

1 A RESOLUTION to urge the United States congress to direct the removal of United
2 States Armed Forces from hostilities in the Republic of Yemen.

3 WHEREAS, the United States Congress has the sole power to declare war under
4 Article I, Section 8, Clause 11 of the United States Constitution; and

5 WHEREAS, the United States congress has not declared war with respect to, or
6 provided a specific statutory authorization for, the conflict between military forces led by
7 Saudi Arabia, including forces from the United Arab Emirates, Bahrain, Kuwait, Egypt,
8 Jordan, Morocco, Senegal, and Sudan (the Saudi-led coalition), against the Houthis, also
9 known as Ansar Allah, in the Republic of Yemen; and

10 WHEREAS, since March 2015, members of the United States Armed Forces have
11 been introduced into hostilities between the Saudi-led coalition and the Houthis,
12 including providing to the Saudi-led coalition aerial targeting assistance, intelligence
13 sharing, and mid-flight aerial refueling; and

14 WHEREAS, the United States has established a Joint Combined Planning Cell with
15 Saudi Arabia, in which members of the United States Armed Forces assist in aerial
16 targeting and help to coordinate military and intelligence activities; and

17 WHEREAS, the conflict between the Saudi-led coalition and the Houthis
18 constitutes, within the meaning of section 4(a) of the War Powers Resolution (50 U.S.C.
19 1543(a)), either hostilities or a situation where imminent involvement in hostilities is
20 clearly indicated by the circumstances into which United States Armed Forces have been
21 introduced; and

22 WHEREAS, Section 5(c) of the War Powers Resolution (50 U.S.C. 1544(c)) states
23 that "at any time that United States Armed Forces are engaged in hostilities outside the
24 territory of the United States, its possessions and territories without a declaration of war
25 or specific statutory authorization, such forces shall be removed by the President if the
26 Congress so directs."; and

27 WHEREAS, Section 8(c) of the War Powers Resolution (50 U.S.C. 1547(c))

1 defines the introduction of United States Armed Forces to include "the assignment of
2 members of such Armed Forces to command, coordinate, participate in the movement of,
3 or accompany the regular or irregular military forces of any foreign country or
4 government when such military forces are engaged, or there exists an imminent threat that
5 such forces will become engaged, in hostilities, " and activities that the United States is
6 conducting in support of the Saudi-led coalition, including aerial refueling and targeting
7 assistance, fall within this definition; and

8 WHEREAS, Section 1013 of the Department of State Authorization Act, Fiscal
9 Years 1984 and 1985 (50 U.S.C. 1546a) provides that any joint resolution or bill to
10 require the removal of United States Armed Forces engaged in hostilities without a
11 declaration of war or specific statutory authorization shall be considered in accordance
12 with the expedited procedures of section 601(b) of the International Security and Arms
13 Export Control Act of 1976 (Public Law 94-329; 90 Stat. 765); and

14 WHEREAS, no specific statutory authorization for the use of United States Armed
15 Forces with respect to the conflict between the Saudi-led coalition and the Houthis in
16 Yemen has been enacted, and no provision of law explicitly authorizes the provision of
17 targeting assistance or of midair refueling services to warplanes of Saudi Arabia or the
18 United Arab Emirates that are engaged in such conflict; and

19 WHEREAS, Saudi Arabia's actions in Yemen have caused the worst humanitarian
20 disaster on the planet, where an estimated 85,000 children have already starved and where
21 millions are facing imminent famine and death;

22 NOW, THEREFORE,

23 ***Be it resolved by the House of Representatives of the General Assembly of the***
24 ***Commonwealth of Kentucky:***

25 ➔Section 1. The members of the House of Representatives hereby urge the United
26 States congress to direct the removal of United States Armed Forces from hostilities in
27 the Republic of Yemen.

1 ➔Section 2. The Clerk of the House of Representatives is directed to transmit a
2 copy of this Resolution to the members of Kentucky's United States congressional
3 delegation.