IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

MOHAMED SOLTAN, Plaintiff, v. HAZEM ABDEL AZIZ EL BEBLAWI Defendant.	Civil Action No.: 20-cv-1437 (CKK)

PLAINTIFF'S RESPONSE TO THE
STATEMENT OF INTEREST OF THE UNITED STATES

Eric L. Lewis (D.C. Bar #394643)
Waleed Nassar (D.C. Bar #992659)
Jeffrey D. Robinson (D.C. Bar #376037)
Aisha E. Bembry (D.C. Bar #4889500)
LEWIS BAACH KAUFMANN
MIDDLEMISS PLLC
1101 New York Ave., N.W, Suite 1000
Washington, D.C. 20005
(202) 833- 8900 (voice)
(202) 466-5738 (facsimile)

Counsel for Plaintiff Mohamed Soltan

TABLE OF CONTENTS

TABLE OF AUTHORITIES

Cases **Page(s)**

Other Authorities

In its December 20, 2020 Order, this Court asked the United States to answer three specific questions. In its response, the government answers none of them. Instead, it essentially argues that the answers to these questions are none of the Court's business, asserting that:

> [O]nce the Department of State determines an individual's diplomatic status, courts must not look behind the certification to perform their own analysis of its basis.

Dkt. No. 44 at 6. The government's response is demonstrably wrong.

First, while in many circumstances the State Department's decisions as to an individual's diplomatic status are insulated from judicial review, here, whether Beblawi's qualifies for immunity as a Principal Resident Representative ("PRR") for Egypt at the International Monetary Fund ("IMF") as authorized by the United Nations Headquarters Agreement ("UNHQA") – the only issue presently before the Court[1] – is squarely within this Court's remit. The Court is not asked to question the wisdom of any decision by State to grant diplomatic status but to interpret the terms of the treaty under which that status attaches and determine whether those terms have been satisfied. Contrary to the government's contention, this issue of treaty interpretation is incontestably an issue for judicial determination and not for executive fiat.

Second, the government's refusal to answer this Court's questions concedes by omission that providing the information pertinent to those answers would not support conferral of immunity on Beblawi based on the UNHQA. Whatever the government's reasons for dodging these questions, it is incontestable that there is no evidence before this Court that Beblawi's status as a PRR has been agreed to by the IMF. His PRR status is unsubstantiated and does not satisfy the criteria for UNHQA-based immunity.

---

[1] Defendant's other arguments raised in his Motion to Dismiss are not fully briefed or ripe for adjudication. The sole issue before the Court is Beblawi's PRR argument, a matter of treaty interpretation raised by the filing of the July Letter from the State Department, Dkt. No 32-1, and addressed in subsequent briefing, *see* Dkt. Nos. 33, 36, 38, 39, 44.

I. The Government's Refusal to Answer the Court's Questions Is Tantamount to an Admission that the Answers Do Not Support the Immunity Claim.

After multiple filings raising various grounds for immunity, last July, Beblawi advanced a new contention: that he is immune based on his purported status as a PRR for Egypt at the IMF as authorized under Section 15(4) of the UNHQA. In support, he proffered a July 7, 2020 letter (Dkt. No. 32-1) from the State Department asserting that it had been "notified" that Beblawi had "assum[ed] his duties as the [PRR] of . . . Egypt to the [IMF]." Notably, the letter was not a "Suggestion of Immunity," the term used to describe a decision by the State Department to award immunity in circumstances where State has the unilateral discretion to do so. Nor does the government's Statement of Interest here purport to be a "Suggestion of Immunity." Undoubtedly, the Administration does not wish to protect this torturer through any affirmative action of its own, such as a Suggestion of Immunity, that necessarily would express State's position that he deserves immunity. Instead, State seeks to dodge the issue simply by declaring that its files reflect that years ago he was named Egypt's PRR to the IMF and that somehow that is sufficient. Ultimately, the government's Statement of Interest, stripped of its untenable legal arguments, merely reiterates State's July 7, 2020 letter.

This Court correctly recognized that, in deciding the sole immunity issue pending here, *it* must resolve the question as a matter of treaty interpretation. As stated in its December 19 Order, it would be the "first court to interpret whether Section 15(4) requires a 'principal resident representative' of a specialized agency of the United Nations to demonstrate the agency's (in this case, the IMF's) consent to PRR status and diplomatic immunity." Dkt. No. 39 at 2. The Court invited the government to state its position on three questions. After seeking three extensions and receiving multiple added months to offer its position, the government filed its non-response.

Nor is this the first time that State has ignored a direct request from a co-equal branch of government to liaise with the IMF on the precise issue of Beblawi's claim to UNHQA immunity. In September 2020, months before the Court's December 19 Order, Congressman Gerald Connolly, Chairman of the House Government Operations Subcommittee with investigative powers over this matter, wrote to then-Secretary of State Michael Pompeo seeking documents and answers concerning whether Beblawi's status had the necessary tripartite approval required under Section 15(4). Ex. A attached hereto. Yet State did nothing, and the IMF remained silent.

The government's refusal to answer this Court's (and Congress's) questions speaks volumes as to what those answers are. The Court's first question asks whether State's certification of Beblawi's immunity under UNHQA Section 15(4) relies on the IMF's agreement to his PRR status, and, if so, the Court invites State "to produce to the Court *documentation* of the IMF's agreement." Dkt. No. 39 at 2. In response, the government incorrectly denies that the IMF's agreement is required, but it begrudgingly ("solely for the Court's cognizance") asserts that the United States, Egypt, and the IMF have all agreed to Beblawi's diplomatic status. Dkt. No. 44 at 8. Yet, the government attaches no documentation whatsoever reflecting the purported IMF agreement. And the earlier July 2020 State Department letter neither attaches nor refers to such IMF documentation. Instead, it simply states that State was "notified" by the IMF – it does not state by whom – that Beblawi had "assum[ed]" the position of Egypt's PPR to the IMF. Dkt. No. 32-1 at 3. By no stretch can this unsupported statement reasonably be deemed to constitute documentation from the IMF of its agreement to Beblawi's claimed status.

The Court's second question is whether State would be able to *consult with the IMF to obtain documentation* of the IMF's agreement. Once again, the government ignores the request and provides no information to the Court on whether such discussions took place and, if they did,

how the IMF responded. Clearly, State has the capacity to ask the IMF this question. It just does not appear to want the answer because, for starters, the government must know that the IMF's governing articles expressly provide that Executive Directors, like Beblawi, *only* qualify for Official Acts Immunity.[2] It also must know from its own records that the IMF Managing Director was never asked to agree, nor did she agree, to Beblawi's status as a PRR as required by the UNHQA. In any event, there is no indication that the government sought to consult with the IMF, and the Court is left with continued silence from the IMF.

The Court's third question goes to the heart of the immunity issue. The government answers that the IMF's agreement to the PRR status of its members' representatives is not required under Section 15(4), tellingly burying this specious contention in a footnote, without citation to authority and without any attempt at legal analysis. Dkt. No. 44 at 8 n.4. Instead, it chastises the Court for even questioning the government about its legal analysis, insisting that it is not within the Court's purview to interpret the treaty.

The government's position is wrong on all counts. As shown below, determining whether a claimant qualifies for immunity under controlling law is squarely within the judiciary's proper role, and the correct interpretation of the UNHQA requires actual approval of PRR status by all three interested parties: the person's home country, the United States (the host country), and the head of the affected specialized agency, here, the IMF's Managing Director.

II. It Is Quintessentially the Court's Business to Interpret the Requirements of a Treaty to which the United States Is a Party.

As this Court recognized in its December Order, interpretation of the UNHQA and its application to Beblawi is a matter for this Court to decide, not for the State Department to dictate.

[2] The Articles of Agreement of the International Monetary Fund, Art. XII, §8. https://www.imf.org/external/pubs/ft/aa/index.htm.

Under settled precedent, courts determine what the language of a treaty requires. *See Medellín v. Texas,* 552 U.S. 491, 506 (2008). This is equally so in immunity matters. For example, in evaluating UNHQA Section 15(2) immunity, *United States ex rel. Casanova v. Fitzpatrick* ruled:

> The determination of a claim upon a disputed state of facts that one is entitled to immunity pursuant to that agreement is *not a political judgment to be made by one of the parties thereto, but a judicial determination*. The political decision in the first instance was made by the Government when it agreed that upon stipulated terms immunity was to take effect.

214 F. Supp. 425, 433 (S.D.N.Y. 1963) (emphasis added). Numerous other decisions applying the UNHQA agree. *See, e.g., United States v. Melekh*, 190 F. Supp. 67, 80 (S.D.N.Y. 1960); *United States v. Coplon*, 84 F. Supp. 472, 476 (S.D.N.Y. 1949); *Diallo v. State*, , 972 A.2d 917, 937 (Md. 2009), *aff'd in part, vacated in part,* 994 A.2d 820 (Md. 2010); *People v. Leo*, 103 Misc. 2d 320, 323 (Crim. Ct. N.Y. Cnty. 1979); *Anonymous v. Anonymous*, 44 Misc. 2d 14, 19 (Fam. Ct. N.Y. Cnty. 1964).

The government nonetheless insists that it is the prerogative of the executive branch alone to decide whether to grant immunity and that the judicial branch has no authority to review whether executive branch decisions based upon treaty construction are legally correct. To be sure, State's decision to issue a Suggestion of Immunity, notably absent here, is a discretionary exercise of a power reserved to the executive branch and is unreviewable. But whether a person *qualifies* for immunity under the specific terms of an applicable treaty requiring more than just State Department approval is an issue that the judicial branch alone must resolve. The government's submission here mistakenly conflates these two sets of circumstances.

Each of the inapposite cases the government cites (Dkt. 44 No. at 6-7) involves attempts to question the underlying reasons that a person should be granted diplomatic status where the matter was committed to the sole discretion of State. It is in this setting where courts properly refuse to

examine State's exercise of discretion. That principle has no application, however, to the setting where a court is called upon to decide the distinct issue of whether, as a matter of treaty interpretation, the person seeking immunity qualifies for such status under the treaty's terms. While the basis for State's own approval of the designation of a prospective PRR is non-reviewable, whether the treaty by its terms also requires approval by the UN or the affected agency (here, the IMF) is a proper subject for judicial interpretation, and whether the evidence supports the fact of such approval is for the courts to decide.

The government's leading case draws this very distinction. In *Guaranty Trust Co. v. United States,* 304 U.S. 126, 138 (1938), after acknowledging that courts "are bound to accept th[e] determination" of diplomatic status by the executive branch, the Supreme Court added: "[courts] are free to draw for themselves its legal consequences in litigation pending before them." So too here. This Court clearly has no authority to second-guess *State's* approval of Beblawi as a PRR. But it plainly has full authority to interpret the treaty as also requiring *IMF approval*, to seek documentation on this issue, and to find whether approval has been given.

III. The UNHQA Requires Tripartite Agreement to Confer Diplomatic Immunity on Lower-Level IMF Personnel, Yet There Is No Evidence of IMF Agreement.

A. The Text and Structure of Section 15(4) Require Tripartite Agreement.

In the footnote that is the sum and substance of its position (Dkt. 44 No. at 8 n.4), the government contends the requirement of tripartite approval of PRR status at a UN specialized agency, like the IMF, applies only to members of PRRs' resident staff and not to the "other" PRRs referenced in Section 15(4). It cites no authority for this interpretation. To the contrary, it is a universal rule of construction that courts should not construe a statute (or treaty) in a way that renders its terms superfluous. *TRW Inc. v. Andrews*, 534 U.S. 19, 31 (2001); *see Iceland S.S. Co.-*

Eimskip v. U.S. Dep't of Army, 201 F.3d 451, 458 (D.C. Cir. 2000). As shown below, given the overall structure of UNHQA's Section 15, the government's interpretation violates that rule.

Section 15 is divided into four parts. Sections 15(1) and 15(2) deal with persons working at the UN itself; Sections 15(3) and 15(4) deal with those working at specialized agencies like the IMF. Sections 15(1) and 15(3) have parallel structures and deal with the member's primary representatives to the UN or specialized agency. Thus, Section 15(1) refers either to "***the*** principal resident representative" or to "***a*** resident representative with the rank of ambassador or minister plenipotentiary." In short, the treaty permits the member country to designate, without having to seek other approvals, the PRR who is the acknowledged leader of the delegation and, if applicable, any other official with ambassadorial rank. Section 15(3) is similar but even more limited. It permits the member country to designate "its" PRR to a specialized agency only if he or she has ambassadorial rank. In contrast, parallel Sections 15(2) and 15(4) concern lower ranking personnel. As pertinent here, the treaty specifies different procedures for qualifying these two sets of diplomatic personnel. It is common ground that the delegation leaders – those identified in Sections 15(1) and 15(3) – are *designated* by the member country alone, without the necessity of obtaining approval by the head of the UN or specialized agency or even by the United States. It equally follows from the text and structure of the treaty that *other persons* seeking UNHQA immunity, whether at the UN or a specialized agency, require agreement in addition to that of the home country by both the United States and the UN or affected agency – that is, tripartite agreement – in order to qualify for immunity. This includes all "other" PRRs without the rank of ambassador or minister plenipotentiary referenced in Section 15(4), recognizing that a member country is not limited to the single PRR it designates as its leader at the specialized agency (which

Beblawi inarguably was not) but *may* place additional ("other") PRRs at the agency, although only with tripartite agreement will those additional PRRs enjoy UNHQA immunity.

If this were not the proper construction, and all PRRs at specialized agencies could simply be *designated* by the member without obtaining both US and agency approval, it would render the "other PRRs" provision in Section 15(4) superfluous because it would allow them to be *designated* in the same manner as the member's primary PRR with ambassadorial rank under Section 15(3), destroying the treaty's clear hierarchy. Only if the additional PRRs must have tripartite approval does the structure and full language of Section 15 make sense. The government's proffered interpretation deletes the additional requirements for immunity applicable to "other" PRRs.

While no court has yet construed UNHQA's Section 15 as it relates to the necessity of *agency* approval of additional PRRs, the treaty has been construed as it relates to the necessity of approval by the *United States* or the *United Nations*. From an analytical standpoint, the United States and the UN or UN specialized agency are in exactly the same posture: without their approval, additional PRRs cannot obtain immunity. The court in *Casanova* recognized the necessity for this construction in explaining the difference between Sections 15(1) and 15(2):

> It would indeed be ironic if under section 15(2), as the 'possible compromise,' any person employed as 'a resident member' of a mission to the United Nations thereby gained, without the express agreement of the United States Government, the very same immunity accorded to the high ranking officials specifically enumerated in section 15(1). To accept this view is to say that section 15(2) . . . was self-defeating and denied to the United States the very safeguard it sought to secure.

214 F. Supp. at 435-36. The loss of this safeguard would be even more self-defeating if Section 15(4) were construed not to require either U.S. or agency head approval for granting such status. *See Melekh*, 190 F. Supp. at 89 (ignoring UNHQA procedures "would disrupt the established arrangement for diplomatic immunity to specified categories of governmental representatives and their staff, so meticulously worked out between the [UN and U.S.]").

Other cases interpreting Section 15(2) reach the same result and require evidence of tripartite agreement. Dkt. No. 38 at 15-16; *see United States v. Enger*, 472 F. Supp. 490, 499-500 (D.N.J. 1978) (no evidence of U.S. agreement); *United States v. Egorov*, 222 F. Supp. 106, 107 (E.D.N.Y. 1963) (same); *Leo*, 103 Misc 2d 320, 321-22 (same); *see also Melekh,* 190 F. Supp. at 80-81, 88-89 (no evidence of UN agreement); *Coplon*, 84 F. Supp. at 476 (no tripartite agreement). In each of these cases, the court construed UNHQA Section 15(2), which, like Section 15(4), requires multiple approvals. In each case, the court interpreted the treaty to require tripartite approval and found whether such approval was given by all three parties. These cases squarely support this Court's authority to determine these same issues in the identical Section 15(4) setting.

Thus, the government's submission that tripartite approval is not required for every additional PRR a member country chooses to appoint to agencies like the IMF impermissibly rewrites the UNHQA, makes no sense as a matter of policy, and ignores relevant precedent.

B. There Is No Evidence of Tripartite Agreement.

Even though State insists that tripartite agreement is not required, it nonetheless contends that such agreement exists in Beblawi's case and, while supplying no documentary proof, references a passthrough notification purportedly from the IMF as evidence of such agreement. In fact, the notification contains no such evidence. Mr. Seagroves' July 7th letter asserts that notification was received, but the letter is not the notification itself. The letter refers to some form of notification but does not attach it. The notification's provenance – who wrote it; when was it written, what did it say, if anything, about IMF approval of Beblawi's PRR status – is unknown. What the letter does *not* say is that Beblawi's PRR status was approved by "the principal executive officer of the specialized agency" as required by the UNHQA – here, the IMF's Managing Director – much less does it attach any such notification.

Nor should the Court accept the government's contention that State's receipt of the uninformative "notification" located in its files qualifies under its "standard accreditation practice." Dkts. Nos. 44 at 2-4, 8; 44-1 ¶¶ 2-4. Whatever that practice may be, it must comport with the UNHQA's express requirements. In *Casanova*, the district court recited the formal process by which diplomats are certified under Section 15(2), a process expressly requiring hard evidence of concurrence by the UN's Secretary General. 214 F.Supp. at 439-40. Here, Beblawi's status cannot be established by recitation that it conforms to a standard practice if that practice fails to include the similar evidence of express agreement by the IMF's Managing Director.

In short, there is no evidence of record that proves entitlement to immunity as required under the UNHQA. Moreover, what is of record strongly supports the inference that such evidence does not exist. The government has proffered argument unsupported by precedent; it has ducked the Court's questions; but it has produced no documentation showing that the IMF's Managing Director has ever approved Beblawi's claimed status. The IMF has remained silent throughout this high-profile case. And if it has been questioned by the State Department, the IMF apparently did not confirm that its Managing Director agreed to Beblawi's status. If she had, the Court would surely have been so informed. Indeed, the only affirmative action the IMF has taken is to let Beblawi's employment expire (without renewal) on October 31, 2020.

IV. Conclusion

On this record, the Court should rule that Beblawi's entitlement to immunity under the UNHQA is not established and should thus direct the parties to complete briefing on any remaining issues raised in the motions to dismiss and to quash.

Dated: April 19, 2021

Respectfully submitted,

/s/ Eric L. Lewis

Eric L. Lewis (D.C. Bar #394643)
Waleed Nassar (D.C. Bar #992659)
Jeffrey D. Robinson (D.C. Bar #376037)
Aisha E. Bembry (D.C. Bar #4889500)
LEWIS BAACH KAUFMANN MIDDLEMISS PLLC
1101 New York Ave., N.W, Suite 1000
Washington, D.C. 20005
(202) 833- 8900 (voice)
(202) 466-5738 (facsimile)

Counsel for Plaintiff Mohamed Soltan

EXHIBIT A

CAROLYN B. MALONEY
CHAIRWOMAN

ONE HUNDRED SIXTEENTH CONGRESS

JAMES COMER
RANKING MINORITY MEMBER

Congress of the United States
House of Representatives
COMMITTEE ON OVERSIGHT AND REFORM
2157 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515–6143
MAJORITY (202) 225–5051
MINORITY (202) 225–5074
https://oversight.house.gov

September 3, 2020

The Honorable Michael R. Pompeo
Secretary of State
U.S. Department of State
2201 C Street, N.W.
Washington, D.C. 20520

Dear Secretary Pompeo:

I write regarding the case of human rights advocate and former political prisoner, Mohamed Soltan, against former Egyptian Prime Minister Hazem el-Beblawi. The State Department recently issued a certificate of diplomatic immunity for Mr. Beblawi, and I am deeply concerned about the circumstances surrounding this issuance and the impact it will have on an ongoing legal matter.

Mr. Soltan is a U.S. citizen who was targeted for assassination, shot, and brutally tortured shortly after the coup that brought President Abdel Fattah El-Sissi to power. That government was headed in the early months by Hazem el-Beblawi, who served as Acting Prime Minister from July 2013 to March 2014. In that capacity, he ordered the massacre of peaceful civilian protesters in Rabaa Square, which resulted in over 1,000 deaths of innocent people in August 2013. Thousands more were wounded and taken prisoner, including Mr. Soltan. The U.S. government secured Mr. Soltan's release in May 2015, and he has been helping to free political prisoners ever since, including American citizens.

Mr. Soltan learned that Mr. Beblawi was serving in a senior position as Executive Director at the International Monetary Fund, elected by and representing 11 countries in the MENA region. Mr. Beblawi was not acting for Egypt or accredited as a diplomat to the United States. On June 1, 2020, Mr. Soltan filed a complaint against Mr. Beblawi in the U.S. District Court of D.C. pursuant to the Torture Victim Protection Act (TVPA) for Mr. Beblawi's role in Mr. Soltan's attempted extrajudicial killing and 22 months of brutal torture.[1] The TVPA statute passed under the administration of President George H.W. Bush to implement the U.N. Convention Against Torture, to which both the United States and Egypt are signatories.[2]

---

[1] *Mohamed Soltan, U.S. Citizen Held as Political Prisoner, Files Torture Lawsuit Against Egypt's Ex-Prime Minister*, Washington Post (June 6, 2020) (online at www.washingtonpost.com/local/legal-issues/mohamed-soltan-us-citizen-held-as-political-prisoner-files-torture-lawsuit-against-egypts-ex-prime-minister/2020/06/01/b484d330-a1d5-11ea-b5c9-570a91917d8d_story.html).

[2] Pub. L. No. 102-256 (1992).

In retaliation, Egyptian security forces raided the homes of Mr. Soltan's Egypt-based relatives on June 9, 2020, and again on June 15, 2020, when security forces arrested five of Mr. Soltan's male cousins and subjected them to enforced disappearance.[3] A security officer told Mr. Soltan's family members that if he does not drop the lawsuit, security officers will arrest his female cousins and uncles next. Mr. Soltan's father was also interrogated in Wadi Natroun prison, where he has been serving a life sentence, and then moved to an undisclosed location.

With this background, I was shocked to learn that the State Department provided a letter at the request of the Government of Egypt stating that Mr. Beblawi had the status of Permanent Resident Representative (PRR) of Egypt to the International Monetary Fund.[4] It appears that Mr. Beblawi was surprised as well, since he had not asserted that status in multiple court filings before the letter was produced. The letter states that PRR status was "effective November 2, 2014," and that it entitles him to the same privileges and immunities as are accorded to diplomatic envoys accredited to the United States, which includes immunity from criminal and civil jurisdiction in the United States. However, the diplomatic privileges granted Mr. Beblawi by his PRR status require an agreement between the United States, Egypt, and the United Nations.[5] It is unclear if such an agreement has been made.

Mr. Soltan has availed himself of a statutory remedy to pursue justice and accountability under U.S. law—that is his right as an American citizen. I am deeply concerned that the Egyptian Government has acted with impunity in this case and that the United States has taken the grave step of attempting to immunize from accountability state-sanctioned torture, which the Torture Victim Protection Act was passed to prevent. In order to better understand the State Department's position on this matter, please provide answers to the following questions by September 17, 2020:

1. When did the United States first grant PRR status to Mr. Beblawi, under what circumstances, and what standards did the Department apply in Mr. Beblawi's case? Please provide any relevant documents to support the timing, circumstances, and standards related to Mr. Beblawi's PRR status.

2. Was the Department aware that Mr. Beblawi had ordered an American citizen to be tortured during the time covered by his retroactive PRR status? Please provide any documents related to the Department's knowledge of Mr. Beblawi's actions during the time covered by his retroactive PRR status.

---

[3] *Egypt Tries to Silence its Critics in the United States by Jailing Their Relatives*, Washington Post (July 9, 2020) (online at www.washingtonpost.com/world/middle_east/egypt-tries-to-silence-its-critics-in-the-united-states-by-jailing-their-relatives/2020/07/08/c93a809e-c053-11ea-864a-0dd31b9d6917_story.html).

[4] *State Dept. Declares Egypt's Ex-Prime Minister Immune from Torture Lawsuit by U.S. Citizen After Reported Protest from Cairo*, Washington Post (July 17, 2020) (online at www.washingtonpost.com/local/legal-issues/state-dept-declares-egypts-ex-prime-minister-immune-from-torture-lawsuit-by-us-citizen-after-reported-protest-from-cairo/2020/07/17/45a2d320-c86f-11ea-8ffe-372be8d82298_story.html).

[5] United Nations and United States of America, *Agreement Regarding the Headquarters of the United Nations*, Section 15 (June 26, 1947) (online at https://treaties.un.org/doc/Publication/UNTS/Volume%2011/volume-11-I-147-English.pdf).

3. Did the Department envision that Mr. Beblawi's PRR status could be used to immunize him from liability for torturing an American citizen? Please provide all relevant documents on this matter.

4. Given Mr. Beblawi's role in the torture of an American citizen, has the Department considered revoking his PRR status? Please provide any relevant documents as to the Department's considerations of revoking Mr. Beblawi's PRR status.

5. Has the Department had consultations with the IMF regarding Mr. Beblawi's PRR status? Is there an agreement between the United States, Egypt, and the United Nations that provides for Mr. Beblawi's PRR status? Please provide all relevant documents on consultations with international organizations and foreign countries relating to Mr. Beblawi's PRR status.

6. Has the Department granted PRR status to other officials at the IMF? If so, how many? Is PRR status used for Executive Directors or other senior officials? Please provide all relevant documents on IMF officials.

7. Given that no immunity was granted to former Managing Director Strauss-Kahn with respect to the charges of sexual assault, why was Mr. Beblawi treated differently with respect to actions taken before he came to the IMF? Please provide any relevant documents related to Mr. Beblawi's treatment before he came to the IMF.

8. Given the Egyptian Government's violent retaliation against Mr. Soltan's Egypt-based relatives, did the Department consider denying Egypt's request for Mr. Beblawi's PRR status? Please provide all relevant documents on this matter.

The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X. If you have any questions regarding this request, please contact Committee staff at (202) 225-5051.

Sincerely,

Gerald E. Connolly
Chairman
Subcommittee on Government Operations

cc: The Honorable Jody B. Hice, Ranking Member