

# WIN WITHOUT WAR



## Jamal Khashoggi's tragic disappearance and the need to reexamine the U.S.-Saudi Alliance

### Background on the alliance

There is strong and growing evidence that Jamal Khashoggi's apparent extrajudicial killing was perpetrated by the Kingdom of Saudi Arabia (KSA) and ordered by its Crown Prince, Mohammed bin Salman (more commonly referred to as MbS). Khashoggi is a Saudi journalist and Washington Post columnist who lives in Virginia and is a U.S. resident. This tragic incident shines a light on the Trump administration's highly problematic, personalized relationship with Saudi Arabia, an alliance historically based in part on the oil for security bargain between the United States and Saudi Arabia in which the U.S. provides an external security guarantee in exchange for stable oil prices. As this bargain has lost relevance, however, the Trump administration -- in particular, Donald Trump and Jared Kushner -- has aligned itself closely with the personal fortunes of MbS based on their shared obsession with Iran.

The unconditional support on which the White House has based its alliance with MbS has provided a greenlight for MbS to operate with impunity and further destabilize the Middle East. Examples include:

- MbS' [brutal war](#) in Yemen;
- the lack of consequences for Saudi Arabia's apparent threatening of Canada -- one of America's closest allies -- over Canada's human rights criticism;
- MbS' shakedown of members of the Saudi royal family at the Ritz Carlton;
- Saudi Arabia's detention of sitting Lebanese Prime Minister Saad Hariri;
- MbS' extreme [campaign](#) against dissent and jailing, as well as execution, of activists calling for reform; and
- KSA's funding of extremist fighters in Syria and its [export](#) of extremism around the world.

These events, coupled with the planned luring and enforced disappearance of Jamal Khashoggi -- a U.S. resident -- on foreign soil, expose the folly of Trump's blank check approach to KSA and the need for Congressional oversight to prevent MbS' ability to operate with impunity.

### Key facts in the enforced disappearance and apparent murder of Khashoggi:

- On Oct 2, Saudi Arabian journalist Jamal Khashoggi disappeared following a visit to the Saudi consulate in Turkey. The New York Times has a detailed [explainer](#) of Jamal Khashoggi, his disappearance, and subsequent murder.
- According to the Washington Post, U.S. intelligence reports [show](#) that MbS ordered the rendition of Khashoggi.
- The rendition plan reportedly entailed a team of 15 Saudi operatives -- since identified in Turkish media -- entering the Saudi consulate in Turkey to kidnap and bring Khashoggi to Saudi Arabia against his will. As the Post reports, analysts speculate the plan went awry and resulted in his death.
- Former special counsel to DoD general counsel, Ryan Goodman [reports](#): Under Intelligence Community Directive 191, U.S. intelligence agencies are required to "notify an intended victim if the agency acquires information that a threat of kidnapping, murder, or serious bodily injury is imminent," and the Washington Post's reporting suggests that if U.S. intelligence agencies knew about the plan to kidnap Khashoggi, U.S. intercepts should have risen to this "duty to warn" threshold.

- The State Department has denied knowledge of any plans to harm Khashoggi but has not specifically commented on the latest Washington Post reporting on the U.S. intel intercepts that MbS ordered Khashoggi's rendition, which amounts to kidnapping.

#### Noteworthy fallout:

- After reviewing Turkish intelligence, Senators Corker, Menendez, Graham, Leahy, and 18 other Senators [initiated a review under the Global Magnitsky Act](#) in a bipartisan letter to President Trump. This request triggers a review of whether Saudi Arabia committed gross violations of human rights in connection with Khashoggi's disappearance to determine targeted sanctions on members of the Saudi government involved, which could include MbS.
- The [New York Times](#) and The [Economist](#) pulled their sponsorship of an upcoming investment conference in Riyadh hosted by MBS. There are public calls for other sponsors to follow suit.
- Former Energy Secretary Ernie Moniz [suspended](#) his role advising the development of a Saudi mega city under MbS' 2030 vision.

#### What can Congress do?

- **Block arms sales to Saudi Arabia:** Under the Arms Export Control Act, any Senator can introduce a resolution of disapproval regarding a specific notified sale. Under Senate procedure, this resolution is "privileged" meaning that it is guaranteed a floor vote within 15 days of the resolution's introduction. In the past, the Senate has voted on motions-to-table these resolutions, meaning a 'no' vote supports blocking the arms sale and a 'yes' vote approves the sale. (A similar mechanism to force a vote does not currently exist in the House.)
  - Even prior to Khashoggi's disappearance, Senate Foreign Relations Committee Chairman Bob Corker stated that it was unlikely the Senate would approve further arms sales to KSA due to concern over Yemen ([Defense News](#) and [Roll Call](#))
- **End U.S. military support for Saudi-led war in Yemen:** MbS is the architect of the war in Yemen that has killed tens of thousands directly and used starvation as a weapon of war, putting nearly 10 million on the brink of famine. U.S. military and political support gives the campaign legitimacy and allows the Saudis to continue the war indefinitely rather than negotiate an end to the fighting. There are a number of ways to end support, including by:
  - Cutting off funding for U.S. refueling of Saudi and UAE fighter jets bombing Yemen and revoking U.S. military personnel support that provides intelligence and training to the Saudi military;
  - Supporting H.Con.Res. 138 in the House or S.J.Res.54 in the Senate [invoking](#) the War Powers Resolution ([50 U.S.C. Chapter 33](#)) to demand an end to all unauthorized U.S. military support.
- **Invoke Section 502B of the Foreign Assistance Act (FAA)** (22 U.S.C. Sec. 2304(c)) to request information concerning security assistance, an assessment of Saudi Arabia's human rights record, its jailing and executions of activists, human rights defenders, and others since MbS came into power, its conduct under the laws of armed conflict in Yemen, and its restriction of humanitarian assistance into Yemen. This provision automatically triggers a cutoff in assistance if a reply is not received within 30 days. If a reply is received, it opens the door to the introduction of a privileged resolution in the Senate.
- **Cosponsor S.3517**, the Prevention of Unconstitutional War with Iran Act of 2018, which would block any effort by President Trump to start an unauthorized war with Iran
- **Oversight:**

- Demand the release of U.S. intelligence intercepts prior to Khashoggi's disappearance and investigate whether the intelligence community upheld its duty to warn under Intelligence Community Directive 191.
- Require Jared Kushner to testify before Congress about his personal relationship with MbS, including his private communications to probe his possible knowledge and [involvement](#) in the Khashoggi incident and his larger ties to MbS.
- **Strengthen laws against foreign influence:**
  - Pass [S.65](#), the Presidential Conflicts of Interest Act requiring the president to divest from his business holdings that Saudi Arabia has used as an influence tool.
  - Pass [S.3357](#), the Anti-Corruption and Public Integrity Act, to limit the influence of lobbyists on Congress through which Saudi Arabia wages influence campaigns in Congress.
  - File an amicus brief in support of Senator Blumenthal's [lawsuit](#) arguing Trump is violating the Constitution for failing to disclose and get Congressional approval for foreign government benefits, which he may be receiving from the Saudis in their increased use of his businesses, among other ways.
- **Urge companies to end their sponsorship and urge panelists to boycott the [upcoming conference](#) in Riyadh.**