

December 22, 2023

President Joseph R. Biden
1600 Pennsylvania Ave NW
Washington, DC 20500

Dear President Biden,

As Americans, we are horrified by the devastating civilian toll in the Israel-Gaza war and deeply concerned about the potential for escalation of the war and crisis in Yemen. We agree with your goal of avoiding an expanded conflict, and urge you to reject calls to launch attacks on Yemeni forces or impose new sanctions that could harm Yemen's peace process. We believe the best path forward is for your administration to work diplomatically to reach an immediate ceasefire in Gaza and a regional de-escalation.

It is widely [reported](#) that "administration officials are actively weighing options to strike back at Houthis in Yemen" to respond to a string of attacks primarily aimed at commercial shipping vessels in the Red Sea. While these attacks are concerning, expanding the war into Yemen will not resolve them and instead may dramatically worsen the threats to commercial shipping both in the Red Sea, Persian Gulf and other regional waterways.

Houthi officials have been clear that these attacks are tied directly to the ongoing war between Israel and Palestine. As a Houthi statement last week [indicated](#), "We will continue to prevent all ships heading to Israeli ports until the food and medicine our people need in the Gaza Strip is brought in."

Reports [indicate](#) that the Department of Defense had recently cautioned against an expansion of the war into Yemen to retaliate for the uptick in attacks. Even Saudi Arabia – longtime foe of the Houthis – has [reportedly](#) urged "restraint" in the U.S. response, instead emphasizing "why the Gaza conflict should stop." These are the right instincts.

With the horrific civilian toll in Gaza, the entire region is on a knife's edge. In this environment, launching an offensive attack on a member of the so-called "resistance axis" would undoubtedly upend this tentative balance and invite more direct attacks on U.S. forces and interests throughout the region. A full-blown open-ended regional war would be horrific and undoubtedly entail significant casualties to U.S. forces and civilian populations across the region, adding to the horror being inflicted in Palestine. It would not serve Israel's security, either, as it would entail a dramatic escalation of the cross-border conflict with Lebanon. It would play into the

Houthis' hands by strengthening them politically, both at home and abroad. The U.S. should be seeking to avoid such a calamity, not choose one.

Congress has never authorized participation in hostilities against the Houthis pursuant to its authority under Article I of the Constitution. In fact, Congress has repeatedly voted to restrict or terminate U.S. participation in the war in Yemen, with repeated votes to end limited support such as [refueling Saudi fighter jets](#) or supplying them with [spare parts](#) that enable bombing in Yemen. These positions were [supported by](#) core national security officials in your administration such as National Security Advisor Jake Sullivan, Deputy National Security Advisor Jon Finer, and USAID Administrator Samantha Power. In addition, as Department of Defense Press Secretary Patrick Ryder [noted](#) last week, the U.S. does not believe that the Houthis are targeting U.S. forces or territories, which means that presidential power to militarily repel a sudden attack under Article II of the Constitution is not applicable. Accordingly, proceeding with unauthorized military action against Yemen would violate the Constitution and the War Powers Resolution of 1973 unless and until there is a full debate and vote that the framers of our Constitution wisely enshrined in our political system.

Other policy changes short of military action could also gravely undermine the interests of the U.S. while causing immeasurable harm to the people of Yemen and further destabilizing the region. Specifically, calls to re-designate the de facto authorities in Sana'a – who have governed approximately 70% of Yemen's population for nine years – as a Foreign Terrorist Organization (FTO) should be categorically rejected. Your administration was correct to withdraw that designation in the early days of your presidency. As Secretary of State Antony Blinken [noted](#), you “listened to warnings from the United Nations, humanitarian groups, and bipartisan members of Congress, among others, that the designations could have a devastating impact on Yemenis' access to basic commodities like food and fuel.”

Those humanitarian concerns remain just as valid today. In addition, the Saudi government and the de facto authorities in Sana'a are reportedly close to signing an historic peace agreement after nearly 9 years of war. U.S. officials [acknowledge](#) that an FTO designation would block key aspects of that agreement, including the desperately-needed payment of civil servants and the long-overdue lifting of the blockade on Yemen's air and sea ports. Reinstating these sanctions and blocking a peace agreement would not only violate your commitments to promote humanitarian relief and seek an end to the war in Yemen, but would also further damage U.S. credibility and leadership in the region and around the world.

U.S. culpability in Israel's [war crimes](#) has spurred significant global protests and anger regarding your administration's approach. This outrage would be sure to expand if the U.S. moves to widen the war to new fronts, or if the U.S. shows that actively blocking a peace deal in Yemen is preferable to pursuing an end to the war in Gaza.

Only by securing a permanent ceasefire in Gaza can the administration truly hope to defuse threats from the Houthis, Hezbollah, militias in Iraq and Syria, and Iran. We urge your administration to continue to reject unilateral options that would expand the violence in the region and undermine peace in Yemen, including by launching unauthorized strikes in Yemen or placing a new FTO listing on Ansar Allah. Thank you for your consideration of this important matter.

Sincerely,

Action Corps

Avaaz

Center on Conscience and War

Church of the Brethren, Office of Peacebuilding and Policy

Churches for Middle East Peace

CodePink

Community Peacemaker Teams

Defending Rights & Dissent

Demand Progress Education Fund

Democracy for the Arab World Now (DAWN)

Doctors Against Genocide

Friends Committee on National Legislation (FCNL)

Historians for Peace and Democracy

Institute for Policy Studies, National Priorities Project

International Civil Society Action Network (ICAN)

Just Foreign Policy

Justice Democrats

MADRE

MPower Change

National Iranian American Council

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Peace Action

Peace Action New York State

Quincy Institute for Responsible Statecraft

Secure Justice

RootsAction.org

United for Peace and Justice

World BEYOND War

Yemeni Alliance Committee

Yemen Freedom Council

Yemen Relief and Reconstruction Foundation