



Bonesaw Diplomacy: How a Saudi crown prince lost U.S. lawmakers.

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Mohammed bin Salman had been crown prince of Saudi Arabia for only a few months, but he was already on his second U.S. visit. In March 2018, the young monarch (usually known as "MBS") spent three weeks on a whirlwind P.R. tour of America, meeting everyone from Jeff Bezos to Morgan Freeman.

But the trip was about more than photo ops and hobnobbing. In the month leading up to the visit, the Saudi government had retained three American law firms—David Kultgen, King & Spalding, and Pillsbury Winthrop Shaw Pittman—to advise it on and lobby for a potential bilateral agreement on nuclear research. On March 7, a Canadian law firm called Gowling WLG likewise signed a \$66,000-per-month contract with the Saudi government related to "the development of a civil nuclear program." (As of press time, none of these firms has responded to requests for comment.)

Saudi Arabia and the United States are engaged in negotiations over just such a program: Under a proposed plan, American companies would build nuclear reactors for the Saudi government.

On March 18, MBS told CBS News that Saudi Arabia intended to build nuclear weapons "as soon as possible" if its enemy Iran acquired them. In November, *The New York Times* reported that U.S. intelligence has investigated the possibility of an already existing secret Saudi nuclear weapons program.

On October 31, Sens. Marco Rubio (R–Fla.), Todd Young (R–Ind.), Cory Gardner (R–Colo.), Rand Paul (R–Ky.), and Dean Heller (R–Nev.) signed a letter stating that the negotiations "should be suspended immediately and indefinitely." In so doing, they broke from President Donald Trump, the leader of their own party, who had begun the talks.

Although the rapport between Trump and MBS is as warm as ever, congressional discontent with the crown prince has been growing. In particular, the assassination of *Washington Post* columnist Jamal Khashoggi at the Saudi consulate in Istanbul, Turkey, on October 2 seriously damaged MBS's reputation. (Khashoggi had been an outspoken critic of the Saudi government and of MBS in particular.) In response to the slaying, members of Congress have threatened to cut off everything from military aid to atomic research cooperation.

But congressional debates, diplomatic cables, and lobbying disclosures reveal that the tensions run far deeper than one journalist's disappearance. Between an increasingly restive faction of Republicans in the Senate and Democrats—including a cohort of foreign policy skeptics—taking control of the House of Representatives in January, Saudi Arabia may have a much harder time maintaining its influence on Capitol Hill going forward. From changing energy markets to the spread of Sunni Muslim militancy worldwide, a variety of factors will force the new Congress to make hard calls about America's closest Arab ally. And that wouldn't affect just the Middle East. Lawmakers' willingness to take an increased role in shaping U.S. foreign policy could be a blow against decades of expanding executive power and long-unquestioned "national security" dogma justifying military interventions abroad.

'A Smoking Saw'

The "post-Khashoggi moment" was an opportunity for legislators "to make their displeasure known" about foreign policy trends, according to Emma Ashford, a research fellow at the Cato Institute who has written about Saudi-U.S. relations.

President Barack Obama believed that it "would be more stabilizing in the long run" to balance between Middle Eastern powers by engaging with both Iran and Saudi Arabia, says Ashford. But the Trump administration has switched to "a military-heavy approach" to root out Iranian influence abroad. This strategy is informed by Saudi leadership's belief "that Iran is the biggest problem" in the region.

"The Trump administration has really pinned their strategy of confronting Iran on Saudi Arabia," adds Kate Kizer, director of the Win Without War policy program at the Center for International Policy.

Trump was at first reluctant to confront Saudi Arabia over Khashoggi's disappearance. On October 12, the president stated, "It's in Turkey, and it's not a citizen." (Khashoggi was a U.S. green card holder.) But evidence soon mounted that the journalist had been killed and dismembered with a bonesaw by Saudi special forces waiting inside the consulate. On November 17, U.S. officials leaked the conclusions of a secret CIA report, which found that MBS likely ordered Khashoggi's murder.

Meanwhile, Saudi Arabia's explanations changed from day to day: Khashoggi was killed by a fight he started, or a kidnapping gone wrong, or a plot by rogue elements. Members of Congress began demanding punitive measures, including sanctions on MBS himself.

On November 20, President Trump released a statement on Khashoggi: "It could very well be that the Crown Prince had knowledge of this tragic event—maybe he did and maybe he didn't!" Criticizing unnamed "members of Congress," the president added that Saudi Arabia is "a great ally in our very important fight against Iran."

James Mattis, who was at the time secretary of defense, asserted during a November 28 hearing that there was no "smoking gun" in the Khashoggi murder. But Sen. Lindsey Graham (R-S.C.) came out of a later briefing with the CIA claiming that a "smoking saw" implicated the crown prince himself.

Congress was not pleased.

Back in February 2018, Sens. Bernie Sanders (I–Vt.) and Mike Lee (R–Utah) had proposed Joint Resolution 54, which would use the War Powers Act to withdraw U.S. support from the Saudi intervention in Yemen. It didn't get a hearing. But after the Khashoggi affair, lawmakers revisited the resolution as a tool they could use to pressure MBS even without the Trump administration's help.

Saudi Arabia had intervened in Yemen in 2015 after rebels known as the Houthis overthrew the government in Sana'a. During the final Senate floor debate around Resolution 54, Rubio said that "this fight will continue, and the reason why is pretty straightforward: The Saudis view the Houthis as agents of Iran."

Kizer calls this view a "self-fulfilling prophecy."

"It's not that [the Houthis] are an Iranian proxy; it's that they're so isolated that they're looking for outside support where they can get it," she says. Iran denies Saudi allegations that it supplies the Houthis, but U.N. investigators found in December that Houthi forces are using Iranian-made weapons shipped to Yemen after the war began.

Resolution 54 notes that America—also eager to counter Iran—has been providing "aerial targeting assistance, intelligence sharing, and mid-flight aerial refueling" to Saudi forces in Yemen. A few weeks before a scheduled vote on the measure, the Saudi military requested a freeze on U.S. aerial refueling. An unnamed Senate staffer told NBC News that it was "a means to pre-empt a potentially damaging debate" in the Senate.

American support for the Saudi-waged war doesn't sit well with some in Congress. In a February 2018 press release, Sen. Chris Murphy (D–Conn.) accused Saudi Arabia of "deliberately using disease and starvation and the withdrawal of humanitarian support as a tactic." He told the Senate in November that the blockade of Houthi-held areas has led to the deaths by starvation of 85,000 children.

As the largest cholera outbreak in recorded history unfolded in Yemen, Saudi bombers struck water treatment plants. On August 9, an airstrike using an American-made bomb killed 40 schoolkids on a field trip. "With U.S. personnel helping the Saudis pick targets, more civilians have been killed," Murphy said, "not less."

Kate Gould of the Friends Committee on National Legislation, the self-described "Quaker lobby," says that a variety of groups support Resolution 54: MoveOn, FreedomWorks, Win Without War, and even the disaster relief group Oxfam.

On November 30, the Senate reopened debate on the measure. For the first time in history, the upper chamber was voting on a War Powers resolution.

"This is the only thing that guarantees that this is a government of the people, by the people, and for the people," Lee said during the final vote.

It passed 56–41, with unanimous Democratic support, on December 13. Khashoggi's name came up 24 times that day.

Because the House had narrowly voted on December 12 to table discussion of Yemen, Joint Resolution 54 did not pass before the new Congress assumed office in January. But with the Democratic takeover of the lower chamber, Saudi skeptics may soon have the votes to win—despite a well-funded Saudi influence network on Capitol Hill.

'Relevant Outreach to U.S. Officials'

The Saudi government spent \$20.6 million on political activities in the United States in 2017 and 2018, making the kingdom the sixth-highest-spending foreign government in U.S. politics. We know this because the Foreign Agents Registration Act (FARA) requires Americans to register their political work for foreign entities with the U.S. Department of Justice.

FARA filings made available by the Center for Responsive Politics (CRP) at OpenSecrets.org show the extent of Saudi activity. The only Middle Eastern state with more FARA-registered political spending was the United Arab Emirates, a federation of monarchies allied with Saudi Arabia. It spent about \$30.5 million in the same period.

U.S. lobbying and P.R. firms, including the three mentioned earlier, signed 33 contracts with the Saudi government during those two years. Many of the activities they organized—such as a glitzy conference showing off Saudi technological prowess—were relatively innocuous. But registered Saudi agents also pushed for the Saudi war effort in Yemen, distributing 19 different press releases denouncing the Houthis, promoting the Saudi-led coalition, and praising Saudi "humanitarian" efforts in Yemen. Many of the press releases defended the Saudi-led siege of Hodeidah, a port city that processes 90 percent of Yemen's food and medicine imports.

At least two registered Saudi agents, Gibson, Dunn & Crutcher and BGR Government Affairs, have terminated their contracts with the Saudi government in response to Khashoggi's disappearance. Gibson, Dunn & Crutcher was paid a lump sum of \$250,000 to help block the No Oil Producing and Exporting Cartels Act, a House bill that would have allowed state-owned oil companies to be sued under U.S. antitrust laws. BGR Government Affairs was pulling in \$80,000 per month (plus fees) for unspecified "strategic guidance," including "relevant outreach to U.S. government officials."

The CRP says that registered Saudi agents gave \$1.6 million to 2018 midterm election candidates. A recent study by Kizer's organization found 12 occasions in 2017 when registered Saudi agents donated to and contacted the same members of Congress about Saudi-related policy on the same day.

Of course, FARA filings show only the money overtly spent on influence. *The Daily Beast* reported in December that Special Counsel Robert Mueller has, as part of his Russia probe, discovered secret lobbying operations involving "individuals from the Emirates, Israel, and Saudi Arabia." Former Trump adviser Michael Flynn has publicly admitted to violating FARA by secretly lobbying for the Turkish government.

The Trump family has its own connections to the House of Saud, which spends lavishly at Trump hotels. *The New York Times* reports that Saudi officials have cultivated a personal friendship between MBS and Jared Kushner, the president's adviser and son-in-law.

Trump also claims to have secured over \$110 billion in arms deals with Saudi Arabia—promises from that country's government to buy military equipment from American firms. Actual sales so far add up to only \$14.5 billion, which still makes Saudi Arabia the biggest importer of American weapons.

"War profiteers of all kinds, including various defense contractors, have aggressively lobbied for more weapons to Saudi Arabia," the Friends Committee's Gould claims. Domestically, the U.S. defense industry spent \$26.2 million on the 2018 elections, according to the CRP data.

Saudi Arabia funds both its arms purchases and its lobbying network from the kingdom's massive oil revenues.

American companies first discovered oil in Saudi Arabia in the 1930s and 1940s. Because of the importance of that oil during World War II, President Franklin Roosevelt declared Saudi security a "vital interest" of the United States. President Jimmy Carter later echoed the idea in his "Carter Doctrine."

Thanks to the growing North American shale oil industry, Cato's Ashford says, Saudi oil production is no longer as important to world markets. But the Arabian-American Oil Company, a Saudi-U.S. consortium that was bought by the Saudi government and renamed Saudi Aramco in 1980, remains the world's most profitable company, according to *Bloomberg News*. And some U.S. politicians are still focused on keeping cheap Saudi crude flowing.

"Oil prices getting lower," Trump tweeted on November 12. "Thank you to Saudi Arabia, but let's go lower!"

'Inflaming Muslim Opinion'

The U.S. has also tried to use its relationship with Saudi Arabia to weaponize Islam against America's enemies—a policy with deadly unintended consequences for Middle Easterners and Americans alike.

The Saudi kingdom began as an 18th century alliance between the House of Saud and the Islamic revivalist Muhammad ibn Abd al-Wahhab, whose followers are sometimes known as the Wahhabis. Saudi rulers promoted ibn Abd al-Wahhab's puritanical teachings at home and abroad, especially after Saudi forces captured the holy city of Mecca in 1924.

For decades, Wahhabism served as a bulwark against secular ideologies such as Communism and pan-Arab nationalism, but starting in 1979, it also allowed the House of Saud to fight off rival Islamic movements. That year, the monarchy in Iran—another pro-U.S. petrostate—was overthrown and replaced by the theocratic Islamic Republic.

A few months later, a former Saudi soldier led an uprising in Mecca, claiming that his brother-in-law was a companion of the Messiah. The rebels were crushed, but only after killing hundreds of pilgrims and soldiers—and seriously rattling the legitimacy of the Saudi monarchy.

After an unpopular Communist government took over Afghanistan in 1978, American officials saw an opportunity for "sucking the Soviets into a Vietnamese quagmire" while "inflam[ing] Muslim opinion against them in many countries," according to national security memos from 1979 republished by Louisiana State University. The U.S. and Saudi Arabia set out to kill two birds with one stone: bog down the Communists with a costly conflict and shore up Saudi religious legitimacy.

Thousands of *mujahedin*, or holy warriors, traveled from throughout the Muslim world to fight against the Soviet troops propping up the Afghan government. They were encouraged by Saudi clergy, facilitated by Pakistani intelligence, and funded by Uncle Sam, to the tune of \$700 million per year.

After the Soviets withdrew from Afghanistan in 1988, a Saudi-born *mujahid* named Osama bin Laden founded Al Qaeda, the militant group that killed more than 3,000 people on U.S. soil in the attacks of September 11, 2001.

Fifteen of the 19 attackers were Saudi citizens.

When the U.S. government's 2003 investigation of the attacks found that Saudi "charities" were a major source of funding for Al Qaeda, Saudi authorities cracked down on the group's overt supporters. But previously classified diplomatic cables published by WikiLeaks in 2010 suggest that U.S. officials continued to view Saudi Arabia as a major source of religious violence.

Martin R. Quinn, then consul general in Jeddah, Saudi Arabia, complained in June 2009 that "many Saudis find the US position on religious freedom hostile to the very essence and nature of Saudi Arabia, founded and maintained under the rule of the country's strict, fundamentalist interpretation of the Quran."

In December of that year, then-Secretary of State Hillary Clinton wrote that Saudi Arabia "has responded to terrorist financing concerns raised by the United States.... Still, donors in Saudi Arabia constitute the most significant source of funding to Sunni terrorist groups worldwide."

Locals told the U.S. Consulate in Lahore, Pakistan, in January 2009 that preachers funded by the Saudis were indirectly causing an increase in "recruitment activities by extremist religious organizations." And when Judith Ann Chammas, now and then the U.S. chargé d'affaires in Bangladesh, visited "a growing 2,000 student Saudi-backed" religious school in 2005, she noted that its principal was promoting anti-Semitic and anti-Shi'a conspiracy theories.

The Saudi monarchy countered the pan-Islamic message of the Iranian Revolution—which was led by Shi'a clergy but sought to build an anti-U.S. alliance of Sunni and Shi'a Muslims—by emphasizing Sunni identity politics. But that approach has caused problems. According to a 2009 cable from the U.S. Embassy in Yemen, the Houthi movement's precursors were Shi'a political activists who felt "incredibly threatened" by the rise of Wahhabi preachers and their

"discriminatory messages against Shiites." In other words, Saudi-backed sectarianism created the kingdom's own enemies in Yemen.

ISIS, the world's most infamous terrorist group, began as a particularly anti-Shi'a faction of Al Qaeda. In a 2014 email also published by WikiLeaks, Clinton claimed that Saudi Arabia and Qatar were "providing clandestine financial and logistic support to [ISIS] and other radical Sunni groups in the region."

Citing policy, State Department officials declined to "comment on purportedly leaked documents."

It's impossible to know how U.S. officials' opinions have changed since the leaks, but the Commission on International Religious Freedom, which is appointed by Congress, criticized the "dissemination of intolerant literature and extremist ideology," as well as restrictions on Shi'as and Christians, in its latest annual report on Saudi Arabia. And the Associated Press reported in August that Saudi forces in Yemen continue to collaborate with Al Qaeda.

'Prone to Aggression'

Soon after becoming Saudi Arabia's de facto leader in mid-2017, MBS promised to promote a "moderate Islam that is open to all religions and open to the world."

But he seems unwilling or unable to confront the full extent of the problem. The congressional religious freedom report found that "some of the most egregious content promoting violence and intolerance, once thought to have been removed" from Saudi schoolbooks, is still there.

While MBS publicly rejects the label *Wahhabism*, he often defends the teachings to which it refers. In early 2018, he told the Saudi tabloid *Okaz* in Arabic that Muhammad ibn Abd al-Wahhab's doctrines were "nothing but a pure teaching that returns to the word of God and the tradition of His prophet."

With much fanfare, authorities allowed Saudi women to drive for the first time ever in June 2018. But in the month leading up to that change, dozens of women's rights activists were arrested. Most of them remain imprisoned, and some have been brutally tortured, according to human rights groups.

United Nations experts warned in early 2018 that they were seeing a "worrying pattern of widespread and systematic arbitrary arrests and detention" of activists across the political spectrum in Saudi Arabia. The country imposed economic sanctions on Canada in August 2018 for criticizing these arrests in a routine report.

A month before his death, Khashoggi wrote that "Saudi Arabia wasn't always this repressive. Now it's unbearable."

Ashford notes that "personalistic dictatorships" tend to be the "most prone to aggression." Introducing fear into the equation only increases that impulse.

The Saudis pursued a "reactionary, counter-revolutionary foreign policy" in response to the Arab Spring of 2011, Ashford says. Meanwhile, former allies Turkey and Qatar have cultivated

influence with anti-monarchical Islamic revolutionaries such as the Muslim Brotherhood, which Kizer says the Saudi monarchy views as an "existential threat."

In June 2017, MBS issued an ultimatum to Qatar—cut off support for the Muslim Brotherhood, including positive coverage on the state-funded channel Al Jazeera, or else—and blockaded that country's only land border. *The Intercept* reports that MBS had plans for a full-on invasion before then—Secretary of State Rex Tillerson intervened. Ashford calls this "another example of [MBS's] impetuous, reckless foreign policy decision making."

According to *The Intercept* and a separate *New York Times* report, the Emirates responded by lobbying for Tillerson's firing, which occurred in March of the following year.

That same month, the Saudi American Public Relations Affairs Committee (SAPRAC) hired the Podesta Group—a firm founded in 1988 by future Hillary Clinton campaign chair John Podesta—to run an anti-Qatar website called TheQatarInsider.com. While SAPRAC denied in its FARA filing that it is "affiliated with any foreign government," it has contracts with the Saudi state-subsidized Muslim World League, and SAPRAC founder Salman al-Ansari frequently appears on Al Arabiya, a TV station owned by Saudi princes.

The Podesta Group went out of business in November 2017. SAPRAC has not responded to an email requesting comment.

Kidnapping is also becoming a tool of the MBS regime. When Lebanon's prime minister visited Saudi Arabia in November 2017, he was detained and forced to resign on Saudi television. In August 2018, the Saudi government attempted to trick Chinese authorities into arresting and extraditing a businessman with ties to the crown prince's rivals in the royal family, according to a *Washington Post* report.

Given this context, the only real surprise about Khashoggi's disappearance is how much backlash it has caused.

'Boycott, Divest, Sanctions'

In March, Sen. Graham voted to table Resolution 54. After his November "smoking saw" comment, he voted to advance the same measure, though he abstained from the final vote.

Kizer cautions that "many Republicans are talking about the Saudi Arabia problem as a problem with MBS"—they want to depose the crown prince in order to "return to business as usual and continue pursuing war with Iran."

But the new Congress may be more skeptical of the kingdom. Only four freshman representatives—and no freshman senators—have taken money from Saudi-linked lobbyists: Jason Crow (D-Colo.), Jennifer Wexton (D-Va.), Joseph Neguse (D-Colo.), and Steven Horsford (D-Nev.). In total, they received \$98,937 from these groups. (None of the four has responded to requests for comment.) Outgoing members of Congress—those who retired or lost—took at least \$155,626 from registered Saudi agents in the last election cycle.

Asked about donations from the Saudi-linked law firm Brownstein Hyatt, Neguse told Colorado Public Radio that the money was from a Boulder-based employee who supported his campaign. "I'm far more concerned about taking action at the policy level in the Congress to ultimately hold Saudi Arabia accountable," he insisted.

Some new Congress members have made a point of publicly rejecting Saudi money. After a student from that country damaged his car, now-Rep. Tim Burchett (R-Tenn.) told *Knox News* that he would rather "drive around with a dent" than let the embassy pay for repairs.

In total, 10 out of 90 incoming representatives, plus incoming Sen. Mitt Romney (R-Utah), have publicly condemned Saudi Arabia for the Khashoggi killing or the war in Yemen. Rep. Ilhan Omar (D-Minn.) even called for a "boycott, divest, sanctions" movement against the kingdom. None of the newly elected members of Congress has publicly defended MBS.

In an interview with PBS, incoming Rep. Tom Malinowski (D-N.J.), a former State Department official, criticized "the notion that the crown prince is helping us to stabilize the Middle East, after he ordered the murder of [Khashoggi], after he launched a blockade against Qatar, after he launched a war in Yemen that President Trump, to his credit, is trying to end," apparently referring to U.S.-backed peace talks in Stockholm.

But the executive branch didn't necessarily have the biggest effect on those talks. Just a few hours before Resolution 54 passed the Senate, Saudi and Houthi negotiators suddenly agreed to "facilitate the freedom of movement of civilians and goods from and to the city of Hodeidah."

A few days before, Kizer had said in an interview with *Reason* that she was "optimistic" about the effect congressional debate was having on the negotiations. "For the first time, the United States Congress is sending the message that U.S. support is not unconditional, it's not indefinite," she said. Saudi rulers were realizing that "they need us more than we need them."