

**RESOLVING THE CONFLICT IN YEMEN:
U.S. INTERESTS, RISKS, AND POLICY**

HEARING

BEFORE THE

**COMMITTEE ON FOREIGN RELATIONS
UNITED STATES SENATE**

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RESOLVING THE CONFLICT IN YEMEN: U.S. INTERESTS, RISKS, AND POLICY

THURSDAY, MARCH 9, 2017

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

The committee met, pursuant to notice, at 10:05 a.m., in room SD-419, Dirksen Senate Office Building, Hon. Bob Corker, chairman of the committee, presiding.

Present: Senators Corker [presiding], Johnson, Flake, Gardner, Young, Paul, Cardin, Menendez, Shaheen, Coons, Murphy, Kaine, Markey, Merkley, and Booker.

OPENING STATEMENT OF HON. BOB CORKER, U.S. SENATOR FROM TENNESSEE

The CHAIRMAN. I am going to go ahead and we will start the hearing. In the event everyone shows, I will stop my opening comments, as I am sure Senator Cardin will.

Today's hearing will focus on an important part of the Middle East, one that probably does not receive enough attention from policymakers, and that is Yemen.

Yemen has been rocked by political turmoil since 2011, suffered through a violent civil war—the briefest opening comments ever.

[Laughter.]

[Recess.]

The CHAIRMAN. We will move back to the hearing on Yemen. Thank you all, again, for your cooperation.

Today's hearing will focus on an important part of the Middle East, one that probably does not receive enough attention from policymakers, and that is Yemen.

If we could, I tell you what, if people who are leaving, if you would leave quietly and promptly, that would be great.

Yemen has been rocked by political turmoil since 2011 and suffered through violent civil wars since 2014. Unfortunately, the war has split the country in half and left much of Yemen ungoverned. Al Qaeda's affiliate in the region, AQAP, has used this opportunity to flourish in Yemen.

The group holds significant territory and has a long history of planning terrorist attacks against the United States. AQAP has several times tried to take down U.S.-bound airliners, and has taken credit for other large attacks. AQAP is also a significant terrorist threat to Saudi Arabia and our gulf allies.

Additionally, Iran has exploited this conflict to increase its influence in the region. They continue to provide arms to the Houthis

forces despite a U.N. Security Council resolution prohibiting such actions. Houthis have used these weapons to attack U.S. ships off the Yemeni coast, and they are launching missiles across the border into Saudi Arabia.

Unfortunately, these concerns are compounded by a tragic humanitarian crisis that is currently unfolding. An estimated 7.3 million people are in need of immediate food aid; 462,000 children suffer from acute malnutrition. And according to the U.N., more than 10,000 civilians have already died in a 2-year conflict.

Both the Saudi-led coalition and the Houthis disagree on the fundamentals of a political settlement. However, the battle lines are beginning to harden near where Yemen has previously divided from 1918 until 1990.

With the arrival of a new administration and the new reality that is emerging on the ground, it is a good time to re-examine this conflict. We must ask what more can be done to bring about a peaceful resolution and take a closer look at what possible outcomes could mean for U.S. interests in the region.

I also look forward to hearing your thoughts on the ways that the U.S. could further mitigate the humanitarian crisis and combat the AQAP threat.

I want to thank all of you for being here today and for coming, and thank you for sitting through our business hearing.

And with that, I want to thank again the committee and turn to our ranking member.

**STATEMENT OF HON. BEN CARDIN,
U.S. SENATOR FROM MARYLAND**

Senator CARDIN. Thank you, Mr. Chairman. I very much appreciate this hearing. I think it is very timely and important, considering what is happening today in Yemen.

And as we pointed out in previous hearings, key leadership posts in the State Department are vacant that would be responsible for this portfolio, so we do not have a confirmed person who could testify today. And I think that is unfortunate, and I would just encourage the Trump administration to get their team in place as quickly as possible.

And I can assure the chairman that we will work as quickly as possible to make sure that we consider those nominations, in order for the team to be in place.

The CHAIRMAN. Thank you. That would be great. Thank you.

Senator CARDIN. The Yemen conflict is one that has profound serious implications for U.S. national security. The chairman has already mentioned our counterterrorism challenges, from the Al Qaeda in the Arabian Peninsula, AQAP, to ISIS. It is contesting Iran and Iran's influence in Yemen, our relationship with Saudi Arabia, the United Arab Emirates, and other gulf countries. Those of us who have visited those countries know that Yemen will be the number one issue on their agenda.

Our insistence on international humanitarian and human rights laws is desperately needed in Yemen today. Our commitment to assisting the world's most vulnerable population—before the civil war, it was one of the poorest nations in the world. And today, it is in even more dire condition.

But instead of a deliberate national security decision-making process that identifies U.S. interests, objectives, and policy for Yemen, and then implements an appropriately resourced strategy, the Trump administration is stumbling into a series of escalations: a counterterrorism raid using U.S. ground forces, during which we lost one Navy SEAL and many civilians, for intelligence of questionable utility; a significant uptick in counterterrorism airstrikes over the past month; and the possibility of an increased, but as yet unspecified support to the Saudi-led coalition, such as the President's apparent support for safe zones in Yemen.

The current approach appears to lack nuance or reflection on the consequences of actions before taking them. It may be, if some reports are accurate, that the administration considers Yemen low-hanging fruit to push back on Iran with relatively little cost. But we have seen time and again that unexamined assumptions have consequences, especially when thrown into civil wars in the Middle East, situations in which terrorist groups prosper.

Yemen is in the middle of an active civil war. We are supporting Saudi Arabia and its coalition in seeking to reinstate the legitimate Government of Yemen, and we want to move forward with a negotiated settlement.

But all groups of appear dug in and the conflict is only escalating as the U.N. panel of experts of Yemen stated in its final report to the Security Council last week.

Mr. Chairman, I am going to quote a couple parts from that report, because I think it is extremely relevant to today's hearing.

The panel concluded: After nearly 2 years of conflict in Yemen, an outright military victory by one side is no longer a realistic possibility in the near term. To date, the parties have not demonstrated sustained interest in or commitment to a political settlement or peace talks.

The report goes on to say: The air campaign waged by the coalition led by Saudi Arabia, while devastating to Yemeni infrastructure and civilians, has failed to dent the political will of the Houthi alliance to continue the conflict. Maritime attacks in the Red Sea in late 2016 have increased the risk of the conflict spreading regionally.

The report continues: Terrorist groups such as AQAP and an ISIS affiliate in Yemen are now actively exploiting the changing political environment and governance vacuums to recruit new members and stage new attacks, and are laying the foundation for terrorist networks that may last for years. The U.N. panel of experts concluded that the conflict has seen widespread violations of international humanitarian law by all parties—all parties—to the conflict, widespread and systematic violations of international human rights laws and human rights norms, and that all parties have obstructed the distribution of humanitarian assistance within Yemen.

So look at the numbers: 7.3 million people in need of immediate food aid, according to the World Food Program; 462,000 children suffering from severe acute malnutrition, according to UNICEF; since March 2015, 20,000 children have died from preventable diseases, such as diarrhea and pneumonia; 14.8 million people lack access to basic health care, according to the World Health Organiza-

tion. The United Nations estimates 7,500 people have died and 40,000 have been injured since March 2015.

Iran is asserting itself in Yemen and transferring weapons and skills to the Houthis that could threaten freedom of navigation in the Red Sea coast for both military and commercial vessels.

This is totally unacceptable. There is no question that Saudis have legitimate defense concerns. A weak, divided Yemen susceptible to Iranian influence or violent extremist groups like the AQAP is horrible for the Saudis. We understand that.

The Houthis have launched SCUD missiles into Saudi Arabia. The Saudi Government has suffered casualties and has had to evacuate towns, schools, and hospitals.

We should support our partner, the Saudis, and demand improvement in the conduct in the way that they do business.

Bottom line, we need a comprehensive, policy-driven vision for resolving the conflict in Yemen that articulates a realistic political outcome for the civil war and how we can get there, and also addresses counterterrorism in Iran.

This is the President's responsibility, along with his national security Cabinet secretaries and National Security Council, in conjunction with this committee and the Congress.

I look forward to hearing from our witnesses.

The CHAIRMAN. Thank you very much.

Our first witness is Mr. Thomas Joscelyn, a senior fellow from the Foundation for Defense of Democracies.

Our second witness is Dr. Dafna Rand from the National Defense University. Dr. Rand has previously served as the Deputy Assistant Secretary at the State Department's Bureau of Democracy, Human Rights, and Labor.

Our third witness is the Honorable Gerald Feierstein, from the Middle East Institute. Ambassador Feierstein was the U.S. Ambassador to Yemen from 2010 to 2013.

Thank you for joining us. If you would just give your testimony in the order introduced, without objection, your written testimony will be entered into the record. If you could summarize in about 5 minutes, we would appreciate it.

Thank you.

STATEMENT OF THOMAS JOSCELYN, SENIOR FELLOW, FOUNDATION FOR DEFENSE OF DEMOCRACIES, WASHINGTON, DC

Mr. JOSCELYN. Senator Corker and other members of the committee, thank you for inviting me here today to testify about Yemen.

I agree with some of the comments that Yemen does not get enough attention and is not really well understood publicly. It is something we have been tracking for years at the Long War Journal very carefully.

I am basically a counterterrorism nerd, so I track individual leadership and groups very carefully. That is what we do. And we are very concerned that what is going on inside Yemen today—well, first of all, we know it is going to keep going. I do not think there is any resolution on the near horizon whatsoever.

The Houthi advances beginning in late 2014 and early 2015 knocked out a valuable counterterrorism partner for the U.S. in

President Hadi's government. This jeopardized a lot of what the U.S. policy was in Yemen and undermined sort of our security posture there.

There is no doubt in my mind that the Houthi insurgency is fueled by Iran and Iranian weapons. There are plenty of open-source reports to that effect.

Some have said that the Houthis are not the equivalent of Hezbollah or an Iranian proxy. That is correct. I do not treat them as necessarily an Iranian proxy. But they are closely allied with Iran in the war, so I do not really care if they are a proxy or not.

The bottom line is that is something that requires a lot of careful study, though, however, to understand sort of the dynamics within the Houthis and sort of how that all works.

Focusing on AQAP, the rest of my comments will focus on Al Qaeda in the Arabian Peninsula, because this is probably the part of the story I think that is most poorly understood. You know, we have seen, with the rise of ISIS beginning in 2014, this understanding that ISIS declared this caliphate across much of Iraq and Syria, and then these so-called provinces elsewhere.

And one of the common memes that was repeated was that ISIS was concerned with controlling territory whereas Al Qaeda is not. This is false. Al Qaeda has a different strategy for doing so, but they are building Islamic emirates right now as we sit here in several countries, including Yemen.

And the project in Yemen goes back a long time. In fact, just recently in the last year, the State Department designated a senior Al Qaeda in the Arabian Peninsula founder and member of Al Qaeda, known as Ibrahim al Banna. This is a guy who was dispatched to Yemen in the early 1990s by Ayman al Zawahiri and Osama bin Laden to begin to develop their tribal relationships and their network in Yemen with the ultimate goal of trying to transform that society into something that looked like an Al Qaeda state.

That is how far in advance they have been thinking about this. I would ask the Senators here today what you were doing in 1992 or 1993. I guarantee you probably had no idea where you would be, in most cases, this many years later in 2017. And yet Al Qaeda has that sort of forward thinking and strategic thinking about these matters.

The other point I would make is that Al Qaeda in the Arabian Peninsula is also often referred to as an affiliate of Al Qaeda. We have used that language ourselves in the past. But it is actually more than that. On top of being a regional branch of Al Qaeda, which means it is responsible for waging jihad on the Arabian Peninsula, it also houses senior Al Qaeda leadership.

So, for example, Nasir al-Wahishi was the former aide to camp to Osama bin Laden. He was killed in June 2015. He was actually the number 2 for Al Qaeda globally. So his decisions did not just impact what was going on inside Yemen. We have correspondence from him talking to Al Qaeda groups in West Africa all the way to South Asia.

So what is happening inside Yemen, we believe today that Al Qaeda still has senior leadership there globally. It is not just about Yemen. It is about the big picture.

Now one other point I would make about this. There is recently obviously the controversial counterterrorism raid in January that targeted Abdulrauf al Dhahab. This is a very interesting character, and this is why it is important to kind of get into the facts.

There was a report in the Associated Press saying that Dhahab had actually just met with a senior member of Hadi's government the day before that raid that killed him, the day before he was killed in that raid, and that, in fact, he was getting funds and other sort of support from people who were involved in the fight against the Houthis.

This is the type of thing which I would recommend to Senators and to others and anybody interested to take a very close look at because Al Qaeda in the Arabian Peninsula, what they have done is they have tried to basically integrate themselves with key tribal members, key tribal leaders, and other figures in Yemen. So it is often very difficult to figure out what you would consider an Al Qaeda leader and what you would consider just a tribal chieftain.

Now that does not mean that they have universal tribal support or that all the tribes are on this side or that all the local players are on this side. Far from it. Nor does it mean that all the tribes actually have adopted the Al Qaeda ideology. We have to be very careful here. But they have their hooks in, in various places, in ways that are not calculated for us in terms of policy.

And so when you look at that from that perspective, that is why the U.S. has been successfully taking out numerous senior Al Qaeda leaders in Yemen over and over again, and yet their insurgency grows. Their insurgency prospers.

Today, the U.S. military CENTCOM estimates that they have a total number of fighters in the low thousands. I think that might be an underestimate.

But I will point you back to the 2008–2009 time frame. The total estimate of the U.S. Government at that point was probably in the low hundreds. So this is an insurgency that has grown and has thickened and deepened within Yemen, and it is not going away anytime soon.

I will stop there.

[The prepared statement of Mr. Joscelyn follows:]

PREPARED STATEMENT OF MR. THOMAS JOSCELYN

Senator Corker and other members of the committee, thank you for inviting me here today to discuss the ongoing war in Yemen. Unfortunately, I do not see a way that this conflict can be resolved any time soon. Yemen is rife with internal divisions, which are exacerbated by the proxy war being waged by several actors. Arab states, Iran, and others see Yemen as a key battleground in their contest for regional power. In addition, al Qaeda has taken advantage of the crisis to pursue its chief objective, which is seizing territory and building an emirate inside the country.

I discuss these various actors in my written testimony below and look forward to answering your questions.

THE IRANIAN-BACKED HOUTHI OFFENSIVE HAS SIGNIFICANTLY UNDERMINED U.S. COUNTERTERRORISM EFFORTS

Governance in Yemen has been a longstanding problem. But the Houthi offensive in late 2014 knocked President Abdrabbuh Mansur Hadi from power at a time when the U.S. was counting on his government to act as a vital counterterrorism partner.

There is a debate over how close the Houthis and Iran really are. Some have argued that the Houthis should not be thought of as an Iranian terror proxy, such as Hezbollah. While this accurate—the Houthis have their own culture and tradi-

tions—there is no question that Iran and the Houthis are allies. And it is in Iran’s interest to work with the Houthis against Saudi-backed forces in Yemen, while also encouraging Houthi incursions into the Saudi kingdom.

The U.S. government has long recognized Iran as one of the Houthis’ two key backers. (The other being former President Ali Abdullah Saleh and his network, which is discussed below.) In its Country Reports on Terrorism 2012, the State Department noted:¹

Iran actively supported members of the Houthi tribe in northern Yemen, including activities intended to build military capabilities, which could pose a greater threat to security and stability in Yemen and the surrounding region. In July 2012, the Yemeni Interior Ministry arrested members of an alleged Iranian spy ring, headed by a former member of the IRGC.

That warning proved to be accurate, as the Houthis made significant gains just over 2 years later. The U.S. and its allies have intercepted multiple Iranian arms shipments reportedly intended for the Houthis.² And senior U.S. officials have repeatedly referenced Iran’s ongoing assistance. Late last year, Reuters reported that “Iran has stepped up weapons transfers to the Houthis,” including “missiles and small arms.”³

In September 2015, then-Secretary of Defense Ash Carter listed America’s “core interests in the region.” Among them, according to Carter, was “supporting Saudi Arabia in protecting its territory and people from Houthi attacks, and supporting international efforts to prevent Iranian shipments of lethal equipment from reaching Houthi and Saleh-affiliated forces in Yemen.”⁴ The Houthis have responded by launching missiles at American ships, as well as ships operated by other countries.

FORMER PRESIDENT ALI ABDULLAH SALEH AND HIS SUPPORTERS HAVE WORKED TO UNDERMINE PRESIDENT HADI’S GOVERNMENT

Former President Saleh and his son have allied with the Houthis to thwart any chance of having a stable political process inside Yemen. The U.S. Treasury Department sanctioned Saleh and two Houthi military commanders in 2014, describing them as “political spoilers.”⁵ Saleh became “one of the primary supporters of violence perpetrated by” the Houthis as of the fall of 2012, and has provided them with “funds and political support.”⁶ Then, in April 2015, Treasury sanctioned Saleh’s son, Ahmed Ali Saleh.⁷ The junior Saleh was commander of Yemen’s Republican Guard, but was removed from that post by Hadi. Still, Ahmed Ali Saleh “retained significant influence within the Yemeni military, even after he was removed from command.” And he has “played a key role in facilitating the Houthi military expansion.”

AL QAEDA IN THE ARABIAN PENINSULA (AQAP) IS ATTEMPTING TO BUILD AN ISLAMIC STATE IN YEMEN

Al Qaeda is working to build Islamic emirates in several countries and regions, including Afghanistan, North and West Africa, Somalia, Syria, and Yemen. Unlike its rivals in the Islamic State (or ISIS), al Qaeda has adopted a long-term approach for state-building. While AQAP has begun to implement its version of sharia law in Yemen, it has not advertised the most gruesome aspects of its draconian code for fear of alienating the population. Still, AQAP controlled much of southern Yemen from April 2015 to April 2016, including the port city of Mukallah, where it reportedly earned substantial revenues via taxes. AQAP’s forces simply melted away when the Arab-led coalition entered Mukallah and other areas. By doing so, AQAP presented itself as a protector of the local population and lived to fight another day. The group is capable of seizing more territory at any time.

AQAP ISN’T JUST AN “AFFILIATE” OF AL QAEDA; IT IS AL QAEDA

In addition to being a regional branch of al Qaeda’s international organization, AQAP has housed senior al Qaeda managers who are tasked with responsibilities far outside of Yemen. For example, Nasir al Wuhayshi (who was killed in 2015) served as both AQAP’s emir and as al Qaeda’s general manager. At the time of his death, Wuhayshi was the deputy emir of al Qaeda’s global operations.

Beginning in 2014, the Islamic State (or ISIS), mushroomed in size after declaring the establishment of its so-called caliphate across a large part of Iraq and Syria. Some predicted, erroneously, that AQAP would defect to Abu Bakr al Baghdadi’s cause in the event that Wuhayshi was killed. That prediction was based on a stunning ignorance of AQAP’s organization and implicitly assumed that AQAP’s loyalty to al Qaeda was embodied in a single man. Wuhayshi’s successor, Qasim al Raymi, quickly reaffirmed his and AQAP’s allegiance to Ayman al Zawahiri. Al Qaeda vet-

erans and loyalists from a new generation of jihadists are peppered throughout AQAP's ranks.

THE U.S. HAS KILLED A NUMBER OF TOP AQAP LEADERS, BUT THE GROUP HAS EFFECTIVELY REPLACED THEM AND LIKELY RETAINS A BENCH OF CAPABLE FILL-INS

Wuhayshi was one of several senior AQAP leaders killed in the drone campaign in 2015. Others have perished since. But AQAP has quickly filled their positions with other al Qaeda veterans, including Raymi, Ibrahim al Qosi (a former Guantanamo detainee), Ibrahim al Banna (discussed below), and others. Most of AQAP's insurgency organization, including its middle management, has not been systematically targeted. Therefore, the organization as a whole has not been systematically degraded. AQAP still threatens the West, but most of its resources are devoted to waging the insurgency and building a state inside Yemen. Recently, the U.S. has stepped up its air campaign, launching 40 or more airstrikes against AQAP this month. Those airstrikes are intended, in part, to weaken AQAP's guerrilla army. But it will require more than bombings to do that. Without an effective government representing most of the Sunni tribes and people, AQAP will continue to position itself as the legitimate ruler in many areas of Yemen.

AL QAEDA HAS DEEP ROOTS INSIDE YEMEN

Osama bin Laden's and Ayman al Zawahiri's men first began to lay the groundwork for al Qaeda's organization inside Yemen in the early 1990s, if not earlier. Zawahiri himself spent time in Yemen alongside his comrades in the Egyptian Islamic Jihad (EIJ), which effectively merged with bin Laden's operation in the 1990s. Zawahiri, his brother, and their fellow EIJ jihadists established a base of operations in Yemen. One of these EIJ veterans, Ibrahim al Banna, was designated as a senior AQAP leader by the U.S. government late last year.⁸ In 1992 or 1993, Zawahiri ordered al Banna to oversee "the administration" of al Qaeda's "affairs" in Yemen, "opening public relationships with all the students of knowledge and the notables and the tribal sheikhs."⁹ That was more than a quarter of a century ago. Yet al Banna, a co-founder of AQAP, continues to command jihadists inside the country to this day.

Al Qaeda has suffered multiple setbacks inside Yemen since al Banna was first dispatched to the country in the early 1990s. But the jihadists' patient approach has clearly borne fruit. An unnamed U.S. military official recently explained that AQAP has "skillfully exploited the disorder in Yemen to build its strength and reinvigorate its membership and training."¹⁰ This same official estimated that AQAP's total group strength is in the "low thousands," but warned that because many of its members are Yemeni "they can blend in with the tribes there."

This assessment of AQAP's overall strength may or may not be accurate with respect to the total number of deployed fighters. But the U.S. has underestimated the size of jihadist organizations in the past, including the Islamic State (ISIS) and al Qaeda in Afghanistan. AQAP maintains a deep support network within Yemeni society that allows it to regenerate its forces and continue waging jihad despite fighting on multiple fronts for many years.

The U.S. Treasury Department has outlined parts of AQAP's fundraising apparatus in a series of terrorist designations.¹¹ Treasury's work has highlighted the mix of tribal politics, Gulf fundraising, and local banking that has helped fuel AQAP's war in Yemen.

Files recovered in Osama bin Laden's compound reveal that al Qaeda has sought to maintain friendly tribal relations and avoid the mistakes made in Iraq, where the predecessor to the current Islamic State alienated tribal leaders.¹² It is difficult to gauge the extent of ideological support for AQAP's cause within Yemen's tribes, but the jihadists do not need key tribes to be completely committed to their cause. While there have been tensions at times, AQAP benefits from the tribes' frequent unwillingness to back government forces against the jihadists.¹³

Some tribal leaders are closely allied with AQAP, so much so that they have been integrated into the organization's infrastructure. This has led to an awkward situation in which some of AQAP's leaders are also partnered with Saudi Arabia, the United Arab Emirates, and Hadi's government in the war against the Houthis. For instance, during a raid against AQAP in January, U.S. forces killed a prominent tribal leader named Sheikh Abdel-Raouf al-Dhahab. The Associated Press (AP), citing "military officials, tribal figures and relatives," reported that Dhahab met "with the military chief of staff in Hadi's government" shortly "before the raid."¹⁴ Fahd al-Qasi, Dhahab's "top aide," accompanied Dhahab to the meeting and subsequently confirmed that it took place. "During 5 days of talks with the military, al-Dhahab—who commands a force of some 800 tribal fighters—was given around 15 million

Yemeni riyals (\$60,000) to pay his men in the fight against the rebels, al-Qasi and the two officials said,” according to the AP. Al-Qasi “distributed the money to the fighters” just hours before the raid.¹⁵

AQAP has also benefited from its longstanding relationship with Shaykh Abd-al-Majid al-Zindani and his network. The U.S. Treasury Department first designated Zindani as a terrorist in 2004, describing him as a “loyalist to Osama bin Laden and supporter of al-Qaeda.”¹⁶ In 2013, Treasury said that Zindani was providing “religious guidance” for AQAP’s operations.¹⁷ Zindani has been a prominent leader in Islah, which is a Yemeni political party affiliated with the Muslim Brotherhood. Saudi Arabia and Islah have a lengthy history of relations, which had cooled in the not-so-distant past. However, as a result of the Houthis’ successful push across Yemen, Saudi Arabia has embraced Islah once again.¹⁸ Zindani himself has maintained friendly relations with the Saudis.¹⁹

Zindani is the founder of Al-Iman University, which has served as a jihadist recruiting hub. Some al Qaeda leaders have not always been happy with the elderly ideologue. But one letter recovered in bin Laden’s Abbottabad compound demonstrates why al Qaeda would not publicly criticize him. “To be fair, a significant number of al-Mujahidin who reach the jihadi arena here were instructed or prepared by him, especially the new Russian converts to Islam who moved from Russia to Yemen and stayed for a while at al-Iman University and then moved with their families to the field of Jihad,” a senior al Qaeda leader wrote in March 2008.²⁰ Whatever disagreements al Qaeda may have had with Zindani at times, he and his broad network have provided valuable support for AQAP’s operations.

The preceding paragraphs above give a brief overview of AQAP’s deep network inside Yemen, demonstrating why it remains a potent force. The Islamic State has also established a much smaller presence inside Yemen. The Islamic State’s men are capable of carrying out large attacks, particularly against soft targets such as funerals and markets. AQAP avoids such operations, seeing them as detrimental to its cause, which is based on building more popular support for the jihadist group.

Notes

¹ U.S. Department of State, “Chapter 3: State Sponsors of Terrorism Overview,” Country Reports on Terrorism 2012, May 30, 2013. (<https://www.state.gov/j/ct/rls/crt/2012/209985.htm>)

² See: “U.S. Navy says it seized weapons from Iran likely bound for Houthis in Yemen,” Reuters, April 4, 2016. (<http://www.reuters.com/article/us-iran-usa-yemen-arms-idUSKCN0X12DB>)

³ Yara Bayoumy and Phil Stewart, “Exclusive: Iran steps up weapons supply to Yemen’s Houthis via Oman-officials,” Reuters, October 20, 2016. (<http://www.reuters.com/article/us-yemen-security-iran-idUSKCN12K0CX>)

⁴ Secretary of Defense Ash Carter, “Statement on U.S. Policy and Strategy in the Middle East before the House Armed Services Committee,” House Armed Services Committee Hearing, June 17, 2015. (<https://www.defense.gov/News/Speeches/Speech-View/Article/606680>)

⁵ U.S. Department of the Treasury, Press Release, “Treasury Sanctions Political Spoilers Threatening the Peace, Security and Stability of Yemen,” November 10, 2014. (<https://www.treasury.gov/press-center/press-releases/Pages/jl2693.aspx>)

⁶ Ibid.

⁷ U.S. Department of the Treasury, Press Release, “Treasury Sanctions Instigators of the Violent Takeover of Yemen,” April, 14, 2015. (<https://www.treasury.gov/press-center/press-releases/Pages/jl10021.aspx>)

⁸ Thomas Joscelyn, “State Department designates founding member of al Qaeda in the Arabian Peninsula,” FDD’s Long War Journal, January 6, 2017. (<http://www.longwarjournal.org/archives/2017/01/state-department-designates-founding-member-of-al-qaeda-in-the-arabian-peninsula.php>)

⁹ Thomas Joscelyn, “An al Qaeda commander comes out from the shadows,” FDD’s Long War Journal, December 16, 2015. (<http://www.longwarjournal.org/archives/2015/12/an-al-qaeda-commander-comes-out-from-the-shadows.php>)

¹⁰ Lisa Ferdinando, “U.S. Conducts Second Day of Strikes Against Terrorists in Yemen,” U.S. Central Command, March 3, 2017. (<http://www.centcom.mil/MEDIA/NEWS-ARTICLES/News-Article-View/Article/1103200/us-conducts-second-day-of-strikes-against-terrorists-in-yemen/>)

¹¹ See: U.S. Department of the Treasury, Press Release, “Treasury Designates Key Facilitators and Front Company Providing Support to Al-Qa’ida in the Arabian Peninsula,” December 7, 2016. (<https://www.treasury.gov/press-center/press-releases/Pages/jl0673.aspx>); U.S. Department of the Treasury, Press Release, “Treasury Designates Financial Supporters of al-Qa’ida in the Arabian Peninsula,” November 1, 2016. (<https://www.treasury.gov/press-center/press-releases/Pages/jl0601.aspx>); Thomas Joscelyn, “US Treasury continues to target AQAP’s financial network,” FDD’s Long War Journal, December 7, 2016. (<http://www.longwarjournal.org/archives/2016/12/us-treasury-continues-to-target-aqaps-financial-network.php>)

¹² See Office of the Director of National Intelligence (ODNI) summary of a July 18, 2010 letter from Atiyah Abd al Rahman to Nasir al Wuhayshi. (<https://www.dni.gov/files/documents/ubl/english/Letter%20td%2018%20JUL%202010.pdf>)

¹³ See, for example: Nadwa Al-Dawsari, “Tribes and AQAP in South Yemen,” Atlantic Council, June 5, 2014. (<http://www.atlanticcouncil.org/blogs/menasource/tribes-and-aqap-in-south-yemen>)

¹⁴ Maggie Michael and Ahmed al-Haj, "Pro-government tribal leader among dead in US raid in Yemen," Associated Press, February 16, 2017. (<http://bigstory.ap.org/article/d927fc2962f44a6d8edf6a790b556bbc/pro-government-tribal-leader-among-dead-us-raid-yemen>)

¹⁵ Ibid.

¹⁶ U.S. Department of the Treasury, Press Release, "United States Designates bin Laden Loyalist," February 24, 2004. (<https://www.treasury.gov/press-center/press-releases/Pages/js1190.aspx>)

¹⁷ U.S. Department of the Treasury, "Treasury Designates Al-Qa'ida Supporters in Qatar and Yemen," December 18, 2013. (<https://www.treasury.gov/press-center/press-releases/Pages/jl2249.aspx>); Thomas Joscelyn, "Latest Treasury designation targets al Qaeda's fundraising network," FDD's Long War Journal, December 19, 2013. (<http://www.longwarjournal.org/archives/2013/12/treasury-designation.php>)

¹⁸ Neil Patrick, "Saudi Arabia's Problematic Allies against the Houthis," The Cairo Review of Global Affairs, February 14, 2016. (<https://www.thecaireview.com/tahrir-forum/saudi-arabias-problematic-allies-against-the-houthis/>)

¹⁹ David Andrew Weinberg, "UN official reportedly meets with Iraqi on al Qaeda sanctions list," FDD's Long War Journal, October 30, 2015. (<http://www.longwarjournal.org/archives/2015/10/un-official-reportedly-meets-with-iraqi-on-al-qaeda-sanctions-list.php>)

²⁰ The letter appears to have been prepared by Atiyah Abd al Rahman, but includes excerpts written by multiple al Qaeda leaders, including Abu Yahya al Libi. A translation of the letter can be found at: <https://www.dni.gov/files/documents/ubl/english/Letter%20tdt%20March%202008.pdf>

The CHAIRMAN. Thank you very much.
Dr. Rand.

STATEMENT OF DAFNA RAND, ADJUNCT SENIOR RESEARCH FELLOW, NATIONAL DEFENSE UNIVERSITY, WASHINGTON, DC

Dr. RAND. Thank you, Chairman Corker, Senator Cardin, members of the committee. Thanks for inviting me.

I would like to focus this short summary of my testimony on U.S. interests, in particular, if you will allow, because I want to focus on the urgent policy objective for the United States in Yemen, which I believe is ending what has become a stalemated conflict.

My colleague has already laid out a very important central U.S. national security interest. Al Qaeda in the Arabian Peninsula has grown because of the continuation of this conflict and the tragic human toll and the security vacuum.

We have other interests in Yemen. We have our interest in freedom of navigation of the Red Sea. We have a strong interest in protecting Saudi Arabia, our partner and ally, sovereignty. And we have a strong interest in deterring Iranian aggression.

Let us just start with U.S. interests because I think, as the Senators have mentioned, our policy and strategy must flow from analysis of those interests. But in order to secure these interests, the most direct and immediate policy goal should be to end this war. To get there, we need a strategy of de-escalation between the civil conflict that has endured between the Government of Yemen and the Saleh Houthi forces.

And we are facing two overlapping battlefields, in a sense. We cannot fully fight Al Qaeda until we end the other war, which has gone on months and years longer than we thought, than the Saudis thought, and than the Yemenis thought.

The United States has tried a strategy of unconditional support for the coalition. We have supported its military operations through a number of military and intelligence support elements, including arms sales but not limited to arms sales. We have backed this coalition because of our deep loyalty to our partners and because we agree with the goals of deterring Iran and supporting the Government of Yemen. We share the goal of sending a message to the

Houthis and the Iranians that interference militarily in a political negotiation is absolutely unacceptable.

Yet even as we have tried this strategy for 2 years, we always knew that the endgame would be a negotiated settlement. Military victory could not and would not finalize feuds and competitions that have been going on for decades.

We always knew that the Yemenis themselves would have to sit around a negotiating table and answer the key question of who is going to rule.

As the civil war has generated a humanitarian catastrophe in Yemen, we pushed with the United Nations in 2016, last year, for the parties to agree to a cessation of hostilities, which lasted 3 or 4 months. But then it broke down last August 2016, and it was followed by a wave of renewed violence that was extremely damaging.

We began to reevaluate the overarching strategy, realizing that we needed to push ourselves more in a position of defense rather than offense. But let us go back to our interests.

Today, there is an urgent threat posed by AQAP and other terrorists, as my colleague has enunciated. The ongoing war has now become a civil conflict between a panoply of forces. It has morphed into a civil conflict with Yemeni militias and security services and Iranian-backed Houthis, plus former President Saleh on one side against a range of Yemeni militias and the Government of Yemen forces on the other side. It has reached a stalemate, as we have heard.

The continued fighting is destroying the country, and it is leading to a situation where thousands of lives are being lost, and 80 percent of the country is in need of humanitarian assistance.

It is the persistence of this conflict that has led to humanitarian tragedy. It is persistence of this conflict that has strengthened the Iranian connection to the Houthis. It has deepened Iran's interaction and interference in the Arabian Peninsula, and it has benefited Iran geopolitically. It is the endurance and persistence of this conflict that has directly materially advantaged AQAP.

Yet some are now advocating an escalation in our support strategy, increasing our assistance to the coalition, facilitating direct offensives to retake Houthi areas, including the important port cities of the Red Sea area, including Hodeidah. Just to remind the committee, this is the area where 90 percent of U.N. food assistance and 70 percent of Yemen's pre-war commercial food imports enter Yemen.

Helping the coalition launch new assaults on Houthi-controlled territory may allow for the capture of new cities, but it will result in even more bloodshed, and it is unlikely to change the negotiation calculus of either side.

The Houthis are looking for guarantees of political inclusion in the formal government process, and these issues will be worked out whether or not the coalition retakes a few more cities.

In fact, there is a great danger of escalation, and there is a greater danger of a strategy of punishment against the northern area of Yemen. This will not work. We know from other civil conflicts, in fact, that as the human toll worsens, the insurgents themselves benefit and their maximalist positions harden.

And there are also significant risks of escalation for us. While our intent may only be defensive, to help our allies fight the Houthis, Iran and the Houthis may perceive our new forms of support as offensive, inviting greater attacks against our ships and greater insecurity for interests in the Red Sea and elsewhere.

There are some who advocate for offensive confrontation with Iran, and that might be legitimate. But this is not the most direct or wise way to confront Iranian ambitions in the region.

So in short, instead of supporting escalation, we should continue the difficult strategy of refining our strategy and putting America's goals, interests, and values first. We should prioritize counterterrorism, as has been discussed; support the defense of the Saudi Arabian border area and other defensive needs that we have; dissuade the coalition diplomatically from escalating any operations, particularly in the Hodeidah Port area; review our security assistance in keeping with our laws, our policy precedents, and presidential practice since the 1980s; continuing focus on humanitarian access and assistance. We are the largest contributor in terms of the numbers of dollars spent on food aid to the Yemeni people, but it is the access of this aid into Yemen that is very important diplomatically. And finally, we should continue doubling down to facilitate dialogue to generate an immediate truce followed by a new transitional government.

With that, I would welcome your questions, and I look forward to hearing my colleague.

[The prepared statement of Dr. Rand follows:]

PREPARED STATEMENT OF DR. DAFNA H. RAND

Chairman Corker, Ranking Member Cardin, and Committee members, thank you for inviting me to testify and for holding a hearing on this critical issue. At the 2-year mark of the war in Yemen, this testimony focuses on what should be the most urgent policy objective for the United States—ending this conflict—and how to get there. Ending this conflict is the most direct way to secure our priority national security interest in Yemen, which is to counter the threat from Al-Qaeda in the Arabian Peninsula (AQAP) and other terrorist groups that directly threaten American citizens. We have other interests as well, including protecting Saudi Arabia's sovereignty, protecting freedom of navigation in the Red Sea, and deterring Iranian aggression.

DEFINING AMERICA'S INTERESTS IN YEMEN, AND DESIGNING
A STRATEGY TO ACHIEVE THEM

In order to best secure our interests, ending this conflict is paramount. Yet finding a strategy to achieve this objective has been challenging. The United States has supported the Saudi-led military Coalition in its efforts to restore the government of President Abd Rabbo Mansour Hadi even as we have urged regional leaders, with the United Nations, to seek a negotiated settlement. At the same time, we have tried to confront the growing threat from terrorist groups in Yemen.

While the United States has not been a member of the Saudi Arabian-led Coalition in a formal sense, we have directly supported its military operations. Many aspects of the Coalition operations can be linked directly or indirectly to U.S. training, cooperation, and assistance, and certainly many Yemenis blame us for the conflict's tragic toll. In spite of this involvement, the United States has had uneven influence on the Coalition's strategic military decision-making throughout the war, and has been unsuccessful in convincing our partners to accept various power-sharing agreements.

Two years into this war, this strategy—offering a U.S. imprimatur and assistance without exercising meaningful influence—has not achieved the desired goals: ending the conflict and restoring to Yemen a sovereign government presiding over a unified security apparatus. In 2016, recognizing this fact, the former administration was re-

evaluating the strategy, and wisely focusing more on defensive support to the Coalition coupled with shuttle diplomacy.

Yet some are now advocating that we significantly increase our assistance to the Coalition—including by directly facilitating new offensives into Houthi-controlled areas of the country such as Red Sea ports, including Hodeidah. About 90 percent of U.N. food assistance and 70 percent of Yemen's pre-war commercial food imports have entered Yemen through Red Sea ports.¹

This would be a serious mistake. Pouring more fuel on the fire risks rapid escalation—for our partners, to be sure, but also for us. While some advocate an escalatory offensive to tame the Houthis, deter Iran, and end the war, the more likely scenario is a greater quagmire, with more lives lost and even greater Iranian support for the Houthis. Even if the Coalition were willing to use a strategy of punishment against the Yemenis living in the north, the Houthis would be unlikely to submit. They may come to negotiations in a weaker position in the short term; however, over time, as they always have, they will retreat and then re-emerge—more empowered and ready for the next round.

For the United States, our own direct involvement in an escalation could invite a classic security dilemma. While our intent may only be the defense of our allies, the Houthis and Iran may perceive such support as a direct threat, inviting the greater likelihood of attacks against our own ships in the Red Sea. Even to those who welcome an offensive U.S. military confrontation with Iran, this is not the most direct or wise way to challenge Iranian ambitions in the region.

Instead of supporting escalation, we should continue the difficult work of refining our strategy, putting America's goals, interests, and values first. We should:

- Prioritize the counter-terrorism fight against AQAP and other terrorists.
- Support the defense of Saudi Arabian territory by offering assistance and cooperation to protect Saudi's border along with other defensive needs.
- Dissuade the Coalition from escalating its operations in northern and western Yemen, particularly in the Hodeidah governorate and the Red Sea port region. Because of our country's lessons learned in Iraq and Afghanistan, our military is a credible messenger to explain why punishment strategies rarely change hearts and minds or political outcomes.
- Review security assistance and cooperation elements intended for offensive purposes, particularly items that have caused the most civilian harm. When, for reputational, policy, or legal reasons, the risks to the United States outweigh the strategic necessity of these security assistance items, we should pause on certain sales in keeping with the letters of agreement governing these sales, the general intent of the Arms Export Control Act, and U.S. presidential policy precedent since the 1980s.
- Prioritize humanitarian assistance and humanitarian access.
- Facilitate dialogue to generate an immediate truce, followed by a new transitional government based on power sharing. Our most important work can then begin, as we invest in the new government's success, protecting its stability, credibility, and capacity to govern. The end goal should be a more stable Yemen led by an even stronger counter-terrorism (CT) partner.

ENDING THE CONFLICT IS AN URGENT POLICY OBJECTIVE:
THREE CONSENSUS CONCLUSIONS

While there are divergent views about our strategic options, it is worth noting three analytic conclusions where there is general consensus: First, the human costs of this war are undisputed. As a direct result of the fighting, at least 10,000 Yemeni lives have been lost,² 80 percent of the country is in need of humanitarian assistance, and the country teeters on the brink of an official famine. While Yemeni citizens have borne the brunt of the conflict, the violence has spread over time; now many Saudis living in the border region are more endangered than they were 2 years ago.³ In Yemen, what was already the poorest country in the region has turned into a failed state where children are dying from malnutrition and preventable disease. It will take decades for the Yemeni people to rebuild their institutions and infrastructure.

Second, whatever the original motives behind Iran's support for Houthi military aggression in 2014–2015, the civil strife in Yemen has, over 2 years, increased Iran's opportunity to meddle in the Arabian Peninsula. Reasonable, evidence-based disagreement persists regarding the scope and depth of the Iran-Houthi linkage.⁴ However, it is clear that the longer this conflict endures, the more it benefits Iran's geopolitical ambitions.

Third, while the conflict inherently advantages Iran, the material winner is Al-Qaeda in the Arabian Peninsula (AQAP) and associated terrorists, including the Islamic State of Iraq and Syria (ISIS).⁵ These groups thrive in ungoverned spaces wracked by population displacement and war. They are redoubling their efforts to plot, train, and threaten the United States and our allies.

CALIBRATING OUR STRATEGY

Because the endurance of this conflict is generating one of the world's greatest humanitarian crises, enabling Iranian meddling, and tangibly benefiting AQAP and other terrorists, investing in ending this war is an urgent national security interest and should continue to be our chief policy priority.

In our role as partner and friend, we should voice strong perspectives and influence the Coalition members' decisions on military strategy, escalation, civilian protection, and cease-fires. This type of back and forth is the centerpiece of strong international relationships, and indeed we have had these types of honest, critical conversations with other key allies in the region. Our support and assistance to these partner militaries should allow us this type of influence. Convincing our partners to focus on mitigating civilian harm is particularly central; we know from our own military experiences over the past 15 years that when grievances turn from local issues toward anger at U.S. military intervention, our security and global standing suffer. Whether Yemenis are angry about the Coalition air war or Houthi aggression, or both, it is much simpler to blame U.S. involvement, fueling anti-American radicalization.

A strategy based on fine-tuning our support for the Coalition will be a dynamic process, reflecting the events on the battlefield and in the negotiation channels. Here are key organizing principles of such a strategy:

- *Support Saudi Arabia's and other partners' critical defensive needs:* We should be searching for new and concrete ways to protect Saudi Arabia's homeland defenses and to cooperate around defensive actions, including cooperation to protect international navigation through the Bab-el-Mandeb straits.
- *Use diplomacy to dissuade any new offensive:* New offensives in Hodeidah and other areas of Yemen are unlikely to lead to greater gains at the negotiating table for the government of Yemen and its allies. Counter-insurgency strategies predicated on punishing communities until they disassociate with insurgents rarely work. In most cases, such campaigns harden the political views of the communities under attack, driving the insurgents toward more maximalist positions. Instead, continuing to urge our partners toward de-escalation and conflict resolution sends a signal that the United States will accept a government of Yemen that includes Houthi interests and actors. U.S. Central Command (CENTCOM) should be involved in this messaging, as our Generals' sound military judgment will continue to be respected in the region.
- *Ensure humanitarian access.* The United States invests heavily in humanitarian assistance to Yemen, but this investment demands that we also use private and public diplomacy to ensure that the Coalition continues protecting humanitarian access and transport. This is critical if there is a new round of fighting in the Red Sea port area, the transport hub through which most Yemenis receive food and assistance.
- *Continue U.S. civilian and military efforts to reduce civilian casualties and improve the humanitarian situation:* Since 2015, the State Department has led a diplomatic effort urging our Coalition partners to limit civilian casualties; this diplomacy contributed in part to the establishment of Saudi Arabia's Joint Incidents Assessment Team (JIAT). Our diplomacy in this area should continue, strengthening this emerging accountability mechanism and focusing on the following issues in Coalition operations: pushing the Coalition to adhere to the no-strike list (NSL) in all targeting; ensuring that the Coalition addresses the operational gaps in dynamic targeting capabilities that were reflected in the JIAT's August 2016 releases;⁶ and encouraging the Saudis to hold accountable those involved in the civilian attacks that have occurred in 2015 and 2016.

The State Department's efforts must be complemented by rigorous, consistent Department of Defense diplomacy and training efforts, particularly with the Royal Saudi Airforce and other key security partners. The training must focus on winning counter-insurgencies, including by prioritizing civilian protection issues. This means that our standard laws of armed conflict training approaches may be insufficient. We will need new training modules in order to help our partners develop operational approaches that situate civilian safety and human-

itarian access as a central element of counter-insurgency doctrine. This is an issue where values and interests clearly converge.

- *Evaluate proposed foreign military sales (FMS) cases and other forms of offensive operational support to the Coalition:* The Arms Export Control Act outlines how foreign policy considerations should be taken into account in arm exports decisions. Presidents Reagan, George H.W. Bush, Clinton, George W. Bush and Obama stopped foreign military sales—at times to our closest allies—when they were concerned about how these sales were being used, or simply because of a lack of visibility into the end use. Holding or pausing on isolated arm sales where there are questions represents good policy diligence and discipline, given the potential legal, reputational, and policy risks of the sales.
- *Focus on achieving a power-sharing agreement to form a stable new government:* If a new government is installed in Sanaa but is unacceptable to powerful stakeholders in the country, it will not survive. There is a high likelihood that cyclical government failure becomes the norm in Yemen. Because our national security interest in fighting AQAP, ISIS, and other groups demands that we have a counterterrorism partner in the Yemeni government, we need to ensure stability, built upon inclusive and effective governance. There are signs that some members of the Saudi government are becoming more flexible on the composition of the future Yemeni government, moving beyond the original demand for the restoration of President Hadi and his government. We must be prepared to offer economic support and humanitarian assistance to ensure that the new government can quickly provide services and oversee Yemen's reconstruction.

CONCLUSION: THE DANGERS OF ESCALATION

Therefore, even if our partners request such support, choosing to aid an escalation in Yemen would be unwise. The strength of U.S. relationships with friends should not be measured by our willingness to acquiesce to their strategic and operational decisions, particularly when those decisions may lead to mistakes for which the United States will get blamed and that harm our interests. Working to influence threat perceptions, to urge restraint, to improve military conduct, to refine their overall strategy, and to decide ourselves which FMS items and other operational support we offer is an approach that reflects the strength of our friendship with Saudi Arabia and other partners.

Increasing our involvement would also be unwise because the war has evolved. In mid-2015, we lent our support to push back against an Iranian-backed Houthi insurgency that drove out a legitimate government. Today, different factions of Yemeni militias and security forces have joined in on either side, including forces loyal to former President Ali Abdullah Saleh. The narrative has become more complex as the number of combatants has grown and with the Emiratis in particular fighting al-Qaeda and other terrorists, in addition to the Houthis. Furthermore, ISIS has gained some momentum in Yemen,⁷ increasingly complicating the environment. Given that our top-priority, urgent national security interest should be to focus on combating the threat from AQAP and other terrorists, getting more involved in the Yemeni civil conflict on the side of the Coalition is both a distraction and could make matters worse.

Finally, increasing our support to back a new offensive runs the significant risk of regional military escalation. It could provoke an unintended confrontation with Iran. Any new offensive in the Red Sea port region and Hodeidah is likely to draw greater fire against our naval vessels and our partners' ships in the Bab-el-Mandeb straits, and increase the threat to the international freedom of navigation through this busy commercial passageway. U.S. support for an escalatory offensive by our partners would invite Iran and others to retaliate more directly against our interests. While the current administration may have legitimate reasons to confront Iran, doing so via increasing our military support to partners is unwise and unlikely to succeed. We run the significant risk of dragging the United States into a new war in the Middle East, but this one would occur on our partners' terms, with the United States in a supporting role and with limited U.S. influence over the strategy and the end game.

Notes

¹Eric Pelofsky, "Escalation in Yemen Risks Famine, Collapse, Iranian Entrapment," The Hill, February 23, 2017, <http://thehill.com/blogs/pundits-blog/international-affairs/320840-escalation-in-yemen-risks-humanitarian-crisis>.

²In August 2016, the United Nations estimated that 10,000 civilians had been killed. See Jeremy Sharp, "Yemen: Civil War and Regional Intervention," Congressional Research Services, Report to Congress. November 16, 2016, <https://fas.org/sfp/crs/mideast/R43960.pdf>.

³“Saudi Border Guards Killed in Attacks,” Al-Jazeera, January 5, 2017, <http://www.aljazeera.com/news/middleeast/2015/01/saudi-border-guards-killed-attack-20151573425245939.html>.

⁴Katherine Zimmerman, “Warning to the Trump Administration: Be Careful About Yemen,” Fox News, February 28, 2017, <http://www.foxnews.com/opinion/2017/02/28/warning-to-trump-administration-be-careful-about-yemen.html>. In April 2015, National Security Council spokeswoman Bernadette Meehan remarked that “It remains our assessment that Iran does not exert command and control over the Houthis in Yemen.” See, “Iran Warned Houthis Against Yemen Takeover,” Huffington Post, April 20, 2015

⁵Nicole Gauoette, “US in Yemen: If you threaten us, we’ll respond,” CNN Politics, October 14, 2016, <http://www.cnn.com/2016/10/13/politics/yemen-us-strike-iran-houthis/index.html>.

⁶Saudi Press Agency, Joint Incidents Assessment Team (JIAT) on Yemen Responds to Claims on Coalition Forces’ Violations in Decisive Storm Operations, August 5, 2016 <http://www.spa.gov.sa/viewstory.php?lang=en&newsid=1524799>

⁷“Gulf of Aden Security Review,” American Enterprise Institute’s Critical Threats Projects, January 31, 2017, <https://www.criticalthreats.org/briefs/gulf-of-aden-security-review/gulf-of-aden-security-review-january-31-2017>

The CHAIRMAN. Thank you very much.
Mr. Ambassador.

**STATEMENT OF HON. GERALD M. FEIERSTEIN, DIRECTOR OF
THE CENTER FOR GULF AFFAIRS, MIDDLE EAST INSTITUTE,
WASHINGTON, DC**

Ambassador FEIERSTEIN. Thank you very much. Chairman Corker, Ranking Member Cardin, members of the committee, thank you for providing me with this opportunity to speak to you today about Yemen and the tragic circumstances confronting the Yemeni people.

We have all reviewed and recited the statistics of this conflict—over 10,000 killed, perhaps 40,000 or more injured. The U.N. reports over 3 million of Yemen’s 27.5 million citizens internally displaced. Over half of the population is food insecure. And some 7 million Yemenis are malnourished or at risk of starvation.

When the United States and Saudi Arabia, alarmed by the rapid deterioration of political conditions in Sana’a, and faced with a virtual coup there by the Houthis, a pro-Iranian militia supported by forces loyal to former President Ali Abdullah Saleh, we agreed that an intervention in Yemen should seek to achieve four objectives: first, restoring the legitimate Government of Yemen to complete implementation of the GCC initiative consistent with United Nations Security Council Resolution 2216; second, preventing a Houthi-Saleh takeover of the government by force; third, securing the Saudi-Yemeni border; and forth, defeating Iran’s efforts to establish a foothold in the Arabian Peninsula, threatening Saudi and gulf security.

At the outset of the conflict, we were optimistic that the military pressure on the Houthis and Saleh forces would quickly stabilize the situation and allow for a return to the political process. This has not, unfortunately, been the case.

After 2 years of fighting, the military situation has stalemated. The political process, despite some optimism last year that negotiations in Kuwait under the auspices of the United Nations would succeed, has also not made progress.

The Government of Iran has been a main beneficiary of the conflict in Yemen. At a relatively low cost, Iran has inflicted an expensive, draining conflict on the Saudis and their coalition partners. The Saudis have suffered reputational damage internationally. And the conflict has caused friction between Saudi Arabia and its key Western partners, the United States and the United Kingdom.

It is important as well to address an additional complication in the Yemen equation, as my colleague Mr. Joscelyn has observed. That is the resurgence of Al Qaeda in the Arabian Peninsula.

Legitimately concerned by Al Qaeda's ability to resurrect its presence in Yemen and potentially pose new threats to global peace and security, the U.S. has resumed kinetic operations to deter and defeat the organization. I believe that the U.S. actions are justifiable, but the additional layers of complexity that we now confront in Yemen argue for extreme caution in conducting military operations there.

Our objective of defeating and destroying violent extremism in Yemen is a long-term challenge that requires a long view on achieving it. Preserving the goodwill and cooperation of the Yemeni people is essential, if we are to be successful. And there is no quicker way to lose that goodwill than through ill-conceived military operations that generate high numbers of civilian casualties.

Thus, we must maintain the standard of near certainty that there will be no collateral damage in our operations, and we must preserve our strong record of cooperation with President Hadi and his government.

In my experience, the U.S. Ambassador is a key player in maximizing our effectiveness, both as the main interlocutor with the government and as the U.S. official with the most accurate perspective on the impact these operations are having on the ground.

In conclusion, with little prospect of an immediate resolution of the conflict and in the face of increasing complexity as tribal, sectarian, and counterterrorism issues are introduced, Yemen's ultimate survival as a unified country hangs in the balance.

Under those circumstances, we should aim at achieving two basic goals in 2017: first, a limited political agreement that allows the parties to return to Sana'a to continue their negotiations, provides for security in the capital, and restores some functionality to the government; and second, urgent measures to address the humanitarian crisis.

If successful, these measures will provide for the stability needed to make further progress in the coming year to install a new interim government, complete the transition process, begin to address broader security issues, promote economic activity, and prepare for elections.

Mr. Chairman, even with success in these tasks, Yemen's recovery will be long and the ultimate outcome not assured. But without these measures, Yemen's continued dissent into complete social, political, and economic collapse is all but guaranteed.

Thank you, and I look forward to addressing your questions.
[The prepared statement of Ambassador Feierstein follows:]

PREPARED STATEMENT OF AMBASSADOR (RET'D) GERALD M. FEIERSTEIN

Mr. Chairman, Mr. Ranking Member, Members of the Committee: Thank you for providing this opportunity to speak to you today about Yemen and the tragic circumstances confronting the Yemeni people.

BACKGROUND

Although not without shortcomings, the overall implementation of the GCC Transition Agreement and the Implementing Mechanism signed in November 2011 by the parties to the Yemen political crisis, and supported by the U.S. and the inter-

national community, was a success. In the spring of 2014, the key step in the transition process, the National Dialogue Conference, was concluded and its final document was signed by all parties, including the Houthis. A Constitutional drafting committee was impaneled and worked through the summer of 2014 to complete recommended revisions and amendments to Yemen's Constitution to be submitted to the National Dialogue for final approval. Few steps remained before the Yemeni people would be able to go to the polls and elect a new government, completing a peaceful transition of power.

Frustrated by their inability to achieve gains through the manipulation of the political process, however, the Houthis, a small, Zaydi Shi'a clan based in the governorate of Saada, in the northwest corner of Yemen, and former President Ali Abdullah Saleh, placed increasing military pressure on the government through the summer and fall of 2014 aimed at overturning the political process. Eventually, the Houthi and pro-Saleh forces were able to take advantage of the weakness of the transitional government and Yemen's security forces to move aggressively into Sana'a and overthrow President Abd Rabbo Mansour Hadi and his government. The precipitous collapse of the Hadi government, and the power grab by a group closely associated with the Government of Iran and hostile to key U.S. goals and objectives, alarmed the Obama Administration as well as our friends and partners in the region. There was agreement among Yemen's international partners that an intervention in Yemen should be based on four key objectives:

- Restoring the legitimate government in Yemen to complete the implementation of the GCC Initiative and the National Dialogue Conference consistent with UNSCR 2216.
- Preventing a Houthi/Ali Abdullah Saleh takeover of the government through violence.
- Securing the Saudi-Yemeni border.
- Defeating Iran's efforts to establish a foothold in the Arabian Peninsula threatening Saudi and Gulf security.

While there was optimism initially that a Saudi-led Coalition could quickly stabilize the situation in Yemen, this has not been the case. As the conflict in Yemen draws to the end of its second year, the human toll of the political tragedy continues to mount. Rough estimates of civilian casualties since fighting began in March 2015 may now exceed 10,000 killed with over 40,000 injured, according to press reports. The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) has reported that over three million of Yemen's 27.5 million citizens have been internally displaced by the conflict, while over half the population is considered food insecure. Famine and epidemics of disease may be on the near horizon. Five years after Abd Rabbo Mansour Hadi's election as interim president started the clock on the only negotiated political transition of the Arab Spring, the future survival of Yemen hangs in the balance.

WHAT WERE THE OBSTACLES THAT PREVENTED SUCCESS?

As events unfolded in the spring of 2015, the rapid collapse of the Hadi government throughout the country and their subsequent flight to Saudi Arabia undercut Coalition plans to defend Yemen's second city, Aden, and establish a secure position there to push back against Houthi/Saleh aggression. Instead, the Coalition found itself in a position of relying almost entirely on air power to prevent a complete takeover. Given the Coalition's reluctance to establish a large ground presence in Yemen, this left the Hadi government and its international partners in a weak position to contest the Houthi/Saleh forces for control of territory until the time that Yemen's security forces could be reconstituted and given the mission of establishing territorial control. It has also placed the Coalition forces in a situation not dissimilar to that faced by U.S. forces in conflicts like Afghanistan: they are fighting a low-tech insurgency where their massive advantage in sophisticated weapons is neutralized; the insurgents are fighting on their own turf, which they know well; they blend in with the local population, making identification of legitimate targets difficult; and they are willing to make extraordinary sacrifices to avoid defeat.

For the Government of Iran, the Coalition's inability to defeat the insurgents and restore the legitimate government in Yemen is a significant win. Iranian support for the Houthis comes at very little cost. A number of IRGC personnel and their Hizballah allies have been killed or captured in Yemen but, compared to the toll in Syria, the losses have been negligible. The Iranians have provided primarily low-tech weapons, although we have seen in recent weeks an increase in the sophistication of Iranian-provided weaponry, including surface-to-surface and anti-ship missiles that have been used successfully against targets in Saudi Arabia and against

shipping in the Red Sea. By contrast, the financial burden of the conflict in Yemen has been heavy for the Saudis and their Coalition partners. Perhaps the greatest, and most unanticipated, benefit of the conflict to Iran has been the strain it has placed on Saudi Arabia's relationships with its key western partners, principally the U.S. and the UK. The reputational damage to Saudi Arabia and its Coalition partners should not be under-estimated. Accusations of war crimes leveled against Saudi and Coalition armed forces and threats to end arms sales to the Saudis have the potential to inflict long-lasting damage to these relationships that go well beyond the scope of the Yemen conflict and could undermine the international community's determination to confront Iran's regional threats.

WHAT IS THE SITUATION TODAY?

In the spring of 2016, there was optimism in Washington and in the region that we were moving closer to an agreement on the outlines of a political deal. Regrettably, that optimism has faded despite a months-long, U.N.-led negotiation in Kuwait, followed by desperate attempts by the international community to broker a ceasefire late in the year. Recent visits to the region by U.N. Secretary General Guterres, accompanied by Special Envoy Ismail Ould Chaikh Ahmed, do not appear to have made progress toward a new peace initiative. Yet the fighting remains stalemated. The government, with its Coalition allies, is strengthening its hold on the southern part of the country, while the Houthi/Saleh forces are firmly in control of the North, including the capital, Sana'a, and reaching to the border of Saudi Arabia.

Recent progress by the government in seizing control of the Red Sea coastal region, the Tihama, perhaps soon to include an assault on the key port of Hodeidah, will undoubtedly be a blow to the Houthis. But it is unlikely to bring a dramatic change to the course of the conflict. Indeed, the upsurge in Houthi missile strikes in Saudi Arabia is indication that they will continue their efforts to inflict damage on Saudi civilian targets in response to Coalition operations in Yemen. Indeed, as other elements of their military campaign falter, we can anticipate that the Houthis will turn increasingly to the one element of their strategy that has worked for them: strikes across the Saudi border and efforts to seize territory. The Saudis have yet to develop effective measures to counter these Houthi incursions.

WHAT ARE THE CHALLENGES THAT WE SEE ON THE HORIZON?

One potential outcome of the current situation is the de facto re-division of Yemen along the north-south border that existed until unification in 1990. While there are some who might welcome that prospect, it is fundamentally an outcome to be avoided, as it will mean two failed states in the southern Arabian Peninsula, each one incapable of providing adequately for its population and both becoming breeding grounds for violent extremist groups.

But even should the prospect of a negotiation between the two main parties to the conflict improve, that success will not bring a short-term resolution to the fighting and instability. In the long negotiations in 2011 between former President Ali Abdullah Saleh and his political opponents, Yemen's preeminent statesman and former prime minister, the late Abdul Karim al-Iryani, warned the parties continuously that an armed conflict in Yemen once started would not be easily stopped. His argument was that conflict would bring a resurgence of a tribal culture that prioritized clan honor, vengeance, and revenge over security and stability. That, indeed, appears to be happening as conflicts around the country, including around the besieged city of Taiz, increasingly take on the coloration of tribal vendettas and the resurrection of ancient rivalries rather than organized conflict between identifiable parties. Thus, even in the event that the parties agree on a political framework for governance in Sana'a, their capacity to bring a halt to the fighting in the countryside is going to be extremely limited.

Moreover, the two Yemeni coalitions that are parties to the conflict are, themselves, internally fragile. The Houthi-Saleh alliance, in particular, is a marriage of convenience rather than a true partnership and is unlikely to survive in a political environment rather than an armed conflict. Long years of enmity between Saleh and his followers and the Houthis have been papered over, not resolved. And both sides have political aspirations that will be difficult to reconcile when it comes to a real political process. It has long been anticipated that the final act of the drama over political control in Sana'a will be a showdown between Saleh and the Houthis, and signs of tension between the two sides abound, including Houthi negotiations at the end of the year over a ceasefire agreement that did not include Saleh's representatives.

A SECONDARY BENEFICIARY: AL-QAEDA IN THE ARABIAN PENINSULA

Al-Qaeda in the Arabian Peninsula (AQAP) has been a main beneficiary of the political conflict in the country. Having suffered a series of setbacks in the period 2012–14 as a result of focused coordination and cooperation between the U.S. and the Hadi government, AQAP has been able to reconstitute itself and regain much of the ground that it had lost. In particular, AQ has successfully positioned itself within the framework of tribal resistance to Houthi advances in the country, capitalizing on perceptions that the civil conflict is, in fact, a sectarian struggle between Sunni and Shi'a Yemenis. Although Yemenis are very conservative religiously, they are generally not drawn to al-Qaeda's ideology. Nevertheless, desperate times call for desperate measures, and many Yemenis, confronting existential threats to their social and economic survival, have aligned with al-Qaeda as a matter of self-preservation.

Legitimately concerned by al-Qaeda's ability to resurrect its presence in Yemen and potentially pose new threats to global peace and security, the U.S. has resumed kinetic operations to deter and defeat the organization. Although U.S. motivation is understandable and justifiable, the additional layers of complexity that we now confront in Yemen argue for extreme caution in conducting military operations targeting AQ there. The fundamental reality that there is no purely military solution to the threat that AQ poses has not changed. Our objective of defeating and destroying violent extremism in Yemen is a long-term challenge and it requires that we take a long view on how to achieve it.

Preserving the goodwill and cooperation of the Yemeni people is essential if we are to be successful, and there is no quicker way to lose that goodwill than through ill-considered military operations that generate high numbers of innocent civilian casualties. Thus, military operations should be limited to those instances where our intelligence is impeccable and we must maintain the standard of near certainty that there will be no collateral damage. President Hadi has been and remains a strong, reliable partner in the fight against al-Qaeda. Maintaining that relationship is a necessity. It will be particularly important in a post-conflict period where we will need to work with the Government of Yemen to re-build its security forces and renew our partnership in the fight against al-Qaeda. Finally, it is my experience that the Ambassador on the ground is a key player in maximizing the effectiveness of U.S. military operations, both as the main interlocutor with the government and as the U.S. official with the most accurate perspective on the impact these operations are having on the ground. The role of the Ambassador should be preserved.

CONCLUSION AND RECOMMENDATIONS

The conflict in Yemen has grown more complex and can no longer be characterized primarily as a clash between two rival coalitions fighting for political power in Sana'a. Indeed, the social, economic, and political structure of the country has been fractured and Yemen's ultimate survival as a unified country, which should be a principal objective of U.S. policy, is not assured. Under the circumstances, U.S. and international options to bring about a sustainable resolution of the conflict are limited. In my view, the U.S. should seek to achieve the following goals for 2017:

- Support the Government and Saudi-led Coalition: UNSCR 2216 remains the basis for a resolution of the political conflict in Yemen. While changes in the government may come about as a result of political negotiations, they should not be determined through force or violence. Moreover, it's important to recognize that Saudi Arabia has legitimate concerns about the potential for Iran to threaten its security should a pro-Iranian regime come to power in Sana'a. Given the fact that the international community will depend on Saudi leadership to undertake reconstruction and recovery in a post-conflict environment, it is essential that the Saudis have confidence that Yemen will remain a friendly neighbor.
- Assist the Saudi-led Coalition in Bringing the Conflict to a Successful Conclusion: Achieving an end to the fighting between the Government of Yemen and the Houthi/Saleh insurgency is the sine qua non of progress toward a political resolution. Limitations on U.S. assistance to the Coalition, whether through restrictions on the re-supply of munitions or denying advice and assistance to Coalition armed forces is counter-productive. The U.S. should re-engage with the Saudi military and political leadership to strengthen Saudi border security and encourage a more careful, deliberative use of military force in Yemen, with a single goal to force the Houthis and pro-Saleh elements to negotiate a political resolution while emphasizing avoiding collateral damage.

- **Coordination on the Capture of Hodeidah:** The one exception to opposition to offensive military actions would be a government-led, Coalition-supported effort to re-claim control of the Red Sea coastal city of Hodeidah and the road from Hodeidah to Sana'a. Hodeidah is the principal port supplying North Yemen. The U.S. should back Government/Coalition efforts to capture the port in exchange for firm guarantees that the Coalition will repair the damaged port facilities urgently and provide unfettered access to the port for international humanitarian organizations to bring in desperately needed food, medicine, and other essential goods and distribute them throughout the country without regard to political differences.
- **Press the Parties to Resume Political Negotiations:** Despite the challenges, the only path currently available to achieve a political solution to the conflict is through the process being managed by the U.N. and Special Envoy Ismail Ould Chaikh Ahmed. There will not be a military conclusion to the Yemen conflict. Only a political arrangement, within the framework of UNSCR 2216 but offering sufficient flexibility to draw in the Houthis, can bring an end to the fighting and permit the re-establishment of some degree of governance in Sana'a. A successful outcome to the negotiations would provide for the restoration of security in Sana'a, allowing the government to resume operation while negotiations continue, and providing for the return of diplomatic missions to support and encourage the government and people.

If these efforts are successful over the course of this year, we should seek to accomplish these additional steps in 2018:

- **Establish a New, Time-limited Transitional Government:** Based on the successful conclusion of U.N.-led political negotiations, the U.S. should support the establishment of a new, credible interim government with a mandate limited to implementation of the GCC transitional arrangement and the conclusions of the National Dialogue Conference and charged with conducting new parliamentary elections within 1 year. During its limited tenure, the interim government can begin the process of restoring security and stability, repairing damaged infrastructure, and restarting economic activity.
- **Hold a Pledging Conference to Begin Discussion of Reconstruction and Provide the Yemeni People with Confidence that the International Community will Assist Them Moving Forward:** Yemen has suffered billions of dollars in damage to its infrastructure and key economic capacity. It will be important for the Yemeni people to know that the international community is not abandoning them and that they will get the support they need to reconstruct their lives. Beyond pledging for reconstruction assistance, the international community can provide essential assistance in institutional capacity building, especially in ensuring that adequate schools and health facilities will be available throughout the country. In addition, GCC member states have suggested that they would consider offering Yemen full membership in the organization ... it currently participates in a number of GCC specialized committees but does not hold full membership ... which would be very well-received by the Yemeni population.

Even with success in these tasks, Yemen's recovery will be long and the ultimate outcome not assured. But without these measures, Yemen's continued descent into complete social, political, and economic collapse is all but guaranteed.

The CHAIRMAN. We thank you all for your testimony. We have 5 minutes on the clock. I am going to reserve my time for interjection and turn to our ranking member.

Senator CARDIN. As I indicated in my opening statement, I have concerns about consequences of actions taken without a coordinated strategy that could escalate U.S. involvement that may not be constructive to accomplishing our objectives.

So, Dr. Rand, I want to ask you first about the Port of Hodeidah and whether there is some interest as to whether there would be military action supported by the United States in regard to retaking that port. You seemed to indicate that that could be counterproductive.

Because that may be something that is being considered, I would like to get your view on the consequences of that type of military operation.

Dr. RAND. Sure. Thank you for the question. It is an important one. There are two answers to your question, Senator. One is the short term, and one is long term.

In the short term, the fighting itself to reconquer, retake the port, will have significant damage in terms of humanitarian access. Remember, this is a commercial system where companies are sending ships into this port. If there is fighting, it will deter the flow of the companies who are sending the ships in. We have seen this before in the early days of the fighting.

And, indeed, the State Department and the U.S. Government have worked very hard with the U.N., with UNVIM, to try to ensure the flow of passage of humanitarian goods into the Red Sea, et cetera.

So in short the short term, the fighting itself will just make it difficult for the humanitarian access that is needed.

Then there is the longer term question, which is just the huge risk. Let us say the coalition retakes the port area. It would have to quickly reestablish a scalable humanitarian system where it could distribute aid to the rest of the country, because that would be needed immediately. This is the lifeblood, as I mentioned, of the aid getting into the country. So we would be taking a significant risk on the coalition's ability to scale up its humanitarian capacity.

And also, as I said, to ensure that the coalition, if it was retaken, did not use a strategy of punishing the north and Sana'a—remember, Sana'a would still be under Houthi control, and so it would require the coalition generosity to ensure food and aid transport.

Senator CARDIN. Thank you.

Mr. Ambassador, I want to get your view as to how we change the equation. The only way we are going to be able to get a negotiated settlement on the civil war is to get the Houthis and the Saudis to be able to sit down and really negotiate the terms of a future for Yemen.

How do we change the equations for the Houthis and for the Saudis so that becomes more of a reality?

Ambassador FEIERSTEIN. Senator Cardin, a few things that I would like to say.

One, I would take a little bit of issue with my colleague Dr. Rand on the issue of—

Senator CARDIN. You might want to use your microphone.

Ambassador FEIERSTEIN. I would take a little bit of issue with Dr. Rand's comments on Hodeidah. I think, actually, if successful, a coalition victory in Hodeidah would not only facilitate the delivery of humanitarian assistance to what is 75 percent or 80 percent of the population of Yemen in the northern part of the country, but it would also change the equation somewhat and increase the pressure on the Houthis and Ali Abdullah Saleh to agree to a political way forward.

I do believe that we should support the United Nations efforts to resume. As you probably know, Secretary General—

Senator CARDIN. What will change the Houthis' equation? I mean, they have the support from Iran. They have geography. What changes their equation here so it is in their interest to sit down?

Ambassador FEIERSTEIN. Several developments have occurred in recent weeks. One is that the coalition has succeeded in capturing the Port of Mocha farther south in the country, and it is increasing its control over the Tihama, the Red Sea coast, which has restricted the flow of weapons into the Houthis and Ali Abdullah Saleh, which was mostly coming across the Red Sea from Somalia, being smuggled in. And so there has been some limitation on the ability of the Houthis to maintain their military pressure and presence.

I think that the key thing is to demonstrate, particularly to the Houthis, that, in fact, there is no military objective, there is no military end to this conflict, and that they are best to try to secure a negotiated settlement.

Senator CARDIN. Who is the best person? How do you convince them of that? They are not going to listen to the United States.

Ambassador FEIERSTEIN. No, they are not.

Senator CARDIN. So how do we change the equation?

Ambassador FEIERSTEIN. Well, I think that support for the United Nations—and, again, I think as we have all noted, including yourself, there was some optimism last year.

In fact, there was a period last spring where people felt that there was movement on the political negotiations.

Senator CARDIN. Let me ask you one last question. How do we change our—how do we influence the Saudis to be more aggressive to pursue peace? We have a lot of engagement with the Saudis. We have leverage. We are their partners. We are their supporters. How do we use that to get more interest in a negotiated settlement?

Ambassador FEIERSTEIN. First, I would say that, in terms of the premise of the question, my own experience, my own conversations with the Saudis, I do not think we need to do a lot to convince them.

I think the Saudis would be desperate to get out of this conflict. It is costing them huge amounts of money. It is costing them tremendous reputational damage around the world. I do not think that there is any question that the Saudis would like to see an end to this conflict under the right set of circumstances. The right set of circumstances means that they have to be confident that there is a friendly government in Sana'a.

We can achieve that through the United Nations negotiations, through an agreement on the basis of U.N. Security Council Resolution 2216, which would allow for a negotiation and the installation of a new interim government that would maintain that kind of balance.

And I think that the other key point—there are two other key points. One is that we are going to all depend on the Saudis after this conflict is over to take the lead on the reconstruction of Yemen. Nobody else is going to do it except Saudi Arabia.

And therefore, there is a strong argument to be made that we need to make sure that the outcome of this conflict is one that the Saudis believe defends or protects their vital national interests, the security of the border, and a friendly government in Sana'a.

The second point is that, as I think several of my colleagues have mentioned, the nature of the conflict has metastasized. It is not simply a conflict anymore between the Houthis and Ali Abdullah

Saleh on one side and the government and their coalition partners on the other side. It is, in fact, now a tribal conflict in many areas of the country.

Al Qaeda has, as Mr. Joscelyn pointed out quite correctly, Al Qaeda has succeeded in putting roots down with tribes, not necessarily because the tribes share ideological views with Al Qaeda but simply because Al Qaeda is seen as a supporter of Sunni Arab, Sunni tribal interests versus the Zaidi Shia Houthis, and, therefore, that they are a source of support even if the tribal elements do not agree with global jihadist tendencies in Al Qaeda.

So it has become a much more complicated conflict.

Senator CARDIN. Thank you.

The CHAIRMAN. I would just ask, we have a vote at noon, and I know people are very interested in the hearing, so if we could have the time for the answer during the 5-minute period, that would be great too.

Senator Paul.

Senator PAUL. Thank you, Mr. Chairman.

And thank you to the panel for coming today.

The United States has the technical ability to kill anyone, anywhere, anytime. But just because we can does not mean we should. And I think we do not have enough discussion about the practical ramifications of whether or not we kill more terrorists than we create.

I think Yemen is a perfect example of this. We are supplying Saudis with bombs, refueling the planes, picking the targets. I assume that we did not pick the target of a funeral procession. But we wounded 500 people, and 140 people—I say “we.” The Saudis did it, but with our armaments.

You think the Yemenis do not know where the bombs are coming from?

We recently had a raid—and I do not blame our soldiers. I mean, I have members of my family who actively serve. They do what they are told.

But we are the policymakers. I mean, we sent them into Yemen. I still have not been told why we went to Yemen. Someone has to make a decision.

Did we, in killing a few of the Al Qaeda in that village, was that worth the fact we had to kill women and children, or women and children were inadvertently killed in that, including an American citizen?

So I guess my question to Dr. Rand is, do you think we are adequately weighing whether we are creating more terrorists than we kill, whether we are doing more good than we are doing harm, whether we are safer or more at risk?

I think your testimony was at least reasoned in the sense that, will we be better off? Yes, we can take a new port in Yemen. We can do anything. But in the end, will we be safer or better off if we continue the way we are continuing?

Thank you.

Dr. RAND. Thank you, Senator. Let me address two parts of that question. It is an excellent question.

On the issue of the CT raids, look, kinetic strikes are the way that this previous administration has fought the CT threat. The

issue, as the Ambassador mentioned, is the national security process that adjudicates and assesses and analyzes the costs, so the reputational costs, the public opinion costs, the policy costs, brings in the State Department, brings in the experts to really look through the military plan.

So this sounds really wonky and bureaucratic, but it is really important that, for this type of CT process, there is a real bureaucratic process in place. And I think that addresses some of the risks and tradeoffs you mentioned on the CT side.

On the Houthi side, you are absolutely right. You know, in IHL issues, international humanitarian law, there are strikes that can be lawful in the sense that they are proportionate and discriminate, but they are not wise.

And that is something that our targeters in Afghanistan learned when they were fighting a counterinsurgency. Generals McChrystal, Petraeus, et cetera, they learned that, in fighting insurgents, you need to pick your targets really carefully, because you are focusing on the hearts and minds.

Senator PAUL. And I would like to follow up really quickly with one additional question.

There are those who argue that, in Syria, by getting involved in a Syrian civil war and pushing back Assad, that there was a vacuum created, and the vacuum was filled by ISIS. There are some who argue that the same could happen in Yemen. By getting involved in a civil war where we push one side or the other, that a vacuum will occur. And within that vacuum, Al Qaeda may be strong enough to fill that vacuum.

Do you think we are adequately, Dr. Rand, assessing the potential that we are doing more harm than good by being involved in a civil war?

And then for some reason, it was said that the person that was the target in the Yemeni raid was actually fighting against the Houthis, so not really our ally but also he was fighting the common enemy. Are we really adequately understanding that, out of this mayhem, that perhaps Al Qaeda grows stronger?

Dr. RAND. Exactly. That is exactly the point. There are these two discrete battlefields. There is our fight against Al Qaeda, and our partners are joining us in the fight. And then there is the internal Yemeni conflict.

The problem is, if you are in Yemen on the ground, you cannot differentiate always, and it is easy, as I said in my testimony, my written testimony, just to blame America. You know America is involved.

And so, in both cases, this is adding fuel to the fire. That is why I respectfully disagree with my colleague about the value of a new offensive.

We have already tried for 2 years a strategy of offensives to retake areas to allow for the political dynamics to change. And there are significant costs to our relationships, to the civilians of Yemen, to our reputation. We have tried that approach for 2 years, and I just do not believe that the risks are worth it anymore.

Thank you.

The CHAIRMAN. Thank you.

Senator Shaheen.

Senator SHAHEEN. Thank you, Mr. Chairman.

And thank you all for your testimony.

Al Qaeda in Yemen has been described to me as the biggest threat to the American homeland that exists right now.

Do you all agree with that?

Mr. JOSCELYN. I think it is part of a big threat from Al Qaeda to the U.S. homeland. It is not the only part of Al Qaeda. It is integrated into Al Qaeda's external operations, which cut across several different countries.

Senator SHAHEEN. And you would see it as a bigger threat than ISIS?

Mr. JOSCELYN. I think, the way I put this, Senator, not to be too crude, ISIS is the one that wants to basically stab you in the front. Al Qaeda is the one that wants to stab you in the back. And what they are doing in Yemen, and what they have been doing across several countries, is laying plans for possible attack in the U.S. or elsewhere against Americans.

Senator SHAHEEN. Dr. Rand, do you agree?

Dr. RAND. Between Al Qaeda in the Arabian Peninsula and ISIS, the question is, are there American citizens on our homeland that are their highest priority target? And we know that Al Qaeda in the Arabian Peninsula is trying to target Americans, so I would have to say yes.

Senator SHAHEEN. Ambassador.

Ambassador FEIERSTEIN. I would say that, at this particular juncture, Al Qaeda in the Arabian Peninsula is not in a position to launch global attacks. They are not in a position to strike at the United States.

The last time Al Qaeda in the Arabian Peninsula attempted that was in 2010 with the cartridge bomb effort. Since then, they have not been able to re-create themselves, resurrect themselves.

I think that they have that ambition, but as long as a conflict is going on, the ability to actually do that, I think, is limited.

Senator SHAHEEN. But my understanding is that the cartridge bomber responsible for that bombing attempt is still there and he has not been eliminated.

Ambassador FEIERSTEIN. Yes. Mr. Asiri, who is the bombmaker for AQAP, as far as we know, is still in Yemen.

Senator SHAHEEN. Given that, it is hard for me to understand how we can address that threat, if we are not fighting back against Al Qaeda where it exists.

Ambassador FEIERSTEIN. I absolutely agree. I think that we need to, but, again, within a context.

The thing that I think is most important is that the Yemeni people understand who is Al Qaeda and they understand who is not Al Qaeda.

As long as they see that the targets that we are hitting are Al Qaeda, that the people that we are going after are legitimate Al Qaeda targets, I do not think that we have a big problem with the Yemeni populace. I think that they are supportive.

Where we get into trouble is when we are the source of collateral damage. And I agree entirely with Dr. Rand that this is where the issue is and why it is so important that we be careful about identi-

fyng targets and making sure, before we go after a target, that we can do it without causing unnecessary collateral damage.

Senator SHAHEEN. Thank you.

Are we seeing any evidence of Russian engagement in Yemen?

Ambassador FEIERSTEIN. Historically, the Russians have been good partners for us in Yemen. They were very much involved in the effort in 2011 and 2012 to advance the political transition plan. They continue to support the U.N. process. Of course, they voted in favor of U.N. Security Council Resolution 2216.

They kept their embassy open in Sana'a, unlike the United States, and they continue to be engaged.

I think that they are somewhat more supportive of Iran and of some of the things that are going on these days than we are. But on the other hand, they are still supporting the political process.

Senator SHAHEEN. Anybody disagree with that?

And given Iran's support for the Houthis, is there any reason to think they are going to be interested in seeing a peace negotiation anytime soon? Anybody?

Ambassador FEIERSTEIN. For Iran, this is still a cheap win for them. So unless the larger regional dynamic changes, they really have no particular interest in seeing an end to the fighting in Yemen.

The issue is whether, for regional reasons, they decide that they would like to improve their relationship. We have seen, over the last few weeks, President Rouhani has traveled through the gulf. The Foreign Minister of Kuwait has visited Tehran. So there is some indication that perhaps they would like to see a change in the nature of their relationship with the region, perhaps as a way of diffusing U.S. pressure. And that could change. But otherwise, I do not see reason for them to change.

Senator SHAHEEN. So should we be providing weapons to the Saudis that allow them to better target their raids in Yemen? Again, anybody.

Ambassador FEIERSTEIN. I would say, from my perspective, absolutely.

I do not understand why, if you are concerned about Saudi actions causing collateral damage, you would limit the ability of them to acquire the kinds of weapons that would limit collateral damage and would allow them to be more accurate.

Dr. RAND. Sorry, I think I would disagree on that.

The Obama administration oversaw the transfer of \$110 billion worth of FMS. Saudi Arabia is the largest recipient of FMS sales in the world right now, thanks in large part to the Obama administration support for this ally.

In 2015, the U.S. Government offered technical training on cyber, ballistic missiles, border security, counterterrorism, and maritime security. The U.S. Government has been an incredibly good and supportive partner to Saudi Arabia.

Senator SHAHEEN. I agree, but they have not allowed for the transfer of weapons that would allow them to better target what they are trying to hit.

Dr. RAND. The precision guided munitions were transferred in 2015 on the hopes that, indeed, as you are saying, Senator, they

would enable better and more precise targeting by the coalition of the targets itself. That was the theory. That was the argument.

The State Department, our teams, came here and told your staff that in 2015, that the precision guided munitions in 2015 would help their targeting. You agreed, after some discussion.

The CHAIRMAN. Without giving a history, just give an answer, if you would.

Dr. RAND. Sure. What we have seen since is not an improvement in the targeting, and the issue itself is the target selection. It is not the precision of the target itself, but it is the choice of targets and adherence to no-strike list.

Thank you.

The CHAIRMAN. I would disagree with that assessment, but everybody has their own opinions.

Senator Risch.

Senator Risch. Thank you.

As we sit here—first of all, all of you have been very good, I think, as far as describing the problem there. Most of us, I think, are aware of that.

The view is very pessimistic. I mean, I have not heard any of you talk about a quick resolution to this or even a path toward certainty in getting the thing resolved. I am certainly not chiding you for that. I mean, this is difficult.

The parallels here to Syria are really pretty striking. You have a government that failed, to a certain degree. And you have warring factions, basically two overall.

But that really does not tell the whole story, because there are so many of these underlying conflicts involving the tribes, and involving other foreign nations involving themselves in this fight, and all have their own reasons and their own purposes. And so the parallels to Syria are, to me, very, very close.

In that regard, the solution, whatever that might be, also is a parallel. But, Ms. Rand, with all due respect to your description of it, your description is a description that would fit in a perfect world. And, you know, you slap them alongside the head, sit down at the table, resolve your differences, and let us get on with life. And that kind of falls in with what we as Americans always do, and that is try to think about resolution the way we would think about resolution, and they are not there.

A good example of that is the Iranians. I mean, the Iranians could bring this thing to a screeching halt pretty quickly if they pulled the carpet out from under the Houthis, not completely, but it would certainly weaken the Houthis tremendously if they were not provided weapons.

But is there anybody in this room that thinks the Iranians are interested in resolving this? I mean, this is perfect for them. You know, they are able to fight this proxy sort of war with us and with the West, and do it pretty cheaply, as has been indicated here.

So I do not know. Number one, I am very pessimistic about it. Number two, I have not heard anything that talks about really a practical solution to this. And, unfortunately, the thinking about it makes you come to the conclusion that this is a Rubik's Cube that is missing some parts and really cannot be resolved, just like the situation we have in Syria.

So, Mr. Joscelyn, I am going to let you comment on that first.

Mr. JOSCELYN. Well, you know, there are actually—Senator, I agree with a lot of what you just said. And to Senator Cardin's point earlier, he was asking for sort of creative solutions to the conflict, there are two things on the Houthi side that have to be understood.

It is not just Iran that is backing the Houthis, but also President Saleh's network in Yemen that plays a key role in this. In 2014, he was designated by the U.S. Treasury Department for his support for the Houthis. In 2015, his son, a former high-ranking military official in the Yemen military, was designated by the U.S. Treasury Department as a key sort of force multiplier for the Houthis. They bring with them a tribal infrastructure within Yemen that is playing a big role here.

Now what you have to understand is that he is not a natural ally necessarily to the Houthis. He and his forces fought them in the past. And there is possibly, I do not know, I am not making a prognostication here, but if you want a creative sort of idea to maybe start trying to unwind this whole thing, he does not want to necessarily serve Iran's agenda in Yemen. His objectives are not necessarily in lockstep with Iran and what they want to do. He wants power inside Yemen. He wants his family to have power inside Yemen.

To start a diplomatic initiative or other talks to maybe start peeling him away from the Houthi insurgency or to sort of recognize that you are not going to end his interests overnight, I am not saying that is easy. I do not even know if it could be done. But at least it is a creative start to this, instead of just seeing the Houthis as solely sort of dependent on Iran.

Senator RISCH. But if you resolve it without him, he is not going away.

Mr. JOSCELYN. Right, that is my point.

Senator RISCH. And that does not resolve the conflict.

Ms. Rand, 30 seconds.

Dr. RAND. I would agree. You know, look, the intransigence is coming from both sides.

In fact, the proxies probably are more flexible. The Saudi Arabian Government, as the Ambassador said, is probably willing to make a deal and to compromise. The Government of Yemen has shown some intransigence, and the President's forces, President Saleh.

I think there is room for trade space. I think, in the last 6 months, there have been really good back-channel efforts that came really close. There was a step-for-step approach that Secretary Kerry used that was very promising, that moved beyond the 2261 formula.

So there are creative efforts that have been underway. And the cessation of hostilities for 3 months really was an effort at real negotiations and did mitigate the violence in a way that served U.S. interests.

Senator RISCH. My time is up. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you so much.

Senator Menendez.

Senator MENENDEZ. Thank you, Mr. Chairman, for calling another important hearing.

Once again, I just want to echo that I appreciate the expertise of this panel. And out of safety for our diplomats abroad, we do not have an operational Embassy in Yemen because, obviously, the risk, in which our Foreign Service and diplomatic professionals would have to work.

However, while we do not have an Embassy, they can communicate and execute American foreign policy, but they need a policy to execute. And as we increase military operations in Yemen, it seems to me that we must insist upon policy leadership from the State Department.

Airstrikes are not a policy. Intelligence-gathering operations are not a policy.

Al Qaeda in the Arabian Peninsula remains one of the most dangerous terrorist offshoots of Al Qaeda. And whatever the scope of its intentions, Iranian support for terrorist networks is achieving, at the very least, an objective of continuing destabilization of the Arabian Peninsula.

Now this committee is tasked with overseeing the administration's foreign policy agenda, the objectives it makes to accomplish that objective and that agenda, and the execution of those objectives. So as much as I respect and admire the men and women serving in these operations and the civilian leaders that are ordering them, we cannot cede foreign policy decision-making to the Department of Defense or the Intelligence Community. And the sooner that we get there, the better off we will be.

However, with that in mind, I do want to take advantage of your expertise. I know that you have talked somewhat about Iran here. I would like to—in essence, I heard differing views.

What is Iran's endgame as it relates to Yemen? We know that Iran has transferred sophisticated weapons, provided some support to Houthi fighters. Many experts say that the Iran-Houthi relationship is not the same as the Lebanese Hezbollah, Assad in Syria, or Shia militias in Iraq.

But what are the end goals of Iran in Yemen? Could any of you speak to that?

Ambassador FEIERSTEIN. I would have to say that, from our experience, what Iran would see as a good outcome would be either a government in Sana'a that was friendly to them and provided them with opportunities to bring in people, to bring in more weapons to challenge Saudi security, or, at the very least, a continuation of the instability in Yemen that allows for them to continue to undermine Saudi security and to pose threats to the border region.

I think that one of the things that we have seen over the course of this conflict, and especially in recent months, is that the Houthis have focused a lot of their energy and effort on launching missiles inside Saudi Arabia—the missiles that they are being provided by the Iranians now are longer range and more threatening to Saudi populations—and also to cross the border and seize territory in ways that are difficult for the Saudis to respond.

So I would think that, for the Iranians, a continuation of that, if not absolutely an improvement, would be a real objective.

Senator MENENDEZ. So a general distraction that distracts gulf countries' attentions from other objectives then?

Ambassador FEIERSTEIN. And threatens Saudi Arabia. I think, from a Saudi perspective, what they see is a pattern of Iran trying to establish an encirclement of the Arabian Peninsula, so not only in Yemen but in Bahrain, in Syria, in Iraq, in Gaza. Initially, they made an effort to establish in Sudan.

So a whole range of friendly governments that, together, can be a threat to the security of the peninsula.

Senator MENENDEZ. Any other views? Dr. Rand?

Dr. RAND. I would agree that that is sort of the endgame. I would note that the defeat of the Houthis, per se, through an offensive or otherwise, would not be as hard of a blow to Iran as, for example, a loss of power by Hezbollah, the KH in Iraq, other groups that you mentioned. They are less core to Iranian national security.

So the flipside of what you said is also that the defeat of it is less central. It would not really knock them down in their regional ambitions in the same way. In fact, the concern that I have had in the past couple weeks is the new administration's support for Hezbollah in Syria that is doing the actual fighting on behalf of the regime in Damascus. That really empowers Iran because Hezbollah is really on the frontlines. Hezbollah and IRGC re-took Aleppo, essentially, and that has given them a certain amount of prestige in the Sunni-Shia confrontation.

So I am watching that as more of a concern, in terms of Iran's regional growing prestige in the region.

Senator MENENDEZ. One last question. The flipside of that, what is the endgame for the Saudis?

Ambassador FEIERSTEIN. I think the endgame for the Saudis is a friendly government in Sana'a, and one that, again, can work with them to ensure security of the border region, push back against the Iranians.

And also I think, increasingly, as this conflict has gone along, we have seen both among the Saudis and the Emiratis a new appreciation of the threat of violent extremism, of AQAP, and a greater willingness on their part to really partner with us in effective ways to contest it.

The CHAIRMAN. I want to respond to your opening comment, not to counter it in any way.

We do need people in positions here, and, hopefully, they will be filled soon. I would just add, though, that I met this morning with our National Security Advisor and talked to General Mattis yesterday. And I think you know I spent some time with Tillerson last week.

I actually think we have an opportunity as a committee that I do not think has existed for a decade, not since I have been here, where we have an opportunity to develop with them a longer term strategy as it relates to the Middle East and other issues that has not existed. So I do not get the sense at all that the State Department, these things that you are reading about—Tillerson has dinner with the President every week, talks to him multiple times each day.

I think what you are seeing instead is Mattis and Tillerson having a commitment that nothing comes to the National Security Council without them both agreeing in advance before it occurs.

So anyone who may fear that we are exporting foreign policy to the Defense Department, I do not see that happening at all. It is my goal to ensure that that does not happen.

And it is also my goal that this committee, Republicans and Democrats, are intertwined in this policy developing like we have never seen before, since most of us have been here. I believe that is going to be the case.

And I do not see that to counter what you are saying.

Senator MENENDEZ. No.

The CHAIRMAN. I think we have a tremendous opportunity with people who are new to this who are reaching out in developing their policies.

Senator MENENDEZ. Mr. Chairman, may I just respond, since it was in response to my comments?

Let me just say that I appreciate that you are speaking to the NSC and to the Secretary. The problem is—and I appreciate the possibility of the committee playing an even more significant role.

The problem is that, for those of us who do not have necessarily that line of communication, this whole other level of individuals would provide a basis for which that engagement could take place. And it is only in that sense, I think I want to echo the ranking member's comments, that, generally, unless we have a flame-thrower, we have been pretty bipartisan in moving out nominations in this committee.

So I am just hoping for that moment, so we can have a greater opportunity.

The CHAIRMAN. I could not agree more. I am in no way dissuading that thought. I could not agree more.

Senator Rubio.

Senator RUBIO. That is a great conversation. Actually, it is part of a broader situation that involves Yemen, and that is my hope that the National Security Council will move back to its original role, which is to be kind of an internal think tank that develops strategic views of every region in the world, and then, you know, it is the State Department, in consultation with the State Department, the Department of Defense and others, to carry out the appropriate strategy but also the tactics.

So many of our debates in this committee, so many of our debates in Washington, have been tactical. Airstrike or no airstrike? Arm or do not arm? But sometimes we feel like it is not in the furtherance of a strategy.

So this is an important part of that. This conversation, I think, calls that to light. You know, what is our strategy with regards to Yemen? And I think that should be driven by our national interests, which I do not think anybody on the panel would disagree are twofold.

One is the counterterrorism aspect of it. From everything I have seen, and testified here today, Al Qaeda in Yemen is the new Fatah in many ways. It is now the core area where you see Al Qaeda actually being able to prosper, create anchor, and establish. And they

have deep links to Yemen that go back a tremendous amount of time, and they take advantage of an ungoverned space.

So that is first and foremost. We do not want Yemen to be an ungoverned space, because ungoverned space is the breeding ground for Al Qaeda and ISIS before them.

And while it seems that Al Qaeda has historically been very patient in pursuing the sort of state functions that ISIS immediately embraced, they have had ambitions to do that, and Yemen sounds like a pretty good place for them to try to do it.

In fact, they did try to do it until very recently and have proven to be enduring in their desire to, at some point, peel back and reconstitute at the appropriate time.

So that is our first interest. And the other, which we should not ignore, is the question that Senator Menendez has asked, and I know a lot of people at have asked, and that is, what is the Iranian intention in the region?

So there is all this discussion about, are the Houthis under the command-and-control of the Iranians? I would not judge whether or not they are a proxy simply by whether they are command-and-control, because I would argue that, over the last 5 years, Hezbollah's relationship with Iran has strengthened and grown as a result of functionality. The more capable they have proven in Syria and other places, the stronger that link has become.

But this is the Iranian strategy. They are not going to build 10 aircraft carriers to try to match us. They are going to seek asymmetrical ways to influence the region and pursue their ambitions. Some of it may be through someone they are very closely linked with. Others may be through these entities that they use as second proxies.

But in the case of the Houthis, I do not think there is any debate that they are receiving a substantial amount of assistance from the Iranians and that the level of assistance immediately correlates into actions. In essence, the lethality and the volume of attack that they have undertaken is in line with the amount of support that they have received.

And we have seen open-source reporting on IRGC officials being captured and killed. They are there. They are on the ground in the furtherance of this strategy.

So as I hear all this conversation about a negotiated settlement, I do not think that, in the Iranian view of the world—a negotiated power-sharing agreement sounds really good in the halls of Western diplomatic conversation. But in Iranian geopolitical views, they would probably prefer the situation that is there now than they would any sort of power-sharing.

They are not involved in this because they are concerned about ethnic minorities not having a voice in government. They are involved because they see the opportunity to create a beachhead of influence neighboring on the periphery of who they view as their strategic rival for dominance in the region. And they want this to be protracted.

And even if you could find a bunch of people among the Houthis that are willing to be involved in some power-sharing, Iran will always be able to find some element in Yemen willing to accept weapons, because it is tempting to have that level of power. In

some parts of the world, the more weapons you have, the more powerful and influential you become.

And that is why I am not against diplomacy. I think diplomacy is important. And I think if we can figure out a negotiated settlement that brings this to a peaceful conclusion, we should pursue it.

I just hope we do not put too many eggs in that basket because the people that are fueling this on the Iranian side are not that big on negotiated diplomatic Western European models of diplomacy. They view this as a geopolitical opportunity to destabilize the region for purposes of being able to leverage Saudi Arabia and the United States as a base of operation.

And if it happens to have the side effect of Al Qaeda building, well, that is an additional thing that they think is great in terms of sapping our resources.

So I just said a lot of different things about this whole dynamic, because I think it is important that we start talking about, as the chairman just said, the sort of strategic view that they are trying to undertake in consultation with the State Department and Defense and everybody else.

We debate a lot about tactics.

The CHAIRMAN. We do.

Senator RUBIO. But if tactics are not driven by strategy, then they are not nearly as effective, and we kind of have to start and stop.

By the way, it helps with our allies.

In the minute I have left, the question is this. Irrespective of what we may think about what the ideal solution is, which is this big peace treaty where everybody sits down and shakes hands, they have a government and everybody is happy with it, the Saudis are going to pursue their national interests with or without us. And their national interest, in their mind, is ensuring that there is not an Iranian influence of any sort on their periphery.

And, therefore, my question is this. Irrespective of what we do, the Saudis are going to continue to do what they believe is in their national interests, with or without our guidance, in terms of carrying out the military components of this. Am I wrong in saying that?

Ambassador FEIERSTEIN. No, sir. You are 100 percent correct—

Senator RUBIO. Those are my favorite answers, when people say that.

Ambassador FEIERSTEIN. —in all of your comments.

The one thing I would say, of course, is that, as you looked at the counterterrorism priority that the United States has, and as you look at the reality of the geopolitical situation, these two things are in conflict.

Our interests, and the Saudi interest, is in enforcing a resolution, a political resolution, to this conflict that allows you to have a government in Sana'a that can partner with us effectively and begin to push back on the CT threat.

Senator RUBIO. But also on the Iranian efforts.

Ambassador FEIERSTEIN. Absolutely.

The CHAIRMAN. Thank you both.

Senator Coons.

Senator COONS. Thank you, Chairman Corker. I would like to thank the chairman and ranking member, and the panel, for this important hearing.

And I am going to simply try to extend the conversation that you were just having with Senator Rubio, who I think correctly perceives what is Iran's goal here, which is a relatively low-risk, low-cost to them opportunity to continue to harass and provide pressure on the kingdom and to destabilize the region.

Let me just move to a related question that was touched on but that I would like to better understand. We have a significant humanitarian crisis here. You have nearly 7 million Yemenis in need of immediate food aid, and nearly half a million children, according to UNICEF, suffering from acute malnutrition.

What have we accomplished with our humanitarian aid so far? And what would cuts in our contributions to the United Nations and to USAID funding do in terms of its impact on the course of all the need for humanitarian assistance?

And is there a way that our humanitarian assistance, either through the U.N., or directly or indirectly the World Food Program, can contribute to our strategic objective, which is, frankly, to dull the influence of Iran, to provide some space between Iran and the Houthis, and to achieve some sort of reconciliation or stability in Yemen?

Dr. RAND. Thank you, Senator, for a good question.

Our humanitarian assistance has been very, very important, combined with our diplomatic efforts multilaterally with many, many partners who contributed. I mentioned UNVIM, which is the U.N. mechanism that is allowing the aid to be dispersed. It is very complicated. It is a battlefield, you know. And it has helped the aid organizations distribute.

So the U.N. has been a critical partner and has helped essentially, so we could not do this without the United Nations, to answer your question.

In terms of using aid and assistance to drive a wedge, the hearts and minds of the Yemenis are being shaped by the airstrikes, to some extent. So, you know, they are angry because they see sorties overhead that are dropping bombs on their communities for whatever reason. And this is particularly true in the Houthi-controlled area.

So I do not necessarily believe that absent the end to the airstrikes, just a strategy focused on aid alone would win the hearts and minds, and bring back the views and the political sentiments of those in the north and the west of the country, or Sana'a, to change their minds.

Senator COONS. Ambassador.

Ambassador FEIERSTEIN. I think I would disagree a little bit with that.

I think that, again, not to beat a dead horse too much, but if we can get Hodeidah operating again—there has been a great deal of damage to the port. The ability to bring humanitarian goods into the port has been limited because of damage from airstrikes.

If we can get the port functioning 100 percent and be able to deliver humanitarian assistance, the United States is the number one

supporter of United Nations humanitarian assistance. It is incredibly important.

Based on my own experience, I would be a little bit cautious about assuming what Yemenis think or how upset or angry they are about things—I think Yemenis are pragmatic and practical people, and that if we can begin to address the humanitarian crisis, that we could make important steps toward creating an environment that is conducive to a longer term, sustainable political solution.

Senator COONS. Thank you.

If I could just ask Mr. Joscelyn the last question. About the connection between the Houthis and Iranian control or direction, do you think the American response to Houthi attacks on the USS Mason in October of last year were sufficient to deter future attacks of that type? And what role does Iran play in directing the Houthis to launch maritime attacks off the Red Sea coast?

Mr. JOSCELYN. You know, it is a great question. There is not a lot of specific intelligence on how much direction Iranians are actually giving the Houthis. There is a lot of evidence on the output side, sort of what we can see, weapon shipments and that sort of thing.

My main concern about the relationship is that the Iranians will try to procure assets within the Houthis, who became more friendly to them over time. Again, they are not a Hezbollah type situation where they are a directly owned proxy of the Iranians. But the Iranians are using this conflict to probably convert people within the Houthi world to basically their cause in the long run.

I do not know how much direction they did or did not give to these specific attacks on the ships.

In terms of being sufficient, since we have seen attacks on other ships since then, it has not dissuaded them from attacking other ships, including from other countries.

Senator COONS. What more could we be doing to effectively intercept or deter weapons shipments or transfers from Iran or from Iranian agents to the Houthis?

Mr. JOSCELYN. The bottom line is that, if you look back through all the reporting, the U.S., Australia, France, there have been numerous ships sort of intercepted by the sort of world community going into Yemen.

The only part of the game, I mean, I think there is already a massive effort to do that in sort of the sea shipping lanes. The key is going to be on the ground, in terms of where the weapons go once they get in, because you are not going to stop all the shipments, and we have not stopped all the shipments. And again, without sort of building up capacity, governance capacity within Yemen to actually stop that, there is no way to get at it.

Senator COONS. Thank you very much.

Senator RISCH. [Presiding.] Senator Young.

Senator YOUNG. Thank you.

I thank our panel for your compelling testimony. I want to pick up where Mr. Coons began, which is the humanitarian crisis.

Mr. Feierstein, you cite some really sobering numbers from the United Nations Office for the Coordination of Humanitarian Affairs. They reported over 3 million of Yemen's 27.5 million citizens

have been internally displaced by the conflict. Over half the population is considered food insecure. And you warn that famine and epidemics of disease may be on the near horizon.

Dr. Rand, I think you cited the U.N. assistance and how critical it is. In fact, a tweet came out from UNICEF within the last 30 minutes indicating that 5 million children were vaccinated against polio in their door-to-door campaign, so more children have actually died from preventable diseases than those killed in the violence.

In addition to the political conversations that we will need to continue to move forward to bring this conflict to an end, on the humanitarian end, what more might be done by USAID, by State, or by our multilateral institutions to create an environment where those negotiations just might be more effective?

Dr. RAND. Thank you, Senator. That is a great question.

Again, it is the access that is the key issue. Unfortunately, in parts of this conflict, particularly in the first year or so, the access by the humanitarian organizations to the ground—that is what I am talking about.

Senator YOUNG. So you are talking about Hodeidah.

Dr. RAND. Hodeidah into the country—

Senator YOUNG. Right.

Dr. RAND. —and the distribution networks.

Senator YOUNG. Right.

Dr. RAND. It was highly politicized, in the sense that the different combatants were politicizing aid against international norms. Humanitarian is supposed to be apolitical, as everyone else.

So the really important part here is that all the parties to the conflict agree to a very objective, nonpolitical distribution system. And that is why I am less sanguine about an offensive in Hodeidah, because the short term would be very dramatically dissuading of the humanitarian organizations to come in. In the long term, you are betting on a—

Senator YOUNG. So as a quick follow-up, is force or the credible threat of force necessary to change the dynamic and create access?

Dr. RAND. I do not think you need credible threat, because, again, it is commercial assistance. What you need is confidence from the shippers that they cannot get into Hodeidah and offload their goods.

Senator YOUNG. But they lack confidence, so how do we change that dynamic absent more leverage created, to my mind, by a credible threat of force or some other means? Perhaps you have other instruments. Any of you can speak to this.

Dr. RAND. The situation has improved greatly in the past year—

Senator YOUNG. Right.

Dr. RAND. —compared to the first year of the conflict, so the trend is upward. So what I am worried about is a new round of fighting.

Senator YOUNG. Okay.

Mr. JOSCELYN. Yes, I would just say, again, Hodeidah was damaged. All of the gantry cranes that operate in the port were damaged in airstrikes. Gantry cranes are pre-positioned in the region.

If the port were in the hands of the government and the coalition, there should be, as part of any initiative, as part of any U.S.

support or advice and support of a Hodeidah operation, there should be a clear understanding that the urgency and the most immediate decision after success would be bringing in the new gantry cranes, getting the port operating at 100 percent of its capacity—it is not right now—with also the understanding that the coalition would support the reestablishment of the distribution networks. I agree with Dafna on that point.

Senator YOUNG. If I could interject, it sounds as though putting forward a coherent plan—

Mr. JOSCELYN. Absolutely.

Senator YOUNG. —as to the support that will be forthcoming could well be enough to create confidence and improve the situation. Is that correct?

Mr. JOSCELYN. I think that is absolutely correct.

Senator YOUNG. Dr. Rand.

Dr. RAND. I disagree because the actual fighting could take out some of the necessary infrastructure.

Senator YOUNG. Yes.

Dr. RAND. So you could be set back by months. Really, the actual dropping of the bombs could take out some of these cranes and some of this infrastructure, to make it really impossible.

Senator YOUNG. Okay. If you have any supplementary comments, please—I will actually seek those in writing.

A shout-out to UNICEF. We criticize the U.N., I think appropriately in a number of occasions. There are doing some good work over there.

Very briefly, Mr. Joscelyn, with frequent respect to AQAP funding, you mentioned their fundraising apparatus. You cite their fundraising from gulf countries.

Could you speak fairly quickly to the source of that funding, private versus governmental? And more importantly, if you have any thoughts on specifically what more might be done to staunch the flow of funds to AQAP, please advise.

Mr. JOSCELYN. Well, AQAP has basically evolved sort of multiple sources of funding when they controlled much of southern Yemen from April 2015 to April 2016. They even collected upwards of \$1 million to \$2 million a day in taxes in the Port of Mukalla, according to press reports anyway. They have numerous sources of funds.

But if you look back at the U.S. Treasury Department, they have actually targeted a network inside Yemen, a banking network that is de facto run by AQAP. And it is tied to false charities that are taking money in from gulf donors, and they are basically funneling this money through the banking system.

I would look very carefully at those designations by the U.S. Treasury Department and actually connect the dots a little bit on what they say, because it exposes the fact that the AQAP to this day has a sort of very significant fundraising apparatus that goes throughout the gulf.

Senator YOUNG. Thank you.

Senator RISCH. Thank you. I am going to ask, we have two left to ask questions, and we have a vote coming up pretty quickly, so I am going to ask if you can keep your answers to the point where we can stay within the 5-minute round. I appreciate the fact—I

know I am usually on the end of the line myself, so I can appreciate it.

But this is an incredibly interesting discussion. Hopefully, there will be some questions for the record that you will be able to respond on.

Senator Murphy.

Senator MURPHY. Thank you, Senator Risch.

To me, American policy in the Middle East is a broken record, and the record is entitled, "Military Escalation." I have sat through this hearing over and over and over again with respect to U.S. policy in Iraq, U.S. policy in Syria, U.S. policy in Yemen. We are told that just a little bit more military intervention will eventually create fertile ground for peace. And every time we are, essentially, wrong.

And so this is a deeply frustrating hearing to me, because it sounds like we are being asked to endorse, at least from one of our witnesses, a policy that we know fails—we know fails.

So I want to ask two questions. The second one will be on that topic.

But the first one is to you, Dr. Rand, to ask you to expand on your answer to Senator Shaheen with respect to targeting. So if you give the Saudis precision guided missiles, they may—may—be able to hit more accurately what they want to hit. And so the question is, what do they want to hit?

There is a new report from Amnesty International that the Saudis just recently, within the last 2 months, used cluster munitions in three residential areas. We know from reporting that they have deliberately targeted bridges that were on the no-hit list. Whether they deliberately targeted them or not, they have continued to hit civilian targets.

And the only reason to give them precision guided missiles is if we are confident that they are going to hit the right stuff and not the wrong stuff. And yet we have been told for 2 years that they are listening, they are getting better, and we get flooded with reports month after month that they are not getting better.

So just expand on your answer here, because if you are going to give them these weapons, you better be damn sure that they are going to hit the right targets and not purposely hit the wrong targets.

Dr. RAND. Thank you, Senator.

So, right, what I was trying to remind the committee was the history of this discussion and how the State Department had really made the argument persuasively 2 years ago that it was the precision of the guided munitions itself that we wanted to increase, and it was in everyone's interests and comported with our values to do so. And the committee listened in 2015, and we sent over a shipment.

We did not see a diminution in the sort of civilian casualties with the numbers but also the types of targets being hit.

The two things we are looking for—and I think it is clear that it is binary; you know when there is progress; this is not murky—is 100 percent adherence to the no-strike list that has been given to the Saudis and to other coalition members, and you can ask DoD to certify to you whether there has been adherence to this no-strike

list—it is black and white—and the application of the after action problems that the Saudis themselves found in their dynamic targeting.

So in August 2016, they did their own report based a lot on our diplomacy through the Joint Incidents Assessment Team, and they wrote about some of the challenges they were having in targeting.

So again, this is binary. Have they applied the lessons learned to the new targeting?

And I would just add that, in looking over the 2 years and charting improvements, because that is what you are asking about, is trends over time and where we have seen them go up and down, really, the only 2- or 3-month period that I saw some progress was after the White House in October 2016 had to raise publicly their concerns about security assistance. That deterred them. They were concerned. They heard that message. Although it was critical of an ally and a friend, it deterred and it sent some people really watching the practice.

Senator MURPHY. So, Ambassador, why not make that a condition of the sale? Why not say that if you are hitting things that are on the no-strike list, we stop the sale? They clearly have responded to pressure in the past.

And second, if this escalation does not work—your theory of the case is you have to press military advantage to get an opening for peace. The other theory of the case is that actually de-escalation can be a signal that you are ready to sit down at the table.

Two questions. Why not make that an explicit condition to the sale? And second, if this escalation does not work, is that the end? Can we then maybe try to pursue a policy of de-escalation?

Ambassador FEIERSTEIN. I would say two things in answer to your question, Senator.

One, unfortunately, and not only talking about munition sales or other kinds of sales to the Saudis, the reality is that as we have become more concerned about Saudi behavior and the military operations, we have actually pulled back on support. We are doing less for the Saudis, less with the Saudis today than we were at the beginning of the conflict.

We had General Mundy in the operations center working with the Saudis on a daily basis. We pulled that team out. We are giving less guidance, less assistance today than we have been in the past. And I think that that is hurting them, and it is hurting us. I would say that what we need to do is more engagement along those lines.

The other point that I would make is that I am not advocating an expansion of the conflict. In fact, what I would say is that, for the most part, we should be encouraging the Saudis and the coalition to adopt a more defensive posture to ensure that the Houthis and Ali Abdullah Saleh are not able to make advances. Except for the single instance of Hodeidah, and Hodeidah only because I believe it can be a crucial element of a humanitarian strategy, I think that we should not be encouraging the Saudis to do more.

Senator RISCH. Senator Markey.

Senator MARKEY. Thank you, Mr. Chairman, very much.

Let me just follow up then, in terms of a Saudi offensive on Hodeidah, which would bring a high risk of more civilian casualties

and long-term closure of the port, through which most of the humanitarian assistance flows.

If the Saudis choose that course and cut off humanitarian assistance to areas at high risk of famine, what effect would that have on attitudes of the civilian population toward the parties to the war, towards the Saudis, towards United States?

Dr. Rand.

Dr. RAND. Thank you, Senator. This is exactly the point.

So, in the short term, the fighting itself would have deleterious effects on the access, so that would be negative in the short term. Even in the long term, we would be banking on the Saudis being able to reestablish port access and distribution networks in a better way than the current system, which is not 100 percent but is working. It is not ideal, but it is working.

So we are banking on a better system of distribution. And I am not optimistic that that will necessarily happen in enough time to address the concerns of the people of Yemen. And I think it will add to the grievance directly against the United States because it will not even be the coalition anymore. It will be Yemenis saying that the Americans have helped a siege, et cetera.

Senator MARKEY. Okay. Thank you.

I would like to get each of your perspectives on core Al Qaeda's apparent direct operational control of both Al Qaeda in the Arabian Peninsula and Yemen, and al-Nusra in Syria. How closely do these two groups coordinate? What is Al Qaeda's current presence in Iraq?

Mr. JOSCELYN. This is a great question right up my alley, so basically, about 18 months ago, Al Qaeda said they shifted the weight of their organization to Yemen and Syria. This is something the leadership did. Over time, they were actually reflecting past decisions, because they saw those are the two places where leadership was most necessary.

There is coordination across the network. There is Al Qaeda senior leadership in Yemen and in Syria today.

Earlier, Senator Shaheen asked about the bombmaker Asiri. He actually trained deputies in highly sophisticated explosives, some of whom actually went to Syria and were integrated into something called Al Qaeda's Khorasan group, which was then bombed in 2014 by the Obama administration—rightfully so.

They were devising very sophisticated means to attack airliners and other things. I am very worried that those activities are still going on and are actually across both countries.

The bottom line here is, just to sum this up very quickly, Al Qaeda's core was never defeated. It was never decimated. They suffered dozens of leadership losses for sure, but they had thought that through, and they knew that they were going to suffer those losses. And we are still killing guys to this day who first joined the jihad in 1979 and 1980. I was 3 years old at the time.

Senator MARKEY. So you are saying close coordination exists.

Mr. JOSCELYN. I cannot tell you on a day-to-day basis how much coordination is going on, but I see a lot of evidence of coordination across the whole thing. They have a newsletter, for example, the AQAP puts out called al-Masra. It is in Arabic. It goes out every week. They have a detailed commentary on what is going on in

Syria and across the Al Qaeda network. And it actually reflects a very detailed coordination of sort of their analysis of the picture of the world.

Senator MARKEY. Okay.

And, Ambassador Feierstein, last month, Secretary Tillerson met with the U.N. Special Envoy for Yemen and his counterparts from Saudi Arabia, the UAE, Oman, and the UK. The State Department readout of the meeting referenced the need for unfettered delivery of humanitarian assistance but omitted any mention of the need for a ceasefire, as had been included in readouts of similar meetings in the past.

What signal, from your perspective, does that send about the U.S. interests in the end of the war?

Ambassador FEIERSTEIN. Well, I think that the statement also referred to the need for resumption of political negotiations and, again, U.N. Security Council Resolution 2216, which lays out the political strategy to achieve progress and a resolution.

So I do not think that there was any change. As you know, Secretary Kerry, at the end of the Obama administration, tried on several occasions to try to get a ceasefire going. It did not really work. And so I think that, realistically, the immediate issues, the immediate challenges should be humanitarian relief and resumption of the political negotiations.

Senator MARKEY. Do you think the omission of the phrase “ceasefire” has any meaning at all? Is there a change in the strategy that we are—

Ambassador FEIERSTEIN. Sir, if I may, I do not think so, because I think that, within the context of a political negotiation, you can have a discussion about ceasefires, as we saw last year—

Senator MARKEY. In your opinion, what is the chief sticking point? What is the chief sticking point to a negotiated settlement?

Ambassador FEIERSTEIN. From my perspective, I think the chief sticking point, at this point, is that neither the Houthis nor Ali Abdullah Saleh see an interest in bringing it to a resolution. And then there are additional complexities that, even if there is a political resolution, you are going to have instability in Yemen for many years to come.

Senator MARKEY. Thank you.

Senator RISCH. Thank you.

Senator Booker.

Senator BOOKER. So, clearly, we see what the Trump administration is moving to do right now. The headlines in the Washington Post are that they are going to resume arms sales.

I am really concerned in the way that Senator Murphy was about the futility of the efforts that we are continuing and the gravity of the sheer scale of the human crisis that is going on in the country right now, 3 million internally displaced people, millions and millions of people on the brink of famine, and the extreme nature of that.

It seems there are two different perspectives on whether we should be engaging in assisting in this Hodeidah effort, and what consequences that will have.

What concerns me is we have already pulled out, as you were saying from, from the Joint Combined Planning Cell. We are not even in there engaged anymore.

And I have heard, as I am sure you have, unofficial reports that we are sort of offended by the way they were going about doing a lot of their targeting, at least our high-level military personnel.

So I actually agree with the Al Qaeda threat, and clearly, we have a number of missions there. I hope that top amongst them is humanitarian, helping our allies so that we are able to protect the actual border from incursions, bringing an end to this conflict, defeating Al Qaeda and that.

But I just am not convinced that more empowering Saudi Arabia to conduct it the way they are is not going to hurt us on many of those critical goals that the United States has.

So I guess the first question, real quick, to Dr. Rand, we have no assurances, nothing has changed in our ability to curtail the Saudi indiscriminate casualties that are being created. Nothing has changed between the end of the Obama administration that suspended the sale of those arms and the Trump administration and their activities now. Has anything changed?

Dr. RAND. I think there is an anecdotal answer to your question, Senator, and then a systemic one. And for the systemic answer, I would urge you to ask DoD colleagues to really assess militarily.

Anecdotal, there was a large civilian casualty attack in October at the funeral hall, and we have not seen a big attack of that sort, with hundreds or so of civilians. So in that sense, there has been an improvement in that there has not been a large scale—we have seen a few much smaller strikes where civilians have been killed.

So I cannot tell you for sure that the problem has been addressed. Again, I think it is a military judgment question that is best suited to Secretary Mattis or Chairman Votel to go in and really assess whether the practices—this is scientific, essentially, targeting. And our CENTCOM folks are really, really good at it, so they can assess.

Senator BOOKER. Right. Two more points.

Ambassador, your really insightful written testimony, I really appreciate that. And from everybody, I think I seem to conclude that nobody believes this is going to be a military victory. It is going to be a negotiated victory, and it is going to be a unity government of some sort.

Is that correct, sir?

Ambassador FEIERSTEIN. Yes, sir.

Senator BOOKER. And so the military advantage of more battle victories, whether it is in Hodeidah or not, it is not necessarily related to the eventual negotiated outcome?

Ambassador FEIERSTEIN. No, I think it is fundamentally a way of applying leverage to try to get people to the negotiating table.

Senator BOOKER. Okay. And then the last question, mercifully, from my much senior Senator Risch, is just simply, the internal politics in Saudi Arabia are really fascinating to me, having visited there, and sort of MBS and his sort of ambitions.

Can you give me any insight? Am I sort of far-fetched in my belief that some of this has to do with the sort of ambitions for power

and how this is being conducted, and the thrust of MBS? Is there anything there? Any threads there to pull on, Ambassador?

Ambassador FEIERSTEIN. I would have to say I think that many people speculate that, in fact, this was an initiative that Mohammad bin Salman supported in the beginning.

I had the opportunity to visit Saudi Arabia with Secretary Kerry just about a year ago, and we met with both Muhammad bin Nayef and Mohammad bin Salman. And I would have to say that, at least at that point, the two leaders were very much in lockstep in terms of their perspective and in terms of the way that they wanted to go forward.

So I am not sure that I would put too much weight on this idea that it is a reflection of internal differences within Saudi Arabia.

Senator BOOKER. And I suspect all three of you would be available if a junior United States Senator wanted to continue the conversation at some later date?

Ambassador FEIERSTEIN. Absolutely.

Senator BOOKER. Thank you very much.

Senator RISCH. Thank you, Senator Booker.

Thank you to our witnesses for attending today. There may be some additional questions for the record from members. We are going to keep the record open until close of business on Monday, if you would respond promptly, we would greatly appreciate it. But we sincerely appreciate your input.

I think what the bottom line here is we all have the same objective. We may have some differences as to how we are going to get there. And it is a heavy lift, to say the least.

Thanks again. This meeting is adjourned.

[Whereupon, at 11:40 a.m., the hearing was adjourned.]

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

RESPONSES OF DR. DAFNA RAND TO QUESTIONS SUBMITTED BY SENATOR TODD YOUNG

Question. How would you characterize Al-Qaida in the Arabian Peninsula's (AQAP's) base of domestic support in Yemen? To what degree is that support for AQAP a consequence of the failure to establish effective governance representing most of the Sunni tribes and people? What else makes some Yemenis favorably disposed toward AQAP? What else can be done to undermine AQAP's sources of domestic support?

Answer. AQAP has strong links to some tribal communities in Southern Yemen, but in general its violent ideology is foreign to most Yemenis' religious and cultural norms.

AQAP is an opportunistic organization. It has risen and fallen based on its ability to take advantage of governance gaps in Yemen as well as competition among the fractious Yemeni security apparatuses and militias.

The perpetuation of the war between the Government of Yemen and its allies and the Houthi/Saleh forces enables AQAP, for a number of reasons.

Practically speaking, it is hard to sustain the resources required to fight on two battlefields; there has been a natural diversion of resources toward the fight against the Houthi/Saleh forces by those who would otherwise only be focused on combating AQAP.¹ Second, because the Houthi aggression has been perceived by many southern Yemenis as an assault by Iranian-backed Shia forces, the sectarian character to the fighting between North and South has increased the potential for AQAP's ideological message to resonate more broadly. AQAP has emphasized Sunni grievances and the role of sectarian, religious differences that were not, until recently, salient features of political identity in Yemen.² Finally, AQAP is also currently expanding its governance-like activities in spaces where the Yemeni government cannot oper-

ate, including by distributing humanitarian aid. This has generated some support for AQAP among the local communities residing in these areas.

Question. What are the primary obstacles to the resumption of constructive political negotiations, and what can the U.S. and our partners do to help surmount those obstacles and encourage constructive political negotiations? What is the U.S. not doing that we should in order to encourage constructive political negotiations?

Answer. It is urgent for the United States to resume a diplomatic focus on resolving the Yemen conflict, beginning by urging its partners to press for a new cessation of hostilities. (If sustained, such a cessation of hostilities will also enable more humanitarian aid to be distributed). The U.S. helped to promote serious regional negotiations in the fall of 2016, and these should be restarted. The Administration should send a high level envoy to help jump-start a new round of negotiations, focusing on the elements of the Roadmap almost all of the parties agreed to in October 2016. The United States and its Quad partners (Saudi Arabia, the United Arab Emirates, and the United Kingdom) will need to be firm with the Yemeni parties on particular sticking points, such as the transfer of presidential authorities. Regional partners, including the Omanis, will need to press the Houthis and the internationally-recognized Yemeni Government on a new cessation of hostilities, and to negotiate the sequenced approach that pairs military withdrawal with political compromises.

As recently as December 2016, the Quad governments reaffirmed their support for the October 23, 2016 Roadmap as the basis for negotiations in Yemen.³

Specifically, the October 23 principles recognize that the terms of the negotiations would include: “Sequenced security steps and necessary withdrawals; Appointments for the political transition; Resumption of consultations with the U.N. based on the GCC Initiative and Implementation Mechanism, the National Dialogue Outcomes, U.N. Security Council resolution 2216 and other relevant resolutions; Additional withdrawals; Signing an agreement; Donors conference; and The national unity government starts a political dialogue to finalize the electoral roadmap and draft constitution.”⁴

Question. The Washington Post reported recently that the State Department has approved a resumption of weapons sales to Saudi Arabia—including precision guided munitions. Do you support that decision? Should we attach any conditions on Saudi Arabia to these sales? If so, what specifically should those conditions be?

Answer. The decision to continue or pause on individual arm sales to the Coalition should be predicated on the answers to a number of questions. Some of the key questions include: Does the United States have insight into how these weapons are being used? Are the weapons important in order to defend our allies’ direct security needs? Are previous shipments of these U.S. weapons being used in accordance with past certifications and letters of agreement? Does the decision to sell additional weapons generate reputational, policy, or legal risks to the United States?

Answers to these questions allow policymakers to deliberate on risk versus reward trade-offs in order to arrive at a decision.

Based on U.S. laws, policies, and precedent, the United States should ascertain whether U.S. Coalition partners are adhering—and improving their adherence to—the No Strike List, which includes infrastructure critical to the distribution of humanitarian assistance. Were the munitions to be delivered quickly, they could be employed in the Coalition’s operations in the Red Sea port region, through which 90 percent of humanitarian assistance and aid transits into Yemen. Such an operation could potentially have dire humanitarian consequences. The Department of Defense should review Coalition partner efforts to improve their dynamic targeting capabilities.

Finally, reversing the 2016 pause on the PGMs and going ahead with the sale sends a very strong diplomatic message that the United States supports the continuation—indeed the escalation—of this war. Policymakers must take seriously their decision to send this signal, given that ending the war is the most direct way to secure U.S. interests, such as countering Iran and AQAP.

Question. From the perspective of U.S. economic and national security interests, how important is the Bab al-Mandab Strait and how great of a threat do the Iranian-backed Houthis pose to the Strait going forward? Working with our partners, do you agree that maintaining the freedom of navigation through the Mandab Strait is among our top priorities in the region? Do you agree that any attacks on U.S. military or commercial vessels in or near the Strait should be met with a very strong response to deter future attacks?

Answer. It is critical to protect freedom of navigation in the Bab al-Mandab Strait. Iranian-backed Houthi forces threatened this freedom in the fall of 2016 and

were met with a strong response. Currently, the United States has excellent coordination with our partners to ensure the safety and security of U.S. military and commercial vessels.

Attacks on U.S. vessels in the Red Sea were met with strong responses in the fall of 2016. These responses reaffirmed and reinforced the strong U.S. deterrence posture in the region.

Notes

¹Alexis Knutsen, "Al Qaeda Attack Seeks to Draw Yemen into Two Front War," American Enterprise Institute Ideas, August 29, 2014, <https://www.aei.org/publication/al-qaeda-attack-seeks-to-draw-yemen-into-two-front-war/>

²Farea Al-Muslimi, "How Sunni-Shia Sectarianism is Poisoning Yemen," Carnegie Endowment Diwan, December 29, 2015, <http://carnegie-mec.org/diwan/62375?lang=en>.

³"Communique on Yemen," From the Foreign Ministers of the United States, United Kingdom, Kingdom of Saudi Arabia, United Arab Emirates, U.N. Special Envoy, and Omani Minister of Foreign Affairs, Office of the Spokesperson, U.S. Department of State, December 18, 2016, <https://2009-2017.state.gov/r/pa/prs/ps/2016/12/265752.htm> Press release from State archives from December 18, 2016.

⁴Ibid.

RESPONSES OF DR. DAFNA RAND TO QUESTIONS SUBMITTED BY SENATOR JEFF MERKLEY

Question. On March 8, Amnesty International released fresh documentation that the Saudi-led Coalition employed cluster munitions in a February 15th attack on a residential area of Sa'da city. Two civilians were injured in the attack.

- Is there a legitimate military purpose for the Saudi-led Coalition to employ cluster munitions in a civilian-populated urban area?
- Is the use of cluster munitions in civilian-populated areas consistent with Saudi Arabia's obligations under international humanitarian law even when the military target is legitimate?
- Do you believe the United States should continue to prohibit the sale of cluster munitions to Saudi Arabia?

Answer. It is difficult to judge the legitimate military purpose of specific munitions used in particular strikes without knowing more about the intended target and other operational details.

In 2016, the U.S. government paused on a sale of cluster munitions to Saudi Arabia,¹ in part because of insufficient visibility into how these munitions were being used.

The United States should continue to pause on sales when it has questions about their use. When weapons are being sold to U.S. partners involved in active conflict, it is appropriate to take steps to ensure visibility into how these weapons are being used and whether selling these weapons involves any policy, legal, or reputational risks to the United States. This analysis is relevant to cluster munition sales, just as it is relevant to other U.S. arm sales transacted worldwide.

When exporting significant military equipment through Direct Commercial Sales, the Department of State requires that foreign governments fill out form DSP-83.² In addition to other requirements, this document asks foreign governments purchasing significant U.S. military goods to certify that they will be used for the purposes delineated on the DSP-83 form.

Question. Ambassador Feierstein stated in his testimony that U.N. Security Council Resolution 2216 remains the basis for a resolution of the political conflict in Yemen. The terms outlined in the resolution are unacceptable to the Houthis, however, which would seemingly preclude the resolution from serving as the basis of a negotiated solution.

- Is Resolution 2216 still a realistic and helpful foundation for pursuing a political solution to the conflict in Yemen?
- Would the United States benefit from leading an effort at the U.N. Security Council to pass a resolution that would create a new template for peace?
- If so, what would that template look like?

Answer. As recently as December 2016, the governments of Saudi Arabia, the United Arab Emirates, the United Kingdom, and the United States (known as the "Quad") reaffirmed their support for the October 23, 2016 Roadmap as the basis for negotiations in Yemen.³ This Roadmap made realistic adjustments to U.N. Security

Council Resolution 2216, including incorporating a sequenced approach to the political and security requirements placed on all sides. In effect, the Roadmap was aimed at ensuring that negotiations begin immediately, rather than stalling because one side demanded a complete withdrawal as a precondition to the negotiations. The Roadmap agreement reflected the view among these parties that U.N. Security Council Resolution 2216 alone was outdated. In November, the Houthis publicly supported this Roadmap.⁴

The October 23 principles recognize that the terms of Security Council Resolution 2216 would have to be negotiated further and sequenced appropriately. The negotiations would have to include: “Sequenced security steps and necessary withdrawals; Appointments for the political transition; Resumption of consultations with the U.N. based on the GCC Initiative and Implementation Mechanism, the National Dialogue Outcomes, U.N. Security Council resolution 2216 and other relevant resolutions; Additional withdrawals; Signing an agreement; Donors conference; The national unity government starts a political dialogue to finalize the electoral roadmap and draft constitution.”⁵

While a new U.N. Security Council resolution may be helpful, it is much more urgent for the United States to resume its diplomatic efforts, urging regional partners to begin negotiations on these issues. Specifically, the Administration should send a high level envoy to the region to reaffirm U.S. support for this Roadmap and to clarify that the United States’ position on the diplomatic requirements have not changed. The Quad and other neighbors will have to press the Government of Yemen to accept the transfer of powers to new executive authorities as outlined in the Roadmap and the Houthis to adhere to the territorial withdrawal per the Roadmap sequence. A U.N. Security Council Resolution could bless a final deal negotiated by the parties themselves.

Question. The front lines in Yemen have stagnated along lines that resemble the old border between the Yemen Arab Republic and the People’s Democratic Republic of Yemen. In your testimonies, some of you mentioned the importance of Yemen remaining a unified, solitary state.

- Could you please explain the benefits of a unified Yemen in greater detail?
- How would a de-facto partition, if agreed to by the parties, be disadvantageous for U.S. interests?

Answer. Practically speaking, a divided Yemen will perpetuate violence and conflict in Yemen, as competition for resources and survival continues. Yemen’s resources are limited and most analysts judge that they may be insufficient to sustain two independent countries. Unifying Yemen and restoring sovereignty to a new National Unity Government will maintain stability, address the humanitarian needs of the Yemeni people, and improve U.S. cooperation with the Yemeni government and people to help rebuild from this conflict.

A unified country with one sovereign government controlling the territory is the best way to defend the security of U.S. partners in the region—particularly Saudi Arabia, endangered by attacks on its southern border.

A divided Yemen will benefit Iran and AQAP. Both actors are taking advantage of the divided security writ in Yemen. A partitioned Yemen would allow AQAP to exploit ungoverned spaces in the South. A divided Yemen would offer Iran greater opportunities to build ties of support and provide assistance to the Houthi/Saleh forces.

Question. The situation in Yemen is extraordinarily complex. The Administration is reportedly increasing the number of U.S. airstrikes against AQAP, but to date has not articulated an approach to the broader conflict in Yemen. Mr. Joscelyn in his written testimony stated that the reported increase in U.S. airstrikes is designed primarily to weaken AQAP’s guerilla army, which presumably is distinct as opposed to AQAP operatives who are actively plotting against the United States.

- In your view, should the U.S. campaign against AQAP—especially AQAP elements that are not actively plotting external attacks—only be considered within a broader U.S. strategic framework for Yemen?
- Is it helpful for the Administration to intensify strikes against rank and file AQAP fighters before developing a broader strategic framework in which to address the conflict?

Answer. The United States cannot successfully design and implement a new strategy to weaken AQAP without considering its objectives and interests in Yemen more broadly. It must analyze how and whether one distinct battlefield—the Yemeni civil war involving regional proxies—intersects with the counter-AQAP theater. For ex-

ample, the Houthis themselves are now an enemy of AQAP and in some cases are reportedly attacking AQAP strongholds.⁶ Another linkage involves resource trade-offs: The United States relies on its partners to help combat AQAP, but resources can be diverted to the Houthi/Saleh combat theater.⁷ Finally, AQAP is among the most threatening terrorist groups for Americans because of the group's demonstrated interest in attacking the United States and U.S. interests, as well as the group's level of capability.⁸ Therefore, any civilian loss of life that is linked to the United States has the potential to radicalize local Yemenis. This means that loss of life directly caused by intensified U.S. airstrikes against rank and file AQAP fighters or attributed to the United States indirectly, through U.S. support to the Saudi-led Coalition, could have an outsized impact on public sentiment. Considering the broader strategy will allow us to ensure that any short-term CT operations do not unintentionally generate new AQAP foot soldiers even as we take some off of the battlefield.

In short, the broader U.S. strategy in Yemen directly influences AQAP's momentum and appeal as a political force in Yemen.

Question. Ambassador Feierstein stated in his written testimony that "Perhaps the greatest, and most unanticipated, benefit of the conflict to Iran has been the strain it has placed on Saudi Arabia's relationships with its key western partners, principally the U.S. and the UK." Dr. Rand, in her written testimony, described U.S. influence on the Saudi-led coalition as "uneven."

- How do we best support our Saudi partners, and avoid emboldening Iran, while still expressing our concerns with some of the ways in which the Saudi-led Coalition has conducted its military operations during this conflict?
- If, as Dr. Rand suggests, our influence over our Saudi partners "uneven," how can we best influence Saudi Arabia to address the concerning aspects of its military campaign?

Answer. In the short term, we should make clear that U.S. assistance to Coalition partners is based on shared national security interests, including protecting our partners' sovereignty and their territorial integrity. For instance, we may need to adjust, modify, or increase military and intelligence cooperation and assistance in order to protect Saudi Arabia from the increased threat of Houthi-launched missiles.⁹

Our strong and deep military-to-military ties offer a source of influence, especially if we consider how to train our partners on operational approaches, such as ways to respond to counter-insurgency threats. In addition, there are tangible steps our partners could take to reduce the risk of civilian harm. We should continue to provide our partners' opportunities through Department of Defense training and assistance on this issue.

There is one urgent priority in terms of influencing our partners: The United States should convince our Gulf partners that their interests—like ours—militate in favor of an urgent end to this war. Active U.S. diplomacy should focus on explaining why there is no real military solution that is both realistic and will achieve their objectives, securing their interests over time. Rather than considering a military escalation, our partners should consider how diplomacy can achieve a balanced approach—such as that offered in the Roadmap—to secure our partners' borders and establish a friendly government in Sanaa.

Over time, we should strategically re-orient our assistance, sales, and military cooperation approach to fit the United States' specific threat assessment and overall interests. If the United States can be more consistent across the U.S. interagency, strategic, and clear about our own goals in all military and civilian diplomatic encounters, then we can increase our influence.

Notes

¹John Hudson, "Exclusive: White House Blocks Transfers of Cluster Bombs to Saudi Arabia," May 27, 2016, Foreign Policy, <http://foreignpolicy.com/2016/05/27/exclusive-white-house-blocks-transfer-of-cluster-bombs-to-saudi-arabia/>.

²The requirements for the foreign government can be found on this form: <http://pmdtc.state.gov/licensing/documents/dsp-83.pdf>.

³"Communique on Yemen," from the Foreign Ministers of the United States, United Kingdom, Kingdom of Saudi Arabia, United Arab Emirates, U.N. Special Envoy, and Omani Minister of Foreign Affairs, Office of the Spokesperson, U.S. Department of State, December 18, 2016, <https://2009-2017.state.gov/r/pa/prs/ps/2016/12/265752.htm> Press release from State archives from December 18, 2016.

⁴The Houthi's support for this Roadmap was written into this Communique. Ibid.

⁵Ibid.

⁶Michael Horton, "AQAP in Southern Yemen: Learning, Adapting, Growing," The Jamestown Foundation Terrorism Monitor, Volume: 14 Issue: 20, October 14, 2016, <https://jamestown.org/program/aqap-southern-yemen-learning-adapting-growing/>. See also, Alexis Knutsen, "Al-Qaeda Attack Seeks to Draw Yemen into Two Front War," American Enterprise Institute Ideas, August 29 2014, <https://www.aei.org/publication/al-qaeda-attack-seeks-to-draw-yemen-into-two-front-war/>.

⁷Knutsen, American Enterprise Institute Ideas.

⁸According to Michael Horton, "While AQAP is currently devoting most of its energies to fighting what it defines as the "near enemy," namely the Houthis and their allies, there is little doubt that the organization will once again turn its attention to the "far enemy", the United States and its allies. When AQAP's focus returns to the far enemy, it will be better equipped, better funded and most importantly far more resilient."

⁹For some examples of potential areas for increased assistance, see Lori Plotkin Boghardt and Michael Knights, "Border Fight could Shift Saudi Arabia's Yemen War Calculus," Washington Institute for Near East Policy, December 6, 2016, <http://www.washingtoninstitute.org/policy-analysis/view/border-fight-could-shift-saudi-arabias-yemen-war-calculus>.

RESPONSES OF HON. GERALD M. FEIERSTEIN TO QUESTIONS
SUBMITTED BY SENATOR TODD YOUNG

Question. How would you characterize Al-Qa'ida in the Arabian Peninsula's (AQAP's) base of domestic support in Yemen? To what degree is that support for AQAP a consequence of the failure to establish effective governance representing most of the Sunni tribes and people? What else makes some Yemenis favorably disposed toward AQAP? What else can be done to undermine AQAP's sources of domestic support?

Answer. I believe that AQAP has been successful in re-establishing itself in many areas of Yemen based largely on its efforts to use the sectarian dynamics of the civil conflict and embed with Sunni tribes that are resisting the Houthis, who are Zaydi Shia. While this is a significant development, I don't believe it reflects a strong pro-AQAP sentiment on the part of these tribes and it certainly doesn't mean that the tribes are ideologically supportive of AQAP's larger ambitions to wage global jihad. For a pragmatic people locked in a struggle that, for them, is existential, AQAP represents a source of weapons and funding. The ties to AQAP can be broken when the need for the assistance is no longer there.

Certainly, the failure of governance in large parts of Yemen, exacerbated by the political chaos and the civil conflict since 2015, has enabled AQAP to operate freely throughout the country. Once the political conflict is resolved, it will be important to help the Government of Yemen extend its control into the ungoverned spaces in which AQAP has thrived. This will require a strong international effort to re-build damaged infrastructure and address the ongoing humanitarian crisis. But it will also require a long term effort to build essential institutional capacity to provide Yemenis with the basic services, including health and education, as well as to build a foundation that permits economic development. AQAP will not be able to maintain popular support in a circumstance where the government is able to address the basic needs of the Yemeni people and citizens have confidence in their futures.

Question. What are the primary obstacles to the resumption of constructive political negotiations, and what can the U.S. and our partners do to help surmount those obstacles and encourage constructive political negotiations? What is the U.S. not doing that we should in order to encourage constructive political negotiations?

Answer. The principal obstacle to the resumption of political negotiations, in my view, is the fact that the parties have not yet concluded that they cannot achieve their political objectives through the continuation of the conflict. This is particularly true in regard to the Houthis and their partner, Ali Abdullah Saleh, who has declared publicly that he is prepared to see the conflict continue for another 10 years. As I noted in my opening remarks, I believe that this perception that there can be a military solution is misguided. In fact, the conflict is stalemated and there is nothing on the horizon that is likely to change the dynamics of the conflict substantially.

In that respect, the U.S. should encourage the Hadi government and its Coalition partners to limit military action to defensive measures with two exceptions. First, the Saudis should continue to undertake actions to defend their border with Yemen and to prevent the continuation of threatening Houthi actions across the border into Saudi Arabia. Second, I believe that it would advance the cause of achieving a peaceful resolution of the conflict if the government and Coalition were able to secure Yemen's Red Sea coast including Hodeidah. Cutting off Houthi access to the Red Sea would reduce the flow of smuggled Iranian weapons to the Houthis substantially, undercutting their capacity to continue the conflict, while also reducing the threat the Houthis pose to shipping in the Red Sea and the Bab al-Mandeb. As

I noted previously, U.S. support for Coalition offensive operations around the port of Hodeidah should be predicated on a clear understanding with the Coalition partners that they will immediately undertake operations to repair the port, restore its full functionality, and guarantee unfettered access to the port by international humanitarian organizations in order to relieve Yemen's growing humanitarian crisis.

On the political front, I believe it is important that the U.S. continue to demonstrate full support for the U.N.-led negotiations based on the implementation of U.N. Security Council Resolution 2216. There are some who advocate passing a new resolution or substantially altering the character of 2216. We should leave the door open for negotiations over a new interim government once the fundamental principles of restoring the legitimate government to power are achieved. But I think it would be a mistake to back away from the international community's principled position on the Yemen conflict at the point of a gun.

Question. The Washington Post reported recently that the State Department has approved a resumption of weapons sales to Saudi Arabia—including precision guided munitions. Do you support that decision? Should we attach any conditions on Saudi Arabia to these sales? If so, what specifically should those conditions be?

Answer. I do support the decision to resume sales of precision guided munitions (PGMs) to Saudi Arabia for several reasons. First, I believe that Saudi use of more accurate munitions will help limit collateral damage and civilian casualties as a result of Saudi air operations in the Yemen conflict. Second, the U.S.-Saudi security relationship is a main pillar of our overall strategy to achieve security and stability in the region. To maintain the viability of that relationship, I think that the U.S. needs to demonstrate that it is a reliable partner for the Saudis committed to maintaining our support for their legitimate security requirements.

Nevertheless, I believe that the U.S. is right to be concerned about the continued incidence of Saudi and Coalition errors in prosecuting their military campaign in Yemen. The damage to infrastructure and civilian casualties as a result of these incidents is much greater than would be the case if the Coalition were exercising appropriate precautions in their planning and targeting. Therefore, I believe that, in addition to supplying more accurate munitions, the U.S. should also return to more active engagement with the Saudi military leadership in order to improve their performance on the targeting side. While not a condition of the PGM sale per se, I believe that this insistence on a more direct U.S. role in advising and assisting Saudi strategy and tactics would contribute directly to improved performance and a reduction in collateral damage.

Question. From the perspective of U.S. economic and national security interests, how important is the Bab al-Mandab Strait and how great of a threat do the Iranian-backed Houthis pose to the Strait going forward? Working with our partners, do you agree that maintaining the freedom of navigation through the Mandab Strait is among our top priorities in the region? Do you agree that any attacks on U.S. military or commercial vessels in or near the Strait should be met with a very strong response to deter future attacks?

Answer. The Bab al-Mandab is identified as one of eight maritime strategic chokepoints in the world. Nearly 5 percent of the world's oil supply and 10 percent of the world's liquefied natural gas supplies flow through the Bab on a daily basis. Overall, nearly all of the trade between Europe and Asia, some \$700 billion annually, transits the Bab al-Mandab. Thus, continued access to the Strait is of vital interest to the U.S. and the world. Moreover, with Iranian threats to attack shipping in the Strait of Hormuz in the event of conflict with the U.S. or our partners, ensuring that Iranian-supported Houthi elements in Yemen aren't similarly able to threaten maritime shipping in the Bab al-Mandeb, Red Sea, and Gulf of Aden must be a priority for the United States.

Within the past 6 months, the Houthis attempted to establish precisely that capacity to threaten shipping. Using anti-ship missiles and small suicide boats, the Houthis launched attacks against U.S., Emirati, and Saudi naval vessels. A strong U.S. response to the mid-October attack on the USS Mason may have prevented additional attacks using shore-launched, anti-ship missiles. But the successful suicide boat assault on a Saudi frigate in January, which took the lives of two Saudi sailors, demonstrated that the Houthis had not abandoned their efforts to threaten Red Sea shipping entirely.

Perhaps more effective in defeating renewed Houthi threats to maritime passage of the Red Sea and the Bab al-Mandeb, continued progress by the Yemeni government with its Saudi-led Coalition partners in securing control of Yemen's Red Sea coast, the Tihama, will deny the Houthis access to the coastal region that they require. For its part, the U.S. should make clear that it is determined to protect mari-

time shipping lanes in the Red Sea and that it will respond aggressively to any threats against shipping in the region.

RESPONSES OF HON. GERALD M. FEIERSTEIN TO QUESTIONS
SUBMITTED BY SENATOR JEFF MERKLEY

Question. On March 8, Amnesty International released fresh documentation that the Saudi-led Coalition employed cluster munitions in a February 15th attack on a residential area of Sa'da city. Two civilians were injured in the attack. Is there a legitimate military purpose for the Saudi-led Coalition to employ cluster munitions in a civilian-populated urban area?

Answer. In principle, cluster munitions are an anti-personnel weapon that should not be used in heavily populated areas. Without knowing the details of the Saudi use of these weapons, or if the weapons used were actually cluster munitions, as previous reports of their use have often proved erroneous, I could not comment on the appropriateness of the Saudi action.

Question. Is the use of cluster munitions in civilian-populated areas consistent with Saudi Arabia's obligations under international humanitarian law even when the military target is legitimate?

Answer. I am not qualified to speak to the international law aspects of this issue.

Question. Do you believe the United States should continue to prohibit the sale of cluster munitions to Saudi Arabia?

Answer. Yes. Given the circumstances of the current conflict in Yemen, it was not my view that the sale of cluster munitions was necessary for Saudi Arabia's military efforts.

Question. Ambassador Feierstein stated in his testimony that U.N. Security Council Resolution 2216 remains the basis for a resolution of the political conflict in Yemen. The terms outlined in the resolution are unacceptable to the Houthis, however, which would seemingly preclude the resolution from serving as the basis of a negotiated solution. Is Resolution 2216 still a realistic and helpful foundation for pursuing a political solution to the conflict in Yemen?

Answer. Yes. In my view, UNSCR 2216 reflects a principled position that a negotiated transition process that was endorsed by a majority of the Yemeni people through an election should not be overturned at the point of a gun. While the possibility for changes in the government structure may be acceptable through a subsequent negotiation, in my view that should come only after acceptance of the basic principle of the legitimacy of the government.

Question. Would the United States benefit from leading an effort at the U.N. Security Council to pass a resolution that would create a new template for peace?

Answer. As I noted, I do not believe that we should encourage or support a resolution that undoes the basic principles established by UNSCR 2216.

Question. If so, what would that template look like?

Answer. I believe establishment of a new template would probably be rejected by the current government as well as the Coalition supporting it and would not advance the negotiation process between the parties.

Question. The front lines in Yemen have stagnated along lines that resemble the old border between the Yemen Arab Republic and the People's Democratic Republic of Yemen. In your testimonies, some of you mentioned the importance of Yemen remaining a unified, solitary state.

- Could you please explain the benefits of a unified Yemen in greater detail?
- How would a de-facto partition, if agreed to by the parties, be disadvantageous for U.S. interests?

Answer. We have seen from the history of the southern Arabian Peninsula that the division of Yemen into two separate countries exacerbated the fractiousness of the region, promoted conflict between and within the two political entities, and proved incapable of providing economic or social stability for the citizens. The totality of that failure of governance opened the door to the rise of violent extremist organizations, especially al-Qaeda in the Arabian Peninsula (AQAP).

While the united Yemeni state has continued to suffer from many of the same political and social challenges, the potential for addressing some of the country's endemic problems has increased. We witnessed that potential in the successful experi-

ment of the National Dialogue Conference that attempted, for the first time, to address many of Yemen's social, political, and economic problems. Regrettably, the current conflict has placed the findings and recommendations of the National Dialogue on hold. But they remain in place ready to be implemented once the civil conflict is resolved.

A re-division of the country will undo any of the progress that the Yemeni people have made in addressing their challenges. It will re-create two failed states incapable of providing for their people. It will strengthen the hand of AQAP and expand its ability to exploit ungoverned space throughout the region, destabilizing Yemen, the Arabian Peninsula, and potentially the entire international community. An additional challenge will involve the many Yemenis who have moved from their native areas to the north or the south since 1990. The potential that they may be exposed to threat or retribution by local populations may also create conditions of intense violence and ethnic cleansing in affected areas.

Question. The situation in Yemen is extraordinarily complex. The Administration is reportedly increasing the number of U.S. airstrikes against AQAP, but to date has not articulated an approach to the broader conflict in Yemen. Mr. Joscelyn in his written testimony stated that the reported increase in U.S. airstrikes is designed primarily to weaken AQAP's guerilla army, which presumably is distinct as opposed to AQAP operatives who are actively plotting against the United States. In your view, should the U.S. campaign against AQAP—especially AQAP elements that are not actively plotting external attacks—only be considered within a broader U.S. strategic framework for Yemen?

Answer. Yes. As I noted in my prepared testimony, it is extremely important that the United States only undertake operations in Yemen in instances where our intelligence is absolute, we have retained the standard of near certainty there will be no civilian casualties, and we know that the individuals are, in fact, AQAP operatives who are either planning or readying for implementation attacks against the U.S. or other international targets. The U.S. should recognize that the fight against AQAP will be a long one, it will not be won by military measures alone, and the support and cooperation of the Yemeni people is going to be a critical element of our ultimate success. While AQAP has regrettably been able to use the current political chaos and conflict inside Yemen to re-establish itself in many areas of the country, many of the Yemenis who are seen as supportive of AQAP are likely doing so not because they share AQAP's ideological goals or its commitment to global jihad but because they see a relationship with AQAP as a pragmatic solution to their search for allies against domestic opponents. Targeting those Yemenis in that situation risks alienating the broader population and, moreover, can aid AQAP's propaganda efforts to convince the population that the U.S. is hostile to them and that global jihad is, in fact, a legitimate response to the U.S.

Question. Is it helpful for the Administration to intensify strikes against rank and file AQAP fighters before developing a broader strategic framework in which to address the conflict?

Answer. No. I don't believe that it is helpful for the U.S. to target rank and file AQAP fighters as we don't have good insights into their motivations and hitting those targets might, in fact, help AQAP build support among average Yemenis. Strategically, insofar as it addresses the AQAP threat, the U.S. should use kinetic operations to target AQ leadership and deny them the time and space to plan attacks against the U.S., our allies and partners. But kinetic operations will only succeed in buying time until we can work with the Government of Yemen and our international partners to help restore security and stability in the country, promote economic development, and give the Yemeni people the incentive to reject and resist AQAP and violent extremism.

Question. Ambassador Feierstein stated in his written testimony that "Perhaps the greatest, and most unanticipated, benefit of the conflict to Iran has been the strain it has placed on Saudi Arabia's relationships with its key western partners, principally the U.S. and the UK." Dr. Rand, in her written testimony, described U.S. influence on the Saudi-led coalition as "uneven." How do we best support our Saudi partners, and avoid emboldening Iran, while still expressing our concerns with some of the ways in which the Saudi-led Coalition has conducted its military operations during this conflict?

Answer. I believe that close coordination and consultation between the U.S. and Saudi Arabia on the situation in Yemen is absolutely essential and should focus on ensuring that there is complete transparency between the two sides not only on the tactics being employed but also to ensure that we retain the same strategic objective of achieving a political way forward in the framework of UNSCR 2216. In terms of

the Saudi tactics in the conflict, I believe that we had a better understanding and greater influence on Saudi decision-making when we were more closely involved in Saudi operations, including maintaining a presence at the Air Operations Center. I believe that it is in our interest to re-establish that presence and intensify our work with Saudi planners and targeteers to ensure that Saudi operations meet fully the accepted international standards, including the laws of armed conflict.

Question. If, as Dr. Rand suggests, our influence over our Saudi partners “uneven,” how can we best influence Saudi Arabia to address the concerning aspects of its military campaign?

Answer. As noted, I believe that re-establishing the kind of close cooperation that existed at the beginning of the Saudi-led Coalition’s military operations in Yemen is the most effective way to help the Saudis improve their performance and limit the collateral damage and civilian casualties that we have seen over the past 2 years. I also believe the U.S. has a strong interest in aiding the Saudis in improving their military capabilities more broadly and that we can help achieve that objective by maintaining our presence and offering additional assistance as we see the needs and the opportunities present themselves.

RESPONSES OF THOMAS JOSCELYN TO QUESTIONS
SUBMITTED BY SENATOR TODD YOUNG

Question. How would you characterize Al-Qa’ida in the Arabian Peninsula’s (AQAP’s) base of domestic support in Yemen?

Answer. AQAP is primarily an insurgency organization and is focused on building popular support for its jihadist cause. It is difficult to gauge just how much of the Yemeni population backs AQAP, but it is clearly a significant percentage of civilians, especially in the southern part of the country. AQAP is able to effectively control territory across much of southern Yemen at any given time, which implies a certain level of acceptance among the people. The group has governed by working with local councils, meaning that AQAP has developed roots in various communities. AQAP has developed relationships with various tribes, many of which may not share al Qaeda’s ideology, but are still allied with the group.

On the other hand, the fact that AQAP is still very careful about how it implements its medieval sharia laws in the areas under its control indicates that it is still concerned about alienating Yemenis. Therefore, AQAP has taken a long-term approach to inculcating its ideology in Yemen, as in other countries.

Question. To what degree is that support for AQAP a consequence of the failure to establish effective governance representing most of the Sunni tribes and people?

Answer. AQAP thrives from the absence of a strong government in Yemen. AQAP has positioned itself as a long-term substitute for a legitimate governing body, especially in the southern part of Yemen. The organization knows that providing effective governance is extremely difficult, however, so it has not been in a rush to declare an Islamic state.

Question. What else makes some Yemenis favorably disposed toward AQAP?

Answer. Radical ideologies, such as al Qaeda’s jihadist belief system, can spread throughout humanity for any number of reasons. In the case of Yemen, as well as in several other countries, al Qaeda has taken advantage of the ravages of war to portray itself as a defender of the people. From this vantage point, al Qaeda provides Sunni tribes and people with a defense against their enemies, such as the Houthis. The entrance of the Arab-led coalition in 2016 has complicated this story. But al Qaeda’s support has been bolstered over time for a number of other reasons. For example, as I noted in my written testimony, there is a network of schools and mosques that effectively serve AQAP’s cause, indoctrinating people in its ideology and increasing the number of people who either support AQAP or outright join its ranks.

Question. What else can be done to undermine AQAP’s sources of domestic support?

Answer. America has a limited capacity to deal with AQAP’s sources of support so long as the political situation is as unstable as it is right now. Even when the U.S. had a somewhat stable partner government in power, that same government’s reach was severely limited, as areas of Yemen have been ruled by local powerbrokers for years. Still, there are a number of steps the U.S. can take, or continue to take. First, the U.S. should work with its Arab allies to reinstall President Hadi’s government, or (more likely) broker some sort of power-sharing plan. I recog-

nize that this is easier said than done. Second, America should identify any tribes or any tribal elements that seem disgruntled with al Qaeda's cause and work with its Arab allies to bolster and integrate them.

Question. What are the primary obstacles to the resumption of constructive political negotiations, and what can the U.S. and our partners do to help surmount those obstacles and encourage constructive political negotiations?

Answer. Right now, multiple parties want to rule and they have not shown any serious interest in sharing power. Former President Saleh and his family have sided with the Houthis because they want to be put back in power. This is not necessarily a natural alliance, given their past hostilities, and so diplomatic efforts should be made to separate Saleh from the Houthis and have his family rejoin the government in some capacity. This is definitely complicated, and I don't even know if it could work. But including Saleh and his family in any discussions will likely improve, even if only at the margins, the possibility of some sort of reconciliation deal being struck. The Houthis are a much stronger foe as long as they are allied with Saleh and his extensive network.

Question. What is the U.S. not doing that we should in order to encourage constructive political negotiations?

Answer. To be frank, I'm not sure what the new administration's political policy is for Yemen and it will likely take some time for it to develop one. See above for my thinking on what might increase the possibility of a negotiated settlement.

Question. The Washington Post reported recently that the State Department has approved a resumption of weapons sales to Saudi Arabia—including precision guided munitions. Do you support that decision?

Answer. The sale of precision guided munitions is acceptable so long as conditions are placed on their use, as well as on the use of other unguided munitions.

Question. Should we attach any conditions on Saudi Arabia to these sales?

Answer. Yes.

Question. If so, what specifically should those conditions be?

Answer. I think the U.S. should continue working with the Saudis to develop a list of militarily acceptable targets, and then ensure that U.S.-provided munitions are used against these targets alone. Also, the U.S. should specify that cluster munitions are not an acceptable weapon for use in civilian populated areas. In my written testimony, I noted that the Saudis have engaged and welcomed Sheikh Zindani, a key ally of AQAP. I think this relationship should be raised in a variety of contexts, perhaps even when discussing arms deals.

Question. From the perspective of U.S. economic and national security interests, how important is the Bab al-Mandab Strait and how great of a threat do the Iranian-backed Houthis pose to the Strait going forward?

Answer. The Bab al-Mandab Strait is, of course, a key waterway for international shipping, including oil, and essential for connecting countries on the Mediterranean to their trade partners in Asia. The Houthis have already claimed responsibility for a number of attacks against ships along this maritime trade route. While there is some debate over how much Iran has been involved in these attacks, Iran likely has an interest in raising the cost of operations for America and its allies in the Bab al-Mandab Strait. The Houthis will probably continue to take aim at shipping and military vessels, and it will be up to the U.S. to effectively counter these threats in the near future.

Question. Working with our partners, do you agree that maintaining the freedom of navigation through the Mandab Strait is among our top priorities in the region?

Answer. Yes, this should continue to be a top priority for the U.S. and its allies.

Question. Do you agree that any attacks on U.S. military or commercial vessels in or near the Strait should be met with a very strong response to deter future attacks?

Answer. Yes, America's response should be calculated to raise the cost of such attacks. The U.S. should seek means for deterring the possibility of both more frequent and more lethal operations targeting American and allied ships going forward.

Question. Can you provide more details regarding the scale and character of the resources that AQAP receives from Gulf countries?

Answer. AQAP has developed multiple revenue streams, including sources of funds that are both internal and external to Yemen. There is no good, publicly available documentation of its overall budget, or how much one line item accounts for in comparison to others. AQAP has earned revenues from: taxing shipments into the port of Mukalla (during the year it was under the group's control), taking a commission on transactions made in a banking network that handles funds throughout Yemen, extortion, robbery, ransoms and other means.

However, there is ample evidence showing that donors throughout the Gulf contribute to AQAP, sometimes disguising their donations as charity. The best documentation for this has been provided by the U.S. Treasury Department, which regularly sanctions key AQAP personnel responsible for soliciting and disbursing such funds. See, for example:

U.S. Department of the Treasury Press Center, "Treasury Designates Key Facilitators and Front Company Providing Support to Al-Qa'ida in the Arabian Peninsula," December 7, 2016. (<https://www.treasury.gov/press-center/press-releases/Pages/jl0673.aspx>)

U.S. Department of the Treasury Press Center, "Treasury Designates Financial Supporters of al-Qa'ida in the Arabian Peninsula," November 1, 2016. (<https://www.treasury.gov/press-center/press-releases/Pages/jl0601.aspx>)

U.S. Department of the Treasury Press Center, "Treasury Designates Al-Qa'ida, Al-Nusra Front, AQAP, And Isil Fundraisers And Facilitators," May 19, 2016. (<https://www.treasury.gov/press-center/press-releases/Pages/jl0462.aspx>)

Question. Are those Gulf sources of funding for AQAP private or governmental?

Answer. My answer here deals more broadly with the al Qaeda network as a whole, as some sources of funds are likely shared by multiple al Qaeda parties. Some Gulf countries can turn a blind eye to al Qaeda's extensive fundraising. In some cases, these same countries may refuse to take serious action, or only partial action, even after being put on notice by the U.S. government. My colleague, David Weinberg, has described this pattern of behavior as "negligence," which I think is accurate. See, for example, Mr. Weinberg's reports:

Qatar and Terror Finance, Part I: Negligence, FDD Press, December 2014. (<https://www.defenddemocracy.org/content/uploads/publications/Qatar—Part—I.pdf>)

Qatar and Terror Finance, Part II: Private Funders of al-Qaeda in Syria, FDD Press, January 2017. (<http://www.defenddemocracy.org/media-hit/david-weinberg-qatar-and-terror-finance/>)

"Analysis: Jund al Aqsa's deep Gulf roots," FDD's Long War Journal, November 18, 2016. (<http://www.longwarjournal.org/archives/2016/11/analysis-jund-al-aqsas-deep-gulf-roots.php>)

In addition, according to the New York Times, both Oman and Qatar acted as conduits for European governments that paid \$20.4 million in ransoms to AQAP in 2012–2013. (See: Rukmini Callimachi, "Paying Ransoms, Europe Bankrolls Qaeda Terror," The New York Times, July 29, 2014.) Although this money originated with European governments, Gulf countries have made easier for AQAP to negotiate and extract ransoms. This policy is counterproductive, as both European and Gulf countries are creating an added incentive for AQAP and other al Qaeda branches to continue with their hostage-taking operations.

Question. If governmental, which countries? Which Gulf Cooperation Council governments should do more to cut-off funding flows to AQAP? Specifically, what more should those governments do?

Answer. See the answer above. I think both Qatar and Kuwait could do more to cut off terror financing. See: David Weinberg, "Terror Financiers 'Operating Openly' in Qatar and Kuwait," FDD Policy Brief, February 14, 2017. (<http://www.defenddemocracy.org/media-hit/david-weinberg-terror-financiers-operating-openly-in-qatar-and-kuwait/>)

Question. With respect to Ibrahim al Qosi, what has he done since being released from Guantanamo?

Answer. Ibrahim al Qosi is a senior AQAP leader, and may be a senior manager in al Qaeda's global organization. He has been featured in several AQAP propaganda productions. Some of his commentary indicates that he is likely influencing decisions that are made far outside of Yemen as well. For example, he has commented on Al Qaeda in the Islamic Maghreb's activities in a way that suggests to me that he is involved in decision-making elsewhere. Nasir al Wuhayshi (killed in

2015) served as both AQAP's leader and also as al Qaeda's deputy emir. This gave him power across al Qaeda's network. While Qosi is not as powerful as Wuhayshi was, I suspect he is playing a role in al Qaeda's global management.

Question. How should his case inform future decisions regarding the value of law of war detention for foreign terrorists that we capture?

Answer. While the U.S. needs to be able to detain some jihadis under the law of war, I think others can and should be prosecuted in federal courts. The military commission system has proven to be incapable, due to legal challenges and for other reasons, of prosecuting and jailing known al Qaeda operatives. Qosi received a favorable plea deal in the military commission system. I think he could have been successfully tried and imprisoned inside the U.S. That would have been preferable to him rejoining al Qaeda at its senior levels not long after his transfer. This is not to say that law of war detention is inappropriate or unwarranted. But the U.S. needs to devise a stable system to ensure that known al Qaeda figures such as Qosi don't walk, even as lesser al Qaeda members receive long prison sentences from U.S. courts.

RESPONSES OF THOMAS JOSCELYN TO QUESTIONS
SUBMITTED BY SENATOR JEFF MERKLEY

Question. On March 8, Amnesty International released fresh documentation that the Saudi-led Coalition employed cluster munitions in a February 15th attack on a residential area of Sa'da city. Two civilians were injured in the attack. Is there a legitimate military purpose for the Saudi-led Coalition to employ cluster munitions in a civilian-populated urban area?

Answer. According to Amnesty International, cluster munitions have been used far away from legitimate military targets.¹ Assuming that is accurate, then I don't think there is a "legitimate military purpose" for their use in those cases.

According to a 2008 policy statement by the Defense Department, cluster munitions can, in some cases, "reduce unintended harm to civilians during combat, by producing less collateral damage to civilians and civilian infrastructure than unitary weapons."² The Defense Department went on to argue that "future adversaries" could use "civilian shields for military targets" by, for instance, "locating a military target on the roof of an occupied building."³ In such cases, according to the Pentagon, the "use of unitary weapons could result in more civilian casualties and damage than cluster munitions."⁴

However, the examples provided by Amnesty International and others are not consistent with the scenario outlined by the Defense Department in 2008.

Question. Is the use of cluster munitions in civilian-populated areas consistent with Saudi Arabia's obligations under international humanitarian law even when the military target is legitimate?

Answer. I have not performed a legal analysis of Saudi Arabia's use of these weapons, or its obligations under international humanitarian law.

Question. Do you believe the United States should continue to prohibit the sale of cluster munitions to Saudi Arabia?

Answer. Yes. I think the U.S. should prohibit the sale of cluster munitions to Saudi Arabia. And I think the U.S. should use whatever diplomatic leverage it has, including during negotiations for the sale of guided munitions, to pressure Saudi Arabia into abandoning its use of cluster munitions.

Question. Ambassador Feierstein stated in his testimony that U.N. Security Council Resolution 2216 remains the basis for a resolution of the political conflict in Yemen. The terms outlined in the resolution are unacceptable to the Houthis, however, which would seemingly preclude the resolution from serving as the basis of a negotiated solution.

Is Resolution 2216 still a realistic and helpful foundation for pursuing a political solution to the conflict in Yemen?

Answer. My understanding, based on press reports, is that both the Houthis and former President Saleh have rejected Resolution 2216 as the basis for a political solution. Therefore, I don't think it is realistic, at this point, to expect the conflict to be resolved under that framework.

Question. Would the United States benefit from leading an effort at the U.N. Security Council to pass a resolution that would create a new template for peace?

Answer. Yes. I think the U.S. should play an active role in crafting a framework for an eventual political resolution, even if that looks to be far in the future at the moment.

Question. If so, what would that template look like?

Answer. As I testified during the hearing, I don't think any resolution that excludes former President Saleh, his family and his substantial network of supporters will succeed. Saleh and his supporters have undoubtedly fueled the violence in Yemen and are problematic for many reasons. However, I don't think Saleh and his family are going away. Diplomatic efforts should be made to split Saleh from the Houthis, as the two are not natural allies. I recognize that this is easier said than done, however, and even though the Houthis and Saleh are not natural allies, they are allies.

Question. The front lines in Yemen have stagnated along lines that resemble the old border between the Yemen Arab Republic and the People's Democratic Republic of Yemen. In your testimonies, some of you mentioned the importance of Yemen remaining a unified, solitary state.

Could you please explain the benefits of a unified Yemen in greater detail?

Answer. In an ideal world, Yemen would have a strong central government capable of representing the Yemeni people as a whole. This government would be capable, for example, of limiting Al Qaeda in the Arabian Peninsula's (AQAP) ability to pursue its long-term state-building project, especially in the southern part of the country. But that is a fantasy at this point. Yemen is not currently unified, but instead split between competing power bases.

Question. How would a de-facto partition, if agreed to by the parties, be disadvantageous for U.S. interests?

Answer. I think there is already a de facto partition of Yemen. AQAP is capable of seizing and controlling territory in the south at any time. The Houthis and President Hadi's government have bases of support elsewhere. The question is: can a political resolution be crafted that is satisfactory for each of the competing powers, and which also limits AQAP's objectives? At this point, I don't think that is in reach. The reality, on the ground, is that the U.S. is allied with only one of the three main actors (President Hadi's government, which is backed by the Saudi-led coalition) and the other two (Houthis, AQAP) are opposed to the U.S. and American interests.

Question. The situation in Yemen is extraordinarily complex. The Administration is reportedly increasing the number of U.S. airstrikes against AQAP, but to date has not articulated an approach to the broader conflict in Yemen. Mr. Joscelyn in his written testimony stated that the reported increase in U.S. airstrikes is designed primarily to weaken AQAP's guerilla army, which presumably is distinct as opposed to AQAP operatives who are actively plotting against the United States.

In your view, should the U.S. campaign against AQAP—especially AQAP elements that are not actively plotting external attacks—only be considered within a broader U.S. strategic framework for Yemen?

Answer. I think it is very difficult to draw a firm line between the part of AQAP that is involved in insurgency operations and the part that threatens the West. The leadership of AQAP is certainly overseeing both. And we've documented a number of cases in which AQAP personnel wear dual hats, having a hand in external attacks while also taking part in al Qaeda's war inside Yemen. Also, as AQAP's insurgency gains ground, this necessarily creates more operating space for the group to build training camps and other facilities that can be used in anti-Western and anti-American plotting.

All of that said, AQAP's insurgency is a direct function of Yemen's broken political dynamics and the multi-sided war being waged, among other factors. I don't think policymakers can or should treat AQAP's insurgency as a separate phenomenon. Therefore, AQAP's role in Yemen, and the U.S. campaign against AQAP, should be "considered within a broader U.S. strategic framework."

Question. Is it helpful for the Administration to intensify strikes against rank and file AQAP fighters before developing a broader strategic framework in which to address the conflict?

Answer. AQAP's guerrilla army has grown substantially since 2009, but most of America's efforts between 2009 and early 2017 were focused on known al Qaeda veterans and leaders, as well as jihadists thought to be directly involved in planning anti-American, anti-Western terror attacks. But as I argued above, AQAP's insurgency and its ability to threaten the West are inextricably linked. Part of the reason AQAP and al Qaeda in general have been able to regenerate their external oper-

ations arm is that they have replenished this part of their operations with talent from their expanding insurgencies. So, I think the U.S. has been forced to take a more active role in fighting AQAP's guerrilla army.

But I do agree that a "broader strategic framework," which includes robust diplomatic efforts, is needed and that airstrikes alone will not solve the problem.

Question. Ambassador Feierstein stated in his written testimony that "Perhaps the greatest, and most unanticipated, benefit of the conflict to Iran has been the strain it has placed on Saudi Arabia's relationships with its key western partners, principally the U.S. and the UK." Dr. Rand, in her written testimony, described U.S. influence on the Saudi-led coalition as "uneven."

How do we best support our Saudi partners, and avoid emboldening Iran, while still expressing our concerns with some of the ways in which the Saudi-led Coalition has conducted its military operations during this conflict?

Answer. The Trump administration is reportedly considering a plan to support an effort by the Saudi-led coalition to seize the port of Hodeidah, which is a major hub for humanitarian assistance and other goods flowing throughout Yemen. The Trump administration should tie any assistance—intelligence, additional guided munitions, etc.—to stringent conditions on how the Saudi-led coalition proceeds in Hodeidah and elsewhere. I recognize that this will require great effort, but it also underscores why strong diplomacy is needed in such matters, not just military assistance.

Question. If, as Dr. Rand suggests, our influence over our Saudi partners "uneven," how can we best influence Saudi Arabia to address the concerning aspects of its military campaign?

Answer. I agree that America's ability to influence Saudi Arabia's actions is "uneven." I think that the best change for increasing American leverage is by tying any additional support for the Saudi-led coalition to specific conditions. This will require holding the Saudis accountable if they do not abide by these conditions, which is, again, easier said than done.

Notes

¹For example, Amnesty reported one such attack took place "approximately 10km" from the "nearest military objective," which had been targeted by airstrikes on at least five different occasions since the start of the Saudi Arabia-led bombardment campaign in March. Amnesty International, "Yemen: Brazilian cluster munitions suspected in Saudi Arabia-led coalition attack," October 30, 2015. (<https://www.amnesty.org/en/latest/news/2015/10/yemen-brazilian-cluster-munitions-suspected-in-saudi-arabia-led-coalition-attack/>) See also: Amnesty International, "Yemen: Saudi Arabia-led coalition uses banned Brazilian cluster munitions on residential areas," March 9, 2017. (<https://www.amnesty.org/en/latest/news/2017/03/yemen-saudi-arabia-led-coalition-uses-banned-brazilian-cluster-munitions-on-residential-areas/>)

²U.S. Department of Defense, "Cluster Munitions Policy Released," July 9, 2008. (<http://archive.defense.gov/releases/release.aspx?releaseid=12049>)

³Ibid.

⁴Ibid.