

Congress of the United States
Washington, DC 20515

October 22, 2018

Honorable Daniel Coats
Director
Office of the Director of National Intelligence
Washington, DC 20511

Dear Director Coats:

The Washington Post reported on October 10th that United States intelligence agencies intercepted Saudi officials' conversations which demonstrated that Crown Prince Mohammed Bin Salman, *de facto* head of the Saudi regime, ordered an operation to lure *The Washington Post* columnist and American resident Jamal Khashoggi into Saudi custody and detention.¹ Preliminary evidence made publicly available suggests that 15 Saudi officials, including a forensics chief and autopsy expert, likely murdered Mr. Khashoggi after he entered the Saudi consulate in Istanbul on October 2nd.²

As you are aware, Intelligence Community Directive 191, issued in 2015, specifies the duty of the U.S. intelligence community to warn both U.S. and non-U.S. persons of threats of serious bodily injury, kidnapping, and intentional killing.³ Any U.S. intelligence "element that collects or acquires credible and specific information indicating an impending threat" of those actions "shall have a duty to warn the intended victim or those responsible for protecting the intended victim, as appropriate."

The State Department's Country Reports on Human Rights Practices for 2017 present evidence of a regular pattern of torture and physical coercion utilized by Saudi officials against detainees.⁴ In November 2017, for example, Saudi regime authorities began holding influential Saudi nationals in captivity. At least 17 individuals were reported to have been hospitalized due to injuries sustained under physical abuse; one apparently died in custody with a twisted neck, a

¹ Shane Harris, "Crown prince sought to lure Khashoggi back to Saudi Arabia and detain him, U.S. intercepts show," October 10, 2018. https://www.washingtonpost.com/world/national-security/crown-prince-sought-to-lure-khashoggi-back-to-saudi-arabia-and-detain-him-us-intercepts-show/2018/10/10/57bd7948-cc9a-11e8-920f-dd52e1ae4570_story.html

² Anjali Singhvi, Christiaan Tiebert, Malachy Browne and Carolotta Gall, "The Trail of Clues in the Disappearance of Jamal Khashoggi," October 9, 2018. <https://www.nytimes.com/interactive/2018/10/09/world/middleeast/jamal-khashoggi-timeline.html>; Shane Harris, Souad Mekhennet, John Hudson and Anne Gearan, "Turks tell U.S. officials they have audio and video recordings that support conclusion Khashoggi was killed," *Washington Post*, October 11, 2018. https://www.washingtonpost.com/amphhtml/world/national-security/turks-tell-us-officials-they-have-audio-and-video-recordings-that-support-conclusion-khashoggi-was-killed/2018/10/11/119a119e-cd88-11e8-920f-dd52e1ae4570_story.html

³ Intelligence Community Directive 191, p 2. https://www.dni.gov/files/documents/ICD/ICD_191.pdf

⁴ Bureau of Democracy, Human Rights and Labor, "Country Reports on Human Rights Practices for 2017." <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2017&dliid=277263>

badly swollen body, and other signs of injury.⁵ Prime Minister of Lebanon Saad Hariri was also reportedly physically threatened and intimidated by Saudi officials after arriving in Saudi Arabia in 2017.⁶

Given that your office oversees the U.S. intelligence community's duty-to-warn process, we seek urgent answers as to whether Mr. Khashoggi was in fact contacted about the credible threat to his life and liberty posed by the Saudi plot to capture him; the precise date on which any arm of the U.S. intelligence community first became aware of the Saudi plan to detain Mr. Khashoggi; and whether the intelligence community will declassify portions of U.S. intercepts of Saudi officials relevant to Mr. Khashoggi's disappearance. Considering the profound ramifications of this potential crime, U.S. foreknowledge of Saudi plans to detain Mr. Khashoggi, and whether the U.S. intelligence community carried out its duty to warn, we intend to use the full force of Congressional oversight and investigatory powers to obtain these answers should they not be forthcoming.

We look forward to your timely response to our inquiry as both the House of Representatives and the Senate consider privileged resolutions this fall, such as H. Con. Res. 138 and S. J. Res. 54, which invoke Congress's sole constitutional authority over the offensive use of force to end illegal U.S. military participation with Saudi Arabia in Yemen.⁷ In weighing the merits of U.S.-Saudi military cooperation, it is imperative that Members of Congress have a full, detailed grasp of the intelligence community's knowledge of Saudi actions and their potentially harmful impact on the wellbeing of U.S. residents and citizens, as well as any U.S. intelligence failures pertaining to Saudi activities that may have contributed to needless loss of life.

Sincerely,



MARK POCAN
Member of Congress

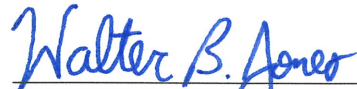


RO KHANNA
Member of Congress

⁵ Ben Hubbard, David D. Kirkpatrick, Kate Kelly and Mark Mazzetti, "Saudis Said to Use Coercion and Abuse to Seize Billions," New York Times, March 11, 2018. <https://www.nytimes.com/2018/03/11/world/middleeast/saudi-arabia-corruption-mohammed-bin-salman.html>

⁶ Anne Barnard and Maria Abi-Habib, "Why Saad Hariri Had That Strange Sojourn in Saudi Arabia," New York Times, December 24, 2017. <https://www.nytimes.com/2017/12/24/world/middleeast/saudi-arabia-saad-hariri-mohammed-bin-salman-lebanon.html>

⁷ U.S. Congress, "Directing the President pursuant to section 5(c) of the War Powers Resolution to remove United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress," September 26, 2018. <https://www.congress.gov/bill/115th-congress/house-concurrent-resolution/138/text>; U.S. Senate, "A joint resolution to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress," February 28, 2018. <https://www.congress.gov/bill/115th-congress/senate-joint-resolution/54>



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Member of Congress



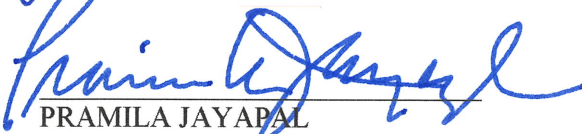
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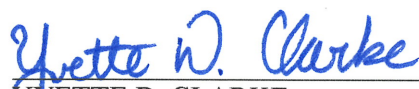
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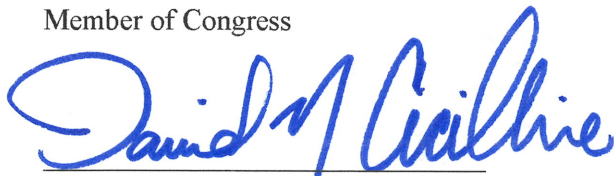
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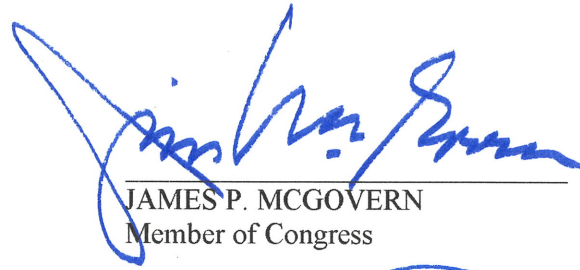
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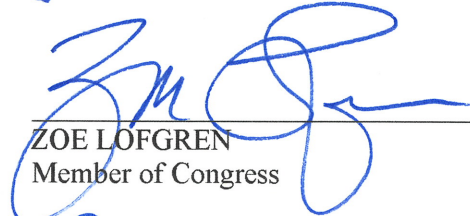
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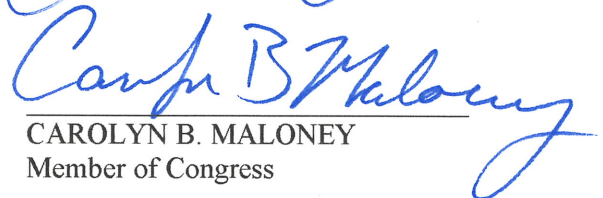
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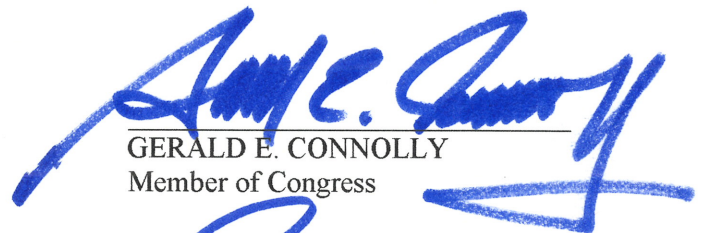
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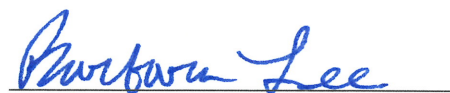
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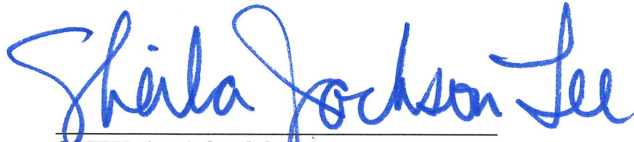
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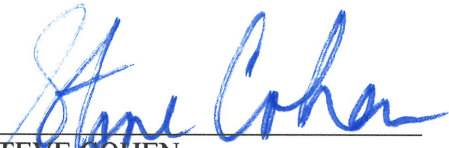
BARBARA LEE
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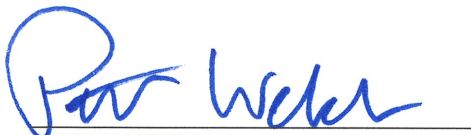
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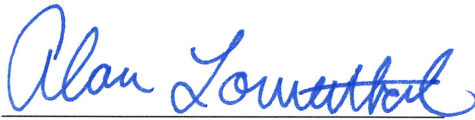
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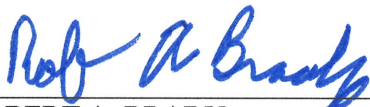
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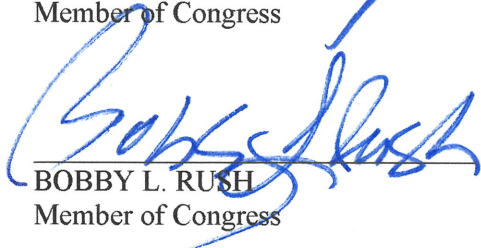
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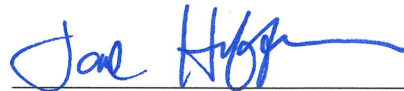
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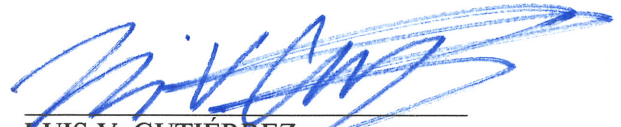
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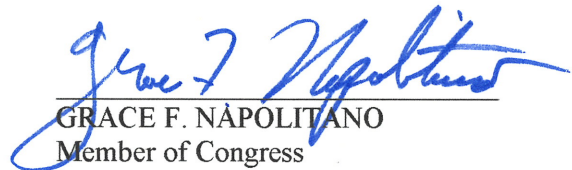
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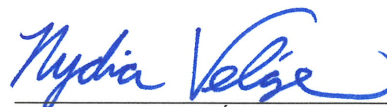
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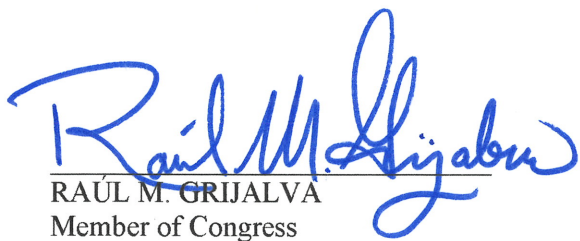
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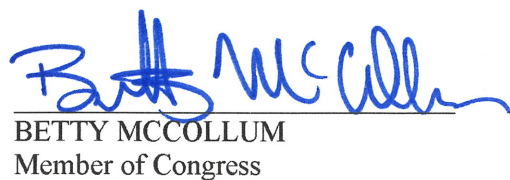
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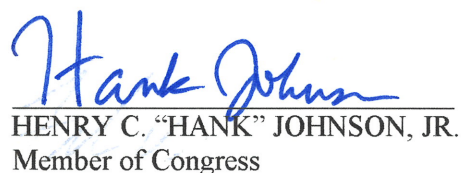

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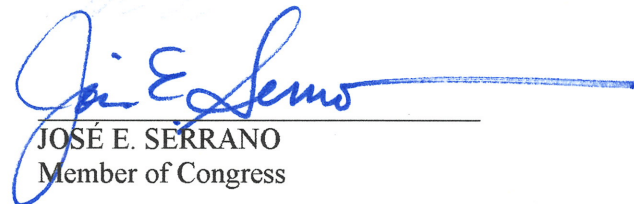

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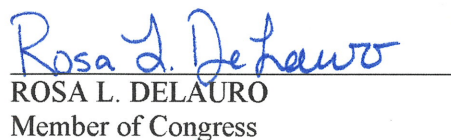

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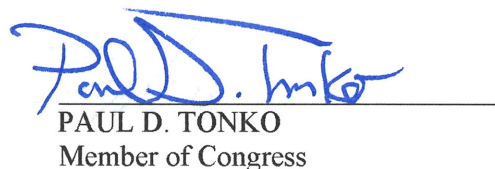

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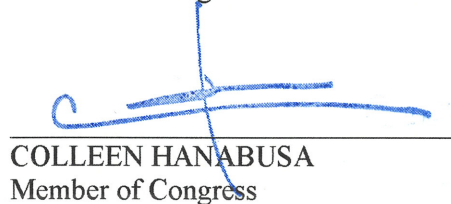

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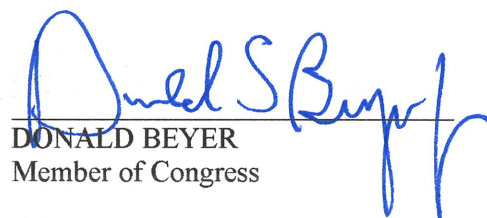

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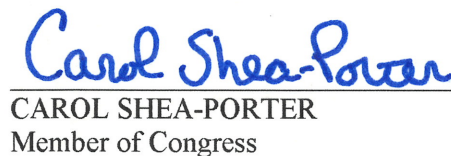

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