

**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** HR 1209 Disassociation from Council on American-Islamic Relations

**SPONSOR(S):** Fine and others

**TIED BILLS:** **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) State Affairs Committee		Robinson	Williamson

**SUMMARY ANALYSIS**

Hamas is an Islamic militant group based in the Palestinian region. The United States placed sanctions on Hamas and designated the group a Foreign Terrorist Organization. On October 7, 2023, Hamas attacked Israel, killing over 1,400 Israeli and other citizens, and injuring and kidnapping many more. Following this attack, Israel has declared war on Hamas and launched a large-scale offensive to remove Hamas from the region.

In 2008, the Federal Bureau of Investigation brought suit against the Holy Land Foundation and several of its leaders for funding Hamas, and the foundation and five of its leaders were convicted of materially supporting Hamas. Evidence throughout the trial seemingly linked the Holy Land Foundation and its financial support of Hamas to the Council of American-Islamic Relations (CAIR) both through organizational activity and individual connections. Following the trial, the FBI severed its liaison relationship and suspended formal contacts with CAIR.

The United Arab Emirates, a formal diplomatic ally of the U.S., placed CAIR on the country's terrorism list in 2014. Further, President Biden's administration has "disavowed" CAIR over comments made by its executive director at an event following the October 7 attack.

Many states have introduced memorials or resolutions in recent years, encouraging their respective state to likewise suspend contact with CAIR. These states include Arizona (2017), South Carolina (2018), Mississippi (2018), and Arkansas (2019).

This resolution strongly encourages every executive agency, law enforcement agency, and local government in the state of Florida to suspend contact and outreach activities with CAIR.

Resolutions are not subject to action by the Governor and do not have the effect of law.

The resolution does not appear to have a fiscal impact on state or local government.

# FULL ANALYSIS

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

#### Background

##### Hamas and the Palestine Committee

Hamas is an Islamic militant group formed in 1987 and based in the Palestinian region.<sup>1</sup> The United States placed sanctions on Hamas starting in 1995 and, in 1997, designated the group a Foreign Terrorist Organization due to its “armed resistance against Israel.”<sup>2</sup> Hamas’ stated goal, according to its 1998 manifesto, is the destruction of Israel and the Jewish people.<sup>3</sup>

Hamas has taken several hostile actions towards Israel in recent years, including firing rockets into Israeli territory.<sup>4</sup> Hamas’ primary sponsor is Iran, who “has armed, trained and funded Hamas since the late 1980s.”<sup>5</sup> On October 7, 2023, Hamas launched a terrorist attack on Israel. Over 1,400 Israeli and other citizens were killed in that attack, and many more were injured; Hamas also took an estimated 200 hostages.<sup>6</sup> After the October attack, Israel declared war on Hamas and is currently trying to remove Hamas from the region.

After Hamas’ formation, global branches of the Muslim Brotherhood (MB) began to help Hamas, including a 1988 visit from the head of the Palestinian branch of the MB to Muslim Brothers in the U.S.<sup>7</sup> The Palestine Committee — a group with highly antisemitic views of the region’s conflict and a specifically militant solution — was formed following that meeting.<sup>8</sup> The Palestine Committee was comprised of leadership from three U.S.-based groups “that had been set up to aid Hamas in Palestine” and included the Occupied Land Fund, which evolved into the public-facing Holy Land Foundation for Relief and Development (Holy Land Foundation), which was the financial portion of Hamas’ support.<sup>9</sup>

After the signing of the Oslo Accords in 1993, several members of the Palestine Committee met to discuss support for Hamas within the U.S., which came to be called the Philadelphia Meeting and was wiretapped by the Federal Bureau of Investigation (FBI).<sup>10</sup> Attendees agreed fundraising was essential and concluded that the Holy Land Foundation would be the guise of charitable donations.<sup>11</sup> Further, the group discussed the need for an activist U.S.-based organization that would represent Muslims and

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<sup>1</sup> National Counterterrorism Center, *Hamas*, Counterterrorism Guide (last updated Jan. 2014), <https://www.dni.gov/nctc/groups/hamas.html> (last visited Jan. 19, 2024).

<sup>2</sup> *Hamas: Timeline of US Sanctions 1995-2023*, Wilson Center (Oct. 27, 2023), <https://www.wilsoncenter.org/article/hamas-timeline-us-sanctions-1995-2023> (last visited Jan. 19, 2024). Kali Robinson, *What is Hamas?*, Council on Foreign Relations (last updated Oct. 31, 2023), <https://www.cfr.org/backgrounder/what-hamas> (last visited Jan. 19, 2024).

<sup>3</sup> *Hamas Covenant 1988*, Yale Law School Lillian Goldman Law Library – Avalon Project (Aug. 18, 1988), [https://avalon.law.yale.edu/20th\\_century/hamas.asp](https://avalon.law.yale.edu/20th_century/hamas.asp) (last visited Jan. 19, 2024).

<sup>4</sup> Kali Robinson, *What is Hamas?*, Council on Foreign Relations (last updated Oct. 31, 2023), <https://www.cfr.org/backgrounder/what-hamas> (last visited Jan. 19, 2024).

<sup>5</sup> *Doctrine of Hamas*, Wilson Center (Oct. 20, 2023), <https://www.wilsoncenter.org/article/doctrine-hamas> (last visited Jan. 19, 2024).

<sup>6</sup> Kali Robinson, *What is Hamas?*, Council on Foreign Relations (last updated Oct. 31, 2023), <https://www.cfr.org/backgrounder/what-hamas> (last visited Jan. 19, 2024). *Hamas hostages: what we know so far*, Reuters (Oct. 20, 2023), <https://www.reuters.com/world/middle-east/what-do-we-now-about-hamas-hostages-2023-10-19/> (last visited Jan. 19, 2024).

<sup>7</sup> Lorenzo Vidino, *The Hamas Networks in America: A Short History*, George Washington University Program on Extremism (Oct. 13, 2023), <https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2023-10/hamas-networks-final.pdf> (last visited Jan. 22, 2024).

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*; see also *Federal Jury in Dallas Convicts Holy Land Foundation and Its Leaders for Providing Material Support to Hamas Terrorist Organization*, Department of Justice Press Release (Nov. 24, 2008), <https://www.justice.gov/archive/opa/pr/2008/November/08-nsd-1046.html#:~:text=According%20to%20a%20wiretap%20of,representative%2C%20referring%20to%20a%20suicide> (last visited Jan. 22, 2024).

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

educate the public outwardly, while more specifically defending and supporting Hamas.<sup>12</sup> Following the evidence presented in *U.S. v. Holy Land Foundation*, government officials believe the Council on American-Islamic Relations (CAIR) to be that organization.<sup>13</sup>

#### 2008 Terrorism Financing Trial: *United States v. Holy Land Foundation et al*

The Philadelphia Meeting, along with other evidence, was presented during the 2008 trial *U.S. v. Holy Land Foundation*. In this case, the FBI brought suit against the Holy Land Foundation and several of its leaders for funding Hamas.<sup>14</sup> The Holy Land Foundation and five of the organization's leaders were convicted of materially supporting Hamas.<sup>15</sup> Evidence throughout the trial seemingly linked the Holy Land Foundation and its financial support of Hamas to CAIR both through organizational activity and individual connections.

#### Council on American-Islamic Relations

CAIR was founded in 1994 and has the stated goal of representing Muslims in U.S. politics and “empower[ing] American Muslims and encouraging their participation in political and social activism.”<sup>16</sup> As of January 18, 2024, the CAIR website lists over 20 chapters across the country, including one in Tampa.

Evidence presented during *U.S. v. Holy Land Foundation* demonstrated that the Holy Land Foundation had given money to CAIR, and a 1994 Palestine Committee memorandum acknowledged CAIR and three other organizations as making up the committee.<sup>17</sup> Following the trial, the FBI “severed its liaison relationship” and “suspend[ed] formal contacts” with CAIR.<sup>18</sup> In an April 2009 letter sent to a U.S. Senator, an FBI Assistant Director described CAIR as an “unindicted co-conspirator” in the trial.<sup>19</sup>

The United Arab Emirates, a formal diplomatic ally of the U.S. since 1972,<sup>20</sup> placed CAIR on the country's terrorism list in 2014.<sup>21</sup> Further, President Biden's administration has “disavowed” CAIR over Executive Director Nihad Awad's comments at an event following the October 7 attack.<sup>22</sup> Many states have introduced memorials or resolutions in recent years, encouraging their respective state to likewise suspend contact with CAIR. These states include Arizona (2017), South Carolina (2018), Mississippi (2018), and Arkansas (2019).

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<sup>12</sup> Lorenzo Vidino, *The Hamas Networks in America: A Short History*, George Washington University Program on Extremism (Oct. 13, 2023), <https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2023-10/hamas-networks-final.pdf> (last visited Jan. 22, 2024).

<sup>13</sup> *Id.*; see also FBI Asst. Director Richard Powers' letter to U.S. Sen. Jon Kyl, April 28, 2009, discussing the FBI's decision to “suspend formal contacts” with CAIR, <https://www.govinfo.gov/content/pkg/CRECB-2009-pt11/html/CRECB-2009-pt11-Pg14950-2.htm> (last visited Jan. 21, 2024).

<sup>14</sup> *No Cash for Terror: Convictions Returned in Holy Land Case*, Federal Bureau of Investigation (Nov. 25, 2008), <https://archives.fbi.gov/archives/news/stories/2008/november/hlf112508> (last visited Jan. 19, 2024).

<sup>15</sup> *Federal Judge Hands Downs [sic] Sentences in Holy Land Foundation Case*, U.S. Department of Justice Office of Public Affairs (May 27, 2009), <https://www.justice.gov/opa/pr/federal-judge-hands-downs-sentences-holy-land-foundation-case> (last visited Jan. 19, 2024).

<sup>16</sup> *CAIR at a Glance*, Council on American-Islamic Relations, [https://www.cair.com/about\\_cair/cair-at-a-glance/](https://www.cair.com/about_cair/cair-at-a-glance/) (last visited Jan. 19, 2024).

<sup>17</sup> Lorenzo Vidino, *The Hamas Networks in America: A Short History*, George Washington University Program on Extremism (Oct. 13, 2023), <https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2023-10/hamas-networks-final.pdf> (last visited Jan. 22, 2024).

<sup>18</sup> FBI Asst. Director Richard Powers' letter to U.S. Sen. Jon Kyl, April 28, 2009, discussing the FBI's decision to “suspend formal contacts” with CAIR, <https://www.govinfo.gov/content/pkg/CRECB-2009-pt11/html/CRECB-2009-pt11-Pg14950-2.htm> (last visited Jan. 21, 2024).

<sup>19</sup> *Id.*

<sup>20</sup> *United Arab Emirates – U.S. Relationship*, U.S. Department of State, <https://www.state.gov/countries-areas/united-arab-emirates/#:~:text=U.S.%20Relationship&text=U.A.E.%20enjoy%20strong,The%20United%20States%20has%20had%20friendly%20relations%20with%20the%20United,formal%20diplomatic%20relations%20in%201972> (last visited Jan. 19, 2024).

<sup>21</sup> *UAE official says groups may appeal against inclusion on terror list*, Reuters (Nov. 20, 2014), <https://www.reuters.com/article/idUSKCN0J41O4/> (last visited Jan. 19, 2024).

<sup>22</sup> Peter Baker, *White House Disavows U.S. Islamic Group After Leader's Oct. 7 Remarks*, New York Times (Dec. 8, 2023), <https://www.nytimes.com/2023/12/08/us/politics/white-house-cair-nihad-awad.html> (last visited Jan. 19, 2024).

### *Individuals Related to CAIR*

Ghassan Elashi served as treasurer for the Holy Land Foundation and was later a founding member of CAIR's Texas office. In 2009, following the *U.S. v. Holy Land Foundation* trial, Elashi was sentenced to 65 years in prison based on 24 convictions related to financing and otherwise supporting Hamas, as well as tax fraud.<sup>23</sup>

In October 2004, Abdurahman Alamoudi was sentenced to 23 years in another terrorism financing trial.<sup>24</sup> He was convicted of three federal offenses that included "prohibited financial transactions to Libya" and meeting with Libyan government officials, where plans to finance a plot to assassinate the Saudi Crown Prince were discussed.<sup>25</sup> In October 2000, Alamoudi was present at a rally in Washington D.C. and delivered a speech supporting Hamas and Hezbollah.<sup>26</sup>

Randall Todd Royer, also known as Ismail Royer, worked for CAIR in a communications role.<sup>27</sup> Royer was convicted in federal court on two charges of aiding and abetting related to weaponry and explosives. Specifically, he was indicted in relation to his dealings with and assistance of Lashkar-e-Taiba (LeT), which the U.S. designated as a Foreign Terrorist Organization in December 2001.<sup>28</sup> Royer also admitted to helping five named co-defendants get into an LeT terrorist training camp, after which each defendant was trained to use weaponry.<sup>29</sup> Royer further admitted he had helped others get into the camp after a meeting on September 16, 2001, where it was discussed that the 9/11 attacks would be "used as an excuse to trigger a global war against Islam."<sup>30</sup> Royer's indictments also charged him with distributing propaganda newsletters for LeT and conspiracy to assist Al-Qaeda in war against the U.S.<sup>31</sup> Royer was sentenced to 20 years in federal prison in April 2004, receiving 10 years for each of the aiding and abetting convictions.<sup>32</sup>

Muthanna al-Hanooti served within Michigan's CAIR office.<sup>33</sup> Al-Hanooti was convicted of contracting to buy Iraqi oil in violation of the International Emergency Economic Powers Act and sentenced in March 2011 to one year in federal prison.<sup>34</sup> This crime also violated U.S. sanctions against Iraq under Saddam Hussein.

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<sup>23</sup> *Federal Judge Hands Downs [sic] Sentences in Holy Land Foundation Case*, U.S. Department of Justice Office of Public Affairs (May 27, 2009), <https://www.justice.gov/opa/pr/federal-judge-hands-downs-sentences-holy-land-foundation-case> (last visited Jan. 19, 2024).

<sup>24</sup> *Abdurahman Alamoudi Sentenced To Jail In Terrorism Financing Case*, U.S. Department of Justice press release (Oct. 15, 2004), [https://www.justice.gov/archive/opa/pr/2004/October/04\\_crm\\_698.htm](https://www.justice.gov/archive/opa/pr/2004/October/04_crm_698.htm) (last visited Jan. 19, 2024).

<sup>25</sup> *Id.*

<sup>26</sup> *The al-Amoudi terror charges*, The Washington Times (Oct. 5, 2003), <https://www.washingtontimes.com/news/2003/oct/5/20031005-111130-4622r/> (last visited Jan. 21, 2024).

<sup>27</sup> Jon Sawyer, *Randall "Ismail" Royer's letters from prison*, Pulitzer Center [from St. Louis Post-Dispatch] (Dec. 6, 2005), <https://pulitzercenter.org/stories/randall-ismail-royers-letters-prison#:~:text=Prior%20to%20his%20arrest%20in,months%20in%20the%20Bosnian%20army> (last visited Jan. 19, 2024).

<sup>28</sup> *Randall Todd Royer And Ibrahim Ahmed Al-Hamdi Sentenced For Participation In Virginia Jihad Network*, U.S. Department of Justice press release (Apr. 9, 2004), [https://www.justice.gov/archive/opa/pr/2004/April/04\\_crm\\_225.htm](https://www.justice.gov/archive/opa/pr/2004/April/04_crm_225.htm) (last visited Jan. 19, 2024). See also *Foreign Terrorist Organizations*, U.S. Department of State, <https://www.state.gov/foreign-terrorist-organizations/> (last visited Jan. 19, 2024).

<sup>29</sup> *Id.*

<sup>30</sup> *Id.*

<sup>31</sup> *Protecting the Homeland Against Mumbai-style Attacks and the Threat from Lashkar-e-Taiba*, hearing before the Subcommittee on Counterterrorism and Intelligence of the Committee on Homeland Security, House of Representatives, One Hundred Thirteenth Congress (June 12, 2013), <https://www.govinfo.gov/content/pkg/CHRG-113hhr85686/html/CHRG-113hhr85686.htm> (last visited Jan. 21, 2024).

<sup>32</sup> *Randall Todd Royer And Ibrahim Ahmed Al-Hamdi Sentenced For Participation In Virginia Jihad Network*, U.S. Department of Justice press release (Apr. 9, 2004), [https://www.justice.gov/archive/opa/pr/2004/April/04\\_crm\\_225.htm](https://www.justice.gov/archive/opa/pr/2004/April/04_crm_225.htm) (last visited Jan. 19, 2024).

<sup>33</sup> *Iraqi-American charged with Saddam-era violations*, Reuters (Mar. 26, 2008), <https://www.reuters.com/article/us-iraq-usa-charges-idUSN2627725720080326/> (last visited Jan. 19, 2024); Natasha Dado, *Muthanna Al-Hanooti named new regional director of MLFA*, the Arab American News (Dec. 8, 2012), <https://arabamericannews.com/2012/12/08/Muthanna-Al-Hanooti-named-new-regional-director-of-MLFA/> (last visited Jan. 19, 2024).

<sup>34</sup> *Big Break for Mich. Man Convicted of Ties to Iraq*, CBS News Detroit (Mar. 18, 2011), <https://www.cbsnews.com/detroit/news/big-break-for-mich-man-convicted-of-ties-to-iraq/> (last visited Jan. 21, 2024).

Sami Al-Arian was arrested in 2003 in Tampa, where he had, until 2001, been a professor at the University of South Florida. Al-Arian was charged with 17 counts relating to helping the Palestinian Islamic Jihad (PIJ), a group the U.S. has designated a Foreign Terrorist Organization since 1997.<sup>35</sup> At the conclusion of the 2005 trial, the jury “failed to reach a verdict ... on nine counts and acquitted him of eight counts.”<sup>36</sup> Al-Arian then pleaded guilty on one related charge, after which the government dropped other charges.<sup>37</sup> Al-Arian admitted to having helped PIJ and knowing of its designation and terrorist actions; he was thereafter sentenced to 57 months in prison.<sup>38</sup> Al-Arian was deported to Turkey in 2015.<sup>39</sup> In 2020, CAIR-Florida featured Al-Arian in a livestream.<sup>40</sup>

Zainab Chaudry is the Director of CAIR’s Maryland chapter and a member of the Maryland Commission on Hate Crimes Response and Prevention (commission), which was established in 2023 and required to have a representative from multiple organizations, including CAIR.<sup>41</sup> In November 2023, the Maryland Attorney General suspended Chaudry from the commission for some of her personal social media posts.<sup>42</sup> She likened Israel’s actions to those of Nazi Germany.<sup>43</sup> The Attorney General said such conduct made it difficult for the commission to do its work effectively.<sup>44</sup> Two weeks later, Chaudry was reinstated to the commission because it was determined the new law did not give the Attorney General the ability to remove commissioners that have not served their full four-year term.<sup>45</sup>

Nihad Awad, who currently serves as CAIR’s Executive Director, stated at a convention of American Muslims for Palestine in November 2023, “[t]he people of Gaza only decided to break the siege ... on October 7 ... the people of Gaza have the right to self-defense, have the right to defend themselves ... Israel as an occupying power does not have that right to self-defense.”<sup>46</sup> After this speech, President Biden’s administration both publicly condemned Awad’s comments and disassociated from CAIR.<sup>47</sup>

## Effect of the Resolution

This resolution strongly encourages every executive agency, law enforcement agency, and local government in the state of Florida to suspend contact and outreach activities with CAIR.

Resolutions are not subject to action by the Governor and do not have the effect of law.

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<sup>35</sup> *Sami Al-Arian Sentenced To 57 Months In Prison For Assisting Terrorist Group*, U.S. Department of Justice press release (May 1, 2006), [https://www.justice.gov/archive/opa/pr/2006/May/06\\_crm\\_260.html](https://www.justice.gov/archive/opa/pr/2006/May/06_crm_260.html) (last visited Jan. 19, 2024).

<sup>36</sup> *Id.*

<sup>37</sup> *Id.*

<sup>38</sup> *Id.*

<sup>39</sup> Letitia Stein, *Former Florida professor deported from U.S. over Palestinian terrorist ties*, Reuters (Feb. 6, 2015), <https://www.reuters.com/article/idUSKBN0LA2K9/> (last visited Jan. 19, 2024).

<sup>40</sup> *Exposed 1: Dr Sami Al Arian Full Episode* [video], CAIR Florida (Sept. 24, 2020), [https://www.youtube.com/watch?v=4EE0t8Z4\\_GI](https://www.youtube.com/watch?v=4EE0t8Z4_GI) (last visited Jan. 19, 2024).

<sup>41</sup> *Department Directors*, Council on American-Islamic Relations, [https://www.cair.com/about\\_cair/department-directors/](https://www.cair.com/about_cair/department-directors/) (last visited Jan. 19, 2024). *Maryland hate crime commission member suspended for anti-Israel social media posts*, Baltimore Associated Press News (last updated Nov. 22, 2023), <https://apnews.com/article/maryland-hate-crime-commission-member-suspended-d0894c2fef238c370403516db5802862> (last visited Jan. 19, 2024).

<sup>42</sup> *Maryland hate crime commission member suspended for anti-Israel social media posts*, Baltimore Associated Press News (last updated Nov. 22, 2023), <https://apnews.com/article/maryland-hate-crime-commission-member-suspended-d0894c2fef238c370403516db5802862> (last visited Jan. 19, 2024).

<sup>43</sup> Jack Hogan, *AG reinstates Chaudry to hate crimes commission following suspension for anti-Israel posts*, Maryland Daily Record (Dec. 6, 2023), <https://thedailyrecord.com/2023/12/06/ag-reinstates-chaudry-to-hate-crimes-commission-following-suspension-for-anti-israel-posts/> (last visited Jan. 19, 2024).

<sup>44</sup> *Id.*

<sup>45</sup> *Id.*

<sup>46</sup> Peter Baker, *White House Disavows U.S. Islamic Group After Leader’s Oct. 7 Remarks*, New York Times (Dec. 8, 2023), <https://www.nytimes.com/2023/12/08/us/politics/white-house-cair-nihad-awad.html> (last visited Jan. 19, 2024).

<sup>47</sup> *Id.*

B. SECTION DIRECTORY:

Not applicable.

**II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

**III. COMMENTS**

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. The bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

Not applicable.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

**IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES**

Not applicable.