

# Congress of the United States

Washington, DC 20515

December 7, 2023

Mr. Mark Thompson  
Chief Executive Officer and Chairman, CNN  
One CNN Center  
Atlanta, GA 30303

Ms. Meredith Kopit Levien  
President and Chief Executive Officer  
The New York Times Company  
620 Eighth Avenue  
New York, NY 10018

Mr. Paul Bascobert  
President  
Reuters News  
3 Times Square  
New York, NY 10036

Ms. Daisy Veerasingham  
President and Chief Executive Officer  
The Associated Press  
450 West 33rd Street  
New York, NY 10001

Dear Mr. Thompson, Ms. Levien, Mr. Bascobert, and Ms. Veerasingham:

We write to express grave concern over reports that freelance photojournalists working for your organizations were present at the scene of Hamas' deadly attack on Israel on October 7, 2023. Their early morning presence at the breached border raises serious ethical questions about whether they had advance knowledge of Hamas' plan and not only failed to alert authorities, but even joined the attackers, as evidenced by photographs purportedly showing a photojournalist wielding weapons alongside terrorists. This potentially implicates them as accomplices in war crimes and crimes against humanity in violation of international law and human rights conventions.

A recent investigation<sup>1</sup> identified six specific photojournalists - Hassan Esiaiah, Yousef Masoud, Ali Mahmud, Hatem Ali, Mohammed Fayq Abu Mostafa and Yasser Qudih - who captured appalling images of civilians ruthlessly murdered, synagogues bombed, and families torn apart during the attack.<sup>2</sup> Some appeared to have crossed into Israel with the Hamas terrorists, taking close-up photos as they kidnapped babies from their mothers' arms and executed innocent civilians at point blank range. Photos have surfaced of some photojournalists posing for selfies with Hamas terrorists,<sup>3</sup> and another purported CNN photographer was pictured on his own social media account holding a grenade as he joins Hamas terrorists on the October 7 massacre.<sup>4</sup> This raises alarming questions about whether they coordinated with Hamas in advance or had prior knowledge of the imminent attack.

As you know, estimates are that over 1,200 Israeli civilians were murdered in this horrific attack, including hundreds of children. Over 200 Israeli men, women, and children were kidnapped and held in Gaza, where torture is rampant. If these photojournalists had prior knowledge and failed to alert authorities, they may be complicit in the death of hundreds of innocent civilians and numerous war crimes.<sup>5</sup>

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<sup>1</sup> HonestReporting, *Photographers Without Borders: AP, Reuters Pictures of Hamas Atrocities Raise Ethical Questions*, HONESTREPORTING (Nov. 9, 2023), <https://honestreporting.com/photographers-without-borders-ap-reuters-pictures-of-hamas-atrocities-raise-ethical-questions/>.

<sup>2</sup> Israel Kasnett, *Photojournalists Covering Oct. 7 Attacks Raise Ethical Questions, Watchdog Says*, JNS (Nov. 10, 2023), <https://www.jns.org/photojournalists-covering-oct-7-attacks-raise-ethical-questions-watchdog-says/>.

<sup>3</sup> Itamar Sharon, *Photographers' Presence at Start of Hamas Border Attack Raises Ethical Dilemmas*, YNETNEWS (Nov. 10, 2023), <https://www.ynetnews.com/article/hylvnxcxt>. <https://www.ynetnews.com/article/hylvnxcxt>.

<sup>4</sup> @DrEliDavid, X (Nov. 9, 2023, 10:30 AM), <https://twitter.com/DrEliDavid/status/1722637894592942473?s=20>.

<sup>5</sup> See, e.g., Geneva Convention Relative to the Protection of Civilian Persons in Time of War art. 147, Aug. 12, 1949, 75 U.N.T.S. 287.

That your organizations purchased, published, or licensed images from individuals who potentially conspired with terrorists poses profound integrity issues.<sup>6</sup> Furthermore, the Associated Press removed some of their names from images after these concerns surfaced.<sup>7</sup>

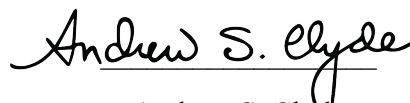
As part of our Congressional oversight responsibilities, we request that you clarify the circumstances under which these photographers were operating during the attack, including any coordination with Hamas. Please provide the information requested below by December 22, 2023:

1. The full names, nationalities, and employment status of the six photojournalists identified in the investigation. Were they on assignment for your organization?
2. Any communications or transactions, including, but without limitation, phone logs, financial records, and communications between your organization and your contractors, and/or between the contractors and Hamas members prior to, during, and following the October 7 attack.
3. What times they were present at the border on October 7 and the nature of their movements.
4. Whether your organization purchased or licensed images/footage from the October 7 attack from them, including transaction records.
5. Any disciplinary actions taken regarding this incident.
6. Your policies on ethical obligations to report impending violence.
7. Communication your organization had with government officials prior to the attack regarding potential warnings.
8. Actions you will take to investigate this matter and uphold ethical standards.

We have reached out to the Department of Justice and State Department regarding the possibility of these individuals being designated as terrorist affiliates.

Our Congressional Committees take these allegations very seriously and will use its oversight authority to fully investigate this matter and ensure proper accountability. We will not rule out subpoenas if the requested information is not provided promptly. Please provide the requested information by December 22, 2023.

Sincerely,



Andrew S. Clyde  
Member of Congress

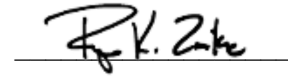
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<sup>6</sup> *Reuters Denies It Had Prior Knowledge of Oct. 7 Hamas Attack on Israel*, REUTERS (Nov. 9, 2023), <https://www.reuters.com/world/middle-east/reuters-denies-it-had-prior-knowledge-oct-7-hamas-attack-israel-2023-11-09/>.

<sup>7</sup> *Itamar Sharon, Israel Demands Clarification from Global Media Over Photographers During Hamas Assault*, TIMES OF ISRAEL (Nov. 10, 2023), <https://www.timesofisrael.com/israel-demands-clarification-from-global-media-over-photographers-during-hamas-assault/>.



Doug LaMalfa  
Member of Congress



Ryan Zinke  
Member of Congress



Ralph Norman  
Member of Congress



Ben Cline  
Member of Congress



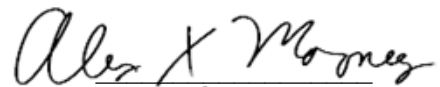
W. Gregory Steube  
Member of Congress



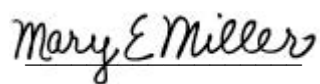
Andy Ogles  
Member of Congress



Andy Biggs  
Member of Congress



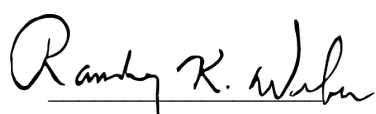
Alex X. Mooney  
Member of Congress



Mary Miller  
Member of Congress



Eli Crane  
Member of Congress



Randy Weber  
Member of Congress



Glenn Grothman  
Member of Congress



Russell Fry  
Member of Congress



Mark Alford  
Member of Congress

cc:

Mr. Steve Hasker, *President and Chief Executive Officer*, Thomson Reuters

U.S. Department of State

U.S. Department of Justice