2) a description of the steps necessary to end  
14 the civil war in Yemen and achieve a territorially  
15 unified, stable, and independent Yemen;

16 (3) a description of efforts to implement the  
17 Stockholm Agreement;

18 (4) a description of whether the Saudi-led coal-  
19 ition, the internationally recognized Government of  
20 Yemen, local Yemeni forces, and Ansar Allah are  
21 taking the necessary steps referred to in paragraphs  
22 (2) and (3);

23 (5) a description of United States activities to  
24 encourage all parties to take the necessary steps re-  
25 ferred to in paragraphs (2) and (3);

1           (6) an assessment of the threat posed by Al  
2        Qaeda and the Islamic State in Yemen to United  
3        States national security, including—

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

6            (B) an assessment regarding whether the  
7        activities of Al Qaeda in the Arabian Peninsula  
8        and the Islamic State in Yemen have expanded  
9        or diminished since the beginning of the war in  
10       Yemen;

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

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

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

17          (8) an assessment of Iran's activities in Yemen,  
18       including—

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

21            (B) an assessment regarding whether the  
22       scope of Iran's influence and activities in  
23       Yemen have increased or decreased since the  
24       beginning of the war in Yemen;

1           (9) a description of Russia's activities in Yemen  
2           and an assessment of Russia's objectives for such  
3           activities; and

4           (10) any other matters relevant to ending the  
5           civil war in Yemen.

6 **SEC. 314. REPORT ON ACCOUNTABILITY FOR VIOLATIONS**  
7           **OF INTERNATIONAL LAW, INCLUDING WAR**  
8           **CRIMES, AND OTHER HARM TO CIVILIANS IN**  
9           **YEMEN.**

10          (a) **SENSE OF CONGRESS.**—It is the sense of Con-  
11          gress that—

12           (1) all stakeholders in the conflict in Yemen  
13           should end all practices involving arbitrary arrests,  
14           enforced disappearances, torture, and other unlawful  
15           treatment;

16           (2) all stakeholders in the conflict in Yemen  
17           should reveal the fate or the location of all persons  
18           who have been subjected to enforced disappearance  
19           by such stakeholders;

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

23           (4) the locations of all detention facilities run  
24           or supervised by members of the Saudi-led coalition

1 should be revealed and brought under the super-  
2 vision of the Prosecutor General of Yemen;

3 (5) independent monitors should be granted ac-  
4 cess to all places of detention in Yemen; and

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

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

15 (c) ELEMENTS.—The report required under sub-  
16 section (b) shall include—

17 (1) a description of civilian harm occurring in  
18 the context of the armed conflict in Yemen, includ-  
19 ing—

20 (A) mass casualty incidents; and

21 (B) damage to, and destruction of, civilian  
22 infrastructure and services, including—

23 (i) hospitals and other medical facili-  
24 ties;

25 (ii) electrical grids;



1 (iii) water systems;

2 (iv) ports and port infrastructure; and

3 (v) other critical infrastructure;

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

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

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

10 (C) members of violent extremist organiza-  
11 tions; and

12 (D) any other combatants in the conflict;

13 (3) as examples of violations referred to in  
14 paragraph (2)—

15 (A) alleged war crimes;

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

20 (C) arbitrary denials of humanitarian ac-  
21 cess and the resulting impact on the alleviation  
22 of human suffering;

23 (D) detention-related abuses;

24 (E) the use of child soldiers, including  
25 members of the Sudanese paramilitary Rapid

1 Support Forces (previously known as the  
2 “Janjaweed militia”); and

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

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

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

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

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

19 **SEC. 315. SUSPENSION OF ARMS TRANSFERS TO SAUDI**  
20 **ARABIA.**

21 (a) RESTRICTION.—Except as provided in subsection  
22 (b), during the period beginning on the date of the enact-  
23 ment of this Act and ending on September 30, 2020, the  
24 United States Government—

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

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

12          (b) EXCEPTION.—The prohibition under subsection  
13 (a) shall not apply to sales, transfers, or export licenses  
14 relating to ground-based missile defense systems.

15          (c) WAIVER.—The President may waive the restric-  
16 tion under subsection (a) for items designated under Cat-  
17 egories III, VII, and VIII of the United States Munitions  
18 List not earlier than 30 days after—

19           (1) the Secretary of State, in coordination with  
20           the Secretary of Defense, submits a written, unclas-  
21           sified certification to the appropriate congressional  
22           committees stating that—

23                   (A) such waiver is in the national security  
24                   interests of the United States;

1 (B) the Saudi-led coalition, during the  
2 180-day period immediately preceding the date  
3 of such certification, has continuously—

4 (i) honored a complete cessation of  
5 hostilities in the Yemen civil war, including  
6 ending all air strikes and all offensive  
7 ground operations that are not associated  
8 with al Qaeda in the Arabian Peninsula or  
9 ISIS;

10 (ii) fully supported, in statements and  
11 actions, the work of United Nations Spe-  
12 cial Envoy Martin Griffiths to find a polit-  
13 ical solution to the conflict in Yemen; and

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

17 (I) such action was taken exclu-  
18 sively to carry out inspections based  
19 on specific intelligence that a cargo  
20 shipment contains weapons prohibited  
21 under United Nations Security Coun-  
22 cil Resolution 2216 (2015); and

23 (II) the Saudi-led coalition timely  
24 submitted any reports required under

1                   such Resolution after the conclusion  
2                   of such action; and

3                   (C) Ansar Allah or associated forces, dur-  
4                   ing the 180-day period immediately preceding  
5                   the date of such certification—

6                   (i) launched missile or unmanned aer-  
7                   ial vehicle strikes into Saudi Arabia or the  
8                   United Arab Emirates;

9                   (ii) conducted ground incursions into  
10                  the territory of Saudi Arabia or the United  
11                  Arab Emirates;

12                  (iii) accepted weapons, weapons com-  
13                  ponents, funding, or military training from  
14                  the Islamic Republic of Iran;

15                  (iv) attacked vessels in the Red Sea;  
16                  or

17                  (v) prohibited or otherwise restricted,  
18                  directly or indirectly, the transport or de-  
19                  livery of humanitarian or commercial ship-  
20                  ments to and within Yemen; and

21                  (2) the Comptroller General of the United  
22                  States, not later than 45 days after the submission  
23                  of the certification under paragraph (1), submits a  
24                  written, unclassified report to the appropriate con-

1 gressional committees assessing the responsiveness,  
2 completeness, and accuracy of such certification.

3 (d) CLASSIFIED BRIEFING.—If the Secretary of  
4 State and the Secretary of Defense determine that Ansar  
5 Allah has engaged in any of the actions described in sub-  
6 section (c)(1)(C), the Secretary of State and the Secretary  
7 of Defense shall provide a classified briefing to the appro-  
8 priate congressional committees not later than 10 days  
9 after submitting the certification under subsection (c)(1)  
10 to provide details to support such determination.

11 **SEC. 316. PROHIBITION ON IN-FLIGHT REFUELING OF**  
12 **SAUDI COALITION AIRCRAFT OPERATING IN**  
13 **YEMEN.**

14 (a) IN GENERAL.—No Federal funds may be obli-  
15 gated or expended under section 2342 of title 10, United  
16 States Code, or under any other applicable statutory au-  
17 thority, to provide in-flight refueling of Saudi or Saudi-  
18 led coalition non-United States aircraft conducting mis-  
19 sions as part of the ongoing civil war in Yemen.

20 (b) REPORT REQUIRED.—Not later than 30 days  
21 after the date of the enactment of this Act, and every 30  
22 days thereafter, the Secretary of Defense shall submit a  
23 report to the appropriate congressional committees detail-  
24 ing—

1           (1) the expenses incurred by the United States  
2           in providing in-flight refueling services for Saudi or  
3           Saudi-led coalition non-United States aircraft con-  
4           ducting missions as part of the civil war in Yemen  
5           between March 2015 and November 11, 2018; and

6           (2) the extent to which the expenses referred to  
7           in paragraph (1) have been reimbursed by members  
8           of the Saudi-led coalition.

9           (c) ELEMENTS.—The report required under sub-  
10          section (b) shall include—

11          (1) the total expenses incurred by the United  
12          States in providing in-flight refueling services, in-  
13          cluding fuel, flight hours, and other applicable ex-  
14          penses, to Saudi or Saudi-led coalition, non-United  
15          States aircraft conducting missions as part of the  
16          civil war in Yemen;

17          (2) the amount of the expenses described in  
18          paragraph (1) that have been reimbursed by each  
19          member of the Saudi-led coalition; and

20          (3) actions taken by the United States to re-  
21          coup the unreimbursed expenses described in para-  
22          graph (1), including any commitments by members  
23          of the Saudi-led coalition to reimburse the United  
24          States for such expenses.

1           (d) SUNSET.—The reporting requirement under sub-  
2 section (b) shall cease to be effective on the date on which  
3 the Secretary of Defense submits written certification to  
4 the appropriate congressional committees that all of the  
5 expenses incurred by the United State in providing in-  
6 flight refueling services for Saudi or Saudi-led coalition  
7 non-United States aircraft conducting missions as part of  
8 the civil war in Yemen have been reimbursed.

9 **SEC. 317. IMPOSITION OF SANCTIONS WITH RESPECT TO**  
10 **PERSONS HINDERING HUMANITARIAN AC-**  
11 **CESS AND THREATENING THE PEACE OR STA-**  
12 **BILITY OF YEMEN.**

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

18           (b) SANCTIONS AUTHORIZED.—Not later than 60  
19 days after the date of the enactment of this Act, the Presi-  
20 dent shall impose the sanctions described in subsection (c)  
21 with respect to each person that the President deter-  
22 mines—

23           (1)(A) is knowingly blocking access to Yemeni  
24 ports, ports of entry, or other facilities used by the  
25 United Nations, its specialized agencies and imple-



1       menting partners, national and international non-  
2       governmental organizations, or any other actors en-  
3       gaged in humanitarian relief activities in Yemen; or

4               (B) is otherwise hindering the efforts of such  
5       organizations to deliver humanitarian relief, includ-  
6       ing through diversion of goods and materials in-  
7       tended to provide relief to civilians in Yemen;

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

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

12              (3) is responsible for actions or policies that are  
13       intended to undermine—

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

16                      (B) efforts to promote stabilization and re-  
17       construction in Yemen;

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

20              (5) owns or controls, or is owned or controlled  
21       by, a person referred to in paragraphs (1) through  
22       (3);

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

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

5 (e) SANCTIONS DESCRIBED.—

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

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

15           (i) are in the United States;

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

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

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

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

1 United States, any alien subject to sub-  
2 section (b).

3 (ii) CURRENT VISAS REVOKED.—

4 (I) IN GENERAL.—The issuing  
5 consular officer, the Secretary of  
6 State, or the Secretary of Homeland  
7 Security (or a designee of any such  
8 officer or Secretary) shall revoke any  
9 visa or other entry documentation  
10 issued to an alien subject to sub-  
11 section (b), regardless of when such  
12 visa was issued.

13 (II) EFFECT OF REVOCATION.—

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

19 (2) INAPPLICABILITY OF NATIONAL EMER-  
20 GENCY REQUIREMENT.—The requirements under  
21 section 202 of the International Emergency Eco-  
22 nomic Powers Act (50 U.S.C. 1701) shall not apply  
23 for purposes of the imposition of sanctions under  
24 this section.

1           (3) PENALTIES.—Any person that violates, at-  
2           tempts to violate, conspires to violate, or causes a  
3           violation described in subsection (b), or any regula-  
4           tion, license, or order issued to carry out such para-  
5           graph, shall be subject to the penalties set forth in  
6           subsections (b) and (c) of section 206 of the Inter-  
7           national Emergency Economic Powers Act (50  
8           U.S.C. 1705) to the same extent as a person that  
9           commits an unlawful act described in subsection (a)  
10          of such section.

11 **SEC. 318. IMPOSITION OF SANCTIONS WITH RESPECT TO**  
12                           **PERSONS SUPPORTING THE HOUTHIS IN**  
13                           **YEMEN.**

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

20          (b) SANCTIONS.—If the President is unable to make  
21          the determination described in subsection (a), the Presi-  
22          dent shall impose the sanctions described in subsection (c)  
23          on any person that the President determines—

24                       (1) has knowingly assisted, sponsored, provided,  
25                       or attempted to provide significant financial, mate-

1       rial, or technological support for, or goods or serv-  
2       ices in support of, the Houthi movement in Yemen,  
3       its successor entities, entities that own or control, or  
4       are owned or controlled by, the Houthi movement, or  
5       entities acting for, or on behalf of, the Houthi move-  
6       ment;

7               (2) has knowingly engaged in any activity that  
8       materially contributes to the supply, sale, or direct  
9       or indirect transfer to or from the Houthi movement  
10      in Yemen, its successor entities, entities that own or  
11      control, or are owned or controlled by, the Houthi  
12      movement, or entities acting for or on behalf of the  
13      Houthi movement, of any firearms or ammunition,  
14      battle tanks, armored vehicles, artillery or mortar  
15      systems, aircraft, attack helicopters, warships, mis-  
16      siles or missile systems, or explosive mines of any  
17      type (as such terms are defined for the purpose of  
18      the United Nations Register of Conventional Arms),  
19      ground-to-air missiles, unmanned aerial vehicles, or  
20      related materiel, including spare parts;

21              (3) has knowingly provided any technical train-  
22      ing, financial resources or services, advice, other  
23      services or assistance related to the supply, sale,  
24      transfer, manufacture, maintenance, or use of arms  
25      and related materiel described in paragraph (2) to

1 the Houthi movement in Yemen, its successor enti-  
2 ties, entities that own or control, or are owned or  
3 controlled by, the Houthi movement, or entities act-  
4 ing for or on behalf of the Houthi movement;

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

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

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

12 (c) SANCTIONS DESCRIBED.—

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

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

22 (i) are in the United States;

23 (ii) are transported into the United  
24 States; or

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

3 (B) ALIENS INELIGIBLE FOR VISAS, AD-  
4 MISSION, OR PAROLE.—

5 (i) EXCLUSION FROM THE UNITED  
6 STATES.—The Secretary of State shall  
7 deny a visa to, and the Secretary of Home-  
8 land Security shall exclude from the  
9 United States, any alien subject to sub-  
10 section (b).

11 (ii) CURRENT VISAS REVOKED.—

12 (I) IN GENERAL.—The issuing  
13 consular officer, the Secretary of  
14 State, or the Secretary of Homeland  
15 Security (or a designee of any such  
16 officer or Secretary) shall revoke any  
17 visa or other entry documentation  
18 issued to an alien subject to sub-  
19 section (b), regardless of when such  
20 visa was issued.

21 (II) EFFECT OF REVOCATION.—

22 A revocation under subclause (I) shall  
23 take effect immediately and shall  
24 automatically cancel any other valid

1 visa or entry documentation that is in  
2 the alien's possession.

3 (C) DENIAL OF CERTAIN TRANS-  
4 ACTIONS.—Any letter of offer and acceptance,  
5 or license to export, any defense article or de-  
6 fense service controlled for export under the  
7 Arms Export Control Act (22 U.S.C. 2751 et  
8 seq.) or the Export Administration Act of 1979  
9 (50 U.S.C. 4601 et seq.), as continued in force  
10 by the International Emergency Economic Pow-  
11 ers Act (50 U.S.C. 1701 et seq.), requested by  
12 a person described in subsection (b) shall be de-  
13 nied until the date that is 180 days after the  
14 date on which the Secretary of State certifies to  
15 Congress that any action by such person de-  
16 scribed in subsection (b) has ceased.

17 (2) INAPPLICABILITY OF NATIONAL EMER-  
18 GENCY REQUIREMENT.—The requirements under  
19 section 202 of the International Emergency Eco-  
20 nomic Powers Act (50 U.S.C. 1701) shall not apply  
21 for purposes of the imposition of sanctions under  
22 this section.

23 (3) PENALTIES.—Any person that violates, at-  
24 tempts to violate, conspires to violate, or causes a  
25 violation of paragraph (1), (2), or (3) of subsection



1 (b), or any regulation, license, or order issued to  
2 carry out such paragraph, shall be subject to the  
3 penalties set forth in subsections (b) and (c) of sec-  
4 tion 206 of the International Emergency Economic  
5 Powers Act (50 U.S.C. 1705) to the same extent as  
6 a person that commits an unlawful act described in  
7 subsection (a) of such section.

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

12 **SEC. 319. GAO REVIEW OF UNITED STATES MILITARY SUP-**  
13 **PORT TO SAUDI-LED COALITION.**

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

17 (1) the manner and extent to which the United  
18 States military provides support to the Saudi-led co-  
19 alition;

20 (2) how the Department of Defense prioritizes  
21 aerial refueling capabilities in support of the Saudi-  
22 led coalition;

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

1           (4) whether and how the Department of De-  
2       fense determines the extent to which its advice and  
3       assistance has reduced civilian casualties and dam-  
4       age to civilian infrastructure, including evaluating a  
5       differentiation between dynamic and deliberate tar-  
6       geting by the Saudi-led coalition;

7           (5) whether and how the Department of De-  
8       fense determines the efficacy of defensive advice and  
9       assistance to the Saudi-led coalition, including with  
10      respect to ballistic missiles and other threats to the  
11      sovereignty of regional partners; and

12          (6) the responsiveness, completeness, and accu-  
13      racy of any certifications submitted pursuant to sec-  
14      tion 1290 of the John S. McCain National Defense  
15      Authorization Act for Fiscal Year 2019 (Public Law  
16      115–232).

17      (b) BRIEFING.—Not later than 180 days after the  
18      date of the enactment of this Act, the Comptroller General  
19      of the United States shall provide the preliminary results  
20      of the review conducted under subsection (a) to the appro-  
21      priate congressional committees.

22      (c) FINAL REPORT.—During the briefing required  
23      under subsection (b), the Comptroller General shall notify  
24      the appropriate congressional committees when a final re-

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

3 **SEC. 320. EMERGENCY PROTECTION FOR YEMENI CUL-**  
4 **TURAL PROPERTY.**

5 Section 3 of the Protect and Preserve International  
6 Cultural Property Act (Public Law 114-151; 130 Stat.  
7 369) is amended—

8 (1) in the section heading, by inserting “**AND**  
9 **YEMENI**” after “**SYRIAN**”;

10 (2) in subsection (a), by inserting “or Yemen”  
11 after “Syria” each place such term appears;

12 (3) in subsection (b)—

13 (A) in paragraph (1)(B)(i), by inserting  
14 “or the Government of Yemen” after “Govern-  
15 ment of Syria”; and

16 (B) in paragraph (2)(B)—

17 (i) by inserting “or Yemen” after  
18 “Syria” each of the first 2 places such  
19 term appears; and

20 (ii) in clause (ii), by inserting “or the  
21 United States and Yemen, as applicable,”  
22 after “United States and Syria”;

23 (4) in subsection (c), by inserting “or Yemen”  
24 after “Syria” each place such term appears; and

1           (5) in subsection (d), by amending paragraph  
2           (2) to read as follows:

3           “(2) **ARCHAEOLOGICAL OR ETHNOLOGICAL MA-**  
4           **TERIAL OF SYRIA OR YEMEN.**—The term ‘archae-  
5           **ological or ethnological material of Syria or Yemen’**  
6           **means cultural property (as defined in section 302**  
7           **of the Convention on Cultural Property Implementa-**  
8           **tion Act (19 U.S.C. 2601)) that—**

9                   “(A) is unlawfully removed from Syria on  
10                   or after March 15, 2011; or

11                   “(B) is unlawfully removed from Yemen on  
12                   or after March 15, 2015.”.

13           **Subtitle B—Saudi Arabia**  
14           **Accountability**

15           **SEC. 321. IMPOSITION OF SANCTIONS ON PERSONS RE-**  
16           **SPONSIBLE FOR THE DEATH OF JAMAL**  
17           **KHASHOGGI.**

18           (a) **IN GENERAL.**—Section 1263 of the Global  
19           Magnitsky Human Rights Accountability Act (22 U.S.C.  
20           2656 note) is amended—

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

23                   (2) by redesignating subsections (b) through (j)  
24                   as subsections (c) through (k), respectively;

1           (3) by inserting after subsection (a) the fol-  
2           lowing:

3           “(b) JAMAL KHASHOGGI.—Not later than 30 days  
4 after the date of the enactment of the Saudi Arabia Ac-  
5 countability and Yemen Act of 2019, the President shall  
6 impose the sanctions described in subsection (c) with re-  
7 spect to any foreign person, including any official of the  
8 government of Saudi Arabia or member of the royal family  
9 of Saudi Arabia that the President determines, based on  
10 credible evidence—

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

15           “(2) has materially assisted, sponsored, or pro-  
16           vided financial, material, or technological support  
17           for, or goods or services in support of an activity de-  
18           scribed in paragraph (1).”;

19           (4) in subsection (d), as redesignated, in the  
20           matter preceding paragraph (1), by inserting “or  
21           (b)” after “subsection (a)”;

22           (5) in subsection (f), as redesignated, by strik-  
23           ing “subsection (b)(1)” and inserting “subsection  
24           (c)(1)”;

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

3           (7) in subsection (k), as redesignated, by strik-  
4           ing paragraphs (1) and (2) and inserting the fol-  
5           lowing:

6           “(1) the Committee on Foreign Relations of the  
7           Senate;

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

10          “(3) the Committee on Foreign Affairs of the  
11          House of Representatives;

12          “(4) the Committee on Financial Services of  
13          the House of Representatives; and

14          “(5) the Committee on Ways and Means of the  
15          House of Representatives.”.

16          (b) BRIEFINGS.—Not later than 15 days after the  
17          date of the enactment of this Act, and every 45 days there-  
18          after, the Secretary of State, in conjunction with the Sec-  
19          retary of the Treasury and the Director of National Intel-  
20          ligence, shall provide a briefing to the appropriate congres-  
21          sional committees (as defined in section 1263(k) of the  
22          Global Magnitsky Human Rights Accountability Act, as  
23          amended by subsection (a)(7)) regarding the implementa-  
24          tion of the amendment made by subsection (a)(3).

1 **SEC. 322. REPORT ON SAUDI ARABIA'S HUMAN RIGHTS**  
2 **RECORD.**

3 Not later than 30 days after the date of the enact-  
4 ment of this Act, the Secretary of State, in accordance  
5 with section 502B(c) of the Foreign Assistance Act of  
6 1961 (22 U.S.C. 2304(c)), shall submit an unclassified,  
7 written report to Congress that—

8 (1) includes the information required under  
9 such section 502B(c);

10 (2) describes the extent to which officials of the  
11 Government of Saudi Arabia, including members of  
12 the military or security services, are responsible for  
13 or complicit in gross violations of internationally rec-  
14 ognized human rights, including violations of the  
15 human rights of journalists, bloggers, and those who  
16 support women's rights or religious freedom;

17 (3) describes the extent to which the Govern-  
18 ment of Saudi Arabia—

19 (A) has knowingly blocked access to Yem-  
20 eni ports, ports of entry, or other facilities used  
21 by the United Nations, its specialized agencies  
22 and implementing partners, national and inter-  
23 national nongovernmental organizations, or any  
24 other actors engaged in humanitarian relief ac-  
25 tivities in Yemen;

1           (B) has hindered the efforts of the organi-  
2           zations referred to in subparagraph (A) to de-  
3           liver humanitarian relief, including through di-  
4           version of goods and materials intended to pro-  
5           vide relief to civilians in Yemen;

6           (C) has prohibited or directly or indirectly  
7           restricted the transport or delivery of United  
8           States humanitarian assistance to Yemen; and

9           (D) complied with the Secretary of State's  
10          statement on October 30, 2018, related to  
11          “ending the conflict in Yemen”; and

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

## 16       **Subtitle C—General Provisions**

### 17       **SEC. 331. RULE OF CONSTRUCTION.**

18          Nothing in this Act may be construed to limit the  
19          authority of the President pursuant to the International  
20          Emergency Economic Powers Act (50 U.S.C. 1701 et  
21          seq.).

### 22       **SEC. 332. SUNSET.**

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