

# United States Senate

WASHINGTON, DC 20510

April 24, 2025

Peter Hegseth  
Secretary of Defense  
1000 Defense Pentagon  
Washington, DC 20301

Dear Secretary Hegseth,

We write to you concerning reports that U.S. strikes against the Houthis at the Ras Isa fuel terminal in Yemen last week killed dozens of civilians, potentially more than 70.<sup>1</sup> If these reports of civilian casualties are accurate, they should come as no surprise. Using explosive weapons in populated areas – as these intense strikes appear to do – always carries a high risk of civilian harm. Further, reports suggest that the Trump Administration plans to dismantle civilian harm mitigation policies and procedures at the Pentagon designed to reduce civilian casualties in U.S. operations.<sup>2</sup> And the Trump Administration has already dismissed senior, non-partisan Judge Advocates, or JAG officers, who provide critical legal counsel to U.S. warfighters, especially when it comes to the laws of war and adherence to U.S. civilian harm mitigation policies. The Defense Department also recently loosened the rules of engagement to allow CENTCOM and other combatant commands to conduct strikes without requiring White House sign-off, removing necessary checks and balances on crucial life-and-death decisions.<sup>3</sup> Taken altogether, these moves suggest that the Trump Administration is abandoning the measures necessary to meet its obligations to reducing civilian harm.<sup>4</sup>

President Trump has called himself a ‘peacemaker,’ but that claim rings hollow when U.S. military operations kill scores of civilians.<sup>5</sup> The reported high civilian casualty numbers from U.S. strikes in Yemen demonstrate a serious disregard for civilian life, and call into question this Administration’s ability to conduct military operations in accordance with U.S. best practices for civilian harm mitigation and international law.

On April 17, 2025, U.S. Central Command (CENTCOM) confirmed the strikes against the Houthis’ fuel supplies located at a Yemeni port in the Hodeida governorate, stating that “the

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<sup>1</sup> Ghobari, Mohammed, et al. "Deadliest US Strike in Yemen Kills 74 at Oil Terminal, Houthis Say." Reuters, 17 Apr. 2025, <https://www.reuters.com/world/us-military-strikes-yemens-ras-isa-fuel-port-2025-04-17/>; "US Strikes on Ras Isa Oil Port Kill 74, Houthi Rebels Say." *AP News*, 17 Apr. 2025, <https://apnews.com/article/yemen-us-airstrikes-563f61bbd96e1f2de68373fdf76c8811>.

<sup>2</sup> Lamothe, Dan. "Trump Administration Removes Civilian Harm Experts at Pentagon." *The Washington Post*, 4 Mar. 2025, <https://www.washingtonpost.com/national-security/2025/03/04/trump-hegseth-pentagon-firings-civilian-harm>.

<sup>3</sup> Barnes, Julian E., and Charlie Savage. "Trump Reverses Course on Drone Strike Policy." *The New York Times*, 1 Mar. 2025, <https://www.nytimes.com/2025/03/01/us/politics/counterterrorism-drone-strikes.html>.

<sup>4</sup> Public Law No: 117-263; <https://www.congress.gov/117/plaws/publ263/PLAW-117publ263.pdf>.

<sup>5</sup> "President Trump’s Inaugural Address." *The White House*, Jan. 2025, <https://www.whitehouse.gov/remarks/2025/01/the-inaugural-address>.

objective of these strikes was to degrade the economic source of power of the Houthis, who continue to exploit and bring great pain upon their fellow countrymen,” and that “this strike was not intended to harm the people of Yemen.”<sup>6</sup> Despite these claims, reports from news organizations and organizations that track civilian harm suggest that U.S. strikes since March 15 have killed more than a hundred civilians.<sup>7</sup> The United Nations Protection Cluster’s Civilian Impact Monitoring Project has also assessed that March 2025 marked the highest monthly casualty count in Yemen in almost two years, tripling the previous month, with a total of 162 civilian casualties.

In addition, the strikes have moved beyond targeting Houthi missile launch sites to hitting urban areas. This expansion of target sites, to include civilian infrastructure like ports, exacerbates the risk of civilian harm, all while internal U.S. government assessments suggest that the military campaign against the Houthis has “had limited impact on destroying” the Houthis capabilities.<sup>8</sup>

The U.S. military has spent many years working to improve its ability to prevent and mitigate civilian harm without sacrificing lethality. Military leaders agree that ingraining civilian harm mitigation practices within U.S. operations leads to better outcomes and that civilian casualties “actually undermine the mission that the military has been sent in to do.”<sup>9</sup> This was a lesson the first Trump Administration took to heart, including through the development of the first DoD Instruction on Civilian Harm.<sup>10</sup> These efforts, among others, that started during the first Trump Administration set in motion policies that led to additional civilian harm mitigation policies under the Biden Administration, known as the Civilian Harm Mitigation Response Action Plan (CHMR-AP).<sup>11</sup> Now, we understand that the Administration is considering dismantling these efforts, many of which are congressionally authorized and funded through congressional appropriations, undermining years of hard lessons learned after more than two decades of U.S. wars. We are now seeing the real-life impact of the Administration’s disregard for civilian harm mitigation and international law.

We request answers to the following questions on the U.S. military campaign in Yemen since March 15, 2025, no later than May 8, 2025:

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<sup>6</sup> "Destruction of Houthi-Controlled Ras Isa Fuel Port." *U.S. Central Command*, 17 Apr. 2025, <https://www.centcom.mil/MEDIA/STATEMENTS/Statements-View/Article/4159042/destruction-of-houthi-controlled-ras-isa-fuel-port>.

<sup>7</sup> "U.S. Civilian Casualties in Yemen." *Airwars*, Mar.–Apr. 2025, [https://airwars.org/civilian-casualties/?start\\_date=2025-03-15&country=yemen&belligerent=us-forces&end\\_date=2025-04-22](https://airwars.org/civilian-casualties/?start_date=2025-03-15&country=yemen&belligerent=us-forces&end_date=2025-04-22).

<sup>8</sup> Schmitt, Eric. "U.S. Strikes in Yemen Have Limited Effect, Officials Say." *The New York Times*, 4 Apr. 2025, <https://www.nytimes.com/2025/04/04/us/politics/us-strikes-yemen-houthis.html>; Zachary Cohen and Natasha Bertrand. "Cost of U.S. Military Campaign Against Houthis Mounts with Limited Impact." *CNN*, 4 Apr. 2025, <https://www.cnn.com/2025/04/04/politics/cost-us-military-houthis-limited-impact>

<sup>9</sup> Bowman, Tom. "Pentagon Closing Offices Focused on Reducing Civilian Casualties." *NPR*, 11 Mar. 2025, <https://www.npr.org/2025/03/11/nx-s1-5320226/pentagon-closing-offices-focused-on-reducing-civilian-casualties>.

<sup>10</sup> "DoD Instruction 6400.09." *U.S. Department of Defense*, 25 Aug. 2022, <https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/640009p.pdf>.

<sup>11</sup> "Civilian Harm Mitigation and Response Action Plan." U.S. Department of Defense, Aug. 2022, <https://media.defense.gov/2022/Aug/25/2003064740/-1/-1/1/CIVILIAN-HARM-MITIGATION-AND-RESPONSE-ACTION-PLAN.PDF>.

1. Has the Department of Defense (DoD) assessed the number of noncombatant and combatant casualties in each of its strikes inside Yemen since March 15, 2025? Please provide available data, and if the Department is not making efforts to evaluate these effects of its strikes, please explain why. If any civilian casualty credibility assessment reports have been made, please provide them.
2. What has DoD's process been for assessing the acceptable civilian casualties for individual strikes inside Yemen, and assessing estimated levels of civilian harm and collateral damage, since March 15, 2025? What steps, if any, were taken to prevent or mitigate anticipated civilian harm?
3. What role have legal advisers, including JAG officers, played in reviewing the legality of U.S. strikes in Yemen since March 15, 2025? What assessment and determination did legal advisers, including JAG officers, make, if any, with regard to the status of the Ras Isa fuel port as a civilian versus a military object prior to its targeting last week?
4. What DoD instructions or orders currently govern Department civilian harm mitigation and response actions?
5. Were the civilian harm mitigation and response experts at CENTCOM and/or at the Civilian Protection Center of Excellence consulted in planning for these strikes?
6. How does the Department plan to engage with the families or communities affected by these strikes, including acknowledging civilian harm and exploring avenues for potential redress?

Thank you for your attention to this matter.

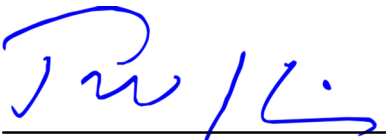
Sincerely,



Chris Van Hollen  
United States Senator



Elizabeth Warren  
United States Senator



Tim Kaine  
United States Senator