

# Congressional Testimony

## **Israel Imperiled: Threats to the Jewish State**

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the Subcommittee on the Middle East and North Africa

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Chairman Poe, Chairman Ros-Lehtinen, Ranking Member Keating, Ranking Member Deutch, and distinguished members of this subcommittee, on behalf of the Foundation for Defense of Democracies, thank you for the opportunity to testify today.

I was asked to focus my written testimony today on a relatively new, non-kinetic, and less-understood threat to Israel: the Boycott, Divestment, and Sanctions (BDS) campaign. The campaign's goal is to wage an economic and cultural war against the State of Israel. As one of the campaign's founders said, "Palestinians can develop their 'Qassams' [rockets] forever, but that will never hurt Israel as much as a sustained boycott campaign."<sup>1</sup> While these activists are far from achieving their goal, they continue to mount a campaign designed to discourage business with Israel and to delegitimize it. Their ranks appear to be growing – both on college campuses and in communities across the country.<sup>2</sup> Much has been written about this issue, but there has been little scrutiny of the corporate and fiscal structure of the BDS campaign's major actors in the United States. I will focus my remarks on one of those major actors today.

## Context

Mr. Chairman, Madam Chairman, I had the honor of working as a terrorism finance analyst for the United States Department of the Treasury from 2004 and 2007. I witnessed firsthand how Treasury has driven many of the world's terrorist financiers out of the country. However, after notching eight terrorist designations of domestic charities over the last 15 years,<sup>3</sup> the pace has slowed to a crawl. It is unclear whether the U.S. government even monitors the activities of individuals who previously worked for charities that were designated or were otherwise found liable for terrorist financing activity.

Members of the Committee, FDD recently conducted research that endeavored to track the activities of former employees from organizations targeted by the U.S. government for terrorism finance violations. Our research yielded a surprising and troubling outcome. In the case of three organizations that were designated, shut down, or held civilly liable for providing material support to the terrorist organization Hamas, a significant contingent of their former leadership appears to have pivoted to leadership positions within the American BDS campaign.

The Holy Land Foundation for Relief and Development (HLF), the Islamic Association for Palestine (IAP), and KindHearts for Charitable Development were three organizations implicated in financing Hamas between 2001 and 2011. While members of the organizations' leadership were jailed, deported, or otherwise brought to justice, many high-level and mid-level figures

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<sup>1</sup> Silvia Cattori, "Omar Barghouti: 'No State Has the Right to Exist as a Racist State,'" *Voltairenet.org*, December 7, 2007. (<http://www.voltairenet.org/article153536.html>)

<sup>2</sup> Tia Goldenberg, "Growing BDS Movement Raises Alarm Among Israeli Leaders," *Haaretz* (Israel), July 7, 2015. (<http://www.haaretz.com/middle-east-news/1.664833>)

<sup>3</sup> Holy Land Foundation (2001), Benevolence International Foundation (2002), Global Relief Foundation (2002), Islamic American Relief Agency (2004), Al-Haramain Islamic Foundation (2004), Goodwill Charitable Organization (2007), Tamil Rehabilitation Organization (2007), and Tamil Foundation (2009).

U.S. Department of the Treasury, "Designated Charities and Potential Fundraising Front Organizations for FTOs (listed by affiliation and designation date)," April 5, 2016. (<https://www.treasury.gov/resource-center/terrorist-illicit-finance/Pages/protecting-fto.aspx>)

remained in the United States. This testimony will show that many of them have gravitated to a new organization called American Muslims for Palestine (AMP).

AMP is a Chicago-based organization that is a leading driver of the BDS campaign. AMP is arguably the most important sponsor and organizer for Students for Justice in Palestine (SJP), which is the most visible arm of the BDS campaign on campuses in the United States. AMP provides speakers, training, printed materials, a so-called “Apartheid Wall,” and grants to SJP activists.<sup>4</sup> AMP even has a campus coordinator on staff whose job is to work directly with SJP and other pro-BDS campus groups across the country.<sup>5</sup> According to an email it sent to subscribers, AMP spent \$100,000 on campus activities in 2014 alone.<sup>6</sup>

AMP partners with a wide range of BDS organizations,<sup>7</sup> and openly calls for Congress to embrace BDS.<sup>8</sup> According to available records, AMP is a not-for-profit corporation, but not a federal,<sup>9</sup> 501c3, tax-exempt organization.<sup>10</sup> Therefore, AMP does not have to file an IRS 990 form that would make its finances more transparent. AMP instead receives tax-exempt donations through its fiscal sponsor, the Americans for Justice in Palestine Educational Foundation (AJP), which is a 501c3.<sup>11</sup> AMP and AJP are co-located and share officers,<sup>12</sup> yet they remain legally distinct entities after years of nominal separation.

The corporate structure of AMP is cause for concern, but it pales in comparison to the significant overlap between AMP and people who worked for or on behalf of organizations that were designated, dissolved, or held civilly liable by federal authorities for supporting Hamas.

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<sup>4</sup> Kristin Szremski, “Campus Activism Resources,” *American Muslims for Palestine*, September 8, 2014. (<http://www.ampalastine.org/index.php/component/content/article/9-projects-a-events/595-campus-activism-resources>); “Campus Activism Track,” *American Muslims for Palestine*, December 1, 2014, accessed via the Wayback Machine. (<https://web.archive.org/web/20141201172244/http://conference.ampalastine.org/index.php/component/content/article/2-uncategorised/65-campus-activism-track>)

<sup>5</sup> “AMP Staff,” *American Muslims for Palestine*, accessed April 15, 2016. (<http://www.ampalastine.org/index.php/about-amp/amp-staff>)

<sup>6</sup> Email to Subscribers, “Help us make Palestine a household word,” *American Muslims for Palestine*, December 30, 2014.

<sup>7</sup> Press Release, “Coalition demands Airbnb remove vacation listings from Israeli settlements,” *American Muslims for Palestine*, March 7, 2016. (<http://www.ampalastine.org/index.php/newsroom/press-releases/682-coalition-demands-airbnb-remove-vacation-listings-from-israeli-settlements-in-occupied-west-bank>); “Member Organizations,” *U.S. Campaign to End the Israeli Occupation*, accessed April 15, 2016. (<http://www.endtheoccupation.org/groups.php>)

<sup>8</sup> “Tell Congress to hold BDS hearing,” *American Muslims for Palestine*, July 30, 2015. (<http://www.ampalastine.org/index.php/take-action/action-alerts/661-tell-congress-to-hold-bds-hearing>)

<sup>9</sup> Illinois Secretary of State Business Services, Corporate Filing, “American Muslims for Palestine Inc.,” File Number 66688003, accessed April 15, 2016. (<http://www.ilsos.gov/corporatellc/CorporateLlcController>)

<sup>10</sup> Internal Revenue Service, “Exemption Requirements - 501(c)(3) Organizations,” accessed April 15, 2016. ([https://www.irs.gov/Charities-&-Non-Profits/Charitable-Organizations/Exemption-Requirements-Section-501\(c\)\(3\)-Organizations](https://www.irs.gov/Charities-&-Non-Profits/Charitable-Organizations/Exemption-Requirements-Section-501(c)(3)-Organizations))

<sup>11</sup> “Are donations to AMP tax exempt?” *American Muslims for Palestine*, accessed April 15, 2016. (<http://www.ampalastine.org/index.php/about-amp/amp-faq/219-are-donations-to-amp-tax-exempt>)

<sup>12</sup> Internal Revenue Service, *Form 990: Return of Organization Exempt from Income Tax*, “AJP Educational Foundation Inc.,” 2014, accessed via GuideStar. (<http://www.guidestar.org/FinDocuments//2014/271/365/2014-271365284-0ba3397f-9.pdf>)

## The Holy Land Foundation

The U.S. Treasury's December 2001 designation of the Richardson, Texas-based Holy Land Foundation was a landmark terrorism finance case in America.<sup>13</sup> As the accompanying Treasury announcement noted, Khaled Meshal, the leader of Hamas, identified HLF officer Mohammed El-Mezain as Hamas's leader in the United States.<sup>14</sup> From 1995 to 2001, according to U.S. government estimates, "HLF sent approximately \$12.4 million outside of the United States with the intent to willfully contribute funds, goods, and services to Hamas."<sup>15</sup> In total, seven officials of the Holy Land Foundation were indicted; two of them fled the country and five were eventually sent to prison for providing material support to Hamas.<sup>16</sup>

As it turns out, three individuals from HLF now work for or on behalf of American Muslims for Palestine:

According to its website, Hossein Khatib is a board member for AMP.<sup>17</sup> He was previously a Holy Land Foundation regional director.<sup>18</sup>

Jamal Said, who was the 2014, 2015, and 2016 keynote speaker at AMP fundraisers,<sup>19</sup> raised money for HLF as the director of the Mosque Foundation, a 501c3 organization that donated money to the HLF.<sup>20</sup> Said is still the director of the Mosque Foundation, which is a sponsor of AMP.<sup>21</sup> Said was never charged with any crime, but rather was named by the prosecutors as an unindicted co-conspirator in the Holy Land Foundation trial.<sup>22</sup>

<sup>13</sup> U.S. Department of the Treasury, "Protecting Charitable Organizations - E," accessed April 15, 2016. ([http://www.treasury.gov/resource-center/terrorist-illicit-finance/Pages/protecting-charities\\_execorder\\_13224-e.aspx](http://www.treasury.gov/resource-center/terrorist-illicit-finance/Pages/protecting-charities_execorder_13224-e.aspx))

<sup>14</sup> U.S. Department of the Treasury, Press Release, "Treasury Freezes Assets of Organization Tied to Hamas," February 19, 2006. (<http://www.treasury.gov/press-center/press-releases/Pages/js4058.aspx>)

<sup>15</sup> *United States of America v. Mohammad El-Mezain, et al.*, Appeal, 09-10560 (Court of Appeals Fifth Circuit, December 7, 2011), page 9. (<http://www.ca5.uscourts.gov/opinions%5Cpub%5C09/09-10560-CR0.wpd.pdf>)

<sup>16</sup> U.S. Department of Justice, Press Release, "Federal Judge Hands Downs Sentences in Holy Land Foundation Case," May 27, 2009. (<http://www.justice.gov/opa/pr/federal-judge-hands-downs-sentences-holy-land-foundation-case>)

<sup>17</sup> "AMP National Board," *American Muslims for Palestine*, accessed April 15, 2016.

(<http://www.ampal.org/index.php/about-amp/amp-national-board>)

<sup>18</sup> "Hussein Khatib," *LinkedIn*, accessed January 12, 2015.

([https://www.linkedin.com/profile/view?id=100176222&authType=NAME\\_SEARCH&authToken=6Pvm&locale=en\\_US&srchid=3641870051421096965128&srchindex=4&srchtotl=20&trk=vsrc\\_people\\_res\\_name&trkInfo=VSRPsearchId%3A3641870051421096965128%2CVSRPtargetId%3A100176222%2CVSRPcmpt%3Aprimary](https://www.linkedin.com/profile/view?id=100176222&authType=NAME_SEARCH&authToken=6Pvm&locale=en_US&srchid=3641870051421096965128&srchindex=4&srchtotl=20&trk=vsrc_people_res_name&trkInfo=VSRPsearchId%3A3641870051421096965128%2CVSRPtargetId%3A100176222%2CVSRPcmpt%3Aprimary))

<sup>19</sup> AMP-Chicago, "AMP Annual Fundraising Dinner," *Facebook*, March 19, 2014.

(<https://www.facebook.com/ampalchicago/photos/gm.1407041112890451/597477577008212/?type=3&theater>); AMP-Chicago, "AMP Fundraising Dinner," *Facebook*, April 18, 2015.

(<https://www.facebook.com/events/1568230430114028/>); AMP-Chicago, "AMP Fundraising Dinner," *Facebook*, March 5, 2016. (<https://www.facebook.com/events/1693121294239623/>)

<sup>20</sup> Joel Mowbray, "Reign of the Radicals," *The Wall Street Journal*, January 27, 2006.

(<http://www.wsj.com/articles/SB113832728441457779>)

<sup>21</sup> Conference Program, "Thank You To Our Sponsors," *American Muslims for Palestine*, 2015, page 6.

<sup>22</sup> Andrea Elliott, "White House Quietly Courts Muslims in US," *The New York Times*, April 18, 2010.

(<http://www.nytimes.com/2010/04/19/us/politics/19muslim.html>)

Salah Sarsour is an AMP board member.<sup>23</sup> A 2001 FBI memo to the U.S. Treasury's Office of Foreign Assets Control (OFAC) describes how Sarsour's brother, after being arrested by Israel in 1998, told Israeli officials about Sarsour's "involvement with Hamas and fundraising activities of HLFRD [Holy Land Foundation for Relief and Development]." <sup>24</sup>

At AMP's 2015 conference, Sarsour was identified as the conference chairman.<sup>25</sup> On the advertising and sponsorship page for the conference, non-profits that wish to donate to or advertise with AMP are instructed to contact Sarsour.<sup>26</sup> Sarsour told *Al-Jazeera* "that the conference aims to keep up with and support the Palestinian people's continuous intifada."<sup>27</sup>

Sarsour's past is cause for concern. According to Israeli sources cited in a book by former FBI and U.S. Treasury official Matthew Levitt, Sarsour's brother, Jamil Sarsour, told Israeli authorities that he and Salah used their Milwaukee furniture store's bank account to pass money to Adel Awadallah,<sup>28</sup> who was then a leader of the Qassam Brigades, Hamas's armed wing.<sup>29</sup> According to Jamil, Salah Sarsour and Awadallah had become friends while sharing a prison cell.<sup>30</sup> Salah Sarsour spent eight months in jail in Israel for his Hamas activity.<sup>31</sup>

By way of background, Hamas politburo figure Mousa Abu Marzook gave HLF \$210,000 in startup funds.<sup>32</sup> According to the U.S. Department of the Treasury, Marzook tapped "HLF as the

<sup>23</sup> "AMP National Board," *American Muslims for Palestine*, accessed April 15, 2016.

(<http://www.ampalastine.org/index.php/about-amp/amp-national-board>)

<sup>24</sup> FBI Memo to the U.S. Department of the Treasury, "Holy Land Foundation For Relief And Development International Emergency Economic Powers Act," November 1, 2001.

([http://www.copleydc.net/cns\\_links/terrorism/fbi%20report.pdf](http://www.copleydc.net/cns_links/terrorism/fbi%20report.pdf))

<sup>25</sup> Email to Subscribers, "A letter from AMP Conference Chairman Salah Sarsour," *American Muslims for Palestine*, December 1, 2014.

<sup>26</sup> "Sponsor the Conference," *American Muslims for Palestine*, accessed April 15, 2016.

(<http://conference.ampalastine.org/index.php/sponsorship>)

<sup>27</sup> Abdul Jaleel Al-Bukhari, "مؤتمر فلسطين بأميركا يسائل الحاضر والمستقبل (Palestine Conference in the United States Explores the Present and the Future)," *Al Jazeera* (Qatar), November 30, 2015.

(<http://www.aljazeera.net/news/reportsandinterviews/2015/11/30/المستقبل-والحاضر-كاسائل-المستقبل>)

<sup>28</sup> Matthew Levitt, *Hamas: Politics, Charity, and Terrorism in the Service of Jihad*, (New Haven, CT: Yale University Press, 2006), page 78.

<sup>29</sup> Barbara Demick, "Israeli Security Force Kills Two Top Hamas Terrorists," *The Philadelphia Inquirer*, September 12, 1998. ([http://articles.philly.com/1998-09-12/news/25757281\\_1\\_imad-awadallah-adel-awadallah-dozens-of-israeli-army](http://articles.philly.com/1998-09-12/news/25757281_1_imad-awadallah-adel-awadallah-dozens-of-israeli-army))

<sup>30</sup> Matthew Levitt, *Hamas: Politics, Charity, and Terrorism in the Service of Jihad*, (New Haven, CT: Yale University Press, 2006), page 78. See also: Laurie Cohen and Kim Barker, "Target of Hamas fundraising probe here charged in Wisconsin," *Chicago Tribune*, January 07, 2003. ([http://articles.chicagotribune.com/2003-01-07/news/0301070192\\_1\\_hamas-activist-federal-charges-israeli](http://articles.chicagotribune.com/2003-01-07/news/0301070192_1_hamas-activist-federal-charges-israeli))

<sup>31</sup> "Profile: American Muslims for Palestine," *Anti-Defamation League*, 2013. (<http://www.adl.org/assets/pdf/israel-international/american-muslims-for-palestine-2013-03-29-v1.pdf>)

<sup>32</sup> Eric Lichtblau and Judith Miller, "Threats and Responses: The Money Trail; 5 Brothers Charged With Aiding Hamas," *The New York Times*, December 19, 2002. (<http://www.nytimes.com/2002/12/19/us/threats-and-responses-the-money-trail-5-brothers-charged-with-aiding-hamas.html>)

primary fund-raising entity for HAMAS [sic] in the United States.”<sup>33</sup> The U.S. Treasury designated Marzook as a terrorist in 1995, and deported him in 1997.<sup>34</sup>

### The Islamic Association for Palestine

The Islamic Association for Palestine (IAP) is another organization that raised money and provided material support for Hamas in America. Like HLF, IAP was founded with money from Abu Marzook.<sup>35</sup> In 2004, the organization was found civilly liable in a federal district court for supporting Hamas.<sup>36</sup> The defendants appealed, but a federal appeals court upheld the judgment in 2008.<sup>37</sup> IAP disbanded in 2010.<sup>38</sup> According to evidence presented at the HLF trial, “numerous donation checks ... made payable to ... IAP” were “deposited into HLF’s bank account,” in some cases with the memo line, “for Palestinian Mujahideen [holy warriors] only.”<sup>39</sup>

FDD research again found significant overlap between employees from this Hamas-supporting organization and the American Muslims for Palestine network.

Rafeeq Jaber is the former president of IAP.<sup>40</sup> AMP’s tax-exempt arm, the AJP Educational Foundation, listed him as its tax preparer in their most recent public filing.<sup>41</sup> Jaber’s official role with AMP is unclear: he appears on their 2010 through 2014 IRS forms as their tax preparer,<sup>42</sup> but he does not appear on AMP’s website. He has been identified in the Palestinian press as the “spiritual father” of AMP’s coalitions with other Muslim-American organizations,<sup>43</sup> and he

<sup>33</sup> U.S. Department of the Treasury, “Protecting Charitable Organizations - E,” accessed August 21, 2007. ([http://www.treasury.gov/resource-center/terrorist-illicit-finance/Pages/protecting-charities\\_execorder\\_13224-e.aspx](http://www.treasury.gov/resource-center/terrorist-illicit-finance/Pages/protecting-charities_execorder_13224-e.aspx))

<sup>34</sup> “Hamas out of Syria, Marzook says,” *Associated Press*, February 27, 2012. (<http://www.ynetnews.com/articles/0,7340,L-4195457,00.html>)

<sup>35</sup> *United States District Court Northern District of Texas, USA v. Holy Land Foundation for Relief and Development*, “Payments from Marzook to the Islamic Association for Palestine,” (Northern District of Texas, September 29, 2008), accessed April 15, 2016. (<http://coop.txnd.uscourts.gov/judges/hlf2/09-29-08/Marzook%20IAP.pdf>)

<sup>36</sup> Laurie Cohen, “3 Islamic fundraisers held liable in terror death,” *Chicago Tribune*, November 11, 2004. ([http://articles.chicagotribune.com/2004-11-11/news/0411110231\\_1\\_david-boim-magistrate-judge-arlander-keys-joyce-boim](http://articles.chicagotribune.com/2004-11-11/news/0411110231_1_david-boim-magistrate-judge-arlander-keys-joyce-boim))

<sup>37</sup> “Anti-Terrorism Judgment Upheld Against U.S. Charities,” *Anti-Defamation League*, December 18 2008. ([http://archive.adl.org/main\\_terrorism/boim\\_upheld.html#.VLg28y5RLGA](http://archive.adl.org/main_terrorism/boim_upheld.html#.VLg28y5RLGA))

<sup>38</sup> Texas Secretary of State, Corporate Filing, “Islamic Association for Palestine,” Tax ID 30116732022, accessed April 15, 2016. (<https://mycpa.cpa.state.tx.us/coa/servlet/cpa.app.coa.CoaGetTp>)

<sup>39</sup> *United States of America v. Mohammad El-Mezain, et al.*, Appeal, 09-10560 (Court of Appeals Fifth Circuit, December 7, 2011), page 170. (<http://www.ca5.uscourts.gov/opinions%5Cpub%5C09/09-10560-CR0.wpd.pdf>)

<sup>40</sup> “IAP Contact Information,” *Islamic Association for Palestine*, April 7, 2003, accessed via Wayback Machine. (<http://web.archive.org/web/20030407164156/http://www.iap.org/contactus.htm>)

<sup>41</sup> Internal Revenue Service, *Form 990: Return of Organization Exempt from Income Tax*, “AJP Educational Foundation Inc.,” 2014, accessed via GuideStar. (<http://www.guidestar.org/FinDocuments//2014/271/365/2014-271365284-0ba3397f-9.pdf>)

<sup>42</sup> For the most recent, see: Internal Revenue Service, *Form 990: Return of Organization Exempt from Income Tax*, “AJP Educational Foundation Inc.,” 2014, accessed via GuideStar.

(<http://www.guidestar.org/FinDocuments//2014/271/365/2014-271365284-0ba3397f-9.pdf>)

<sup>43</sup> “مئات الآلاف في شوارع المدن الأمريكية نصرته لغزة” (Hundreds of Thousands in the Streets of American Cities in Support of Gaza), *Ma’an News Agency* (Palestinian Territories), August 11, 2014.

(<http://maannews.net/Content.aspx?id=719809>)

signed a September 2015 petition as a representative of AMP.<sup>44</sup> His financial services business is currently listed at the same office building where IAP was located before it was shut down.<sup>45</sup>

There is also Abdelbasset Hamayel, who served as IAP's secretary general.<sup>46</sup> Today, he is AMP's registered agent in Chicago.<sup>47</sup> Interestingly, he is not listed as an officer or executive on AMP's tax forms or website. His name, however, appears on the AJP Educational Foundation's IRS 990 form as the person "who possesses the organization's books and records."<sup>48</sup> Hamayel signed a September 2015 petition as the "Director of American Muslims for Palestine, Chicago."<sup>49</sup> Similarly, one AMP Facebook post labels Hamayel as the group's "Executive Director."<sup>50</sup>

Sufian Nabhan is another AMP board member.<sup>51</sup> He was IAP's former Michigan representative.<sup>52</sup>

Osama Abuirshaid is identified by AMP as its "National Coordinator"<sup>53</sup> or "National Policy Director."<sup>54</sup> In August 2015, the United States Citizenship and Immigration Services issued an initial determination that Abuirshaid was "ineligible for naturalization" because he failed to properly disclose his IAP past.<sup>55</sup> Abuirshaid was the editor of IAP's newspaper, *Al Zaytounah*.<sup>56</sup> Today, he runs a newspaper called *Al-Meezan* that includes articles praising Hamas.<sup>57</sup>

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<sup>44</sup> "Petition to ISNA Leadership to do more for Syria," *Change.org*, September 3, 2015.

(<https://www.change.org/p/isna-leadership-president-secretary-gen-and-majlis-ash-shura-petition-to-isna-leadership-to-do-more-for-syria>)

<sup>45</sup> "Jaber Financial Services," *Cortera*, accessed April 15, 2016.

(<http://start.cortera.com/company/research/k5m5qyr4s/jaber-financial-services-inc/>); "IAP Contact Information," *Islamic Association for Palestine*, April 7, 2003, accessed via Wayback Machine.

(<http://web.archive.org/web/20030407164156/http://www.iap.org/contactus.htm>)

<sup>46</sup> "IAP Contact Information," *Islamic Association for Palestine*, April 7, 2003, accessed via Wayback Machine.

(<http://web.archive.org/web/20030407164156/http://www.iap.org/contactus.htm>)

<sup>47</sup> Illinois Secretary of State Business Services, Corporate Filing, "American Muslims for Palestine Inc.," File Number 66688003, accessed April 10, 2016. (<http://www.ilsos.gov/corporatellc/CorporateLlcController>)

<sup>48</sup> Internal Revenue Service, *Form 990: Return of Organization Exempt from Income Tax*, "AJP Educational Foundation Inc.," 2014, accessed via GuideStar. (<http://www.guidestar.org/FinDocuments//2014/271/365/2014-271365284-0ba3397f-9.pdf>)

<sup>49</sup> "Petition to ISNA Leadership to do more for Syria," *Change.org*, September 3, 2015.

(<https://www.change.org/p/isna-leadership-president-secretary-gen-and-majlis-ash-shura-petition-to-isna-leadership-to-do-more-for-syria>)

<sup>50</sup> AMP-Chicago, *Facebook*, August 29, 2014.

(<https://www.facebook.com/ampalastinechicago/photos/pb.550789245010379.-2207520000.1459717920./681386211950681/?type=3&theater>)

<sup>51</sup> "AMP National Board," *American Muslims for Palestine*, accessed April 15, 2016.

(<http://www.ampalastine.org/index.php/about-amp/amp-national-board>)

<sup>52</sup> "IAP Contact Information," *Islamic Association for Palestine*, April 7, 2003, accessed via Wayback Machine.

(<http://web.archive.org/web/20030407164156/http://www.iap.org/contactus.htm>)

<sup>53</sup> Press Release, "Latest bus ad causes stir in DC," *American Muslims for Palestine*, February 24, 2015.

(<http://www.ampalastine.org/index.php/newsroom/press-releases/627-new-bus-ad-takes-on-israel-us-relationship-on-eve-of-netanyahu-s-address-to-congress>)

<sup>54</sup> Press Release, "AMP condemns attack on Al Aqsa; youth," *American Muslims for Palestine*, September 16, 2015.

(<http://www.ampalastine.org/index.php/newsroom/statements/666-amp-condemns-attack-on-al-aqsa-youth>)

<sup>55</sup> *Abuirshaid v. Johnson et al*, No. 1:2015cv01113 (Virginia Eastern District Court, August 31, 2015).

(<https://dockets.justia.com/docket/virginia/vaedce/1:2015cv01113/327963>)

## KindHearts

Before it was shut down, IAP raised money for another organization called KindHearts for Charitable Development.<sup>58</sup> Founded in 2002, KindHearts was based in Toledo, Ohio. In 2006, the Treasury Department used a mechanism known as a Block Pending Investigation (BPI) to freeze the assets of KindHearts, stating that the organization was the “progeny” of HLF, and that it provided “support for terrorism behind the façade of charitable giving.”<sup>59</sup> In 2011, after a lengthy battle with the U.S. government over the legality of the BPI, KindHearts agreed to disband and its assets were redistributed to other organizations.<sup>60</sup>

Legal challenges notwithstanding, Treasury stated that “KindHearts officials and fundraisers have coordinated with Hamas leaders and made contributions to Hamas-affiliated organizations.” Treasury further asserted that “KindHearts deposited the funds into the same account used by HLF when it was providing funds” overseas.<sup>61</sup> KindHearts also paid IAP more than \$77,000 to do its fundraising and other activities, according to the group’s 2003 IRS 990 forms.<sup>62</sup>

KindHearts’s president was Khaled Smaili, a former official of the Global Relief Foundation (GRF).<sup>63</sup> GRF was officially registered as a charity in Palos Hills, Illinois. In 2002, Treasury designated GRF as a “Specially Designated Global Terrorist” for funding al-Qaeda.<sup>64</sup>

Several sources point to former IAP Secretary General Abdelbasset Hamayel as having also served as KindHearts’ Illinois representative.<sup>65</sup> For example, one graphic design firm posted

<sup>56</sup> “Profile: American Muslims for Palestine,” *Anti-Defamation League*, 2003. (<http://www.adl.org/assets/pdf/israel-international/american-muslims-for-palestine-2013-03-29-v1.pdf>)

<sup>57</sup> “مدونة للأستاذ شكري أبو” (Qassam Brigades: From Humble Rifle to Organized Army),” *Al-Meezan News*, May 1, 2015, page 10. ([http://almeezannews.com/PDFs/almeezanPDF\\_248.pdf](http://almeezannews.com/PDFs/almeezanPDF_248.pdf)); “بكر على الإنترنت (Mr. Shukri’s Bakr’s Blog on the Internet),” *Al-Meezan News*, May 1, 2015, page 2. ([http://www.almeezannews.com/PDFs/almeezanPDF\\_268.pdf](http://www.almeezannews.com/PDFs/almeezanPDF_268.pdf))

<sup>58</sup> Internal Revenue Service, *Form 990: Return of Organization Exempt from Income Tax*, “KindHearts for Charitable Development, Inc.,” 2003, accessed via The Foundation Center. ([http://990s.foundationcenter.org/990\\_pdf\\_archive/020/020534702/020534702\\_200312\\_990.pdf?\\_ga=1.209492948.777103848.1460262044](http://990s.foundationcenter.org/990_pdf_archive/020/020534702/020534702_200312_990.pdf?_ga=1.209492948.777103848.1460262044))

<sup>59</sup> U.S. Department of the Treasury, Press Release, “Treasury Freezes Assets of Organization Tied to Hamas,” February 19, 2006. (<http://www.treasury.gov/press-center/press-releases/Pages/js4058.aspx>)

<sup>60</sup> “Settlement Agreement,” *American Civil Liberties Union*, November 2011. ([https://www.aclu.org/files/assets/KindHearts\\_v\\_geithner\\_-\\_settlement.pdf](https://www.aclu.org/files/assets/KindHearts_v_geithner_-_settlement.pdf))

<sup>61</sup> U.S. Department of the Treasury, Press Release, “Treasury Freezes Assets of Organization Tied to Hamas,” February 19, 2006. (<http://www.treasury.gov/press-center/press-releases/Pages/js4058.aspx>)

<sup>62</sup> Internal Revenue Service, *Form 990: Return of Organization Exempt from Income Tax*, “KindHearts for Charitable Development, Inc.,” 2003, accessed via The Foundation Center. ([http://990s.foundationcenter.org/990\\_pdf\\_archive/020/020534702/020534702\\_200312\\_990.pdf?\\_ga=1.209492948.777103848.1460262044](http://990s.foundationcenter.org/990_pdf_archive/020/020534702/020534702_200312_990.pdf?_ga=1.209492948.777103848.1460262044))

<sup>63</sup> U.S. Department of the Treasury, Press Release, “Treasury Freezes Assets of Organization Tied to Hamas,” February 19, 2006. (<http://www.treasury.gov/press-center/press-releases/Pages/js4058.aspx>)

<sup>64</sup> U.S. Department of the Treasury, Press Release, “Treasury Department Statement Regarding the Designation of the Global Relief Foundation,” October 18, 2002. (<https://www.treasury.gov/press-center/press-releases/Pages/po3553.aspx>)

<sup>65</sup> Steven Emerson, “Money Laundering and Terror Financing Issues in the Middle East,” *Testimony before the Senate Committee on Banking, Housing, and Urban Affairs*, July 13, 2005.



Hamayel's business card on its website, identifying him as KindHeart's "Illinois and Wisconsin Representative."<sup>66</sup> Additionally, a KindHeart's poster for a 2004 fundraiser lists Abaset@KindHearts.org as the point of contact.<sup>67</sup> As noted above, Hamayel is currently listed on AMP's website as the group's registered agent,<sup>68</sup> and he is listed on AJP's 990 forms as the person "who possesses the organization's books and records."<sup>69</sup>

### AMP Donors with a Troubled Past

In short, at least seven individuals who work for or on behalf of AMP have worked for or on behalf of organizations previously shut down or held civilly liable in the United States for providing financial support to Hamas: the Holy Land Foundation, the Islamic Association for Palestine, and KindHearts.

AMP states that it was founded in 2005. They were, in their words, "a strictly volunteer organization" until 2008, when they opened their national headquarters in Palos Hills, Illinois.<sup>70</sup> Their mission statement does not include raising money for causes abroad, and we have seen no evidence of illicit activity. Its mission, however, is troubling. A recent photo from their headquarters features an Arabic-language poster that includes the phrase, "No Jew will live among them in Jerusalem."<sup>71</sup> It is also troubling that at their 2014 annual conference, AMP invited participants to "navigate the fine line between legal activism and material support for terrorism."<sup>72</sup> That invitation is troubling because it appears that some of AMP's officers and donors came from organizations that have failed to navigate that "fine line" in the past.

One business that supports AMP is Middle East Financial Services (MEFS). The company has offices in Palos Hills, Illinois and in Dearborn, Michigan, and several affiliates abroad.<sup>73</sup> MEFS

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[http://www.banking.senate.gov/public/\\_cache/files/d2b01fcf-a768-45d3-9d9d-436f93ee5f9e/33A699FF535D59925B69836A6E068FD0.emerson.pdf](http://www.banking.senate.gov/public/_cache/files/d2b01fcf-a768-45d3-9d9d-436f93ee5f9e/33A699FF535D59925B69836A6E068FD0.emerson.pdf)

<sup>66</sup> "KindHearts Business Cards with Names," *Sakkal Design Graphic Design and Illustrations*, accessed April 15, 2016. ([http://www.sakkal.com/Graphics/logos/kindheart/kindhearts\\_bc03.html](http://www.sakkal.com/Graphics/logos/kindheart/kindhearts_bc03.html))

<sup>67</sup> Flier, "Annual Fund Raising Dinner for Palestine & KindHearts' Annual Contest," *KindHearts Charitable Humanitarian Development*, April 23, 2005, accessed via WayBack Machine.

(<http://web.archive.org/web/20050515004402/http://www.kindhearts.org/upcoming%20event/set%204%20prinout.pdf>)

<sup>68</sup> Illinois Secretary of State Business Services, Corporate Filing, "American Muslims for Palestine, Inc.," File Number 66688003, accessed April 15, 2016. (<http://www.ilsos.gov/corporatellc/CorporateLlcController>)

<sup>69</sup> Internal Revenue Service, *Form 990: Return of Organization Exempt from Income Tax*, "AJP Educational Foundation Inc.," 2014, accessed via GuideStar. (<http://www.guidestar.org/FinDocuments//2014/271/365/2014-271365284-0ba3397f-9.pdf>)

<sup>70</sup> "When was AMP formed?" *American Muslims for Palestine*, accessed April 15, 2016.

(<http://www.ampalestine.org/index.php/about-amp/amp-faq/214-when-was-amp-formed>)

<sup>71</sup> The poster is the text of a document called "Umar's Assurance," issued when the Muslims conquered Jerusalem during the Arab-Byzantine wars in 637 AD. AMP-Chicago, *Facebook*, May 3, 2015.

(<https://www.facebook.com/ampalestinechicago/photos/pb.550789245010379.-2207520000.1441917522./812588892163745/?type=1&theater>)

<sup>72</sup> Shane Harris, "Pro-Palestinian Group Lectured on Skirting Terror Laws," *The Daily Beast*, December 5, 2014.

(<http://www.thedailybeast.com/articles/2014/12/05/pro-palestinian-group-lectured-on-skirting-terror-laws.html>)

<sup>73</sup> "Countries," *Middle East Financial Services*, accessed April 15, 2016. (<http://mefs.us/>)

was a “bronze sponsor” to the AMP convention in 2014 and advertised at their 2015 conference.<sup>74</sup>

MEFS itself has never been charged with being complicit in terrorism financing, and we have no evidence that it has been, but its services have been used by some who have. MEFS was used in 2002 to wire money to Palestinian Islamic Jihad (PIJ), which the State Department designated as a terrorist group in 1997. Salah Daoud, a former MEFS employee and IAP board member, testified in court in 2005 about how one of IAP’s volunteers, Hatem Fariz, used MEFS over several months to send approximately \$60,000 to PIJ.<sup>75</sup> Fariz was sentenced to 37 months in a U.S. prison for “conspiracy to make or receive contributions of funds, goods, or services to or for the benefit of a Specially Designated Terrorist.”<sup>76</sup> Daoud, who testified in exchange for immunity, was never charged with a crime.<sup>77</sup>

Another interesting supporter of AMP is Prime Furniture Wholesale in Milwaukee.<sup>78</sup> This store is owned by AMP board member Salah Sarsour,<sup>79</sup> who, as noted above, reportedly used the bank account of his family’s furniture store in the 1990s to send money to Qassam Brigades commander Adel Awadallah.<sup>80</sup>

Finally, there is the Zakat Foundation. The Foundation’s executive director is Khalil Demir.<sup>81</sup> Demir signed the IRS 990 forms<sup>82</sup> for a group Treasury designated in 2002 for funding al-Qaeda: Benevolence International Foundation (BIF).<sup>83</sup> The Zakat Foundation was a “platinum sponsor”

<sup>74</sup> Conference Program, *American Muslims for Palestine*, 2014, page 29; Conference Program, *American Muslims for Palestine*, 2015, page 6.

<sup>75</sup> “Witness says Al-Arian co-defendant sent \$60,000 to the Middle East,” *Associated Press*, June 30, 2005.

([http://www.mywebtimes.com/news/illinois\\_ap/witness-says-al-arian-co-defendant-sent-to-the-middle/article\\_9533c078-b9c2-522e-9d6e-48fd41be15c3.html](http://www.mywebtimes.com/news/illinois_ap/witness-says-al-arian-co-defendant-sent-to-the-middle/article_9533c078-b9c2-522e-9d6e-48fd41be15c3.html)); *United States v. Sami Amin Al-Arian et al.*, Transcript of Proceedings, 8:03-CR-77-T-30TBM, (Middle District of Florida Tampa Division, June 29, 2005).

<sup>76</sup> Meg Laughlin, “Al-Arian associate gets prison,” *Tampa Bay Times*, July 26, 2006.

([http://www.sptimes.com/2006/07/26/Tampabay/Al\\_Arian\\_associate\\_ge.shtml](http://www.sptimes.com/2006/07/26/Tampabay/Al_Arian_associate_ge.shtml))

<sup>77</sup> “Witness says Al-Arian co-defendant sent \$60,000 to the Middle East,” *Associated Press*, June

30, 2005. ([http://www.mywebtimes.com/news/illinois\\_ap/witness-says-al-arian-co-defendant-sent-to-the-middle/article\\_9533c078-b9c2-522e-9d6e-48fd41be15c3.html](http://www.mywebtimes.com/news/illinois_ap/witness-says-al-arian-co-defendant-sent-to-the-middle/article_9533c078-b9c2-522e-9d6e-48fd41be15c3.html))

<sup>78</sup> Conference Program, *American Muslims for Palestine*, 2014, page 29; Conference Program, *American Muslims for Palestine*, 2015, page 38.

<sup>79</sup> Wisconsin Department of Financial Institutions, Corporate Filing, “Prime Furniture Wholesale, LLC,” accessed April 15, 2016.

(<https://www.wdfr.org/apps/CorpSearch/Details.aspx?entityID=P057485&hash=1633449285&searchFunctionID=12cc3312-59e1-48ad-ad60-4b88c9e6d586&type=Simple&q=prime+furniture+wholesale>)

<sup>80</sup> Matthew Levitt, *Hamas: Politics, Charity, and Terrorism in the Service of Jihad*, (New Haven, CT: Yale University Press, 2006), page 78.

<sup>81</sup> “Our Team,” *Zakat Foundation of America*, accessed April 15, 2016. (<http://www.zakat.org/about/our-team/>)

<sup>82</sup> Internal Revenue Service, Form 990: Return of Organization Exempt from Income Tax, “Benevolence International Foundation,” 2001, accessed via GuideStar. (<http://www.guidestar.org/FinDocuments/2001/363/823/2001-363823186-1-9.pdf>). The forms states that “Books are in care of Halil I. Demir.”

<sup>83</sup> U.S. Department of the Treasury, Press Release, “Treasury Designates Benevolence International Foundation and Related Entities as Financiers of Terrorism,” November 19, 2002. (<http://www.treasury.gov/press-center/press-releases/Pages/po3632.aspx>)

of AMP's 2014 and 2015 conferences, and was acknowledged for this in the conference programs.<sup>84</sup>

### The BDS Campaign in Chicago, the PLO, and the PFLP

Members of the Committee, the network described here prompted our research team to identify other organizations that engage in BDS activity in the Chicago area. We soon discovered an additional organization that does not appear to be registered at the federal or state level.

This group has been alternately described as “The U.S. Coalition to Boycott Israel”<sup>85</sup> and the “Chicago Coalition for Justice in Palestine.”<sup>86</sup> The group's president is Chicago resident Ghassan Barakat,<sup>87</sup> a consular notary for the Palestine Liberation Organization (PLO)<sup>88</sup> who has been identified by the Palestinian Expatriates Affairs Department website as a member of the Palestine National Council (PNC).<sup>89</sup> The group's “coordinator” is Senan Shaqdeh.<sup>90</sup> A profile published by the PLO's Expatriates Affairs Department states that Shaqdeh was a “fighter in the ranks of the mountain brigade” for the Popular Front for the Liberation of Palestine,<sup>91</sup> which is a PLO faction that the U.S. designated as a Foreign Terrorist Organization (FTO) in 1997.<sup>92</sup> Shaqdeh also claims to be a founder of Students for Justice in Palestine<sup>93</sup> – the U.S. campus-based network that receives guidance and financial assistance from AMP.

In a PLO YouTube video, Shaqdeh said that he travelled to Ramallah in September 2014 to meet with President Mahmoud Abbas and Prime Minister Rami Hamdallah about BDS activity in

<sup>84</sup> Conference Program, *American Muslims for Palestine*, 2014, page 29; Conference Program, *American Muslims for Palestine*, 2015, page 6.

<sup>85</sup> Palestine Department of Expatriates Affairs, “المجلس الفلسطيني الأمريكي يحيي ذكرى يوم الأرض في لوزيانا” (United States: Palestinian American Council Commemorates Land Day in Louisiana),” April 10, 2015. (<http://www.pead.ps/-الاجليات/اجليات-الولايات-المتحدة/1990-الولايات-المتحدة-المجلس-الفلسطيني-الامريكي-يحيي-ذكرى-يوم-الارض-في-لوزيانا.html>)

<sup>86</sup> “Gun toting Zionist arrested at Chicago pro-Israel protest,” *FightBack! News*, July 24, 2014.

(<http://www.fightbacknews.org/2014/7/24/gun-toting-zionist-arrested-chicago-pro-israel-protest>)

<sup>87</sup> Palestine Department of Expatriates Affairs, “المجلس الفلسطيني الأمريكي يحيي ذكرى يوم الأرض في لوزيانا” (United States: Palestinian American Council Commemorates Land Day in Louisiana),” April 10, 2015. (<http://www.pead.ps/-الاجليات/اجليات-الولايات-المتحدة/1990-الولايات-المتحدة-المجلس-الفلسطيني-الامريكي-يحيي-ذكرى-يوم-الارض-في-لوزيانا.html>)

<sup>88</sup> PLO Delegation to the United States, “Designated Notary,” accessed April 15, 2016.

(<https://web.archive.org/web/20150217091605/http://plodelegation.us/consular-affairs/designated-notary/#collapse3>)

<sup>89</sup> Palestine Department of Expatriates Affairs, “المجلس الفلسطيني الأمريكي يحيي ذكرى يوم الأرض في لوزيانا” (United States: Palestinian American Council Commemorates Land Day in Louisiana),” April 10, 2015.

(<http://www.pead.ps/-الاجليات/اجليات-الولايات-المتحدة/1990-الولايات-المتحدة-المجلس-الفلسطيني-الامريكي-يحيي-ذكرى-يوم-الارض-في-لوزيانا.html>)

<sup>90</sup> “Senan Shaqdeh,” *Facebook*, accessed April 15, 2016. (<https://www.facebook.com/senans?fref=ts>)

<sup>91</sup> Palestine Department of Expatriates Affairs, “سنان شقديح ... بائع البيبسي الذي يقارع إسرائيل” (Senan Shaqdeh: The Pepsi Salesman Who is Rebuking Israel),” June 14, 2015. (<http://www.pead.ps/-سنان-شقديح-2233-مترجمة-مقالة-مقالات-صحافة/صحافة-صحافة-مقالات-مترجمة-2233-سنان-شقديح-سنان-شقديح-الذي-يقارع-اسرائيل.html>)

<sup>92</sup> U.S. Department of State, “Foreign Terrorist Organizations,” accessed April 15, 2016.

(<http://www.state.gov/j/ct/rls/other/des/123085.htm>)

<sup>93</sup> Palestine Department of Expatriates Affairs, “سنان شقديح ... بائع البيبسي الذي يقارع إسرائيل” (Senan Shaqdeh: The Pepsi Salesman Who is Rebuking Israel),” June 14, 2015. (<http://www.pead.ps/-سنان-شقديح-2233-مترجمة-مقالة-مقالات-صحافة/صحافة-صحافة-مقالات-مترجمة-2233-سنان-شقديح-سنان-شقديح-الذي-يقارع-اسرائيل.html>)

America.<sup>94</sup> Shaqdeh's access to the highest echelons of the Palestinian government, his PFLP past, and his connections to the AMP network may be worthy of further scrutiny.

### **Recommendations and Conclusion**

In conclusion, AMP's BDS campaign may be a headache for Israel, but the fact that it is based in the United States makes it an American issue. The overlap of former employees of organizations that provided support to Hamas who now play important roles in AMP speaks volumes about the real agenda of key components of the BDS campaign.

Mr. Chairman, Madam Chairman, and distinguished members of the committee, there are many aspects of FDD's analysis of this network that I did not address in my testimony. I would be pleased to answer any questions.

In the meantime, I recommend Congress legislate a disclosure process for charity employees and board members previously implicated in terror finance. Unlike some of its European counterparts, the IRS pays scant attention to the prior histories of Section 501 entities and their officers or directors. Nonprofit entities should be required to fully disclose in their IRS form 990 and 1023 the roles of its leadership (board members and executives) in organizations that earned Treasury designations, Treasury actions like Block Pending Investigations (BPI), federal anti-terrorism actions, or litigation in which their organization was found liable for material support for terrorism. These records should be evaluated by the IRS and/or at the state level before nonprofit entities gain initial nonprofit status or continued status as a nonprofit. Failure to disclose this information should result in significant penalties.

I should emphasize here that it is not my place to say where Americans should direct their charitable giving, or what anti-Israel activists may say or do. What I have provided today is simply a network analysis. Americans have a right to know who is behind the BDS campaign. And so do those members of the BDS campaign who may not fully understand its history.

On behalf of the Foundation for Defense of Democracies, thank you again for inviting me to testify.

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<sup>94</sup> Palestine Department of Expatriates Affairs, "لقاء مع الدكتور سنان شقديح منسق تحالف منظمات مقاطعة اسرائيل في الولايات المتحدة" (Meeting with Dr. Sinan Shaqdeh, Coordinator of the Coalition to Boycott Israel in the USA), *YouTube*, September 2, 2014. (<https://www.youtube.com/watch?v=y1fSYyV8cSU>)

