

**THE PGA-LIV DEAL:
EXAMINING THE SAUDI ARABIAN PUBLIC
INVESTMENT FUNDS INVESTMENTS IN THE
UNITED STATES**

HEARING

BEFORE THE

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE

COMMITTEE ON
HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE
ONE HUNDRED EIGHTEENTH CONGRESS

FIRST SESSION

SEPTEMBER 13, 2023

Available via the World Wide Web: <http://www.govinfo.gov>

Printed for the use of the
Committee on Homeland Security and Governmental Affairs



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U.S. GOVERNMENT PUBLISHING OFFICE

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**THE PGA-LIV DEAL:
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WEDNESDAY, SEPTEMBER 13, 2023

U.S. SENATE,
PERMANENT SUBCOMMITTEE ON INVESTIGATIONS,
OF THE COMMITTEE ON HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS,
Washington, DC.

The Subcommittee met, pursuant to notice, at 11:12 a.m., in room 562, Dirksen Senate Office Building, Hon. Richard Blumenthal, Chair of the Subcommittee, presiding.

Present: Senators Blumenthal [presiding], Carper, Hassan, Padilla, Ossoff, Johnson, Scott, Hawley, and Marshall.

OPENING STATEMENT OF SENATOR BLUMENTHAL¹

Senator BLUMENTHAL. This meeting of the Permanent Subcommittee on Investigations (PSI) is called to order. Thank you to all of you for being here today. Thank you to my partner in this effort, Ranking Member Ron Johnson of Wisconsin.

At our last hearing, we began this inquiry into Saudi Arabian public investment fund's unprecedented deal with the Professional Golfers Association of America (PGA) Tour. Many Americans were outraged when we learned, quite astonishingly, that an authoritarian foreign government with a horrific human rights record entered into an agreement that would allow it effectively to take over an entire American sport.

Our Subcommittee swiftly initiated this inquiry to learn more about not only how this takeover was allowed to happen, but why, what it means for the future, and not only for golf, but other cherished American institutions, and what that means for our own freedoms.

Sports have tremendous power. Power to do good. Professional athletes often serve as Ambassadors for our ideals and role models for our children. But as I said in our first hearing in July, this inquiry is about much more than the game of golf. It is about more than sports. It is about the need for transparency so Americans can understand when valuable foreign investment becomes a vehicle for malign foreign influence.

¹The prepared statement of Senator Blumenthal appears in the Appendix on page 29.

As our inquiry has progressed, we have found that there are many reasons to be concerned. While we received important information from the PGA Tour, which sent two representatives to testify at our first hearing, the institution that is attempting to take over American golf, the Saudi Public Investment Fund (PIF), has refused to cooperate.

In fact, they have refused to make any witness available to testify or to produce a single document. We can only infer that this means that Saudi Arabia intends to gain the benefit of our freedoms while avoiding the obligations of our laws.

The PIF is run under the “chairmanship and guidance” of Crown Prince Mohammed bin Salman (MBS), the effective Saudi leader. Saudi Arabia’s use of sovereign wealth fund resources to attempt to gain influence in the United States should trouble us all. Under Crown Prince bin Salman, Saudi Arabia remains a brutal regime, utterly resistant to criticism, devoid of any right of free speech, and ruthless in its response to anyone who questions it.

Saudi Arabia is a country where 2 months ago, Mohammed al-Ghamdi, a retired teacher, was sentenced to death for criticizing the government on YouTube and other social media accounts, including on Twitter accounts that had a total of just 10 followers.

Saudi Arabia is a country where in the past year border guards have killed hundreds of Ethiopian migrants and asylum seekers, many of whom were children, as they tried to cross the border with Yemen.

The PIF has been implicated in some of Saudi Arabia’s most abhorrent atrocities. The PIF itself is the leading developer of Neom, a futuristic city planned for the desert and centerpiece of Crown Prince bin Salman’s Vision 2030.

When members of the Huwaitat tribe who live near the planned city resisted forced eviction from their homes, three tribe members were captured and sentenced to death by the Saudi government, while three others were sentenced to decades of imprisonment.

Another man from the same tribe was reportedly killed in his own home by Saudi Special Forces. The PIF also played a central role in the brazen kidnapping and murder of Washington Post journalist Jamal Khashoggi, having taken ownership of the planes that were later used to transport Khashoggi’s assassins to Turkey, where they carried out that horrific act.

The PIF’s planes were used to transport the killers of Jamal Khashoggi by private flights. I would be remiss if I did not mention Saudi Arabia’s role in the September 11 attacks on our country. This week marks 22 years since those horrific attacks.

Not only did 15 of the 19 hijackers come from Saudi Arabia, but in the years since, evidence has come to light, compelling and mounting evidence, revealing that the Saudi government may have known or knowingly aided some of these hijackers.

The Saudi government must take responsibility for its role, and our own government must be transparent about what actually happened. That is why earlier this week, along with Ranking Member Johnson, I wrote to the Attorney General (AG) and the Federal Bureau of Investigation (FBI) Director demanding full transparency over everything they know.

The families of 9/11 victims need and deserve accountability, and they are entitled to answers, all of America is entitled to answers about Saudi Arabia's role in the 9/11 attacks. I am encouraged that the Department of Justice (DOJ) and the FBI have responded. They provided us with an initial set of documents which are unfortunately still highly redacted.

But they have said that they are committed to working with us going forward. They have a lot more work to do to provide full transparency, and the proof will be in how they do that work. Without objection, I would like to enter into the record the FBI's initial production in response to our subpoena,¹ which removed certain redactions from documents regarding Saudi Arabia's role in the 9/11 attacks. Without objection, so ordered.

As many experts have noted, Saudi Arabia's investments in golf, as well as its other investments in global sports, represent an attempt to sports-wash the horrific record that it has on human rights and influence how the kingdom is perceived around the world.

At a time when authoritarian regimes are gaining power and people around the world are losing freedom, it is important that we stay vigilant against anyone who wants to protect, promote, or normalize autocracy.

Saudi Arabia's bid to buy professional golf in America is not just one investment in a vacuum. It is instead part of a web of growing investments in this country. They are largely unknown, and they are almost entirely without oversight.

Since our July hearing, this Subcommittee has looked closely at the Saudi government's investments in the United States, and we have been troubled not only by what we have seen, but what we have not seen.

The PIF's United States investments go far beyond golf and have grown exponentially in the past 5 years. The little information that is publicly available shows that PIF's U.S. investments were a little over \$2 billion in 2018.² Today, just 5 years later, they stand at more than \$35 billion.

The PIF has made investments in electronic vehicles, gaming, entertainment, and more, with significant potential implications of control over those companies. In fact, last year, it formed a wholly owned United States subsidiary based in New York.

That information is based on what can be discerned from very meager public sources. We have no way of knowing whether PIF has other investments in private equity, privately held companies, or other areas where public disclosure is not required. The \$35 billion that we know of may be just the tip of the iceberg.

As we will hear today, commercial investment has been used by foreign governments like China and Russia as part of a larger influence and disinformation campaign. What we know so far about Saudi Arabia's investments show the hallmarks of a similar effort.

While we have laws that require the review of foreign investments that pose direct threats to our national security, and we require agents of foreign governments to file disclosures, our current

¹ The information referenced by Senator Blumenthal appears in the Appendix on page 54.

² The Saudi PIF Total Asset chart appears in the Appendix on page 52.

laws largely leave commercial investment by foreign governments in the shadows—invisible.

These gaps may leave room for sophisticated regimes to engage in influence campaigns without any scrutiny or public knowledge. I want to be clear, the United States has a long and proud history of welcoming foreign investment. Open investment is central to our economy and has helped to spur innovation. Time and again, we must continue to open our arms and our markets.

But we also ought to demand transparency so that we can understand the strings that are attached to certain investments, especially those that come directly from authoritarian regimes. With this inquiry, we hope to explore the extent to which Saudi Arabia is exploiting these loopholes, and how other countries like China may do so as well. We also hope to learn ways in which we can start to close those gaps.

The PIF has offered none of the transparency necessary to understand its goals or the extent of its influence efforts. This Subcommittee has repeatedly sought cooperation from the PIF with our inquiry and they have persistently refused. The PIF's refusal to cooperate is an affront to our authority and to our institutions.

Congress has a Constitutional responsibility to regulate American commerce, and an inquiry into PIF's investment in the United States is well within this Subcommittee's mandate. That is why today I issued a subpoena to the PIF through its U.S. subsidiary for records concerning the PIF's investments in the United States.

I also provided a memorandum to Members of the Subcommittee providing further detail on the need for this subpoena. Without objection, I would like to enter that subpoena memorandum into the record.¹

As I wrote to the Governor of the PIF last month, it cannot have it both ways. If it wants to engage with the United States commercially, it must be subject to United States law and oversight. That oversight includes this Subcommittee's inquiry. The PIF and the Saudi government cannot take advantage of our democratic freedoms and cloak themselves in dictatorial secrecy.

They can use democratic institutions, but they cannot leverage them to promote suppression and oppression. I look forward to hearing from today's witnesses, each of whom brings expertise and experience with different concerns surrounding the PIF's investment.

I hope you will be able to shed light, not only on why this inquiry must continue and it will continue, but also how we can address risks that may exist from other countries similar to Saudi Arabia as we move forward. With that, I will turn to the ranking member for his opening statement.

¹The memorandum referenced by Senator Blumenthal appears in the Appendix on page 71.

OPENING STATEMENT OF SENATOR JOHNSON¹

Senator JOHNSON. Thank you, Mr. Chairman. On Monday, this Monday at 7:46 a.m. Central Time, I was in the Milwaukee airport awaiting my flight to D.C. when the entire terminal stopped and stood silent for 60 seconds to somberly commemorate the 22nd anniversary of the horrors of 9/11.

Over the weekend, I also saw a report about students born after 9/11 acknowledging the tragedy that changed our world forever. I was grateful those students had at least been taught that piece of history and that it made a powerful impression on them. For those of us who were alive on that day, we will never forget where we were, who we were with, and what we were doing when we first heard about that brutal attack.

For those of us who were also live almost 60 years ago, on November 22, 1963, the moment in time when we heard of President Kennedy's assassination has also left an equally indelible imprint on our memory.

In addition to creating those indelible memories, those two national tragedies have something else in common, significant information our government uncovered during investigations of these crimes have been kept hidden from the American public.

Even though a law was passed in 1992 to require the release of all documents related to John F. Kennedy (JFK's) assassination by the year 2017—five years have passed since that deadline and key portions of the historical record remain hidden from public view.

Why? What is so sensitive that both Republican and Democrat Presidents, together with a host of unelected bureaucrats serving in intelligence agencies and Federal law enforcement, feel that the American people can't handle the truth.

A similar cover up is occurring with what the U.S. Government knew and when it was known regarding the 9/11 attacks. I realize that 22 years is a lot less than 60 years, but almost 3,000 Americans lost their lives that day, and their families, together with the rest of the public, deserve to know what the government knows. It has been over 2 years since President Biden issued an Executive Order (EO) to declassify documents connected to the 9/11 attacks.

More than 1 year past the March 22 deadline for those agencies to complete their declassification reviews, the government has declassified and released only a little more than 4,000 pages of documents, many, if not most, of which are heavily redacted. Here is just a small little sampling.

The problem of those redactions is it pretty well renders the documents incomprehensible. The real information is kept from the American public. During the Subcommittee's July 11th hearing, I entered into the record an 11 page document handed to me by representatives families that lost loved ones on 9/11. That document, entitled Operation Encore, was only a small subset of the records the U.S. Government has released pursuant to President Biden's Executive Order.

As you can see, it is also heavily redacted. It is a little bit harder to fan that one. We found in that hearing on July 18—Chairman Blumenthal and I wrote to the Department of Justice and the Fed-

¹The prepared statement of Senator Johnson appears in the Appendix on page 32.

eral Bureau of Investigation demanding unredacted copies of all the records that had been released pursuant to the Executive Order, including the 11 page document. Because both agencies failed to respond, Chairman Blumenthal and I reiterated our request for this information this past Sunday.

On Monday, the FBI finally responded in what they claimed was a good faith effort to assist the Subcommittee in its inquiry. Here is what we received. We got five extra pages, also heavily redacted, and we got a key to the redactions, which is publicly available anyway.

I do not consider that a good faith effort, and quite honestly, in their letter to us they had this statement, "accordingly, we respectfully request the Subcommittee not disseminate or otherwise disclose these documents or their contents without prior consultation with the FBI."

I just view that as a sad joke. If the DOJ and FBI continue to withhold these relevant documents, I hope this Subcommittee will use every authority we have to compel compliance through our legitimate congressional oversight.

Why should unelected bureaucrats be able to access and view these records without redactions, while duly elected Members of Congress, who have full authority to view classified documents, why are we kept in the dark? Freedom can only thrive in an open society with a government that is honest and transparent with its citizens.

My time in Congress has taught me that our Federal Government is far from living up to that requirement. Again, Mr. Chairman, I appreciate our cooperation on this. This inquiry started with certainly an event that interested me, the PGA is trying to come to agreement with the PIF.

I think the inquiry is expanding well beyond that. I would say that the first step in our inquiry needs to be to continue to cooperate and use the full authority of this Committee to get the government to finally come clean and be transparent with what they know about what happened on 9/11.

I think that alone will be very valuable. Where this goes beyond that, I think you might have even higher goals. It will be interesting to see where this progresses.

Senator BLUMENTHAL. Thank you. Thank you, Senator Johnson. I will commit to you that we will use the full authority of our Subcommittee to get as much information to be made public as we can. We are not letting this issue go.

Senator JOHNSON. Let me also say there have been plain things in my investigations where information means classified. Some things do need to remain classified, but we ought to have access to it. We go down the sensitive compartmented information facility (SCIF) and we read it. That can inform us.

There is no reason whatsoever that this should remain outside of our review. We have that same authority. I would say we have higher authority than many of the bureaucrats that have access to information. At a minimum, even if they do not make it available for public display, we ought to be able to go and review it in the SCIF.

Senator BLUMENTHAL. We are going to arrange a classified briefing. We are talking to the FBI about dates. If necessary, we will use other tools. But let me also commit that not just you and I as Member of this Committee, but also the public should learn more. I have frequently said how over-classification, excessive secrecy is damaging to the public interest. Our adversaries often know more than the American people.

Senator JOHNSON. Right. Completely agree, and I look forward to working with you on that. Thanks.

Senator BLUMENTHAL. Let me introduce the witnesses and thank you for your patience. Benjamin Freeman is the Director of the Democratizing Foreign Policy Program at the Quincy Institute, where he investigates money in politics, defense spending, and foreign influence in America.

Dr. Freeman is the author of the Foreign Policy Auction, a book that seeks to systematically analyze the foreign influence industry in the United States. He has earned a Ph.D. in Political Science at Texas A&M University.

Brian Murphy is Managing Director at Logically AI, where he works with U.S. Government agencies, companies, and others to help combat misinformation and disinformation.

He previously served as both Principal and Acting Undersecretary for the Office of Intelligence and Analysis (OI&A) at the Department of Homeland Security (DHS). In these roles, he was responsible for the conduct of key intelligence activities supporting DHS and the intelligence community (IC).

Dr. Murphy was a special agent with the FBI for nearly 20 years. During that time, he led the FBI's national level counterterrorism programs, including developing and implementing the FBI's program for counterterrorism. Dr. Murphy holds a Ph.D. from Georgetown University and a Master of Arts in Islamic Studies from Columbia University.

Joey Shea is a Researcher in the Middle East and North African Division at Human Rights Watch, where she investigates human rights abuses in Saudi Arabia and the United Arab Emirates (UAE). In this role, she oversees Human Rights Watch's work on Saudi Arabia, documenting the government's repression of civil society and a range of other violations.

Prior to joining Human Rights Watch, Ms. Shea was a Non-Resident Scholar in the Middle East Institute and a Non-Resident Research Fellow at the Tahrir Institute for Middle Eastern Policy. We welcome all of you.

Now, as is our rule, I am going to swear you in. If you would please rise. Do you swear that the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you, God?

Dr. FREEMAN. I do.

Dr. MURPHY. I do.

Ms. SHEA. I do.

Senator BLUMENTHAL. Thank you. Dr. Freeman, we will begin with you.

TESTIMONY OF BENJAMIN FREEMAN, PH.D.,¹ DIRECTOR, DEMOCRATIZING FOREIGN POLICY PROGRAM, QUINCY INSTITUTE FOR RESPONSIBLE STATECRAFT

Dr. FREEMAN. Thank you, Senator Blumenthal, and thank you, Senator Johnson, for having me here today to testify and for your commitment to this critically important issue. I am also pleased to join my esteemed fellow witnesses on this panel, and we are eager to answer your questions about the PGA LIV deal and the Saudi Public Investment Fund.

I am the Director of the Democratizing Foreign Program at the Quincy Institute for Responsible Statecraft. Our focus is minimizing the influence of special interests on U.S. foreign policy. But critically to this hearing, I have been analyzing Saudi Arabia's influence in the United States for more than 15 years.

Based on that experience, let me start by saying, we would be naive to believe that the PIF's actions related to the PGA Tour are not part of the kingdom's much larger lobbying, public relations (PR), and broader influence operations in the United States. Saudi lobbyists have made the case for this deal to Members of Congress.

Their public relations firms have made the case for the PIF to mainstream media outlets. This is part of the Saudi lobby's influence operations in the United States. I also think we would be naive to believe that this is just another business deal. Last month at this Subcommittee's hearing, the PGA Tour witnesses made that abundantly clear. There is no business case for this deal.

As those witnesses said, and I will quote, "the LIV is an irrational threat, one not concerned with the return on investment (ROI) or the true growth of the game of golf." Then, if the Saudi government is not buying into a profitable investment, what are they buying? In short, they are buying our silence. They want to muzzle Americans critical of the regime and they want to rebrand themselves.

They want Americans to associate Saudi Arabia with golf and not with 9/11. All of this is especially important now as the United States is considering offering the Saudi government security guarantees as part of a normalization agreement with Israel. This is a major foreign policy decision that can mean committing U.S. troops to fight and possibly die for the Saudi dictatorship.

The stakes could not be higher, so I thank this Committee for investigating this now. At its core then, this is not a business deal. This is an influence operation. It is meant to shape U.S. public opinion and U.S. foreign policy.

We do America a disservice if we do not evaluate it accordingly, especially given that censorship and the silencing of dissidents is part of the Saudi business playbook. U.S. businesses operating in Saudi Arabia, for example, they face rampant censorship.

Our own U.S. International Trade Commission conducted a survey of U.S. businesses working abroad and they found the No. 1 censor was China, but right behind China, American businesses reported the most censorship in Saudi Arabia.

Saudi government is also a major financier of Twitter, now X, and a Twitter employee has been convicted of spying on Saudi dis-

¹The prepared statement of Dr. Freeman appears in the Appendix on page 34.

sidents through the platform. The Saudi government has also made major investments in Hollywood.

This, too, has resulted in direct censorship by the Saudi regime, specifically when Oscar winning documentarian Bryan Fogel was working on a documentary about the assassination of Jamal Khashoggi. It was virtually blacklisted in Hollywood.

Even when the film did make it out, Saudi trolls launched a coordinated effort to tank its online review scores. Of course, we already know about the agreement that we are discussing here today between PIF and the PGA Tour containing that non-disparagement clause, which is explicitly designed to silence criticism of the Saudi regime.

When asked to explain this non-disparagement clause, PIF representatives once again refused to appear before this Committee, and as Senator Blumenthal mentioned, refused to provide the documents that were requested of them. Unfortunately, I have to report that this is not at all unusual for Saudi influence efforts in the United States.

Not playing by the rules is part of the Saudi lobby's playbook. Two years ago, The Washington Post reported that the Saudi embassy operates a ring of what they called fixers that helps Saudis charged with crimes in the United States literally flee justice and literally flee this country.

The alleged offenses of the Saudis the embassy helped flee include possession of child pornography, rape, and even murder. Of course, as we have discussed, just 2 days ago was the anniversary of the terrorist attacks of 9/11. Yet the victims' families, some of them I believe are here with us today, have still been denied justice from the Saudi government after two decades of fighting for it.

A major reason for that is because the Saudi monarchy has spared no expense to avoid accountability, spent millions of dollars on this, and even stooped so low as to trick U.S. military veterans into lobbying against the 9/11 victims' families.

If this goes through, this is not just about golf. This is a crown jewel in the Saudis' reputation laundering efforts and it will be used as part of their larger influence operations in the United States. This is not happening in a vacuum.

China is watching. What we do today will be seen by authoritarian regimes abroad. If we once again do nothing, this could become a blueprint for how to garner influence in the United States, open the floodgates for even more foreign domination of U.S. sports, and it can be used as a tool for broader influence over our government, our media, and the American public.

I thank you again for the opportunity to testify. I very much look forward to discussing this further.

Senator BLUMENTHAL. Thank you, Dr. Freeman. Dr. Murphy.

**TESTIMONY OF BRIAN MURPHY, PH.D.,¹ MANAGING
DIRECTOR, LOGICALLY AI, INC.**

Dr. MURPHY. Thank you for the opportunity to speak with the Committee today. As my colleague said, it is a privilege to be here with the both of them in front of this Committee speaking about this important topic.

This hearing is about the Public Investment Fund of Saudi Arabia, as we know. I will offer two interrelated points upfront. First, foreign owned public investment funds are a positive commercial mechanism. That is, so long as they are done transparently. The topic of foreign backed covert influence campaigns impacting the homeland is not a new problem.

The Constitution granted each citizen the right to the freedom of speech. This same privilege was intentionally not extended to other nations. That includes friends and foes alike because such a privilege in the hands of a foreign country was considered a national security threat.

This is a threat that we now often call disinformation. It is a cheap and efficient way for foreign nations to utilize technology to support a full spectrum of influence operations that they conduct in the United States.

Conversely, it is healthy to have foreign nations transparently present their points of view to the American people. When the source of the information is identifiable, an individual has the opportunity to judge the messenger and the message more clearly. Disinformation can be an ambiguous term. I use three criteria to determine if content can be considered disinformation.

First, the identity of the content originator is intentionally masked. Second, the released information is content intended to influence an outcome. Third, the originator has a predetermined political, military, economic, or social objective. What makes disinformation a national security threat is its covert nature.

People do not have the chance to judge for themselves the true origins and hence the motives of the information center. As we consider disinformation, it is important to recognize it is just one aspect of a much broader foreign influence campaign that nations bring against the United States.

Nations very much understand the additional protections offered for their operations if they can work through and with American businesses and U.S. people. Behind all of these campaigns, of course, is money, and Saudi Investment Fund is reported to be approximately \$780 billion.

While I am not here to address the full scope of the Saudi fund's intention, I can say that a sizable fund such as that offers an opportunity for a foreign government to purchase influence and utilize proxies within America to conduct influence operations. What a government can purchase to exert influence can come in the forms of financing existing U.S. businesses, purchasing companies outright, contracting with firms that specialize in consulting, and creating U.S. jobs.

After such transactions are completed, what and who is behind a narrative is often no longer clear. There are, of course, a number

¹The prepared statement of Dr. Murphy appears in the Appendix on page 37.

of laws and regulations already on the books to provide daylight to foreign influence in the United States.

We have the Foreign Registration Act, the Committee on Foreign Investment in the United States (CFIUS), and the Foreign Investment Risk Review and Modernization Act (FIRRMA), just to name a few.

However, something like a foreign investment fund does present a potential loophole. Something like the Saudi Investment Fund provides the opportunity for foreign government to hide further who is behind its influence campaign.

There is much on the record regarding the Saudis' influence campaign in the United States, such as the indictment my colleague spoke about of two Twitter employees and a Saudi national in 2019 who were working at Twitter, and the well-documented Saudi efforts to cover up the murder of Jamal Khashoggi and try to influence the U.S. people about how that murder went down.

However, because there is much more publicly available information on similar activities by other countries such as China, examining some of these use cases also is important. I am not suggesting the nature of the relationship of China and Saudi Arabia with the United States are the same, but we do know that Saudi Arabia does copy some of the same tactics used by China.

The Chinese scheme to covertly influence Americans is to use a full spectrum of Chinese government, political, economic, and military levers to shape information so that other governments and local populations conform to their strategic objectives.

Over the last week, the RAND Corporation and Microsoft issued reports indicating the Chinese authorities' intentions to use AI to covertly influence American people and policymakers. The U.S. Government is generally more attuned to how Chinese investments in the United States can undermine national security.

For example, influence campaigns in the United State associated with sister city relationships, academic partnerships, economic activity, and Chinese law enforcement officers in the United States have all been identified as part of their broader panoply of influence operations. Some parallels how the Chinese and Saudi use their financial positions to try to influence and shape the U.S. perception can be seen in sports, as being discussed today.

Both countries have exerted a level of influence through the U.S. industry to conduct sports washing. Sports washing is a form of disinformation to promote or demote stories about a country through their U.S. athletes and their U.S. organizations they now control.

To bolster their activities in one area of influence operation, both countries also utilize social media to create accounts that appear to be Americans, but very much are operated by these repressive governments and designed to sow disinformation.

In conclusion, foreign owned public investment funds are a positive commercial mechanism, but as I said in the beginning, they need to be transparently identifying how that money moves through the United States so that people can get the full transparency they need to make informed decisions. Thank you.

Senator BLUMENTHAL. Thanks very much, Dr. Murphy. Ms. Shea.

**TESTIMONY OF JOEY SHEA,¹ RESEARCHER, SAUDI ARABIA
AND UNITED ARAB EMIRATES, HUMAN RIGHTS WATCH**

Ms. SHEA. Good morning, Chairman Blumenthal, Ranking Member Johnson. Thank you for convening this hearing on Saudi Arabia's Public Investment Fund. My name is Joey Shea, and I cover Saudi Arabia for Human Rights Watch.

Human Rights Watch is an independent, non-governmental organization (NGO) that monitors human rights issues in over 100 countries, and we have been documenting human rights abuses in Saudi Arabia since 1997.

I will focus my remarks today on the human rights abuses linked with Saudi Arabia's Public Investment Fund, but first, a note on those abuses associated with the PIF's chairman, Crown Prince Mohammed bin Salman. Since coming to power, the Crown Prince has overseen the worst period for human rights in the country's modern history. He has overseen a historic and unprecedented crackdown on freedom of expression.

The Central Intelligence Agency (CIA) found that he ordered the murder of journalist Jamal Khashoggi, and he also served as the commander of the international coalition that carried out scores of indiscriminate and disproportionate airstrikes on civilians and civilian objects in Yemen, some with U.S. weapons.

Now, Human Rights Watch has extensively documented the Crown Prince's consolidation of political and security power since 2017, and the dire implications for human rights. In tandem, the Crown Prince has also consolidated economic power, most notably via the PIF. Now, the Crown Prince, the Saudi government, and the Public Investment Fund are inextricably interlinked.

This raises serious concerns for U.S. businesses that are engaging with the Public Investment Fund and the possible links that this may create with abuses in Saudi Arabia, particularly as the fund expands its investments in the United States, in key sectors of the American economy.

MBS wields significant control over the PIF and exercises unilateral decisionmaking without transparency nor accountability. The restructuring and dramatic expansion of the PIF in recent years has consolidated to a historic degree vast economic power under the Crown Prince alone.

Now, the PIF's 5 year program strategy ostensibly lays out a robust governance and operations framework. However, recent media reports suggest that the Crown Prince can easily circumvent these institutional safeguards. The PIF has been ranked as amongst the least transparent, least accountable, and with the least credible governance structures in the world.

The Public Investment Fund under Mohammed bin Salman has facilitated human rights abuses and has benefited from human rights abuses, including the 2017 corruption crackdown that involved the arbitrary detention, ill treatment, and extortion of property from current and former government officials, rivals within the royal family, and prominent businessmen.

The corruption crackdown involved detaining dozens of people and pressuring them into handing over assets in exchange for their

¹The prepared statement of Ms. Shea appears in the Appendix on page 41.

release outside of any recognizable legal process. Court documents obtained by Human Rights Watch show that in 2017, one of MBS's advisers ordered Yasir Al-Rumayyan to transfer 20 companies that were seized during the crackdown into the Public Investment Fund.

There is a serious risk that these companies were transferred without due process. The court documents also indicate that one of the companies that was transferred was Sky Prime Aviation, which is the charter jet company that owns the two planes that transferred Saudi agents to Istanbul, where they murdered Jamal Khashoggi.

Over the past several years, the Saudi government has embarked on an aggressive campaign to deflect from the country's image as a pervasive human rights violator by hosting high profile celebrities and sporting and entertainment events.

The agreement between the PGA Tour and the PIF effectively enables the Saudi government's sports washing, in part because it places the Saudi government in an unprecedented position of ownership, control, and influence over an entire sports league.

Now, despite Saudi efforts to deflect from its image as a pervasive human rights violator, human rights violations continue. Last month, Human Rights Watch documented the mass killing of Ethiopian migrants and asylum seekers by Saudi border guards, which, if committed, is part of a deliberate strategy by the Saudi government to murder migrants, would constitute a crime against humanity.

Now, based off of our research into the links between the PIF and human rights abuses, we are urging the adoption of legislation to increase scrutiny of foreign acquisitions of U.S. businesses, particularly to identify the human rights risks and corruption risks prior to the acquisition. Thank you.

Senator BLUMENTHAL. Thank you all. I will begin the questioning. We will have 5 minute rounds and we will have a second round. I want to begin, Dr. Freeman, by digging down a little bit into what you have called faux grassroots campaigns.

You have written extensively about Saudi influence efforts across the United States. Can you tell us what you mean by that concept of faux grassroots campaign and what the Saudi objectives are in using them?

Dr. FREEMAN. Yes, Senator. This is a tactic that we have seen the Saudi influence operation used post Khashoggi.

As I referred to it, when they started losing the battle on K Street, they took the battle to Main Street America, and they have hired a number of public relations firms in the heartland of this country. What these organizations do is try to organize PR type events for Saudi Arabia. They work with everything from local chambers of commerce, small businesses, even small Etsy shops, and even a high school newspaper journalists we have seen them contacting.

There is seemingly no one they will not reach out to, to spin press in local jurisdictions, create positive events for the Saudi regime, including having the Saudi Ambassador and other embassy spokesperson go out and talk to folks in middle America.

What they do then with these events that they help to orchestrate, those events sort of get laundered back to us in D.C., where other firms who work for the Saudis, they then take the news clippings from those events, the positive press, the stories, the radio interviews that they helped to orchestrate themselves, and then they send those back to folks on the Hill, to you and some of your colleagues even, and they try to make it appear as if these events are all happening organically.

That there is just this upsurge in support for Saudi Arabia from your constituencies, your State, your local jurisdictions, when in fact, all of this is just being created by the folks who are on the Saudi's payroll. That is why I refer to it as a faux grassroots operation.

Senator BLUMENTHAL. This question may seem to have an obvious answer, but maybe you could put it on the record. How does the Saudi takeover of the sport of golf, it is using LIV golf to take over the PGA Tour, fit into that strategy?

Dr. FREEMAN. I would say it increases the availability of opportunities for that faux grassroots operation. Now, every time then there is a local PGA event, immense opportunities for sports washing, for creating those local stories that they become so good at, and it raises the profile of a PGA event.

I hail from the great State of Florida where the PGA is based, and golf is up there with football in terms of its importance. Whenever there is a PGA event, it gets news coverage. If the Saudis are able to influence that and spin that narrative back here to us in D.C., it can be a very powerful weapon in their influence operation.

Senator BLUMENTHAL. The Saudi logo, the Saudi merchandise, the Saudi promotions all fit that faux grassroots strategy. Dr. Murphy, you have spent your career helping to protect our nation against national security threats. Why does the Saudi tactics and strategy here trouble you?

Dr. MURPHY. I think it troubles me for a couple of reasons. One, what has been said here today by my colleagues myself is what they are trying to accomplish, which is to whitewash the parts of the Saudi efforts that are against the norms under which we live.

The murder of Jamal Khashoggi is unfortunately an easy one to point out. They are trying to create that image so that as policymakers go about their work, there is an obfuscation about what Saudi Arabia is really about.

It is a complicated relationship that the United States has with Saudi Arabia, and that is not unique, but at the same time, this kind of laundering of information tries to change that relationship.

Senator BLUMENTHAL. Ms. Shea, I mentioned, and I think you did as well, the links between the PIF, the Crown Prince, and the human rights abuses that so trouble us here. There are filings in a Canadian court action. I know you are aware of them.

They have been reported first by Cable News Network (CNN), and later acquired and reviewed by Responsible Statecraft and Insider and other outlets, that reveal that Sky Prime Aviation was transferred to PIF on December 22, 2017.

Two Gulfstream jets owned by Sky Prime Aviation shuttled Khashoggi's assassins in and out of Istanbul less than one year

after that transfer of ownership occurred. More than circumstantial evidence here.

This kind of complicity could not have happened without knowledge at the highest levels of the Saudi government. Would you agree?

Ms. SHEA. The PIF is chaired by Mohammed bin Salman. The council that over seized the board of directors of the PIF is also chaired by Mohammed bin Salman. He is the prime minister of the country. As I stated before, he exercises unilateral decisionmaking power over the PIF's decisions and investments, and it would be deeply surprising if he did not know about this.

Senator BLUMENTHAL. Based on your experience, Dr. Murphy, would you agree?

Dr. MURPHY. I think the CIA assessment has led us to that. I have confidence in that assessment, and I do agree.

Senator BLUMENTHAL. Dr. Freeman.

Dr. FREEMAN. I agree as well.

Senator BLUMENTHAL. I will turn to the Ranking Member for his questions and then come back after he finishes.

Senator JOHNSON. Thank you, Mr. Chairman. First of all, let me state, I find the Saudi Arabian human rights abuses abhorrent, as I think we all do. If I was to evaluate how many billions they spent doing their sports washing, it does seem like they are getting very good value for their dollar. This hearing is evidence of it.

Would you disagree with that? I understand the other full events. I understand how they could try and do this, but it does not seem to be working too well. Would you agree with that, Dr. Freeman?

Dr. FREEMAN. Thank you for the question, Senator. I think I would agree with that if we look at this as a short term investment for them. Certainly, the PIF's investments of the last few years in golf are just absurd. You pay Phil Mickelson more than he has made in his entire career—

Senator JOHNSON. By the way, when was the PIF established? How long have they had the sovereign wealth fund? Do you know?

Dr. FREEMAN. Oh, I defer to my colleagues on that.

Senator JOHNSON. Anybody?

Ms. SHEA. 1971. From 1971 until 2015, the PIF was housed under the Ministry of Finance. In 2015, there was a decree that was issued that transferred the PIF from the Ministry of Finance—

Senator JOHNSON. It has taken them since 1970 to buildup this wealth fund, \$700, \$800 billion. Is that correct?

Ms. SHEA. The PIF has grown tremendously since 2015.

Senator JOHNSON. But that is about the value right now, about \$700, \$800 billion. As I stated in my opening comments, our government is not being honest. They are not being transparent. If you really take a look at who is doing the majority of the covering up for the Saudis right now, I would say it is the U.S. Government. Would you disagree with that, Dr. Murphy?

Dr. MURPHY. I do not know the reasons why, and they are incomprehensible—

Senator JOHNSON. That was going to be my next question. I mean, first of all, do you agree? It seems like our Federal Govern-

ment is probably doing more covering up for the Saudis than the Saudis are doing for themselves.

Dr. MURPHY. I do not have the full facts, but I would agree with you. On the face of it, it seems incomprehensible that they would not release 20 plus years later information related to 9/11. Having been on the other side of these discussions, there is a time factor that is often very instrumental, so I think I do agree with—

Senator JOHNSON. Again, the question is, why? Why would our government cover up for the Saudis? I do not know, I think the answer is somewhat obvious. We buy a lot of their oil. Quick, back of the envelope, a calculation from my staff, about \$16 billion a year.

I do not know how much of that \$700, \$800 billion of PIF investment is, U.S. consumer dollars, but we have invested that money. I think, the point I am trying to make here is being realistic, what would you rather have them do with our money?

The Biden Administration, because of the Khashoggi murder, entered the office pretty hostile. The reaction of Saudi Arabia then was to run to the Chinese and start selling them oil using Chinese currency.

The greatest threat we face being \$33 trillion in debt is to have the U.S. dollar no longer the world's reserve currency. This is how you move down that path of losing that status.

Would that not part of the rationale that the United States in terms of our foreign policy, is somewhat sensitive, trying to maintain some kind of relationship, as well as a counterbalance to Iran in the region?

There are some real politics playing in here, correct? Dr. Freeman, it looks like you want to say something.

Dr. FREEMAN. Yes, Senator. I think I agree with a lot of that assessment. I think when we are talking about Saudi investment in America, not all of their investments are created equally. I think both you and Senator Blumenthal in your opening remarks made that clear. The troubling part of the PIF's investments related to this deal are an utter lack of transparency, and we do not have insight into where these investments are going.

Senator JOHNSON. Part of the problem is, what could they really do about it. In our previous hearing, we had testimony, we saw emails that if the PGA does not do a deal with PIF, PIF is just going to double down and they will, again, eventually they will provide contracts to the best golfers in the world and destroy the PGA. Again, golf is not just a U.S. sport, it is a global sport.

That was the point I was trying to make the last hearing, is the PGA is looking at an existential threat. It is not a fair fight. There are \$1.5 billion entity versus a \$700 billion entity.

I am trying to look at the reality situation. What can we do about this? Do we pass a law, do we stop buying Saudi oil? Do we pass a law and say, we are not going to let Saudi Arabia take our money and invest in the United States we are going to make them invest that in China. What is a practical solution to this problem? With the underlying basis that we all find their human rights abuses abhorrent.

Dr. MURPHY. Senator, I think that I do not have the perfect solution. But what I would offer is that, as my colleagues said, these

are long time campaigns, and the investment or the takeover of PGA is just one of a much larger organizational, whole of government from Saudi Arabia exercise to conduct influence operations. I think we cannot just look at it as—

Senator JOHNSON. But my question is, what do we do about it where we are not cutting off our nose to spite our face? Where what our solution is, the cure is worse than the disease?

Dr. MURPHY. I think transparency is a good start and this hearing is a great forum to exercise that in.

Senator JOHNSON. We will go back to transparency starts with within our own government, to become transparency to cough up what they know. Thank you, Mr. Chair.

Senator BLUMENTHAL. Thank you. The record will reflect that at least two of the witnesses are nodding in approval about greater transparency from our own government. But I do think that Senator Johnson raises a very important point, what do we do about it, and that is the goal of these hearings.

My initial reaction to what we have heard so far is that there are gaps and loopholes in the reporting of foreign government investments in this country. We are not talking about foreign investors, private individuals. We are talking about the Sovereign Wealth Fund, the Public Investment Fund.

The Russian or Chinese disguised and concealed funds that may be shell corporations run by oligarchs. Some of them have been seized. There is litigation about it. But transparency, greater disclosure, is certainly one avenue we ought to pursue.

I am going to come back to this issue, but I really want to follow up on a point that Ms. Shea commented on. The growth in the PIF, my understanding is that the growth has been most concentrated in the last few years, correct?

Ms. SHEA. Yes.

Senator BLUMENTHAL. When it was in effect, under the control of the Crown Prince, correct?

Ms. SHEA. Yes, absolutely. As I mentioned, between 1971 and 2015, the PIF was housed under the Ministry of Finance. After 2015, it was when King Suleiman came to power, he created the Council on Economic and Development Affairs (CEDA), which MBS headed since its creation. The PIF was then moved to be under CEDA, this Committee. Starting in 2015, we saw a dramatic expansion of the PIF.

Senator BLUMENTHAL. You commented, I think, I may not be quoting you exactly, but the PIF and the Saudi government are inextricably intertwined. The Governor of PIF, Al-Rumayyan is a close confidant and very good friend of the Crown Prince. Could you comment on other ways that they may be linked together, as you said, inextricably?

Ms. SHEA. Yes, absolutely. Yasir Al-Rumayyan and MBS are very closely, personally linked. As I mentioned, recent media reports have suggested that the institutional safeguards that the PIF writes about and sort of relies upon are easily circumvented by the Crown Prince.

There was a documentary that was produced by Major Broadcasting Cable (MBC), a Saudi government backed broadcaster, where Al-Rumayyan himself details an incident at the beginning of

2020 during the crash in the markets of Coronavirus Disease 2019 (COVID-19), when MBS wanted to invest heavily in a range of different interests.

This move was opposed by the board of directors, and MBS went beyond the board, circumvented these safeguards, and went directly to the King. Rumanyyan details how the King issued a decree that allowed these investments to go forward, even though they had been opposed by the board.

Beyond this example, in countries such as Saudi Arabia, where there is so much power concentrated under MBS himself, political power, economic power, security power, these institutional safeguards are very weak.

Senator BLUMENTHAL. The parallel has been drawn to China and Russia. Perhaps, Dr. Freeman, Dr. Murphy, Ms. Shea, you could expand a little bit on that point.

Dr. MURPHY. I think that if we consider how money is used by China in their Belt and Road initiative, again, a part of a much broader campaign, there are some parallels with the Saudi Investment Fund here.

What happens is over an extended period of time, as investments become much more entwined with that company's business and the company runs into crisis, there is leverage that China, for example, will play against other businesses and countries.

That pattern by Saudi Arabia is likely to be repeated, as we have seen in other areas. These funds are used as part of their full spectrum campaign to exert leverage.

Senator BLUMENTHAL. Dr. Freeman.

Dr. FREEMAN. Yes, Senator Blumenthal. I very much look at this as authoritarian regimes learning from other authoritarian regimes' efforts to garner influence in the United States. We have seen this in sports with the National Basketball Association (NBA) and China, I think was a good test case. The Saudis were watching that deal.

They saw the effect they could have on censorship of the NBA and its players there. But we have also seen this in U.S. higher education, too. This Committee has done a commendable job of looking into foreign investments in higher education as well. You sort of see an arms race there amongst authoritarian regimes too, trying to garner more and more influence in U.S. higher education.

China at the forefront, but Qatar, Saudi Arabia, and other authoritarian regimes garnering influence there. That is why I think it is critical when we look at this deal to realize that this could become a blueprint for China, for Russia, for another authoritarian regime trying to take over a U.S. sport.

Senator BLUMENTHAL. The impact is not just in this country. The Chinese use the Belt and Road strategy in Africa and countries elsewhere in the world. The takeover of golf has implications in terms of misinformation and disinformation, not only in the United States, but across the globe, does it not?

Dr. MURPHY. Absolutely, without question. The cognitive domain by which the Chinese, or in this case the Saudis, try to dominate, is critical for their foreign policy. Their military diplomacy efforts—not diplomacy, but military strategy as well.

They are trying to either weaken what they would view as an adversary nation's ability to respond or get them to change their policies and positions on things. It is highly intertwined.

Senator BLUMENTHAL. I will finish with this question and then I will turn to either Senator Marshall, if he is ready, or back to Senator Johnson. Senator Johnson quite aptly asked you about whether Saudi Arabia is getting its money's worth given the proceedings before this Subcommittee.

These proceedings are not in any way the result of a request from Saudi Arabia. They have done everything, the PIF has done everything they can to, in effect, deny us information that we are seeking from them. Your distinction between the short term effect and the long term effect, I think, is also apt.

As important as we think these hearings are and some of the publicity, my hunch is that the PIF and the Crown Prince are anticipating that memories will be short, especially among golf fans and the public in general, and that what remains is the washing, whether you call it sports washing, whitewashing, of the atrocities that is the goal here.

They are not looking at what the bottom line is quarter by quarter in return on investment. They are looking to the public's impression of the Saudi brand, correct?

Dr. FREEMAN. Senator, I think that is absolutely right. If you look at this as a business investment, it is one of the worst business investments you could possibly think. The ROI here is just nonexistent.

I completely agree with you on that, Senator Johnson. I think, too, when you look at this, this is a long term influence investment. It might take years, it might take decades. It is going to be very subtle.

If they wanted a short term investment in influence, that is where the lobbying, the PR firms, you can spin the immediate news cycle. Investments in this, like investments in higher education for authoritarian regimes, they are long term efforts to garner influence in the United States.

Senator BLUMENTHAL. Thank you. Senator Marshall.

OPENING STATEMENT OF SENATOR MARSHALL

Senator MARSHALL. Thank you, Mr. Chairman. Thank you to our witnesses for being here today. I continue to believe that the legal business dealings of private corporations should not be the subject of yet another hearing of this Subcommittee and that we should be more focused on the pressing issues I hear about every time I go back home.

It is skyrocketing inflation, it is the price of gas, it is groceries, a historic border crisis, the safety and security of their families. At the same time, I have nothing but praise for the PGA and the LIV golf programs.

I love to see opportunities for our young adults to do other things than play video games and be on social media. I think golf is one of those things that any young American can get out and enjoy. It has become a communication opportunity for businesses. I would love to see the competition out there.

I know many fans prefer PGA and others prefer the LIV format, the music and the upbeat nature of it. More of a team concept as well. I know many of the players like this opportunity as well.

When I go back home, and I think about home again and why this hearing might be important to me, though, is of all the things my dad could not stand, it was a hypocrite. Some one for saying one thing and doing another or trying to pull the speck out of another person's eyes when there is a log in your own eye.

My first question is for Ms. Shea. Human Rights Watch, the organization you are representing, believes that gender identity is an integral part of ourselves and should never lead to abuse.

First question, at what age would Human Rights Watch believe that a child should be exposed by an adult to sexual content in schools? Second, does Human Rights Watch believe it is child abuse for an adult to encourage, perform, or administer hormone treatments, transition surgeries, or double mastectomies to minors?

Ms. SHEA. Thank you for your question. I cover Saudi Arabia and the UAE exclusively for Human Rights Watch, so I am unfortunately not in a position to answer your questions, but I will speak to my colleagues in our gender and lesbian, gay, bisexual, and transgender (LGBT) division and get back to you with an answer.

Senator MARSHALL. In general, has Human Rights Watch supported those types of endeavors, to your knowledge?

Ms. SHEA. As I said, I cover Saudi and the UAE.

Senator MARSHALL. I understand that. But you have no knowledge on such a critical issue of human rights that you do not know what your own organization represents.

Ms. SHEA. As I said, I am very happy to check with my colleagues.

Senator MARSHALL. You have no knowledge whatsoever of what the Human Rights Watch position is on this issue?

Ms. SHEA. As I said, I will check with my colleagues, and I will get back to you.

Senator MARSHALL. But, so you do know, but you are not going to tell us what their position is.

Ms. SHEA. I cover Saudi Arabia and the UAE—

Senator MARSHALL. You have been coached well. Human Rights Watch is opposed to the Florida law—so you do know this.

They are opposed to the Florida law, the Parental Rights and Education Act, which prohibits instruction about sexual orientation and gender identity in kindergarten through third grade and require that such instruction be age appropriate or developmentally appropriate.

Recently in Florida, it was discovered the books across several counties were in violation of law, including the book genderqueer, which depicts graphic sexual contact. Does Human Rights Watch believe this kind of content is appropriate for young children to see in the school?

Ms. SHEA. As I said, I cover Saudi in the UAE, and my research concerns the human rights abuses that are associated with the Public Investment Fund. I am happy to go back to my colleagues and provide you an answer in writing.

Senator MARSHALL. But you do acknowledge that the Human Rights Watch is opposed to this Florida law.

Ms. SHEA. As I said, I cover Saudi and the UAE, and I would be happy to go back to my colleagues. I am part of the Middle East North Africa division, and my research is focused exclusively—

Senator MARSHALL. I was not here for the rest of the hearing. What exactly are your human rights concerns with Saudi Arabia?

Ms. SHEA. We have deep concerns over the Crown Prince's human rights records.

Senator MARSHALL. Specifically, can you tell me specifically what those are?

Ms. SHEA. Absolutely. The Crown Prince, Mohammed bin Salman, has overseen a historic, unprecedented crackdown on freedom of expression. Just last month I mentioned previously that we documented the mass killings of migrants and asylum seekers with explosive weapons by Saudi border guards.

We found that if these killings were part of a deliberate strategy by the Saudi government to murder migrants, it would constitute a crime against humanity. A few weeks ago, I also documented a case, Mohammed al-Ghamdi, who was handed down a death sentence based purely on his peaceful Twitter activity.

Senator MARSHALL. I will close with this. Again, I think it is the pot calling the kettle black. We have our own Administration cracking down on freedom of expression, censoring many thoughts through all the COVID situation as well.

I just feel like we are a hypocrite when we are sitting here, and we are not holding all countries on an equal standard. We pick and choose who we think is violating human rights. We need to look in the mirror and take care of our own Constitutional rights and protect them as well. Thank you so much.

Senator BLUMENTHAL. Thanks, Senator Marshall. Senator Johnson.

Senator JOHNSON. Thank you, Mr. Chairman. When we are talking about foreign policy issues, when we are talking about conflict between nations, I do not know about you, but I always feel a great deal of sympathy for the people that are being ruled by authoritarian regimes.

In our first hearing, PGA board member Jimmy Dunne made, I think, a pretty powerful statement. This came from the heart. Jimmy is part of the 9/11 families, and he understands.

What he does not want is whatever we do here, there are 18 million Saudis under the age of 32 that were not around during 9/11. Had obviously no involvement. He does not want them to think that America hates them. It is a quandary. We are talking about a long term influence peddling scheme.

I know the Kingdom is trying to at least convey that they are trying to modernize the Kingdom and they are offering greater human rights. You would like to think that is true. You would like to think that Saudis are going to realize greater human rights.

Again, I find their human rights abuses abhorrent. I am not being an apologist for it, but I am wishing the best for the Saudi people. Do you want to comment on that, Dr. Freeman?

Dr. FREEMAN. Yes, Senator. I think it is very important whenever we have these conversations, we distinguish between the actions of the government of Saudi Arabia and the citizens of Saudi Arabia for all the reasons you just mentioned.

Most of the citizens there, as you mentioned, in all authoritarian regimes, they feel the pain of those authoritarian regimes worse than anyone does. We should not hold any actions the Saudi government does against those citizens. We have to keep our focus on that regime.

Senator JOHNSON. I think as we were talking about solutions, I think transparency probably is the best solution. I am concerned anybody is—when we start talking about misinformation, we just saw the court decisions in *Missouri v. Biden*, where our government, I think unconstitutionally, and that is what the courts are ruling, influenced, tried to censor, what they termed disinformation, misinformation.

I always go to Louis Brandeis, who probably about a century ago said that the solution for mis and disinformation is not censorship, but more free speech. I come down on that, and that falls in line with transparency.

If we are going to really look for a solution on this thing, I think it really would lie in terms of transparency surrounding the investment of sovereign wealth funds in general, because again, this is not just an issue with China is probably the worst abuser here.

They are the ones that have most infiltrated our society. They put the most pressure on U.S. citizens, or U.S. corporations where they are trying to do business and trying to expand trade, that type of thing.

I am intrigued by that. Do you have any comments on that or any ideas in terms of how you would enact better transparency? I think you would target sovereign wealth funds, correct? Or would you target foreign investors in general?

Ms. SHEA. We think that it is important for there to be increased scrutiny over foreign investments in the United States, and particularly looking at the human rights and corruption implications of foreign investment in the United States. I am quite confident that most American businesses do not want to become complicit in human rights abuses—

Senator JOHNSON. So again, you say greater—

Ms. SHEA. I think that—

Senator JOHNSON. When you say greater scrutiny, specifically, what would you require? Disclosure of what the investment is? I am trying to drill down the detail. What do you want disclosed?

Dr. MURPHY. I think part of it is, if you look at parallels and they are different. I am in a private industry myself, so of course I do not want government involved in every aspect of transactions.

But where there are critical infrastructure, the 16 critical infrastructure sectors designated by the government, they have some oversight because they are instrumental in our national security.

When it is a public investment or private investment into something that could impact that, you have to fill out lots of forms and there are lots of rules and regulations in there. This is a loophole, these public investment funds and others like them.

We have a repeatable process. It will not look exactly the same. If I want to do business with the U.S. Government, I would have to, as a foreign company, I have to fill out those forms. Very similar here. I think there is a process there which does not give away all the business records and secrets of a business strategy—

Senator JOHNSON. Almost like a Foreign Agents Registration Act (FARA). You have to register you are making this investment. Because I will say, and I will conclude on this, I am highly concerned if Congress all of a sudden inserts itself into a process of saying, we are going to identify a U.S. business that we are going to say it so iconic that no foreign government or, we are going to say who can and cannot invest.

Again, Saudis have, I do not know how many different investments do they have in the United States? It is probably hundreds, right? I mean, you are saying \$35 billion, I think is what I heard the figure.

Yes, I just do not want Congress picking and choosing going, no, this is the business that we are going to rule out investment by x, y, and z company. We have something that, again, sort of lay the groundwork. If there is a need for transparency, make it somewhat uniform and hopefully not particularly onerous. Effective, but not onerous. Does that make sense?

Dr. MURPHY. It does to me. I think that most of that sentiment I would agree with, right. The first step is of transparency. Where the government line is needs to be balanced with the revenue aspects of private companies and what private companies bring to bear and the goodness that they will bring to the economy.

Senator JOHNSON. All right. I do appreciate your statement that in general, foreign investment in the United States is a positive sign. If people are not willing to invest in your country, you are doing something wrong with your economy.

It is not always good, but it is a good sign that foreigners want to invest because foreign investment creates jobs in America. I think we need to keep that foremost in our brains as well.

Dr. FREEMAN. If I could add, Senator. I think your reference to the Foreign Agents Registration Act is very apt here. FARA is a statute that does not stifle any speech. It does not pick winners and losers, like you mentioned.

Having something like that here, where you get the basic information, you get what is behind the deal, you get that contract. We see where the money is going. Exactly what is part of this arrangement. Unfortunately, the PIF has not provided any of that.

Senator JOHNSON. I just got a note from my staff that the U.S. Sports Academy (USSA), we have just subpoenaed them. Apparently, they did file under FARA, so they have done that. I got it right here. I am just asking these questions. I mean, just a legitimate question. Anyway, thank you, Mr. Chairman.

Senator BLUMENTHAL. Thank you. Ms. Shea, I want to follow up on a point. Senator Johnson alluded to the human rights record in Saudi Arabia and the claims that the Crown Prince has inaugurated a new era of freedom. My colleagues come back and say, my goodness, how wonderful things are. Women can drive. In your opening statement, I believe you have said something quite to the contrary, and I wonder if you could expand on it.

Ms. SHEA. Absolutely. As I said, under Crown Prince Mohammed bin Salman, the human rights situation in Saudi Arabia has dramatically deteriorated. I mentioned this report about abuses from Saudi border guards against Ethiopian migrants crossing the bor-

der. We have been documenting abuses along this migration route since 2014.

There have always been egregious violations, arbitrary detention. But the violations that we documented in this report were mind boggling, even to our own researchers. The dramatic deterioration along that route was significant and notable, not only just in their treatment of migrants and asylum seekers, but as well on freedom of expression.

Last summer we documented a case of a Leeds University student, Salma Al-Shehab, who was sentenced to 34 years based off of her peaceful Twitter activity, and this at the time was an unprecedented sentence. Just a few weeks ago, as I mentioned, we documented a sentence of a death penalty sentence being meted out for tweets as well.

There is a documented deterioration in human rights abuses. For women's rights as well. Even though women can drive, the women's rights activists who had lobbied for years for that right were detained, arbitrarily arrested, tortured while they were imprisoned in the weeks before the driving ban was lifted.

We have seen women's rights in particular are being used by Mohammed bin Salman as an example of his reform, but the reality could not be further from the truth. They passed the law on personal status last year, and this law only codified discrimination against women.

Senator BLUMENTHAL. Your point about transparency, I think, is very important. That transparency ought to include coming clean about human rights abuses that may be occurring in the country that is reporting.

Saudi Arabia ought to be coming clean about what its role was in the Khashoggi murder, what its role is in the killing of migrants attempting to come from Yemen, what its role is in the torture and imprisoning of journalists, as well as dissidents. I think that point deserves to be made.

Ms. SHEA. Accountability as well. Accountability for apparent war crimes in Yemen. Accountability for the murder of Jamal Khashoggi. We have seen time and again Mohammed bin Salman and Saudi authorities not being held to account for abuses that are clearly documented. While at the same time, these abuses continue to get worse.

Mohammed bin Salman is 38 years old, he just turned 38, and we expect that he is likely going to be in power for many years to come. He is increasing his economic power immensely and, as I said, has unilateral control over the PIF. I think that this is deeply concerning.

Senator BLUMENTHAL. There has been a reference here to a number of acronyms, FARA, CFIUS. The requirements of CFIUS apply to national security threats. In other words, an investment that may pose a threat to national security is required to be reviewed. Maybe just for the benefit of whoever is listening here and for the American public, why is that not enough?

Dr. MURPHY. To me, I do not know if the question is not enough. It is just that the cognitive dimension of influence operations is generally not thought about as being one of the review criteria in the CFIUS process.

It is largely based on kind of how the country thought about threats before we saw AI, before we saw these cognitive influence operations proceed. I think the regulations and rules are there. It is just that we do not take this use case and use CFIUS as a model maybe to run it through.

Having been in those rooms, it is very rare that something in the entertainment industry, sports industry be thought of in that way because it is looked at a very discrete purchase or transaction, and not part of a full spectrum foreign adversary campaign against the United States.

Senator BLUMENTHAL. The idea is that when a foreign government, and not just the government, but as we have talked about, if it is an instrumentality of the government, it is operating as an agent of the government, the Kingdom and the Crown Prince benefit from its investment.

As Dr. Freeman has pointed out so well, the point of those investments are not what ordinarily drives entrepreneurs, namely return on investment. It is an instrumentality, and agent of the State, and seeking to elevate the State's image abroad, engage in disinformation and misinformation, and it therefore is a threat, potentially, to our national security through that misinformation campaign.

We ought to know whether a foreign government or its instrumentality is investing not just in public companies that are registered with the U.S. Securities and Exchange Commission (SEC), but also private entities, and others. I think Senator Johnson referred to China as, and I am quoting, "the worst abuser." But we frankly do not know who are the worst abusers because we do not have that information, correct?

Dr. FREEMAN. I think that is absolutely right, Senator. I think to your point and to Dr. Murphy's point too, these long term influence operations, our laws on the books are really not good for providing us with transparency of them, whether it is CFIUS, or you know, whether it is FARA, or any of these other laws we have.

They are more focused on short term issues of influence, sort of lobbying, public relations, direct national security threats, spying, espionage, that sort of thing. We are, as a Nation, rather ill equipped to get at these sort of soft, long term influence operations.

To Senator Johnson's earlier point, that could be an issue, too, that we explore in terms of how do we fix these problems going forward. How do we counter these long term influence operations.

Senator BLUMENTHAL. FARA applies to lobbying, which is different. Even though it does seek to influence our political process, it is not the kind of more massive disinformation or misinformation campaign, the faux grassroots campaign, for example, that you describe. Is that correct, Dr. Murphy?

Dr. MURPHY. I am not a lawyer, but yes, I think that is correct. That there is enough—just the way that we think about implementing these laws have not really caught up, as my colleague said, to where nation-states take advantage of our open society and how they do that.

As the information environment has shifted from the one to the many, to the now to the many, to the many, that is a delta that we need to take into account as we look at whether it is FARA or

these other rules and regulations, about how an adversary can operate across the full spectrum of capabilities, and reach out and touch the American people at any time pretending they are Americans or someone else.

I think, the world has changed so much that some of these things we do not think about them to apply them in the current situation.

Dr. FREEMAN. If I might just add to that. FARA, I am one of the worst, harshest critics of FARA. It is a law that was enacted in 1938. Most people did not even have a television (TV). FARA is so ill equipped to deal with the information and technological environment that we live in today.

The loopholes are extraordinary. The lack of transparency is phenomenal. The need for FARA reform right now is immense. The longer we go without reforming that, the more vulnerable we are to foreign influence operations.

Senator BLUMENTHAL. Ms. Shea, I think I referred to Neom, the planned city that is part of the Crown Prince's vision for 2030, I believe, and some of the human rights abuses in connection with it. Could you expand a little bit on that?

Ms. SHEA. Yes. Earlier this year, United Nations (UN) experts reported that three members of the Huwaitat tribe in Saudi Arabia are at imminent risk of execution. These U.N. experts reported that they were reportedly arrested for resisting forced evictions in the name of the Neom Project, which is the construction of a 170 kilometer linear city called the Line.

These three individuals were reportedly sentenced to death last August, and these death sentences were upheld in January of this year. Again, according to these U.N. experts, the authorities have reportedly carried out a series of actions to evict members of the Huwaitat tribe from their homes and traditional lands in three villages in the name of the Neom Project.

Senator BLUMENTHAL. I want to enter into the record a document¹ that is entitled, "Vice Pulled a Documentary Critical of Saudi Arabia. But here it is. Vice's hard-nosed coverage on Saudi Arabia changed after the investment deals with the repressive Kingdom. A deleted documentary is not completely gone, however." It is done by The Intercept. Without objection, I am going to make it part of the record.

You have some knowledge of what happened.

Ms. SHEA. Human Rights Watch has not independently verified the claims in this report, but we have, of course, reviewed it and the claims are deeply troubling.

Given the terrible human rights record of Saudi, which we have been discussing and as well, of course, MBS himself, which are overseeing these abuses and the country's noted record of censorship and suppression of freedom of expression, it is not at all surprising that the PIF and Saudi authorities would be attempting to purchase an American media company in an attempt to burnish its image internationally and to repress stories that are not in the interest of the Crown Prince.

Senator BLUMENTHAL. In effect, The Intercept's story states that 6 months after announcing this partnership deal with a Saudi gov-

¹The information referred to by Senator Blumenthal appears in the Appendix on page 83.

ernment owned media company, Vice Media uploaded and then quickly removed a documentary critical of Crown Prince Mohammed bin Salman.

That is exactly the kind of potential impact that should concern us. I described earlier some of the investments by the PIF in a number of entertainment and media companies. We do not know precisely—we can hold up the poster.¹

Again, we do not know much about this investment in Vice Media. It would not trigger a review under CFIUS or any other national security process. Would it, Dr. Murphy?

Dr. MURPHY. Very unlikely that it would. As I have said and my colleague has said, we are not thinking about it in the way of how adversaries are using information to—quite frankly, as a weapon. I do not think it would trigger those. It potentially could, but I really find it doubtful that it would.

Senator BLUMENTHAL. These are some of the sports interests that the Saudis have or are developing.²

There was a report just recently in The New York Times about its potential interest in the sport of tennis, which seems to be a ripe takeover target because of its financial structure at present and the lack of central governance.

The potential for its investment in other media companies is pretty frightening. But at present there is no review that would apply here either under CFIUS or FARA, is there?

Dr. MURPHY. I do not think there is, no.

Dr. FREEMAN. No. Not under FARA either. But I would completely agree with your point, Senator, that this is what these investments buy. It is the sounds of silence. We hear nothing critical from all of these entities that are up on that board, whether it is Vice News. It is not what we hear, it is what we are not hearing that should concern us.

Ms. SHEA. Yes, just to add that the PIF is \$700 billion approximately, and Saudi Arabia needs to diversify its economy away from oil. This is one of the stated aims of the PIF.

Certainly, we believe that this is true. But when you have \$700 billion in assets, you can afford to invest in a variety of different sectors to achieve a variety of different objectives and aims.

This is why we need greater scrutiny of these acquisitions and the evaluation of human rights concerns and corruption, because some of the investments may indeed make sound economic sense and not be used for the purposes of whitewashing or further, repression, but many others may have these as their aims.

That is why regulations are important so that we can protect American businesses from becoming complicit potentially in human rights abuses.

Senator BLUMENTHAL. Thank you. Senator Johnson.

Senator JOHNSON. Quick summary. I think the overall solution here is a free press that holds everybody accountable. Not one that is biased, that kind of protects one side or advocates for one side.

I earlier quoted Justice Brandeis—well, paraphrased Justice Brandeis, but again, he was deciding a case where there was misin-

¹ Examples of Saudi PIF post appears in the Appendix on page 53.

² Saudi PIFs current and prospective sportwashing targets poster appears in the Appendix on page 51.

formation that could cause public harm. His full quote was, “if there would be time to expose through discussion the falsehoods and fallacies to avert the evil by process of education, the remedy to be applied is more speech, not enforced silence.”

Again, gets right back to the solution, transparency. But a free press that by and large exhibits no bias is inquisitive, that digs into the truth. If you have Saudi Arabia saying, oh, we have this human rights program, or we are opening up all these rights to women, but the truth is just the opposite, that is what where we need a free press to inform us.

I am big into transparency. I am big into a free press. But one that is unbiased. The solution here is more speech, not censorship, not enforced silence. Because we saw, I would say, during COVID, the impact of people labeling misinformation the truth and the government censoring people, and that did not work out too well.

Right now, we have court decisions saying that was unconstitutional. Mr. Chairman, I am enjoying these hearings. I think these are raising some important issues. There may be a legislative solution here, but the overall solution is more speech and a free press that is inquisitive and reports the truth.

Senator BLUMENTHAL. Free speech. All for free speech. Is there any in Saudi Arabia, Ms. Shea?

Ms. SHEA. No.

Senator BLUMENTHAL. No. How about free press?

Ms. SHEA. Not much of that either, unfortunately.

Senator BLUMENTHAL. Yes, I hate to belabor the obvious, but we are dealing here with one of the most repressive autocracies on the planet. They are trying to take advantage of free speech in the United States to suppress facts they do not like.

That is why we have issued the subpoena today. More truth, more free speech. If you are an investigative reporter, can you get access to the facts that we have subpoenaed today, Dr. Freeman?

Dr. FREEMAN. No, Senator. Not to my knowledge.

Senator BLUMENTHAL. That is why we are using a compulsory process. Sunlight is the best disinfectant, as Justice Brandeis said. We thank you for your expertise, your dedication to uncovering the truth, each of you and each of your organizations. It plays a vital role in the ecosystem of free speech and eliciting truths.

Thank you for being here today. We will continue these hearings. We will pursue uncovering as much truth as we possibly can. The issues here go beyond golf, they go beyond Saudi Arabia, and I think they are of direct interest to the American people. Thank you so much.

This hearing is adjourned. The record will be kept open for 15 days for any additional comments or questions from my colleagues. Thank you very much.

[Whereupon, at 12:48 p.m., the hearing was adjourned.]

A P P E N D I X

**Opening Statement of Chairman Richard Blumenthal
“Examining the Saudi Arabian Public Investment Fund’s Engagement with and Influence
in the United States”
U.S. Senate Permanent Subcommittee on Investigations
September 13, 2023**

Good morning, this hearing will come to order.

This is the second hearing in PSI’s inquiry into the Saudi Arabian Public Investment Fund’s unprecedented deal with the PGA Tour.

Many Americans were outraged in June when it was announced that an authoritarian, foreign government with a horrific human rights record had entered into an agreement that would allow it to effectively take over an entire American sport. Our Subcommittee swiftly initiated an inquiry to learn more about not only how this was allowed to happen but why, what it means for the future of golf and other cherished American institutions, and what it means for our own freedom.

Sports have tremendous power to do good in this world. Professional athletes often serve as ambassadors for our ideals and role models for our children. But, as I said at our first hearing in July, this inquiry is about much more than the game of golf. It is about more than sports. It is about the need for transparency so Americans can understand when valuable foreign investment becomes a vehicle for malign foreign influence.

As our inquiry has progressed, we have found that there are many reasons to be concerned. While we received important information from the PGA Tour, which sent two representatives to testify at our first hearing, the institution that is attempting to take over American golf—the Saudi Arabian Public Investment fund or “the PIF”—has refused to cooperate. They have refused to make a witness available to testify or to produce a single document. We can only infer that this means that Saudi Arabia intends to gain the benefit of our freedom while avoiding the obligations of our laws.

The PIF is run under the, quote, “chairmanship and guidance” of Crown Prince Mohammad bin Salman, the effective Saudi leader. Saudi Arabia’s use of its sovereign wealth fund to attempt to gain influence in the United States should trouble us all.

Under Crown Prince bin Salman, Saudi Arabia remains a brutal regime, utterly resistant to criticism, devoid of any right to free speech, and ruthless in its response to those who question it.

Saudi Arabia is a country where, just two months ago, Mohammed Alghamdi, a retired teacher, was sentenced to death for criticizing the government on YouTube and other social media accounts, including on Twitter accounts that had a total of just 10 followers.

Saudi Arabia is a country where, in the past year, border guards have killed hundreds of Ethiopian migrants and asylum seekers, many of whom were children, as they tried to cross over the border with Yemen.

And the PIF has itself been implicated in some of Saudi Arabia’s abuses.

The PIF itself is leading the development of NEOM, a futuristic city planned for the desert and a centerpiece of Crown Prince bin Salman's Vision 2030. When members of the Howeitat tribe who live near the planned city resisted forced eviction from their homes, three tribe members were captured and sentenced to death by the Saudi government, while three others were sentenced to decades of imprisonment. Another Howeitat man was reportedly killed in his own home by Saudi Special Forces.

The PIF also played a central role in the brazen kidnapping and murder of Washington Post journalist Jamal Khashoggi, having taken ownership of the planes that were later used to transport Khashoggi's assassins to Turkey where they carried out that horrific act.

I would be remiss if I did not also mention Saudi Arabia's role in the September 11th attacks on our country. This week marks 22 years since those horrific events. Not only did 15 of the 19 hijackers come from Saudi Arabia, but—in the years since—evidence has come to light revealing that Saudi government officials may have knowingly or unknowingly aided some of these hijackers.

The Saudi government must take responsibility for its role, and our own government must be transparent about what happened. That is why, earlier this week, along with Ranking Member Johnson, I wrote to the Attorney General and the FBI director, demanding full transparency over everything they know. The families of 9/11 victims need accountability, and all of us are entitled to answers.

I am encouraged that the Department of Justice and FBI have responded. They provided us with an initial set of documents, which are unfortunately still highly redacted, but committed to working with us going forward. It is clear that they have a lot more work to do to provide full transparency to the American people, but this work has to start somewhere.

As many experts have noted, Saudi Arabia's investments in golf—as well as its other investments in global sports—represent an attempt to “sportswash” its terrible record and influence how the Kingdom is perceived across the world. At a time when authoritarian regimes are gaining power and people around the world are losing freedom, it is important that we stay vigilant against those who want to protect, promote, or normalize autocracy.

Saudi Arabia's bid to buy professional golf in America is not just one investment in a vacuum. It is instead part of a web of growing U.S. investments that are largely unknown, and largely without oversight.

Since our July hearing, this Subcommittee has looked closely at the Saudi Arabian government's investments in the United States. We have been troubled not only by what we have seen, but by what we have not.

The PIF's United States investments go far beyond golf and have grown exponentially in the past five years. The little information that is publicly available shows that the PIF's U.S. investments were a little over \$2 billion in 2018. Today, just five years later, they stand at more than \$35 billion. The PIF has made investments in electronic vehicles, gaming, entertainment, and more. In fact, last year, it formed a wholly-owned U.S. subsidiary, based in New York.

That information is just based on what can be discerned from public sources. We have no way of knowing whether the PIF has other investments in private equity, privately held companies, or other areas where public disclosure is not required. The \$35 billion that we know of may be just the tip of the iceberg.

As we will hear today, commercial investment has been used by foreign governments, like China and Russia, as a part of larger influence and disinformation campaigns. What we know so far about Saudi Arabia's investments show the hallmarks of a similar effort. While we have laws that require the review of foreign investments that pose direct threats to our national security and we require agents of foreign governments to file disclosures, our current laws largely leave commercial investment by foreign governments in the shadows. These gaps may leave room for sophisticated regimes to engage in influence campaigns without scrutiny.

I want to be clear: The United States has a long and proud history of welcoming foreign investment. Open investment is central to our economy and has helped to spur innovation time and time again. We must continue to open our arms and our markets. But we also must demand transparency so that we can understand the strings that are attached to certain investments, especially those that come directly from authoritarian regimes. With this inquiry, we hope to explore the extent to which Saudi Arabia is exploiting these loopholes and how other countries, like China, may do so as well. We also hope to learn ways in which we can start to close these gaps.

To that end, the PIF has offered none of the transparency necessary to understand its goals or the extent of its influence efforts. This Subcommittee has repeatedly sought cooperation from the PIF with our inquiry and they have persistently refused. The PIF's refusal to cooperate is an affront to our authority and to our institutions. Congress has a Constitutional responsibility to regulate American commerce, and an inquiry into the PIF's investment in the United States is well within this Subcommittee's mandate. That is why, today, I issued a subpoena to the PIF through its U.S. subsidiary for records concerning the PIF's investments in the United States. I also provided a memorandum to the members of this Subcommittee providing further detail on the need for this subpoena.

As I wrote to the Governor of the PIF last month, the PIF cannot have it both ways: if it wants to engage with the United States commercially, it must be subject to United States law and oversight. That oversight includes this Subcommittee's inquiry.

The PIF and the Saudi government cannot take advantage of our democratic freedoms and cloak themselves in dictatorial secrecy. They can use democratic institutions, but they cannot leverage them to promote suppression and oppression.

I look forward to hearing from today's witnesses, each of whom brings expertise and experience with different concerns surrounding the PIF's investments. I hope they be able to help us shed more light not only on why this inquiry must continue, but how we can address risks that may exist from others as we move forward.

**Opening Statement of Ranking Member Ron Johnson
“The PGA-LIV Deal: Examining the Saudi Arabian
Public Investment Fund’s Investments in the United States”
Permanent Subcommittee on Investigations
September 13, 2023**

On Monday, at 7:46 am Central Time, I was in the Milwaukee airport, when the entire terminal stopped and stood in silence for sixty seconds to somberly commemorate the 22nd anniversary of the horrors of 9/11. Over the weekend, I saw a report about students born after 9/11 acknowledging the tragedy that changed our world forever. I was grateful those students had at least been taught that piece of history and that it had made a powerful impression on them.

For those of us who were alive on that day, we will never forget where we were, who we were with, and what we were doing when we first heard of the brutal attack. For those of us who were alive almost 60 years ago on November 22, 1963, the moment in time when we heard of President Kennedy’s assassination has left an equally indelible imprint in our memory.

In addition to creating indelible memories, those two national tragedies have something else in common. Significant information our government uncovered during investigations of these crimes has been kept hidden from the American public.

Even though a law was passed in 1992 to require the release of all documents related to JFK’s assassination by the year 2017, over 5 years have passed since that deadline and key portions of the historical record remain hidden from public view. Why? What is so sensitive that both Republican and Democrat presidents, together with a host of unelected bureaucrats serving in intelligence agencies and law enforcement, feel that the American people can’t handle the truth?

A similar cover-up is occurring with what the U.S. government knew, and when it was known regarding the 9/11 attacks. I realize that 22 years is a lot less than 60 years, but almost 3,000 Americans lost their lives that day, and their families, together with the rest of the public, deserve to know what the government knows.

It’s been over two years since President Biden issued an executive order to declassify documents connected to the 9/11 attacks. More than one year past the March 2022 deadline for those agencies to complete their declassification reviews, the government has declassified and released only a little more than 4,000 pages of documents, many of which are heavily redacted.

During the Subcommittee’s July 11th hearing I entered into the record an 11-page document handed to me by representatives of families that lost loved ones on 9/11. This document, titled Operation Encore, is only a small subset of the records the U.S. government has released pursuant to President Biden’s executive order. As you can see, it is heavily redacted.

A week following that hearing, on July 18, Chairman Blumenthal and I wrote to the Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI) demanding unredacted copies of all the records that have been released pursuant to the executive order including the 11-page

document. Because both agencies failed to respond, Chairman Blumenthal and I reiterated our request for this information this past Sunday.

On Monday, the FBI finally responded in what they claimed was a “good faith effort to assist the Subcommittee in its inquiry.” Here’s what we received.

If DOJ and FBI continue to withhold these relevant records, I hope this Subcommittee will use the authority we have to compel compliance to our legitimate Congressional oversight. Why should unelected bureaucrats be able to access and view these records without redactions while duly-elected members of Congress - who have full authority to view classified documents - are kept in the dark?

Freedom can only thrive in an open society with a government that is honest and transparent with its citizens. My time in Congress has taught me that our federal government is far from living up to that requirement.



Opening Remarks of:

Ben Freeman, Ph.D.

Director, Democratizing Foreign Policy, the Quincy Institute for Responsible Statecraft

**Prepared for the Permanent Subcommittee on Investigations of the
Committee on Homeland Security and Governmental Affairs
United States Senate**

**Hearing on "The PGA Tour-LIV Deal: Examining the Saudi Arabian Public Investment
Fund's Investments in the United States"**

September 13, 2023

Chairman Blumenthal, Ranking Member Johnson, and Members of the Subcommittee, thank you for the opportunity to testify today. I am pleased to join my esteemed fellow witnesses in addressing your questions about the PGA Tour-LIV deal and the government of Saudi Arabia's Public Investment Fund (PIF). I serve as Director of the Democratizing Foreign Policy Program at the Quincy Institute for Responsible Statecraft, where we strive to minimize the influence of special interests on U.S. foreign policy. And, to the focus of this hearing, I have been analyzing Saudi Arabia's influence in the U.S. for more than 15 years.

Based on that experience, let me start by saying that we'd be naive to believe that the PIF's actions related to the PGA Tour are not part of the Kingdom's much larger lobbying, public relations, and broader influence operation in the U.S. Saudi lobbyists have made the case for this deal in Congress. The public relations firms that are paid millions by the Saudi regime have spun the PIF narrative about this to mainstream media outlets.

We would also be naive to believe that this is just another business deal. Last month at this Subcommittee's hearing, the PGA Tour witnesses made clear that there is no business rationale that can explain the PIF's extraordinary spending on the game of golf. PGA officials also previously described LIV as an "irrational threat, one not concerned with the return on investment or true growth of the game."

If the Saudi government is not buying into a profitable investment what are they buying? In short, silence. They want to muzzle Americans critical of the regime. And, they want to rebrand themselves. They want Americans to associate Saudi Arabia with golf rather than the brutal murder of Saudi dissident Jamal Khashoggi. All of which is especially important now, as the U.S. government is considering offering the Saudi government security guarantees as part of a normalization agreement with Israel - a major foreign policy decision that could mean committing U.S. troops to fight for the Saudi dictatorship.

At its core, this is not a business deal, it is a foreign influence operation. It is meant to shape U.S. public opinion and ultimately U.S. foreign policy. We do America a disservice if we do not evaluate it accordingly, especially given that censorship and the silencing of dissidents has been a key part of numerous Saudi business arrangements.

For example, U.S. businesses operating in Saudi Arabia face rampant censorship. In fact, the US International Trade Commission conducted a [survey](#) last year asking US businesses about censorship they've faced in foreign markets. Aside from China, more companies reported censorship in Saudi Arabia than any other country in the world. The Saudi government is also a major financier of Twitter, now X, and a Twitter employee has been convicted of spying on Saudi dissidents through the platform. Just this month a Saudi man with just 8 followers was [sentenced](#) to death for tweeting critically of the regime.

The Saudi government has also made major investments in Hollywood, leading one film industry insider to [say](#) "They're the new Chinese." And, this too has resulted in direct censorship by the Saudi regime. Specifically, when Oscar-winning documentarian Brian Fogel was working on a documentary about the assassination of Jamal Khashoggi, it was virtually [blacklisted](#) in Hollywood and [Saudi trolls](#) launched a coordinated effort to lower its online review scores.

And, of course, we already know the framework [agreement](#) with the PIF and the PGA Tour includes a "non-disparagement clause" intended to silence criticism of the Saudi regime. When asked to explain this "non-disparagement clause" and other aspects of the proposed merger, PIF representatives once again declined to appear before this Subcommittee and failed to



provide the documents that were requested of them. Unfortunately, the Saudi government has a long track-record of not playing by the rules in the U.S.

A Washington Post [investigation](#) in 2021 revealed that the Saudi embassy operates a ring of “fixers” that helps Saudis charged with crimes in the U.S. flee the country. The alleged offenses of the Saudis the embassy has helped flee the U.S. include possession of child pornography, rape, and even murder.

Just two days ago was the 22nd anniversary of the terrorist attacks of 9/11. Yet, the victim’s families have still been denied justice from the Saudi government. The Saudi monarchy has spared no expense to avoid accountability, even stooping so low as to trick U.S. military veterans into lobbying against the 9/11 victim’s families.

If this merger goes through the Saudi government will have a stranglehold on the international game of golf and a crown jewel in their reputation laundering efforts in the U.S. While that is troubling in its own right, Saudi sportswashing isn’t happening in an international vacuum either. Authoritarian regimes learn from each others’ influence operations in the U.S. When China proved it could effectively silence the human rights concerns of the NBA and its players, Saudi Arabia was watching. And, rest assured that China is watching now. If the U.S. once again offers little resistance or oversight of an authoritarian regime’s sportswashing efforts, this could become a blueprint for how to garner influence in the U.S., and open the floodgates for even more foreign domination of American sports as a tool for broader foreign influence over our government, our media, and the American public.

Thank you again for the opportunity to testify today, and I would be happy to answer your questions.

U.S. Senate Permanent Subcommittee on Investigations

Statement for the record by Brian Murphy, September 11, 2023

Thank you for the opportunity to speak with the committee today. Before I begin, I will offer my qualifications. In 2021, I retired from federal service and joined Logically AI. The company's focus is to identify, at the speed and scale required, hostile influence operations occurring on the internet. Many of these are generated by nations. My position at Logically is the Managing Director for the company's U.S. operations. For this role, I maintain a Top Secret security clearance. Additionally, I teach a master's level course on domestic intelligence at Georgetown University. Before joining Logically, I served as the Principal and Acting Under Secretary for Intelligence for DHS (2018 to 2021). Among my job requirements was to identify foreign actors attempting to influence the homeland covertly. Before DHS, I was a special agent with the FBI for approximately 20 years. While there, I performed duties from street agent up to roles as a national manager. I ran multiple programs looking at the intersection of behavior and hostile activity. I began my federal service in 1994 as a United States Marine Corps officer.

To augment my work, I obtained a Ph.D. from Georgetown University, a Master of Arts from Columbia University, and a Bachelor of Arts from the College of William and Mary. In my research, I focused on how foreign adversaries have conducted covert operations in the U.S. In 2023, I published a book on the topic, *Foreign Disinformation in America and the U.S. Government's Ethical Obligations to Respond*. I have also published several papers and speak regularly about the topic. Some of my testimony is lifted directly from published works.

Selected Articles and Papers

[“In Defense of Disinformation.”](#) *Journal of Homeland Security and Emergency Management* (May 2023)

[“The Impact of Social Media Conveyed Russian-Backed Disinformation in a Polarized America: An Examination of the Executive Branch’s Ethical Responsibility to Respond.”](#) Doctoral Thesis, Georgetown University, December 2022

[“The Ever-Shrinking Worlds of National and Homeland Security,”](#) Homeland Security Enterprise Forum, October 18, 2022

[“The US Needs a Center to Counter Foreign Malign Influence at Home,”](#) *Defense One*, March 20, 2022

[“Ukraine’s History Shows Where Russian Disinformation Can Take Hold,”](#) Logically.ai, December 16, 2021

[“Making Sense of Russian Disinformation and Propaganda,”](#) Logically.ai, October 27, 2021

[“Decaying National Security and the Rise of Imagined Tribalism,”](#) *RUSI Journal* 166, no. 6/7 (May 2022)

[“Introduction to T&S and Law Enforcement,”](#) Trust and Safety Professionals Association

This hearing is about the Public Investment Fund of Saudi Arabia. Two interrelated points up front, foreign owned public investment funds are a positive commercial mechanism, so long as they are done transparently. The topic of foreign-backed covert influence campaigns impacting the homeland is not a new problem. It has been at issue since the nation's founding. In 1791, the *Bill of Rights* bestowed upon Americans broad speech guarantees. The Bill and subsequent Constitutional amendments not only granted each citizen the right to freedom of speech it also governed how Americans can communicate. For example, privacy, anonymity, and spreading lies are often protected. It is a freedom designed to allow Americans to discover, trade, and debate all manner of ideas. This same privilege was intentionally not extended to other nations because such a privilege in the hands of a foreign country was considered a national security threat. The Founders granted to the executive robust measures to counter the threat because they were concerned about dangers from covert foreign influence – from friends and foes alike. When the origins of a narrative are surreptitiously masked, it changes the marketplace of ideas, and it was recognized as a problem.

This is a threat that we now call disinformation. It is a cheap and efficient way foreign nations now utilize technology to support other aspects of an influence operation.

Conversely, several ways exist to classify the influence when a nation is identified as the origin of the information. For example, one could call it statecraft, diplomacy, or propaganda. It is healthy to have foreign nations transparently present their point of view to the American people. When the source of the influence is identifiable, an individual has the opportunity to judge the messenger and message more clearly.

Disinformation can be an ambiguous and a thinly defined term. To ensure clarity, I use three criteria to determine if content can be considered disinformation. First, the identity of the content originator is intentionally masked; second, the released information is content intended to influence an outcome; and third, the originator has a predetermined political, military, economic, or social objective. Typically, disinformation is used by one nation against another. However, there are exceptions to this. What makes disinformation a national security threat is its covert nature. People do not have the opportunity to judge for themselves the true origins and, hence, the motives of the information's sender. The cost of ambiguity leaves open seams and cracks that an adversary will exploit. Because the framework is not in place to identify what is and is not disinformation, regulators and agencies remain unsure if they have the authority to intervene, and loopholes will be exploited.

As we consider disinformation, it is important to recognize it is just one aspect foreign nations utilize in a much broader multi-dimensional influence operation. Influence operations may have a covert cognitive component, which can manifest itself as disinformation, and they can also involve physical actions. Nations very much understand the additional protections offered to their operations if they can work through and with businesses and people living in the U.S. Behind all of these campaigns is money.

The Saudi Investment Fund is reported to be approximately 780 billion dollars. While I am not here to address the Fund's intentions, I can say that a sizable fund such as that offers an

opportunity for foreign governments to purchase influence and utilize proxies within America to conduct influence operations. What a foreign government can purchase to exert influence can come in many forms. For example, it can come in the form of financing existing U.S. businesses, purchasing companies outright, contracting with firms that specialize in consulting, and creating U.S. jobs. After such transactions are completed, what and who is behind a narrative is often no longer clear. It may come from an American source, but what is the motivation of that source?

There are a number of laws and regulations in place designed to add daylight to foreign influence in the U.S. For example, The Foreign Agents Registration Act (FARA) was enacted in 1938 to expose the funding source of pro-Nazi information being peddled across the United States. The pro-Nazi disinformation appeared to be generated by U.S. citizens when in reality, the money and strategic direction behind the program were driven by Nazi Germany. Congress determined that identifying the foreign source behind such activities was critical for U.S. interests. The purpose of the law states it is to:

“publicize the nature of subversive or similar activities...so that the American people may know those who are engaged in this country by foreign agencies to spread doctrine alien to our democratic form of government, or propaganda for the purpose of influencing American public opinion on a political question.”

Related to FARA are executive branch regulations such as The Committee on Foreign Investment in the United States (CFIUS) and The Foreign Investment Risk Review Modernization Act of 2018 (FIRRMA), to name just a few. However, something like a foreign investment fund does present a potential loophole. Most laws and regulations governing how foreign investment is regulated focus on one of the sixteen critical infrastructure sectors. During the review process, the cognitive domain is usually not considered a part of one of these sectors. As an outcome, something like the Saudi Investment Fund provides the opportunity for a foreign government to hide further who is behind an influence campaign.

Foreign governments intent on influence campaigns leverage their monetary and contractual influence to hire and fire U.S. employees and bind U.S. companies by having them sign a non-disparagement agreement. While something like a non-disparagement agreement is familiar in the private sector, it is different when one of the parties is a foreign nation.

There are U.S. and allied governmental intelligence products, press reporting, and academic works documenting aspects of an ongoing covert Saudi campaign. There is also much on the record regarding Saudi's influence campaigns in the U.S., such as the indictment of two Twitter employees and a Saudi national in 2019 for working at the behest of the Saudi government. The scheme was to steal data so the Saudi government could target individuals it did not like. In another case, the reporting is clear surrounding Saudi efforts to covertly change U.S. and world opinion after the murder of Jamal Khashoggi. However, because there is much more publicly available information on similar activities by other countries, such as China and Russia, examining some of those use cases can be useful. I am not suggesting the strategic objectives, or the nature of the relationship of China, Russia, and Saudi Arabia with the U.S. are the same. But

we do know that other countries, such as Saudi Arabia, are attempting to copy some of the tactics utilized by China and Russia. The Chinese scheme to covertly influence Americans comes in many forms. They have a documented strategy to use a full spectrum of Chinese government, political, economic, and military levers to shape information so that other governments and local populations conform to China's strategic objectives. For illustration, on or about September 7th, 2023, Microsoft reported the intent of the Chinese authorities to utilize artificial intelligence and covert social media accounts to try and influence the U.S. population. The RAND Corporation also published a similar report in September.

The full spectrum approach to manipulating governments and populations is not unique to China. Many authoritarian regimes exercise a similar campaign.

The U.S. government is generally more attuned to potential issues of how Chinese investments in the U.S. could undermine national security. For example, influence campaigns in the U.S. associated with sister-city relationships, cultural and academic partnerships, economic activity, and Chinese law enforcement offices in the U.S. have all been identified as part of the Chinese panoply of influence operations. The U.S. has directed Chinese owned news outlets operating in the U.S. to register as foreign agents. Here are a few that have been identified: Sing Tao, Yicai Global, Jiefang Daily, Xinmin Evening News, Social Sciences in China Press, and the Beijing Review and Economic Daily.

Like Saudi, the Chinese owned investment funds have invested billions into the U.S. media and entertainment industry. This gives the Chinese a partial ability to get around existing laws and regulations. Some parallels to how the Chinese and the Saudis use their financial positions to try to influence and shape the U.S. perception can be seen in sports. Both countries have exerted a level of influence through the U.S. sports industry to conduct "sports washing." Sports washing is a form of disinformation to promote or demote stories about a country through U.S. athletes and their parent organizations. Additionally, to bolster their activities in one area of influence operations, both countries have utilized social media to create accounts that appear to be Americans, but in reality, their respective governments operate to disseminate disinformation.

In conclusion, foreign owned public investment funds are a positive commercial mechanism. But, transparently identifying how such money moves through the U.S. is essential. Foreign owned public investment funds should be considered as potentially one aspect of a much broader foreign influence campaign. An outcome can be a sports washing disinformation campaign or manifest in another way. Such campaigns constitute a national security threat. When disinformation is the route a foreign country takes, because the sender of the information is masked, this potentially causes the receiver to respond to the message in a way they may not normally do.

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Testimony to the Senate Subcommittee on Investigations
Hearing on Human Rights Abuses Related to Saudi Arabia's Public
Investment Fund

Good morning, Chairman Blumenthal, Ranking Member Johnson, and distinguished Members of the Subcommittee. Thank you for convening this hearing on Saudi Arabia's Public Investment Fund (PIF). My name is Joey Shea and I am Human Rights Watch's Saudi Arabia researcher. I will focus my remarks on the PIF's links with human rights abuses.

Human Rights Watch is an independent nongovernmental organization tracking and monitoring human rights issues in over 100 countries around the world. We have been monitoring and documenting human rights abuses in Saudi Arabia since 1997 and the broader Middle East since 1989. Human Rights Watch has been at the forefront of human rights reporting on Saudi Arabia, particularly with regard to the male guardianship system and migrant worker abuses. HRW has both regional and thematic experts dedicated to documenting a range of abuses in Saudi Arabia.

Saudi Arabia under Crown Prince Mohammed bin Salman

Since 2017, Human Rights Watch has documented the deepening repression in Saudi Arabia following Crown Prince Mohammed bin Salman's sudden rise to power. He is now the country's de facto ruler.

Under Crown Prince Mohammed bin Salman, Saudi Arabia has undergone one of the worst periods for human rights in the country's modern history. Mohammed bin Salman has overseen a historic and unprecedented crackdown on expression, using a range of repressive tactics. Detaining citizens for peaceful criticism and other abuses is not new in Saudi Arabia, but what has made the post-Mohammed bin Salman arrest waves notable is the sheer number and range of people targeted over a short period and alongside a raft of new repressive practices. Saudi authorities have failed to hold high-level officials accountable for the murder of journalist Jamal Khashoggi in 2018.

Despite landmark reforms for Saudi women and youth, ongoing abuses demonstrate that the rule of law in Saudi Arabia remains weak and can be undermined at will by the country's political leadership.

As defense minister, Mohammed bin Salman, or MBS as he is commonly referred as, also oversees all Saudi military forces. He served as the commander of the international coalition that, since 2015 has carried out scores of indiscriminate and disproportionate airstrikes on civilians and civilian objects in Yemen, hitting homes, schools, hospitals, markets, and mosques. Human Rights Watch has found that many of these violations of international humanitarian law may amount to war crimes. Some of them were carried out using US weapons, including an attack in January 2022 on a detention facility in Saada [involving](#) a Raytheon-made laser-guided missile kit.

Human Rights Watch has reported extensively on the Crown Prince's consolidation of political and security power over the last few years in Saudi Arabia, and the dire implications on human rights. In tandem, the Crown Prince has consolidated economic power in the Kingdom, notably under Saudi Arabia's sovereign wealth fund, the Public

Investment Fund (PIF) which has approximately US\$700 billion in assets under management. This raises serious concerns for American businesses and any possible links to abuses in Saudi Arabia, particularly as the Fund expands its investments in the United States in key sectors of the American economy, including technology, sports, entertainment, and finance.

Just last month, Human Rights Watch documented the mass killing of Ethiopian migrants and asylum seekers by Saudi border guards, which, if committed as part of a Saudi government policy to murder migrants, would be a crime against humanity.

Public Investment Fund and US Investment

Sovereign wealth funds (SWFs) are not unusual in themselves and are used by many governments to invest the wealth of a nation for current and future generations and government activities. However, in some contexts, scholars, including Stephen Roll and Edwin M. Turman, have examined the role of SWFs in centralizing and entrenching the power of authoritarian political regimes as these funds help to consolidate political and economic power in the hands of undemocratic leaders. While some SWFs are structurally separate and less susceptible to political pressure or control, many SWFs, like the PIF, operate with little transparency or independence.¹ Critics, including Alex Katsomiro, contend that ruling elites in abusive governments have used SWFs to accumulate vast pools of capital, consolidate power, facilitate abuse, launder their images, and extend their reach abroad.²

This dynamic is exacerbated in countries heavily reliant on natural resource revenues. For more than two decades, Human Rights Watch has documented corruption and mismanagement in resource-rich economies and the impact it has on rights. Based on that work in a number of countries, Human Rights Watch believes that a country's substantial reliance on natural resource revenues can have a negative impact on human rights unless measures are taken to ensure that they are managed and spent transparently. In such an economy, especially under undemocratic or autocratic governments, those who rule the state have unique opportunities for self-enrichment and corruption. Because achieving political power often becomes the primary avenue for achieving wealth, the incentive to seize power and hold onto it indefinitely is great. This dynamic has a corrosive effect on governance and ultimately, respect for human rights.

In this context, a key indicator of the quality of governance is whether a government is committed to transparency, accountability, the rule of law, and human rights. When a ruler or a governing elite is undemocratic or otherwise unaccountable to its citizens, poor management, poor economic decision-making, corruption, and human rights abuses thrive. Instead of improving the overall situation, the existence of a centrally controlled stream of revenue—such as oil revenue—can serve to reinforce or exacerbate an undemocratic or otherwise unaccountable ruler's or governing elite's worst tendencies by providing the financial wherewithal to entrench and enrich itself without any corresponding accountability. These problems are clearly present in Saudi Arabia.

The Public Investment Fund has, in a very short period, amassed approximately US\$700 billion, which has made the PIF one of the largest sovereign wealth funds in the world.³ In April 2016, Mohammad bin Salman

¹Stephan Roll, "A Sovereign Wealth Fund for the Prince," *German Institute for International and Security Affairs*, July 2019, [supra note 11 at 10](#). See also Our mission and core responsibilities, Norges Bank, <https://www.norges-bank.no/en/topics/about/mission-core-responsibilities>; Kyle Hatton and Katharina Pistor, "Maximizing Autonomy in the Shadow of Great Powers: The Political Economy of Sovereign Wealth Funds", *Columbia Journal of Transnational Law* 50, no. 1 (2012), p. 3.

²Katsomiro, *supra note 2*; Victorino J. Tejera, "The U.S. Law Regime of Sovereign Immunity and the Sovereign Wealth Funds," 25 *U. Miami Bus. L. Rev.* 1 (2016); Katsomiro, *supra note 2*; Rabah Arezki, Adnan Mazarei & Ananthakrishnan Prasad, "Sovereign Wealth Funds in the New Era of Oil," *IMF Blog* (Oct. 26, 2015), <https://blogs.imf.org/2015/10/26/sovereign-wealth-funds-in-the-new-era-of-oil/>; Julien Maire, Adnan Mazarei and Edwin M. Turman, "Sovereign Wealth Funds Are Growing More Slowly, and Governance Issues Remain," February 2021, Peterson Institute for International Economics, <https://www.piie.com/sites/default/files/documents/pb21-3.pdf>, Appendix 1: Defining Sovereign Wealth Funds

³Currently, the world's largest SWFs belong to Norway, China, Kuwait, Abu Dhabi, Hong Kong, and Saudi Arabia. *Top 100 Largest Sovereign Wealth Fund Rankings by Total Assets*, Sovereign Wealth Fund Institute, <https://www.swfinstitute.org/fund-rankings/sovereign-wealth-fund> (accessed on Mar. 18, 2022).

announced the country's signature economic reform plan, Vision 2030, aimed at diversifying the economy and creating a "global investment powerhouse."⁴ The PIF is central to the execution of Vision 2030.⁵ Vision 2030 foresees the PIF becoming the largest sovereign wealth fund in the world.⁶ The Crown Prince has repeatedly claimed the PIF will control more than \$2 trillion of assets by 2030.⁷

Crown Prince Mohammed is the chairman of the PIF and effectively has control over a nearly trillion-dollar fund that is built on the state's oil wealth. Since he took control of the PIF in 2015, Saudi government investment decisions have been dominated by the PIF, making the bulk of Saudi investments. The Crown Prince has also consolidated the Saudi government's international investments into the PIF. Before 2015, a number of ministries and other State institutions maintained their own funds for foreign investments. Now, the PIF is the kingdom's "sole state investor internationally," according to a report on the PIF by the German Institute for International and Social Affairs.⁸ The PIF describes itself as "the Kingdom's main investment arm," with a focus on "achieving attractive financial returns and long-term value for Saudi Arabia."⁹ The PIF's profits are meant to serve as the "engine driving the transformation of Saudi Arabia's economy."¹⁰ By any measure, the Saudi state, the Crown Prince and the PIF are inextricably intertwined.

The PIF has made big purchases in tech and gaming according to media reports. Some of the PIF's highest-profile international investments include the \$3.5 billion stake it took in American transportation conglomerate Uber and its \$45 billion investment in Softbank's Vision Fund.15 As of late 2022, other high-profile PIF investments included stakes in Alibaba, Paypal, Take-Two Interactive, and META Platforms.16 Under MBS, the PIF has greatly expanded its investments in the United States. In April 2020, the PIF purchased a 5.7% share in Live Nation, the entertainment ticket sales and distribution company in the United States that is the parent of Ticketmaster, for \$500 million.¹¹ The PIF also purchased \$370 worth of stocks in the American cruise line Carnival Corp., an 8% stake, in the same month.¹²

Mohammed bin Salman's Control of and Decision-Making inside the PIF

Crown Prince Mohammed bin Salman wields significant control over the PIF and exercises unilateral decision-making with little transparency or accountability over the sovereign wealth fund's decisions.

Governance

King Salman made major changes to the government after assuming the throne in 2015, including consolidating several existing council and advisory bodies into two new Saudi Council of Ministers' subcommittees – one for economic matters and the other for security and political matters. Mohammed bin Salman has chaired both subcommittees since 2017, putting him in charge of political, security, and economic affairs for the past 6 years.¹³ The economic council, officially the Council of Economic and

⁴Vision 2030, available at: <https://vision2030.gov.sa/en> (accessed August 29, 2019).

⁵Vision 2030 – Kingdom of Saudi Arabia, April 2016, https://vision2030.gov.sa/sites/default/files/report/Saudi_Vision2030_EN_2017.pdf.

⁶In April 2016, according to a PIF press release: "Saudi Arabia's Crown Prince Mohammed bin Salman announced "Vision 2030" on Monday, a comprehensive 84-page reform plan designed to free the Kingdom from its dependence on oil exports...At the centre of the Kingdom's efforts to diversify revenue from oil is the plan to expand its sovereign wealth fund – the Public Investment Fund (PIF) – by **privatising less than 5 per cent of Saudi Aramco and transferring its shares to PIF**. The sovereign wealth fund will become the **largest of its kind in the world** with assets of close to \$3 trillion, creating new economic opportunities and transforming Saudi Arabia into a global investment power." Available at: [PIF April 2016 release with MBS announcing Vision 2030 and role of the PIF](https://www.pif.gov.sa/en/Pages/OurInvestments.aspx). An Atlantic Council report on Vision 2030 found that to "finance many of Vision 2030's most ambitious projects, the government is relying on the revitalized Public Investment Fund (PIF)." The same report contends that the PIF "goes above and beyond other funds in the region in terms of the aggressiveness of its domestic and international investment strategies." Stephen Grand & Katherine Wolff, *Assessing Saudi Vision 2030: A 2020 Review*, Atlantic Council (2020) at 32-22, <https://www.istor.org/stable/pdf/resrep29468.8.pdf>.

⁷MBS Wants Saudi Arabia Fund to Reach \$2 Trillion in Assets, Chief Investment Officer (Apr. 12, 2021), <https://www.al-cio.com/news/mbs-wants-saudi-arabia-fund-to-reach-2-trillion-assets/>

⁸Id., *supra* note 11 at 23.

⁹*Our Investments*, Public Investment Fund, <https://www.pif.gov.sa/en/Pages/OurInvestments.aspx>, (accessed July 11, 2022).

¹⁰About, Public Investment Fund <https://www.pif.gov.sa/en/Pages/AboutPIF.aspx>

¹¹Alex Weprin, *Saudi Arabia Purchases \$500 Million Stake in Live Nation*, Billboard Pro (Apr. 27, 2020), <https://www.billboard.com/pro/saudi-arabia-500-million-stake-live-nation-ticketmaster/>.

¹²Jonathan Levin, *Saudi Arabia has bought 8% stake in world's biggest cruise operator Carnival for bargain basement price*, Financial Post (Apr. 6, 2020), <https://financialpost.com/investing/saudi-arabia-has-bought-8-stake-in-worlds-biggest-cruise-operator-carnival-for-bargain-basement-price>.

¹³Publishing of Royal Decrees, SPA, January 29, 2015, [مجلس-الامة-السعودية-35-الامير-محمد-بن-سلمان-يعلن-عن-رؤيته-2030](https://www.spa.gov.sa/مجلس-الامة-السعودية-35-الامير-محمد-بن-سلمان-يعلن-عن-رؤيته-2030).

Development Affairs (CEDA) oversees is responsible for implementing Vision 2030. Mohammed bin Salman has been the chairman of CEDA since it was formed in 2015.¹⁴

The PIF was established by royal decree in 1971.¹⁵ Between 1971 and 2015, the PIF was housed under and reported to the Ministry of Finance.¹⁶ In March 2015, the Council of Ministers issued Decree 270, which moved the PIF oversight from the Ministry of Finance to the newly formed CEDA. Since 2015, the Crown Prince has been chairman of the PIF board as well as chairman of its oversight body, the CEDA.¹⁷ In that respect, he has had overall control of the PIF since March 2015.

Saudi Arabia's state finances have long been characterized by a lack of transparency and oversight,¹⁸ but the restructuring and dramatic expansion of the PIF has consolidated – to an unprecedented degree – vast economic power in Saudi Arabia under the Crown Prince alone.

Unilateral Decision-Making

The PIF's 2021–2025 program strategy ostensibly lays out a robust governance and operations framework. According to the strategy, the PIF's governance and operating model "builds on global best practices" and "ensures transparency."¹⁹ The Investment Committee of the Board of Directors "reviews and endorses PIF's investment activities." There are five committees at the management level that "review strategic and operation activities, and evaluate investment and non-investment proposals before filing them to the Board."

However, recent media reports of actions by the PIF suggest that these institutional safeguards can be circumvented by the Crown Prince.

For example, a 2022 *New York Times* report alleged that the PIF Board approved a \$2 billion investment deal for a close ally of the Crown Prince after the PIF Board of Directors, chaired by MBS, overruled a panel that screens investments and objected to the deal panel.²⁰

In another instance, Mohammed bin Salman wanted the PIF to buy specific stocks in early 2020 as the markets plummeted during the onset of the global pandemic, according to PIF Governor Yasir Rumayyan. In an interview for a documentary on MBC, Rumayyan said that the PIF Board of Directors voted against the move. According to Rumayyan, MBS "took the matter to the King" and the King "issued a royal decree allowing us to avoid existing PIF governance rules and follow the opinion of the Chairman (MBS)." "The PIF Board could not be persuaded of a specific opinion, so we worked outside the outlines of governance," he said.

¹⁴ Publishing of Royal Decrees, SPA, January 29, 2015, [مبارك / مكتبة الاداء السعودية \(spa.gov.sa\)](https://www.spa.gov.sa/مبارك/مكتبة-الاداء-السعودية). According to the 2015 Royal Decree, CEDA was to be chaired by Mohammed bin Salman and made up of 20 other high-level officials, all members of the Council of Ministers. The order, in describing the composition of CEDA as of 2015, named a number of government positions (for example: the Minister of Finance) and in two cases specifically named individuals, both ministers of state, including Mohammed Al Sheikh, who is a member of the PIF board. Since 2015, additional members have been appointed to CEDA.

¹⁵ Our History, Public Investment Fund, <https://www.pif.gov.sa/en/Pages/About-Timeline.aspx> citing Royal Decree No. (M/24) of 1971, which is available at: [Royal Decree / 24 of 25/6/1391H - Public Investment Fund - Datasets - ResourceData](https://www.pif.gov.sa/en/Pages/About-Timeline.aspx)

¹⁶ Stephan Roll, 'A Sovereign Wealth Fund for the Prince,' *German Institute for International and Security Affairs*, July 2019 at 10; Public Investment Fund Program 2021-2025, Kingdom of Saudi Arabia, p. 9, 15.

¹⁷ After assuming the throne in 2015, King Salman made major changes to government, including replacing several existing council and advisory bodies with two new ones, including CEDA. CEDA is a policy advisory body that oversees the Kingdom's domestic affairs and is responsible for implementing Saudi Vision 2030, a plan for the renewal and modernization of the Saudi economy. *Our History*, Public Investment Fund, <https://www.pif.gov.sa/en/Pages/About-Timeline.aspx> (accessed July 11, 2022); *Governance and Investment Decisions*, Public Investment Fund, <https://www.pif.gov.sa/en/Pages/About-Governance.aspx> (accessed July 11, 2022).

¹⁸ Transparency International, February 12, 2020, *Authoritarianism and corruption in Saudi Arabia*, <https://www.transparency.org/en/blog/authoritarianism-and-corruption-in-saudi-arabia>

¹⁹ *Public Investment Fund Program 2021-2025*, Public Investment Fund <https://www.pif.gov.sa/VRP%202025%20Downloadables%20EN/PIFStrategy2021-2025-EN.pdf> page 56

²⁰ David D. Kirkpatrick and Kate Kelly, *Before Giving Billions to Jared Kushner, Saudi Investment Fund Had Big Doubts*, *The New York Times* (10 April 2022), <https://www.nytimes.com/2022/04/10/us/jared-kushner-saudi-investment-fund.html>

It also appears that Yasir Al-Rumayyan, who is the PIF's Governor, acts on behalf of MBS when making PIF investments, sits on the PIF board and is the Chairman of Newcastle United, as well as the new PGA entity. He was appointed to the Saudi Aramco board in 2016. Rumayyan has been described as "one of the crown prince's closest personal confidants" by a report by the German Institute for International and Security Affairs (GIS). He has been dispatched by the Crown Prince to unilaterally broker PIF deals on his behalf, according to the GIS, including what they state is beyond what is permitted under PIF's internal investment procedures and reviews.²¹

In 2018, the PIF expressed interest in buying a large stake in an American multinational car company. In court documents obtained by Human Rights Watch, when the American CEO of the company asked "Mr. Al-Rumayyan whether there were other decisionmakers who would need to be involved, Mr. Al-Rumayyan said "no" and stated that he was the decision maker.

Transparency and Accountability

While some sovereign wealth funds are structurally separate and distinct from a government's chief executive,²² many sovereign wealth funds, like the PIF, operate with little transparency or apparent protections to regulate how government officials use the funds.²³

The Peterson Institute for International Economics (PIIE) assesses SWFs across the globe on transparency, governance, and accountability metrics. In 2019, the PIIE scoreboard, which is based on publicly available information, gave the Public Investment Fund a score of 39 out of 100. The Saudi PIF was ranked 56 out of 64 funds analyzed, coming in right ahead of the Russian Direct Investment Fund, with which the Saudi PIF partners.²⁴ PIIE ranked Saudi Arabia's PIF as amongst the least transparent, least accountable, and with the least credible governance structures in the world.²⁵

The PIF operates within a state lacking a strong, rules-based or independent judiciary and there are no legal avenues for Saudi citizens to provide critical feedback to government officials or hold them accountable for failed policies, mismanagement, or corruption. The lack of basic freedoms and rights in Saudi Arabia, paired with the government's refusal to allow the existence of an independent civil society capable of monitoring and challenging government action, makes it impossible for Saudi citizens to seek information on or involvement in PIF decision-making, or to critique or seek accountability for abuses related to the PIF.

The PIF has facilitated and benefitted from rights abuses

The PIF under MBS has facilitated and benefitted from human rights abuses directly linked to the Crown Prince, including the 2017 "anti-corruption" crackdown that involved arbitrary detentions, abusive treatment, and the extortion of property from former and current government officials, prominent businessmen, and rivals within the royal family, as well as the 2018 murder of Saudi journalist Jamal Khashoggi.

Human Rights Watch reported extensively on the November 2017 [corruption crackdown](#), which included detaining dozens of people and pressuring them to hand over financial or personal assets in exchange for

²¹Roll, *supra* note 11 at 11.

²²Roll, *supra* note 11 at 10. See also *Our mission and core responsibilities*, Norges Bank, <https://www.norges-bank.no/en/topics/about/Mission-core-responsibilities>.

²³Kyle Hatten and Katharina Pistor, "Maximizing Autonomy in the Shadow of Great Powers: The Political Economy of Sovereign Wealth Funds", *Columbia Journal of Transnational Law* 50, no. 1 (2012), p. 3.

²⁴The scoreboard assesses funds based on their structure (for example: that the use of fund earnings is stated), governance (for example: investment decisions are made by managers), transparency and accountability (for example: the fund discloses returns on investments and publishes quarterly reports) and behavior (for example: the fund discloses policy on adjusting portfolios). Julien Maire, Adnan Mazarei and Edwin M. Turman, *Sovereign Wealth Funds Are Growing More Slowly, and Governance Issues Remain*, February 2021, Peterson Institute for International Economics, <https://www.piie.com/sites/default/files/documents/pib21-3.pdf>, p. 4-6

²⁵Julien Maire, Adnan Mazarei and Edwin M. Turman, *Sovereign Wealth Funds Are Growing More Slowly, and Governance Issues Remain*, February 2021, Peterson Institute for International Economics, <https://www.piie.com/sites/default/files/documents/pib21-3.pdf>, p. 1

their release outside of any recognizable legal process. Initially, many were held at the Ritz-Carlton hotel in Riyadh. Today, some of them remain in detention without charge, others have not been heard from, raising serious concerns about their well-being.

PIF-Owned Assets Facilitate Murder

Human Rights Watch has significant concerns about the role of the investment fund itself in facilitating human rights abuses. Human Rights Watch wrote to the fund's governor, Yasir al-Rumayyan, who, according to a [LinkedIn page attributed to al-Rumayyan](#) and various [media reports](#), was managing director of the fund between 2015 and 2019, on December 21, 2021, [and again on March 15, 2022](#), requesting his response to allegations of serious human rights violations associated with the fund. He has not responded.

Human Rights Watch has reviewed internal Saudi government documents submitted to a Canadian court as part of an [ongoing legal claim](#) filed by a group of Saudi companies against a former intelligence official. The documents showed that in 2017, one of Mohammed bin Salman's advisers ordered al-Rumayyan, then the fund's "supervisor," to transfer 20 companies that were captured as part of the "anti-corruption campaign" directly into the fund. There is a risk that these companies were "transferred" from their owners without due process.

The Saudi documents also [indicated](#) that one of the companies transferred was Sky Prime Aviation, a charter jet company that owned the two planes used in 2018 by Saudi agents to travel to Istanbul, where they murdered the prominent journalist Jamal Khashoggi. In February 2021, the [CIA released a report](#) assessing that Mohammed bin Salman had approved the operation. A June 2019 UN [report](#) by its then-special rapporteur on extrajudicial killings, Agnes Callamard, stated that the planes were indeed owned by Sky Prime Aviation, based on flight records from the European Organization for the Safety of Air Navigation.

Arbitrary Detention and Expropriation of Property

During the 2017 crackdown, some of those detained were apparently able to "buy" their freedom by transferring part of their assets to the Saudi government.²⁶ According to media reporting and sources that spoke with Human Rights Watch, many of those detained—imprisoned, at risk of abuse, and seeking their freedom—eventually agreed to hand over land, money, and shares of their companies to the Saudi government.²⁷

There has been no transparency regarding the asset seizure process. Some of the assets seized during the crackdown appear, according to *The Guardian*, to have been transferred to a holding company that is wholly-owned by the PIF, apparently on the orders of Mohammed bin Salman.²⁸ Other assets were reportedly transferred to a different government-controlled holding company managed by the Ministry of Finance. It is not clear who ultimately took ownership of the other assets.

Key individuals involved in the anti-corruption crackdown also held key positions on the PIF. According to the documents submitted to the Canadian court, in addition to the Crown Prince, two other current PIF board members played a role in ensuring that some of the assets seized during the crackdown ended up

²⁶According to the *New York Times*, "Relatives of some of the detainees said they were deprived of sleep, roughed up and interrogated with their heads covered while the government pressured them to sign over large assets." According to the *New York Times*, which conducted extensive interviews with Saudi officials, members of the royal family, and relatives, advisers and associates of the detainees, Saudi authorities used physical abuse to coerce detainees to hand over assets, stating that at least 17 detainees had required hospitalization and one later died in custody, "with a neck that appeared twisted [and] a badly swollen body and other signs of abuse." The report cited a person who saw the body, which in addition to a twisted neck, had burns that appeared to be from electric shocks. [Saudi Said to Use Coercion and Abuse to Seize Billions - The New York Times \(nytimes.com\)](#); [Saudi Arabia: Clarify Status of 'Corruption' Detainees | Human Rights Watch \(hrw.org\)](#). "Whatever pressure was applied in the Ritz, the goal was to get detainees to sign over assets. In some cases, the government brought in prominent international firms to help."

²⁷[Saudi Billionaire Prince Alwaleed released as corruption probe winds down | Reuters](#)

²⁸Stephanie Kirchgaessner, *Revealed: Newcastle chairman's links to Saudi 'anti-corruption' drive*, *The Guardian* (16 October 2021), <https://www.theguardian.com/world/2021/oct/16/revealed-newcastle-chairmans-links-to-saudi-anti-corruption-drive>.

were transferred to the PIF. At least one other PIF board member, worked with the anti-corruption committee. Another PIF board member, Yassir Al-Rumayan, implemented orders to transfer companies seized during the crackdown to PIF ownership.

The second board member, a minister focusing on economic issues, sits on CEDA and is a member of the PIF board.²⁹ An official letter, signed by him and submitted in Canadian court proceedings, states that the Crown Prince named him³⁰ “General Supervisor of the Work of Teams and Units” under the corruption committee and delegated him “full powers” to execute some of the corruption committee’s work.³¹

In addition, the court documents revealed the fate of New Dawn Contracting company, a construction company, which was also transferred into the PIF. The company was created in 2016 and jointly owned by Mohammed al Jabri, Saad Al Jabri’s son, and Salem al-Muzaini, whose wife alleged in an affidavit submitted in the Canadian court proceedings he was tortured in detention in Saudi Arabia. Al-Muzaini was arbitrarily detained in Saudi Arabia in September 2017, released in late 2018, and then detained and disappeared again in 2022. Each held fifty percent of the shares. Although Mohammed was based abroad during the corruption crackdown and had never agreed to transfer his shares, his brother said, the PIF-owned Tahakom nevertheless managed to secure ownership of the company.

Human Rights Watch examined the deed of transfer, which the PIF-owned companies presented in court filings. It is on Saudi Ministry of Commerce and Investment letterhead, dated April 12, 2018, and purports to show both Salem and Mohammed agreeing to turn over their entire stakes in the company to Tahakom. According to the document, the transfer followed an audit undertaken by the Ministry of Commerce and Investment in January 2018, while many, including Salem, were still detained at the Ritz. There are no signatures on the document—despite spaces left for both Mohammed and Salem to sign—but the document is stamped by a Ministry of Justice notary.

The PIF is used for Saudi Government Image Laundering

Over the last several years, the Saudi government has embarked on a vast campaign to rehabilitate its image and deflect from global perception of the Saudi state as a severe and persistent human rights violator, particularly under the de facto leadership of Crown Prince Mohammed bin Salman.

Human Rights Watch has reported on the government’s billion-dollar campaign to host entertainment, cultural, and sporting events to gain public favor, including by hosting a range of media celebrities, golf tournaments, wrestling matches, and the Formula 1 Grand Prix.³² The Saudi government has recognized that hosting global celebrities and hosting major entertainment and sporting events and companies is a powerful means to launder its reputation and convince international investors to invest in the country despite pervasive human rights violations.

The PIF has invested significantly in sportswashing, an effort to rebrand the country and distract from serious human rights abuses by hosting or sponsoring events that celebrate human achievement, like major sporting events. The PIF is a central component of Vision 2030, which had explicitly laid out the role of sports in enhancing the image of Saudi Arabia abroad. One of the 13 programs developed to help realize Vision 2030 lists multiple leisure and recreational initiatives, in part aimed at creating a “positive image of the kingdom internationally.” The delivery plan has also referenced “enhancing the image of Saudi Arabia

²⁹ Under the terms of the royal decree, the Crown Prince had the authority to create sub-committees and to delegate authority to others.

³⁰ Ontario Superior Court of Justice (*Sakab et al. v. Jabri et al.*), Court File No. CV-21-00655418-00CL, affidavit of Neil David Hargreaves (on file); Ontario Superior Court of Justice (*Sakab et al. v. Jabri et al.*), Court File No. CV-21-00655418-00CL, ‘Articles of Association of Tahakom Investment Company,’ pp. 214-219 of affidavit of Neil David Hargreaves and ‘Registration Certificate of Tahakom Investment Company,’ p. 269 of affidavit of Neil David Hargreaves (on file)

³¹ Letter December 22, 2017, on file with HRW.

³² Saudi Arabia: Image Laundering Conceals Abuses, Human Rights Watch, 2020, <https://www.hrw.org/news/2020/10/02/saudi-arabia-image-laundering-conceals-abuses>.

through the use of sports diplomacy, according to a version of the Vision viewed by Human Rights Watch in 2020.³³

As of January 2023, the PIF owned a reported 93 percent controlling share in LIV Golf, raising serious concerns about the role the league may be playing to burnish Saudi Arabia's image to "sportswash" ongoing abuses committed by Saudi authorities. Human Rights Watch wrote to LIV Golf in August 2022, urging the league to develop a strategy to mitigate the risk of laundering the reputation of the Saudi government. LIV Golf did not respond to HRW's letter, nor indicate that they sought to develop such a strategy.

On June 6, 2023, the PGA Tour announced an agreement combining PIF's golf-related commercial businesses and rights, including LIV Golf, with the PGA Tour and DP World Tour into "a new, collectively owned, for-profit entity." Human Rights Watch expressed serious concerns that the agreement has effectively enabled the Saudi government to "sportswash" its egregious human rights record, in part because the merger places the Saudi government in an unprecedented position of ownership, influence, and control over an entire professional sports league.

Human Rights Watch wrote to the PGA Tour's Policy Board on June 22 detailing our concerns about the implications of the PIF effectively obtaining a monopoly over professional golf while it is also complicit in human rights abuses. Unlike the sponsorship of an event or ownership of a team, control over an entire sector of professional sports raises the possibility of pressuring players, sponsors, and media to stay silent on Saudi Arabia's abuses, and raises concerns about what measures will be taken within the league to undermine human rights. We urged the Board to adopt a clear human rights policy and develop a strategy to mitigate the risk of laundering the reputation of the Saudi government and the Crown Prince. The PGA Tour's new agreement with the Saudi sovereign wealth fund risks helping to obscure widespread human rights violations committed by the Saudi government.

Human Rights Watch does not support the purchase or merger of any league by a serious abuser like the Saudi government through the PIF, without clear human rights safeguards in place for its operations, along with safeguards to ensure that the Saudi government's human rights record is not burnished, or criticism of human rights is not censored by virtue of its control over an entire professional sports league. There should also be safeguards to ensure that women are not discriminated against in the operations or management of the new entity, in light of systematic government-sponsored discrimination against women in Saudi Arabia. As of August 2023, Human Rights Watch has not received a response from the PGA Tour Policy Board, nor are there indications that the Tour has sought to develop a human rights strategy.

Prior to its efforts in professional golf, the PIF had been active in other professional sports. Beginning in January 2020, the PIF purchased the English Premier League football club Newcastle United F.C. The Premier League's approval of the sale of Newcastle United to a business consortium led by the PIF was conducted in an opaque manner and without any human rights policy in place. The PIF now owns 80% of the English soccer club.³⁴ The October 2021, Premier League statement [announcing](#) the sale said that the league had "received legally binding assurances that the Kingdom of Saudi Arabia will not control Newcastle United Football Club." The league did not disclose what these assurances were, nor explain how they would be legally binding.³⁵ Instead, the Premier League appears to have acquiesced to the notion that the Public Investment Fund is separate from the Saudi state, despite that the PIF is, observably and clearly, a Saudi state organ.

³³ Saudi Arabia: Image Laundering Conceals Abuses, Human Rights Watch, 2020, <https://www.hrw.org/news/2020/10/02/saudi-arabia-image-laundering-conceals-abuses>.

³⁴ Hadeel Al Sayegh and Saeed Azhar, *Focus: The Saudi investment king who no longer rules alone*, Reuters, (June 15, 2022), <https://www.reuters.com/markets/europe/saudi-investment-king-who-no-longer-rules-alone-2022-06-15/>.

³⁵ For the official statement from FAPL, see: *Premier league statement*, Premier League Football News, Features, Scores & Results (Oct. 7, 2021), <https://www.premierleague.com/news/2283712> (last visited May 14, 2022).

Recommendations to the United States Congress and Biden Administration (Or to the US government)

- The US should investigate the Public Investment Fund's activities, including:
 - Whether any assets seized or transferred to the PIF involved the US banking system or touched on entities or activities under the jurisdiction of the US government.
- Investigate the risks of sovereign wealth funds, including the PIF, to have participated in or facilitated money laundering, corruption, or other illegal activity in relation to institutions or entities that fall under US government jurisdiction
- Examine what human rights standards should apply to government acquisitions of major US businesses, such as the PGA Tour.
- Adopt legislation or regulations to increase scrutiny of foreign acquisition of US businesses, particularly to identify any corruption or human rights risks, prior to acquisition of those entities.

Recent Headlines on Saudi Arabia's Human Rights Atrocities

Rate of executions in Saudi Arabia almost doubles under Mohammed bin Salman

Last six years among bloodiest in kingdom's modern history despite push to modernise

Martin Chudow *Middle East correspondent*

Wed 1 Feb 2023 14:11 EST

The Guardian

Saudi Arabia: Mass Killings of Migrants at Yemen Border

Systematic Abuses of Ethiopians May Amount to Crimes Against Humanity



Saudi Arabia: UN experts alarmed by imminent executions linked to NEOM project

03 May 2023

Court docs reveal Saudi wealth fund courted by Hollywood and Wall Street owned planes used in Jamal Khashoggi's killing

Eli Clifton, *Responsible Statecraft* Mar 3, 2021, 1:01 PM EST

INSIDER

Saudi man sentenced to death for tweets in harshest verdict yet for online critics

August 31, 2023 · 10:49 AM ET

By Aya Batrawy

OPINION



Saudi PIF's Total Assets & Known U.S. Investments

| | Total Investments | Known U.S. Investments |
|-----------|-------------------|------------------------|
| 2019 | \$326 Billion | \$2.3 Billion |
| 2023 | \$650 Billion | \$35.5 Billion |
| 2030 Goal | \$2 Trillion | Unknown |

Examples of Saudi PIF's U.S. Investments



Microsoft

LIVE NATION

Uber

CARNIVAL
CORPORATION & PLC.

Meta



PayPal



salesforce

COSTCO
WHOLESALE

REDACTION KEY

- A. CLASSIFIED FBI INFORMATION RE-REVIEWED PURSUANT TO EXECUTIVE ORDER 14040.
- C-1. INFORMATION OBTAINED FROM FOREIGN GOVERNMENT(S) AND WITHHELD AT THE DIRECTION OF ANOTHER U.S. GOVERNMENT AGENCY OR DEPARTMENT PENDING ONGOING CONSULTATION.
- C-2. INFORMATION OBTAINED FROM FOREIGN GOVERNMENT(S) AND WITHHELD AT THAT GOVERNMENT'S DIRECTION FOLLOWING CONSULTATION IN ACCORDANCE WITH EXECUTIVE ORDER 14040.
- D. INFORMATION FOR WHICH JUDICIAL AUTHORIZATION TO RELEASE IS REQUIRED. INFORMATION FOR WHICH JUDICIAL AUTHORIZATION IS OBTAINED WILL BE RELEASED.
- F. ADMINISTRATIVELY DESIGNATED FBI FILE AND/OR SERIAL NUMBERS OR HANDLING INFORMATION.
- G. SENSITIVE LAW ENFORCEMENT INFORMATION WITHHELD PURSUANT TO THE LAW ENFORCEMENT PRIVILEGE.
- J-1. SECTION 102A(i)(1) OF THE NATIONAL SECURITY ACT OF 1947, AS AMENDED BY THE INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004, 50 U.S.C. § 3024(i)(1).
- J-2. INFORMATION PROTECTED FROM DISCLOSURE BY THE BANK SECRECY ACT (BSA) AND THE U.S. DEPARTMENT OF THE TREASURY REGULATIONS IMPLEMENTING THE BSA. SEE 31 C.F.R. § 5311 ET SEQ; 31 C.F.R. CHAPTER X.
- J-3. INFORMATION DETERMINED BY ANOTHER DEPARTMENT OR AGENCY TO BE PROTECTED FROM DISCLOSURE PURSUANT TO 8 U.S.C. § 1202(f).
- O-1. INFORMATION WITHHELD AT THE DIRECTION OF ANOTHER U.S. GOVERNMENT AGENCY OR DEPARTMENT.
- P. INFORMATION RESTRICTED FROM PUBLIC RELEASE UNDER THE PRIVACY ACT OF 1974. SUCH INFORMATION WILL BE PRODUCED IN MDL 03-1570 (S.D.N.Y.) PURSUANT TO THE PRIVACY ACT PROTECTIVE ORDER ENTERED IN THAT CASE.
- P-1. INFORMATION SUCH AS SOCIAL SECURITY NUMBERS, DATES OF BIRTH, AND OTHER SENSITIVE PERSONAL INFORMATION.
- S. NAMES AND OTHER PERSONAL IDENTIFYING INFORMATION OF LAW ENFORCEMENT PERSONNEL.

NOTE: Classification markings (classification banners and portion markings) are redacted without a code throughout the release.



FEDERAL BUREAU OF INVESTIGATION
Electronic Communication

Title: [REDACTED] Albayoumi / GIP Cooptee Date: 06/14/2017

From: WASHINGTON FIELD
(G)

Contact: [REDACTED] (S)

Approved By: [REDACTED] (S)

Drafted By: [REDACTED] (S)

Case ID #: [REDACTED] (F) [REDACTED] (A), (G), (J-1) [REDACTED] (A), (G), (J-1)
[REDACTED] (F) [REDACTED] (A), (G), (J-1)
PENTBOMB HAJRAWI, AHMED, AL MAJOR
CASE (MC) 182 [REDACTED] (A), (G), (J-1)

Synopsis: [REDACTED] To file.

[REDACTED] (G)

Full Investigation Initiated: [REDACTED] (A), (G), (J-1)

Details:

[REDACTED] On [REDACTED] (A), (G), (J-1) reported the following information:

[REDACTED] In the late 1990's and up to September 11, 2001, Omar Albayoumi was paid a monthly stipend as a cooptee of the Saudi General Intelligence Presidency (GIP) via

[REDACTED]

PRODUCED TO PSI NOT FOR EXTERNAL DISSEMINATION

Title: [REDACTED] Albayoumi / GIP Cooptee
Re: [REDACTED] (F) [REDACTED] 06/14/2017

then Ambassador Prince Bandar bin Sultan Saud. The information
Albayoumi obtained on persons of interest in the Saudi community in Los Angeles
and San Diego and other issues, which met certain GIP intelligence
requirements, would be forwarded to Bandar. Bandar would then inform the GIP of
items of interest to the GIP for further investigation/vetting or follow up

[REDACTED] Omar Albayoumi was a source of investigative interest following the 9/11 attacks for his support of
9/11 hijackers while living in California. Allegations of Albayoumi's involvement with Saudi intelligence
were not confirmed at the time of the 9/11 Commission Report. The above information confirms these
allegations. Albayoumi, at the time he was operating in California, was presumably employed with the
civil aviation authority.

[REDACTED] For identification purposes a review of visas identified Albayoumi as follows:

Omar A M Al Bayoumi

DOB: [REDACTED] (P-1)

[REDACTED] (P-1)

[REDACTED] (J-3)

[REDACTED] (O-1)

NFI was provided on this application. Writer could not locate prior visas.

[REDACTED] (O-1)

[REDACTED]

PRODUCED TO PSI NOT FOR EXTERNAL DISSEMINATION

Title: [REDACTED]
Re: (F) Albayoumi / GIP Cooptee 06/14/2017

Emad Omar A Albayoumi (Emad Albayoumi)

DOB: (P-1) [REDACTED]

(P-1) [REDACTED]

(J-3) [REDACTED]

(J-3) [REDACTED]

(J-3) [REDACTED]

Employer: General Authority of Civil Aviation

Email: [REDACTED]

Telephone: [REDACTED]

[REDACTED]

[REDACTED]

POC: [REDACTED]

[REDACTED] Supporting documentation provided the following information:

Father: (J-3) [REDACTED]

Mother: (J-3) [REDACTED]

[REDACTED]

PRODUCED TO PSI NOT FOR EXTERNAL DISSEMINATION

Title: [REDACTED]
Albayoumi / GIP Cooptee
Re: (F) [REDACTED] 06/14/2017

Spouse: [REDACTED] (J-3)

Home Address: [REDACTED] (J-3)

[REDACTED] Daughter requested [REDACTED] (J-3)

Bayan Omar Albayoumi (Bayan Albayoumi)

DOB: [REDACTED] (J-3)

[REDACTED] (J-3)

[REDACTED] (J-3)

Email: [REDACTED] (J-3)

Telephone: [REDACTED] (J-3)

[REDACTED] (J-3)

Husband: [REDACTED] (J-3)

Email: [REDACTED] (J-3)

Telephone: [REDACTED] (J-3)

[REDACTED] (J-3)

[REDACTED] (J-3)

[REDACTED]

PRODUCED TO PSI NOT FOR EXTERNAL DISSEMINATION

Title: [REDACTED]
Re: (F) Albayoumi / GIP Cooptee
06/14/2017

Telephone: (J-3) [REDACTED]

[REDACTED] (J-3)

[REDACTED] Husband is identified as follows:

[REDACTED] (J-3)

DOB: [REDACTED] (J-3)

[REDACTED] (J-3)

[REDACTED] (J-3)

[REDACTED] (J-3)

[REDACTED] (J-3)

Email: [REDACTED] (J-3)

[REDACTED] CLEAR noted a telephone number of 615-720-2615

[REDACTED] Saudi student roster of Saudi scholarship participants noted [REDACTED] (J-3) email address of eng.sohil.bakri@hotmail.com and address of 1415 Destiny Drive, Murfreesboro, TN.

[REDACTED]

PRODUCED TO PSI NOT FOR EXTERNAL DISSEMINATION

Title: [REDACTED] Albayoumi / GIP Cooptee
Re: (F) [REDACTED] 06/14/2017

[REDACTED] Another individual identified within the support network of the 9/11 hijackers was Fahad Althumairy (J-3) DOB: (J-3) Passport: (J-3) Althumairy's son (J-3) [REDACTED] (J-3):

[REDACTED] (J-3)

DOB: [REDACTED] (J-3)

[REDACTED] (J-3)

[REDACTED] (J-3)

Employer: [REDACTED] (J-3)

Email: [REDACTED] (J-3)

Telephone: [REDACTED] (J-3)

[REDACTED] (J-3)


Father: [REDACTED] (J-3) DOB: [REDACTED] (J-3)

Mother: [REDACTED] (J-3) DOB: [REDACTED] (J-3)

PRODUCED TO PSI NOT FOR EXTERNAL DISSEMINATION

[REDACTED]

OPERATION ENCORE
(F)

| | | |
|--|---|--|
| Multiple Subjects: Fahad al-Thumairy (F) Omar al-Bayoumi (F) Musaed al-Jarrah (F) Iyad al-Rababah (F) Ahmed al-Zahrani (F) Firas al-Bayoumi (F) |  | Field Office POCs: (S) Headquarters POCs: (S) |
|--|---|--|

(S)

Operation Encore Update (as of 20 March 2014):

- 19 March 2014 – Interview of Ardra Doherty, Iyad Al-Rababah's ex-fiancee, at her place of employment, Home Depot in Paterson, NJ. Doherty advised that she has been in contact with Al-Rababah, currently in Jordan, as recently as one month ago, and maintains regular contact with him by telephone. Doherty agreed to a future interview to provide additional details on her relationship with Al-Rababah, her knowledge of Al-Rababah's former roommate Daoud Chehazeh, and Al-Rababah's current living situation in Jordan.
- 17 March 2014 – Fox News provided internet link to a 28 minute interview of Daoud Chehazeh in Paterson, NJ in September 2011. Interview will be reviewed (D), (P)
- 06 March 2014 - Case team meeting with FBI Newark regarding Encore subject Daoud Chehazeh. Several leads pertaining to (D), (P) were discussed to include, Chehazeh's relatives in PA, Ardra Doherty, the former fiancée of Chehazeh's ex-roommate Iyad Al-Rababah, and linguist Susan Larabee.
- 28 February 2014 – SVTC with San Diego case team re Encore background regarding significance of San Diego subject Mohdar Abdullah, and San Diego based connections to Encore.
- 26 February 2014 - Case strategy meeting with SDNY AUSA (S)
(D), (P)

- [REDACTED]
- 24 January 2014 – Case strategy meeting with SDNY AUSA [REDACTED] (S) [REDACTED] (D) [REDACTED] (D)
 - 19-20 December 2013 – [REDACTED] (G) [REDACTED], FBI LA, FBI WFO interview Mohdar Abdullah [REDACTED] (F) [REDACTED] (F) [REDACTED] (G)
 - December 2013 – SDNY advised that defense counsel [REDACTED] (D), (P) [REDACTED] (D), (P)
 - 05 November 2013 – [REDACTED] (G) [REDACTED] advised they would seek to arrange an interview with Al-Mansoori at the US Embassy in [REDACTED] (G)
 - 14 October 2013 – [REDACTED] (J-3) [REDACTED]
 - October 2013 – [REDACTED] (A), (G), (J-1) [REDACTED]
 - 19 August 2013 [REDACTED] (C-1) [REDACTED]
 - 13 August 2013 – SDNY advised that [REDACTED] (P), (D) [REDACTED] (P), (D)
 - 09 July 2013 - [REDACTED] (P), (D)
 - May/June 2013 - Coordination with USAO SDNY regarding [REDACTED] (P), (D)
 - 13 May 2013 – SDNY advised that Daoud Chehazeh is represented by counsel and that discussions are under way for a proffer of Chehazeh at SDNY in June 2013.
 - 1 May 2013 - [REDACTED] (J-3) [REDACTED] (J-3)
 - 18 April 2013 FBI Newark agrees to turn over [REDACTED] (F) [REDACTED] (Daoud Chehazeh) to New York for investigation under Operation Encore.
 - 11 April 2013 SDNY confirmed positive contact made with a defense attorney [REDACTED] (D), (P) [REDACTED] (D), (P)
 - 08 April 2013 - [REDACTED] (A), (G), (J-1) [REDACTED] reporting provided by Al-Rababah.
 - 05 April 2013 - [REDACTED] (A), (G), (J-1) [REDACTED] reporting and background of Al-Rababah.
 - 20 March 2013 meeting with SDNY, was held regarding investigative approach on Daoud Chehazeh. DHS's appeal of the U.S. Immigration judge's order granting asylum to Chehazeh was issued a final denial.
 - March 2013 - [REDACTED] (D) [REDACTED] (D)

- February 2013 - (A), (G), (J-1) to conduct an interview of Mohamed Al-Mansoori (A), (G), (J-1)
- 25 January 2013 - Encore Case team met with SDNY AUSA (S) SDNY AUSA (S) and DOJ main attorney (S) During the meeting, SDNY and DOJ were advised of case developments.
- 30 November 2012 - (C-2) (C-2)
- 24 September 2012 - Meeting with AUSA (S) and DOJ attorney (S) at NYO Chelsea. At the request of (G) AUSA (S) will explore potential charges for Mohdar Abdullah, including providing material support to the 9/11 hijackers, as well as lesser crimes, which investigators could present at a future interview with Abdullah (G)
- 10 September 2012 - (G) has assisted Legat Copenhagen in providing information to (C-2) (C-2) advised on 10 September 2012 that (C-2) Upon resolution of the claim and its likely rejection, (G) will coordinate with SDNY (A), (G), (J-1)
- Muna Hagi Ismail, her mother Fowzia Abdi, father Alderous Hagi Karama Nur, and mother's sister Khadra Mohammed Abdi, were sentenced on 24 September, 2012, in the Southern District of California to five years' probation and a \$2,500 fine, each. The Office of Immigration Litigation is preparing civil denaturalization cases against Fowzia and Nur (G) including Muna. Upon successful denaturalization, Fowzia, Nur (G) will be served with Notice to Appear (NTAs) and placed in immigration removal proceedings. This sentencing stems from guilty pleas from the defendants on January 15, 2012 in San Diego, CA for naturalization fraud charges.
- Osama Mustafa was arrested in Tampa, Florida on 15 May 2012 for Treasury Check Fraud by the U.S. Attorney's Office for the Eastern District of Virginia. Mustafa was the owner of the Texaco gas station in San Diego at which Mohdar Abdullah and 9/11 hijacker Nawaf al Hazmi were both employed, along with additional people of interest to Operation Encore. On 17 September 2012, Mustafa was proffered in Tampa, Florida. During the proffer, Mustafa echoed previous statement he had made, denying any knowledge of the hijackers' terrorist affiliation and providing no additional details of use to investigators. Mustafa seemed optimistic about the charges he was facing. (G) investigators anticipate future proffer sessions with Mustafa on the Operation Encore-related national security issues. During the week of 28 September 2012, Mustafa and his son proffered a second time. There was no National Security related information disclosed during the second proffer.

In August 2012 (G) sent a lead to JTTF Los Angeles seeking confirmation of two possible current addresses for Smail Mana, an Algerian individual who was known to have extremist views, and was identified as having met with Omar al Bayoumi in private on the same day as Bayoumi's alleged "chance" first meeting with 9/11 hijackers Nawaf al Hazmi and Khalid al Mihdhar. FBI Los Angeles confirmed Mana's current residence. (G) is planning to approach Mana for an interview of his role aiding Bayoumi in facilitating the hijacker's arrival and settlement in California, for which Mana has never provided adequate explanation. (G) will conduct the interview with (G) should it be necessary to serve on Mana to obtain a statement.

- [REDACTED] Fathi Aidarus, [REDACTED] (F) an individual who, similarly to Mohdar Abdullah, facilitated the day-to-day life of 9/11 hijackers Hazmi and Mihdhar during their time in San Diego, has been identified by FBI San Diego as living in Canada. Aidarus is reported to be very concerned about his presence on U.S. no-fly lists. [REDACTED] (G) in conjunction with the San Diego office, will address seeking an interview of Aidarus.
- [REDACTED] In June, 2012, NYO investigators, along with AUSA [REDACTED] (S) and HQ analysts, traveled to London, UK, to exploit evidence seized in 2001 in New Scotland Yard's searches of Omar al Bayoumi's residences and offices. Working directly with SO15 section of Scotland Yard, the document exploitation team reviewed materials and New Scotland Yard's procedures for searches/evidence collection, discussed the potential for use in trial, and returned to the United States with copies of hundreds of pages of documentation with potential probative value. [REDACTED] (G) is undertaking the translation of these documents, to determine relevancy. To date, documents detailing the visits of Mutaib al Sudairy [REDACTED] (F) and Adel al Sadhan [REDACTED] (F) as well as directions indicating that Bayoumi was very familiar with trips from the Saudi Consulate in L.A. to the King Fahad Mosque, have been uncovered. Both documents provide evidence contradicting direct claims Bayoumi has previously made to FBI investigators, particularly about his actions on the day he allegedly randomly met the 9/11 hijackers, and highlight gaps in Bayoumi's story that undermine his claims of innocence.

- [REDACTED] (A), (G), (J-1)
[REDACTED]

Details on Mohdar Abdullah and his connection to Operation ENCORE:

[REDACTED] The FBI is seeking to indict Mohdar Abdullah (Mohdar) in the Southern District of New York (SDNY) for providing material support to 9/11 hijackers Nawaf al-Hazmi and Khalid al-Mihdhar, pursuant to USC 18 section 2339B. Mohdar is the subject of San Diego's full field investigation, [REDACTED] (F) and currently resides in Sweden. The immediate goal of Operation ENCORE is to [REDACTED] (A), (G), (J-1)

[REDACTED] Mohdar played a key role facilitating the daily lives and assisting future Flight 77 hijackers Nawaf al-Hazmi and Khalid al-Mihdhar. Shortly after February 4, 2000, al-Bayoumi tasked Mohdar to assist al-Hazmi and al-Mihdhar. Mohdar was also a family friend and associate of Anwar Aulaqi and they may spent time together with the hijackers. After September 11, 2001 Mohdar was investigated by the FBI for assisting the hijackers. On September 19, 2001 He was arrested by FBI San Diego on charges of immigration fraud for his claim of being a Somali asylee (Mohdar is Yemeni). Mohdar pled guilty to the immigration charges and was deported to Yemen in 2004.

[REDACTED] While Mohdar was detained in an immigration facility he bragged to two fellow inmates that he assisted the hijackers. The FBI and the SDNY have debriefed these individuals. Both are cooperative, but there is some prosecutorial concern about their value as witnesses.

(C-2)

In a January, 2012 meeting with FBI NYO,

(C-2)

The FBI has also provided with relevant derogatory information on Mohdar via a DIDO, including details of Mohdar's false U.S. asylum claim.

Recent investigation revealed strong indications that prior to September 11, 2001 Mohdar confided details of his conversations with al-Hazmi and al-Mihdhar to a young woman named Muna Hagi Ismail (Muna). Like Mohdar, Muna and her family are Yemeni, although they claimed to be Somali refugees. They have now gained U.S. citizenship.

On January 5, 2012, Muna, her parents and her aunt were arrested and charged with immigration fraud in San Diego. The post-arrest debriefings of Muna provided additional evidence of Mohdar's guilt. However, Muna continues to conceal additional information concerning Mohdar's involvement with al-Hazmi and al-Mihdhar, as well as the role that Muna's family played in assisting Mohdar. The impending possibility of criminal and civil penalties facing Muna's entire family may motivate her to cooperate more fully with the FBI. Muna and her family are scheduled to next appear in court on February 21, 2012 for pre-trial motions.

Synopsis of Operation ENCORE:

Operation ENCORE is an investigation into individuals known to have provided substantial assistance to 9/11 hijackers Nawaf al-Hazmi and Khalid al-Mihdhar during their time in California, prior to the attacks. Operation ENCORE main subjects include Fahad al-Thumairy, Omar Ahmed al-Bayoumi, and Musaed al-Jarrah. These subjects provided (or directed others to provide) the hijackers with assistance in daily activities, including procuring living quarters, financial assistance, and assistance in obtaining flight lessons and driver's licenses. Operation ENCORE seeks to prove these subjects provided such assistance with the knowledge that al-Hazmi and al-Mihdhar were here to commit an act of terrorism.

Fahad al-Thumairy was the Imam at the King Fahad Mosque near Los Angeles, California when al-Hazmi and al-Mihdhar first arrived in the United States. Al-Thumairy immediately assigned an individual to take care of them during their time in the Los Angeles area.

Omar al-Bayoumi was living in San Diego on a student visa, despite not attending classes, and receiving a salary from the Kingdom of Saudi Arabia for job duties he never performed. Shortly after arriving in Los Angeles, the two hijackers had an allegedly accidental meeting with al-Bayoumi, who claims to have been in Los Angeles on personal business. At this meeting, al-Bayoumi advised the hijackers to relocate to San Diego, which they did. Once in San Diego, al-Bayoumi assisted the hijackers with a place to live, opening a bank account, and also assigned two individuals to care for them, one of whom was Mohdar Abdullah.

██████████ Telephone numbers assigned to the Saudi Arabian Embassy (SAE) in Washington, D.C., where Musaed al-Jarrah was the director of the Islamic Affairs Department, had significant telephonic contact with al-Thumairy and al-Bayoumi while the hijackers were in the Los Angeles and San Diego areas. There is evidence that al-Jarrah had possible links to al Qaeda and tasked al-Thumairy and al-Bayoumi with assisting the hijackers.

PRODUCED TO PSI NOT FOR EXTERNAL DISSEMINATION



FEDERAL BUREAU OF INVESTIGATION
Electronic Communication

Title: [Redacted] (A), (G), (J-1)
Connections to the Attacks of September 11,
2001

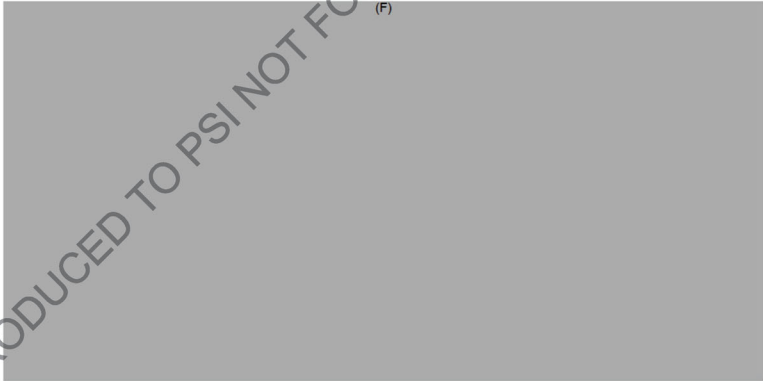
Date: 07/23/2021

From: [Redacted] (G)
Contact: [Redacted] (S)

Approved By: [Redacted] (S)

Drafted By: [Redacted] (S)

Case ID #: [Redacted] (F) [Redacted] (A), (G), (J-1)
[Redacted] (A), (G), (J-1)
[Redacted] (F) [Redacted] (A), (G), (J-1)
PENTTBOMB [Redacted] (A), (G), (J-1)
[Redacted] (F) PENTTBOMB [Redacted] (A), (G), (J-1) MAJOR
CASE (MC) 182 [Redacted] (A), (G), (J-1)



PRODUCED TO PSI NOT FOR INTERNAL DISSEMINATION

Title: [redacted] (A),(G),(J-1) Connections to the Attacks of September 11, 2001
Re: [redacted] (F) 07/23/2021

[redacted] (F)

Synopsis: [redacted] To file. To provide summary and historical information for subsequent agents of [redacted] (G)

[redacted] (G)

Administrative Notes: [redacted] Attached to this EC is a document summarizing the connections between the 9/11 investigation and elements affiliated with the Saudi Arabian government in the U.S. This replaces Serial [redacted] (F) which was intended as a draft for review but was serialized. Serial [redacted] (F) will be removed at a later date.

Enclosure(s): Enclosed are the following items:
1. [redacted] Saudi 9/11 Connections

Details:

PURPOSE:

The purpose of this communication is to consolidate information related to the involvement of personnel and entities controlled by the Saudi Arabian Government (SAG), the Embassy of the Kingdom of Saudi Arabia (EKSA) and its affiliates within the United States with the attacks of September 11, 2001 (9/11 Attacks / PENTTBOMB). Such an analysis is deemed essential for future case agents of this program to understand the origin of the investigation. Due to the purpose noted, this document only discusses entities that are part of or closely tied to the Saudi Arabian government. Other aspects of the 9/11/2001 investigation are only noted if related to this purpose. This report should not be considered an intelligence assessment and is not intended as such.

[redacted]

PRODUCED IN ACCORDANCE WITH FBI PROTECTIVE ORDER NOT FOR INTERNAL DISSEMINATION

Title: [REDACTED] (A), (G), (J-1) Connections to the
 Attacks of September 11, 2001
 Re: [REDACTED] (F) 07/23/2021

An additional purpose of this communication is to document investigations and supporting documentation regarding the Saudi(Wahhabi)/Salafi/militant network that was created, funded, directed and supported by the KSA and its affiliated organizations and diplomatic personnel within the U.S. As Saudi government officials and intelligence officers were directly operating and supporting the entities involved with this network, their involvement with the activities of these organizations/individuals would logically be supposed to have the knowledge or concurrence of the KSA government. This knowledge and/or concurrence by the SAG is related to the 9/11 investigation not only be the direct involvement of some personnel but also via the creation of a larger network for such activities.

In addition, the below analysis will update information available on the ties of some of these entities to Saudi Arabian intelligence services. Much of the publically known information regarding the 9/11/2001 terrorist attacks was documented in the 9/11 Commission Report which was published in 2004. Thus much available information from subsequent and ongoing investigations was not noted in the Commission's Report. In addition, the classified "28 pages" was subsequently de-classified and investigations since 2004 shed additional light on the information that was contained within these 28 pages which were created in 2004 as part of the original Commission Report.

(A), (G), (J-1) [REDACTED] there was located within the EKSA the offices of the Islamic Affairs Department and the office of Daw'a (or Propagation). Investigation of the 9/11 hijackers and their support networks identified significant connections to these offices either directly or via the Saudi Arabian Consulate in Los Angeles. As such, a primary portion of this communication will focus on these offices and connections to the 9/11 hijackers. In addition, the SAG/EKSA was also involved with the funding and creation of a multitude of Islamic organizations, offices, imams and other religious figures within the US - many of which were involved with militant ideology. Several of these were known to be tied directly to Prince Bandar and/or were involved with the collection of information on US based Islamic entities. As the propagation of militant ideology would naturally provide justification for those who were in the hijacker's support network - these organizations will also be listed below (below is not an all-inclusive list as this would be too large.)

Administration:

(G) [REDACTED] was originally formed as (G) [REDACTED] in 2002 as a result of the PENTTBOMB investigation identifying connections between the 9/11 hijackers, their support network and individuals associated with the SAG. As is well known, 15 of the deceased 19 hijackers were from Saudi Arabia with a possible 20th - Mohammed Alqahtani - subsequently captured in Afghanistan and confined at Guantanamo Bay after unsuccessfully attempting to enter the US. At the time of creation of (G) [REDACTED] there was (A), (G), (J-1) [REDACTED] a few investigations of some Saudi Arabian

Title: [redacted] (A), (G), (J-1) Connections to the Attacks of September 11, 2001
Re: [redacted] (F) 07/23/2021

government personnel and organizations had been previously established. [redacted] (G) was quickly transferred to the new [redacted] (G) and changed to [redacted] (G) and then subsequently [redacted] (G). During a portion of this time the squad's FBIHQ oversight was within the [redacted] (G) and much of the squad investigative efforts were focused on Saudi Arabian charities in the [redacted] (G) AOR as well as individual subjects with established or alleged AQ or militant connections. After approximately ten years in [redacted] (G) the program was again transferred to [redacted] (G) [redacted] (G) before returning to [redacted] (G) [redacted] (G).

[redacted] (A), (G), (J-1) of Saudi Arabian entities before and shortly after 9/11/2001 were captioned under the (F) classification. Later this designation was changed to (F) (A), (G), (J-1) investigations prior to and shortly after 9/11/2001 were captioned under (F) and (F). These were later combined under (F) and then (F) classifications. For the most part, serials noted within this document utilize the case caption of the relevant time period.

As the purpose of this document is to highlight and encapsulate the connections between the Saudi Arabian establishments and government entities in the U.S. with the 9/11 hijacker support network writer is not investigating or re-investigating the 9/11 investigation. This is particularly relevant due to a lack of resources and analytical assistance. As such, writer has located relevant serials and have copied that information directly within this communication. **The language, spelling, source symbol numbers, grammar, formatting and emphasis of the original serials is retained.**

As the original language of the referenced serials is retained, a note on how sources were referenced is necessary. During the 9/11/2001 time period, Letter Head Memorandums (LHMs) were necessary for dissemination to DOJ. The LHMs removed the standard source number [redacted] (A), (G), (J-1) [redacted] (A), (G), (J-1) replaced by a non-standard [redacted] (G) designation that was created entirely by the writing agent. Thus research is necessary in order to locate and identify the original source. During this time period, [redacted] (A), (G), (J-1)

PRODUCED TO [redacted] INTERNAL DISSEMINATION

MEMORANDUM

September 13, 2023

To: Members of the Permanent Subcommittee on Investigations

From: Chairman Richard Blumenthal

Re: Issuance of Subpoena to Saudi Arabian Public Investment Fund's United States Subsidiary

This memorandum informs members of the Permanent Subcommittee on Investigations of the basis for a subpoena I have issued to the Saudi Arabian Public Investment Fund's (PIF) wholly-owned United States subsidiary, USSA International LLC, for documents related to PIF's takeover of American golf and related investments throughout the United States. Over the past three months, PIF and its Governor Yasir Al-Rumayyan have repeatedly declined to voluntarily cooperate with the Subcommittee's investigation. The information requested is necessary for the Subcommittee to understand the extent of and reasons for PIF's extensive U.S. investments. For these reasons, and the reasons outlined below, the Subcommittee has issued a subpoena to PIF's United States subsidiary compelling the production of documents that are necessary for this Subcommittee to continue its inquiry.

I. INFORMATION IS NEEDED REGARDING PIF'S UNITED STATES INVESTMENTS

a. PIF's investment in PGA Tour is part of its drastic expansion in the United States

On June 6, 2023, the PGA Tour and PIF announced a planned agreement to form a new entity that would effectively control professional golf in the United States.¹ Six days later, on June 12, 2023, the Subcommittee opened a probe into the agreement and its implications for the United States.² On July 10, 2023, Subcommittee majority staff provided a memorandum to the members of the Subcommittee revealing preliminary information uncovered by the Subcommittee's inquiry, including the expansive role PIF hoped to give Saudi Arabia in global golf as a result of its agreement with PGA Tour.³ On July 11, 2023 the Subcommittee held a hearing regarding this

¹ *PGA TOUR, DP World Tour and PIF Announce Newly Formed Commercial Entity to Unify Golf*, PGA TOUR (June 6, 2023), <https://www.pgatour.com/article/news/latest/2023/06/06/pga-tour-dp-world-tour-and-pif-announce-newly-formed-commercial-entity-to-unify-golf>.

² Press Release, Senator Richard Blumenthal, Blumenthal Opens Probe into PGA Tour & LIV Golf Agreement (June 12, 2023), <https://www.blumenthal.senate.gov/newsroom/press/release/blumenthal-opens-probe-into-pga-tour-and-liv-golf-agreement>.

³ Memorandum from PSI Majority Staff to PSI Members Re: Preliminary Information on Agreement Between PGA Tour and Saudi Arabian Public Investment Fund (July 10, 2023), <https://www.hsgac.senate.gov/wp-content/uploads/2023-07-10-PSI-Majority-Staff-Memorandum-Regarding-Preliminary-Information-on-Agreement-Between-PGA-Tour-and-Saudi-Arabian-Public-Investment-Fund-with-Consolidated-Appendix.pdf>.

agreement, which revealed that PIF plans to contribute more than \$1 billion to the newly created golf entity.⁴

The Subcommittee's inquiry thus far has demonstrated that PIF's planned takeover of professional golf is part of a much larger planned expansion of its investments worldwide. Established by royal decree in 1971, PIF is Saudi Arabia's sovereign wealth fund.⁵ For the first several decades of its existence, most of PIF's investments were domestic.⁶ In 2016, the Saudi Arabian government outlined a plan for PIF to become the largest sovereign wealth fund in the world through a strategy called "Vision 2030", with a goal of managing \$2 trillion in assets by that year.⁷ Vision 2030 was released the year after PIF was put under the direct control of then-Deputy Crown Prince Mohammed bin Salman, the effective Saudi leader.⁸ Crown Prince bin Salman named Yasir Al-Rumayyan the Governor of PIF shortly after he took control.⁹ Since Governor Al-Rumayyan took control of PIF in 2015, the fund has grown from 40 employees to nearly 1,500 employees as of 2021.¹⁰ Its assets under management have increased from \$152 billion in 2015 to as much as \$776 billion today.¹¹

As it has expanded its global footprint, PIF has also rapidly increased its investments in prominent U.S. companies. Public reporting shows PIF has made major investments in, among others, Meta Platforms, Inc., JPMorgan Chase & Co., Starbucks, Microsoft Corporation, Lucid

⁴ The PGA-LIV Deal: Implications for the Future of Golf and Saudi Arabia's Influence in the United States: Hearing Before the S. Perm. Subcomm. on Investigations, 118th Cong. (2023).

⁵ Sara Bazoobandi, *Old Fund, New Mandate: Saudi Arabia's Public Investment Fund*, THE POLITICAL ECONOMY OF NATURAL RESOURCE FUNDS (2021).

⁶ *Id.*

⁷ Kingdom of Saudi Arabia, *Saudi Vision 2030 Overview*, www.vision2030.gov.sa/media/cofh1nmf/vision-2030-overview.pdf.

⁸ *Our History*, PUBLIC INV. FUND, www.pif.gov.sa/en/Pages/About-Timeline.aspx (accessed Sept. 7, 2023).

⁹ Samer Al-Atrush & Andrew England, *Sports Deals Cement Yasir Al-Rumayyan's Reputation at Saudi Wealth Fund*, FIN. TIMES (June 18, 2023), <https://www.ft.com/content/b896534f-86a0-40c9-885b-9c7d9f72845>; H.E. Yasir Al-Rumayyan, FUTURE INV. INITIATIVE INST., <https://fii-institute.org/team-member/yasir-al-rumayyan/> (accessed Sept. 12, 2023).

¹⁰ Matthew Martin & Dinesh Nair, *Saudi Arabia's Wealth Fund Parts Ways With Three Executives*, BLOOMBERG (Mar. 3, 2020), <https://www.bloomberg.com/news/articles/2020-03-03/saudi-arabia-s-wealth-fund-parts-ways-with-three-top-executives#xj4y7vzkg>; *Public Investment Fund Program 2021-2025*, PUBLIC INV. FUND, www.pif.gov.sa/VRP%202025%20Downloadables%20EN/PIFStrategy2021-2025-EN.pdf (accessed Sept. 7, 2023); Saeed Azhar, *Saudi Sovereign Fund PIF Says Total Staff Count Crossed 1,000 in December*, REUTERS (Dec. 17, 2020), www.reuters.com/article/saudi-pif-hires-int/saudi-sovereign-fund-pif-says-total-staff-countcrossed-1000-in-december-idUSKBN28R0G0; *Annual Report 2021* (2021), PUBLIC INV. FUND, www.pif.gov.sa/Annual%20Report%20EN/PIF%20Annual%20Report%202021.pdf.

¹¹ *Public Investment Fund Program 2021-2025*, PUBLIC INV. FUND, www.pif.gov.sa/VRP%202025%20Downloadables%20EN/PIFStrategy2021-2025-EN.pdf (accessed Sept. 12, 2023); *Annual Report 2021* (2021) PUBLIC INV. FUND, www.pif.gov.sa/Annual%20Report%20EN/PIF%20Annual%20Report%202021.pdf; *Saudi PIF Maintains 6th Rank Among World's Top SWFs with \$607.4 bln Assets*, ARGAM (June 1, 2023), www.argaam.com/en/article/articledetail/id/1613419; *PIF Assets Rise to \$650 bln*, ARGAM (Oct. 4, 2023), www.argaam.com/en/article/articledetail/id/1635352.

Motors, Activision Blizzard, Electronic Arts and Live Nation Entertainment.¹² In 2022, PIF purchased a \$3.5 billion share of Uber and, with it, a seat on the company's board of directors.¹³ To facilitate its U.S. investments, PIF opened a New York-based subsidiary, USSA International LLC, in 2022.¹⁴ PIF has also used its venture capital arm, Sanabil Investments, to purchase stakes in U.S. private entity and venture capital firms including Blackstone, General Atlantic, KKR, Hellman & Friedman, Apollo, Brookfield, and CVC.¹⁵

b. There is limited and inadequate visibility into the extent of Saudi Arabia's U.S.-based investments

Visibility into PIF's U.S.-based investments is greatly limited. The only information that PIF must report to the public about its U.S. investments is through required disclosures of investments in publicly-traded companies to the U.S. Securities and Exchange Commission (SEC). These disclosures show that PIF's public U.S. holdings have increased from \$2.3 billion in March 2019 to \$35.5 billion in March 2023.¹⁶ This \$35.5 billion-dollar figure does not include the disclosure of private transactions.

Outside of SEC filings, the other avenues to understand how and where PIF has invested into the United States also do not provide a complete picture. While the Foreign Agents Registration Act (FARA) requires certain agents of foreign principals who are engaged in political or other specified activities to make a periodic public disclosure of their relationship with the foreign principal, it contains a number of significant exceptions.¹⁷ This includes a so-called "commercial exemption" which excludes from its registration and disclosure obligations "(1) private and nonpolitical activities in furtherance of the bona fide trade or commerce of [a] foreign principal; or (2) ... other activities not serving predominantly a foreign interest."¹⁸ The Committee on Foreign Investment in the United States (CFIUS) also cannot provide adequate insights as its mandate is to narrowly review investments for national security concerns and its review and findings are largely confidential.¹⁹ Outside of FARA and CFIUS, few other tools are available to learn more about PIF's U.S. investments.

This lack of visibility is troubling for a number of reasons. First, there is potential to use investment to suppress unfavorable narratives about Saudi Arabia. For example, just this week

¹² Rohan Goswami, *Lucid, Activision, EA, Uber: Here's Where Saudi Arabia's Sovereign Wealth Fund Has Invested*, CNBC (July 11, 2023), <https://www.cnbc.com/2023/07/11/activision-ea-uber-heres-where-saudi-arabias-pif-has-invested.html>.

¹³ Mike Isaac & Michael J. de la Merced, *Uber Turns to Saudi Arabia for \$3.5 Billion Cash Infusion*, N.Y. TIMES (June 1, 2016), <https://www.nytimes.com/2016/06/02/technology/uber-investment-saudi-arabia.html>.

¹⁴ *The Big Apple Is Blossoming as PIF Begins Hiring for Its New NYC Office*, GLOBAL SWF (Sept. 20, 2022), <https://globalswf.com/news/the-big-apple-is-blossoming-as-pif-begins-hiring-for-its-new-nyc-office>.

¹⁵ *See Our Portfolio*, SANABIL INVESTMENTS, <https://www.sanabil.com/en/our-partners>.

¹⁶ Public Investment Fund, Quarterly report filed by institutional managers, Holdings (Form 13-F) (Mar. 31, 2019); Public Investment Fund, Quarterly report filed by institutional managers, Holdings (Form 13-F) (Mar. 31, 2023).

¹⁷ *See* 22 U.S.C. § 611(c).

¹⁸ 22 U.S.C. § 613(d).

¹⁹ *See* 50 U.S.C. App. 2170.

reports emerged stating that Vice Media removed an unfavorable documentary regarding Crown Prince Mohammed bin Salman after it merged with a Saudi Arabian government-owned media company.²⁰ Determining whether there are connections between investment and the suppression of speech and guarding against their intended effects is impossible without knowing where and how Saudi Arabia is invested in the United States, and much of its investment is through PIF.

Beyond outright suppression of potentially negative press, investment can also be used as a tool of influence to promote positive stories and thereby suppress or distract from negative ones. PIF's PGA Tour investment fits in this bucket because it appears to be a classic attempt at a practice known as "sportswashing," a "phenomenon whereby political leaders use sports to appear important or legitimate on the world stage while stoking nationalism and deflecting attention from chronic social problems and human-rights woes on the home front."²¹ More visibility about PIF's U.S. investments is also needed to guard against efforts like this and to allow Americans to know the true source of favorable reporting.

II. PIF HAS REFUSED TO VOLUNTARILY COOPERATE

PIF has refused to voluntarily cooperate with this Subcommittee's requests. On June 21, 2023, the Subcommittee invited Governor Al-Rumayyan to testify at our July 11, 2023 hearing, given his integral role in the PGA Tour deal making process.²² Governor Al-Rumayyan declined that invitation in a letter from PIF's counsel on June 28, 2023, citing "scheduling conflicts," but offered to help "ensure that the Subcommittee is supplied with relevant information concerning the Agreement."²³ Over multiple communications spanning the next month and despite the Subcommittee's offers to accommodate his schedule, PIF's counsel repeatedly declined to provide any availability for Governor Al-Rumayyan's appearance while offering to provide the Subcommittee with a briefing, an offer that PIF's counsel repeated in later correspondence.²⁴

The Subcommittee wrote to Governor Al-Rumayyan again on July 27, 2023, again asking him to confirm his willingness to voluntarily testify and requesting documents and information

²⁰ Nikita Mazurov, *Vice Pulled a Documentary Critical of Saudi Arabia. But Here It Is*, THE INTERCEPT (Sept. 9, 2023), <https://theintercept.com/2023/09/09/vice-deleted-documentary-saudi-arabia/>.

²¹ Jules Boykoff, *Toward a Theory of Sportswashing: Mega-Events, Soft Power, and Political Conflict*, 39 SOCIOLOGY OF SPORTS J. 342 (2022).

²² Letter from Chairman Richard Blumenthal and Ranking Member Ron Johnson, Permanent Subcommittee on Investigations, to Governor Yasir Al-Rumayyan, Public Investment Fund (June 21, 2023), https://www.hsgac.senate.gov/wp-content/uploads/2023-06-21-Blumenthal-and-Johnson-Hearing-Invitation-to-al-Rumayyan_Redacted.pdf.

²³ Attachment A to Letter from Chairman Richard Blumenthal, Permanent Subcommittee on Investigations, to Governor Yasir al-Rumayyan, Public Investment Fund (July 27, 2023), https://www.hsgac.senate.gov/wp-content/uploads/2023-07-27-Blumenthal-Request-to-PIF_Redacted.pdf.

²⁴ See Email between Staff, Permanent Subcommittee on Investigations, and Counsel for PIF (July 10, 2023) (on file with Subcommittee); Email between Staff, Permanent Subcommittee on Investigations, and Counsel for PIF (July 24, 2023) (on file with Subcommittee); Attachment A to Letter from Chairman Richard Blumenthal, Permanent Subcommittee on Investigations, to Governor Yasir al-Rumayyan, Public Investment Fund (Aug. 16, 2023), https://www.hsgac.senate.gov/wp-content/uploads/2023-08-16-Blumenthal-Letter-to-PIF-re-Response-Letter_Redacted.pdf.

from PIF regarding its investments in PGA Tour and throughout the United States.²⁵ In response, PIF’s counsel asserted for the first time that Governor Al-Rumayyan was “an inappropriate witness” for a public hearing because he was “a minister bound by the Kingdom’s laws regarding the confidentiality of certain information.”²⁶ This letter also contended for the first time that the Subcommittee’s inquiry and document requests raise “significant legal considerations,” among them “consideration of and solicitude for the principles of sovereignty and international comity.”²⁷

On August 16, 2023, the Subcommittee reiterated the request that Governor Al-Rumayyan either appear to testify at a hearing on September 13, 2023 or propose alternative dates in September for his testimony, and the expectation that PIF would comply with the Subcommittee’s request and produce documents and information by August 18, 2023.²⁸ PIF did not provide any documents by the August 18, 2023 deadline, has not offered any dates for Governor Al-Rumayyan’s testimony, and has refused to schedule the offered briefing with Subcommittee staff. Subcommittee staff has sent repeated emails and had phone calls with PIF’s counsel regarding dates, times, and parameters for the briefing, but has received no firm commitment in response. This leaves no other conclusion than that PIF does not intend to voluntarily engage with the Subcommittee in any meaningful way.

III. NEED FOR SUBPOENA

PIF has demonstrated unwillingness to voluntarily cooperate with the Subcommittee’s inquiry. Given the importance of the Subcommittee’s inquiry and PIF’s continued refusal to cooperate voluntarily, this subpoena is necessary.

Inquiring into PIF’s U.S. investments is an appropriate task for this Subcommittee. Article 1, Section 8, Clause 3 of the Constitution gives Congress the power “to regulate commerce with foreign nations [and] among states,” a power that has been held to include the authority to legislate regarding the channels and instrumentalities of commerce, persons or things involved in interstate commerce, and activities that substantially affect interstate commerce.²⁹ The Supreme Court has held that Congress has the authority to investigate or study anything which is the appropriate subject of legislation.³⁰ An inquiry looking into the extent of, and justifications behind, billions of

²⁵ Letter from Chairman Richard Blumenthal, Permanent Subcommittee on Investigations, to Governor Yasir al-Rumayyan, Public Investment Fund (July 27, 2023), https://www.hsgac.senate.gov/wp-content/uploads/2023-07-27-Blumenthal-Request-to-PIF_Redacted.pdf.

²⁶ Attachment A to Letter from Chairman Richard Blumenthal, Permanent Subcommittee on Investigations, to Governor Yasir al-Rumayyan, Public Investment Fund (Aug. 16, 2023), https://www.hsgac.senate.gov/wp-content/uploads/2023-08-16-Blumenthal-Letter-to-PIF-re-Response-Letter_Redacted.pdf.

²⁷ *Id.*

²⁸ *Id.*

²⁹ U.S. CONST. art. I § 8, cl. 3; *United States v. Lopez*, 514 U.S. 549, 558 (1995) (outlining the “three broad categories of activity that Congress may regulate” under art. I § 8, cl. 3).

³⁰ *See, e.g. McGrain v. Daugherty*, 273 U.S. 135, 175 (1927) (noting that a “legislative body cannot legislate wisely or effectively in the absence of information respecting the conditions which the legislation is intended to affect or change.”).

dollars of commercial activity by an authoritarian regime in the United States fits squarely within this authority.

This inquiry is also well within this Subcommittee’s jurisdiction. This Subcommittee has a broad mandate to study or investigate “the efficiency and economy of operations of all branches of the Government,” with “particular reference” to “the effectiveness of present national security methods, staffing, and processes as tested against the requirements imposed by the rapidly mounting complexity of national security problems.”³¹ This authority is explicitly not “limited to the records, functions, and operations of any particular branch of the Government and may extend to the records and activities of any persons, corporation, or any other entity.”³² Among the Subcommittee’s investigatory powers is the power for the Chair to subpoena documents and records.³³

As I wrote to Governor Al-Rumayyan on August 16, PIF’s arguments regarding sovereignty and international comity are without merit and provide no reason to constrain this Subcommittee’s inquiry. As to sovereign immunity, the Foreign Sovereign Immunities Act (FSIA) explicitly removes sovereign immunity protection from foreign states who conduct business within the United States. FSIA also withdraws sovereign immunity protection for acts “performed in the United States in connection with a commercial activity of the foreign state elsewhere” and for acts committed “outside the territory of the United States in connection with a commercial activity of the foreign state elsewhere” if those acts cause direct effects within the United States.³⁴

Regarding “international comity,” the notion that Saudi Arabia’s confidentiality laws should act to prohibit the United States Congress from learning more about commercial activity within the United States is legally baseless and simply incorrect. International comity was conceived originally as a discretionary doctrine that empowered courts to decide when to defer to foreign law out of respect for foreign sovereigns.³⁵ In the situation here, the principles of respect which underlie the doctrine require that Saudi Arabia respect the authority of the United States Congress to regulate American commerce. That is precisely the opposite of what PIF seeks in wrongly invoking this principle to hinder the Subcommittee’s inquiry.

In summary, as I also wrote to Governor Al-Rumayyan on August 16, PIF cannot have it both ways. If it seeks to reap the benefit of commercial engagement with United States markets and entities, it must be subject to the laws and oversight of Congress.

For the reasons described above, the Subcommittee has issued a subpoena to PIF’s wholly-owned United States subsidiary, USSA International LLC, compelling the production of documents and information.

³¹ S. Res. 59, sec. 12(e)(1), 118th Cong. (1st Sess. 2023).

³² S. Res. 59, sec. 12(e)(2), 118th Cong. (1st Sess. 2023).

³³ S. Perm. Subcomm. on Investigations, 118th Cong., Rules of Procedure (2023), <https://www.hsgac.senate.gov/wp-content/uploads/PSI-Rules-118th-Congress-CPRT-118SPRT51199.pdf>.

³⁴ 28 U.S.C. § 1605(a)(2) (1976).

³⁵ See Joel R. Paul, *Comity in International Law*, 32 HARV. INT’L L.J. 1, 4 (1991).

Attachment A

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United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
WASHINGTON, DC 20510-6250

September 13, 2023

VIA ELECTRONIC MAIL (rprober@akingump.com)

Jason Chung
USSA International LLC
767 5th Avenue, 45th Floor
New York, NY 10153

Dear Mr. Chung:

Pursuant to its authority under Senate Resolution 59 (118th Cong.) and rule XXVI of the Standing Rules of the Senate, the U.S. Senate Permanent Subcommittee on Investigations is reviewing the Public Investment Fund (“PIF”) of Saudi Arabia’s investments in businesses and cultural institutions in the United States, including their planned agreement with PGA Tour regarding the future of professional golf in the United States. Please provide the documents requested in the attached subpoena by October 13, 2023. The Subcommittee requests that you provide responsive materials as soon as possible or in rolling productions. To avoid unnecessary delays in connection with this production, we ask that you review the attached *Procedures for Transmitting Documents to the Permanent Subcommittee on Investigations*.

Sincerely,



Richard Blumenthal
Chairman
Permanent Subcommittee on Investigations

cc: Ron Johnson
Ranking Member
Permanent Subcommittee on Investigations

Attachment

UNITED STATES OF AMERICA
Congress of the United States

To Jason Chung
Senior Director, Head of Office
USSA International LLC
767 5th Avenue, 45th Floor
New York, NY 10153

Greeting:

Pursuant to lawful authority, YOU ARE HEREBY COMMANDED to appear before the SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS of the Senate of the United States, on October 13, 2023 at 6:00 o'clock p.m., in Russell Senate Office Building 199, then and there to testify what you may know relative to the subject matters under consideration by said Subcommittee, and produce all materials as set forth in Schedule A, attached hereto and made a part hereof.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To any authorized Committee staff or any United States Marshal or their designee to serve and return.

Personal appearance in Washington, D.C., waived if subpoenaed materials are produced to the Subcommittee on or before the herein appointed date and time.

Given under my hand, by authority vested in me by the Committee, on this 13th day of September, 2023.



Chairman, Senate Permanent Subcommittee on Investigations of the Committee on Homeland Security & Governmental Affairs.

SCHEDULE A

1. All records referring or relating to the Public Investment Fund and/or USSA International LLC's investments in professional sports in the United States, including but not limited to the PGA Tour, LIV Golf, and Project Wedge.
2. All records referring or relating to the Framework Agreement between the Public Investment Fund and the PGA Tour.
3. All records referring or relating to any current or planned investment by the Public Investment Fund and/or USSA International LLC in entities or assets located, based, or incorporated in the United States, including but not limited to investments by the Future Investment Initiative Institute, Sanabil Investments, and any investments in furtherance of Saudi Vision 2030.
4. Records reflecting:
 - a. the name, value, and transaction date of all stock or securities held by the Public Investment Fund and/or USSA International LLC in entities incorporated, based, or located in the United States;
 - b. the name, value, and transaction date of all assets located in the United States and held or managed by the Public Investment Fund and/or USSA International LLC.; and
 - c. the name of any United States-based contractors, consultants, public relations firms, strategic consultants, crisis consultants, lobbyists, or law firms currently or previously used by the Public Investment Fund and/or USSA International LLC.
5. Organizational charts reflecting corporate structure, officers, directors, and employees of USSA and any and all subsidiaries or affiliated organizations with a presence or investment in the United States, including but not limited to USSA International LLC, Sanabil Investments, and the Future Investment Initiative Institute.

For purposes of this subpoena:

The documents subpoenaed include all those that are in the custody, control, or possession, or within the right of custody, control, or possession of USSA International LLC or its agents, employees, or representatives.

Documents should be produced in their entirety, without abbreviation, modification, or redaction, including all attachments and materials affixed thereto.

All documents should be produced in the same order as they are kept or maintained in the ordinary course, or the documents should be organized and labeled to correspond to the categories of the documents requested. Parties subject to this subpoena are subject to a duty to supplement with respect to each request. Each category of documents subpoenaed shall be construed independently, and no category shall be viewed as limiting the scope of any other category.

If the subpoena cannot be complied with in full, it shall be complied with to the extent possible, with an explanation of why full compliance is not possible. Any document withheld on the basis of privilege shall be identified on a privilege log submitted with response to this subpoena. The log shall state the date of the document, its author, his or her occupation and employer, all recipients, the title and/or subject matter, the privilege claimed and a brief explanation of the basis of the claim of privilege. If any document responsive to this subpoena was, but no longer is, in your custody, control, or possession, identify the document and explain the circumstances by which it ceased to be in your custody, control, or possession.

Documents shall be delivered as delimited text with images and native files in accordance with the attached Data Delivery Standards.

Alternatively, all documents derived from word processing programs, email applications, instant message logs, spreadsheets, and wherever else practicable, shall be produced in text searchable PDF format. Spreadsheets shall also be provided in their native format. Audio and video files shall be produced in their native format, although picture files associated with email or word processing programs shall be produced in PDF format along with the document it is contained in or to which it is attached.

Other than native files produced along with TIFF images in accordance with the attached Data Delivery Standards, every page of material produced to the Subcommittee must contain a unique Bates number. All files produced shall be named according the Bates range that file contains (e.g. YourCo-00001-YourCo-00035).

Documents produced on paper (those from paper files that you choose to produce as such) shall not contain any permanent fasteners (i.e. staples), but shall be separated based on the divisions between documents as it is maintained in the custodian's files by non-permanent fasteners (e.g. paper clips, binder clips, rubber bands) or a non-white flip sheet.

Definitions:

1. The term USSA International LLC or USSA includes, but is not limited to USSA International LLC, and any subsidiaries, divisions, partnerships, properties, affiliates, branches, groups, special purpose entities, joint ventures, predecessors, successors, or any other entity in which USSA International LLC had or has a controlling interest, and all the officers, directors, employees, agents, or general partners of those entities.
2. The term Public Investment Fund includes, but is not limited to the Public Investment Fund of Saudi Arabia, and any subsidiaries, divisions, partnerships, properties, affiliates, branches, groups, special purpose entities, joint ventures, predecessors, successors, or any other entity in which the Public Investment Fund had or has a controlling interest, and all the officers, directors, employees, agents, or general partners of those entities.
3. The term "entity" means a corporation, partnership, limited partnership, limited liability company, joint venture, business trust, or any other form or organization by which business or financial transactions are carried out.
4. The term "record" includes any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including but not limited to the following: agreements; papers; memoranda; correspondence; reports; studies; reviews; analyses; graphs; marketing materials; brochures; diagrams; photographs; charts; tabulations; presentations; working papers; records; records of interviews; desk files; notes; letters; notices; confirmations; telegrams; faxes; telexes, receipts; appraisals; interoffice and intra office communications; electronic mail (e-mail); contracts; cables; recordings; notations or logs of any type of conversation, telephone call, meeting or other communication; bulletins; printed matter; computer printouts; teletype; invoices; transcripts; audio or video recordings; statistical or informational accumulations; data processing cards or worksheets; computer stored and generated documents; computer databases; computer disks and formats; machine readable electronic files or records maintained on a computer; diaries; questionnaires and responses; data sheets; summaries; minutes; bills; accounts; estimates; projections; comparisons; messages; correspondence; electronically stored information and similar or related materials. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
5. The term "relating to" means involving, concerning, referring to, describing, evidencing, or constituting.
6. The terms "and" and "or" shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this subpoena any information that might otherwise be construed to be outside its scope. The term "any" means both any and all. The singular includes the plural number, and vice versa. The masculine includes the feminine and neuter genders. The use of a verb in any tense, mood, or voice shall be construed as the use of the verb in all other tenses, moods, or voices, as necessary to bring within the scope of this subpoena any information that might otherwise be construed to be outside its scope.



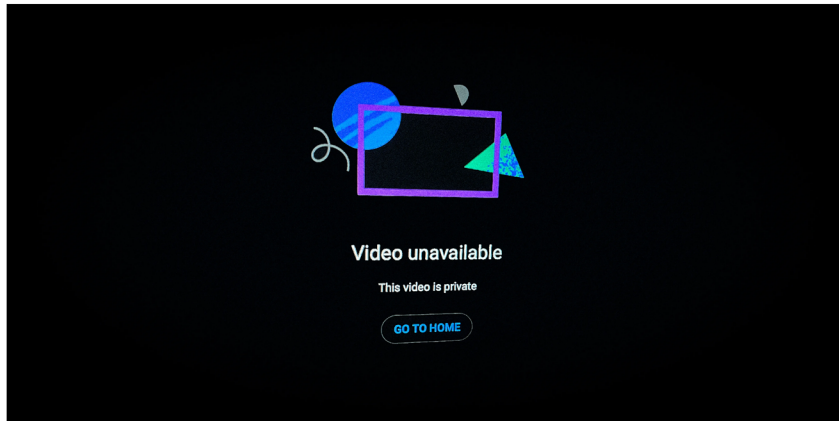
VICE PULLED A DOCUMENTARY CRITICAL OF SAUDI ARABIA. BUT HERE IT IS.

Vice's hard-nosed coverage on Saudi Arabia changed after investment deals with the repressive kingdom. A deleted documentary is not completely gone, however.

[Nikita Mazurov](#)

September 9 2023, 7:00 a.m.

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Vice's "Inside Saudi Crown Prince's Ruthless Quest for Power" was uploaded to the Vice News YouTube channel on June 19, 2023, but the link now shows a message that says "video unavailable." Photo: The Intercept

9/11/23, 12:15 PM

Vice Pulled a Documentary Critical of Saudi Arabia. But Here It Is.

IN THE PAST, Vice has documented the [history of censorship](#) on YouTube. More recently, since the company's near implosion, it became an active participant in making things disappear.

In June, six months after announcing a partnership deal with a Saudi Arabian government-owned media company, Vice uploaded but then quickly removed a documentary critical of the Persian Gulf monarchy's notorious dictator, Crown Prince Mohammed bin Salman, or MBS.

The nearly nine-minute film, titled "Inside Saudi Crown Prince's Ruthless Quest for Power," was uploaded to the Vice News YouTube channel on June 19, 2023. It garnered more than three-quarters of a million views before being set to "private" within four days of being posted. It can no longer be seen at its [original link](#) on Vice's YouTube channel; visitors see a message that says "video unavailable." Vice did not respond to a request for comment on why the video was published and then made private or if there are any plans to make the video public again.

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The Guardian first [reported](#) that a "film in the Vice world news Investigators series about Saudi crown prince Mohammed bin Salman was deleted from the internet after being uploaded." Though Vice did remove the film from its public YouTube channel, it is, in fact, not

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“deleted from the internet” and [presently remains publicly accessible](#) via web archival services.

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Vice’s description of the video, now also unavailable on YouTube, [previously stated](#) that Saudi Crown Prince Mohammed “orchestrates The Ritz Purge, kidnaps Saudi’s elites and royal relatives with allegations of torture inside, and his own men linked to the brutal hacking of Journalist Khashoggi – a murder that stunned the world.” The description goes on to state that Wall Street Journal reporters Bradley Hope and Justin Scheck “attempt to unfold the motivations of the prince’s most reckless decision-making.” Hope and Scheck are the co-authors of the 2020 book “Blood and Oil: Mohammed bin Salman’s Ruthless Quest for Global Power.”

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Vice Pulled a Documentary Critical of Saudi Arabia. But Here It Is.



A screenshot from the documentary "Inside Saudi Crown Prince's Ruthless Quest for Power," which Vice News deleted from its YouTube channel. Image: The Intercept; Source: Vice News

In the documentary, Hope states that Crown Prince Mohammed is "disgraced internationally" owing to the Jamal Khashoggi murder, a [topic](#) which Vice critically covered at length in the past. More recently, however, Vice has shifted its coverage of Saudi Arabia, apparently due to the growth of its commercial relationship with the kingdom. The relationship appears to have begun in [2017](#), owing to MBS's younger brother, Khalid bin Salman, being infatuated with the brand; bin Salman reportedly set up a meeting between Vice co-founder Shane Smith and MBS.

By the end of 2018, Vice had worked with the Saudi Research and Media Group to produce [promotional videos for Saudi Arabia](#). A few days after the Guardian piece detailing the deal came out, an "industry source" told [Variety](#) (whose parent company, Penske Media Corporation, received [\\$200 million](#) from the Saudi sovereign wealth fund earlier that year) that Vice was "reviewing" its contract with SRMG.

A subsequent Guardian [investigation](#) revealed that in 2020, Vice helped organize a Saudi music festival subsidized by the Saudi government. Vice's name was not listed on publicity materials for the event, and contractors working on the event were presented with nondisclosure agreements.

In 2021, Vice opened an office in Riyadh, Saudi Arabia. The media company has gone from being "[banned from filming in Riyadh](#)" in 2018 to now [actively recruiting](#) for a producer "responsible for developing and assisting the producing of video content from short form content to long-form for our new media brand, headquartered in Riyadh." The company lists 11 [other Riyadh-based openings](#).

Commenting on the opening of the Riyadh office, a Vice spokesperson [told](#) the Guardian that "our editorial voice has and always will report with complete autonomy and independence." In response to the Guardian [recently asking](#) about the rationale for the removal of the film, a Vice source stated that this was partially owing to concerns about the safety of Saudi-based staff.

In September 2022, the New York Times [reported](#) that Vice was considering engaging in a deal with the Saudi media company MBC. The deal was officially [announced](#) at the start of 2023. Most recently, the Guardian reported that Vice shelved a story which stated that the "Saudi state is helping families to harass and threaten transgender Saudis based overseas." In response to this latest instance of apparent capitulation to advancing Saudi interests, the Vice Union issued a [statement](#) saying that it was "horrified but not shocked." It added, "We know the company is financially bankrupt, but it shouldn't be morally bankrupt too."

Meanwhile, a map of Saudi Arabia reportedly [hangs](#) on a wall in Vice's London office.

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