



CAIR and Terrorism: Blanket Opposition to U.S. Investigations, Equivocal Condemnations for Plots Against America

This section assesses CAIR's reaction to direct questions about terrorist acts and American efforts to crack down on those who facilitate them. CAIR claims that it has unequivocally condemned 9/11,¹ but a number of its officials openly and repeatedly espoused conspiracy theories questioning Al Qaeda's responsibility for the most devastating terrorist attacks in American history.

And when it comes to domestic investigations CAIR casts virtually any law enforcement action as an assault on all American Muslims. Missing is any possibility that a radical element, unwelcome in its midst, has been exposed.

CAIR hesitated on a number of fronts immediately after 9/11. On Sept. 14, 2001, CAIR-New York issued a qualified condemnation on its email list: "If such attacks were carried out by a Muslim -- as some biased groups claim -- then we, in the name of our religion, deny the act and incriminate the perpetrator."²

Four days later, in an online chat with the *Washington Post*, CAIR-New York Executive Director Ghazi Khankan launched a propaganda campaign casting the attacks as part of a conspiracy to discredit Muslims. It would continue for weeks. A cousin in Saudi Arabia sent him local newspaper reports "that two of the supposed terrorists who hit the Twin Towers whose names were given showed up (sic) Saudi Arabia," he said during the chat. "Somebody is stealing passports and using them for such horrific acts. I wonder who is behind this terrorism and who benefits from it. Based on this discovery of these two names printed in the Saudi newspaper along with their pictures, I believe that many of the names of the terrorists are people impersonating innocent Muslims and Arabs."³

Similarly, CAIR spokesman Ibrahim Hooper hesitated in condemning Al Qaeda. "We condemn terrorism. We condemn the attacks on the buildings," he told *Salon.com* in a Sept. 26, 2001 article. He declined to condemn Bin Laden outright. "If Osama Bin Laden was behind it, we condemn him by name."⁴ Reporter Jake Tapper asked Hooper why the "if" -- why qualify the response?

"Hooper said he resented the question."⁵

CAIR-NY then pushed Khankan's conspiracy theory that the hijackers were misidentified. On Oct. 5, 2001 it encouraged constituents to write letters to *The New York Times* saying "two of the 19 suspects: Abdulaziz Alomari and Saeed Alghamdi could not have been on the hijacked planes because they are still alive and are working in

¹ Testimony of Nihad Awad Before the Senate Subcommittee on Terrorism, Technology and Homeland Security, *Terrorism: Two Years After 9/11, Connecting the Dots*, September 10, 2003, 7.

² "Muslims Condemn Attacks Against Civilians: Forbidden in Islam," CAIR-New York list-serv, <http://www.pairlist.net/pipermail/cair-ny-announce.mbox/cair-ny-announce.mbox>.

³ Interview with Ghazi Khankan, *Washington Post* online discussion, September 18, 2001 http://discuss.washingtonpost.com/wp-srv/zforum/01/nation_khankan091801.htm (accessed July 5, 2006).

⁴ Jake Tapper, "Islam's Flawed Spokesmen," September 26, 2001, <http://archive.salon.com/news/feature/2001/09/26/muslims/> (accessed July 11, 2004).

⁵ Jake Tapper, "Islam's Flawed Spokesmen," September 26, 2001, <http://archive.salon.com/news/feature/2001/09/26/muslims/> (accessed July 11, 2004).



Saudi Arabia... Last week, the father of Mohamed Atta... was interviewed on the Egyptian Satellite Arabic Channel and said that his son, Mohamed Atta, was well and alive working now in the United Arab Emirates!... If three of the 19 suspected 'hijackers' are still alive, who were the other 16? The important questions are: Who is impersonating these three Muslim Arabs? Why are Muslim Arabs been (sic) implicated in this terrorism? And, who could 'benefit' from this horrific tragedy?"⁶

Khankan repeated himself at a CAIR fundraiser in Vienna, Va. two days later, asking "Why is it assumed that Muslims were behind the attack on Sept. 11? ... We know for sure at least three (unintelligible) whose names appear as part of the nineteen hijackers, who, in my opinion, have hijacked Islam. These people are still alive in the Middle East. The question is, who is impersonating these Muslim names? Who benefits from assuming that Muslims are behind this tragedy, and who benefits from this tragedy?"⁷

At no point did CAIR publicly rebuke Khankan or disassociate itself from his statements. Khankan was at it again in an Oct. 14, 2001 *Newsday* article. Atta, he said yet again, was alive and well in the United Arab Emirates, the victim of a stolen passport. "Yet the FBI insists he was one of the hijackers. Why hasn't the media reported this?"⁸ He insisted at least two hijackers were in Saudi Arabia in a subsequent *Newsday* story four days later. "I spoke with the Saudi ambassador recently and he confirmed that." Again, he asked "who really benefits from such a horrible tragedy that is blamed on Muslims and Arabs?"⁹ It was not until December 2001, three months after the attacks, that CAIR finally released a statement acknowledging Bin Laden's role in 9/11.¹⁰ And that was only after Bin Laden himself claimed credit for the attacks in a videotape aired around the world.

• CAIR-Canada Board Member's 9/11 Conspiracy Theory

Advisory Board member Jamal Badawi, called the 9/11 attacks "un-Islamic" and "I strongly condemn" them, he told the *Saudi Gazette*. But, he said, it had not yet been confirmed who was actually behind the attacks. This wasn't weeks after the attack, but in June 2005.

To Badawi, terrorists "are the ones who occupy others land by force, subjugate people and take away their rights by killing them and destroying their property."

He applied similar logic to the violence in Iraq, alleging the America government was behind suicide car bomb attacks killing civilians: "There have been allegations that I cannot confirm that people going to the market to buy vegetables are stopped in the name of inspecting their cars by [American] forces, their hands are tied and they are blindfolded. There have been cases and I want a clarification from American officials to these allegations. After inspecting their cars they are allowed to go and when the car

⁶ "True Muslims Cannot Commit Suicide Nor Kill Innocent Civilians: That Is Why Recognized Muslims Are Not Part Of The WTC Tragic Attack," October 5, 2001, <http://web.archive.org/web/20011218024243/www.cair-ny.com/PETITIONS/pet-20011005b.pdf> (accessed July 15, 2004) and <http://www.pairlist.net/pipermail/cair-ny-announce.mbox/cair-ny-announce.mbox>.

⁷ CAIR Fundraiser, "Braving the Storm," Vienna, Virginia, October 7, 2001.

⁸ Paul Vitello, "Attack Consensus is Elusive," *Newsday*, October 14, 2001.

⁹ Carol Eisenberg, "Defending Their Faith," *Newsday*, October 18, 2001.

¹⁰ "CAIR: Video Shows Bin Laden's Complicity in 9-11 Attacks," December 13, 2001, <http://www.islamfortoday.com/cair01.htm> (accessed July 11, 2004).



reaches [the] checkpoint it explodes and they call them suicide bombers, perhaps the occupants of the car were not even aware that they are carrying a bomb in their car. Such incidents should be thoroughly probed.”¹¹

- **CAIR “Know Your Rights” Speaker Promotes 9/11 Conspiracy Theory, Anti-Semitism**

CAIR tolerated continued 9/11 revisionism at a “Know Your Rights” workshop it sponsored in San Diego two months later. Invited speaker and civil rights lawyer Randall Hamud said he understood an audience member’s comment that “enemies of Islam are successful at... putting Muslims on the defensive. There’s still no evidence that Muslims carried out 9-11.”

A lot of people felt that way, Hamud said. “And maybe a hundred years from now we’ll find that out.”¹²

At the same event, Hamud dismissed a recent “Fatwa Against Terrorism”¹³ from the Fiqh Council and endorsed by CAIR as an empty public relations gesture: “And this latest one, if it’s worded appropriately with the leadership of the various masjids across the country and they want to sign it, fine. You just need to read it and sign it and decide what you want to do with it. But it’s a fatwa I think for popular consumption in the United States. You try to get the religion off the hook with the media, it isn’t gonna work. Because a lot of the people in the media is controlled by basically Zionists.”¹⁴

CAIR Consistently Opposes the U.S. Government’s Investigations into Terrorist Financiers and Supporters

As the following examples show, when the Treasury Department freezes the assets of a charity which sent money to a terrorist group, it’s a baseless attack on the Muslim community. When the FBI raids offices of a suspected terrorist supporter it’s “a fishing expedition” with no proof. And when federal grand juries indict people on charges of supporting or even planning terrorist attacks, it’s evidence of a justice system that can’t be fair to Muslims.

- **CAIR Florida defends Boca Raton doctor accused of conspiring to provide material support to Al-Qaeda.**

Dr. Rafiq Sabir of Boca Raton was charged, along with an accomplice (Tariq Shah of New York), in May of 2005 with providing material support to al-Qaeda. The government alleges that Sabir agreed to “provide medical assistance to wounded

¹¹ Irfan Iqbal Khan, “Terrorism not rampant in Muslim countries; Cut-and-paste’ approach to interpreting the Qur’an is a dangerous tactic,” *Saudi Gazette*, June 24, 2005, http://www.saudigazette.com.sa/SGazetteArchive/Data/2005/6/24/Art_235210.XML.

¹² Randall Hamud, CAIR-San Diego “Know Your Rights Workshop,” August 18, 2005, San Diego Islamic Center.

¹³ “U.S. MUSLIM RELIGIOUS COUNCIL ISSUES FATWA AGAINST TERRORISM,” <http://www.cair-net.org/downloads/fatwa-english.txt>

¹⁴ Randall Hamud, CAIR-San Diego “Know Your Rights Workshop,” August 18, 2005, San Diego Islamic Center.



jihadists” in Saudi Arabia, while Shah was to provide them with martial arts and hand-to-hand combat training.¹⁵

Altaf Ali, the CAIR executive director in Pembroke Pines, attended Sabir’s court hearing on May 31, 2005. He told the *Palm Beach Post* that Sabir’s companion “is devastated over the ordeal and she has remained adamant” that Sabir is innocent.¹⁶

Ali told the *South Florida Sun-Sentinel*, “We’ve seen cases where Muslims are charged for XYZ and then cleared of the charges, so we need to make sure that all the facts are revealed. ... Muslims, in general, in America are still facing a lot of adversity. ... I understand that our country has been on a high state of alert since 9-11, but in the American justice system there’s still the presumption of innocence.”¹⁷

At his trial, Sabir was shown on video making the bayat, the pledge of allegiance, to Al Qaeda. Sabir was convicted May 21, 2007. He was sentenced to 25 years in prison on November 28, 2007.¹⁸ CAIR has yet to issue any statement regarding the conviction.

- **CAIR warned that the arrest of two Albany men on charges of taking part in what they thought was a plot to import a shoulder-fired missile and assassinate a Pakistani diplomat could be used to “smear Muslims and to demonize Islam.”**

On Aug. 5, 2004, Yassin Aref, the imam of the Masjid As-Salam mosque in Albany, N.Y., and Mohammed Hossain, the mosque’s founder,¹⁹ were indicted after a yearlong sting operation. The pair allegedly had taken part in what they believed was a money-laundering scheme connected to the purchase of shoulder-fired missiles and the planned assassination of the Pakistani ambassador to the United Nations.²⁰

According to the criminal complaint, Hossain told an FBI informant that “he was a member of Jamaat-e-Islami (‘JEI’), a group identified...as an Islamic fundamentalist political party in Pakistan...”²¹ Additionally, in the summer of 2003, U.S. troops raided an Ansar al-Islam terrorist training camp in northern Iraq and found a notebook that contained Aref’s name along with his former Albany address and telephone number.²²

CAIR issued a press release following the indictment calling the allegations “deeply troubling to the American Muslim community...All too often, these types of cases are

¹⁵ *USA v. Shah et al*, “Complaint,” (SDNY May 27, 2005).

¹⁶ Larry Keller, “Boca Islamic center to raise cash for doctor,” *Palm Beach Post*, June 1, 2005, http://www.palmbeachpost.com/news/content/local_news/epaper/2005/06/01/m1a_sabir_0601.html (accessed June 1, 2005)

¹⁷ Tal Abbady, “Arrests of West Boca doctor may signal shift in terrorism tactics,” *S. Fla. Sun Sentinel*, June 2, 2005, <http://www.sun-sentinel.com/news/local/palmbeach/sfl-terrorarrests02jun02,0,5234139.story?coll=sfla-news-palm> (accessed June 2, 2005).

¹⁸ News release, “Florida Doctor Sentenced to 25 Years for Conspiring and Attempting to Support Al Qaeda,” U.S. Attorney’s Office for the Southern District of New York, November 28, 2007.

¹⁹ Transcript of Department of Justice Press Conference, “James Comey Holds Justice Department News Briefing,” *FDCH Political Transcripts*, August 5, 2004.

²⁰ *US v. Aref*, Cr 04-M-330, “Criminal complaint” (N.D. N.Y. August 5, 2004).

²¹ *US v. Aref*, Cr 04-M-330, “Criminal complaint” (N.D. N.Y. August 5, 2004).

²² Ian Bishop and Kenneth Lovett, “Mosquer and ‘Commander,’” *New York Post*, August 6, 2004.



used by those with political or religious agendas to smear Muslims and to demonize Islam. We should stick to the facts of the case and avoid generalizations and stereotypes that only serve to create societal divisions and promote anti-Muslim bigotry.”²³

Additionally, Hooper commented, “There's always a concern that people may be targeted for a sting operation like this solely because they are Muslims...It's a perplexing case, and the question we have is whether the government got these men to do something they otherwise wouldn't have done.”²⁴

Aref was convicted of material support in connection with an attack involving a weapon of mass destruction, money laundering, and conspiracy to provide material support to a terrorist organization in October 2006 and sentenced to 15 years in prison. Hossain was convicted on 27 counts and also sentenced to 15 years in prison.²⁵

- **CAIR called the sentencing of three members of a jihad network in Northern Virginia “draconian,” and “call[ed] on Congress to conduct hearings into the selective prosecution of Muslims since the 9/11 terror attacks.”**

In September 2003, 11 men alleged to be part of a Virginia jihad network were charged with conspiracy to wage war against the United States and conspiracy to provide material support to Al Qaeda.²⁶

Three of the men, Masoud Khan, Seifullah Chapman, and Hammad Abdur-Raheem were convicted on multiple charges the following March. Khan was convicted of conspiracy to wage war against the United States and providing material support to the Taliban.²⁷ All three were convicted of conspiring to provide material support to Lashkar-e-Taiba, a Designated Foreign Terrorist Organization, and to attack India in violation of the Neutrality Act, as well as various firearms-related offenses, for actions during 2000 to 2003.²⁸

Six others pleaded guilty to various charges. Two men, Caliph Basha Abdur-Raheem and Sabri Benkhala, were acquitted.²⁹

CAIR-Maryland issued a press release decrying the convictions. The group's executive director stated, “Although we pride our legal system on the theory of ‘presumption of

²³ “CAIR Calls Alleged NY Missile Plot ‘Deeply Troubling,’” CAIR Press Release, August 5, 2004, <http://www.cair-net.org/asp/article.asp?id=1150&page=NR> (accessed August 10, 2004).

²⁴ Eric Lichtblau and James McKinley, “2 Mosque Leaders are Arrested in Plot to Import Missile and Kill Diplomat,” *New York Times*, August 6, 2004.

²⁵ “Two Sentenced To Serve 15 Years In Prison For Terrorism Offenses,” DOJ Press Release, March 8, 2007, <http://albany.fbi.gov/dojpressrel/pressrel07/terroristsentence030807.htm>

²⁶ US Department of Justice News Release, September 25, 2003, <http://www.usdoj.gov/usao/vae/ArchivePress/SeptemberPDFArchive/03/royer092603.pdf> (accessed April 8, 2004).

²⁷ “Randall Todd Royer and Ibrahim Ahmed Al-Hamdi Sentenced for Participation in Virginia Jihad Network,” US Department of Justice News Release, April 9, 2004, http://www.usdoj.gov/opa/pr/2004/April/04_crm_225.htm (accessed July 7, 2004).

²⁸ “Randall Todd Royer and Ibrahim Ahmed Al-Hamdi Sentenced for Participation in Virginia Jihad Network,” US Department of Justice News Release, April 9, 2004, http://www.usdoj.gov/opa/pr/2004/April/04_crm_225.htm (accessed July 7, 2004).

²⁹ Jerry Markon, “Final ‘Va. Jihad’ Defendant Acquitted,” *Washington Post*, March 10, 2004.



innocence,' the perception within the American Muslim community is that Muslims and Arabs are automatically considered guilty until proven innocent."³⁰

Abdur-Raheem was sentenced to life in prison, Chapman to 85 years, and Khan to 97 months.³¹

"It is the near universal perception in the Islamic community that these men would never have been charged had they not been Muslims, and that once convicted, prosecutors would never have sought such draconian sentences," CAIR said in response.³²

"Under the current administration," the statement continued, "we are quickly approaching a state of affairs in which there is a two-tier prosecutorial system in America; one system for Muslims, and one for all other Americans. This disturbing trend should be of concern to everyone who values America's centuries-long tradition of equal justice under the law. We call on Congress to conduct hearings into the selective prosecution of Muslims since the 9/11 terror attacks."³³

The Holy Land Foundation for Relief and Development

As noted in the section on "The Suspect Ties of CAIR Officials," the U.S. government shut down HLF on Dec. 4, 2001 for funneling money to Hamas.³⁴ "Money raised by the Holy Land Foundation is used by Hamas to support schools and indoctrinate children to grow up into suicide bombers," President Bush explained at the White House. "Money raised by the Holy Land Foundation is also used by Hamas to recruit suicide bombers and to support their families."³⁵

CAIR spokesman Ibrahim Hooper dismissed the president's words in interviews throughout the country. He told the *Dallas Morning News* the president made "political statements. These are not criminal allegations."³⁶ He told *Cox News* the move was "ill-advised and counter-productive. The only specific accusation is that [HLF funds] feed the orphans of suicide bombers along with hundreds of other children."³⁷ Interviewed by the *New York Times*, Hooper said, "This action is really creating outrage in the Muslim

³⁰ "Judge Convicts All 3 Defendants in Paintball Base," CAIR-Maryland Press Release, March 4, 2004, <http://www.cairmd.org/new/links/pressreleases.asp?newsid=44> (accessed July 15, 2004).

³¹ Jerry Markon, "Strict Sentences Meted in Va. Jihad Cases," *The Washington Post*, June 16, 2004.

³² "CAIR Calls VA Paintball Sentencing 'Draconian,'" June 16, 2004, http://www.amperspective.com/html/cair_on_harsh_sentence.html (accessed October 15, 2004).

³³ "CAIR Calls VA Paintball Sentencing 'Draconian,'" June 16, 2004, http://www.amperspective.com/html/cair_on_harsh_sentence.html (accessed October 15, 2004).

³⁴ President Announces Progress on Financial Fight Against Terror, Remarks by the President on Financial Fight Against Terror, The Rose Garden, Washington D.C. December 4, 2001, <http://www.whitehouse.gov/news/releases/2001/12/20011204-8.html> (accessed March 9, 2004).

³⁵ President Announces Progress on Financial Fight Against Terror, Remarks by the President on Financial Fight Against Terror, The Rose Garden, Washington D.C. December 4, 2001, <http://www.whitehouse.gov/news/releases/2001/12/20011204-8.html> (accessed March 9, 2004).

³⁶ Jeffrey Weiss, "Crackdown on Charity Shocks Muslims," *The Dallas Morning News*, December 5, 2001.

³⁷ Julia Malone, "Bush Expands War Front to Texas Charity," *Cox News Service*, December 4, 2001.



community. The holy foundation has a long history of being a respected Muslim charity that does good work....”³⁸

CAIR joined seven other Islamic groups in a statement the day HLF was shut down.³⁹ Their release stated:

American Muslims support President Bush’s effort to cut off funding for terrorism and we call for a peaceful resolution to the Middle East conflict. These goals will not be achieved by taking food out of the mouths of Palestinian orphans or by succumbing to politically-motivated smear campaigns by those who would perpetuate Israel’s brutal occupation.⁴⁰

The statement continued:

“We ask that President Bush reconsider what we believe is an unjust and counterproductive move that can only damage America’s credibility with Muslims in this country and around the world and could create the impression that there has been a shift from a war on terrorism to an attack on Islam.”⁴¹

Hussam Ayloush, CAIR-Southern California executive director, appeared on *CNN* the following day, saying the shutdown “sends a very wrong message to the American Muslim community. Because here we are, we’re saying this is a war on terrorism. Yet we target the most trusted and largest Islamic charitable organization in the U.S. It sends a wrong message to Muslims all over the world, basically, that Israel gets to dictate our foreign policy.”⁴²

HLF and its key officials were indicted in July 2004 for allegedly providing material support to Hamas. Some of the government’s evidence would come from material seized from Hamas offices by the Israeli military, a fact CAIR used to attempt to de-legitimize the case. “The government should not use evidence apparently tainted by foreign

³⁸ Laurie Goldstein, “8 Groups in US Protest Bush Move against Foundation,” *The New York Times*, December 5, 2001.

³⁹ “Freeze on Group’s Assets Questioned by US Muslims,” CAIR Press Release, December 4, 2001, <http://web.archive.org/web/20011207204405/www.cair-net.org/asp/article.asp?articleid=531&articletype=3> (accessed July 15, 2004). The American Muslim Alliance (AMA), American Muslim Council (AMC), Islamic Society of North America (ISNA), Islamic Circle of North America (ICNA), Muslim American Society (MAS), Muslim Public Affairs Council (MPAC), and Muslim Student Association of USA and Canada all co-issued this statement.

⁴⁰ “Freeze on Group’s Assets Questioned by US Muslims,” CAIR Press Release, December 4, 2001, <http://web.archive.org/web/20011207204405/www.cair-net.org/asp/article.asp?articleid=531&articletype=3> (accessed July 15, 2004).

⁴¹ “Freeze on Group’s Assets Questioned by US Muslims,” CAIR Press Release, December 4, 2001, <http://web.archive.org/web/20011207204405/www.cair-net.org/asp/article.asp?articleid=531&articletype=3> (accessed July 15, 2004).

⁴² “Talkback Live,” *CNN*, December 5, 2001.



intelligence sources from a nation that has its own political agenda,” CAIR argued in a release.⁴³

Jurors deadlocked on all counts in the 2007 trial against HLF and four of the individual defendants. Jurors acquitted Mohammad El-Mezain on all but one count, that of conspiracy to provide material support to a terrorist group. A second trial is expected in 2008.

CAIR trumpeted the verdicts as a full exoneration of the defendants. “The reason it failed is the government does not have the facts; it has fear,” Awad told a reporter.⁴⁴

Later, Awad invoked the McCarthy era as a comparison to government investigations of Muslim charities. “Today’s campaign has a different name and a different target,” Awad said. “The campaign is anti-terrorism and the target is the American Muslim community.”⁴⁵

Awad has not addressed his presence at the Philadelphia meeting or CAIR’s listing on the Palestine Committee roster.

DePaul University law professor M. Cherif Bassiouni issued a letter through CAIR calling the case “one of the great abuses of the American legal process.”⁴⁶

BIF/GRF

On the heels of the HLF designation, the U.S. government blocked the assets of the Benevolence International and Global Relief foundations on Dec. 14, 2001 saying they gave financial support to Al Qaeda.⁴⁷

CAIR issued an alert urging its constituents to “contact Attorney General Ashcroft to demand due process of law.”⁴⁸ It stated, “three of the largest Muslim charities (Holy Land Foundation, Global Relief Foundation and Benevolence International Foundation) have been shut down without any judge making a ruling or any jury hearing evidence of criminal behavior.”⁴⁹

CAIR-NY posted on its website a petition to Ashcroft that contended, “The funds collected by these American charitable institutions do not belong to them [the U.S.

⁴³ “CAIR to Monitor HLF Indictments,” CAIR Press Release, July 27, 2004, <http://www.cair-net.org/asp/article.asp?id=1137&page=NR> (accessed August 10, 2004).

⁴⁴ David Koenig, “Mistrial for most defendants in Muslim charity trial,” The Associated Press, October 22, 2007.

⁴⁵ Michael Grabell and Jeffrey Weiss, “Verdicts Cause Confusion, Then More Deliberation, Finally Joy and Thanks,” *Dallas Morning News*, October 22, 2007.

⁴⁶ “Dear CAIR Supporter” letter from M. Cherif Bassiouni. Oct. 23, 2007.

⁴⁷ OFAC Designation of BIF and GRF, December 14, 2001, <http://www.ustreas.gov/offices/eotffc/ofac/actions/20011214a.html> (accessed May 26, 2004).

⁴⁸ “Contact Attorney General Ashcroft to Demand Due Process of Law,” CAIR Action Alert, December 16, 2001, <http://www.cair-net.org/asp/article.asp?id=78&page=AA> (accessed October 15, 2004).

⁴⁹ “Contact Attorney General Ashcroft to Demand Due Process of Law,” CAIR Action Alert, December 16, 2001, <http://www.cair-net.org/asp/article.asp?id=78&page=AA> (accessed October 15, 2004).



government] but to the intended orphans who are waiting for their food and other necessities to survive.”⁵⁰

BIF’s executive director, Enaam Arnaout, was arrested on perjury charges in April 2002 for stating under oath that BIF did not support terrorism.⁵¹ CAIR spokesman Jason Erb said, “You’re going to be charged with perjury for declaring your innocence? I think it really makes American Muslims feel that they are not going to get a fair shake in the justice system.”⁵² And Hooper accused the government of using “backhanded legal technicalities.”⁵³ In February 2003, Arnaout pleaded guilty to racketeering conspiracy, admitted providing items to fighters in Chechnya and Bosnia, and agreed to cooperate with the government.⁵⁴

When the government detained GRF co-founder Rabih Haddad on a visa violation on December 14, 2001, CAIR-Michigan board member Homam Albaroudi co-founded the Free Rabih Haddad Committee.⁵⁵ In January 2002, CAIR co-sponsored a rally held outside Haddad’s court hearing. “This is not about one man. It is about defending the principles that our nation was built on,” CAIR-Michigan’s executive director, Haaris Ahmad said.⁵⁶

Hooper later criticized the government for bringing Haddad’s case administratively, rather than criminally, “so evidence does not have to be produced.”⁵⁷ In November 2002, an immigration judge denied Haddad’s application for asylum and withholding of removal, concluding that he presented “a substantial risk to the national security of the United States.”⁵⁸ In July 2003, he was deported to Lebanon.⁵⁹

Additionally, CAIR-NY defended Alaa Al Sadawi, who was indicted in July 2002 along with his son, Hassan, on currency reporting violations.⁶⁰ Two months earlier, federal agents had discovered that Hassan Al Sadawi, a passenger on an Egypt-bound flight

⁵⁰ “We Demand Immediate Due Process of Law for Muslim American Charities,” Petition Addressed to Attorney General John Ashcroft, <http://web.archive.org/web/20021120080102/www.cair-ny.com/PETITIONS/pet-20020104a.html>, (accessed July 15, 2004).

⁵¹ *US v. Benevolence International Foundation and Enaam Arnaout*, 02 CR 414, “Indictment” (N.D. Ill. April 30, 2002).

⁵² Michael Higgins, “Islamic Charities Chafe at Charges,” *Chicago Tribune*, May 13, 2002.

⁵³ “Haddad: ‘I have been Railroaded,’” *United Press International*, May 2, 2002.

⁵⁴ “Benevolence Director Pleads Guilty to Racketeering Conspiracy and Agrees to Cooperate with the Government,” US Department of Justice News Release, February 10, 2003, http://www.usdoj.gov/usao/iln/pr/2003/pr021003_01.pdf (accessed July 15, 2004).

⁵⁵ *Muslim Community Association of Ann Arbor et al. v. John Ashcroft and Robert Mueller*, “Statement of Homam Albaroudi,” July 30, 2003, <http://www.aclu.org/news/NewsPrint.cfm?ID=13252&c=206> (accessed October 15, 2004).

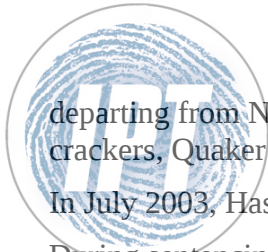
⁵⁶ Lawrence Parker, “Detained Muslim Cleric Secretly Moved to Chicago,” January 17, 2002, http://www.wsns.org/articles/2002/jan2002/hadd-j17_prn.shtml (accessed October 15, 2004).

⁵⁷ “Haddad: ‘I have been Railroaded,’” *United Press International*, May 2, 2002.

⁵⁸ “Statement of Barbara Comstock, Director of Public Affairs, on the Haddad Asylum Decision,” Department of Justice Press Release, November 22, 2002, http://www.usdoj.gov/opa/pr/2002/November/02_civ_691.htm (accessed October 14, 2004).

⁵⁹ Sarah Freeman, “Haddad Deported, Family Remains in the US,” *Associated Press*, July 16, 2003.

⁶⁰ *US v. Al-Sadawi*, 00901-NGG-3 (E.D. N.Y. July 26, 2002).



departing from New York's Kennedy Airport, had \$659,000 in cash in boxes of Ritz crackers, Quaker Oats, and baby wipes in his suitcase.⁶¹

In July 2003, Hassan Al Sadawi was acquitted, but Alaa Al Sadawi was convicted.⁶²

During sentencing procedures, prosecutors asserted that between May 2000 and late 2001, Alaa Al Sadawi had raised money for GRF,⁶³ and had passed \$10,000 to a member of GRF under a bathroom stall divider at Chicago's O'Hare Airport.⁶⁴ The assistant U.S. attorney also asserted that Al Sadawi had been heard "thanking God for the loss of American lives in Afghanistan."⁶⁵

CAIR-NY placed action alerts on its email list asserting that the "community stands behind Ala (sic) Al-Sadawi's innocence"⁶⁶ and urging "all people of conscience to support a fair sentencing hearing..." Commenting on Sadawi's links to GRF, CAIR-NY noted, "no one at the Global Relief Fund has been charged with a terrorism related crime" and added, "At the time Al Sadawi was associated with Global Relief Fund, it had not been designated as an organization which funds terrorism."⁶⁷

In December 2003, Alaa Al Sadawi was sentenced to 63 months in prison.⁶⁸

General Comments on HLF, BIF, and GRF

CAIR has continued to criticize government actions against terrorist financiers. At a fundraiser on Oct. 26, 2002, Chairman Omar Ahmad said:

Our Muslim...organizations have been shut down, some of them in the northern Virginia area, some of them in Dallas, charitable organizations and they are begging to belong....We [Muslims] are under attack...We are under the squeeze.⁶⁹

At a January 2003 CAIR event in New York, Hooper said, "All you have to do is make some comment oh it's security related...and once that's done, all blinders go on everyone....Why do you think that all the Muslim charities...that were shut down, nobody's ever brought to trial because they don't have the evidence. All they have to do is make the accusation and that's sufficient."⁷⁰

Awad, CAIR's executive director, voiced similar concerns at a May 2003 forum hosted by the Johns Hopkins School of Advanced International Studies. When an audience member commented during the ensuing question-and-answer session that "the Department of Justice had released reams of evidence showing that these organizations,

⁶¹ Tom Hays, "Alleged Smuggler Ordered Held Without Bail," *Associated Press*, July 29, 2002.

⁶² "Man Convicted of Smuggling \$600,000," *Associated Press*, July 23, 2003.

⁶³ John Marzulli, "Feds: Cleric was a Terror Money Man," *New York Daily News*, November 14, 2003.

⁶⁴ Tom Hays, "Feds Link Money Smuggler to Outlawed Muslim Charity," *Associated Press*, November 27, 2003.

⁶⁵ John Marzulli, "Cleric Gets Max In Terror Case," *New York Daily News*, December 12, 2003.

⁶⁶ "Sheikh Ala Al-Sadawi's Sentencing Hearing Adjourned Until November 18," CAIR Action Alert, November 14, 2003.

⁶⁷ "CAIR-NY Calls for a Fair Sentencing Hearing for Sheikh Ala Al-Sadawi," CAIR Action Alert, December 9, 2003.

⁶⁸ "Islamic Fund-Raiser Gets 5 Years for Plot to Smuggle Cash in Cracker, Cereal Boxes," *Associated Press*, December 11, 2003.

⁶⁹ CAIR Fundraiser, Tyson's Corner, Virginia, October 26, 2002.

⁷⁰ CAIR-NY Muslim Leadership Forum, Marriott, La-Guardia New York, New York, January 26, 2003.



including the Holy Land Foundation and Benevolence International, have direct connections and in fact their leadership was the leadership of Al Qaeda and Hamas,” Awad replied:

I am sure if we...put under the microscope, every major civic or political organization in this country, including the Red Cross, you will see that some dollars went here and there in some country, but we don't shut down the entire operation of the Red Cross...⁷¹

- **CAIR Dallas-Fort Worth labeled charges against Ghassan Elashi and his four brothers an “injustice” and “selective prosecution” against Muslims.**

As mentioned in “CAIR’s Origins,” Ghassan Elashi was a founding board member of CAIR-Texas,⁷² as well as HLF’s chairman⁷³ and treasurer.⁷⁴ He also served as vice president of marketing for Infocom, a company that exported computers and computer components primarily to the Middle East.⁷⁵ Further links between Marzook, the Elashi family, IAP, HLF, and CAIR can be seen in terms of Infocom’s role in hosting the websites for a number of Islamic groups, including those of HLF, IAP,⁷⁶ and CAIR.⁷⁷

In September 2001, the FBI raided Infocom’s offices,⁷⁸ froze two of its accounts, and subpoenaed HLF’s and IAP’s records.⁷⁹ CAIR, IAP (led by CAIR incorporator Rafeeq Jaber)⁸⁰ and other Islamic “advocacy groups” held a press conference outside Infocom headquarters a short time later and issued a statement blaming Israel:

American Muslims view yesterday's action as just one of a long list of attempts by the pro-Israel lobby to intimidate and silence all those who wish to see Palestinian Muslims and Christians free themselves of a brutal Apartheid-like occupation. We believe the genesis of this raid lies not in Washington, but in Tel Aviv.⁸¹

⁷¹ “Bridging the Gap between America and the Muslim World: The Role of Muslim and Arab American Organizations,” Nihad Awad at Johns Hopkins School of Advanced International Studies, May 13, 2003.

⁷² CAIR Articles of Incorporation, Texas Secretary of State, September 29, 1998.

⁷³ “1999 HLF Form 990,” *Internal Revenue Service*.

⁷⁴ “1993 and 1998 HLF Form 990,” *Internal Revenue Service*.

⁷⁵ *US v. Elashi*, 3:02-CR-052-R, “Superseding indictment,” (N.D. Tex December 17, 2002).

⁷⁶ Steve McGonigle, “Local Firm’s Accounts Frozen,” *The Dallas Morning News*, September 26, 2001.

⁷⁷ Kieren McCarthy, “Iraq Domain Owner Convicted,” July 9, 2004.

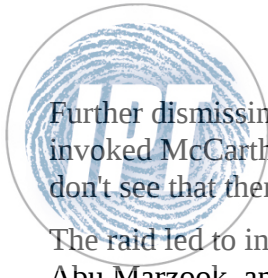
http://www.theregister.co.uk/2004/07/09/iraq_domain_owner_convicted/ (accessed January 4, 2005).

⁷⁸ David Koenig, “FBI Raids Dallas-Area Internet Business as Part of Terrorism Investigation,” *Associated Press*, September 6, 2001.

⁷⁹ Steve McGonigle, “Local Firm’s Accounts Frozen,” *The Dallas Morning News*, September 26, 2001.

⁸⁰ Steve McGonigle, “Grand Jury Pursues Records,” *The Dallas Morning News*, September 7, 2001.

⁸¹ PR Newswire, “Raid on Texas Business is ‘Anti-Muslim Witch Hunt’ Say Muslim Leaders,” September 6, 2001.



Further dismissing the legitimacy of the Infocom raid, CAIR Executive Director Awad invoked McCarthyism and called it “an assault and an insult to Muslims in America...We don't see that there is a good probable cause for this except stereotypes.”⁸²

The raid led to indictments in December 2002 of Infocom, the Elashi brothers, Mousa Abu Marzook, and his wife Nadia Elashi. Infocom and the Elashi brothers were charged with illegally sending computer equipment to Libya and Syria and with engaging in financial transactions with Marzook, a Specially Designated Terrorist.⁸³

Marzook and Nadia Elashi live abroad and have never been apprehended in the case.

Mohamed Elmougy, CAIR Dallas-Fort Worth chairman, and Khalid Hamideh, registered agent for CAIR-Texas, held a press conference to protest the government's action.⁸⁴ “We are concerned that these charges result from what appears to be a war on Islam and Muslims rather than a war on terror,” Elmougy said.⁸⁵

And CAIR-DFW Executive Director Tamir Ayad⁸⁶ commented, “We're hoping that this is not a case of the government trying to limit people's freedom of speech in their dissent of U.S. foreign policy by focusing on these people.”⁸⁷

CAIR and the IAP used their email list servers to solicit donations to the Muslim Legal Fund of America (MLFA), formed to raise money for Elashis' defense.⁸⁸ Three current and former CAIR officials, Waseem Nasrallah,⁸⁹ Khalil Meek,⁹⁰ and Ghassan Hitto⁹¹ were on MLFA's board of directors in February 2007.⁹²

⁸² David McGuire, “FBI Raid Severely Disrupted Islamic Net,” Newsbytes News Network, September 7, 2001.

⁸³ *US v. Elashi*, 3:02-CR-052-R, “Indictment,” (N.D. Tex. December 17, 2002).

⁸⁴ Press Conference Announcement at the Radisson Hotel in Richardson, TX for December 19, 2002, CAIR-DFW [website](http://web.archive.org/web/20030604225740/www.cairdfw.org/pcnames.shtml). <http://web.archive.org/web/20030604225740/www.cairdfw.org/pcnames.shtml> (accessed December 22, 2004).

⁸⁵ Mary McKee and Bill Miller, “ Hamas Arrests Called Unfair,” *The Fort Worth Star Telegram*, December 20, 2002.

⁸⁶ Bryon Okada and Diane Smith, “Travelers Face New Screening at Airports,” *Fort Worth Star-Telegram*, December 1, 2001.

⁸⁷ Mary McKee, “Brothers, Called Good People,” *Fort Worth Star-Telegram*, December 19, 2002.

⁸⁸ Steve McGonigle, “Aid Push Made for 5 Tied to Hamas,” *The Dallas Morning News*, February 15, 2003. See also: “‘Liberty Task Force’ Formed to Defend Elashi Family,” January 24, 2003 <http://web.archive.org/web/20030210192257/www.muslimlegalfund.org/elashis.html> (accessed December 21, 2004).

⁸⁹ Nasrallah is identified as the Chairman of CAIR's Southwest region in a 1999 press report. See: Jennifer Packer, “Groups Rally Downtown to Show NATO Support,” *The Dallas Morning News*, April 11, 1999. In addition: Nasrallah is the registered agent for a company called Softx Technology, Inc. A director in the company is Dallel Mohamed, formerly of HLF. See: Texas Secretary of State, Corporate Record, Softx Technology, Inc.

⁹⁰ Meek is identified as a member of CAIR Dallas-Fort Worth's Board of Directors in July 2004. See: Kim Horner, “Muslim Leaders Blast Brothers' Convictions,” *The Dallas Morning News*, July 10, 2004.

⁹¹ About CAIR-DFW. Board of Directors, <http://web.archive.org/web/20020208113314/http://www.cairdfw.org/about.shtml> (accessed December 10, 2004) and Mary McKee, “US Muslim Says Israel Put Her in Cell with Rats,” *Fort Worth Star-Telegram*, May 15, 2002.

⁹² Muslim Legal Fund of America, “About Us,” <http://www.muslimlegalfund.org/about.html> (accessed November 30, 2007).



MLFA's website states that the group "has built strong alliances with national organizations such as CAIR..."⁹³ and MLFA advertised Omar Ahmad as a speaker at its "first Special Dinner" in March 2002.⁹⁴

In July 2004, Ghassan Elashi was convicted on six counts, and Infocom was found guilty on 10 at one of the two trials that resulted from the 2002 indictment.⁹⁵

CAIR Dallas-Fort Worth issued a statement casting the verdicts as evidence of "a growing disparity and climate of injustice for Muslims, who we feel are being selectively prosecuted and given unfair sentences precisely because they are Muslim or Arab... This growing trend of selective prosecution only furthers much of the community's view that this is nothing but a witch-hunt against the Muslim community... The injustice waged against this family, by which over 20 children were robbed of their fathers for their crime of being Muslims in America, is only part of this tragedy we witnessed. The other victim in this ordeal is justice itself."⁹⁶

The indictment produced separate trials – one in 2004 on the export charges and one in 2005 for money laundering and dealing with Marzook, a specially designated terrorist.⁹⁷ On April 13, 2005, Ghassan and Bayan Elashi, and Infocom were found guilty of all 21 federal counts they faced at the second trial resulting from the 2002 indictment, including conspiracy, money laundering and dealing in property of a terrorist. Basman Elashi, who faced the same charges, was convicted of three counts of conspiracy but acquitted on the rest. Ghassan and Basman Elashi were sentenced to 80 months in prison and Bayan Elashi was sentenced to 84 months in prison.⁹⁸ Ihsan Elashi was sentenced to 72 months in prison; he had already been sentenced to 48 months on other charges and his terms will run consecutively. Hazim Elashi was sentenced to 66 months in prison and will be deported upon completion of his term.⁹⁹

- **CAIR Chicago's executive director called the Boim verdict holding IAP and HLF liable in damages for a Hamas murder a "modern day lynching and a mockery of justice."**

⁹³ Muslim Legal Fund of America news release, January 31, 2003.
<http://web.archive.org/web/20040201223528/muslimlegalfund.org/newsreleases.html> (accessed December 21, 2004).

⁹⁴ Muslim Legal Fund of America news release, "Special Dinner," February 21, 2002.
<http://web.archive.org/web/20020729000627/www.muslimlegalfund.org/newsreleases.html> (accessed December 21, 2004).

⁹⁵ "Elashi Brothers Convicted," US Department of Justice Press Release, July 8, 2004,
http://www.usdoj.gov/usao/txn/PressRel04/elashi_conv.pdf (accessed July 9, 2004).

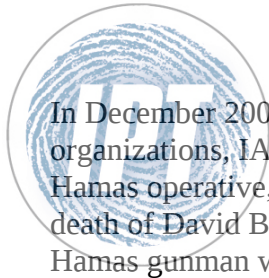
⁹⁶ CAIR Dallas-Fort Worth Press Release, July 9, 2004.

⁹⁷ Trial begins for men accused of helping Hamas," *Associated Press*, March 31, 2005,
<http://www.dfw.com/mld/startelegram/news/state/11276670.htm> (accessed April 14, 2005).

⁹⁸ "INFOCOM CORPORATION AND ITS OPERATORS SENTENCED IN FEDERAL COURT; ELASHI BROTHERS CONVICTED FOR DOING BUSINESS WITH TERRORIST," Department of Justice Press Release, October 13, 2006,

<http://dallas.fbi.gov/dojpressrel/pressrel06/terroristsupport101306.htm>; Michael Grabell, "Holy Land group's co-founder sentenced," *Dallas Morning News*, October 12, 2006,
<http://www.dallasnews.com/sharedcontent/dws/dn/latestnews/stories/101306dnmetelashi.302f898f.html>

⁹⁹ "Elashi Brothers Sentenced" Department of Justice press release, January 25, 2006,
http://www.usdoj.gov/usao/txn/PressRel06/elashi_hazim_ihsan_sen_pr.html



In December 2004, a federal magistrate judge in Illinois held three American Muslim organizations, IAP, HLF, and the Quranic Literacy Institute (QLI), as well as a high level Hamas operative, Mohammad Salah, liable for \$156 million in damages¹⁰⁰ in the 1996 death of David Boim. Boim, a 17-year-old New York native, was shot to death by a Hamas gunman while waiting at a bus stop in the West Bank town of Beit El.¹⁰¹

Declaring the verdict a travesty of justice, then CAIR Chicago's executive director, Yaser Tabbara,¹⁰² commented, "We feel that the decision is unfortunate but expected. I think this will only serve to discourage American Muslims from giving to charity." Tabbara asserted that "there is redress for Israeli victims of Palestinian 'terrorism' but no redress for Palestinian victims of Israeli 'terrorism,' ... By the same logic, it should be possible for a Palestinian American to sue a U.S. organization like the Friends of the Israeli Defence Force for the unlawful killings they perpetrate."¹⁰³

Tabbara disputed the judge's finding that Hamas terrorists killed David Boim, observing that "to my knowledge they have never claimed" responsibility.¹⁰⁴ In his decision, Judge Arlander Keys had said, "all of the evidence in the record on this issue points to Hamas as the entity responsible for David's murder."¹⁰⁵

Previously, Tabbara had taken issue with Keys' failure to grant a continuance to QLI, stating, "At the end of the day, what we are witnessing is a modern day lynching and a mockery of justice."¹⁰⁶

As mentioned in "CAIR's Origins," an appellate court overturned the damage award and remanded the case back to the district court for further proceedings. In its ruling, the appellate judges found "the ample record evidence (particularly taking into account the classified information presented to the court in camera) establishing HLF's role in the funding of Hamas and of its terrorist activities is incontrovertible."¹⁰⁷

- **CAIR endorsed a brochure contending that the case against Mohammed Salah and the Quranic Literacy Institute was rooted in "outrageous complaints."**

¹⁰⁰ *Boim v. Quranic Literacy Institute*, Minute Order, (N.D. Ill 00-CV-2905, filed December 8, 2004).

¹⁰¹ *Boim v. Quranic Literacy Institute*, Memorandum and Order, (N.D. Ill 00-CV-2905, filed November 10, 2004).

¹⁰² CAIR Chicago Website: <http://www.cairchicago.org/staff.php> (accessed July 5, 2006).

¹⁰³ Roshan Muhammed Salih, "Muslim Charities Fined for Colony Death," December 9, 2004, <http://english.aljazeera.net/NR/exeres/C79B8542-CF5B-4267-BBF3-25765D081F3C.htm> (accessed December 14, 2004).

¹⁰⁴ Roshan Muhammed Salih, "Muslim Charities Fined for Colony Death," December 9, 2004, <http://english.aljazeera.net/NR/exeres/C79B8542-CF5B-4267-BBF3-25765D081F3C.htm> (accessed December 14, 2004).

¹⁰⁵ *Boim v. Quranic Literacy Institute*, 00-CV-2905, "Memorandum and Order," 27 (N.D. Ill November 10, 2004).

¹⁰⁶ "Muslim Groups Claim Injustice in Boim Trial," December 6, 2004, <http://www.nbc5.com/news/3975923/detail.html?z=dp&dpswid=2265994&dppid=65193> (accessed December 15, 2004).

¹⁰⁷ *Boim v. Holy Land Foundation for Relief and Development et al.*, U.S. Court of Appeals for the Seventh Circuit, decided Dec. 28, 2007.



On January 25, 1993, Mohammad Salah, a naturalized American citizen and Chicago-area resident, was arrested in Israel for his membership in Hamas. In January 1995, Salah pleaded guilty in an Israeli military court to belonging to Hamas and was sentenced to five years in prison. Also in 1995, the U.S. Treasury Department's Office of Foreign Asset Control named Salah a Specially Designated Terrorist. He was released by Israel in November 1997 and permitted to return to the United States.¹⁰⁸

On June 9, 1998, the U.S. Attorney for the Northern District of Illinois filed an action for forfeiture of bank accounts and other properties belonging to Salah, his wife, and the Quranic Literacy Institute."¹⁰⁹

The affidavit of FBI Special Agent Robert Wright stated, "A review of bank records further indicates that QLI and QLI-related entities or individuals likely were a source of funds for Salah's Hamas-related expenditures between 1991 and his arrest in January of 1993 and beyond."¹¹⁰

A brochure published by the Chicago-based Muslim Americans for Civil Rights and Legal Defense (whose Treasurer was CAIR incorporator Rafeeq Jaber),¹¹¹ contended, "Properties of well known and well respected Muslim leaders were seized by the U.S. government with some outrageous complaints."¹¹² The brochure listed CAIR and IAP as supporters "of this cause."¹¹³

- **CAIR defended Hamas leader Mousa Abu Marzook.**

On Aug. 7, 1995, the U.S. attorney's office for the Southern District of New York (SDNY) requested the arrest and extradition to Israel of Mousa Abu Marzook.¹¹⁴ An investigation undertaken by the government of Israel had determined that Marzook should be prosecuted for murder.¹¹⁵

Marzook was arrested at New York's Kennedy Airport on his return from a trip to the Middle East.¹¹⁶

On May 7, 1996, Judge Kevin Duffy (SDNY) found probable cause that Marzook "engaged in and intended to further the aims of the conspiracy by his membership in and support of the Hamas organization. I also find that probable cause exists that Abu Marzook knew of Hamas' plan to carry out violent, murderous attacks, that he selected

¹⁰⁸ *US v. One 1997 E35 Ford Van*, "Affidavit of FBI Agent Robert Wright," (ND Ill 98-C-3548).

¹⁰⁹ *US v. One 1997 E35 Ford Van*, 98-C-3548 (ND Ill June 9, 1998).

¹¹⁰ *US v. One 1997 E35 Ford Van*, "Affidavit of FBI Agent Robert Wright," (ND Ill 98-C-3548).

¹¹¹ Muslim Americans for Civil Rights, "Muslim Properties Seized Unjustly by the US Government," distributed by *MSA News*, September 4, 1998.

¹¹² Muslim Americans for Civil Rights, "Muslim Properties Seized Unjustly by the US Government," distributed by *MSA News*, September 4, 1998.

¹¹³ Muslim Americans for Civil Rights, "Muslim Properties Seized Unjustly by the US Government," distributed by *MSA News*, September 4, 1998.

¹¹⁴ *In the Matter of the Extradition of Mousa Muhammad Abu Marzook*, 95 Cr Misc. 1, US District Court Southern District of New York, (USDC-SDNY, August 7, 1995, Sealed Complaint).

¹¹⁵ *In the Matter of the Extradition of Mousa Muhammad Abu Marzook*, 95 Cr Misc. 1, US District Court Southern District of New York, (USDC-SDNY, August 7, 1995, Sealed Complaint).

¹¹⁶ Serge Schmemmann, "Israel Withdraws Bid to Extradite a Chief of Hamas," *The New York Times*, April 4, 1997.



the leadership and supplied the money to enable the attacks to take place, and that such attacks were, therefore, a foreseeable consequence of the conspiracy.”¹¹⁷

As authorities mulled Marzook’s fate, CAIR came out in his support. Nihad Awad organized a press conference three days later where he called the case politically motivated and part of a campaign to drive a wedge between America and Islamic countries.”¹¹⁸

The following month, CAIR signed an open letter to then-Secretary of State Warren Christopher that railed against “the injustice that has prevailed against Dr. Marzook” and alleged that “our judicial system has been kidnapped by Israeli interests.” The letter added, “Dr. Abu Marzook is a political leader; no more, no less than any other political leader in the world...”¹¹⁹ Additionally, CAIR’s 1996 *The Status of Muslim Civil Rights in the United States* included Marzook’s arrest in its list of incidents of anti-Muslim bias and violence.¹²⁰

Marzook was deported to Jordan in May 1997.¹²¹

In August 2004 he was indicted for allegedly participating in a 15-year racketeering conspiracy in the United States and abroad to finance terrorist activities in Israel, the West Bank and the Gaza Strip.¹²² The indictment, which for the first time identified Hamas as a criminal enterprise, alleged that the affairs of the enterprise were conducted through multiple acts of conspiracy to commit and solicit first degree murder, conspiracy to kill persons in a foreign country, money laundering, obstruction of justice, providing material support or resources to designated foreign terrorist organizations, and hostage taking.¹²³

Marzook remains abroad.

- **CAIR defended Hamas operative Abdulhaleem al-Ashqar.**

Abdulhaleem al-Ashqar organized the 1993 Hamas meeting in Philadelphia¹²⁴ and is the former executive director of the Al Aqsa Educational Fund.¹²⁵ According to the FBI, the Al Aqsa Educational Fund – along with HLF -- was the main American fundraising front for Hamas in 1994.¹²⁶

In February 1998, Ashqar was called to testify before a grand jury in the Southern District of New York investigating Hamas fund-raising in the United States.¹²⁷ He

¹¹⁷ US District Court Southern District of New York (USDC-SDNY), In the Matter of the Extradition of Mousa Muhammad Abu Marzook, 95 Cr Misc. 1, Memorandum and Order, May 7, 1996.

¹¹⁸ *Justice Forum: Newsletter of the Marzook Legal Fund*, June 1996.

¹¹⁹ Open Letter of Mr. Warren Christopher, Secretary of State, Signed by CAIR, Reprinted in *Justice Forum: Newsletter of the Marzook Legal Fund*, June 1996.

¹²⁰ *The Status of Muslim Civil Rights in the United States*, American Muslim Research Center, 1996, 17-18.

¹²¹ Neil MacFarquhar, “Terror Suspect Freed by US; Flies to Jordan,” *The New York Times*, May 6, 1997.

¹²² *US v. Marzook*, (N.D. Ill 03-CR-978, indictment filed August 19, 2004).

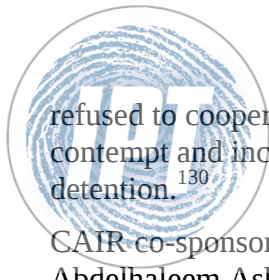
¹²³ *US v. Marzook*, (N.D. Ill 03-CR-978, indictment filed August 19, 2004).

¹²⁴ Watson Action Memo, 9.

¹²⁵ IRS Form 990 filed by Al Aqsa Educational Fund for Fiscal Year 1995.

¹²⁶ Watson Action Memo, 13.

¹²⁷ *In re: Grand Jury Subpoena of John Doe (Abdelhaleem Ashqar)*, United States District Court Southern District of New York, May 26, 1998 and Benjamin Weiser, “2 Men Jailed Over Refusal to Aid Inquiry,” *The New York Times*, April 18, 1998.



refused to cooperate¹²⁸ and, on February 23, 1998, Judge Denise Cote found him in contempt and incarcerated him.¹²⁹ He subsequently began a hunger strike to protest his detention.¹³⁰

CAIR co-sponsored¹³¹ a letter to Judge Cote “request[ing] the immediate release of Dr. Abdelhaleem Ashqar” to enable him to “continue offering positive contributions to this society.”¹³² The letter stated, “This respected member of our community is being held for refusing to cooperate in what they, and we, believe is a politically motivated investigation prompted by and in the service of a foreign government.”¹³³

Ashqar was indicted along with Marzook in August 2004 on the racketeering conspiracy charges discussed above.¹³⁴ He was acquitted of racketeering but convicted of obstruction of justice and criminal contempt of court. He was sentenced to 11 years in prison after a 90-minute statement in which he said he refused to give testimony that could help Israel against the Palestinians.

“It is something I will not do as long as I live,” Ashqar said, adding he refused “to live as a traitor or as a collaborator.”¹³⁵

- **CAIR vehemently defended convicted Palestinian Islamic Jihad (PIJ) leader Sami Al-Arian and alleged that his arrest was based on “political considerations.”**

After a 10-year investigation, University of South Florida Computer Science Professor Sami Al-Arian was indicted in February 2003¹³⁶ on charges of establishing and operating the Palestinian Islamic Jihad (PIJ) network in the United States. In December 2005, after a six month trial, Al-Arian was acquitted of eight charges, while the jury deadlocked on the nine other charges,¹³⁷ including conspiracy to provide material support PIJ.

The Al-Arian indictment alleged the PIJ allegedly is responsible for the deaths of two Americans and more than 100 Israelis.¹³⁸

¹²⁸ John Mintz, Michael Grunwald, “FBI Terror Probes Focus on US Muslims,” *The Washington Post*, October 31, 1998.

¹²⁹ Benjamin Weiser, “2 Men Jailed Over Refusal to Aid Inquiry,” *The New York Times*, April 18, 1998.

¹³⁰ John Mintz, Michael Grunwald, “FBI Terror Probes Focus on US Muslims,” *The Washington Post*, October 31, 1998.

¹³¹ CAIR sponsored the letter with the American Muslim Alliance (AMA), the American Muslim Council (AMC), and the Islamic Society of North America (ISNA).

¹³² “Immigration Case of Dr. Abdelhaleem Ashqar,” CAIR List Serve Email, May 28, 1998. CAIR sponsored the letter with the American Muslim Alliance (AMA), the American Muslim Council (AMC), and the Islamic Society of North America (ISNA).

¹³³ “Immigration Case of Dr. Abdelhaleem Ashqar,” CAIR List Serve Email, May 28, 1998. CAIR sponsored the letter with the American Muslim Alliance (AMA), the American Muslim Council (AMC), and the Islamic Society of North America (ISNA).

¹³⁴ *US v. Marzook*, 03-CR-978, “Indictment,” (N.D. Ill. August 19, 2004).

¹³⁵ Michael Higgins, “Palestinian ally given 11 year term,” *Chicago Tribune*, November 21, 2007.

¹³⁶ *USA v. Al Arian, et al*, 03-CR-77, “Indictment,” (MD FL February 20, 2003).

¹³⁷ *USA v. Al Arian, et al*, 03-CR-77, “Verdict Form,” (MD FL December 6, 2005).

¹³⁸ “Members of the Palestinian Islamic Jihad Arrested, Charged With Racketeering and Conspiracy to Provide Support to Terrorists,” United States Department of Justice News Release, February 20, 2003,



On April 14, 2006, after more than a decade of denying any involvement with PIJ, and five months after the conclusion of his jury trial, Al-Arian pleaded guilty to “conspiracy to make or receive contributions of funds, goods or services to or for the benefit of the Palestinian Islamic Jihad, a Specially Designated Terrorist.” Al-Arian agreed to be deported as part of his plea.”¹³⁹

He also admitted that he “performed services for the PIJ in 1995 and thereafter” and that he was “aware that the PIJ achieved its objectives by, among other means, acts of violence.”¹⁴⁰ The services Al-Arian performed “included filing for immigration benefits for individuals associated with the PIJ, hiding the identities of individuals associated with the PIJ, and providing assistance for an individual (Mazen al-Najjar) associated with the PIJ in a United States Court proceeding,” the plea agreement states.¹⁴¹

CAIR Executive Director Nihad Awad, whose organization insisted upon Al-Arian’s innocence for years, did not comment on the plea itself. Rather, he lamented that Al-Arian’s family has been inconvenienced by his trial.

We welcome the decision not to retry Professor Al-Arian.
We are concerned however that the price paid for his
freedom is deportation to another country, an additional
burden on a family that has suffered tremendously over the
past few years.¹⁴²

The 50-count, 121-page indictment against Al-Arian and seven others was based on years of painstaking FBI surveillance, during which investigators amassed reams of phone conversation transcripts, faxes, letters, videotapes and other documents. Those intercepts showed Al-Arian played a leadership role in the Jihad and worked to keep it together during a financial crisis during the mid 1990s.

Despite Al-Arian’s documented history of extremism, CAIR officials have consistently defended him.

On the day of Al-Arian’s arrest, Hooper appeared on MSNBC’s “Buchanan & Press” to suggest that the charges were “politically motivated”:

I think the problem we're seeing is that the Israelization of
American policy and procedures, the failed tactics of the
Israelis, where, if you just kill a few more people, destroy a
few more homes, seize a few more acres, everything will be
OK. We don't want to take that and translate it into the
American setting...The entire controversy began with the

http://www.usdoj.gov/opa/pr/2003/February/03_crm_099.htm (accessed July 11, 2004) and “Interview with Ehud Olmert, Israeli Prime Minister, Discussing His Visit to the United States, the Iranian Nuclear Threat and the Roadmap for Middle East Peace,” *Federal News Service*, May 22, 2006.

¹³⁹ *USA v. Al Arian, et al*, 03-CR-77, “Plea Agreement,” 1563 (MD FL April 14, 2006).

¹⁴⁰ *USA v. Al Arian, et al*, 03-CR-77, “Plea Agreement,” 1563 (MD FL April 14, 2006).

¹⁴¹ *USA v. Al Arian, et al*, 03-CR-77, “Plea Agreement,” 1563 (MD FL April 14, 2006).

¹⁴² “CAIR Welcomes Resolution of Al-Arian Case,” Council on American Relations Press Release, April 15, 2006, <http://www.cair-net.org/default.asp?Page=articleView&id=2106&theType=NR> (accessed May 25, 2006).



attack dogs of the pro-Israel lobby going after Sami Al-Arian...¹⁴³

CAIR chairman Omar Ahmad issued a press release the same day repeating what Hooper said on television: "This action could leave the impression that Al-Arian's arrest is based on political considerations, not legitimate national security concerns."

At a news conference outside Tampa's federal courthouse the next day, CAIR-Florida spokesman Ahmed Bedier said Al-Arian's arrest was "not about Sami as a person. It's about a situation that could set a precedent for other Muslims across the country. The core of the judicial system is that all men are innocent until proven guilty. In this case, it seems like the other way around."¹⁴⁴

Bedier upped the ante later that year, telling the *Christian Science Monitor* that Al-Arian's arrest was "an effective tool to silence anti-Israeli views in the country."¹⁴⁵

Rather than confront the indictment's damaging disclosures, Bedier and others in CAIR tried to turn Al-Arian in to a victim. At a May 27, 2004 news conference, Nihad Awad protested the "inhumane" treatment Al-Arian and fellow defendant Sameeh Hammoudeh received in jail while awaiting trial.

Awad added, "we have the feeling...that probably their religion and their ethnicities and the...climate that we have and we live under has to do a lot with the way they are being treated...We just feel that it is discriminatory, it's inhumane and it may affect the final outcome of the judicial ruling towards their cases."¹⁴⁶

As the trial date approached, CAIR joined a "coalition of religious, human rights and civil liberties" groups, in support of a defense motion to change the venue.¹⁴⁷ Bedier, the Central Florida director of CAIR, said "As a civil right (sic) organization, we have a fundamental belief in the right to due process, fairness, and individual's 6th amendment right to an impartial jury for all Americans ... We will continue to monitor this trial to insure that what happens in the court room does not have a negative backlash on the American Muslim Community."¹⁴⁸ Al-Arian's change of venue motion was denied by the Middle District of Florida two days later, the court citing a relatively minimal amount of bias in the jury pool.¹⁴⁹

In February 2006, Bedier hosted a fundraiser for Al-Arian titled, "Justice Delayed is Justice Denied."¹⁵⁰ In a speech, he said the community hasn't given the case proper

¹⁴³ "Buchanan & Press," MSNBC, February 20, 2003.

¹⁴⁴ Babita Persaud, "Local Muslims Deny Al-Arian Fits Government Description," *St. Petersburg Times*, February 21, 2003.

¹⁴⁵ Warren Richey and Linda Feldmann, "Has Post-9/11 Dragnet Gone Too Far?" *Christian Science Monitor*, September 12, 2003.

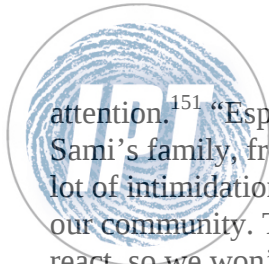
¹⁴⁶ Tampa CAIR Press Conference, Tampa Federal Courthouse, Tampa, Florida, May 27, 2004.

¹⁴⁷ OfficialWire NewsDesk, "Coalition Calls For A Change In Venue In Al-Arian Case," May 21, 2005, <http://news.baou.com/main.php?action=recent&rid=20236> (accessed July 5, 2006).

¹⁴⁸ OfficialWire NewsDesk, "Coalition Calls For A Change In Venue In Al-Arian Case," May 21, 2005, <http://news.baou.com/main.php?action=recent&rid=20236> (accessed July 5, 2006).

¹⁴⁹ *US v. Al-Arian*, Order Denying Motions To Transfer Venue, (MDFL 03-CR-77, 05.23.2005).

¹⁵⁰ Americans Against Hate news release, "Fundraiser for Sami Al-Arian's Release to be held Tomorrow in Tampa Mosque," February 17, 2006. <http://www.americansagainsthate.org/releases/PR-Al-ArianReleaseFundraiser.htm>



attention.¹⁵¹ “Especially right after the arrest, many people disassociated themselves from Sami’s family, from the mosque, from the school. Understandably so, because there’s a lot of intimidation. And that’s what certain people that are in power wanted to create in our community. They want to scare us; they want to put fear in our hearts so we won’t react, so we won’t do anything about it, so they can cherry pick whoever they want, especially certain leaders are saying unpopular things...”¹⁵²

Al-Arian was sentenced to fifty-seven months in prison on May 1, 2006.¹⁵³ U.S. District Judge James Moody stunned Al-Arian’s supporters with a strongly worded statement, calling the professor “a master manipulator.”

You looked your neighbors in the eyes and said you had nothing to do with the Palestinian Islamic Jihad. This trial exposed that as a lie.... The evidence was clear in this case that you were a leader of the Palestinian Islamic Jihad...

When Iran, the major funding source of the PIJ, became upset because the PIJ could not account for how it was spending its money, it was to your board of directors that it went to demand changes. Iran wanted its representative to have a say in how its money was spent. To stop that, you leaped into action. You offered to rewrite the bylaws of the organization...

But when it came to blowing up women and children on buses, did you leap into action then? Did you offer to form a committee to protect the innocent? Did you call your fellow [PIJ] directors and enlist their aid in stopping the bombing or even to stop the targeting of the innocent? No. You lifted not one finger, made not

¹⁵¹ CAIR-FL Fundraiser for Sami Al-Arian’s Release, “Justice Delayed is Justice Denied”

Islamic Community of Tampa Masjid, Tampa, Florida, February 18, 2006.

¹⁵² Some “unpopular” things that Al-Arian has said: “”The stones today defeat the Uzi, the tanks and the weapons,” he said, according to the translation. “The stones that the boy, who is less than 5 years old, carries, and this mother, who receives the martyrdom of her children with smiles and trilling cries of joy, because her son has not died; rather he has been martyred ... “We see today the intifada, the truth which Muslims gather round. We say to them, ‘Come to the Holy Land! Come forward to jihad!’ ” “Despite all difficulties, the Palestinian people have decided to continue: to continue to confront, to continue to resist, to continue to endure, to set an example for all people and Muslims around them. **Thus is the way of struggle. Thus is the way of giving. Thus is the way of sacrifice. ... Thus is the way of jihad. Thus is the way of martyrdom. Thus is the way of blood, because this is the path to heaven.**” Elaine Silvestrini, “Tape Shows Al-Arian In Support Of Jihad,” *Tampa Tribune*, July 13, 2005, <http://www.tampatrib.com/MGB2GTC13BE.html>; “At the ICP’s annual conference in 1988, and again in 1990 at an event commemorating the 1,000th day of the intifada, he used the phrase “**Death to Israel.**” He said, in Arabic: “God is One, Mohammed is our Leader, the Koran is our Constitution. Struggling in the cause of God is our way. **Victory to Islam, death to Israel. Revolution, revolution until victory.** March, march towards Jerusalem. There is no deity but God. Mohammed is the Messenger of God. God is great. Victory to Islam.” At another speech in 1991, a few weeks after the end of the Persian Gulf War, he said, “**God cursed those who are the sons of Israel, through David and Jesus, the son of Mary. ... Those people, God made monkeys and pigs.** (emphasis added) ” Stephen Buckley, “The Al-Arian Argument,” *St. Petersburg Times*, March 3, 2002.

http://www.sptimes.com/2002/03/03/TampaBay/The_Al_Arian_argument.shtml

¹⁵³ USA v. Al Arian, et al., 03-CR-77, judgment in a criminal case (MD FL May 1, 2006).



one phone call. To the contrary, you laughed when you heard about the bombings, what you euphemistically call “operations.” ...

And yet, still in the face of your own words, you continue to lie to your friends and supporters, claiming to abhor violence and to seek only aid for widows and orphans. Your only connection to widows and orphans is that you create them, even among the Palestinians; and you create them, not by sending your children to blow themselves out of existence. No. You exhort others to send their children... You are indeed a master manipulator.¹⁵⁴

Bedier criticized Judge Moody’s statement as “political” and accused the judge of being “biased and unfair.”¹⁵⁵

CAIR’s support of Al-Arian has not wavered. He has refused to testify before a federal grand jury investigating terror financing in Northern Virginia, including the International Institute of Islamic Thought (IIIT), a think-tank that was among the largest donors to Al-Arian’s World and Islam Studies Enterprise (see section on CAIR’s Funding for more). This defiance led to a series of contempt orders, which essentially froze his prison sentence in place.¹⁵⁶

Al-Arian insisted his plea agreement included a promise that he would not have to cooperate in other investigations, though no such reference appears in the signed plea agreement or was mentioned during his plea hearing. Courts have rejected this argument at least three separate times, including an 11th Circuit Court of Appeals ruling in January 2008.¹⁵⁷

Al-Arian went on a hunger strike in March to protest the latest grand jury subpoena. CAIR issued a call for American Muslims to support his strike by writing letters urging his release to judges, members of Congress and Attorney General Michael Mukasey.¹⁵⁸

- **After Cleveland imam Fawaz Damra was convicted of concealing his involvement in groups that advocated “violent terrorist attacks against Jews and others” on his citizenship application, CAIR-Ohio’s executive director defended him as a “great interfaith leader.”**

On June 18, 2004, Fawaz Damra, the Islamic Center of Cleveland’s imam, was convicted of unlawfully obtaining his U.S. citizenship through a fraudulent application.¹⁵⁹ The

¹⁵⁴ “Judge Moody: You are a master manipulator,” *St. Petersburg Times Online*, May 1, 2006, http://www.sptimes.com/2006/05/01/news_pf/State/Judge_Moody_You_are_.shtml (Accessed December 8, 2006).

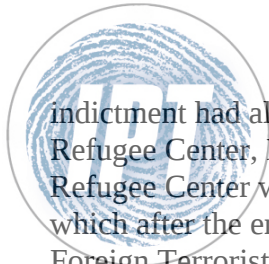
¹⁵⁵ Pedro Ruz Gutierrez, “Al-Arian receives maximum sentence,” *Orlando Sentinel*, May 2, 2006.

¹⁵⁶ “Justice Department Taking Steps to Charge Sami Al-Arian,” *New York Sun*, March 4, 2008.

¹⁵⁷ *USA v. Sami Amin Al-Arian*, Appeal from the Middle District of Florida, U.S. Court of Appeals for the 11th Circuit, January 25, 2008.

¹⁵⁸ “U.S. Muslims Asked to Support Fla. Prof on Hunger Strike,” PR Newswire, March 19, 2008.

¹⁵⁹ “Ohio Imam Convicted of Lying About Associations with Palestine Islamic Jihad After ICE/FBI Investigation,” ICE Press Release, June 18, 2004, <http://www.ice.gov/text/news/newsrel/articles/061804akron.htm> (accessed July 8, 2004).



indictment had alleged that Damra concealed from the INS his affiliation with Al-Kifah Refugee Center, PIJ and the Islamic Committee for Palestine (ICP).¹⁶⁰ The Al-Kifah Refugee Center was established as the American-based affiliate of Mekhtab al-Khidemat, which after the end of the Soviet-Afghan war became Al Qaeda.¹⁶¹ PIJ is a designated Foreign Terrorist Organization¹⁶² and ICP channeled funds to support PIJ activities.¹⁶³

Additionally, Damra concealed from INS the fact that he had, before applying for citizenship, “incited, assisted, or otherwise participated in the persecution”¹⁶⁴ of Jews and others by advocating violent terrorist attacks against them.¹⁶⁵ During the trial, jurors were shown footage of a 1991 speech in which Damra called Jews “the sons of monkeys and pigs” and a 1989 speech in which he said “terrorism and terrorism alone is the path to liberation.”¹⁶⁶

Damra “was the guy...brought in to raise the money for Islamic Jihad” federal prosecutor Cherie Krigsman said after the verdict.¹⁶⁷

Jad Humeidan, CAIR-Ohio executive director, said Damra “has been a great interfaith leader in the Cleveland community.”¹⁶⁸ In January 2004, he had called the Damra case “part of a pattern of attacking the Muslim community, its leaders and its institutions.”¹⁶⁹

At the start of Damra’s trial, CAIR spokesman Hooper commented, “we’re concerned that all of his due process is maintained and evidence be free of religious or ethnic stereotyping... We’re always concerned when prominent leaders of the American Islamic community are charged, or detained or harassed.”¹⁷⁰

Damra was sentenced to two months in prison in September 2004¹⁷¹ and stripped of his citizenship.¹⁷² He was deported in January 2007.

- **After Nuradin Abdi was indicted on charges of conspiracy to provide material support to Al Qaeda, CAIR-Ohio’s president said Abdi’s arrest “raises questions of whether the U.S. government is covering up its troubles**

¹⁶⁰ *US v. Damra*, O3-cr-484, “Indictment,” (USDC December 16, 2003)

¹⁶¹ *US v. bin Laden*, 98 Cr. 1023, “Indictment,” (S.D. NY S (9) November 4, 1998).

¹⁶² List of Foreign Terrorist Organizations, US State Department, <http://www.state.gov/s/ct/rls/fs/2003/12389.htm> (accessed July 11, 2004).

¹⁶³ *US v. Al-Arian*, 03-cr-77-ALL, “Indictment,” (M.D. Fla. February 20, 2003).

¹⁶⁴ *US v. Damra*, O3-cr-484, “Indictment,” (USDC December 16, 2003).

¹⁶⁵ “Ohio Imam Convicted of Lying About Associations with Palestine Islamic Jihad After ICE/FBI Investigation,” ICE Press Release, June 18, 2004, <http://www.ice.gov/text/news/newsrel/articles/061804akron.htm> (accessed July 8, 2004).

¹⁶⁶ “Imam Convicted of Lying About Terrorism Ties on Citizenship Application,” *Associated Press*, June 18, 2004.

¹⁶⁷ “Imam Convicted of Lying About Terrorism Ties on Citizenship Application,” *Associated Press*, June 18, 2004.

¹⁶⁸ “Imam Convicted of Lying About Terrorism Ties on Citizenship Application,” *Associated Press*, June 18, 2004.

¹⁶⁹ David Briggs, “Imam Draws Community Support,” *Cleveland Plain Dealer*, January 17, 2004.

¹⁷⁰ Thomas Sheeran, “Islamic, Jewish Communities to Watch Imam’s Trial Closely,” *Associated Press*, June 14, 2004.

¹⁷¹ “Imam Gets 2 Months in Prison for Hiding Ties to Terror Groups on Citizenship Application,” *Associated Press*, September 20, 2004.

¹⁷² “Judge Won’t Delay Convicted Imam’s Loss of Citizenship,” *Associated Press*, September 23, 2004.



in Iraq and elsewhere by reasserting the threat of domestic terrorism and again using immigrants and minorities as scapegoats.”

On June 14, 2004, Nuradin Abdi was indicted in Columbus, Ohio on four counts, including conspiracy to provide material support to Al Qaeda.¹⁷³ Abdi allegedly was involved -- with admitted Al Qaeda member Iyman Faris¹⁷⁴ -- in a plot to blow up a Columbus shopping mall, received bomb-making instructions from a co-conspirator, and had intended to travel to Ethiopia to receive training in guns, guerilla warfare and bombs at a military-style camp.¹⁷⁵

Following Abdi's indictment, Ahmad al-Akhras, president of CAIR-Ohio, commented, "This may be one of the cases also that may not have enough evidence or there's no evidence at all."¹⁷⁶ Akhras added that the indictment "raises questions of whether the U.S. government is covering up its troubles in Iraq and elsewhere by reasserting the threat of domestic terrorism and again using immigrants and minorities as scapegoats."¹⁷⁷

CAIR-Ohio Executive Director Jad Humeidan sought to minimize Abdi's connection with convicted Al Qaeda terrorist Iyman Faris, noting, "I've shaken hands with Iyman Faris. Does that make me guilty? That doesn't make me guilty and shouldn't make anyone else guilty. It shouldn't make us afraid with being friends with people"¹⁷⁸

In addition, CAIR Ohio board chairwoman Asma Mobin-Uddin, a physician, accused Abdi's jailers of psychological abuse and called for an investigation into his treatment.¹⁷⁹

"Those who knew Abdi before he was taken into custody describe him as a friendly community member who was helpful to others around him," she wrote in a column published in the Columbus Dispatch. "After seeing him in court in June, they were shocked at how different he was and described him twitching, laughing inappropriately, banging his head against the table, making noises, speaking to himself and staring strangely into space. As a physician, I am extremely concerned that his behaviors might indicate mental and possibly physical abuse during his detention, and that his mental injuries may be permanent."

But separate psychiatric evaluations ordered by U.S. District Judge Algenon L. Marbley found he was competent to stand trial.¹⁸⁰ The original review concluded Abdi was faking

¹⁷³ *US v. Abdi*, 2:04cr88, "Indictment" (S.D. OH unsealed June 10, 2004).

¹⁷⁴ Faris was convicted of material support and conspiracy to provide material support to Al Qaeda. He is now serving a 20-year sentence. See: "Iyman Faris Sentenced for Providing Material Support to Al Qaeda," US Department of Justice Press Release, October 28, 2003, http://www.usdoj.gov/opa/pr/2003/October/03_crm_589.htm (accessed July 9, 2004).

¹⁷⁵ *US v. Abdi*, 2:04cr88, "Government's motion to detain defendant and memorandum in support," (S.D. OH June 14, 2004).

¹⁷⁶ "Judge Orders Terror Suspect to Psychiatric Facility," June 17, 2004, <http://www.msnbc.msn.com/id/5226147/> (accessed July 9, 2004).

¹⁷⁷ Kevin Mayhood and Encarnacion Pyle, "Mall-Plot Investigation," *Columbus Dispatch*, June 17, 2004.

¹⁷⁸ Susanne Cervenka, "Mental Examination Ordered for Terror Suspect," *Dayton Daily News*, June 17, 2004.

¹⁷⁹ Asma Mobin-Uddin, "Local Muslim's treatment in U.S. custody is suspicious," *Columbus Dispatch* forum page, June 24, 2004. <http://www.asmamobinuddin.com/LocalMuslim.pdf>

¹⁸⁰ Kevin Mayhood, "Mall plot suspect competent for trial," *Columbus Dispatch*, January 11, 2005.



his symptoms when he said Hillary Clinton and Teresa Heinz Kerry would be his attorneys, showered fully clothed and tore pages for a Koran and put them in a toilet.¹⁸¹

"We believe such behaviors were calculated attempts to appear severely mentally ill," forensic psychologist Andrew Simcox and staff psychiatrist Daniel Shine Jr. wrote to the court.¹⁸²

Abdi pleaded guilty to providing material support to terrorists on July 31, 2007, one week before his scheduled trial.¹⁸³ Abdi was sentenced to 10 years in prison after which he will be deported to his native Somalia.¹⁸⁴

- **CAIR-Arizona's executive director defended a former U.S. Navy sailor who praised the attack on the USS Cole and who passed classified information about his battle-group to an Al Qaeda-linked terrorist.**

In August 2004, authorities in England arrested Babar Ahmad on a criminal complaint issued in Connecticut that charged him with conspiracy to provide material support to terrorists and conspiracy to support the Taliban.¹⁸⁵ Ahmad was formally indicted in October 2004 for providing material support to terrorists.¹⁸⁶

While searching Ahmad's home, British authorities discovered a floppy disk that set forth plans for a U.S. naval battle-group operating in the Straits of Hormuz in April 2001.¹⁸⁷ The document also discussed the vulnerabilities of the naval group to a terrorist attack.¹⁸⁸

"They have nothing to stop a small craft with RPG etc. except their Seals' stinger missiles," one email said.¹⁸⁹

Investigators later discovered a series of email correspondence between an American sailor and Azzam Publications, a video distribution center Ahmad helped run. Hassan Abu-Jihaad, a signalman on the U.S. guided missile destroyer, "Benfold," in the Middle East in late 2000 and 2001, ordered violent videos from Azzam Publications. In emails, he called the attack on the USS Cole that killed 17 sailors a "martyrdom operation." He also expressed anti-American sentiments and praised the "men who have brought honor...to the ummah in the lands of Jihad Afghanistan, Bosnia, Chechnya, etc."¹⁹⁰

¹⁸¹ Kevin Mayhood, Man Feigned Mental State, Analysts Say; Mall-bomb conspiracy suspect accused of faking his behavior *Columbus Dispatch* September 6, 2005.

¹⁸² Ibid.

¹⁸³ Jodi Andes, "Somali man pleads guilty to plot," *Columbus Dispatch*, August 1, 2007.

¹⁸⁴ *US v. Abdi*, 2:04cr88, Southern District of Ohio, Sentencing hearing, November 27, 2007.

¹⁸⁵ "British Man Arrested on Several Terrorism-Related Charges," United States Attorney's Office District of Connecticut Press Release, August 6, 2004, <http://www.usdoj.gov/usao/ct/Press2004/20040806.html> (accessed August 26, 2004).

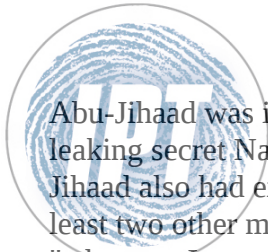
¹⁸⁶ *US v. Ahmad*, "Indictment," (D.C. CT October 6, 2004).

¹⁸⁷ "British Man Arrested on Several Terrorism-Related Charges," United States Attorney's Office District of Connecticut Press Release, August 6, 2004, <http://www.usdoj.gov/usao/ct/Press2004/20040806.html> (accessed August 26, 2004).

¹⁸⁸ *US v. Ahmad*, "Indictment," (D.C. CT October 6, 2004).

¹⁸⁹ *US v. Hassan Abujihaad*, Indictment, 3:07-CR-57, March 7, 2007.

¹⁹⁰ *US v. Hassan Abujihaad*, Indictment, 3:07-CR-57, Government Exhibit 5..



Abu-Jihaad was indicted in March 2007 of providing material support to terrorists and leaking secret Navy information. At a pretrial hearing, an FBI agent testified that Abu-Jihaad also had extensive discussions about attacking a San Diego military base with at least two other men.¹⁹¹ In court papers, prosecutors say Abu-Jihaad pledged to do "whatever I can . . . with whatever Allah has instilled me to . . . help out with" the alleged plot.¹⁹²

CAIR-Arizona Executive Director Deedra Abboud served as spokeswoman for Abu-Jihaad when reports of his e-mails first surfaced. As *The Los Angeles Times* reported, "Deedra Abboud...said he [Abu-Jihaad] had done nothing wrong and never mishandled classified information." According to Abboud, the *Times* said, Abu-Jihaad "was very surprised to hear he might be connected to anything related to terrorism... He's now scared he might get picked up for something he can't imagine being a part of."¹⁹³

Prosecutors say he, in fact, did all of those things. On March 5, 2008, a 12-member jury in New Haven, CT agreed, convicting Abu-Jihaad on both counts against him. He faces up to 25 years in prison when sentenced in May 2008.¹⁹⁴

After the verdict, Abboud, now with the American Muslim Society, told the Arizona Republic that Abu-Jihaad had been critical of American policy but didn't express anti-American sentiments.

"What traditionally happens in our community is we have a lot of complainers, outrage against the injustices of the world and a lot of victim mentality," Abboud said.

"Sometimes, you get somebody who gets passionate and is a little delusional to begin with."¹⁹⁵

Investigators reportedly found Abu-Jihaad's military e-mail address among the computer files upon execution of the search warrant involving Ahmad. An FBI affidavit contends Abu-Jihaad's secret security clearance allowed him access to such information.¹⁹⁶ Ahmad has exhausted his British appeals and could be extradited to the United States at any time.¹⁹⁷

- **CAIR Canada defended accused bomb-plot suspect Mohammad Momin Khawaja, and noted that "the struggle for safety and security should not come at the expense of basic constitutional rights."**

In March 2004, Canadian authorities charged Mohammad Momin Khawaja of Ottawa with aiding a terrorist group and facilitating terrorist activity in Ottawa and London.¹⁹⁸

¹⁹¹ Josh Meyer, "Ex-sailor accused of plotting to attack San Diego base," *Los Angeles Times*, November 28, 2007.

¹⁹² Ibid.

¹⁹³ H.G. Reza and Richard B. Schmitt, "Arizona Man Was Sailor Who Wrote Radicals," *The Los Angeles Times*, August 14, 2004.

¹⁹⁴ Press Release, "Jury Finds Former Member of U.S. Navy Guilty of Terrorism and Espionage Charges," U.S. Attorney's Office, District of Connecticut, March 5, 2008.

¹⁹⁵ Sean Holstege, "Phoenix man guilty of aiding terrorists," Arizona Republic, March 6, 2008.

¹⁹⁶ "Ex-Sailor Accused Of Supporting Terrorism" Associated Press, March 8, 2007.

¹⁹⁷ "Europe to decide Babar extradition," *The Muslim News*, November 29, 2007.

¹⁹⁸ "RCMP lays charges under Sections 83.18 and 83.19 of the Criminal Code," RCMP News Release, March 30, 2004, http://www.cbc.ca/news/indepth/newsaddition/khawaja_rcmp040330.html (accessed August 26, 2004).



Khawaja allegedly had traveled to England the month before to meet with a cell that planned to launch a bombing campaign there.¹⁹⁹ At the meeting, he was said to have shown his co-conspirators images of explosive devices and told them how to detonate bombs using mobile phones.²⁰⁰

On March 30, eight men were arrested in London during anti-terrorist raids in which half a ton of ammonium nitrate fertilizer was seized. A ninth person was arrested two days later.²⁰¹

CAIR Canada²⁰² quickly mobilized support for Khawaja. The day that his house was raided, the organization issued a press release that “expressed concern” about the government’s action and noted, “The reasons and details for the raid have not yet been disclosed.”²⁰³ After Khawaja was charged under the nation’s anti-terrorism law, a CAIR Canada press release commented, “There have been repeated concerns that the legislation violates fundamental constitutional liberties and makes a transparent trial difficult.”²⁰⁴ CAIR-Canada Executive Director Riad Salojee added, “The struggle for safety and security should not come at the expense of basic constitutional rights.”²⁰⁵

Five men were sentenced to life in prison by a British court in May 2007 after being convicted for their roles the bombing plot. Khawaja’s case in Canada has been slowed by a series of pre-trial motions by his counsel. He has yet to stand trial.²⁰⁶

- **CAIR condemned the detention of two Saudis who may have carried out a dry run of the 9/11 attack.**

On Nov. 18, 1999, Mohammad Al-Qudhaieen and Hamdan G. Al-Shalawi, two Saudi doctoral students, were detained for trying to gain access to the cockpit of an America West commercial airliner on a flight headed from Phoenix to Washington, D.C. Qudhaieen denied having jiggled the handle on the cockpit door, and insisted that he was searching for the bathroom at the front of the cabin. Shalawi and Qudhaieen were released and said they were singled out because of their appearance.²⁰⁷

¹⁹⁹ Gary Dimmock and Isabel Teotonio, “Police Link Khawaja to Bomb Plot,” *The Ottawa Citizen*, April 15, 2004.

²⁰⁰ Isabel Teotonio, “He liked his job and girls -- that's it, family says,” *The Ottawa Citizen*, May 3, 2004.

²⁰¹ Gary Dimmock and Isabel Teotonio, “Police Link Khawaja to Bomb Plot,” *The Ottawa Citizen*, April 15, 2004.

²⁰² CAIR Website <http://www.cair-net.org/default.asp?Page=chapters> (accessed July 5, 2006).

²⁰³ “CAIR-CAN: No Contradiction Between Ensuring Safety and the Presumption of Innocence,” CAIR Canada Press Release, March 30, 2004, http://www.caircan.ca/itm_more.php?id=A902_0_2_0_M (accessed August 26, 2004).

²⁰⁴ “Transparency and Rule of Law Should Prevail in Khawaja Case,” CAIR Canada Press Release, http://www.caircan.ca/itm_more.php?id=A903_0_2_0_M (accessed August 26, 2004).

²⁰⁵ Ottawa Raid Community Kit, April 5, 2004, http://www.caircan.ca/aa_more.php?id=A913_0_3_0_M (accessed August 26, 2004).

²⁰⁶ Ian MacLeod, “Khawaja at risk of being wrongly convicted: lawyer,” *Ottawa Citizen*, Oct. 17, 2007.

²⁰⁷ Kathy Sawyer, “‘Suspicious’ Saudi Air Passengers Held, Released,” *The Washington Post*, November 21, 1999.



CAIR Ohio provided a lawyer for the two men²⁰⁸ and called for a boycott of America West.²⁰⁹

At a press briefing on Capitol Hill, Nihad Awad said the Saudis' detention was based on "racial and religious profiling."²¹⁰ He told *United Press International*, "The hysteria around [the crash of] EgyptAir [Flight 990] has created a negative atmosphere that leads to such incidents. Stereotyping is deeply rooted in the minds of many people, thanks of decades of Hollywood movies."²¹¹

In an *Orange County Register* op-ed, CAIR Southern California's Hussam Ayloush blamed the incident on the "'Islamophobia' generated by this irresponsible reporting."²¹²

CAIR Ohio President Ahmad al-Akhras also charged racial profiling, declaring, "It seems like they single out some individuals because of their name, the way they look or their national origin."²¹³

In fact, the incident does not appear to have been benign. As *The 9/11 Commission Report* documented, Shalawi had trained in an Al Qaeda camp in Afghanistan in November 2000, receiving instruction in how to conduct "Khobar-style" attacks that he and a colleague planned to execute in Saudi Arabia.²¹⁴

Further, according to the 9/11 Commission, Shalawi was a friend of Ghassan al Sharbi, who was captured in Pakistan along with Al Qaeda leader Abu Zubaydah in March of 2002.²¹⁵ Sharbi, who reportedly attended Al Qaeda training camps in Afghanistan and swore bayat, an oath, to Bin Ladin, attended Embry-Riddle Aeronautical University in Prescott, Arizona.²¹⁶

Neither the 9/11 Commission Report nor media accounts say more about Al-Qudhaieen. He was arrested on a visa violation in June 2003 and deported to Saudi Arabia two months later.²¹⁷

Following 9/11, FBI agents in Phoenix considered the possibility that the America West incident was a "dry run" for the attacks.²¹⁸

- **After radical imam Wagdy Ghoneim was arrested on an immigration violation, CAIR Los Angeles' Sabiha Khan assailed his "callous treatment."**

²⁰⁸ Kirk Richards, "Bias Fueled Incident, Counsel Says," *Columbus Dispatch*, November 23, 1999.

²⁰⁹ Kirk Richards, "Arabs Say they Face Suspicion, Extra Searches," *Columbus Dispatch*, November 22, 1999 and CAIR Press Release, "America West Airlines Sued by Muslim Travelers Removed from Plane," June 22, 2000.

²¹⁰ Kathy Sawyer, "'Suspicious' Saudi Air Passengers Held, Released," *The Washington Post*, November 21, 1999.

²¹¹ "CAIR Denounces Profiling of Arabs," *United Press International*, November 21, 1999.

²¹² Riad Abdelkarim and Hussam Ayloush, "EgyptAir Crash Shows Rush to Judgment about Muslims," *The Orange County Register*, November 29, 1999.

²¹³ Roger Alford and Kevin Mayhood, "Airline Detains, Releases 'Suspicious' Pair at Airport," *The Columbus Dispatch*, November 20, 1999.

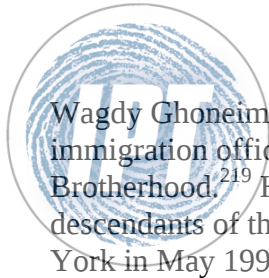
²¹⁴ *The 9/11 Commission Report*, 521.

²¹⁵ *The 9/11 Commission Report*, 521.

²¹⁶ *The 9/11 Commission Report*, 521.

²¹⁷ Barbara Ferguson, "Two-Month Ordeal of Al-Qudhaieen Ends," *Arab News*, September 5, 2003.

²¹⁸ *The 9/11 Commission Report*, 521.



Wagdy Ghoneim is a radical Egyptian cleric who was denied entrance to Canada after immigration officials determined he was a member of Hamas and the Muslim Brotherhood.²¹⁹ He also led the audience in a song with the lyrics, “No to the Jews, descendants of the apes,”²²⁰ at a CAIR co-sponsored rally at Brooklyn College in New York in May 1998.²²¹

A year earlier, Ghoneim defended the practice of suicide bombings and advocated their continuance.

Palestine will not be liberated by speeches and peaceful means, but through jihad. The Jews are scared by the word ‘jihad.’ They came to Sharm el Shaikh after they were hit by 4 martyrdom [suicide] operations. Those young people who explode themselves to kill the Jews were not committing suicide but jihad. They are Mujahideen [holy warriors] because there is no way to struggle and fight the Jews except that way. Allah bless those martyrs. We have to prepare ourselves for jihad against Jews and to liberate Aqsa Masjid. This is a must whether we accept it or not.²²²

In November 2004, Ghoneim was arrested on immigration violations and held without bond, in the words of Immigration and Customs Enforcement spokeswoman Virginia Kice, “based upon Department of Homeland Security concerns that his past speeches and participation in fund-raising activities could be supportive of terrorist organizations.”²²³

CAIR Southern California Executive Director Hussam Ayloush questioned the arrest, complaining, “The whole Muslim community today is under a microscope of scrutiny. Committing a mistake that would invite a slap on the wrist for anyone else could lead to prison or deportation for a Muslim.”²²⁴

Similarly, Ra’id Faraj, public relations director for CAIR-Anaheim, said, “There is a perception in the community that there is selective targeting and enforcement, and that is a widespread perception.”²²⁵

When Ghoneim was hospitalized with chest pains, CAIR Los Angeles’ Sabiha Khan commented, “Such callous treatment of someone who is only charged with minor immigration violations goes against American values of compassion and justice. We call for an urgent investigation into Imam Ghoneim’s treatment and urge that Immigration and

²¹⁹ Ellen Van Wageningen, “Egyptian Religious Leader Denied Canadian Visa,” *The Ottawa Citizen*, January 10, 1998.

²²⁰ IAP Brooklyn Celebration, May 24, 1998.

²²¹ 50 Years of Occupation, MSA News, Direct submission from IAP information office, May 23, 1998.

²²² Muslim Arab Youth Association Convention, Ontario, CA, December 26-29, 1997.

²²³ “Muslim Leader Agrees to Leave United States,” *Copley Press*, December 29, 2004.

²²⁴ Ben Fox, “Arrest of Orange County Mosque Leader a ‘Mistake,’ Supporters Say,” *Associated Press*, November 9, 2004.

²²⁵ Alicia Robinson, “Muslims Call On Cox For Detention Aid,” *Daily Pilot*, December 28, 2004.



Customs Enforcement and the Department of Homeland Security release the Imam on bail on humanitarian and medical grounds.”²²⁶

CAIR-Southern California also met with DHS officials²²⁷ and Congressman Chris Cox (R-CA) to protest Ghoneim’s detention.²²⁸

Ghoneim agreed to leave the country voluntarily in December 2004. Ayloush called his departure “a dent in our civil rights struggle” and lamented the “high level of fear” in the community.²²⁹ Addressing the secrecy surrounding Ghoneim’s removal, Ayloush commented, “This is not the KGB [the former Soviet state security agency] but the DHS.”²³⁰

Subsequent to his departure from the United States, Switzerland also refused to allow Ghoneim into the country to attend a conference in 2005 but did not offer any public explanation.²³¹

²²⁶ “Muslim Cleric Back in Detention after Hospitalization,” <http://www.nbc4.tv/news/4011050/detail.html> December 20, 2004.

²²⁷ CAIR Press Release, “CAIR, MPAC Discuss Muslim Concerns with DHS Officials,” December 24, 2004.

²²⁸ MPAC Press Release, “MPAC Facilitates Impromptu Townhall Meeting with Congressman Chris Cox,” December 27, 2004.

²²⁹ Kimi Yoshino, “Muslims See Imam's Case as an Omen,” *The Los Angeles Times*, December 30, 2004.

²³⁰ David Reyes, “Islamic Cleric Leaves Country after Lockup,” *The Los Angeles Times*, January 4, 2005.

²³¹ Tamer Abul Einein “Preacher Denied Entry, Swiss Muslims Furious,” Islamionline.net, September 19, 2005. <http://www.islamonline.net/English/News/2005-09/19/article04.shtml>