S. HRG. 108–921

TERRORISM: TWO YEARS AFTER 9/11, CONNECTING THE DOTS

HEARING

BEFORE THE

SUBCOMMITTEE ON TERRORISM, TECHNOLOGY AND HOMELAND SECURITY

OF THE

COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE

ONE HUNDRED EIGHTH CONGRESS

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TERRORISM: TWO YEARS AFTER 9/11, CONNECTING THE DOTS

WEDNESDAY, SEPTEMBER 10, 2003

UNITED STATES SENATE,
SUBCOMMITTEE ON TERRORISM, TECHNOLOGY AND HOMELAND SECURITY, OF THE COMMITTEE ON THE JUDICIARY,

Washington, DC.

The Subcommittee met, pursuant to notice, at 11:33 a.m., in room SD–226, Dirksen Office Building, Hon. Jon Kyl, Chairman of the Subcommittee, presiding.

Present: Senators Kyl, Feinstein, Schumer, and Durbin.

OPENING STATEMENT OF HON. JON KYL, A U.S. SENATOR FROM THE STATE OF ARIZONA

Chairman KYL. I apologize to those of you who have been waiting and who will be inconvenienced by our delay. The Senate is in the middle of six votes. We are in the fifth vote right now.

I think what I will do is proceed with my opening statement. I have checked with the ranking member's staff and that is acceptable to them, and then the Ranking Member will provide her opening statement when she is able to come back. At that time, I will also make some unanimous consent requests for inclusion in the record of various statements.

Tomorrow, of course, marks the second anniversary of the worst, most cold-blooded attack on the United States since its founding, and the Subcommittee has set this hearing today to do its part to ensure that Americans are not attacked again. The defense of our people and our way of life at home requires that law enforcement agencies, Members of Congress, and government at large take an offensive approach to trace the roots of terror and terrorist financiers overseas and here in the U.S. homeland.

As this Subcommittee heard in June from one expert witness, Al-Qaeda, murderous as it is, is but a symptom of an underlying malignancy which is Islamic extremism. To defeat this threat, we must improve our ability to connect the dots between terrorists and their supporters and sympathizers. We must understand their goals, their resources, their methods, just as well as they understand our system of freedoms and how to exploit them for their terrible purposes.

Despite the commendable accomplishments of our law enforcement community and our intelligence services and the men and women in our military, our Government still has a great deal of

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work to do to secure our country from real and pressing terrorist threats.

In earlier testimony and again this weekend from the New York FBI director, we have been told of the presence of active Al-Qaeda cells in 40 States, from cities like our Capital to the plains of the heartland. Increasingly, we are told how worried our officials are about what they continue to learn and what they have not yet uncovered.

Today's hearing is the second in a series of hearings to investigate the roots of terrorist ideology, terrorist support networks and state sponsorship, especially the continued financial support from Saudi Arabia, estimated at billions of dollars per year for nearly 40 years, and what the U.S. Government can do to counter these terrorists and their supports.

Members of this Subcommittee heard testimony earlier this summer by David Aufhauser, General Counsel to the Treasury Department, who called the Saudi regime the epicenter of terrorist financing. Special Agent John Pistole, Acting Assistant Director for Counterterrorism for the FBI who testified before Congress in late July, declared that the jury was still out on Saudi Arabia's promises to combat terrorist financing.

Saudi Arabia, of course, has a deep historical and symbiotic relationship with the radical Islamic ideology of Wahhabism. The Saudis continue aggressively to export this intolerant and virulent form of Islam to Muslims across the globe, and to inculcate it in the major institutions of Islam worldwide.

The New York Times, the Washington Post and others have recently reported on Wahhabi influence around the world, including in Iraq, where terrorists are carrying out ruthless attacks against U.S. forces attempting to rebuild that country and killing countless other innocent men and women.

Equally disturbing is the presence of radical Islamist groups and cells here in the United States that often have the support financially, ideologically, and even diplomatically of the Saudi regime. Contrary to popular opinion, the voice of moderate Muslims is not often heard here in Washington and across America. Instead, a small group of organizations based in the U.S. with Saudi backing and support is well advanced in its four-decade effort to control Islam in America.

From mosques, universities, community, even to our prisons, and even within our own military, moderate Muslims who love America and who want to be part of our great country are being forced out of these institutions. The Wahhabi-backed extremists then denounce critics of Wahhabism and other forms of Islamist extremism as being racists and bigots. This will not stand.

Let us be very clear. We are not suggesting that Islam as a religion or its faithful believers are enemies of the United States, the West, or modernity. However, a growing body of accepted evidence and expert research demonstrates that the Wahhabi ideology that dominates, finances and animates many groups here in the United States indeed is antithetical to the values of tolerance, individualism, and freedom as we conceive these things.

That ideology presents a clear and present danger to our Constitution and the principles of freedom enshrined by our Founding

Fathers. Hence, it is a threat to the security of secular, liberal democracies such as the United States, and indeed is engaged on many levels in a violent struggle against them, from Manila to Morocco, from India to Iraq, from Jerusalem to Jakarta.

Today's hearing will bring these and other important issues facing the United States in the war on terror to light. Our first witness today is Simon Henderson, a veteran journalist and respected expert on the Saudi royal family and related Middle East issues. He is currently with Saudi Strategies, in London. Mr. Henderson will expose a history of activity in the kingdom that has culminated in its current role in financing terror. He will outline a number of Saudi entities, some run by the government, that are involved in financing terror around the world.

Next, we will hear from Matthew Epstein, a terrorism expert and lawyer specializing in terror finance and an assistant director with The Investigative Project here in Washington. Mr. Epstein will provide testimony on the network of American Muslim organizations, the majority of which are recipients of the very Saudi largess Mr. Henderson will outline. Mr. Epstein will highlight their long history of sympathy, coordination, and support for terrorist groups.

As an example, he will focus on a group that we here on the Hill are very familiar with, namely the Council on American-Islamic Relations, or CAIR. Members of the Council on American-Islamic Relations were invited to testify today on this important anniversary, an important opportunity that this Subcommittee offered so that the organization could have its say about the serious allegations concerning its funding, ideology, leadership, and foreign and domestic networks. CAIR declined the Subcommittee's invitation. It will submit a statement for the record and I will ask unanimous consent that that statement will be received.

I will reintroduce our witnesses when we call upon them to testify after opening statements by the ranking member, or allow the Ranking Member or other members of the Committee to present their statements when they would prefer to do so, and ask, as I said, for unanimous consent for various matters at that time.

I think at this moment, what I will do is recess the Subcommittee and suggest to you that in about 10 or 12 minutes we should be able to resume and proceed with the conduct of the hearing. I thank you all again for your indulgence.

[The Subcommittee stood adjourned from 11:40 a.m. to 11:54 a.m.]

Chairman KYL. The Subcommittee will come back to order.

Let me begin by asking unanimous consent for certain statements to be included in the record; first of all, a letter and testimony of Mr. Nihad Awad, the Executive Director of CAIR; second, the testimony of Matthew Levitt, a senior terrorism analyst at the Washington Institute for Near East Policy, and also a former FBI analyst; also, for the record, some additional materials submitted by the Muslim Public Affairs Council; and, finally, a statement by Senator Leahy. Without objection, those items will be included in the record.

[The prepared statement of Senator Kyl appears as a submission for the record.]

Senator Feinstein.

STATEMENT OF HON. DIANNE FEINSTEIN, A U.S. SENATOR FROM THE STATE OF CALIFORNIA

Senator FEINSTEIN. Thanks very much, Mr. Chairman, and to our witnesses and the people in the audience, let me add my apologies to yours. What I was saying when I said hello to Mr. Henderson and Mr. Epstein is one of the things we learn here is that we can't control our schedules. It has taken me almost 10 years to learn how to relax and just kind of go with the flow because there is nothing you really can do about it. So our apologies.

Both Senator Kyl and I have held a number of hearings; either he was the Chairman of the Subcommittee, as he is now, and I am ranking, or vice versa. We have seen firsthand how ill-prepared our Nation was for this kind of asymmetrical warfare. We had our visa people in, I think, at our first hearing, where 15 hijackers received visas, and remember the testimony of the State Department in that regard.

In our Intelligence Committee—and it has subsequently been released—we have learned a lot about two hijackers that could have been picked up in Malaysia, but weren't. We have learned enough to connect the dots to know that 9/11 was no anomaly and that there are thousands of other terrorists, just like the 19 hijackers, poised to strike at the United States and at American interests.

The CIA Counterterrorism Center estimates that 70 to 120,000 people trained in Afghanistan terrorist training camps between 1979 and 2001. Between 15 to 20,000 are believed to have been trained by Osama bin Laden. These people are now spread out all over the world and many are in this country now. The number of terrorist cells in this country is classified, so I can't share this with you, but if I did, you would be surprised. There is no question that the danger is real. Unless we find out who the enemy is and stop them before they strike, they will cause more suffering and death.

We have passed a number of pieces of legislation—the USA PATRIOT that was aimed at solving some of the problems that led to missed opportunities with 9/11; the absence of interoperability of our databases, which was brought home both to Senator Kyl and me in our hearings; as well as providing the law enforcement and intelligence communities with strong investigative and prosecutorial powers.

The PATRIOT Act is controversial. Certain elements of it will sunset after 5 years. It was drafted and negotiated quickly. Only six weeks elapsed between proposal and passage, and it was passed with the expectation that the executive branch would limit its new powers to the intended purpose of fighting terrorism.

Secondly, we learned in this Subcommittee that security controls for anthrax, smallpox virus, ebola, and 33 other deadly biological agents were virtually non-existent, and where they were, they were very lax. No one, not the FBI, nor the Centers for Disease Control, knew how many people were working with these deadly agents in our own country. They didn't know how much they possessed or where these dangerous agents were being used and stored. Moreover, labs conducted no background screenings of workers who handled these dangerous agents.

As a result, Senator Kyl and I introduced legislation to heighten security over and restrict possession of these pathogens. Ulti-

mately, Congress incorporated many of these provisions into the comprehensive bioterrorism bill passed in June of 2002.

Thirdly, Senator Kyl and I also coauthored the Enhanced Border Security and Visa Entry Reform Act of 2002, which sought to plug loopholes in our border security. It did many things, but a month ago two Pakistani nationals at Seattle-Tacoma International Airport paid cash for one-way tickets to John F. Kennedy International Airport. The customer agent at the desk checked a terrorist-related no-fly list and found both men's names on it. Local police then detained the two men and handed them over to the FBI.

The new border security law requires the Federal Government to take concrete steps to restore integrity to the immigration and visa process. The law also requires all foreign nationals to be fingerprinted and, when appropriate, submit other biometric data to the State Department when applying for a visa.

Finally, the border security law tightened two programs that were unregulated and ripe for abuse—the visa waiver program and the foreign student visa program. Additionally, the Government has decided to take 5,000 Customs agents and put them aboard commercial airliners, and the transit without visa program has been suspended. Of the 200,000 people that have used that program, it is my understanding that 2,000—their whereabouts are unknown at the present time. In other words, when they landed in a transit capacity somewhere in the United States, their ticket was to take them to another country and they disappeared in our country.

We know that a terrorist could easily put a dirty bomb in a container. "ABC Primetime" on Thursday night will have a segment announcing that as a test, they shipped a suitcase with 15 pounds of depleted uranium from Jakarta, to Singapore, to Hong Kong, to mainland China, and then finally into the port of Los Angeles, all without being detected. The suitcase was in a 20-foot container filled with teak furniture.

To solve this problem, last March Senator Kyl and I introduced the Antiterrorism and Port Security Act. My distinguished colleague, Senator Schumer, who is here, is a cosponsor of this bill and we are grateful for his support. I won't go into the bill. I will put the rest of my statement in the record, but I would like to just make a couple of comments.

I have drawn some conclusions from connecting the dots. The first is that you cannot walk both sides of the street in the war on terror. The second is you can't fund schools that teach hate, you can't fund clerics who preach hate, and you can't support or give money to causes that support the culture or the individuals involved in terror.

I also have come to the conclusion—and this is just personal with me—that jihad has taken a very ominous turn not only of killing any infidel, but with the ultimate goal of creating a union of fanatic Islamic states, ranging from the Philippines through Indonesia, through the subcontinent of Asia, into the Middle East. So I think we are going to be at this for a very long time indeed.

I am just delighted to also join you, Senator, in welcoming our two witnesses today and look forward to their remarks.

[The prepared statement of Senator Feinstein appears as a submission for the record.]

Chairman KYL. Thank you, Senator Feinstein, and I did note that other witnesses had been invited, but had declined the invitation to testify, witnesses from CAIR.

Ordinarily, the Chairman and Ranking Member would give their opening statements and we would turn to the witness panel, but there is one member of this panel who has been extraordinarily involved in all of our efforts. We have cosponsored legislation together and he has made great contributions to our effort here, and therefore I want to give Senator Schumer an opportunity also to make an opening statement.

STATEMENT OF HON. CHARLES E. SCHUMER, A U.S. SENATOR FROM THE STATE OF NEW YORK

Senator SCHUMER. Thank you, Senator Kyl. First, I want to thank you. I have so much to say here, I will cut it short and ask unanimous consent that my statement be read into the record.

Chairman KYL. It will be, and I might note that I cut my statement in half.

Senator SCHUMER. Second, I just want to thank you for your great leadership on this issue. I think that, in fact, the three of us here are probably the three Senators who have most cared about the issue of the spreading Wahhabi danger in the world and America, the complicity or the—it is not even complicity—the explicit cooperation of the Saudi regime with Wahhabi and the—

Chairman KYL. Excuse me. Could I also add Senator Specter to that list? He would want to be noted as one of us on this.

Senator SCHUMER. Great. Let's say the four of us—Senator Specter is on the floor—and anyone else who wants to be added to the list. We need as much company as we can get in this fight. I thank you for your leadership in having this hearing.

Before I begin my statement, I want to make one point crystal clear, and it can't be reiterated enough. Mainstream Islam is a peaceful religion that deserves the respect of all Americans. My family and I visited Spain just a month ago and we visited some of the mosques and some of the architecture from the Moorish culture, and it is amazing what a beautiful, peaceful culture it is, with the fountains and the tranquility and the place for contemplation. When you think about how a small group has tried to hijack this religion and make it into something that propagates terror and war and hatred, it is really a shame.

Islam has a proud history. Many people who follow its beliefs here in the United States are hard-working citizens. But unfortunately, Mr. Chairman, there is mounting evidence that Saudi-sponsored groups are trying to hijack mainstream Islam here in the United States and in the world and replace it with an extremist form of Islam, referred to as Wahhabism.

Wahhabism is known throughout the Muslim world for its puritanical and severe approach to the teachings of the Muslim prophet Mohammed. It preaches violence against non-believers or infidels, and those include not just Christians, Jews, Hindus, but also Muslims who don't adhere to the strict Wahhabi faith. It serves as the religious basis for Osama bin Laden and Al-Qaeda.

Experts agree that Saudi Arabia is the epicenter of Wahhabist belief and its extreme teachings, and Saudi Arabia has made every effort to export Wahhabism all over the world. But unfortunately there is mounting evidence that Saudi-sponsored groups are doing that here in the United States, as well, in mosques, in schools, and even in prisons and the military, to sort of supplant, replace, and elbow aside mainstream Islam and replace it with an extremist form, Wahhabism.

As we will hear today, in the 1960's and 1970's the Saudi royal family made a deal with the devil and offered to sponsor the teaching of Wahhabist clerics in exchange for their support of the royal family's rule. Wahhabi teachings include examples of Allah cursing Jews and Christians and turning some of them into apes and pigs, and warnings that Muslims must consider non-Muslims or infidels their enemy.

One of the terms of the dirty deal between the Saudi royal family and its Wahhabi partners has been the export of Wahhabist beliefs as part of Saudi foreign policy, and prominent members of the Saudi royal family, including Prince Naif, Saudi Arabia's Interior Minister and anti-terror czar, have set up charities that funnel money toward the Wahhabi madras schools throughout the Middle East and Pakistan which teach and export the hate, making these areas hotbeds of anti-American sentiment and extremism.

Now, just remember, the man in charge of fighting terror in Saudi Arabia is a man who, number one, funds and exports Wahhabism in the schools that preach hatred. He said about 9/11 that Zionists were responsible and that Saudi citizens could not have been involved in the attack, even though we know that 15 of the 19 were Saudi citizens.

After the bombing of Khobar Towers in 1998 that killed 19 Americans, Naif single-handedly prevented the trial of 13 Saudis indicted for the crime. This is the man who is the Interior Minister. This is not just, you know, some fellow on the street who might say something. This is the Interior Minister of Saudi Arabia.

Even as I speak, he appears to be up to his old tricks, as reports indicate that Saudi officials for months have denied American agents access to a Saudi with knowledge of extensive plans to release poison gas into the New York City subway system.

It is well known among American fighters of terrorism that once someone is in Saudi Arabia, particularly a Saudi citizen, you cannot question them. Our law enforcement is blocked. That is the government of Saudi Arabia, not some citizens who have gone awry, the government of Saudi Arabia.

I wrote to Saudi Arabian Ambassador Prince Bandar in July calling for Naif's dismissal. Sadly, I was rudely dismissed. Earlier this week, I wrote to Secretary Powell asking him to make Naif's removal part of U.S. policy toward Saudi Arabia, and I eagerly await the Secretary's response.

He is not the only one involved. There are indications, less direct proof, that Prince Sultan, the Saudi Defense Minister, may also be involved in activities similar to Naif's, since he has said of charities that send money abroad—now, it is said these are for humanitarian purposes, but in too many cases the humanitarian purposes are a cloak for terrorism, and so we have to be careful here.

The money we are talking about, Mr. Chairman, is not small potatoes. Between 1975 and 1987, Saudi Arabia sent $48 billion overseas in development aid, second to the United States. And now what makes this even more alarming, and no doubt contributed to the events of 9/11, is the most disturbing news that the Wahhabism—I believe if there was no Wahhabism and no Saudi government, you could make a very good argument that 9/11 wouldn't have happened. There might not even be an Al-Qaeda.

What is now even more disturbing is that this Wahhabism is making inroads in the United States. Saudi Arabia boasts of directly supporting 18 mosques and schools across our country, including the Islamic Centers in Washington and New York. If Wahhabism is the state religion of Saudi Arabia and no other form of Islam is tolerated there, when they fund mosques here what do we think is going on?

Experts whom we heard from at the previous hearing suggest the real number is higher, reaching into the hundreds, as intermediate organizations like the Saudi-sponsored World Assembly of Muslim Youth provide financial support to American mosques and schools. In exchange, there is a demand that these mosques and schools tow the Wahhabi line. Saudi textbooks, the ones that preach violence against infidels, can be found in some of these schools.

And that is not all. Grass-roots political organizations that claim to act as the official voice of the American Muslim community here in Washington are also recipients of Saudi money.

You, Mr. Chairman, invited people from the most famous of these groups, the Council on American-Islamic Relations. They have reportedly received financial support from Saudi organizations to build their $3.5 million headquarters. They say that in 2001 they released a survey saying that 69 percent of Muslims in America say it is, quote, "absolutely fundamental or very important to have Wahhabi teachings at their mosques."

I don't believe that survey. They don't reflect the true feeling of the American Muslim community. I am close to many of the Muslim community in New York, so I can't believe those statistics, but it shows you what they want people to believe.

So we have a problem here, and to make matters worse the prominent members of the council's current leadership whom you, Mr. Chairman, invited to the hearing today and who declined to testify also have intimate connections with Hamas. That is another terrorist group that has received funding from Saudi Arabia and supports in many ways the tenets of Wahhabism. I would like them to come here and explain. Maybe all of this is wrong, and we would like to hear their side of the story, but they said, no, they won't come.

We have talked in previous hearings about how these Wahhabi groups have been given almost exclusive rights to hire clerics in the Federal Bureau of Prisons and in the U.S. military to select imams. I think our last hearing has helped start a movement against that happening. In the prisons in New York State where this happened, Muslims who wanted to practice Sunni or Shiite Muslim were not allowed to get their own preacher and some of them were actually physically assaulted for not wanting to be part

of Wahhabism. That is not pluralism, that is not the American way. We should have people in the prisons doing that.

So, Mr. Chairman, we have an important road to go in these hearings. I know this is not the final hearing. We are going to keep doing it, and I salute you. We have to do more, and I hope Secretary Powell and others will make it clear to the Saudi royal family that if it does not end its awful deal with the extreme Wahhabi clerics, it is going to end up ending its relationship with the United States. I pray we all act before it is too late.

Chairman KYL. Thank you very much, Senator Schumer.

Senator Feinstein has another item.

Audience Participant. Mr. Chairman—

Chairman KYL. Excuse me. We will recess the hearing until the police have restored order.

Audience Participant. I would like to know why the Judiciary Committee doesn't investigate the judges, why the judges that Senator Feinstein has appointed—

Chairman KYL. If you do not take your seat and resume silence, then you will have to be removed from the room.

Audience Participant. Mr. Chairman, my question is why don't you investigate the judges in this country, the corruption, and all around the world the Jewish mafia.

Senator FEINSTEIN. Mr. Chairman?

Chairman KYL. Senator Feinstein.

Senator FEINSTEIN. I would ask unanimous consent to put a statement in the record submitted by the American-Arab Anti-Discrimination Committee, which has some concerns about the written testimony.

Chairman KYL. Without objection.

Senator FEINSTEIN. I would also like to state that we invited former Senator and Ambassador to Saudi Arabia, Wyche Fowler, to testify. He couldn't make it, given the short notice, but I know you would join me in requesting that he submit any testimony for the record he deems appropriate.

Chairman KYL. Absolutely. Thank you.

Senator FEINSTEIN. And may I ask that we hold the record open for one week so we could receive additional testimony?

Chairman KYL. Without objection.

Well, let us get to our panel. We do have two prominent witnesses on our panel. Let me reintroduce them.

Simon Henderson lives in London and he gets the prize for traveling the farthest distance today. I don't know what that is, but welcome, Mr. Henderson. He is an analyst of Saudi Arabia, operating through his consultancy, Saudi Strategies. Mr. Henderson is a former veteran journalist with the London Financial Times. He covered Tehran, the 1978 Iranian revolution, and the 1979 U.S. hostage crisis. In 1978, he was a correspondent for the BBC, in Pakistan, and also covered Afghanistan.

Mr. Henderson has written a biography of Saddam Hussein, Instant Empire: Saddam Hussein's Ambition for Iraq. He also has written a widely-praised study of the Saudi royal family, After King Fahd: Succession in Saudi Arabia. He remains an associate of the Washington Institute for Near East Policy, and he has recently completed a 3-year term as a member of what we here would

call a prestigious think tank, the Council of Chatham House, the Royal Institute of International Affairs. He also served on the executive Committee and the finance Committee of that organization.

Mr. Matthew Epstein is the Assistant Director of Research for The Investigative Project, a counterterrorism research center with one of the largest non-governmental archives on militant Islamic activity. Mr. Epstein is an attorney and an expert on the sources and methods of terrorist financing, including Al-Qaeda, Hamas, and the Palestinian Islamic Jihad. He frequently serves as a terrorism expert for Fox News. Mr. Epstein last testified in March of 2003 before the House Committee on Financial Services' Subcommittee on Oversight and Investigations on Saudi financial sponsorship of Al-Qaeda via U.S. banks, corporations, and charities.

Thank you, gentlemen, for being with us.

Mr. Henderson.

STATEMENT OF SIMON HENDERSON, SAUDI STRATEGIES, LONDON, UNITED KINGDOM

Mr. HENDERSON. Thank you, Mr. Chairman, distinguished members of the Subcommittee.

The United States and other Western countries have usually looked to Saudi Arabia in terms of its role as an oil supplier. It has the largest oil reserves in the world and is the largest oil exporter in the world. Oil also gives the government of Saudi Arabia incredible wealth. This is important, but it is only half the story. Saudi Arabia is also a leader of the Muslim world, perhaps the leader, because of the fact that the pilgrimage cities of Mecca and Medina lie within its borders.

Saudi Arabia's interests in the Islamic world contradict, to my mind, its long relationship with the United States. In order to maintain its leadership in the Islamic world, Saudi Arabia sends aid and builds mosques that spread its Wahhabi variant of Islam around the world. The money involved amounts to billions of dollars each year.

Some of this money goes via official Saudi channels, some goes via what are claimed to be non-official channels, and some goes via Islamic charities linked to the Saudi government. Each of these has in the past been linked to Al-Qaeda and Islamic terrorism.

In my written testimony, I describe the system. It stretches from pan-Islamic organizations such as the Islamic Development Bank, which Saudi Arabia effectively controls, to Saudi embassies across the world. Other organizations set up by the Saudi government include the Muslim World League and the World Association of Muslim Youth, and there are also charities such as the International Islamic Relief Organization and Al-Haramain which receive money from individuals, as well as the Saudi government, supposedly for good works.

Coincidentally, the Wall Street Journal this morning has a long investigative piece on page 1, column 1, about these activities telling the story of a Saudi diplomat in Berlin with links to 9/11 who has since returned home. The Saudi government denies the activities of this diplomat. The Wall Street Journal sought comment and was instead called by a PR consultant for the Saudis working here

in Washington. Who knows? The man or one of his colleagues might be here today, as well.

His comments, carried by the Wall Street Journal, were given on condition that neither the individual nor the company he worked for were identified. This type of denial is frankly unbelievable. The chief spokesman of Saudi Arabia—the chief denier, to my mind—is Adel al-Jubeir. I attached to the end of my testimony the transcript of an interview he gave to the BBC in mid-August.

You might be interested to know, sir, that in this transcript he refers to the charges against Saudi Arabia as "a lot of these is trying to connect the dots that don't exist." He had anticipated the name you gave to this hearing today.

What is significant, to my mind, about the interview is that he even denies that six recently released British expatriates held on fabricated charges of causing explosions were tortured. I know they were tortured. British officials told me a long time ago that they had been tortured. The British officials also told me the bomb explosions for which these men had been charged were caused by Al-Qaeda or Al-Qaeda sympathizers in Saudi Arabia.

Adel al-Jubeir doesn't try in this interview to try to spin his way out of this problem, but instead just issues a blanket denial, saying the men were really guilty and were simply pardoned. Mr. al-Jubeir's comments on these issues are, to my mind, unbelievable. He is either ignorant or telling lies. This fatally flaws the protestations of innocence on the other charges he is asked about—Saudi cooperation with the U.S. and Saudi funding of terrorism.

While Al-Qaeda also represents a threat to the Saudi royal family, the Saudi government prefers to use compromise and co-option to confrontation in dealing with this threat. This has the effect, perhaps even the intention, of redirecting Islamic terrorism against the United States and other countries.

The links between the Saudi government and charities and terror groups were known as long ago as 1996, according to a CIA-produced intelligence document which the Wall Street Journal in another report on May 9 this year referred to. I have also personally written about being told by British officials that Osama bin Laden was being paid off by senior Saudi princes from 1995 or 1996 until indeed after 9/11.

In recent days in London, from where I flew for this hearing, the top police official has recently warned of the high likelihood of suicide bombers, and rescue squads have trained to evacuate an underground train—what you would call a metro—that might have been attacked with biological or chemical weapons.

As the example of Richard Reed, the shoe bomber, the British convert to Islam now in a U.S. prison, shows, Al-Qaeda can plan single attacks as well as the multiple attacks of 9/11. Richard Reed was also a mercifully failed example of the shared threat that the U.S., Britain, and other democratic countries face. But none of us can afford to lower our guard, nor be blind to continued links between Saudi Arabia and Islamic terrorism.

Thank you.

[The prepared statement of Mr. Henderson appears as a submission for the record.]

Chairman KYL. Thank you, Mr. Henderson.

Mr. Epstein.

STATEMENT OF MATTHEW EPSTEIN, ASSISTANT DIRECTOR, THE INVESTIGATIVE PROJECT, WASHINGTON, D.C.

Mr. EPSTEIN. Mr. Chairman, Senator Feinstein, Senator Schumer, I would like to thank you for this opportunity to testify.

Nearly 2 years to the day from the horrifying attacks of September 11, we must take a closer look at the organizations that claim to speak for the Muslim community in America and how they reached such positions of influence. Despite administration outreach, large sections of the institutional Islamic leadership in America do not support U.S. counterterrorism policy, denouncing virtually every terrorism indictment, detention, deportation, and investigation as politically or religiously motivated attacks on Islam.

To give two quick examples, just recently a man named Abdul Halim Alashkar, who has been identified as a senior Hamas activist in the United States and is currently in detention for refusing to cooperate with a grand jury investigation into Hamas, has been put into custody, and this is the second time he has been put into custody. A press release by CAIR has described the investigation and detention of Alashkar, the first time in 1998, as "politically-motivated investigation prompted by and in the service of a foreign government."

As a second example, there was a man arrested in south Florida, Sami al-Arian, who was identified as a senior Palestinian Islamic Jihad leader in the United States. A quote from the CAIR board chairman, Omar Ahmed, in response to the arrest: "We are concerned that the government would bring charges after investigating an individual for many years without offering any evidence of criminal activity. This action could leave the impression that al-Arian's arrest is based on political considerations, not legitimate national security concerns." I would like to note there was a 122-page indictment for Sami al-Arian detailing the evidence against his activities.

To be clear, I would like to state that militant Islamic fundamentalism is not synonymous with Islam the religion. The overwhelming majority of the world's more than 1 billion Muslims do not support violence or militancy. The radicalization of the Islamic political leadership in the United States has developed parallel to the radicalization of the Islamic leadership worldwide. This leadership promotes a conspiratorial view that Muslims in the United States are being persecuted on the basis of their religion and political beliefs and an acceptance that violence in the name of Islam is justified.

While such leaders protest that they have condemned terrorism, and they have in the abstract, they refuse to specifically condemn Islamist terrorist groups and leaders by name or acknowledge responsibility for their acts of terror.

On that brief note, regarding the submission of the American-Arab Anti-Discrimination Committee, I would like to note that in my testimony I point out that one of their spokesmen, a man named Hussein Ibish, as I quoted in my testimony, stated during an interview with Geraldo Rivera—Geraldo asked, "How do you

stand in Hizbollah and Hamas? Do you condemn them?" His response was, "It is not up to me to condemn people." Geraldo replies, "But I want to know. How do you feel about them?" And the response is, "No. I think Hizbollah fought a very good war against the Israelis." Noticeably absent is any sort of condemnation against Hizbollah.

In response to my quoting of Mr. Ibish, the ADC has put out a statement saying "Although Mr. Epstein disingenuously frames the quotation he cites from Ibish's interview with Geraldo in terms of killing 241 Americans, the subject was, in fact, never raised in that broadcast." Noticeably absent from the ADC's press release is a condemnation of Hizbollah.

Although the high visibility of such individuals and organizations suggests broad leadership and significant followings in the United States, by many accounts they draw support from far fewer American Muslims than they claim fall under their leadership.

Unfortunately, however, militant Islamists command a disproportionate share of media and political attention in the United States as a result of substantial funding received from wealthy Persian Gulf benefactors, led by Saudi Arabia and their Wahhabi brand of Islam.

With deep pocketbooks and religious conviction, the Saudi Wahhabists have bankrolled a series of Islamic institutions in the United States that actively seek to undermine U.S. counterterrorism policy at home and abroad. In the United States, the Saudi Wahhabis regularly subsidize the organizations and individuals adhering to military ideology espoused by the Muslim Brotherhood and its murderous offshoots Hamas, the Palestinian Islamic Jihad, and Al-Qaeda, all designated terrorist organizations.

As my colleague Matthew Levitt pointed out in his testimony which was submitted for the record, several of these U.S.-based organizations have recently been shuttered and many of their leaders indicted, including the Holy Land Foundation, Benevolence International Foundation, and the Islamic Concern Project run by Sami al-Arian.

Saudi largess has similarly been bestowed upon the Council on American-Islamic Relations, or CAIR, a U.S.-based organization purporting to promote a positive image of Islam and Muslims in America and empower the Muslim community in America.

However, in supporting claims of religious discrimination, CAIR and its leadership has managed to disguise its true agenda of supporting militant Islam and protecting the operations of radical groups supporting terrorism.

A careful review reveals that CAIR was a creation of the Hamas group in the United States. CAIR leaders have been heard expressing their support for Hamas both in public and on FBI surveillance taps. On that note, I would like to point out that in 1993 the FBI surveiled Hamas meetings in the United States.

Quoting one of the leaders from the tapes, as the FBI notes, Omar Ahmed, who is one of the heads of CAIR, stated at that meeting that was recorded by the FBI, "We, the Islamic Association of Palestine, cannot as an American organization say we represent Samah," which is Hamas backwards. "Can we go to Congressmen and tell them I am Omar Yayha, Chairman of the union, Islamic

Association of Palestine. Yasser Arafat does not represent me, but Ahmed Yasin does?" That is Sheikh Ahmad Yassin, the head of Hamas, in his own words.

CAIR officers and employees have been recently indicted on terrorism-related charges across the country. CAIR routinely questions the motives behind U.S. counterterrorism policy and law enforcement, as pointed out earlier. CAIR has received hundreds of thousands of dollars from Saudi individuals and organizations, including the World Assembly of Muslim Youth; Prince Alwaleed bin Talal; the International Islamic Relief Organization, which was based in the United States, a Saudi organization; and the Islamic Development Bank.

Several other U.S.-based organizations also share CAIR's militant ideology and Persian Gulf support. Organizations such as the Islamic Society of North America, the American Muslim Council, the International Institute of Islamic Thought, and Mercy International share overlapping agendas and financial sponsors.

The rise of militant Islamic leadership in the United States requires particular attention if we are to succeed in the war on terror. While the attacks of September 11 were executed by Al-Qaeda, it is the bastians of militant Islam that provide the recruits for tomorrow's Mohammed Attas and political cover to conceal their operations.

In this battle, we must distinguish between the militant Islamic leaders and the vast majority of Muslims in the United States and around the world who do not support their violent agenda. In preventing future attacks on American soil, we must actively drain the pools from which Islamist terrorist organizations recruit and confront the financial sponsors that create them.

Thank you.

[The prepared statement of Mr. Epstein appears as a submission for the record.]

Chairman KYL. Thank you, Mr. Epstein, for that testimony.

Let me begin by asking each of you a couple of questions and then we will proceed in turn.

Senator Durbin, if you would like to make any kind of comments in connection with your questions, feel free to take the time to do that.

Let me ask you, Mr. Henderson, since you have a great deal of expertise with respect to Saudi Arabia—and reference has been made to the walking of both sides of the street, in effect, by leaders of Saudi Arabia—how would you describe the tensions in the royal family which hamper cooperation between the Saudi government and the United States?

Mr. HENDERSON. Sir, my understanding of that is that the principal obstacle these days is Prince Naif, the man whom your colleague referred to in his comments. Prince Naif is the Interior Minister. He is the chief antiterrorism man. He is in charge of security. He is a full brother of King Fahd. He is an immensely powerful man.

Immediately after 9/11, I understand, or I have learned that the Saudi Arabian monetary agency was prepared to hand over to the United States authorities financial information about Saudi individuals, but Naif stopped that. Naif is also, I suspect, also an ob-

stacle to the agreement which was recently announced about a joint task force whereby FBI and other U.S. Federal agents would be able to be in Riyadh to investigate what was going on there amongst information seized during recent raids against Al-Qaeda cells.

The trouble with that agreement is that I understand it was based on a telephone conversation between President Bush and Crown Prince Abdullah—because of Kind Fahd's ill health, the de facto leader of Saudi Arabia. Frankly, that agreement isn't worth anything unless Prince Naif signs into it. The past record would be that he will sign into it slowly and partially, at best.

The background to that is that Prince Naif, along with some of his other full brothers, don't want Crown Prince Abdullah to become king and are prepared to be obstacles against him becoming king. So such power games within Saudi Arabia actually handicap U.S.-Saudi investigations of terrorism.

Chairman KYL. Can you also provide us with information about the kind of compromises that the Saudi royal family has made with Al-Qaeda, if, in fact, such compromises have been made?

Mr. HENDERSON. I was at first astonished when I learned that compromises had been made. I think the first report that I saw was in U.S. News and World Report here in this country, which referred to payoffs by senior Saudi princes to Osama bin Laden following the 1995 bombing in Riyadh of a Saudi national guard facility in which several American advisors were killed.

I followed that story up in London with British officials and they confirmed it to me. They confirmed the identify of the senior Saudi princes involved, and it was pact with the devil that the Saudis had decided that they would pay off bin Laden so that he caused trouble elsewhere. The elsewhere was Tanzania, Kenya, the USS Cole, and finally 9/11, New York City and Washington.

Chairman KYL. Mr. Epstein, the Saudi groups that you identified frequently say that they are anti-terrorist. You acknowledge that point. Do you know how CAIR and other groups that you discussed, like the AMC and ISNA, reacted to the freezing of the Islamic charities here in the United States, like Holy Land Foundation, Benevolence International, and Global Relief?

Mr. EPSTEIN. Without exception, the organizations that you have named have never applauded a single freezing of assets, including Holy Land Foundation, Benevolence International, or Global Relief, or afforded any form of legitimacy on the government action substantiating what the government has put forth as significant evidence.

For example, CAIR Director Nihad Awad, speaking at an event at Johns Hopkins recently, spoke about a charity that was shut down, Benevolence International. The government had put forth thousands of pages of evidence demonstrating how Benevolence International was an Al-Qaeda front.

Nihad Awad—his exact statement is in my testimony—likened it to the American Red Cross, that you can't expect that every organization will know where every dollar goes, and so on and so forth. But we have never seen support from these organizations saying, yes, this organization supports terrorism; it supports Islamic terrorism, Al-Qaeda, Hamas, Hizbollah, Islamic Jihad. We either see

silence or forms of questioning saying, you know, it is suspicious, politically-motivated attacks.

Chairman KYL. Thank you.

Senator Feinstein.

Senator FEINSTEIN. Thank you, Mr. Chairman.

One question for Mr. Henderson and one for you, Mr. Epstein. While Al-Qaeda leaders had access to operatives from more than 80 nationalities in recruiting the 9/11 hijackers, they chose to recruit 15 Saudis. Yesterday, a New York Times story offered one explanation and that paper reported that, according to a Saudi official, Osama bin Laden told a top Al-Qaeda operative to recruit Saudis for 9/11 in an effort to further strain relations between the United States and the kingdom. The Saudi official says he obtained this information from U.S. intelligence sources.

Under this theory, Osama bin Laden shrewdly sought to weaken the Saudi-American alliance by deliberately choosing Saudis to be the foot soldiers of a hijacking operation, even though their teams were led by an Egyptian, Mohammed Atta, and other key leaders were from Lebanon and the United Arab Emirates.

What do you think of this theory?

Mr. HENDERSON. I think it is just that; I think it is a theory rather than fact. I read the story in the New York Times yesterday. As a journalist, I was frankly incredulous that the Saudi official was not identified in any way, whether he was senior, junior, resident or non-resident.

I frankly believe the explanation which was given later in the story that the principal reason that Saudis were chosen by Osama bin Laden was that it was easier for Saudis to get visas to the United States. This is a subject which you are already familiar with, I know, and there have been accounts in the media of people who weren't able to get visas to the United States, so didn't have the opportunity of learning to fly and kill themselves.

I think a second reason was that Osama bin Laden felt more confident with other Saudis. Al-Qaeda is essentially a Saudi and Egyptian organization, but led by Osama bin Laden, and I find it more credible that he went for Saudis because he could understand Saudis better than other nationalities.

Senator FEINSTEIN. Thank you. Now, both you and Senator Schumer have spoken about the Interior Minister for Saudi Arabia, and there is a lot of open-source information about him, as you know. The belief is that he is the person that prevented the trial of the 13 Saudis indicted for killing 19 Americans in the Khobar Towers bombing. He has refused to turn them over to the United States.

He is also the person last November who told a Saudi newspaper that Zionists were responsible for the 9/11 attacks, which to me seems to be a very irresponsible statement. I gather when the former Director of the FBI went to Saudi Arabia, according to recent articles, he wouldn't meet with him, but had a very low-level individual meet with him on the Khobar Towers bombing.

I am puzzled as to why the Saudi government would keep him Interior Minister with the record that has been popping all over a lot of open-source documents and, to the best of my knowledge, have never really been refuted.

Mr. HENDERSON. It is a good question, and some of the information in the public record about Prince Naif is there because I wrote it. Prince Naif was also the character who was responsible for arresting the six British expatriates to which I referred in my testimony to charging them on false charges that they had caused bomb explosions, and it was his men who tortured these people. Prince Naif was also the person who delayed any diplomatic deal on these men so that they could be released. He is an awkward character.

It is not, though, within the power of Crown Prince Abdullah to get rid of Prince Naif. Prince Naif is one of the most important and strong people in Saudi Arabia. The usual nomenclature for the Saudi elite is that King Fahd is number one. Unfortunately, he is in bad health, so it is not a really accurate reflection of his current power. Number two is Crown Prince Abdullah. Number three is Prince Sultan, the Defense Minister, and indeed the father of Prince Bandar, the ambassador here. And number four is Prince Naif.

Prince Naif controls not only the police, but also the coast guard, the customs officials, the security officials at the airport. He also controls the mutawah, the religious police. He has been Interior Minister for many, many years. He is just too powerful. He cannot be gotten rid of.

Senator FEINSTEIN. Well, I think that is very interesting because I don't know how you can have a credible interior minister and have him be allied with a country when they are making claims as he made about the 9/11 incident.

Mr. Epstein, I would like to ask you about a man, Yassin Qadi, Q-a-d-i. He is a Saudi citizen who was named a specially designated global terrorist by the Secretary of the Treasury on October 12, 2001. He was also a trustee of a charity called Mufawa.

According to a government statement, accompanying the designation, Mufawa—and I am quoting—"is an Al-Qaeda front that receives funding from wealthy Saudi businessmen. Blessed Relief is the English translation. Saudi businessmen have been transferring millions of dollars to bin Laden through Blessed Relief," end quote.

Then, according to a New York Times article on October 13, 2001, this same gentleman was said to be a major investor and director of Global Diamond Resources, a diamond exploration company based in San Diego. Last September, Valentin Roschacher, the Attorney General of Switzerland, was reported as saying that the consensus of officials in all major banking states was that Al-Qaeda had protected most of its assets by shifting from cash to diamonds and gold before the September 11 attacks. Roschacher said that this enabled them to still have enough money to carry out other attacks.

Can you provide any insight into this, whether that has credibility that assets were transferred, anything about Mr. Qadi that might be useful?

Mr. EPSTEIN. I can tell you that Mr. Qadi by many accounts has substantial business and financial holdings in the United States—the diamond company in San Diego, as you mentioned. A little under a year ago, there was a software company in Boston named PTech that was raided by JTTD because Qadi was a major inves-

tor. That was a software company selling software to the U.S. Government.

Most recently, there was a bank in New Jersey called BMI which in government documents shows that Qadi was one of the financiers of this entity. There is actually a hearing tomorrow here in Virginia for the former president of BMI. His name is Soliman Biheiri. He has been indicted most recently, and in the affidavit to the indictment it explains how they are looking at Qadi and BMI as a major source of funding for Al-Qaeda and Hamas.

One of the most disturbing elements along the lines of these hearings today is in other government documents we have seen that one of the biggest funders for BMI which is currently under investigation by these documents is the International Islamic Relief Organization, the Saudi charity based here in Virginia. We have also seen that large amounts of money, to the order of at least $400,000 for the International Islamic Relief Organization, came through the Saudi embassy.

This was an investigation that was started by the FBI in 1997 and continues today. IIRO's offices were raided originally in 1997 and most recently again in March of 2002, and they are currently involved in an Al-Qaeda and Hamas investigation here in the United States.

On the issue of diamonds, Douglas Farah, a Washington Post report, has an outcoming book on the use of diamonds by Al-Qaeda, also, and we have seen a lot of evidence that it is the international diamond trade that has allowed Al-Qaeda to reconstitute their financial operations.

So although I have not seen any specific information on this company in San Diego connecting them in any way to terrorism financing, except for the fact that Qadi, a designated financier, was one of their investors and owners, I haven't seen that they were involved in that trade or Al-Qaeda financing.

Senator FEINSTEIN. Thank you. Thank you, Mr. Chairman.

Chairman KYL. Senator Schumer.

Senator SCHUMER. Thank you, Mr. Chairman. I want to thank both of our witnesses for their testimony. I have some specific questions. The first is to Mr. Henderson.

In your testimony, you point out that the Islamic Development Bank has given large sums of money to CAIR, which we know has ties to terrorism. You also say that the IDB even funded the Al-Noor school in my home borough of Brooklyn, where students were interviewed after 9/11 and expressed their support for the fighters of Islam and said they wanted to follow in their footsteps.

Is the IDB still supporting the Al-Noor school, and do you have any more information on its activities and support for Wahhabism or terrorism?

Mr. HENDERSON. Sir, the information that I put in my testimony regarding the school in New York City was by virtue of reading the New York Times. The IDB is a body which is headquartered in Saudi Arabia. Saudi Arabia has the largest shareholding in it. There are, I believe, 54 Islamic nations which are all shareholders of it. The Saudi share-holding is 27.33 percent. The next largest share-holding, I believe, is just over 10 percent. Most of the share-

holdings, therefore, are of trivial amounts of 1 percent and less. It is essentially a Saudi-controlled organization.

I think the attitude of many of the countries which are member states of the Islamic Development Bank is that this is a convenient way of being given aid from Saudi Arabia. Kazahkstan has recently played host to an IDB meeting and its president referred to a loan they had just received from the IDB. I suspect Kazahkstan would make sure that there is no Wahhabi conditioning to such a loan. I am less certain that smaller countries with less strong leaders can make the same sort of conditioning.

Senator SCHUMER. How about the school?

Mr. HENDERSON. I have no knowledge whether there is more money going into the school or any other schools, but I will look into it.

Senator SCHUMER. Next question for both Mr. Henderson and Mr. Epstein: There was a report, in fact, on NBC's "Today Show" just this morning about a gentleman named Gerald Posner, who has written a book about September 11 called *Why America Slept*. Mr. Posner says that Prince Turki al-Faisal, the Saudi Ambassador to Britain, has given up to $2 billion to Osama bin Laden to keep him in Afghanistan and from coming to Saudi Arabia. Posner also indicated that a high-level Al-Qaeda operative recently interviewed by American agents named several high-level Saudi officials, not citizens, officials, as supporters of Al-Qaeda.

What can you tell us about Prince Turki al-Faisal, his support for bin Laden and Al-Qaeda, and do you have any knowledge of others whom the high-level Al-Qaeda operative might be referring to in terms of other high-level Saudi officials?

Mr. HENDERSON. Sir, I have seen the report about Mr. Posner's book. I haven't seen the book itself. I rely on what I read about it in Time magazine.

Turki al-Faisal, currently the ambassador in Britain, was previously, until ten days before 9/11, the Saudi intelligence chief, that is the head of the Foreign Intelligence Service of Saudi Arabia. He was summarily sacked at the end of August 2001. There are various theories on why he was sacked. There is no clear information on why he was sacked.

It has always been my working assumption that as a liaison, as Prince Turki was, between Saudi Arabia and the Taliban in Afghanistan, his relations with Osama bin Laden were close, even though the Saudis didn't like Osama bin Laden. I have always assumed that a money flow was an element of that relationship. I am told by foreign intelligence officials that that is the primary function of the Saudi Foreign Intelligence Service, to pay off problems. Prince Turki al-Faisal, who incidentally is a brother of the Saudi Foreign Minister, Saud al-Faisal, denies these allegations.

On the question of other officials, I am aware of the three princes whom Mr. Posner mentions. They inconveniently for anybody following this up, all happen to be dead. I had not previously heard their names in relation to any payoffs of bin Laden or of Al-Qaeda. The names that I had heard were more senior. None of these three officials, to my understanding, had an official government job.

Senator FEINSTEIN. Is he talking about the three that were killed.

Mr. HENDERSON. Yes.

Senator SCHUMER. That were killed?

Mr. HENDERSON. No, no, no, the three which are dead.

Senator FEINSTEIN. They are dead. Excuse me.

Mr. HENDERSON. To the best of my knowledge, the way it was reported one died of a heart attack. The second one died when he was driving to the funeral of the first because he was driving too fast. Both of those stories I find credible. The third story is the prince died of thirst in the desert. In the Saudi press agency account of it—

Senator SCHUMER. Put out there with no water, that might have happened.

Mr. HENDERSON. No explanation was given, but when you are dealing with Saudi Arabia, lack of explanation doesn't necessarily mean mystery. It just might mean that they can't be bothered to give you more information.

Senator SCHUMER. Who are the higher-level officials you referred to?

Mr. HENDERSON. Well, I understand you are probably protected as a Senator by all sorts of privilege. I as an individual based in London am not protected by privilege, and since I don't have documentary evidence against these officials, I would prefer not to mention it in public. For your own purposes, I am prepared to tell you afterwards, sir.

Senator SCHUMER. Thank you. Thank you, Mr. Chairman.

Chairman KYL. I might say that when I pre-interviewed Mr. Henderson, he was perfectly willing to share the information. I confess that I wasn't familiar enough with our own libel laws to know whether witnesses would be protected from libel in that circumstance, and therefore perhaps it was better that the names not be mentioned publicly.

Senator SCHUMER. Thank you, Mr. Chairman.

Chairman KYL. Senator Durbin.

Senator DURBIN. Senator Kyl, first, thank you for inviting me. I am not a formally a member of your Subcommittee, but you were kind enough to invite me to attend.

Chairman KYL. And I might say that one reason for that is the great interest that you had expressed in this subject in previous situations. Of course, you are always welcome.

Senator DURBIN. Allow me to commend you, as well, for broaching a subject which is controversial involving the Saudis and terrorism.

I would like to also commend Mr. Epstein because I heard his remarks. I am sorry, Mr. Henderson, I wasn't here for your own.

Mr. Epstein, I think you made a very important comment that I hope is shared by all who follow this record that President Bush is right. Our war on terrorism is not a war against Islam. I don't want to mischaracterize your position, but I believe you have said that the majority of people who follow this religion are peace-loving people, and I think it is important for us to keep that front and center in this conversation.

There are others who have said things which I think are inflammatory, and I think they don't really serve our cause here. We need to focus on those who are responsible for the terrorism, regardless

of their religious belief. But it is a very serious mistake for us to generalize about people who are of the Islamic faith, and thank you for that comment.

You did say in your statement, though—in your written statement, you said "The radicalization of the Islamic political leadership in the United States has developed parallel to the radicalization of Islamic leadership worldwide. The institutional Muslim leadership in the U.S. mirroring the rise of militant Islam has grown increasingly anti-Western and anti-U.S."

I would hope that if there is a future hearing involving this, Mr. Chairman, that other than the CAIR organization, which apparently from what I have read is unusual in its extreme rhetoric and its association with groups that are suspect, there are many mainstream groups of Muslim Americans who fully support this war against terrorism and I would hope that they would be invited to speak to their heart-felt beliefs about this effort so that our characterization is fair across the board.

Mr. EPSTEIN. I think that would be an important hearing, too. I agree.

Senator DURBIN. Thank you very much.

I am going to ask each of you if you have read the Vanity Fair piece that recently was published relative to allowing Saudis, including members of the bin Laden family, to leave the United States at a time when virtually all air flights had been shut down after September 11, 2001.

Are either of you familiar with that piece, and could you comment, Mr. Henderson or Mr. Epstein, on that? I don't know if you have any personal knowledge as to whether it occurred. It appears that we can't find anyone to verify within our Government that permission was given, though there are eyewitnesses to these planes being loaded with Saudi nationals and members of the bin Laden family and allowed to leave without any investigation or interrogation.

Are either of you familiar with this episode?

Mr. HENDERSON. I am familiar with the Vanity Fair piece, which I read with great interest. I was aware that Saudis were leaving the United States and I tackled a friend who is an official in the administration on how this was able to happen. He said on actually leaving the United States, if you want to leave the United States, it is easy enough to leave the United States, but he shrugged with a mixture of, I think, less ignorance but more desperation that these planes were able to fly around the United States, picking up people, and then fly out of the United States.

I am personally shocked and horrified that there appears to be no—I am not even sure the people who know or should know have a list of who was on those planes, and there was no attempt made as far as I can make out to ask the relatives of Osama bin Laden "when did you last hear from your brother, cousin, or whoever it was?"

Senator DURBIN. This article also went into Prince Bandar's relationship with our Government and the relationship of the Carlyle Group, which as I understand it represents the Saudi government on Capitol Hill.

Can either of you comment on the Carlyle Group and what role they have played involving Saudi relations with our Government in light of our concern about terrorism?

Mr. HENDERSON. I think you might be confused between Carlyle and Corvis. Carlyle is an investment group to which the bin Ladens were investors before—after 9/11, Carlyle got rid of its bin Laden investment.

Senator DURBIN. No. The Carlyle Group is a firm which involves many highly-elected former officials of our Government who are now representing, as I understand it, the Saudis in many instances involving issues.

Mr. HENDERSON. I didn't realize they were representing—

Senator DURBIN. Are you familiar with this, Mr. Epstein?

Mr. EPSTEIN. I have seen reports. I am not intimately familiar with the Carlyle Group and its activities. I think in recent reports I saw, they were also—one troubling thing I read was the involvement of the bin Mafoos family. I think that what we have seen and it is hard to distinguish between is several months ago a letter came out called the Golden Chain, which was a list of Al-Qaeda's original financiers. On there was a list of names, such as bin Mafoos and al-Raghi and Kamel, the largest Saudi families.

It is also those names that have substantial investments and holdings in the United States, and particularly in companies that are connected with our Government in one way or another, indirectly or directly. So the question is where is it known that terrorism financing is taking place? Is it Halid bin Mafoos, the head of the family, who is controlling investments, or is it someone down the chain? How did the name end up on the Golden Chain letter and other instances of terrorism financing?

Senator DURBIN. I won't take any more time of the Subcommittee other than to say, as I look into this, as the Subcommittee looks into this, what a strange relationship we have with Saudi Arabia. Our dependence on their oil has led us to, I think, reach conclusions in relation to this Nation we wouldn't reach in relation to any other nation when you look at the fact that 2 years ago, so many Saudis were involved in this attack of 9/11.

It is also amazing to me the political power of the Saudis on Capitol Hill. It is overwhelming in terms of their allies and what they are able to accomplish. I think many times our Government has greeted suspicious conduct by the Saudis with a wink and a nod because of our oil dependence and their strong political connections on Capitol Hill, and I think that is an element which we cannot ignore if we are truly seeking to get to the root causes of terrorism.

Thank you very much, Mr. Chairman.

Chairman KYL. I would like to comment directly on what Senator Durbin just said because it is a very profound statement, I think, and important for us to take into account as we continue our examination and as our Government continues to determine how it proceeds in dealing with Saudi Arabia. Relations with important foreign countries are frequently very complex. They frequently involve a mix of help and hindrance, and certainly the Saudi relationship is Exhibit A in that regard.

We have problems in dealing with powerful countries. Our old nemesis, Russia, which has been very helpful to us in certain re-

spects, continues to be somewhat problematic in other respects. But in many ways, the relationship we have now with Saudi Arabia is the most perplexing of all.

I have made this comment before and I want to make it again. Saudi Arabia as a country, as a government, has done some very important things for and with the United States over the years. But because of the factors that we have discussed here today, it has also been very—some of its actions have been detrimental to our ability to properly fight the war on terror.

It is difficult for our Government to candidly discuss all of these things, but I am determined as the Chairman of this Subcommittee, and have very much appreciated the very bipartisan way in which other members of the Judiciary Committee have joined in, to try to, in the same way that we make it very clear that we are not in any way questioning the Muslim faith or Islam, unveil problems with the Saudi government with rich Saudis and problems with some of the leadership of the Wahhabi sect here in the United States or people who support the Wahhabi sect and the problems that that is causing us.

I think what the Senator from Illinois said is very, very important. We have to be sophisticated enough to be able to differentiate, to draw these distinctions, to do so fairly, but to use our powers here to follow the leads where they take us and try to take the action that we need to in order to get the most out of the Saudi government in terms of supporting our effort in the war on terror, and not be afraid to go into these areas even though there may be powerful people on the other side and even though some of these distinctions we may have to draw very, very carefully because they can result in charges of bigotry or cowboyism or however you might want to describe it.

So I really appreciate the comments the Senator from Illinois made, and I want Senator Feinstein to respond and also anybody on the panel.

Senator FEINSTEIN. Mr. Chairman, we called the FBI about the Vanity Fair story and about some knowledge about flights leaving this country after 9/11. On an unclassified basis, I would like to read in the record this statement from the FBI.

"During the early days after September 11, the FBI was aware that flights containing Saudis were leaving the United States to return to Saudi Arabia. Further, with the INS, the FBI took appropriate steps to ascertain the identities of individuals on the flights that we were aware of," end quote. Any more than that they would like to have in a classified setting, which hopefully we will have shortly.

Chairman KYL. Mr. Epstein, you had a comment

Mr. EPSTEIN. I would like to add to your comment that what is very important to isolate and understand where Saudi Arabia is funding the extremism in this country and the organizations that are attempting to undermine our counterterrorism policy.

One of the groups which was discussed in my testimony most recently has had three of their members and officials arrested on terrorism or bank fraud-related charges. One of the individuals, Ismail Royer, had traveled to Pakistan and trained with a terrorist organization, Lashkar E-Tayyiba, which is considered a jihad orga-

nization that targets Indians, but it is an Al-Qaeda-associated international jihad organization. Another one had passed hundreds of thousands of dollars to Marzook, Hassan Al-Ashi. Marzook is a Hamas leader and also a designated terrorist.

So in separating out the issues where you have raised that Saudi Arabia has helped, it is also important to isolate what is going on in the important, where is this money going, who are they funding. Are they funding organizations where their members and officials are engaged in terrorist-related and terrorist support-related activity?

Chairman KYL. I also associate myself with the remarks of Senator Feinstein, who said that people cannot be on both sides of this issue, paraphrasing what the President said that countries have to choose which side they are on in this war on terror.

Mr. Henderson, a final comment?

Mr. HENDERSON. I would just like to make a clarification and an addition to some information on Prince Naif just to make the point of how serious not only the implications of your question were, but also the answer I gave.

Prince Naif is number four. Without going into the mechanisms of succession in Saudi Arabia too much, he is essentially fourth in line to be king. King Fahd is 82 and already ailing. Crown Prince Abdullah is 80. Prince Sultan, number three, is 79. Prince Naif is a comparatively youthful 70.

I think the United States should be aware that within a few years, if nothing else happens, Prince Naif might be king. Not only will he be king, but he will be king for some time. Given the difficulties that we are facing today apparently with Prince Naif, I think that is quite an implication.

Chairman KYL. I would like to continue this hearing. Unfortunately, we all have conflicting schedules that are going to require that we adjourn the hearing, but the record is going to be kept open for one week. Members will have until 5:00 p.m. on Wednesday, September 17, to submit questions, and I have two pages of questions that I am going to submit to both of you. The first one I will simply tell you and then will appreciate your answer on the record, since we do have to adjourn the hearing now.

When the Saudis, including the Saudi princes, make contributions to Islamic charities, or even paying off bin Laden, I am curious about whose money they are using. Is it their own? Is it their family money? Is it government money in any way? These are the kinds of things that I think we want to complete our record with and I will be very interested in the answers that you provide.

First of all, let me thank both of you again. I very much appreciate your traveling from Great Britain, Mr. Henderson, and, Mr. Epstein, for your tireless work in this regard. I know you put in a great deal of work.

I thank Senator Feinstein again for all of the work that she has provided over the years.

We will have more hearings on this same subject matter, and I appreciate all of you in the audience for your indulgence with respect to our schedule here today. Thank you very much.

This hearing is adjourned.

[Whereupon, at 1:12 p.m., the Subcommittee was adjourned.]

[Questions and answers and submissions for the record follow.]

QUESTIONS AND ANSWERS

Answers from Simon Henderson

Senate Committee on the Judiciary
Subcommittee on Terrorism, Technology and Homeland Security
"Terrorism : Two Years After 9/11, Connecting the Dots"

1. What are the tensions in the royal family which are hampering co-operation with the U.S. over terrorism financing?

The Saudi royal family is embarrassed by anything it might have to reveal about terrorism financing. One of these tensions is "how much to say?" Another is "what are the possible repercussions?" The result is that the Saudi royal family/the Saudi government has said as little as possible. Any progress has been apparently because of unremitting pressure by the US Government. Although this pressure has been private, the public pressure of the US media has also been very important – despite Saudi complaints about much of the coverage. Within the family, Interior Minister Prince Nayef has been most reluctant to reveal information to the US authorities. He is a contender to be king and also a rival to Crown Prince Abdullah, the de facto ruler and next likely king when the ailing King Fahd dies.

2. What compromises have the Saudi royal family made with al-Qaeda in the past?

After the 1995 bomb at a Saudi National Guard facility in Riyadh, I have been told by several reliable western officials that the Saudi royal family started to pay off Osama bin Laden/al Qaeda as a way of preventing further attacks on Saudi territory. Instead al Qaeda chose other targets outside the kingdom eg the US embassies in Kenya and Tanzania, the USS Cole in Aden harbor, and the attacks of 9/11. This understanding appeared to last until the May 2003 attacks against three residential compounds in Riyadh although the pay-offs diminished or stopped after US pressure following 9/11.

(I consider the 1996 Khobar Towers attack to have been carried out by Saudi Shias with support from Iran, not al Qaeda.)

3. When Saudi princes make contributions to Islamic charities are they using their own money or official funds?

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My understanding is that Saudi princes with official government jobs use government money for any contributions to Islamic charities. This is partly because they consider such contributions to be part of their job and also because they have no perception of what, in the U.S., would be called "misuse of public funds". It is also important to remember that the Saudi royal family considers Saudi Arabia to be their own personal country.

4. What is the relationship between Saudi Islamic charities or similar organisations and the Saudi Government?

The Saudi Government effectively controls the main Islamic charities, seeing the work of the charities to be important work on behalf of the government. The spreading of Islam, in particular the Saudi version, is an important part of Saudi foreign policy. The security of the kingdom and the status of Saudi Arabia in the Middle East and the wider world are also important foreign policy concerns. There are often contradictions and clashes between these themes.

5. Why does the Saudi royal family not confront the Wahhabi religious establishment?

The Wahhabi religious establishment confers Islamic legitimacy on the Saudi royal family so cannot be confronted directly. The Saudi royal family can insist that the Wahhabi establishment controls the wilder elements of the Islamic priesthood but concessions are usually demanded – and given. The word "confrontation" also implies a public clash. The Saudis prefer to sort out their problems in private. But just because they might say they are dealing with a problem, it does not mean much or indeed anything is happening.

6. How do you answer the Saudis when they say they are working closely with the U.S. and have been taking all the appropriate measures for many months?

The Saudis must work even more closely with the U.S. because al Qaeda represents an even greater and more immediate threat to the Saudi royal family itself. The U.S. needs the kingdom because of its crucial, and currently irreplaceable, role in the international oil market. But the Saudis must know that there must be no more 9/11s. Any Saudis claims that they

are doing enough are, frankly, unbelievable. The Saudis still try to hide their own embarrassment and minimise their own involvement.

7. Should we not also be concerned about other Islamic charities, not just Saudi ones?

Al Qaeda is more than just a threat from Saudi Arabia. It is also a threat from any other group of Islamic militants in any other part of the world. Any progress in curtailing misuse of Islamic charities in Saudi Arabia has to be matched with action against poorly-managed Islamic charities in other countries, including in the U.S. and other western countries.

8. Matthew Levitt states, "Since Washington has failed to take Saudi Arabia and others to task for financing Islamic extremist organizations in the United States, it should not surprise that Riyadh has not taken American concerns about such developments seriously. Instead of taking measures to address these problems, the Saudis periodically enlist public relations experts like Qorvis Communications or Adel al-Jubeir (foreign policy advisor to Crown Prince Abdullah) to engage in a PR blitz." Can you please elaborate on the Saudi strategy of image control in the United States; what means they employ and what ends they seek?

Saudi Arabia can buy the best and most sophisticated PR advice. I have particularly noticed recently events across the US on university campuses discussing problems in the U.S.- Saudi relations. Saudi academics visit to participate in these events. Critical comments might be heard at such meetings but they are countered by comments that, from a Saudi point of view, seek to correct or explain. Unless one of the speakers is particularly well-informed, they cannot counter such arguments.

9. Matthew Levitt claims that, "Saudi diplomatic personnel stationed abroad play a critical role in the financing of radical organizations in the West, particularly the United States and Europe." To what extent are Saudi officials working abroad involved in the global terrorist network?

Saudi diplomatic personnel, acting through Islamic affairs sections of Saudi embassies, are in contact with Islamic activists in different countries. They provide money and facilities to encourage such activism. It is often questionable whether such activities are good for bilateral relations. In

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several cases, Saudi diplomats doing such work have been found to have had contact with terrorists.

10. If there are additional comments that you would like to make or if you would like to submit anything for the record, please do so.

Since my original testimony, I have learned that federal agents are examining the bank records of the Saudi embassy in the U.S. It has been reported that the agents have been surprised by the number of cash transactions. I think this is an important lead that might lead to terrorist financing. It might also shed light on Saudi influence buying, an important part of the Saudi PR effort.

U.S. Senator Dianne Feinstein
Questions for the Record

Questions for Matt Epstein

1. Given that expertise in terrorist financing, I would like to ask you about organizations in California that you believe may be raising money for terrorists. My understanding is that the Holy Land Foundation was founded in California in 1989 under the name the Occupied Land Fund but only stayed there about three years before moving to Richardson, Texas. In December 2001, the Department of Treasury designated the Holy Land Foundation a Specially Designated Terrorist, after finding that it had raised millions of dollars annually for Hamas and supported Hamas activities.

- Can you tell us anything about the Holy Land Foundation's activities in California during the time it was there?

- Why did the Holy Land Foundation move out of California?

- Does California law make it difficult for a terrorist-supporting group to operate there as opposed to, say, another state such as Texas?

- What can you tell us about any other groups in California that may be engaging in fundraising for terrorist groups such as al Qaeda or Hamas?

2. Since December 2001, the FBI and IRS have been investigating a group of individuals who control various companies and supposed charitable entities in Virginia and who are suspected of providing material support to terrorists. In a sworn declaration filed publicly in connection with this investigation in a case called *U.S. v. Biheiri*, Bureau of Immigrations and Customs Enforcement Senior Special Agent David Kane states the following:

> According to a CIA report, recently made public in response to a FOIA request, of the more than 50 Islamic nongovernmental organizations in existence in 1996, "available information indicates that approximately one-third of these Islamic NGOs support terrorist groups or employ individuals who are suspected of having terrorist connections."

The Kane Declaration goes on to note that this CIA report lists the International Islamic Relief Organization (IIRO), also known as the Muslim World League (MWL), as having "extremist connections," including ties to Osama bin Laden and Hamas. The Declaration then quotes the report as saying "the IIRO helps fund six militant training camps in Afghanistan, according to a clandestine source." Senior Special Agent Kane then states in his declaration, "I know that terrorists who have attacked or tried to attack the United States around the world have been associated with MWL/IIRO."

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U.S. Senator Dianne Feinstein
Questions for the Record

- I know you discuss the IIRO briefly on p. 22 of your testimony. But could you describe in more detail the evidence you have seen about how the IIRO and the MWL may have funded terrorist groups such as Hamas and al Qaeda? In other words, where did their money come from and where did it go?

3. A recent *Wall Street Journal* discusses the activities of Muhammad Jaber Fakihi, a former Saudi diplomat in Berlin. Mr. Fakihi's business card was found last year among the possessions of a man convicted in Germany of aiding the September 11 hijackers. The article notes that Mr. Fakihi arranged for the Riyadh-based Al-Haramain Foundation to fund the expansion of the Al-Nur mosque in Berlin, which Mohamed Atta and other members of the al Qaeda Hamburg cell visited. In March 2002, the U.S. Treasury ordered the freezing of assets of the Al-Haramain branches in Bosnia and Somalia. In June, according to the *Wall Street Journal* article, the Saudi government stated that its own investigation revealed that these branches "supported terrorist activities and terrorist organizations." However, the Saudi government also claimed that the Riyadh branch of the foundation–which is backed by the Saudi government–had not been involved in any wrongdoing.

- Could you comment on this article?

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SUBMISSIONS FOR THE RECORD

September 17, 2003

Congresswoman Dianne Feinstein
Subcommittee on Terrorism, Technology and Homeland Security
Committee on the Judiciary
SH-325
Washington, DC 20510

Dear Congresswoman Feinstein,

The American-Arab Anti-Discrimination Committee (ADC) is grateful to you for inserting our organization's statement into the Congressional Record along with the other testimony of the September 10, 2003 Subcommittee Hearing on Terrorism: Two Years after 9/11, Connecting the Dots.

ADC is a nonsectarian and nonpartisan civil rights organization and the oldest and largest Arab American membership group in the United States. A review of ADC's statements and policies over the years show a condemnation of violence no matter the perpetrators or victims.

We proudly stand upon our record and that is why it is important to defend ourselves against the attempt of one of the panel's witnesses to malign our organization. We feel compelled to offer additional statements as Matthew Epstein deviated from his written statement before the Subcommittee to again accuse ADC of not condemning terrorist organizations by name. You will note from the enclosed document that over the years ADC in general, and the organization's spokesperson, Hussein Ibish in particular, have repeatedly condemned terrorists groups and their actions upon innocent civilian populations. These examples are but a small sample of the full record of our staunch opposition to all forms of terrorism.

As we work with Members of Congress, like you, and the White House to ensure civil rights for Arab Americans and represent their views on America's foreign policy is, we do so knowing the strength and justice of our cause. Our organization takes seriously how we are perceived in Washington and we will take every action to ensure that we are fairly represented before Congress.

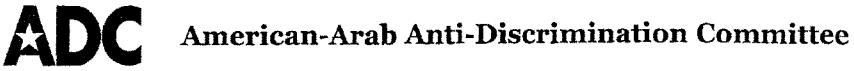
Again, thank you for including ADC's statement in the Congressional Record. We look forward to continuing to work with you, and hope you will not hesitate to contact us if we can ever be of any assistance to you.

Sincerely,

MARY ROSE OAKAR

ADC President

MRO/cg
Attachment



ADC RESPONSE TO MATTHEW EPSTEIN'S STATEMENT

Washington, DC, September 10, 2003... The American-Arab Anti-Discrimination Committee (ADC), which is a nonsectarian and nonpartisan civil rights organization, is the oldest and largest Arab American membership group in United States. Its membership, Board of Directors and professional staff include Arab-American Christians and Muslims, as well as many people of other ethnic backgrounds and religious affiliations. Since its founding in 1980 by former Sen. James Abourezk, ADC has worked with a broad coalition of civil rights, civil liberties, human rights, and peace and justice organizations throughout the country to promote tolerance and freedom in the United States and around the world. ADC has a long track record of opposing violence, and categorically rejects all attacks directed against civilians no matter who the perpetrators or the victims may be.

It therefore follows that Matthew Epstein's effort in his testimony dated September 10, 2003 before the Senate Subcommittee on Terrorism, Technology and Homeland Security to characterize ADC as part of a "radical Islamic political leadership in United States," which supports "violence in the name of Islam" is completely false, offensive and absurd. Even the most cursory review of statements made by the organization demonstrates ADC's commitment to its secular perspective and its unwavering opposition to terrorism in any form. There are literally scores, if not hundreds, of official statements from ADC in recent years that directly contradict Mr. Epstein's allegation that the organization "refuse[s] to specifically condemn Islamist terrorist groups and leaders by name, or acknowledge responsibility for their acts of terror."

In his attempt to portray ADC as part of a "radical Islamic leadership," on page 4 of his testimony Mr. Epstein seriously misrepresents comments made by ADC Communications Director Hussein Ibish in June, 2000. Although Mr. Epstein disingenuously frames the quotation he cites from Ibish's interview with Geraldo Rivera in terms of the killing of 241 American Marines in Beirut almost two decades earlier, the subject was in fact never raised during that broadcast. Speaking only a few weeks after the Israeli withdrawal from south Lebanon after more than 22 years of military occupation, Ibish observed that Hizbollah had conducted a successful guerilla war against occupying Israeli troops, and that in this they had the support of the majority of the south Lebanon population. ADC notes that Israel's 22 year occupation of south Lebanon was in direct contravention of UN Security Council Resolution 425 (1978), which the United States helped draft and voted for. The attack on the Marine compound was never in any way a part of the discussion between Ibish and Rivera, in spite of Mr. Epstein's allegations.

In sum, Matthew Epstein's testimony constitutes a scandalous misrepresentation of ADC's mission, beliefs, activities and statements. It is a gross disservice to the members of this Subcommittee, and to the broader Senate, that he should come forward with such an underhanded attempt to smear, through shameless distortion, the largest Arab-American nonsectarian civil rights organization in United States.

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Ziad Asali, COO and President 2000-2003:

* "The failure of peace talks -- and the continuing occupation of ancestral land the Palestinians view as their own -- has led to extremism on both sides. These extremists are Israeli soldiers killing innocents and Palestinian suicide bombers doing the same. How much blood will be shed before reasonable people reclaim the debate and deny extremists the stage? To achieve peace, both sides must accept the other's fundamental right to exist." "This does not excuse suicide bombers who take the lives of Israeli citizens. The suicide bombing must stop, just as violence and torture by Israeli soldiers and settlers must stop against Palestinians." ("There Is No Military Solution," Washington Post, August 23, 2001)

* PRESS: Well, look, I try to be very even handed on the Middle East, OK, I try to be. But I have to tell you something, these continued suicide bombings and killing of innocents leaves me out, I'm telling you, I mean, how can -- what is possibly served, what good is possibly served and I'm talking about -- just to make clear -- I'm talking about the attacks from the -- any of the Palestinian terrorist groups, whether Hamas or Arafat or whatever. What purpose is possibly served by their continued killing of innocent civilians?

ASALI: Let me tell you, clearly, unequivocally, and with the loudest possible voice, I'm completely opposed to each and every one of those activities, murderous activities against civilians.

PRESS: You're opposed to the suicide bombings?

ASALI: Suicide bombings, out. OK, they do not serve the Palestinian cause. I'm -- I will not hesitate to say this. Equally, one -- equal condemnation for the activities of the Israeli Army against Palestinian innocent civilians wherever they are, and I do not hear it, I do not hear it in the media, I do not hear it coming out loudly from official sources in the United States. There has to be an equality of our valuing civilian life. (MSNBC, BUCHANAN & PRESS, August 5, 2002)

* BUCHANAN: But you believe -- do you not believe that Hamas has in mind not -- I mean, just like you say Sharon. Hamas has in mind not a Camp David, not a Taba Agreement, not an Oslo Agreement, not a Saudi Agreement; Hamas has in mind throwing the Jews into the sea. Don't they?

ASALI: What we cannot conceive, either to Hamas or the extremists on either side is to have a veto power on the only sensible solution that's available for us, which is a two-state solution, side by side. They do want to exercise that veto, and they do it flagrantly and so does Sharon when he kills, you know, I don't know how many children in one ton bomb in an apartment house. These people have exercised and in a very timely fashion, their veto power on any sensible solution. We -- the rest of us, that is -- have to resist

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those extremists on every side, and work out the words... (MSNBC, BUCHANAN & PRESS, August 5, 2002)

Hussein Ibish, Communications Director, 1998-Present:

* "This wanton brutality and cynical apologies for it are, of course, perfectly mirrored on the Palestinian side by Shehada's colleagues in Hamas and their apologists, who have come to regard the murder of Israeli civilians in buses, discos, cinemas and pizzerias as not only acceptable but somehow heroic. The extent to which Palestinian extremists see themselves as fighting all of Israeli society, men, women and children in everyday activities anywhere in the country, has been well-recognized in the United States because of the appalling suicide bombings." ("Barbarism Runs Rampant in the Holy Land," Los Angeles Times, July 24, 2002)

* "Pervasive moral blindness is mirrored by strategic blindness. Sharon and Hamas kill in the name of a military victory that will never come. These nominal enemies are in reality partners in the cause of violence over negotiations and war over peace. Anyone who applauds or excuses their massacres and terrorism, on either side, is an accomplice." ("Barbarism Runs Rampant in the Holy Land," Los Angeles Times, July 24, 2002)

* "Suicide bombing is a reprehensible tactic. These murderous acts involve not only political shortsightedness but an unwillingness to set limits on what is permissible in the pursuit of freedom." ("Occupation Propels Conflict," Los Angeles Times, December 4, 2001)

* On Saturday morning, two rows of Jewish protesters from New York greeted conference participants outside the Michigan League with shouts of: 'We want peace! This conference supports suicide bombing!' However, inside the League, a spokesman for the American-Arab Anti-Discrimination Committee, Hussein Ibish, called suicide bombings 'horrible.' 'It's been a catastrophe for the Palestinian national movement that people have been engaging in that foul practice,' Ibish told participants. ("Protests continue at U-M disinvestment conference," Detroit Free Press, October 13, 2002)

* "Moderate Palestinian leadership exists in the elite circles. They recently took the important step in publicly denouncing suicide bombing as a reaction to Israeli political and military domination. The leaders must make public statements about the immorality of suicide bombings. It is in everyone's interest to state that suicide bombings are both 'immoral and idiotic,' and it would thwart the 'occupiers" from feeling justified in their retaliation methods.' (Summary of speech given in 2002 to Unitarian General Assembly, online at http://www.uua.org/ga/ga02/2084.html)

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* "The occupation does not justify suicide bombing, which is reprehensible... I think all decent people are opposed to suicide bombing as a tactic. The point is that when you have this generalized conflict, you've got at the moment, Israelis killing Palestinian civilians wantonly -- almost 1,000, mostly civilians killed in the past 14 months -- and Palestinians attacking Israeli citizens, also, in this grotesque way. I mean, the two societies are in this kind of horrible death dance."
(CNN TALKBACK LIVE, December 5, 2001)

* ""I agree that the pattern of suicide bombings is appalling and must end at once."
(Letter to the Editor, Washington Post, April 5, 2002)

ADC Press Releases/Statements:

* "The American-Arab Anti-Discrimination Committee (ADC) condemned the wave of violence which has engulfed the Middle East in recent days and threatens to destroy the fragile cease-fire between Israel and the Palestinians which has held for almost eight weeks. ADC reiterated its long-standing opposition to attacks directed against civilians, no matter who the victims or the perpetrators may be. ADC deplored the killing today of two Palestinian teenagers by Israeli troops disguised as civilians who entered a village near Tulkarem. ADC also condemned yesterday's bombing of an Israeli bus in Jerusalem, which killed 19 Israelis."
("ADC Condemns New Wave of Violence in Middle East," August 21, 2003)

* "The American-Arab Anti-Discrimination Committee (ADC) expressed outrage at today's dastardly attack on United Nations headquarters in Baghdad."
("ADC Outraged by Attack on U.N. Headquarters in Baghdad," August 20, 2003)

* "As for the President's remarks regarding terrorism and suicide bombings, ADC has a long-standing and consistent policy of opposing all forms of politically motivated violence against civilians regardless of the identity of the victims or the perpetrators."
("**ADC** WELCOMES BUSH CALL FOR ENDING ISRAELI OFFENSIVE, ENDORSES POWELL MISSION," April 7, 2002)

* "ADC is categorically opposed to all attacks on civilian targets, including suicide bombings, no matter who the perpetrators or victims are." ("**ADC** Welcomes Arafat Speech, Urges US to Respond Constructively, December 16, 2001)

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* "'This nightmare has to end now,' Asali declared, 'this Israeli attack on the Palestinian people must end, the suicide bombings must end, the violence has got to stop.'" ("**ADC** Asks US to Enforce Security Council Resolution 1402, End Israeli Assault on Palestinians," April 1, 2002)

* "Whereas ADC condemns terrorism and all forms of violence against innocent civilians regardless of the source and who the victims or perpetrators may be..." (**Resolutions** Adopted by the ADC Board of Directors at the 2003 National Convention)

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In the name of God, the Compassionate, the Merciful

CAIR

Council on American-Islamic Relations
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Tel: 202-488-8787
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September 9, 2003

The Honorable Senator John Kyl
Chairman
Senate Subcommittee on Terrorism, Technology and Homeland Security
c/o Daniel Saterlee
325 Hart Senate Office Building
Washington D.C. 20510

Dear Senator Kyl and Subcommittee Members:

On behalf of our organization and the American Muslim community, I would like to thank you for inviting me to testify at your subcommittee hearing entitled "Two Years After 9/11: Connecting the Dots" on September 10, 2003.

As you know, the hearing in question is one day before the anniversary of the September 11 attacks on America. I will not be able to personally attend the hearing on September 10 because CAIR is the organizing sponsor for an interfaith memorial vigil to be held at the Capitol reflecting pool the same day.

I would like to make it perfectly clear that CAIR is a national civil rights organization and we do not claim to be experts on terrorism. However, I realize the importance and timeliness of such a hearing and because the American Muslim community has not been adequately represented at congressional hearings in the past, I felt obligated to present written testimony to be submitted for the record. **For the record, I would also like this letter submitted as part of my testimony for the hearing**.

Looking at the witness list and theme for this hearing, I can say with great confidence that this hearing will be used to vilify and defame the American Muslim community. Because CAIR and the American Muslim community have nothing to hide, we happily submit this testimony dealing with many of the predictable fallacies that will be advanced by the Investigative Project, headed by Steven Emerson.

Regardless, I would like to thank you for this opportunity and please let me know if we can be of any assistance in the future.

Most Sincerely,

Nihad Awad
Executive Director, CAIR

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Written Testimony of

Nihad Awad

Before the

Senate Subcommittee on Terrorism, Technology and Homeland Security

"Terrorism: Two Years After 9/11, Connecting the Dots"

"American Muslim Community under Siege"

September 10, 2003

PRELIMINARY TESTIMONY

Nihad Awad
Executive Director
Council on American-Islamic Relations (CAIR)
453 New Jersey Avenue SE
Washington DC, 20003

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NIHAD AWAD
A Biographical Sketch

Nihad Awad is the Executive Director of the Council on American-Islamic Relations (CAIR), a Washington DC-based grassroots civil rights and advocacy organization which seeks to empower the North American Muslim community through political and social activism.

Mr. Awad and CAIR's experts are frequently interviewed on national and international media such as *CNN, BBC World Service, PBS, C-SPAN, National Public Radio, The New York Times, The Washington Post* and *Al-Jazeerah* and its news releases are disseminated to hundreds of thousands worldwide.

After the Oklahoma City bombing in 1995, Mr. Awad flew to Oklahoma to aid in the relief effort. He personally met with Governor Frank Keating and gave the governor a check for $21,000 for the relief effort and victims' fund on behalf of the American Muslim community.

In 1997, Mr. Awad was invited to join Vice President Al Gore's Civil Rights Advisory Panel to the White House Commission on Aviation Safety and Security.

Mr. Awad has also personally met with former Secretary of State Madeline Albright and current Secretary of State Colin L. Powell to discuss the needs of Muslim communities worldwide.

Mr. Awad has been invited by Fortune 500 companies, including Nike and DKNY, to conduct sensitivity training for their employees.

Mr. Awad has welcomed dignitaries who are visiting the President of the United States for official state visits through the sponsorship of the Department of State's International Visitors Program.

A few days after September 11, Mr. Awad was invited by the White House to stand next to President Bush at the President's press conference at the Islamic Center of Washington, the oldest mosque in the metropolitan area built in 1949.

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Executive Summary

As the global community attempts to regain its collective equilibrium in the wake of the attacks on our country two years ago, all Americans share in the responsibility of mending the wounds of our society. The Muslim community in America has taken significant steps in ameliorating strained relations both within our borders and abroad. With close to seven million adherents of Islam in the United States today, American Muslims are a vibrant, diverse and contributing segment of our society. Unfortunately, there are forces seeking to unravel Islam's integration into the fabric of American society and working to silence the voice of American Muslims.

Since September 11, 2001, there has been a notable increase in the number of hate crimes against those of Muslim, Arab and South Asian descent. At a local level, incidents of mosque damage, employment discrimination and physical assaults are frequent occurrences. At the national level, the secret detention of 762 Muslim and Arab males[1] without due process by the Justice Department and unfortunate legislation like the USA PATRIOT Act, have brought the debate on constitutional liberties and anti-terrorism enforcement measures to a zenith. Like our neighbors, American Muslims desire our country to be safe and to protect the interests of its citizens. In our national quest to instill harmonious relations domestically and abroad, there are those polemicists who promote Islamophobia and seek to divide our nation along racial, religious and ethnic lines. In order to further their own political, theological or special interest agendas, these voices of division have dedicated their lives to slandering Muslim organizations and leaders in their attempt to advance their own interests.

CAIR is a true American success story for its adherence to true democratic principles, including life, liberty and property. Since its incorporation in 1994, the Council on American-Islamic Relations (CAIR) has been at the forefront of Muslim civil rights issues in America. CAIR makes a difference in the lives of American Muslims on a daily basis by promoting positive relations within our diverse nation. Headquartered in Washington DC, CAIR has met with local, national and international leaders to discuss issues of importance to Muslims in America. Although there are those who seek to marginalize CAIR's efforts, CAIR's track record is evident in the advances that the American Muslim community has seen politically and socially since our creation.

Because of its reputation within, and beyond, the Muslim community, CAIR has also become the primary contact for most major national and international media outlets seeking an American Muslim perspective for news stories.

Just as the number of interfaith dialogues have increased since 9/11, there has also been an astonishing increase in the volume of anti-Muslim rhetoric in the media and politics today. This new wave of Islamophobia is being led by a camp of racially prejudiced pundits and special interest mercenaries who advance their own political or theological schema by spreading lies about Islam and American Muslims. These so-called "experts," led by Steven Emerson of the Investigative Project, use innuendo, conjecture and outright lies to confuse Americans into believing that mainstream Muslims are somehow complicit with terrorism.

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[1] Rept. by the Office of the Insp. Gen., "The September 11 Detainees: A Review of the Treatment of Aliens Held on Immigration Charges in Connection with the Investigation of the September 11 Attacks," Ch. 10 (June 2003).

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These Islamophobic "usual suspects" attack all Muslims by using recycled and specious accusations and have been repeatedly discredited by respected academics and media outlets, including *The Los Angeles Times* and *The New York Times*. Using McCarthyist tactics and "guilt by association", these Islamophobes are trying to manipulate public policy. The national Islamophobic camp, led by Emerson, director of The Investigative Project, whose group is represented on the witness panel today, attribute quotes out of context and chronology on a regular basis. As director of the Investigative Project, Emerson's well-documented history of recklessly false forgeries against CAIR and other Muslim organizations, in the attempt to disenfranchise American Muslims, will be shown to be a concrete example of how Islamophobes are attempting to turn the "war on terror" into a war on Islam.

CAIR's principled position on terrorism has always been evident and should not allow Emerson's use of "guilt by association" to mislead the respected senators and the American public on where CAIR and the American Muslim community stoically stands on these issues.

As the nation's largest Muslim advocacy group, we would like to state, for the record, that we are concerned that this hearing is being misused to further the Islamophobes' agenda. I would like to make it clear that the reason that I am unable to testify in person for this hearing today is because CAIR is the organizing sponsor of a multi-group interfaith September 11th memorial taking place at the Capitol reflecting pool on this day and are committed to this event; in the same way that we are fully committed to protecting and strengthening our nation.

The Investigative Project officials, including Emerson, are juxtaposing this hearing to coincide with the second anniversary of the attack on our nation to advance their chronic personal vendettas with the American Muslim community. As we honor the memory of those innocent souls who lost their lives two Septembers ago, Islamophobes like Emerson are attempting to emotionally exploit this anniversary in order to settle their personal vendettas. These vendettas against CAIR and American Muslims date back to 1994, when American Muslim organizations' effectively exposed inaccuracies in Emerson's documentary, *Jihad in America*. Since that time, Emerson's has become reckless in his obsession with besmirching American Muslims and CAIR. Since Emerson has archived over eight years of false accusations against CAIR, it would be impossible to mention each one in this testimony. However, I have included some of Emerson's favorite and most predictable accusations against CAIR and other Muslim organizations.

In the event this testimony does not address all of the accusations brought forth by the other panelists, CAIR will submit an amended testimony after the hearing to address additional accusations not already discussed herein.

CAIR and the Muslim community are proud Americans who continue to stand for justice in the face of intolerance and prejudice. Even though there are those in the world that espouse hatred and try to divide our country, we will continue to stand with our fellow Americans in solidarity, peace and justice for all.

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The Purpose of CAIR and its Accomplishments

History has shown that civil rights groups such as NAACP, American Civil Liberties Union (ACLU) and the Anti-Defamation League (ADL) are absolutely necessary to protect the rights and interests of minority populations in America. Since the American Muslim community has only started to become more significantly involved in the political and social arena within the last forty years, there was a clear need to form public service organizations to aid the growing number of Muslims in America.

The Council on American-Islamic Relations (CAIR) is a nonprofit 501(c)(4), grassroots civil rights and advocacy group founded in 1994. CAIR is America's largest mainstream Muslim civil liberties group, with its national headquarters located in Washington D.C. Affiliated chapters of CAIR are located in more than twenty major metropolitan areas throughout the United States. CAIR is a non-sectarian and non-partisan group who protects the rights of all American Muslims.

CAIR's overall mission is to promote an accurate image of Islam and Muslims to our fellow Americans. Through education, advocacy, media relations and lobbying, CAIR puts forth an Islamic perspective to ensure that the Muslim voice is represented in America. In offering this perspective, we seek to empower the American Muslim community and encourage their participation in American political, social and civic activities.

CAIR's Communications Department works in conjunction with local, national and international media outlets to ensure an accurate portrayal of Islam and Muslims is presented to the public. CAIR monitors local, national and international media in part, to challenge negative stereotypes, but also to applaud and encourage accurate representations of Islam and Muslims. Over the years, CAIR has become a respected and credible source for journalists and other media professionals; CAIR representatives have made appearances on *CNN, BBC World Service, FOX News, Washington Post, The New York Times, Los Angeles Times* and hundreds of other print and broadcast outlets.

CAIR's Civil Rights Department has worked tirelessly to aid Muslims claim their legal rights in the workplace, schools and government. With regard to employment claims, CAIR has helped in reaching favorable settlements with dozens of powerful companies, including JC Penney, McDonald's, Sears and Office Depot. CAIR's Publications Department also distributes handbook guides, including the "Employer's Guide to Islamic Religious Practices" and an "Educator's Guide to Islamic Religious Practices," which are designed to inform educators and employers as to the rights of Muslim students and workers both in educational institutions and in the workplace.

In wake of the 9/11 attacks on America, CAIR has also organized town hall meetings all around the country to help our friends and neighbors learn more about our faith and cultures. CAIR works regularly with local and federal law enforcement agencies on numerous issues and CAIR publishes a "Law Enforcement Official's Guide to the Muslim Community;" a handbook designed to inform law enforcement officials as to Muslim religious practices and customs.

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American Muslim Community Under Siege

Since the day two fateful Septembers ago when our country was attacked, Muslims and Arabs have been assailed on almost every front. The Muslim community in America has been besieged by those seeking to divide our great nation along religious, racial and cultural lines. As Americans, we are here to state categorically that we have always been, and always will be, condemn all acts of terror and will remain contributing members of this great society.

Many Americans are unaware of the strides the Muslim community has taken in reaching out to our neighbors of other faiths, races and cultures since the attacks on our country. American Muslim organizations have loudly condemned the acts of September 11 in dozens of media outlets, organized blood drives at mosques and community centers across the nation and collected hundreds of thousands of dollars for the victims of September 11. For example, the Turkish American Muslim Cultural Association raised $1,000 for the Red Cross 9-11 Fund. All Dulles Area Muslim Society in Sterling, Virginia announced that the mosque had raised $6,000 for the American Red Cross and organized a blood drive.[2] Another Muslim charity, Mercy-USA for Aid and Development, reported in its 2001 annual report the disbursement of $65,000 in cash grants to six major relief organizations involved in the provision of assistance to the victims of the attacks.[3] The groups include the American Red Cross and the Salvation Army, funds set up by New York Governor George Pataki and New York Mayor Rudolph Giuliani, and two firefighter associations.[4]

Condemnations of September 11 by the American Muslim Community

There are those Americans who have falsely claimed that Muslims did not effectively condemn the acts of September 11. In fact, we were one of the first demographic groups to issue a categorical condemnation in a nationwide press release. CAIR has also regularly issued news releases condemning suicide bombings in the Middle East[5], the murder of Daniel Pearl[6], church bombings in Pakistan[7] and acts of terrorism in Iraq, just to name a few.

At 1:43 PM Eastern Standard Time on September 11, the American Muslim Political Coordination Council (AMPCC),[8] an umbrella organization of the major American Muslim

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[2] CAIR publication "American Muslims: One Year After 9-11" September 5, 2002 at 10 *available at* http://www.cair-net.org/downloads/911report.doc

[3] 2001 Annual Report of Mercy-USA *available at* http://64.7.199.45/images/annualReport01.pdf

[4] *Id.*

[5] For example, *see* CAIR Press Release, *CAIR condemns attacks on civilians*, March 28, 2002 *available at* http://www.cair-net.org/asp/article.asp?id=693&page=NR

[6] Larry Witham, *Pearl's slaying denounced by Muslims,* The Washington Times, February 23, 2002.

[7] CAIR Press Release, "U S. Muslims condemn church attack in Pakistan," March 17, 2002 *available at* http://www.cair-net.org/asp/article.asp?id=688&page=NR

[8] The American Muslim Political Coordination Council (AMPCC) consists of the following major American Muslim political and social services organizations: American Muslim Alliance (AMA), the American Muslim

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political and social services organizations, issued a national press release which stated in categorical terms: "...American Muslims utterly condemn what are apparently vicious and cowardly acts of terrorism against innocent civilians. We join with all Americans in calling for the swift apprehension and punishment of the perpetrators. No political cause could ever be assisted by such immoral acts."[9] (*see* Appendix A)

This initial condemnation was followed by dozens of subsequent condemnations on behalf of the American Muslim community. In the first few days where major national newspapers began to run opinion pieces again, CAIR representatives again condemned the terrorist attacks in the same resounding manner. In the September 14 edition of *The New York Times,* another condemnation was published by a CAIR representative, stating that American Muslims "...utterly condemn the vicious and cowardly acts that transpired Tuesday in our nation's capital and in New York City."[10] In the first eight days following the attacks, over 108 different statements of condemnation were carried by American newspapers and wire services, including *The Washington Post, USA Today, Associated Press and Chicago Sun-Times.*[11]

In addition, CAIR took out a full-page advertisement in the *Washington Post* (Appendix B) on September 16, 2001 which states, in part: "...American Muslims unequivocally condemn these vicious and cowardly acts of terrorism..."[12]

Since then, CAIR has spent endless human and financial resources to dispel stereotypes and myths about Islam. CAIR has sponsored a yearlong "Islam in America" ad campaign in *The New York Times* which features American Muslims from all ethnic backgrounds to show all Americans that there is no such thing as a "standardized" Muslim.[13]

The CAIR Library Project[14] is designed to provide local public libraries accurate and scholarly books on Islam. Over half of the books in the set are written by non-Muslim academics and thanks to Americans of all faiths; over 6,893 libraries have been sponsored.

Unfortunately, these numerous and resonant condemnations were not enough for those seeking to marginalize the entire Muslim community in America.

Council (AMC), the Council on American-Islamic Relations (CAIR) and the Muslim Public Affairs Council (MPAC).

[9] Press Release, AMPCC, *U.S. Muslims Condemn Terrorist Attacks*, September 11, 2001 *available at* http://www.nexis.com/research/home?_key=1062968365&_session=29c328aa-e176-11d7-8224-c0a8645eaa77.1.3240421165.340768.%20.0.0&_state=&wchp=dGLbVlb-zSkBW&_md5=c0439b2ce26b18336df821a8b9f562e1. *See* Appendix A

[10] Arsalan T. Iftikhar, *We Condemn This Act*, THE NEW YORK TIMES, September 14, 2001, at 54.

[11] *See* Lexis-Nexis search on "Muslims condemn" *available at* http://www.nexis.com/research/home?_key=1062968365&_session=29c328aa-e176-11d7-8224-c0a8645eaa77.1.3240421165.340768.%20.0.0&_state=&wchp=dGLbVlb-zSkBW&_md5=c0439b2ce26b18336df821a8b9f562e1

[12] CAIR September 11 condemnation on behalf of American Muslim community, *Washington Post*, September 16, 2001 *available at* http://www.cair-net.org/downloads/911report.pdf at 56-7. *See* Appendix B

[13] *See* Appendix C.

[14] *See* Appendix D.

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Anti-Muslim Rhetoric in Media and Politics

Although these are only a fraction of the statements made against Islam and Muslims since 9/11, the documented list below gives a revealing assessment into the hate-filled rhetoric of individuals with significant influence within American politics and media outlets:

Ann Coulter, Syndicated Columnist

- "...We should invade their countries, kill their leaders and convert them to Christianity." (Town Hall, September 14, 2001)[15]

Representative (now Senator) Saxby Chambliss (R-GA)

- "Just turn [the sheriff] loose and let him arrest every Muslim that crosses the state line..."[16] (Associated Press, November 20, 2001)

Representative John Cooksey (R-LA)

- "..If I see someone come in and he's got a diaper on his head and a fan belt around that diaper on his head, that guy needs to be pulled over and checked..." (Houston Chronicle, September 20, 2001)[17]

Reverend Jerry Falwell

- "I think Mohammed was a terrorist..." (60 Minutes, October 6, 2002)[18]

Pat Robertson

- "...[Prophet Muhammad] was an absolute wild-eyed fanatic. He was a robber and a brigand. And to say that these terrorists distort Islam, they're carrying out Islam..." (Hannity & Colmes, September 18, 2002)[19]

Reverend Franklin Graham

- Reverend Graham called Islam, ""wicked, violent and not of the same god." (*NBC Nightly News,* November 16, 2001)[20]

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[15] *Available at* http://www.townhall.com/columnists/anncoulter/ac20010914.shtml.

[16] Jeffrey McMurray, *U.S. Congressman Says He Regrets Joke bout Arresting Muslims*, ASSOCIATED PRESS, November 20, 2001 *available at* http://www.nexis.com/research/home?_key=1062968365&_session=29c328aa-e176-11d7-8224-c0a8645eaa77.1.3240421165.340768.%20.0.0&_state=&wchp=dGLbVlb-zSkBW&_md5=c0439b2ce26b18336df821a8b9f562e1.

[17] *Lawmaker regrets 'diaper' comment*, HOUSTON CHRONICLE, September 20, 2001 *available at* http://www.chron.com/cs/CDA/story.hts/special/terror/aftermath/1056615.

[18] CBS 60 Minutes, Interview with Rev. Jerry Falwell, *Zion's Christian soldiers; how conservative Christians see Israel's role in bringing on the Second Coming of Christ*, October 6, 2002 *available at* http://www.nexis.com/research/home?_key=1062968365&_session=29c328aa-e176-11d7-8224-c0a8645eaa77.1.3240421165.340768.%20.0.0&_state=&wchp=dGLbVlb-zSkBW&_md5=c0439b2ce26b18336df821a8b9f562e1

[19] Hannity and Colmes, Interview with Pat Robertson, September 18, 2002, *available at* http://www.nexis.com/research/home?_key=1062968365&_session=29c328aa-e176-11d7-8224-c0a8645eaa77.1.3240421165.340768.%20.0.0&_state=&wchp=dGLbVlb-zSkBW&_md5=c0439b2ce26b18336df821a8b9f562e1.

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Muslim Civil Rights in America

On July 15, 2003, CAIR issued its eighth annual civil rights report entitled "The Status of Muslim Civil Rights in the United States 2003: Guilt by Association." According to the report, in 2002, Muslim community members in the United States reported 602 complaints of discrimination to CAIR.[21]According to past reports, this represents a fifteen (15) percent increase over the previous year, and a sixty-four (64) percent increase from the year preceding September 11, 2001.[22] These incident reports include: hate crimes, employment discrimination, unfair prejudice at schools, vandalism to mosques and homes and racial profiling by local and federal authorities.

Post-September 11 law enforcement measures also had a severely disparate impact on the lives of innocent Americans of Muslim, Arab and South Asian descent. In the aftermath of 9/11, 762 men, predominantly Muslim and Arab, were rounded up by the Justice Department as part of their "war on terror."[23] In summarizing a Justice Department report on the treatment of Muslim and Arab detainees, Glen A. Fine, Inspector General of the Department of Justice, conceded that "...we found significant problems in the way the detainees were handled..."[24] These detentions, completely secret in many cases, not only violated due process guarantees granted by the Constitution; the mass round-up of Muslim and Arab men did not result in any charges of "terrorism" against the detainees. Most of the detainees were being held on minor immigration violations and many were subsequently deported to their country of origin.

Many laws and directives proposed since September 11 slowly dissolve certain inalienable rights guaranteed to all Americans by the Constitution. The most unfortunate legislation passed in recent history, USA PATRIOT Act of 2001, has allowed law enforcement officials to circumvent hallmark Fourth Amendment protections of due process and probable cause. It took the efforts of both Republican and Democratic privacy advocates to defeat the proposed Terrorism Information and Prevention System (TIPS), a system which would create a citizen spy network.

Although our nation attempts to regain a sense of collective security, let us remember that Benjamin Franklin said "...they who would give up an essential liberty for temporary security, deserve neither liberty nor security."[25]

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[20] "Franklin Graham has some harsh words for Islam as feast of Ramadan begins," NBC Nightly News with Tom Brokaw, November 16, 2001. Transcript *available at* http://www.nexis.com/research/home?_key=1063040541&_session=3611020a-e21e-11d7-933e-8a0c593caa77.1.3240493341.340768.%20.0.0&_state=&wchp=dGLbVlz-zSkBB&_md5=ab2d7ca70ef67b0922ec4055142f6bdc

[21] Council on American-Islamic Relations, *The Status of Muslim Civil Rights in the United States 2003: Guilt by Association*, July 15, 2003 at 1.

[22] *Id.*

[23] *Supra* note 1.

[24] Press Release, U.S. Department of Justice - Office of the Inspector General, *Department of Justice Inspector General Issues Report on Treatment of Aliens Held on Immigration Charges in Connection with the Investigation of the September 11 Terrorist Attacks*, June 2, 2003 *available at* http://216.239.39.104/search?q=cache:NcEzFW1LJ9EJ:www.usdoj.gov/oig/special/03-06/press.pdf+%22office+of+the+inspector+general%22+report+detainees&hl=en&ie=UTF-8.

[25] http://www.wisdomquotes.com/000958.html.

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The Rise of Islamophobia

Introduction

The Pluralism Project, an independent religious think tank based at Harvard University, cites the *2000 World Almanac* as saying that there are approximately 5.5 Muslims living in America today.[26] With the recent influx of immigrants from Muslim countries constituting a significant population of new Americans, the increased social and political importance of the American Muslim community would be a natural correlation to make. In the post-September 11 world that we live in today, Muslim political and social activities have taken on heightened importance. However, there are those who see the empowerment of the American Muslim community as a direct threat to their political, theological and special interest agendas. The most exemplifying of these polemicists, and sadly, a regular witness before Congress, The Investigative Project and its executive director, Steven Emerson.

Whereas healthy and vigorous debate is an essential part of any civilized democratic society, those who dedicate their lives to the marginalization of an entire demographic group should be taken to task for their actions. Revelations of their continuing frauds will only help to foster honest debate within people of different faiths and cultures in the amelioration of global wounds from which we all suffering.

The Investigative Project

The Investigative Project, headed by Islamophobe Steven Emerson, is probably the best example of Islamophobia today. As a self-appointed "expert" on terrorism, Mr. Emerson recently cited in his latest congressional testimony that he has testified at more than sixteen (16) congressional hearings in the past.[27] Mr. Emerson's history of innuendo and conjecture has effectively discredited his veracity among many in media and law enforcement agencies in the United States; and it is essential for the true pursuit of investigative endeavors to prevent representatives from the Investigative Project, especially Mr. Emerson, from testifying at future congressional proceedings. Unfortunately, Mr. Emerson's animosity towards Arabs and Muslims began as early as 1991 and before he, his representatives or other Islamophobes are given the platform to address a congressional hearing yet again, it is essential to offer documented and mainstream refutations of Mr. Emerson's self-proclaimed "expertise." We will also see that many of today's Islamophobes simply regurgitate many of Mr. Emerson's claims.

Below is a chronological timeline of false assertions on significant international acts and how mainstream media and political leaders have discredited Mr. Emerson and why future congressional committees should take this into serious consideration before extending any future invitations to The Investigative Project and Steven Emerson.

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[26] *See* Pluralism Project *available at http://www.pluralism.org/resources/statistics/tradition.php#Islam.* The *2000 World Almanac* figure of 5.5 million is based, in part, on the *1999 Yearbook on American and Canadian Churches.*

[27] *Progress since 9/11: The Effectiveness of U.S. Anti-terrorist Financing Efforts, House Committee on Financial Services Subcommittee on Oversight and Investigations,* 2003 Leg., 108th Cong. (March 11, 2003) (testimony of Steven Emerson, Executive Director of The Investigative Project).

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Reviews of Emerson's Book *Terrorist* (1991)

In 1991, Mr. Emerson wrote a book entitled *Terrorist,* a chronicle of the life of an Iraqi defector, Adnan Awad (no relation to the author of this testimony), and of alleged Iraqi government ties to terrorist activity. An April 28, 1991 *Los Angeles Times* book review of Mr. Emerson's book stated that, "...'Terrorist' is a difficult book to assess because the authors are so coy about documenting their claims....This lack of documentation reduces a potentially significant critique of U.S. foreign policy to a potboiler that reads like a bad Robert Ludlum novel..."[28]

Adrienne Edgar, reviewing the book for the *New York Times,* wrote a scathing review of *Terrorist.* In a letter to the editor to the *New York Times* on June 16, 1991, Mr. Emerson concedes that Ms. Edgar said in her review that his book was marked by "a pervasive anti-Arab and anti-Palestinian bias."[29] He also concedes that she states that he has lost "all journalistic objectivity."[30] This lack of journalistic integrity is something that is consistent throughout Mr. Emerson's notorious career and has no place testifying in sixteen congressional hearings.

PBS Documentary *Jihad in America* (1994)

In December 1994, Mr. Emerson produced a documentary for PBS entitled *Jihad in America.* The one-hour long documentary included scenes depicting Muslims meeting in Oklahoma City allegedly to "wage war" on this country, as proof that Islamic terrorist groups were involved [in the Oklahoma City bombing]." [31]

In reviewing the film, investigative reporter Robert Friedman notes that "...the film's fundamental deceit is that the speakers are not referring to America but to [Soviet occupied] Afghanistan and Israel ['s pursuit of the Occupied Territories]."[32] Friedman goes further and examines the funding for the documentary and the special interest agenda of Mr. Emerson in promoting this film.

According to Friedman, prior to its airing on PBS, Emerson screened *Jihad in America* for officials at the New York headquarters of a major national Jewish organization. He wanted their public endorsement of the film to increase pressure on Clinton for tougher laws to combat Arab terror. While the Jewish leaders weren't shy about using the film to press Clinton for laws to increase federal police powers, they didn't want to be publicly identified with the video, for fear of harming interfaith relations.[33]

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[28] Charles Solomon, *Paperbacks: Terrorist,* LOS ANGELES TIMES, April 28, 1991 at 14.

[29] *See also,* Steven Emerson, *A Defector's Story – Letter to the Editor,* THE NEW YORK TIMES, June 16, 1991 at § 7, page 30, column 2.

[30] *Id.*

[31] *One Man's Jihad,* THE NATION, May 15, 1995, Vol. 260, No. 19, Pg. 656.

[32] *Id.*

[33] *Id.*

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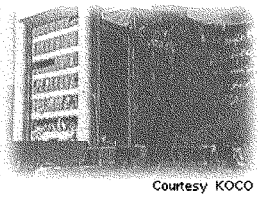
As Friedman continues, the Israeli government was less concerned about stereotyping Arabs. Emerson also gave a sneak preview for Israeli officials in Washington. Emerson's film not only helped them press their case with the Administration--"that Islam is our common enemy"--but it also helped to rehabilitate Emerson with the Labor government.[34] Friedman states that the Labor party was angry with Emerson for helping Likud undermine the peace process under assassinated Prime Minister Yitzhak Rabin. Yigal Carmon is a former high-ranking Likud government official, and a member of Israel's Mossad intelligence agency.[35] Prime Minister Rabin had dubbed him as part of the "Gang of Three," after a Mossad trio started lobbying Capitol Hill against the Israeli-P.L.O. accord, which Rabin was endorsing. Carmon has frequently stayed in Emerson's Washington DC apartment on his frequent visits to the United States. Carmon was also credited as an adviser on *Jihad In America*[36] and openly endorsed the use of torture as state practice in a May 4, 1995 *Washington Post* article.[37]

Writing in a June 14, 1990 opinion editorial in *The Wall Street Journal,* noted commentator Alexander Cockburn writes about Mr. Emerson's agenda and that "Mr. Emerson's prime role is to whitewash Israeli governments and revile their critics."[38]

Oklahoma City Bombing (1995)

On April 19, 1995, around 9:03 a.m., just after parents dropped their children off at day care at the Alfred P. Murrah Federal Building in downtown Oklahoma City, the unthinkable happened.

A massive bomb inside a rental truck exploded, blowing half of the nine-story building into oblivion. A stunned nation watched as the bodies of men, women, and children were pulled from the rubble for nearly two weeks. When the smoke cleared and the exhausted rescue workers packed up and left, 168 people were dead in the worst terrorist attack on American soil.[39] Mr. Emerson saw an open opportunity to personally avail himself of this terrible tragedy.


Courtesy KOCO

This resulted in Mr. Emerson's most notorious gaffe to date, which occurred on April 19, 1995 at 11:15 AM on CNBC's show *Rivera Live.* Less than two hours after the

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[34] *Id.*

[35] *Id.*

[36] *Id.*

[37] *See* Barton Gellman, *Fatality Puts Focus On Israeli Methods; Violent Interrogation Blamed in Death,* THE WASHINGTON POST, May 4, 1995, at A31.

[38] Alexander Cockburn, *Israel's Democratic Image vs. The Harsh Truth,* THE WALL STREET JOURNAL, June 14, 1990, § A, page 15, column 13.

[39] CNN Interactive, *Oklahoma City Tragedy, available at* http://www.cnn.com/US/OKC/bombing.html.

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attack, even though the FBI had no leads or evidence to assign culpability to anyone, Mr. Emerson had no hesitation in using his "expertise" to surmise who had committed the bombing. During the interview, Mr. Emerson claimed that "it was Islamic extremists who mounted this attack."[40]

The next day, while speaking to co-host Harry Smith of *CBS This Morning*, Emerson made the absurd statement that, "Oklahoma City, I can tell you, is probably considered one of the largest centers of Islamic radical activity outside the Middle East."[41] In the two days following the Oklahoma City bombing, Mr. Emerson was interviewed for over 43 news outlets,[42] each and every time asserting that "Islamic extremists" had mounted the attack. Even though Timothy McVeigh was subsequently arrested for the crime, the fact that Emerson received so much airtime to discharge lies of which he had no proof, many Americans began to search for Arab and Muslims as suspects.

In the first forty-eight hours after the Oklahoma City bombing, CAIR received over 220 reports of hate crimes against American Muslims and Arabs. That total includes 133 hate calls, 50 incidents of verbal threats, 15 bomb threats, seven beatings, four shootings and the suspected destruction by arson of an Islamic Center in North Carolina.[43]

One of these stories is of a pregnant Iraqi refugee, Sahar al-Muwsawi. Ms. Al-Muwsawi hid in her bathroom as a group of unknown attackers shattered the windows and pounded on the doors of her home, screaming anti-Islamic epithets. She felt a pain in her abdomen and began to bleed uncontrollably. Even though federal authorities arrested Timothy McVeigh the next day, that knowledge came too late for Sahar al-Muwsawi. She miscarried her near-term baby, who was buried a few days later.[44] This is only one of the hundreds of painful scenarios that American Muslims went through, in part due, to Mr. Emerson's reckless disregard for the truth.

After it was revealed that Emerson was completely wrong in his claim, news organizations appeared less interested in Emerson's pronouncements. A CBS contract expired and was not renewed.[45] Emerson had been a regular source and occasional writer for *The Washington Post*; his name doesn't turn up once in Post archives after January 1, 1996. *USA Today* mentioned Emerson a dozen times before September 1996 and never after

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[40] CNBC Rivera Live, *Terrorism Experts Richard Marcinko, and Steven Emerson and Investigator Michael Cherkasky discuss the Oklahoma City Explosion*, April 19, 1995.

[41] CBS This Morning, *Hunt for Survivors Continues in Oklahoma City*, April 20, 1995.

[42] *See* Lexis-Nexis search on Steven Emerson, *available at* http://www.nexis.com/research/home?_key=1062857206&_session=59bacbca-e073-11d7-8726-c0a8645eaa77.1.3240310006.340768.%20 0.0&_state=&wchp=dGLbVlb-zSkBl&_md5=cecf6a69846c6d5478e795498a70bdbd

[43] *United States: Anti-Muslim Crimes Higher than Gulf War Period*, INTER PRESS NEWS SERV., May 24, 1995. *See also* Council on American-Islamic Relations (CAIR), *The Status of Muslim Civil Rights in the United States: Unveiling Prejudice*, 1997 Annual Report, at 4.

[44] *Id.*

[45] John Sugg, *Steven Emerson's Crusade, Extra!* Magazine (published by Fairness and Accuracy In Reporting [FAIR]), January/February 1999 *available at* http://www.fair.org/extra/9901/emerson.html

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that.[46] According to a *Boston Globe* column by Jeff Jacoby, in 1998, National Public Radio (NPR) banned Mr. Emerson from appearing on their network as a future guest on Islamic groups.[47] When asked about how Emerson is perceived by fellow journalists, noted investigative author Seymour Hersh summed it up succinctly:

> "He's poison."[48]

American Jihad: The Terrorists Live Among Us (2002)

In 2002, The Investigative Project's executive director wrote a book entitled *American Jihad: The Terrorists Live Among Us*. It outlined the "history" of nine "terrorist support networks" based in America: Muslim Arab Youth Association, the American Islamic Group, Islamic Cultural Workshop, the Council on American-Islamic Relations (CAIR), the American Muslim Council (AMC), Islamic Circle of North America (ICNA), the Muslim Public Affairs Council (MPAC), the American Muslim Alliance (AMA) and the Islamic Society of North America (ISNA). It is fascinating that Mr. Emerson implicates every single major American Muslim umbrella organization in the "list" in the book. By conveniently placing all the major Muslim organizations on his "terrorist networks" list, he has effectively proclaimed that representatives of the entire American Muslim community are complicit with terrorism. Even though these groups operate transparently, have met with several U.S. Presidents and have been featured on international media as voices of "moderate Islam," Mr. Emerson recklessly labels any organization that disagrees with his worldview as "supporting terrorism." Many other anti-Muslim commentators use false allegations from this book in their commentaries, interviews and press releases in their attempt to attack Islam.

A *Los Angeles Times* book review called Emerson's book "suspicious."[49] The *Pittsburgh Post-Gazette* wrote a book review which stated that "...what he [Emerson] has uncovered about the groups' [including CAIR] role in terrorism seems largely speculative."[50] The *Post-Gazette* reviewer continues to say that "...these [American Muslim] groups [that Emerson has targeted] appeared to be operating legally...[and]...he connected none of them to any direct role in Osama bin Laden's Sept. 11 attacks [or any other terrorist attack]." The reviewer concludes by saying that overall the book was "... [a] frequently dull overview..."[51]

The most significant rebuke came from a past executive of the Central Intelligence Agency. When asked about Mr. Emerson's theses on American Muslim organizations fronting for international terrorist groups, especially pro-Palestinian groups, Vincent

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[46] *Id.*

[47] *See* J. Bottum, *American Cassandra: Steven Emerson's Prophetic Warning*, THE WEEKLY STANDARD, February 25, 2002, vol. 7, no. 23, pg. 39. "You have my promise he won't be used again," producer Ellen Silva wrote to Ali Abunimah of the American Arab Action Network. "It is NPR policy." *Id.*

[48] *Supra* note 43.

[49] Teresa Watanabe, *Compelling Overview of Islamic World Covers Middle Ground Well*, THE LOS ANGELES TIMES, January 26, 2002, Part 2, Pg. 16.

[50] Bob Hoover, *'American Jihad: The Terrorists Living Among Us' by Steven Emerson*, PITTSBURGH POST-GAZETTE, March 3, 2002 *available at* http://www.post-gazette.com/books/reviews/20020303review943.asp.

[51] *Id.*

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Cannistraro, a former director of counterterrorism for the CIA, did not mince his words in an interview with Eric Boehlert of Salon.com.

"It's total bulls--t," he says. "He's say[ing] people who move to this country and set up charities and think tanks...are associated with Hamas and Islamic Jihad and Hezbollah, that there's some kind of connection between them and Sept. 11, that there's a liaison or support network. He doesn't know what he's talking about."[52] He continues by saying that, "...Neither Hamas [n]or Islamic Jihad, which have an infrastructure in the U.S...has ever targeted Americans here...It would be counterproductive to their cause. [T]heir focus is Israel and occupied territories."

He is not alone in his disdain for Emerson's self-righteous claims. Robin Wright, chief diplomatic correspondent for the *Los Angeles Times*, agrees, noting that Palestinian groups, "...don't target the American embassy or consulate in Jerusalem. That's not what their goal is. Their focus is on Israel."[53]

In his article for Salon.com, Eric Boehlert explained that although Mr. Emerson considers himself an expert, "...[t]his sensationalistic, poorly reasoned book will do nothing to enhance Emerson's stature among serious scholars..."[54] Finally, Boehlert states "...there [i]s nothing in 'American Jihad' to suggest any American-based Muslim organization had anything to do with, or had any advance knowledge of, the [9/11] attacks..."[55]

Like other Islamophobes, Mr. Emerson tries to legitimize his hatred by claiming that he only takes issue with "radical Muslims" and not those he personally considers to be "moderate." It is hard to imagine what Mr. Emerson's definition of "moderate" would be, since he has placed every single major Muslim organization on his "terrorist support" list in *American Jihad.*

His duplicity is no better epitomized than his statement at a hearing of the National Commission on Terrorist Attacks upon the United States on July 9, 2003. He states, on the record, "...it is critical to point out that militant Islam does not equal Islam. ***Islam as a religion, like Christianity and Judaism, does not endorse violence*** (emphasis added)."[56]

His true feelings on Islam came out in the March 1995 issue of *Jewish Monthly*: "...We don't want to accept it because to do so would be to acknowledge that ***(Islam)...sanctions genocide, planned genocide, as part of its religious doctrine*** (emphasis added)."[57]

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[52] Eric Boehlert, *Terrorists Under the Bed*, SALON.COM, March 5, 2002, at 2, *available at* http://www.salon.com/books/feature/2002/03/05/emerson/index.html.

[53] *Id.* at 1.

[54] *Id.* at 3.

[55] *Id.*

[56] Panel III of a hearing of the National Commission on Terrorist Attacks Upon the United States, *Federal News Service*, July 9, 2003.

[57] *Supra* note 4. *See also* Press Release, Institute for Public Accuracy, TERRORISM 'EXPERTS': WHAT'S THEIR RECORD?, August 19, 1998, *available at* http://www.accuracy.org/press_releases/PR081998.htm.

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Other notable figures' thoughts on The Investigative Project's executive director:

***Leslie Gelb, President Emeritus and Board Senior Fellow, Council on Foreign Relations*:**
Mr. Gelb called Emerson a "grand inquisitor" for trying to censor a CFR publication. ("Forward" Magazine, 5/10/96)[58]

Center for National Security Studies:
"...Steven Emerson has asserted that the FBI is severely restricted in infiltrating known extremist groups, that it has no terrorism data base like the CIA's, and that it is powerless to stop extremist groups from masquerading as "religious" groups. All of these claims are incorrect."[59]

***Charles W. Hall and Robert O'Harrow, Jr. of the Washington Post,* August 8, 1995**:
Called Mr. Emerson a "...pro-Israel researcher and author..."[60]

***The Jerusalem Post,* September 17, 1994**
Stated Mr. Emerson as having "close ties to Israeli intelligence."[61]

Former United States Congressman Paul Findley (R-IL, 1961-83)
"Because many Israelis see Islam as an enemy, Emerson seems constrained to see Islam as his own enemy...

"...[And] deserts the truth in his zeal to misrepresent Islam as a barbaric, underground movement.."[62]

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[58] *See also* http://www.blythe.org/Intelligence/readme/85sum.

[59] Center for National Security Studies, THE FBI DOMESTIC COUNTERTERRORISM PROGRAM, April 26, 1995 *available at* http://nsi.org/Library/Terrorism/terpolcy.html.

[60] Charles W. Hall and Robert O'Harrow Jr., *Virginia Man Suspected of Terrorism Known for Anonymity*, WASHINGTON POST, August 8, 1995 at B1.

61 Richard H. Curtiss, *Anti-Arab McCarthyism Heavy-Handed Intimidation Fails to Deter Palestinian-American Charity*, WASHINGTON REPORT ON MIDDLE EAST AFFAIRS, July 2000 at 23-25.

[62] Congressman Paul Findlay, *Emerson's Jihad in America*, WASHINGTON REPORT ON MIDDLE EAST AFFAIRS, March 1995 at 20, *available at* http://www.washington-report.org/backissues/0395/9503020.htm.

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The Truth About CAIR

Since CAIR was specifically invited to testify at this hearing, we can only assume that the respected panelist from The Investigative Project may level some of the same fabrications that have been declared by their Executive Director. We feel as though it is necessary to document some of the recurring and recycled smears by Mr. Emerson and his likes against CAIR and American Muslims.

The following attacks are examples of the most common and widely disseminated false attacks on American Muslims by Islamophobes. For purposes of this hearing, CAIR has offered documented refutations of a few of the recurring defamatory, false and bigoted statements made to date.

Since Islamophobes dedicate their careers to maligning Muslims, this is not a comprehensive list of all the lies spread about the American Muslim community; however, since we were not extended the courtesy of receiving the other witnesses' testimony prior to submitting our own for this hearing today, we would be happy to submit an addendum to this testimony to address those lies as well.

Most of the following false statements can be found directly in an August 5, 1996 *Wall Street Journal* commentary[63]by The Investigative Project's director and noted Islamophobe, Steven Emerson.

MYTH: Mr. Emerson stated in the *Wall Street Journal* article that, "...A recent CAIR report listed as a 'hate crimes against Muslims' the conviction of Mr. [Omar] Abdul-Rahman[64] [for 1993 World Trade Center bombing] and the arrest of Mr. [Mousa Abu] Marzuk..."[65]

FACT: In this commentary, Mr. Emerson is regurgitating the lies of his close friend and fellow Islamophobe, Daniel Pipes. In an April 24, 2002 piece for *The Jerusalem Post,* Pipes made virtually identical assertions as Emerson makes here.[66] The same Pipes' piece also appeared in the April 22, 2002 edition of the tabloid *New York Post.*[67]

The only CAIR material that both Pipes and Emerson could possibly be referring to is CAIR's 1996 civil rights report entitled "The Status of Muslim Civil Rights in America." There one paragraph in the 1996 report mentioning both Sheikh Abdul-Rahman and Dr. Abu-Marzuk is the only mention of the two in the entire annals of official CAIR released literature.

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[63] *See* Steven Emerson, "Stop Aid and Comfort for Agents of Terror," *The Wall Street Journal,* August 5, 1996, section A, page 18, column 3 *available at* http://www.nexis.com/research/home?_key=1062968365&_session=29c328aa-c176-11d7-8224-c0a8645caa77.1.32404211165.340768.%20.0.0&_state=&wchp=dGLbVlb-zSkBW&_md5=c0439b2ce26b18336df821a8b9f562e1 Also *available at* http://www.freeman.org/m_online/sep96/emerson.htm

[64] Sheikh Omar Abdel Rahman was one of those convicted for the 1993 World Trade Center Bombing in October 1995.

[65] *See supra* note 43.

[66] Daniel Pipes, "Why Care about CAIR?" Jerusalem Post, April 24, 2002 at 8.

[67] *See also* Arsalan T. Iftikhar, "Pipes Poisons Post's Pages," *The New York Post,* April 27, 2002 at 18.

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Regarding Dr. Abu-Marzuk's trial, CAIR quoted his attorney, Stanley Cohen, as saying that he thought "...the case against his client is political rather than criminal."[68] The only mention of Sheikh Abdul-Rahman was that the "...lawyers defending Shaykh Omar Abdel Rahman complain that his trial was far from free and fair."[69]

Nowhere in the report does it refer to these cases either as a "travesty of justice" or a "hate crime." Mr. Emerson's reliance on his friend Daniel Pipes' false statements show the veracity of his journalistic scholarship.

To prove that this is an outright lie, CAIR would be happy to provide a copy of the page in question from the 1996 CAIR civil rights report to any interested parties.

MYTH: In a recent congressional hearing, Mr. Emerson proclaimed that, "...[CAIR] received some of its initial seed money from the Holy Land Foundation for Relief and Development (HLFRD)..."[70]

FACT: This is an outright lie. Our organization did not receive any seed money from HLFRD. CAIR raises its own funds and we challenge Mr. Emerson to provide even a shred of evidence to support his ridiculous claim. In fact, it is known that our DC headquarters was funded largely by a loaned grant mortgage from the Islamic Development Bank (IDB), a multinational financial institution similar in nature to the World Bank.

MYTH: "... [CAIR] has disseminated Hamas communiqués..."[71]

FACT: This may be one of the most ridiculous charges ever made by Emerson. This is a *prima facie* defamatory statement and since our incorporation in 1994, CAIR has never voiced support for Hamas, let alone "disseminate" its "communiqués."

CAIR's communications director contacted James Taranto of *The Wall Street Journal* editorial page to demand that the *WSJ* and Emerson produce evidence of these absurd claims. Not surprisingly, no evidence or explanation was ever provided

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Although this is not a comprehensive documentation of all the fallacious claims made by Islamophobes, it was meant to show that The Investigative Project, led by Mr. Emerson, is part of a greater problem. The continuous slander of American Muslim organizations by so-called "experts" will do nothing to improve our country or the international political arena. There only goal is to make certain that their myopic worldview is not challenged by anyone; and anyone who does challenge their political beliefs will be dishonored by any malicious means necessary.

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[68] *See* Council on American-Islamic Relations 1996 Report, "The Status of Muslim Civil Rights in the United States," 1996 at 8-9.
[69] *Id.*
[70] *See* Testimony of Steven Emerson with Jonathan Levin before United States Senate Committee on Governmental Affairs, "Terrorism Financing: Origination, Organization, Prevention: Saudi Arabia, Terrorist Financing and the War on Terror," July 31, 2003 at 39 *available at* http://www.senate.gov/~govt-aff/_files/073103emerson.pdf
[71] *See supra* note 43.

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By attacking the more established and respected civil rights organizations within the American Muslim community, these political instigators' hatred and bigotry is, in effect, unraveling a portion of the social fabric of America.

Conclusion

As a community, we fully realize that every minority group who has sought political and social empowerment in America has endured difficult periods in their history in this country.

We, the American Muslim community do not seek any special treatment; all that we ask of our government is that we are afforded the same rights and privileges as any other lawful citizens. To be unjustly targeted and attacked solely based on our religion or culture is against everything that this country was founded upon. While we support legitimate efforts at law enforcement and protecting America from future attack, the constitutional protections which have been in place for centuries must remain stoically intact. The forefathers of this country fled their native land because of religious persecution and for a population to be maligned because of their faith in the United States is completely antithetical to the principles for which America stands.

The American Muslim community is a thriving and contributing portion of our society. A Zogby International poll conducted in November 2001 showed that 58 percent of Muslims in America are college graduates and 50 percent of Muslims earn in excess of $50,000 annually.[72]

Even though we feel as though we are a community under siege at this time, American Muslims would like to remind our fellow Americans that in the great legacy of civil rights movements; those who seek to divide our nation on racial, religious or cultural lines will fail miserably.

Let it be known that whether it is slander in the media, hate crimes, unjust law enforcement measures or unfortunate legislation, Muslims in America will persevere; and when this chapter of American history finally concludes, our nation will be a better place because of it.

Looking back at the historic legacies of the women's rights movement, the tragic internment of 150,000 Japanese Americans during World War II, and culminating with the African-American civil rights movement of the 1960s, we realize that the reason that we have our freedoms today is because there were those before us who were willing to endure great struggles to protect those rights. We, the American Muslim community, would like all of our fellow Americans to know that we hope to follow in the brave footsteps of these dignified communities and make America a better place to live for all.

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[72] Jane Lampman, *Muslim in America*, CHRISTIAN SCIENCE MONITOR, January 10, 2002 *available at* http://www.csmonitor.com/2002/0110/p15s1-lre.html.

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Appendix A

Text of initial September 11th condemnation by American Muslim community

Copyright 2001 PR Newswire Association, Inc.
PR Newswire

September 11, 2001, Tuesday

SECTION: STATE AND REGIONAL NEWS

DISTRIBUTION: TO NATIONAL EDITOR

LENGTH: 231 words

HEADLINE: U.S. Muslims Condemn Terrorist Attacks

DATELINE: WASHINGTON, Sept. 11

BODY:
The American Muslim Political Coordination Council (**AMPCC)***, today condemned the apparent terrorist attacks in New York and Washington and offered condolences to the families of those who were killed or injured.

The **AMPCC** statement read in part:

"American Muslims utterly condemn what are apparently vicious and cowardly acts of terrorism against innocent civilians. We join with all Americans in calling for the swift apprehension and punishment of the perpetrators. No political cause could ever be assisted by such immoral acts."

* The **AMPCC** consists of American Muslim Alliance, American Muslim Council, Council on American-Islamic Relations, and Muslim Public Affairs Council.

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Appendix B

CAIR Full Page Advertisement

Washington Post, September 16, 2001

We at the Council on American-Islamic Relations (CAIR), along with the entire American Muslim community, are deeply saddened by the massive loss of life resulting from the tragic events of September 11th.

American Muslims unequivocally condemn these vicious and cowardly acts of terrorism.

Our thoughts and prayers are with the families, friends and loved ones of those who have been killed or injured.

We also extend our gratitude to all the heroic firefighters, police officers and emergency medical workers who continue to risk their lives in the ongoing rescue and relief efforts.

We join with all Americans in calling for the swift apprehension and punishment of the perpetrators of these crimes.

May we all stand together through these difficult times to promote peace and love over violence and hate.

CAIR

Council on American-Islamic Relations

New York • Washington DC • San Francisco • Los Angeles • Dallas • St. Louis • Columbus
Detroit • Raleigh • Minneapolis • Miami • Ottawa

www.cair-net.org

Appendix C

Sample from CAIR "Islam in America" campaign in *The New York Times*

Available at http://www.americanmuslims.info/

I'M AN AMERICAN AND I'M A MUSLIM

MY NAME IS MANAL OMAR. I've earned a Masters degree from Georgetown University, and I've won several national public-speaking awards. I'm a development researcher for an international corporation. I vote. I'm active in politics, and I belong to several civic organizations.

I'm an American Muslim woman and I wear hijab.

I choose to wear hijab – a head scarf and modest attire – because the practice is integral to my religious beliefs, and because I am proud to be a Muslim woman. In Islam, both women and men are encouraged to dress modestly, thereby allowing a person to be judged on the content of his or her character, and not on physical appearance.

To me, hijab is a symbol of my confidence and self-respect.

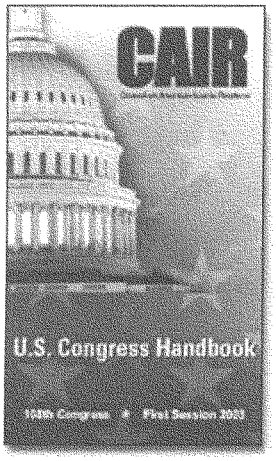
I'M AN AMERICAN MUSLIM

Number three of fifty-two in the *Islam in America* series.
To learn more about the series, visit www.americanmuslims.info

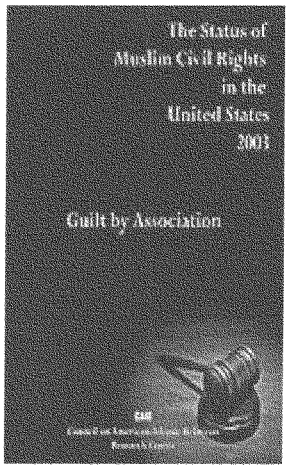
CAIR
COUNCIL ON AMERICAN-ISLAMIC RELATIONS

Appendix D

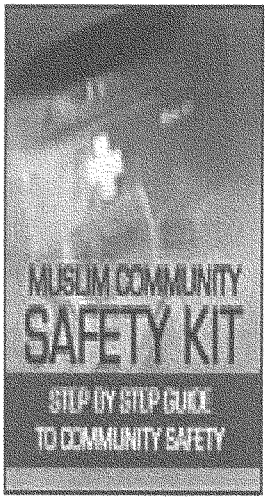
Samples of CAIR publications



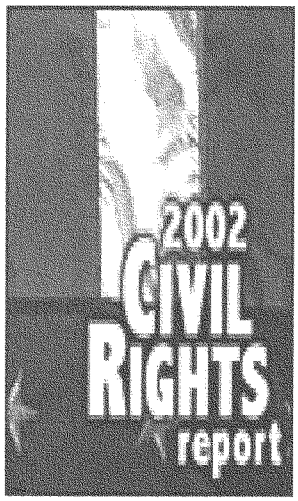
2003 Congressional Handbook



2003 Civil Rights Report



Muslim Community Safety Kit



2002 Civil Rights Report

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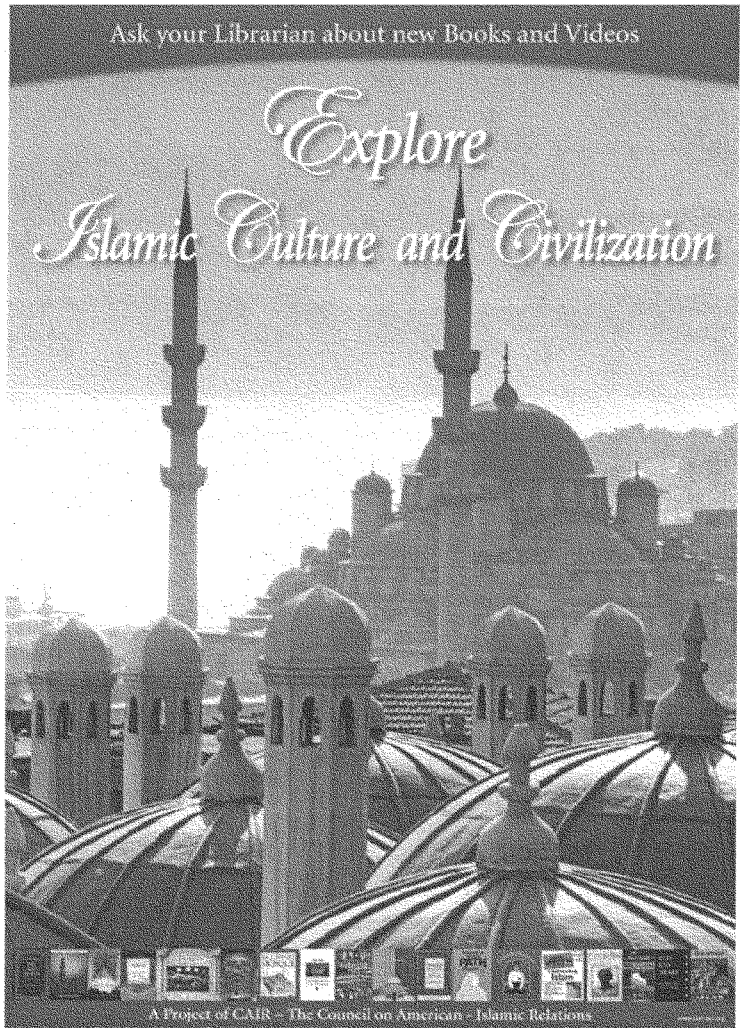
Appendix E

Ad poster for CAIR Library Project



In the Name of God, the Compassionate, the Merciful

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Fax: 202-659-2254
Page: 202-490-5653
E-mail: cair1@ix.netcom.com
URL: http://www.cair-net.org

FOR IMMEDIATE RELEASE

MUSLIMS CONDEMN ATTACK ON CALIFORNIA JEWISH COMMUNITY CENTER

(WASHINGTON, DC, 8/10/99) – The Council on American-Islamic Relations (CAIR), a Washington-based Islamic advocacy group, has issued a statement condemning today's shooting at a California Jewish community center.

According to media reports, a young white male wearing a black shirt wounded at least five people, including children, at the North Valley Jewish Community Center in the Granada Hills area of the San Fernando Valley. (Some reports say the gunman may have had an accomplice.)

CAIR's statement read as follows:

"The American Muslim community condemns this despicable crime and offers its condolences to the families of those injured in the attack. The perpetrator should be apprehended and prosecuted to the full extent of the law.

"Unfortunately, this incident is just the latest entry in a long list of attacks on Jewish, Christian and American Muslim houses of worship and, along with the other incidents, must be seen as a product of prejudice and stereotyping.

"It is the elimination of this religious and cultural prejudice that must be the focus of our educational efforts."

- END -

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In the Name of Allah, the Compassionate, the Merciful

CAIR

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FOR IMMEDIATE RELEASE

MUSLIMS LAUNCH BILLBOARD CAMPAIGN TO PROMOTE TOLERANCE
Billboards send messages of goodwill from American Muslims

WHAT: On Friday, February 1, the Council on American-Islamic Relations Southern California chapter (CAIR-LA) will launch a billboard campaign designed to promote tolerance, unity and kindness. The first billboard, "Even a smile is Charity - a message from your Muslim neighbor," shows how the simple act of smiling can promote goodwill. (The Prophet Muhammad said: "Your smile for your brother is charity.")

The billboards will be located along major freeways in Los Angeles and Orange counties. Two more billboards are scheduled in San Bernardino for February. Each month, a new positive theme will be displayed on the billboards.

To view the billboard for February, go to: http://www.cair-california.org/bboard.htm

CAIR-LA also initiated the "Library Project" in which books on Islam are donated to libraries across California to meet the public's demand for accurate information about Islam and Muslims. For more information on the Library Project, go to: http://www.cair-california.org/library.htm

WHEN: Friday, February 1, 2002

WHERE: Billboard 1: Hwy 5: Garfield exit on the Santa Ana (5) Freeway facing south.
Billboard 2: Hwy 55: Moulton Parkway exit on the Newport (55) Freeway facing north.
Billboard 3: Near LAX: Century Blvd. east of Aviation Blvd. facing west.

- END -

CONTACT: Sabiha Khan at CAIR-LA, 714-776-1847
E-MAIL: sabiha@cair-california.org
Ibrahim Hooper, 202-488-8787 or 202-489-5108

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In the Name of Allah, the Compassionate, the Merciful

CAIR

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FOR IMMEDIATE RELEASE

U.S. MUSLIMS CONDEMN CHURCH ATTACK in PAKISTAN

(WASHINGTON, D.C., 3/17/2002) – The Council on American-Islamic Relations (CAIR), a prominent Washington-based Islamic advocacy group, today condemned a grenade attack on a Pakistani church that left five people dead, including two Americans.

In a statement, CAIR Board Chairman Omar Ahmad said:

"We condemn this attack in the strongest terms possible and call for the apprehension of the perpetrators. It is not only an act of terrorism against innocent civilians, but is also an assault on the sanctity of a house of worship. No political or religious cause could justify such horrifying violence."

- END –

CONTACT: Ibrahim Hooper, 202-488-8787 or 202-489-5108 E-MAIL – cair@cair-net.org

NOTE: CAIR offers an e-mail list designed to be a journalist's window to the American Muslim community. Subscribers to the list, called **ISLAM-INFONET**, receive news releases and other materials dealing with American Muslim positions on issues of importance to the general public.

To SUBSCRIBE to ISLAM-INFONET, go to: http://cair.biglist.com/islam-infonet/

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In the Name of Allah, the Compassionate, the Merciful

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FOR IMMEDIATE RELEASE

CAIR CONDEMNS ATTACKS ON CIVILIANS

(Washington, D.C. 3/28/2002) - The Council on American-Islamic Relations (CAIR), a Washington-based Islamic advocacy group, today condemned a bomb attack on a Passover celebration in the Middle East that left 20 people dead and more than 100 wounded.

In a statement, CAIR said:

"We condemn this attack and all other attacks on innocent civilians. Illegitimate and counterproductive tactics must not be used in the legitimate struggle to end Israel's brutal occupation.

"This attack is of particular concern coming as it did during a religious observance in which the focus is remembrance of God.

"We ask the international community to similarly condemn actions by the Israeli armed forces that also target civilians and impose daily humiliation and suffering on an entire population through blockades, home demolitions, assassinations, indiscriminate shooting, torture, land confiscations and a wide variety of Apartheid-like and oppressive practices.

"To break this cycle of violence and counter-violence, all parties must focus on a political solution based on justice and equality, not force of arms."

- END -

CONTACT: Ibrahim Hooper, 202-488-8787 or 202-489-5108 E-MAIL - cair@cair-net.org

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URL: http://www.cair-net.org

LIBRARY PROJECT LAUNCHED TO COUNTER ANTI-MUSLIM BIAS

(WASHINGTON, D.C., 9/9/02) – A national Islamic civil rights and advocacy group today launched a major educational initiative designed to counter what it says is a rising tide of anti-Muslim rhetoric in American society.

The Council on American-Islamic Relations' (CAIR) year-long campaign, called **"Explore Islamic Civilization and Culture,"** will encourage Muslim individuals and groups to sponsor 18-item "library packages" of books, videos and audio cassettes about Islam and Muslims, which will then be distributed to as many as 16,000 public libraries nationwide. (A pilot program by CAIR's Los Angeles office placed more than 2,500 books and videos in 166 libraries.)

The $150 library packages contain materials such as the PBS documentary "Islam: Empire of Faith," Prof. Jack Shaheen's "Reel Bad Arabs" and "The Islamic Threat: Myth or Reality?" by Prof. John Esposito of Georgetown University's Center for Muslim-Christian Understanding. Other library package materials include a copy of the Quran, Islam's revealed text, children's books on Ramadan and mosque architecture, as well as a book describing the experiences of African-Muslim slaves brought to America. Each item in the package was selected based on the quality of its content, published reviews and the recommendations of Muslim scholars. (To see the complete list of library package materials, go to: http://www.libraryproject.org)

"The lack of timely and accurate books about Islam in public libraries is a serious issue nationwide. The resulting knowledge gap leads to increased misunderstanding of Islam and produces unnecessary divisions between people of faith. It's important that Americans know what Islam stands for – and it's not terrorism," said CAIR Executive Director Nihad Awad.

Awad said Muslim communities and individuals will identify local libraries for sponsorship by visiting CAIR's library project web site, http://www.libraryproject.org, or by calling 1-800-392-7876, ext. 20. After the sponsor fills out and submits the necessary forms on the web site, the library is informed of the intention to donate the library package. Materials are then shipped to the library by Astrolabe Islamic Media (http://www.astrolabepictures.com). A confirmation letter is sent to the sponsor indicating that the library package has been sent.

To illustrate the kind of anti-Muslim rhetoric that prompted the CAIR campaign, Awad cited Christian evangelist Franklin Graham's claims that terrorism is part of "mainstream" Islam and that the Quran, Islam's revealed text, "preaches violence." Graham also called Islam an "evil and wicked religion." Other conservative and evangelical commentators such as Jerry Vines, Pat Robertson, Paul Weyrich, William Lind, Ann Coulter, and Chuck Colson have echoed Graham's Islamophobic smears.

- END -

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NOTE: CAIR offers an e-mail list designed to be a journalist's window to the American Muslim community. Subscribers to the list, called **ISLAM-INFONET**, receive news releases and other materials dealing with American Muslim positions on issues of importance to our society.

To **SUBSCRIBE** to ISLAM-INFONET, go to: http://cair.biglist.com/islam-infonet/

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In the Name of God, the Compassionate, the Merciful

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- **MEDIA ADVISORY** –

EXPLOSIVE DEVICE DESTROYS ILLINOIS MUSLIM FAMILY'S VAN
CAIR offers reward for info about possible war-related hate crime

(WASHINGTON, D.C., 3/24/2003) – The Council on American-Islamic Relations (CAIR) will hold a **news conference** today to call on federal authorities to treat an explosion in a Chicago-area Muslim family's van as a possible war-related hate crime. The Washington-based Islamic civil rights and advocacy group will also announce the offer of a reward for information leading to the apprehension and conviction of the perpetrators.

WHEN: Monday, **March 24, 2:30 p.m.** (Central)
WHERE: Outside the Burbank Police Department, 5650 West 75th Place, Burbank, Illinois

CAIR has learned that a "Class B" explosive device was thrown into the van of the Burbank, Ill., Palestinian Muslim family at about 11 p.m. on Saturday, March 22. (Class B explosives are used in commercial-grade fireworks.) According to the family, the van's door was blown off, shattered glass was thrown up to 30 feet away and a hole was punched in the vehicle's floor. They believe the incident is related to the ongoing war with Iraq. Family members say they also experienced hostility from neighbors following the 9/11 terrorist attacks.

"This incident could have resulted in serious injury or even loss of life. Local and national law enforcement authorities must treat this crime with the seriousness that it deserves in order to reassure the American Muslim community that these types of attacks will not be tolerated. International events should never be allowed to divide our nation along religious or ethnic lines," said CAIR-Chicago Executive Director Omar Haydar. He said CAIR is offering a $2000 reward for information that results in the perpetrators being brought to justice. Haydar noted that his group recently distributed a "Community Safety Kit" to help protect Muslims in North America during the war with Iraq. SEE: http://www.cair-net.org/safetykit

A number of similar incidents have been reported recently across the United States. CAIR attributes these incidents to the pro-war rhetoric leading up to the attack on Iraq, coupled with existing levels of anti-Muslim bias in American society.

In other Illinois incidents, an Evanston resident received a mailed death threat, a Glendale Heights Islamic center received a phoned bomb threat and projectiles were fired at a mosque in Villa Park. In California, four Muslim women from the northern part of that state visiting a Venice restaurant on Sunday say they were verbally assaulted by another patron who made references to raping Muslim women and threatened them with physical assault. Death threats were made against Muslim students at San Jose State University in Northern California. In Michigan, a Muslim father and son report that they were refused service at a Meijer store in Fraser, Mich.

Physical assaults against Muslims have been reported in Northern California, Southern California, Georgia, New Jersey, and South Carolina. One incident in Yorba Linda, Calif., left a Muslim teenager badly beaten by a group that allegedly included white supremacists.

CAIR is America's largest Islamic civil liberties group. It is headquartered in Washington, D.C., and has 16 regional offices nationwide and in Canada. Since its founding in 1994, CAIR has defended the civil and religious rights of all Americans.

- END –
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FOR IMMEDIATE RELEASE

LAW ENFORCEMENT COMMUNITY OFFERED GUIDE TO MUSLIMS

New booklet designed to foster cooperation with security agencies

(WASHINGTON, D.C., 5/1/03) - As concerns grow over the profiling of Muslims and as Law Day* is marked nationwide, a Washington-based Islamic civil rights and advocacy group today announced the publication of a booklet designed to familiarize the law enforcement community with Islamic beliefs and practices. SEE: http://www.cair-net.org/hdn/LawEnforceGuide/

The Council on American-Islamic Relations' (CAIR) publication, "A Law Enforcement Official's Guide to the Muslim Community," outlines basic information about Islamic beliefs that are relevant to law enforcement. It also cover issues such as the rights of Muslim law enforcement officers, religiously-sensitive techniques for body searches, proper etiquette for entering Muslim homes, and advice on outreach to the Islamic community. Copies of the booklet may be obtained by contacting: publications@cair-net.org ($3+S/H)

"A number of recent interactions between law enforcement agencies and the Muslim community have resulted in misperceptions and miscommunications based on a lack of basic information about Islamic beliefs. We hope this booklet will serve as tool to be used in facilitating cooperation on security issues in an atmosphere of mutual respect," said CAIR Research Director Dr. Mohamed Nimer, the booklet's author. Nimer added that Muslim communities around the United States have organized meetings with local, state and national law enforcement agencies. CAIR helped coordinate these meetings in a number of cities.

The law enforcement officer's guide is the fifth in a series of CAIR publications designed to support the religious rights of American Muslims. Other booklets in this series include "An Employer's Guide to Islamic Religious Practices," "A Health Care Provider's Guide to Islamic Religious Practices," "An Educator's Guide to Islamic Religious Practices," and "A Correctional Institution's Guide to Islamic Religious Practices." Thousands of these booklets are now being used by corporations, schools, hospitals, and other institutions nationwide.

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* May 1 is Law Day, a national day focusing on America's heritage of liberty under law. Law Day was designated by joint resolution of Congress in 1961. SEE: http://www.abanet.org/publiced/lawday/

- END -

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COMMUNITY SERVICE IS SUBJECT OF NEW MUSLIM AD

CAIR ad says serving others is one way to serve God

(WASHINGTON, D.C., 5/28/03) – The importance of community service is the focus in the sixth installment of a national advertising campaign designed to foster greater understanding of Islam and to counter the rising tide of Islamophobic rhetoric in the United States. SEE: www.americanmuslims.info

The Council on American-Islamic Relations (CAIR), a prominent national Islamic civil rights and advocacy group, launched the year-long "Islam in America" campaign February 16 with an ad on the *New York Times* editorial page. (CAIR's campaign was put on hold during the war in Iraq.) The first five ads featured examples of family values and ethnic diversity in the American Muslim community, a Muslim Girl Scout troop in California, a Muslim woman explaining why modest Islamic attire is both liberating and empowering, and a condemnation of terrorism in the name of any religion.

"There has been a very positive response to our campaign in the Muslim community and with people of other faiths who view the ads and the message of tolerance and diversity they convey," said CAIR Board Chairman Omar Ahmad. Ahmad said the ads have been used in a variety of creative ways, including as handouts in classrooms and as posters in employee break rooms.

The text of the latest CAIR ad reads: "MY NAME IS DR. J. AISHA SIMON. I attended the Medical College of Virginia, completed my residency at Georgetown University and I'll be attending Harvard University to earn a master's degree in public health. I'm a family physician, a wife and a mother. I'm also involved in international relief work, traveling to places like Bosnia and Africa, and coordinating medical volunteers to serve in Guatemala. I was previously a regional coordinator for an anti-tobacco education campaign for elementary school children and I've served as an advocate for domestic violence survivors. I'm an American Muslim woman and I believe in the importance of charity and service to my community.

"The values I learned from my family and my religion while growing up in America have led me to a life of service. Islam calls upon us to strive with one another in hastening to good deeds, and to care for the less fortunate as we care for ourselves. The Prophet Muhammad taught us that when we serve our brother or sister, we are serving God."

The weekly CAIR ads, each explaining one aspect of Islam, are being distributed to Muslim communities around America for placement in local newspapers. All the advertisements are available at: http://www.americanmuslims.info/archive.asp

CAIR, America's largest Islamic civil liberties group, is headquartered in Washington, D.C., and has 16 regional offices nationwide and in Canada.

- END -

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FOR IMMEDIATE RELEASE

TWO TEENS ARRESTED IN MOSQUE CROSS BURNING CASE

(WASHINGTON, D.C., 8/1/03) - Two teenagers have been arrested for allegedly burning a cross outside a Maryland Islamic school and mosque. The arrests were announced this afternoon at a news conference in Landover Hills, Md., attended by local and national law enforcement officials and representatives of the Muslim community.

Authorities say the 17-years-olds, whose names are being withheld because they are juveniles, have been charged with religious and ethnic crime, defacing property and burning a cross or other religious symbol in violation of Maryland's hate crime statutes. If convicted the suspects could face up to three years in prison and a fine. The cross burning occurred in the early morning hours of July 24th outside the Dar-us-Salaam mosque and Al-Huda school in College Park, Md.

"We will work with juvenile authorities not only to help prosecute this case, but also to assist in the rehabilitation of these young people so they may live lives free of hatred and prejudice," said Seyed Rizwan Mowlana, executive director of the Council on American-Islamic Relation's Maryland office (CAIR-Maryland). He suggested that if convicted and sentenced to community service, the teens could be assigned to a mosque or Islamic school.

"We thank all the law enforcement agencies involved in this case, particularly the FBI and the Prince George's County police and fire departments, for moving so swiftly to bring the alleged perpetrators to justice," said Mowlana. He also thanked the ACLU, Progressive Maryland, the NAACP, as well as the state and national public officials who supported the Muslim community following the incident.

At a news conference on the day of the incident, CAIR announced a $5,000 reward for information leading to the arrest and conviction of the perpetrators. At least one lead resulted from that reward offer.

Since the beginning of this year, CAIR has received reports of physical assaults against Muslims or those perceived to be Muslim in California, Georgia, New Jersey, South Carolina and other states. One incident in Yorba Linda, Calif., left a Muslim teenager badly beaten by a group that allegedly included white supremacists. In Arizona, a Sikh man who may have been mistaken for an Arab was shot in Phoenix. In Illinois, an explosive device destroyed a Muslim family's van. And just last month, a New Bedford, Mass., pizza delivery man was kidnapped, beaten and stabbed, apparently because his attackers thought he was Muslim. Two weeks ago, two Pakistani students were shot to death in the same county as the cross-burning. FBI investigators are looking into the incident to determine if bias was a motive.

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- END -

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FOR IMMEDIATE RELEASE

- MEDIA ADVISORY -

MUSLIMS TO HOLD 9/11 VIGIL AT U.S. CAPITOL

"A Day of National Unity" event to promote interfaith relations

WHAT: On **WEDNESDAY, SEPTEMBER 10**, the Council on American-Islamic Relations (CAIR), a Washington-based Islamic civil rights and advocacy group, will host an interfaith memorial event at the Capitol Reflecting Pool in Washington, D.C., to mark the second anniversary of the 9/11 terror attacks and to challenge those who seek to divide America along religious or ethnic lines.

The event, **"A Day of National Unity,"** will include songs by a children's choir, speeches from local and national community and religious leaders and a candlelight vigil in memory of those who died in the attacks. (Groups or individuals interested in participating in the vigil should contact Joshua Brockwell at: jbrockwell@cair-net.org or call 202-488-8787, ext. 3221) The event will also include presentation of the first annual **"Voice of Unity Award"** to the Hate Free Zone Campaign of Washington, an organization founded in response to the post-9/11 backlash against American Muslims, Arab-Americans and those perceived to be Middle Eastern.

"Now more than ever, we must come together as one nation to challenge the voices of division in our society," said CAIR Board Chairman Omar Ahmad. "The threat of terrorism, and our response to it, continues to test our ability to live together in a spirit of interfaith harmony and inclusion. This is a test we must pass if America is to maintain the values of religious tolerance we all hold dear."

CAIR is American's largest Islamic civil liberties group. It is headquartered in Washington, D.C., and has 16 regional offices nationwide and in Canada.

WHEN: **Wednesday, September 10, 6:30-8:30 p.m.**

WHERE: Capitol Reflecting Pool (Westside), Washington, D.C.

- END -

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-35-

Testimony of

Matthew Epstein

Before the

United States Senate Judiciary Committee
Subcommittee on Terrorism, Technology, and Homeland Security

"Saudi Support for Islamic Extremism in the United States"

September 10, 2003

Matthew Epstein
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Executive Summary

Nearly two years to the day from the horrifying terrorist attacks of September 11, 2001, we must take a closer look at the organizations that claim to speak for the Muslim community in America, and how they came to such positions of influence. Despite Bush Administration outreach, large sections of the institutional Islamic leadership in America do not support U.S. counterterrorism policy, denouncing virtually every terrorism indictment, detention, deportation and investigation as religiously motivated attacks on Islam.

To be clear, I would like to state that militant Islamic fundamentalism is not synonymous with Islam the religion. The overwhelming majority of the world's more than one billion Muslims do not support violence or militancy.

The radicalization of the Islamic political leadership in the United States has developed parallel to the radicalization of the Islamic leadership worldwide, sharing a conspiratorial view that Muslims in the United States are being persecuted on the basis of their religion and an acceptance that violence in the name of Islam is justified. While such leaders protest that they have condemned terrorism, and they have in the abstract, they refuse to specifically condemn Islamist terrorist groups and leaders by name, or acknowledge responsibility for their acts of terror.

Although the high visibility of such individuals and organizations suggests broad leadership and significant followings in the United States, by many accounts, they draw support from far fewer American Muslims than they claim fall under their leadership. Unfortunately, however, militant Islamists command a disproportionate share of media and political attention as a result of substantial funding received from wealthy benefactors, led by the Saudis and their Wahhabi brand of Islam.

With deep pocketbooks and religious conviction, the Saudi Wahhabists have bankrolled a series of Islamic institutions in the United States that actively seek to undermine U.S. counterterrorism policy at home and abroad. In the United States, the Saudi Wahhabis regularly subsidize the organizations and individuals adhering to the militant ideology espoused by the Muslim Brotherhood and its murderous offshoots Hamas, Palestinian Islamic Jihad and al-Qaeda, all three of which are designated terrorist

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organizations. Several of these U.S. based organizations drawing Saudi support have recently been shuttered and many of their leaders indicted, including, the Holy Land Foundation, Benevolence International Foundation and the Islamic Concern Project.

Saudi largess has similarly been bestowed upon the Council on American-Islamic Relations (CAIR), a U.S. based organization purporting to "promote a positive image of Islam and Muslims in America" and "empower the Muslim community in America through political and social activism."[1] However, in supporting claims of religious discrimination, the Council on American-Islamic Relations and its leadership has managed to disguise its true agenda of supporting militant Islam and protecting the operations of radical groups supporting terrorism.

A careful review reveals that CAIR was a creation of the Hamas group in the United States. CAIR leaders have been heard expressing their support for Hamas both in public and on FBI surveillance tapes. CAIR has received support from, and lent support to, Hamas financial conduits in the United States. Several CAIR officers and employees have been recently indicted on terrorism-related charges. CAIR routinely questions the motives behind U.S. counterterrorism policy and law enforcement.

The rise of militant Islamic leadership in the United States requires particular attention if we are to succeed in the War on Terror. While the attacks of September 11, 2001 were executed by al-Qaeda, it is the bastions of militant Islam that provide the recruits for tomorrow's Mohammed Attas and the political cover to conceal their operations. In this battle, we must distinguish between militant Islamic leaders, and the vast majority of Muslims in the United States and around the world who do not support their violent agenda. In preventing future attacks on American soil, we must actively drain the pools from which Islamist terrorist organizations recruit and confront the financial sponsors that create them.

[1] www.cair-net.org.

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This testimony was made possible by the extensive resources of the Investigative Project, which is considered to be one of the largest non-governmental intelligence centers on militant Islamic organizations. The author would like to thank Steven Emerson, the founder and Executive Director of the Investigative Project, Tamar Tesler and Scott Rosenbaum for their input, assistance and research in the preparation of this testimony.

Introduction

Nearly two years to the day from the horrifying terrorist attacks of September 11, 2001, we must take a closer look at the organizations that claim to speak for the Muslim community in America, and how they came to such positions of influence.

Despite Bush Administration outreach, large sections of the institutional Islamic leadership in America do not support U.S. counterterrorism policy from Kabul to Gaza, and from Portland to Tampa. Listening to sermons at mosques, attending Islamic conferences, and reading Islamic publications, one would believe that the United States is engaged not in a War on Terrorism, but instead a War on Islam. In the U.S., militant Islamic leaders, operating under the false patina of serving as moderate religious, civil rights and political leaders, have denounced virtually every terrorism indictment, detention, deportation and investigation as religiously motivated attacks on Islam.

Instead of trying to cleanse the Islamic community from the extremism that exercises disproportionate influence, various Islamic leaders, claiming that they represent the majority of Muslims, have instead sought to portray counterterrorism efforts as part of an orchestrated campaign against Islam. Such a position only serves to protect the radicals and the terrorists who, as they did before 9/11, sought refuge in the unwillingness of American policymakers to distinguish militant Islamic supporters from the vast majority of Muslims who abjure violence.

To be clear, I would like to state that militant Islamic fundamentalism is not synonymous with Islam the religion. The overwhelming majority of the world's more than one billion Muslims do not support violence or militancy.

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The radicalization of the Islamic political leadership in the United States has developed parallel to the radicalization of the Islamic leadership worldwide. They share several common characteristics, including (1) an increasingly pervasive conspiratorial view that Muslims in the United States and around the world are being persecuted on the basis of their religion, (2) a similarly conspiratorial belief that Western nations, led by the United States, aim to destroy Islamic culture, and (3) an acceptance that violence in the name of Islam is justified in the face of western aggression against the *ummah* (Islamic community). As a result, the institutional Muslim leadership in the United States, mirroring the rise of militant Islam, has grown increasingly anti-Western and anti-U.S. Various Islamic religious and political leaders have depicted U.S. counterterrorism as anti-Muslim in an effort to de-legitimize counterterrorism measures at home as religious witch-hunts.

While such leaders protest that they have condemned terrorism, and they have in the abstract, they refuse to specifically condemn Islamist terrorist groups and leaders by name, or acknowledge responsibility for their acts of terror. For example, in November of 1994, Nihad Awad, the Executive Director of the Council on American-Islamic Relations (CAIR), was interviewed on the CBS news program *60 Minutes*. Awad was asked his views on Hamas less than four weeks after the group took responsibility for a suicide bus bombing that killied 23 Israelis[2]:

> "**Mike Wallace**: What do you think of the military undertakings of Hamas?
>
> **Nihad Awad**: Well, I think that's -- that's for the people there to judge.
>
> **Wallace**: I'm asking you.
>
> **Awad**: The -- the United Nations Charter grants people who are under occupation to defend themselves against illegal occupation."[3]

In June of 2000, Hussein Ibish, the communications director for the American Arab Anti-Discrimination Committee (ADC), was a guest on CNBC. Ibish was asked his views Hizbollah, and organization responsible for the deaths 241 American Marines:

> "**RIVERA**: How do you stand about Hizbollah and Hamas? Do you condemn them?

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[2] Associated Press. "Massive Security Effort Launched For Clinton's Mideast Visit," October 25, 1994.
[3] CBS News Transcript. *60 Minutes*, November 13, 1994.

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IBISH: I--it's not up to me to condemn people. I think he's absolutely...

RIVERA: But I want to know. How do you feel about them?

IBISH: No. I think that Hizbollah fought a very good war against the Israelis, a guerrilla war, a popular war that was clearly shown to be a war of liberation and that had the support of the majority of the south Lebanese people."[4]

In exploring the factors behind the radicalization of the Islamic leaders in the United States, one element may have had the greatest impact: a flood of Persian Gulf dollars, primarily from Saudi Arabia, funding the penetration of militant Islam in the United States. This testimony will explore the vehicles through which militant Islamists cause the propagation of anti-Western religious, political and social Islam in the United States.

Foreign Sponsorship of Militant Islamic Agenda in the United States

Wealthy militant Islamic patrons from Saudi Arabia and other Persian Gulf kingdoms, as well as the governments themselves, have for years financed and otherwise supported a number of organizations in the United States that advance the agenda of propagating their violent strain of Islam known as Wahhabism. In recent months, major media, scholars of Islam and high ranking government officials have provided detailed accounts of Saudi support for Islamic extremism worldwide. Islamic militants have declared the United States a crucial battleground in their bid to extend their ideology worldwide. In this vein, they have richly supported U.S. based organizations operating as charitable associations, religious institutions, civil rights groups and political action committees which all have militant Islamic purposes.

The goals and means of this movement are discussed at conferences and conventions held across the country, such as the statements made by Abdulrahman Alamoudi, then head of the American Muslim Council (AMC), at the 1996 Islamic Association for Palestine conference held in Chicago, Illinois:

[4] ADC Communications Director Hussein Ibish interviewed on Rivera Live on CNBC, June 5, 2000.

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> "It depends on me and you, either we do it now or we do it after a hundred years, but this country will become a Muslim country. And I [think] if we are outside this country, we can say oh, Allah destroy America but once we are here, our mission in this country is to change it. And (the prophet) told us that there are three ways of changing things, either by your hand or your mouth or within yourself, and we can change it by our hand and by our mouth, but positively. There is no way for Muslims to be violent in America, no way. We have other means to do it. You can be violent anywhere else but in America."[5]

While stating he is against attacks in the United States, Alamoudi is not opposed to violence per se, but rather carrying out attacks on U.S. soil; he implicitly gave the green light for attacks on the U.S. overseas. When he says this country will become a Muslim country, a statement which would rarely come to public light, he is reflecting a hidden agenda in which the U.S. is viewed as becoming part of the Islamic empire.

Alamoudi, far from a fringe player in American politics, was the Executive Director of the American Muslim Council (AMC). Alamoudi's organization was addressed by FBI director Robert Mueller at its 2002 annual convention held in Alexandria, Virginia and called "the most mainstream Muslim group in the United States" by Mueller's spokesman.

In order to provide cover for their militant Islamic agenda and activities, extremists routinely seek to undermine U.S. counterterrorism measures. Along these lines, U.S. law enforcement is depicted as bias and racist. For example, on an informational compact disc distributed at some mosques in the Washington, D.C. metropolitan area, immigration and civil rights attorney Ashraf Nubani warned that:

> "There is no reason, in general, that anyone should ever, ever, ever talk to law enforcement as Muslims in the United States. The FBI is just a tool of whoever is wielding it...and right now, it is very bad, it is very bad, it is very bad."[6]

Similarly, groups such as AMC and the National Coalition to Protect Political Freedom authored and distributed warnings that Muslims in America not talk to the FBI. Posted on AMC's website as late as 2001 was the following:

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[5] Abdulrahman Alamoudi. Islamic Association of Palestine Conference, Chicago, Illinois, 1996.
[6] Compact Disc recording featuring Ashraf Nubani. Obtained from Washington D.C. metropolitan area mosque August 2003.

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> "Why not Talk? The FBI is looking for information to use against you, your family and/or your community. The FBI has a history of harassing and harming minority and immigrant communities. Some people are spending a long time in jail because they or their friends talked to the FBI." [7]

Although the high visibility of such individuals and organizations suggests broad leadership and significant followings in the United States, by many accounts, they draw support from far fewer American Muslims than they claim fall under their leadership. As stated by the late Seif Ashmawy, former publisher of the Voice of Peace and someone who has testified before Congress on the activities of Muslim extremists and their ability to infiltrate and deceive the American public, "...both organizations [CAIR and AMC] champion extremists whose views do not represent Islam. They do not represent moderate Muslims such as myself."[8] Unfortunately, militant Islamists command a disproportionate share of media and political attention as a result of substantial funding received from wealthy benefactors, led by the Saudis and their Wahhabi brand of Islam.

With deep pocketbooks and religious conviction, the Saudi Wahhabists have bankrolled a series of Islamic institutions in the United States that actively seek to undermine U.S. counterterrorism policy at home and abroad. From Islamic centers to student associations, from relief organizations to bookstores, an ideology committed to the destruction of Western civilization is being offered as the only solution to the plight of the *ummah*. Saudi and Kuwaiti organizations including the World Assembly of Muslim Youth (WAMY) and the International Islamic Federation of Students Organizations (IIFSO) actively promote religious hatred and violence through the publication of books such as *The Protocols of the Elders of Zion* and the *Muslim Brotherhood*. *Islamic Views* is an Arabic language book written by WAMY, a Saudi government sponsored organization. Printed by the Saudi Government's *Armed Forces Printing Press*, *Islamic Views* teaches that Islam "is a religion of *Jihad*" and that *Jihad* "was an answer for the Jews, the liars."

> "[T]each our children to love taking revenge on the Jews and the oppressors, and teach them that our youngsters will liberate

[7] Posted on http://amconline.org/main.shtml. "In the case of FBI: Know Your Rights!" 2001.
[8] Pittsburgh Newsweekly. "A CAIR-free Muslim," January 16-22, 1996.

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> Palestine and al-Quds when they go back to Islam and make *Jihad* for the sake of Allah."[9]

The Muslim Brotherhood, a book published by the Kuwaiti IIFSO and listed on their website as late as July 2001[10], reads:

> "...we want Muslim individual, Muslim family, Muslim nation, Muslim government, and a state that should be able to lead the Islamic governments, should be able to unite the dispersed Muslims, should be able to regain their honor and superiority, should be able to recover their lost lands, their usurped regions, and their occupied territories. Then it should be able to raise the flag of Jihad and the Call towards Allah till the entire world is benefited by Islamic teachings...
>
> We want to make the whole world bow before the word of Allah. The command of Allah is:
>
> > '*And fight with them till no mischief remains, and the religion is all for Allah.*'"[11]

In the United States, the Saudi Wahhabis regularly subsidize the organizations and individuals adhering to the militant ideology espoused by the Muslim Brotherhood and its murderous offshoots Hamas, Palestinian Islamic Jihad and al-Qaeda, all three of which are designated terrorist organizations.[12] By way of example, Saudi financial and operational support have been bestowed upon U.S. based "relief organizations" such as the Holy Land Foundation (Hamas) and Benevolence International Foundation (al-Qaeda), and "research institutes" such as the World Islam Studies Enterprise (Palestinian Islamic Jihad). In the last two years, all three of these U.S. organizations have been shut down as terrorist fronts or conduits and many of their leaders have been jailed on terrorism-related charges.

Several other organizations sustaining militant Islamic ideologies continue to function in the United States, including the American Muslim Council (AMC), the Islamic Society of North America (ISNA), the International Institute of Islamic Thought (IIIT) and Mercy International – USA. Such organizations have all benefited from Saudi

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[9] Saudi Armed Forces Printing Press. "Islamic Views," 13th Edition, circa 1991.
[10] www.iifso.org/book.htm, as of June 10, 2003
[11] Saeed Hawwa. "The Muslim Brotherhood," International Islamic Federation of Student Organizations, 1985.
[12] Office of Foreign Assets Control. "Specially Designated Nationals and Blocked Persons," September 5, 2003.

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and other Persian Gulf support. These groups frequently cooperate on rallies, conferences and fundraising activities.

Similarly, Saudi largess has been bestowed upon the Council on American-Islamic Relations (CAIR), a U.S. based organization purporting to "promote a positive image of Islam and Muslims in America" and "empower the Muslim community in America through political and social activism."[13] Founded in 1994, CAIR's stated mission is to actively combat "anti-Muslim discrimination nationwide."[14] However, in supporting claims of religious discrimination, the Council on American-Islamic Relations and its leadership has managed to disguise its true agenda of supporting militant Islam and protecting the operations of radical groups supporting terrorism.

A careful review reveals that the Council on American Islamic Relations and its leadership promote a militant strain of Islam in the United States, including anti-Western sentiments and support for violent Islamic causes. As with other such organizations in America, CAIR has received significant economic, political and operational support from Saudi funders.

The Council on American-Islamic Relations & Militant Islam

CAIR & Hamas

- The ideological and organizational roots of the Council on American-Islamic Relations can be found in the extremist Muslim Brotherhood and its violent Palestinian offshoot Hamas. In 1994, CAIR was founded by two officials from the Islamic Associate for Palestine (IAP), a primary U.S. based support organization for Hamas.

  IAP & the origins of CAIR:

  - In an article published in *The Link*, CAIR founder and Executive Director Nihad Awad explained that,

[13] www.cair-net.org.
[14] Nihad Awad. "Muslim-Americans in Mainstream America," *The Link*, February-March 2000.

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> "After the Gulf War was over, I was offered a job with the Islamic Association for Palestine (IAP) as their public relations director...In this effort I worked closely with IAP president Omar Ahmad...Omar suggested to me that we leave the IAP and concentrate on combating anti-Muslim discrimination...In June 1994, we used a modest donation as a starting budget to open the Council on American-Islamic Relations (CAIR) in Washington, D.C."[15]

- The first manifestation of Hamas' presence in the United States was the creation of the Islamic Association for Palestine for North America (IAP) in 1981.[16] Founded by Hamas leader Mousa Abu Marzook, IAP has served as a Hamas support organization in the United States by publishing Hamas communiqués, distributing Hamas recruitment videos and hosting conferences raising monetary and popular support for Hamas. Marzook has been listed by the Treasury Department as a Specially Designated Global Terrorist.

- IAP conferences held in the Unites States routinely incite hatred, including this incendiary statement clearly aimed at provoking violence against the U.S., made by a Hamas supporter at an IAP conference after the 1991 Gulf War:

> "Dear brothers and sisters, we used to cross swords with America and with imperialism in a sportive way, by means of culture clash, by critique and writing in newspapers and journals and in debates. But the confrontation has reached a point of no return. All veils have fallen. All barriers have broken down. And today, America is right here at your doorstep, in everybody's house...The marines, dear brothers, are stealing the doors of your houses, and the doors of your mosques, in obstinate and open provocation. They are at our doors. Their plan is to penetrate the flesh of our girls. And our honor, and our values, in order to turn our society into a pervert nation."[17]

  The speaker was standing in front of a banner with "Hamas" spelled out in Arabic using human skulls, under the heading "Islamic Association for Palestine."

- In an August 2002 court decision regarding the freezing of terrorist assets in the United States, a federal court judge found that "the Islamic Association for

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[15] Nihad Awad. "Muslim-Americans in Mainstream America," *The Link*, February-March 2000.
[16] Boim v. Quranic Literacy Institute, et al. 127 F. Supp. 2d 1002, USDC Northern District of Illinois. January 10, 2001. Hamas was not formally established until 1987, until which time Hamas leaders operated under the Muslim Brotherhood in Palestine, the predecessor to Hamas.
[17] Videotape. IAP Conference on Palestine.

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Palestine has acted in support of Hamas."[18] The decision was issued in support of the December 2001 Executive Order freezing the assets of the Holy Land Foundation for Relief and Development (HLF). The Treasury Department announced that the "U.S.-based Holy Land Foundation for Relief and Development provides millions of dollars each year that is used by HAMAS."[19]

- o CAIR received a $5,000 initial disbursement from HLF in 1994.[20]

- In a March 1994 speech at Barry University, future CAIR Executive Director Nihad Awad announced, "...after I researched the situation inside and outside Palestine, I am in support of the Hamas movement...."[21]

- On FBI wiretaps recorded in 1993, Omar Ahmed, who has served as President of IAP and Board Chairman of CAIR, is overheard professing his commitment to Hamas. According to the FBI translation and summary of the conversation:

  > "Another member [Ahmed] said we (the Union [IAP]) can't, as an American organization say we represent Samah (pronouncing Hamas from the rear to the front). Can we go to the Congressman and tell him, I am Omar Yehya [Ahmed], Chairman of the Union [IAP], Yassir Arafat doesn't represent me, but Ahmad Yasin does?

  An FBI note explains that "Ahmed Yasin" is Sheikh Ahmad Yassin, the spiritual leader of HAMAS."[22]

  - o As Omar Ahmed suggests, CAIR has an active lobbying effort in Washington, D.C. and across the country. CAIR officials frequently meet with representatives from the White House, the State Department,[23] Congress and the FBI.[24] In 1997, CAIR Executive Director Nihad Awad was appointed to

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[18] Holy Land Foundation for Relief and Development vs. John Ashcroft in his official capacity as Attorney General of the United States. Civil Action # 02-422.
[19] Treasury Department Office of Pubic Affairs. "Shutting Down the Terrorist Financial Network," December 4, 2001.
[20] IRS Form 1023, Holy Land Foundation for Relief and Development.
[21] Statement by Nihad Awad at a panel discussion, "The Road to Peace: the Challenge of the Middle East," Barry University, March 22, 1994.
[22] Exhibit 28 to HLF evidence submitted in support of Holy Land Foundation for Relief and Development vs. John Ashcroft in his official capacity as Attorney General of the United States. Civil Action # 02-422.
[23] CAIR News brief. "State Department PR Head Meets with U.S. Muslims," Washington D.C., November 26, 2001.
[24] American Muslim News Breifs. "CAIR Meets with Administration officials to Discuss Community Concerns," CAIR-net.org, September 18, 2001.

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the "Civil Rights Advisory Panel to the White House on Aviation Safety and Security."[25]

- Future CAIR leadership was present at the infamous "1993 Philadelphia meeting," which FBI documents describe as "a meeting in the United States among senior leaders of HAMAS, HLFRD and IAP." According to FBI documents, the meeting was attended by future CAIR board chairman Omar Yahya Ahmed[26] and future founding board member of the Texas CAIR chapter Ghassan Elashi.[27] According to an FBI action memorandum analyzing wiretaps of the meeting:

> "The overall goal of the meeting was to develop a strategy to defeat the Israeli/Palestinian peace accord, and to continue and improve their [HAMAS] fund-raising and political activities in the United States...
>
> The participants decided that for fund-raising purposes, the United States theater was very valuable to them. They stated they could not afford to lose it. **In the** United States, they could raise funds, propagate their political goals, affect public opinion and influence decision-making of the U.S. Government.
>
> It was mentioned that the United States provided them with a secure, legal base from which to operate. The democratic environment in the United States allowed them to perform activities that are extremely important to their cause. In discussing financial matters the participants stated a belief that continuation of the Holy War was inevitable.
>
> It was decided that most or almost all of the funds collected in the future should be directed to enhance the Islamic Resistance Movement and to weaken the self-rule government. Holy War efforts should be supported by increasing spending on the injured, the prisoners and their families, and the martyrs and their families."[28]

The fact that participants in this senior Hamas meeting would go on to organize CAIR in the United States exposes the militant Islamic disposition of CAIR leadership.

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[25] CV of Nihad Awad. Posted on http://www.islamonline.net/livedialogue/english/Guestcv.asp?hGuestID=Z7oSDW.

[26] Exhibit 14 to HLF evidence submitted in support of Holy Land Foundation for Relief and Development vs. John Ashcroft in his official capacity as Attorney General of the United States. Civil Action # 02-422.

[27] Action Memorandum from Dale Watson, Assistant Director Counterterrorism Division FBI, to Richard Newcomb, Office of Foreign Assets Control. "Holy Land Foundation for Relief and Development International Emergency Economic Powers Act," November 5 2001; Texas Secretary of State. Articles of Incorporation, Council on American Islamic Relations, September 29, 1998.

[28] Action Memorandum from Dale Watson, Assistant Director Counterterrorism Division FBI, to Richard Newcomb, Office of Foreign Assets Control. "Holy Land Foundation for Relief and Development International Emergency Economic Powers Act," November 5 2001.

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- CAIR actively raised money for HLF via their mailing list *CAIR-NET*.[29] In 2001, HLF's assets were frozen by the Treasury Department, which found the organization to be a Hamas conduit. The Texas chapter of CAIR and HLF share a common founder in Ghassan Elashi. As stated above, Elashi himself was present at the 1993 Philadelphia meeting that planned Hamas fundraising in the United States. This meeting shows that future leadership of CAIR participated in meetings with senior Hamas leaders and discussed Hamas fundraising in the United States.

CAIR Leadership Under Indictment

In the last year, at least three former CAIR employees or directors have been indicted on terrorism, money laundering or fraud related charges. Ghassan Elashi, a founding board member of CAIR's Texas chapter,[30] was indicted on charges of engaging in financial transactions with terrorist entities. In addition, former CAIR employees Ismail Randall Royer and Bassam Khafagi were indicted in separate investigations out of the Eastern District of Virginia and the Eastern District of Michigan.

- Ghassan Elashi was a founding board member of the Texas chapter of CAIR.[31] Ghassan Elashi was also a founder of the now frozen HLF, originally known as the Occupied Land Fund.[32] On December 17, 2002, Elashi was indicted in the Northern District of Texas for engaging in financial transactions with Hamas leader Musa Abu Marzook, a Specially Designated Terrorist. According to the indictment, Elashi and his company Infocom received at least $250,000 of investment capital from accounts controlled by Marzook.[33]

[29] CAIR-NET. "CAIR: American Muslims Asked to Pray for Palestinians," September 9, 1996.
[30] Texas Secretary of State. Articles of Incorporation, Council on American Islamic Relations, September 29, 1998.
[31] Texas Secretary of State. Article of Incorporation, Council on American Islamic Relations, September 29, 1998.
[32] California Secretary of State. Article of Incorporation, Occupied Land Fund, January 11, 1989.
[33] United States v. Bayan Elashi, Ghassan Elashi, et al. United Stated District Court for the Northern District of Texas. December 17, 2002.

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- In June 2003, Randall Todd Royer (aka Ismail Royer), who had served as a CAIR Communications Specialist,[34] was indicted by a Grand Jury on charges that he and 10 other Muslim men were part of a conspiracy to support "violent jihad" overseas. The indictment states that Royer traveled to Pakistan and trained with weapons at Lashkar E-Tayyiba terrorist camps, where he also fired automatic weapons at Indian troops.[35] Lashkar E-Tayyiba has been designed by the Treasury Department as a terrorist organization. Members of Royer's group declared that their intent was to fight against Americans in Afghanistan.[36] In the mid-1990's, Royer engaged in military warfare when he joined a combat unit of Muslim irregulars in Bosnia-Herzegovina.[37]

  In a May 2003 Washington Times editorial, Royer identified himself as the Communications director for the National Liberty Fund,[38] an organization created to raise money for the legal defense of indicted Palestinian Islamic Jihad leader Sami al-Arian.[39] Criticizing the government's case, Royer stated, "One wonders why the government bothered to indict him if it was not prepared to go to trial."[40]

  According to a biography posted on IslamOnline.net, Royer served as CAIR's Communication Specialist starting in 1997.[41] He worked for CAIR at least through late October 2001 according to reports in the media. Thus, while he was still working for CAIR, Royer purchased an AK-47 assault rifle and 219 rounds of ammunition, distributed newsletters for a group later designated as a foreign terrorist organization and fired at Indian targets in Kashmir, according to a federal indictment.[42]

- In January 2003, Bassam Khafagi was indicted and arrested on bank fraud charges involving checks and money transfers between his corporation, International Media

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[34] Biography for Ismail Royer posted by IslamOnline.
[35] United States of America v. Randall Todd Royer, et. al. United States District Court for the Eastern District of Virginia, June 2003 Term – At Alexandria.
[36] Oral Hearings. United States of America v. Randall Todd Royer, et. al. United States District Court for the Eastern District of Virginia.
[37] Washington Post. "Virginia Jihad Suspects: 11 Men, Two Views," August 8, 2003.
[38] Randall Royer. "Jihad Suspect on Trial," Washington Times, May 29, 2003.
[39] http://www.nationallibertyfund.org; Flyer, "Stand up for Justice," Fundraiser for Dr. Sami al-Arian's Legal Defense Fund, April 10, 2003.
[40] Randall Royer. "Jihad Suspect on Trial," Washington Times, May 29, 2003.
[41] Biography for Ismail Royer posted by IslamOnline.net.
[42] United States of America v. Randall Todd Royer, et. al. United States District Court for the Eastern District of Virginia, June 2003 Term – At Alexandria.

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Group, Inc., and personal bank accounts.[43] As late as November 1, 2002, Khafagi served as Director of Community Relations for the Council on Islamic-American Relations (CAIR).[44] According to media reports, Khafagi employed by CAIR at the time of his arrest.[45]

Khafagi was also a founding member and President of the Islamic Assembly of North America (IANA).[46] According to corporate records, Khafagi served in a leadership position at IANA during the time senior Al-Qaida recruiter Abdelrahman Al-Dosari (a.k.a. Shaykh Abu Abdel Aziz "Barbaros") spoke at IANA's 1993, 1994 and 1995 conferences.[47]

CAIR Supports 9/11 Conspiracy Theories Absolving Osama bin Laden

As part of its agenda to undermine U.S. counterterrorism measures, CAIR officials and representatives have openly espoused conspiracy theories questioning al-Qaeda's responsibility for 9/11.

- On October 7, 2001, CAIR-New York Executive Director Ghazi Khankan asked an audience:

  > "Why is it assumed that Muslims were behind the attack on 9/11? We know at least three people assumed to be hijackers who are still alive in the Middle East. The question is, who is impersonating these Muslim names? Who benefits from assuming Muslims are behind this tragedy and who benefits from this tragedy? I think the media should seriously go and investigate these three and find out if they are really the 3 hijackers or someone else is impersonating them. I think it is a very important thing that we insist the media not cover up these facts."[48]

- On October 5, 2001, CAIR-New York encouraged it constituents to write letters to the Editor of the New York Times questioning the identity of the 9/11 hijackers:

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[43] United States of America v. Bassem Kamel Khafagi, United States District Court of Michigan.
[44] Khafagi was listed as the Director of Community Relations for CAIR at a fundraiser held on November 1, 2002.
[45] Spokesman Review. "Egyptian with UI ties held in probe," March 14, 2003.
[46] Colorado Secretary of State. Islamic Assembly of North America, May 10, 1994.
[47] Shaykh Abu Abdel Aziz. "Jihad and Revival," Islamic Assembly of North America (IANA) 1993 Conference; Chicago, IL.
[48] CAIR 7th Annual Fundraising Dinner. "Braving the Storm," Vienna, VA, October 7, 2001

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> "The important questions are: Who is impersonating these three Muslim Arabs? Why are Muslim Arabs been implicated in this terrorism? And, who could 'benefit' from this horrific tragedy? Definitely mainstream Muslims by the consensus of Islamic religious scholars since the dawn of Al-Islaam could NOT be the culprits..."'[49]

CAIR Defends Islamic Terrorists and Their Financiers

In an effort to undermine the financial War on Terrorism largely carried out by the Department of Justice, Department of Treasury and the new Bureau of Customs and Immigration Enforcement, CAIR officials have decried the arrest of terrorist leaders and the seizing of terrorist assets in the U.S. as baseless witch hunts.

- Questioning the arrest of indicted Palestinian Islamic Jihad leader Sami Al-Arian, CAIR Board Chairman Omar Ahmed said,

  > "...we are very concerned that the government would bring charges after investigating an individual for many years without offering any evidence of criminal activity. This action could leave the impression that Al-Arian's arrest is based on political considerations, not legitimate national security concerns."[50]

  Of course, the arrest of Sami al-Arian was the culmination of a 100+ page indictment drawing upon thousands of hours of wiretaps and videotapes, and thousands of pages of documents. However, Ahmed surely knows that his constituents will never review the indictment or evidence. The effect of Ahmed's statement is to undermine Muslim support for U.S. law enforcement and create fear in the Islamic community that the U.S. government is their enemy.

- Following the arrest of the Elashi brothers for engaging in financial transactions with designated terrorists, CAIR-Dallas chairman Mohamed Elmougy defended the Elashis stating, "All I can tell you is the community is behind the Elashi brothers, and they are caught in a kind of political game."[51]

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[49] New York Times Letter to the Editor. "True Muslims Cannot Commit Suicide nor Kill Innocent Civilians. That is Why Recognized Muslims Are not Part of the WTC Tragic Attack," as posted on http://www.cair-ny.com/, October 5, 2001.
[50] http://www.pakistanlink.com/Community/2003/Feb/28/10.html, April 25, 2003.
[51] Associated Press. "Aid Sought for 5 Suspected of Terror Ties," February 15, 2003.

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- In May 2003, Johns Hopkins School of Advanced International Studies hosted a forum titled "Bridging the Gap Between America and the Muslim World: The Role of Muslim and Arab American Organizations." Guest speaker and CAIR Executive Director Nihad Awad commented on the closure of Islamic charities in the United States. On the issue of the shutting down Islamic relief groups that served as conduits for terrorism, and in particular the Benevolence International Foundation, Awad observed that:

> "Some of these relief organizations, serious charges against them were plea-bargained. And they ended up just charging one of the officials of that relief organization in Chicago of giving boots to Bosnian soldiers at the time when the US government was helping the Bosnian people. ...
>
> 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 few dollars went here and there in some country, but we don't shut down the entire operation of the Red Cross because it hurts millions of people."[52]

The relief organization in Chicago identified by Awad is Benevolence International Foundation (BIF). During the sentencing hearing for BIF leader Enaam Arnout, the Chicago U.S. Attorneys filed a response clearly stating that BIF and its leaders had provided significant financial and operational support to al-Qaeda:

> "As defendant now acknowledges, defendant became well-acquainted with Usama Bin Laden and *al Qaeda* in the 1980s, having spent significant time in bin Laden's *al Masada* camp in Afghanistan and then living in Bin Laden's house. In 1997, defendant arranged to preserve in electronic form historical documents concerning Usama Bin Laden and *al Qaeda* as well as other persons and groups. These items, which have been discussed in detail in the government's *Santiago Proffer* and other filings, include the August 1988 minutes of the founding of *al Qaeda* and handwritten notes taken by defendant himself in October 1988 of a *shura* ("consultation") council meeting at Bin laden's house involving Bin Laden and others that occurred two months after *al Qaeda* had been formed.
>
> In or about 1993, Bin Laden advised *al Qaeda* member Jamal Ahmed al Fadl that *al Qaeda* was using several charities to fund its operations overseas, specifically naming *al Birr*, which translates in English to "Benevolence." Al Fadl understood from conversations with Bin Laden and others in *al Qaeda* that the charities would receive funds that could be withdrawn in cash and a portion of the money used for legitimate relief purposes and another portion diverted for *al*

[52] Audiotape of Nihad Awad speaking at Johns Hopkins SAIS. "Bridging the Gap Between America and the Muslim World: The Role of Muslim and Arab American Organizations," *Conflict Prevention and Resolution Forum*. May 13, 2003.

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Qaeda operations. The charities also provided assistance for *mujahideen* who traveled."[53]

Belittling the significance of BIF support for terrorism serves only to discredit counterterrorism law enforcement and incite the Islamic community.

- Following the 1998 attacks on the U.S. Embassies in East Africa, a Los Angeles television station posted a billboard advertisement featuring a picture of Osama bin Laden with the headline "the sworn enemy." CAIR issued a press release protesting that the billboard was "offensive to Muslims."[54]

CAIR Sponsors Rallies and Conferences that Support Terrorism

- On May 24, 1998, CAIR co-sponsored a rally at Brooklyn College.[55] One of the featured speakers, Wagdy Ghuniem, advised the audience that, "Allah says, he who equips a warrior of Jihad is like the one who makes Jihad himself."[56]
- On October 28, 2000, CAIR co-sponsored a rally in Washington DC where invited speaker Abdurahman Alamoudi proclaimed, "Hear that, Bill Clinton, we are all supporters of Hamas – Allahu Akbar. I wish they added that I am also a supporter of Hezbollah."[57]

Saudi Support for CAIR

In a press release dated November 8, 2001, CAIR officials proclaimed that they do not receive support from foreign sources:

[53] United States of America v. Anaam Arnout, Government's Response to Defendant's Position Paper as to Sentencing Factors, USDC Northern District of Illinois.
[54] CAIR-Southern California Action Alert. "CAIR demands removal of billboard stereotyping Muslims," October 28, 1998.
[55] MSANEWS. Direct Submission from the IAP Information Office, "50 Years of Occupation," May 23, 1998.
[56] Audiotape. Brooklyn College, New York, May 24, 1998.
[57] Videotape. Anti-Israel Rally, Washington DC, October 28, 2000.

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> "We do not support directly or indirectly, or receive support from, any overseas group or government. In all its actions and statements, CAIR seeks to reflect the mainstream beliefs and views of the Muslim community in North America."[58]

But in fact, records show that CAIR received significant Saudi financial support to sustain and expand its American operations.

World Assembly of Muslim Youth (WAMY)

CAIR has repeatedly sent representatives to Saudi Arabia seeking financial and political support. CAIR often received such support from the World Assembly of Muslim Youth (WAMY).

The relationship between WAMY and the Saudi government was perhaps best described by Dr Abdul Wahab Noorwali, Assistant Secretary General of WAMY, "Saudi Arabia's support has been enormous since the establishment of WAMY in 1963. The Kingdom provides us with a supportive environment that allows us to work openly within the society to collect funds and spread activities. It also provides us with protection abroad through Saudi embassies and consulates, in addition to financial support."[59] Abdullah Naseef, Vice Chairman of the *Majlis as-Shura* of the Saudi Arabian Government, Vice Chairman of WAMY and former Secretary-General of the Muslim World League, explained "Praise is due to Allah SWT and then to the kings of Saudi Arabia who supported this pioneering organization and other non-governmental bodies such as the Muslim World League in Makkah in 1962 and the World Assembly of Muslim Youth in Riyadh in 1973."[60]

- In 1998, the *Saudi Gazette* reported that CAIR's Executive Director Nihad Awad addressed a press conference at the WAMY headquarters in Riyadh, Saudi Arabia. According to the report, "He [Awad] said CAIR needed funds to fight discrimination against Muslims, to promote the true image of Islam and to combat the anti-Islamic propaganda."[61]

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[58] CAIR Press Release. "Islamophobic Smear Campaign Goes Public." November 8, 2001.
[59] Middle East Newsfile. "WAMY Team in Afghanistan Risks Life to Deliver Aid," November 20, 2001.
[60] http://www.iiasa.org/researchcenter/symposium.htm accessed July 27, 2003.
[61] Saudi Gazette. "Nike Violating agreement on Offensive Logo says CAIR," July 3, 1998.

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- According to a December 23, 1999 *Arab News* article, Dr. Hamid Shaygi, assistant Secretary General of WAMY announced at a Riyadh press conference, with Nihad Awad in attendance, that WAMY "was extending both moral and financial support to CAIR in its effort to construct headquarters at a cost of $3.5 million in Washington, D.C." The article continued saying WAMY would also "introduce CAIR to Saudi philanthropists and recommend their financial support for the headquarters project."[62]

- On one fundraising trip to Saudi Arabia in 2002, CAIR and the World Assembly of Muslim Youth (WAMY) proudly announced their cooperation on a million dollar public relations campaign. As reported by The Muslim World, the weekly newspaper of the Saudi Muslim World League:

> **"WAMY supports CAIR campaign against US anti-Islamic sentiment**
>
> RIYADH - The World Assembly of Muslim youth (WAMY) is extending support to the Council on American-Islamic Relations (CAIR), a US-based organization, which has launched a media campaign by publishing advertisements in leading American newspapers and distributing books on Islam free of charge...
>
> Speaking to newsmen at WAMY's new office in Riyadh, on 12 November, Muhammad Ibn Ali Al-Qotatibi, Editor-in-Chief of Future Magazine, a WAMY publication, said CAIR had already booked a quarter-page for every Friday of 52 week, in the 'USA Today.' The advertisement will commence in the 3rd week of Ramadhan and will cost $1.04 million...
>
> Al-Qotaibi said Awadh had already met leading Saudi businessmen at the Riyadh Chamber of Commerce and Industries on 12 November, to brief them about the projects and raise funds. Among the top businessmen Awadh is scheduled to meet, with Prince Waleed Ibn Talal.
>
> He said CAIR was also planning the Publication of advertisements in 10 other leading newspapers in America, and that is why he is in the Kingdom seeking funds for the purpose. "[63] (emphasis added)

Prince Alwaleed bin Talal

- In 2002, CAIR received $500,000 from Saudi Prince Alwaleed bin Talal. As reported by Arab News on November 18, 2002:

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[62] Arab News. "WAMY spends SR12m on new mosques," December 23, 1999.
[63] The Muslim World. "WAMY supports CAIR campaign against US anti-Islamic sentiment," November 9, 2002. See also Saudi Gazette. "WAMY supports CAIR campaign against US anti-Islamic sentiment," November 13, 2002.

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> "Prince Alwaleed ibn Talal, chairman of Kingdom Holding Company, has donated $500,000 to the Council on American-Islamic Relations (CAIR) to finance two of its projects.
>
> The donation was announced when he received in his office in Riyadh Nihad Awad, general manager of CAIR.
>
> Awad is on a Middle East tour to gather support for CAIR programs and projects. He will also take part in symposiums in several Arab countries to discuss the challenges that Muslims face in the United States.
>
> During his meeting with Prince Alwaleed, Awad discussed the smear campaign being launched in the Western media against Islam and Muslims by certain entities.
>
> Awad briefed the prince on the programs and projects that are being developed in the United States by CAIR to project the true image of Islam and Muslims and to defend their legitimate rights and freedoms.[64]

Islamic Development Bank

- According to a Saudi Government press release, in August 1999, the Islamic Development Bank approved "$250,000 as a contribution to the purchase of land in Washington DC to be the headquarters for an education and research center under the aegis of the Council for American Islamic Relations."[65]

  With headquarters in Jeddah, Saudi Arabia, the stated purpose of the Bank is to:

  > "foster the economic development and social progress of member countries and Muslim communities individually as well as jointly in accordance with the principles of Shari'ah i.e., Islamic Law."[66]

  According to news reports, the Islamic Development Bank was formally opened in October 1975, inspired by King Faisal of Saudi Arabia. Of the $900 million in founding capital, Saudi Arabia was reported as the top contributor with $240 million.[67]

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[64] Arabnews.com. "Prince Al-Waleed ibn Talal Donates $500,000 to CAIR," November 18, 2002.
[65] http://www.saudiembassy.net/press_release/99_spa/08_15_aid.html, August 15, 1999.
[66] www.isdb.org.
[67] The Economist. "Petro-aid takes off," February 15, 1975.

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International Islamic Relief Organization (IIRO)

- According to tax documents filed by the International Islamic Relief Organization (IIRO), CAIR was given at least $12,000 in financing from the U.S. offices of IIRO.[68]

  According to federal affidavit, the U.S. operations of IIRO were financed by $10 million from IIRO in Jeddah Saudi Arabia. IIRO in the United States was a direct subsidiary of its Saudi parent, sharing leadership and funds with the Jeddah-based headquarters.[69]

  IIRO's U.S. offices were first raided by the FBI in 1997 as part of a Hamas money laundering investigation.[70] More recently, federal terrorism investigators have confirmed that IIRO is the subject of a current terrorism and money laundering investigation focusing on material support to al-Qaeda and Hamas. As declared by Senior Special Agent David Kane with the Bureau of Immigration and Customs Enforcement, "I know that terrorists who have attacked or tried to attack the United States around the world have been associated with MWL/IIRO."[71]

Conclusion

The rise of militant Islamic leadership in the United States requires particular attention if we are to succeed in the War on Terror. While the attacks of September 11, 2001 were executed by al-Qaeda, it is the bastions of militant Islam that provide the recruits for tomorrow's Mohammed Attas and the political cover to conceal their operations. As stated earlier, militant Islamic fundamentalism is not synonymous with Islam the religion. In this battle, we must distinguish between militant Islamic leaders, and the vast majority of Muslims in the United States and around the world who do not

[68] IRO IRS Form 990, 1995 & 1997. Note: IIRO was incorporated in the United States as International Relief Organization (IRO).
[69] United States of America v. Soliman Biheiri, Declaration in Support of Pre-Trial Detention, USDC Eastern District of Virginia.
[70] Search Warrant In the Matter of the Search of 360 S. Washington Street, Falls Church, Virginia, 3rd Floor, January 30, 1997.
[71] United States of America v. Soliman Biheiri, Declaration in Support of Pre-Trial Detention, USDC Eastern District of Virginia.

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support their violent agenda. In preventing future attacks on American soil, we must actively drain the pools from which Islamist terrorist organizations recruit and confront the financial sponsors that create them.

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NationsBank

WIRE TRANSFER ADVICE

PAGE: 1

NATIONSBANK, N.A.
WIRE TRANSFER DEPT MD4-301-16-30
BALTIMORE, MD 21203-0987

ACCOUNT: 2080063415
DATE: 10/31/94

DIRECT INQUIRIES TO:
(800) 963-WIRE

CAIR
1511 K ST NW STE 807
WASHINGTON 20005-1401

THE FOLLOWING WIRE WAS CREDITED TODAY: AMOUNT: $5,000.00

SEQUENCE NUMBER/ICH: 941031011157000
FED REFERENCE NUMBER: 941031001492082 4

SENDER: BANK ONE TEXAS N A DALLAS
ORIGINATOR: HOLYLAND FOUNDATION
ORIGINATING BANK: BANK ONE TEXAS
BENEFICIARY: 2080063415 CAIR

DETAILS OF PAYMENT: SEQ-941031001492

Attachment A

1958

INTERNATIONAL RELIEF ORGANIZATION
300 S. WASHINGTON ST., SUITE 300 PH. 703-536-4470
FALLS CHURCH, VA 22046

FIRST VIRGINIA BANK
FALLS CHURCH, VIRGINIA 22042
65-111-560

13 Jun 94

PAY TO THE ORDER OF Council On American Islamic Relation $ ****5,000.00

Five Thousand and 00/100********** DOLLARS

POSTED

MEMO

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Attachment B

RESPONSE BY THE INVESTIGATIVE PROJECT TO THE TESTIMONIES OF NIHAD AWAD, EXECUTIVE DIRECTOR OF THE COUNCIL ON AMERICAN ISLAMIC RELATIONS (CAIR)

September 25, 2003

Background

On September 10, 2003, the Senate Subcommittee on Terrorism, Technology and Homeland Security, chaired by Senator Jon L. Kyl of Arizona, held a hearing entitled "*Connecting the Dots: Terrorism Two Years After the 9/11 Attacks*." Matt Epstein, assistant director of research for the Investigative Project, testified. In his opening remarks, Senator Kyl noted that Mr. Epstein would "provide testimony on the network of American Muslim organizations, the majority of which are recipients of the very Saudi largesse [another witness] will outline" and "will highlight their long history of sympathy, coordination and support for terrorist groups. As an example, he will focus on a group that we here on the Hill are very familiar with, namely, the Council on American-Islamic Relations or CAIR."

CAIR's Executive Director, Nihad Awad, had already submitted written testimony dated September 10, 2003. In response to Mr. Epstein's September 10 testimony, on September 17, Mr. Awad submitted a written reply to the Subcommittee attacking Mr. Epstein's testimony and personally denouncing Steven Emerson, the founder and Executive Director of the Investigative Project. Both Mr. Awad's September 10 and September 17 testimonies are replete with inaccuracies and outright misrepresentations. We wish to submit the following response addressing both of Mr. Awad's statements in order to correct the record.

I. CAIR Received Seed Money from the Holy Land Foundation for Relief and Development, a Specially Designated Global Terrorist that Acted on Behalf of Hamas.

1) Awad Statement: "Our organization did not receive any seed money from the Holy Land Foundation for Relief and Development."[1]

   - Fact: On October 31, 1994, CAIR received a $5,000 wire transfer from the Holy Land Foundation for Relief and Development through NationsBank in Baltimore, Maryland.

   - Discussion: In his September 10 testimony, Mr. Awad denied that CAIR received any money from the Holy Land Foundation for Relief and

[1] Testimony of Nihad Awad Before the Senate Subcommittee on Terrorism, Technology and Homeland Security, "Terrorism: Two Years After 9/11, Connecting the Dots" [hereinafter "Awad Testimony"], September 10, 2003, at 19.

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Development (HLF) and called Mr. Epstein's statement a "myth" and "an outright lie":

> MYTH: In a recent congressional hearing, Mr. Emerson proclaimed that, "...[CAIR] received some of its initial seed money from the Holy Land Foundation for Relief and Development (HLFRD)..."
>
> FACT: This is an outright lie. Our organization did not receive any seed money from HLFRD. CAIR raises its own funds and we challenge Mr. Emerson to provide even a shred of evidence to support his ridiculous claim....[2]

In reality, as Mr. Epstein demonstrated in his September 10th testimony, CAIR was incorporated in the District of Columbia on September 15, 1994,[3] and received a $5,000 wire transfer from HLF through NationsBank in Baltimore, Maryland on October 31, 1994. The sequence number of this wire transfer is 941031011157000 and its federal reference number is 9410310014920824.[4]

When confronted with this evidence, Mr. Awad had no choice but to reverse course and admit that CAIR had received money from HLF:

> CAIR is a nonprofit, grassroots organization. Our only source of income is through donations and the amount in question was a donation like any other.[5]

CAIR also actively raised money for HLF via its email list CAIR-NET.[6] After the September 11, 2001, terrorist attacks, CAIR added a section to its website entitled "What You Can Do for the Victims of the WTC and Pentagon Attacks," listing four charities, among them HLF and the Global Relief Foundation.[7]

On December 4, 2001, the Treasury Department named HLF a Specially Designated Global Terrorist.[8] In announcing the Treasury Department's action, President George W. Bush stated unequivocally: "The Treasury Department froze the assets and accounts of the Holy Land Foundation in Richardson, Texas, whose money is used to support the Hamas terror organization."[9] The Global Relief

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[2] Awad Testimony, September 10, 2003, at 19 (citation omitted).
[3] By-Laws of Council on American-Islamic Relations, formed under the District of Columbia Nonprofit Corporation Act, dated September 15, 1994.
[4] See copy of wire transfer, attached at Attachment A.
[5] Awad Testimony, September 17, 2003, at 6.
[6] "CAIR: American Muslims Asked to Pray for Palestinians," CAIR-NET, September 9, 1996.
[7] http://web.archive.org/web/20010926031134/http://www.cair-net.org/, accessed on September 10, 2003.
[8] http://www.ustreas.gov/press/releases/po841.htm.
[9] The White House, Office of the Press Secretary, "President Announces Progress on Financial Fight Against Terror," December 4, 2001.

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Foundation was also subsequently denoted a Specially Designated Global Terrorist.[10]

2) Awad Statement: "HLF was not indicted for any criminal activity at the time of its donation in 1994 and its assets were frozen by the Justice Department seven years later in December 2001. We can only posit that Mr. Epstein seeks to imply yet another mysterious 'terrorist' connection with this relatively small donation seven years before any wrongdoing was attributed to Holy Land Foundation."[11]

   - Fact: As early as 1993 representatives of CAIR knew that HLF was involved in financing Hamas and other terrorist organizations.

   - Discussion: At the time HLF donated money to CAIR in 1994, the FBI had already determined that HLF was intimately involved with leaders of Hamas. In 1993, for example, the FBI surveilled a meeting held in a Philadelphia hotel between leaders of Hamas, and several U.S.-based Muslim organizations, including HLF, and the Islamic Association for Palestine (IAP).[12] CAIR's current president, Omar Ahmad, was at the meeting and refers to himself as Omar Yehya; at the time he was the president of IAP.

     A November 5, 2001, declassified FBI's assessment of this meeting is damning:

     > It was decided [at the meeting] that most or almost all of the funds collected in the future should be directed to enhance the Islamic Resistance Movement and to weaken the self-rule government. Holy War efforts should be supported by increasing spending on the injured, the prisoners and their families, and the martyrs and their families.[13]

3) Awad Statement: "...Mr. Epstein uses choicely selected excerpts from ominous 'FBI wiretaps' to insinuate a murky endorsement of Hamas by CAIR chairman Omar Ahmad."

   - Fact: In reality, the transcripts taken as a whole show that there was nothing "murky" about Ahmad's endorsement of Hamas. The FBI itself concluded that much of the meeting was dedicated to supporting terrorist activities.

     For example, one of the participants in the meeting, Abdul Rahman Barajki stated that:

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[10] http://www.treas.gov/offices/eotffc/ofac/sanctions/t11ter.pdf
[11] Awad Testimony, September 17, 2003, at 6.
[12] *FBI Action Memorandum: Holy Land Foundation for Relief and Development, International Emergency Economic Powers Act*, November 5, 2001 [hereinafter "HLF FBI Action Memorandum"].
[13] HLF FBI Action Memo, page 13, citing Exhibit 28, at 4 and 46.

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> we should concentrate our efforts on supporting Jihad (holy war) in the occupied lands. This can be done, he said, through concentrating our financial resources on those directly connected with Jihad, such as two injured, the martyrs, their families and the prisoners. Other needed services can be provided by other organizations. Those who receive assistance from the United States and UN agencies. But we should focus on those people who are directly connected with Jihad.[14]

The declassified FBI transcript refers to the speaker as "Abdul Rahman LNU" or "Last Name Unknown."[15] However, the hotel registry submitted by the FBI identified "Abdul Rahman Baraski" as sharing a room in the Philadelphia Hotel with Omar Ahmad.[16] "Abdul Rahman Baraski" is almost certainly a misspelling of "Abdul Rahman Barajki", the registered agent and a director of CAIR-Northern California.[17] Abdulrahman Barakji is also listed on letterhead of CAIR-National as a member of their Board of Directors.[18] In addition, Barajki is listed as a director of IAP-Texas.[19]

The FBI surveillance also captured an unidentified male who:

> intervened to instruct the present not to mention Hamas name explicitly. He referred to Hamas by the name Samah. . . . A question was raised re how the population feels about Hamas. But [unidentified male] intervened again to remind them not to use Hamas name. They mentioned using the word "Movement."[20]

Mr. Ahmad's participation in this meeting – and close connection with Barajki – shows that a senior CAIR official knew that these groups, including Hamas, were involved in terrorist activity in 1993, thereby refuting Mr. Awad's argument that CAIR cannot be held responsible for any affiliation with Hamas and other terrorist organizations before their official designations.

4) Awad Statement: "Historical context aside for now, Mr. Ahmad is asking a question, not making a statement, at the end of his statement. Mr. Ahmad was

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[14] HLF FBI Action Memo, at Exhibit 28, page 48.
[15] HLF FBI Action Memo, at Exhibit 28, page 48.
[16] HLF FBI Action Memo, at Exhibit 14, page 4.
[17] Secretary of State, State of California, Articles of Incorporation, Council on American-Islamic Relations, N. Cal., August 30, 1995.
[18] Letter on CAIR letterhead noting their accomplishments to date. September 1995.
[19] Texas Franchise Tax Public Information Report, Islamic Association for Palestine, Richardson, Texas, July, 26, 1996, September 15, 1997, May 19, 1998.
[20] HLF FBI Action Memo, at Exhibit 28, page 1417.

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questioning whether a group like Hamas should be allowed to dictate who speaks for the Palestinian cause."[21]

- Fact: As Mr. Epstein testified, "[o]n FBI wiretaps recorded in 1993, future CAIR board chairman Omar Ahmad is overheard professing his support of Hamas."[22]

- Discussion: At the 1993 Philadelphia meeting surveilled by the FBI and attended by members of Hamas, the HLF, and IAP, Mr. Ahmad is quoted on the declassified transcript as saying:

> [W]e (the Union) [IAP] can't, as an American organization say we represent Sama (pronouncing Hamas from the rear to the front). Can we go to the Congressman and tell him, I am Omar Yehya [Ahmed], Chairman of the Union [IAP], Yassir Arafat doesn't represent me, but Ahmad Yasin does?[23]

The FBI concluded that:

> [T]he overall goal of the meeting was to develop a strategy to defeat the Israeli-Palestinian peace accord . . . During the meeting, the participants spent much effort hiding their association with the Islamic Resistance Movement, a.k.a. HAMAS. Instead, they referred to HAMAS as 'Samah,' which is HAMAS spelled backwards.[24]

In addition:

> It was decided [at the meeting] that most or almost all of the funds collected in the future should be directed to enhance the Islamic Resistance Movement and to weaken the self-rule government. Holy War efforts should be supported by increasing spending on the injured, the prisoners and their families, and the martyrs and their families.[25]

Ahmad wasn't engaged in idle questioning or abstract discussion. The quotes from Mr. Ahmad detailed above, taken in context with the FBI's analysis of the meeting and the litany of other statements by the meetings' participants,

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[21] Awad Testimony, September 17, 2003, at 7-8.
[22] Epstein September 10, 2003, Testimony, at 11.
[23] HLF FBI Action Memo, at Exhibit 28, page 1466.
[24] HLF FBI Action Memo, at page 12.
[25] HLF FBI Action Memo, at Exhibit 28, pages 4 and 46.

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leave no doubt that Mr. Ahmad was involved in a discussion regarding the need to mask the participants' allegiance to Hamas because they understood that their true agenda of promoting Hamas and its goals would not be popular with the American public or Congress.

5) Awad Statement: "Mr. Epstein must also think that United States District Judge Gladys Kessler backs terrorism when she said in an April 23, 2002 *Washington Post* article about the Holy Land Foundation case: 'It seems the government's approach [to the Holy Land case] is too simplistic' and that the case raised 'significant and distressing allegations' about government actions in its war on terror."[26]

   - Fact: In reality, Judge Kessler determined that HLF was acting "for or on behalf of Hamas."[27] Her ruling was affirmed on appeal on June 20, 2003.[28]

II. CAIR's Affiliation with Hamas and HLF Prior to Their Designations as Terrorist Organizations

6) Awad Statement: "Hamas was started in 1987 and it was not until January 24, 1995, almost eight years later, that it was designated as a terrorist organization, pursuant to Executive Order 12,497. You will never find a CAIR statement supporting Hamas **after the commencement of suicide bombings** and United States government's designation of them as a foreign terrorist organization on January 24, 1995."[29]

   - Fact: For several years prior to the 1995 Executive Order designating it a terrorist organization, Hamas had taken public responsibility for numerous terrorist attacks. The State Department's *Patterns of Global Terrorism* also reported on these attacks. For example, the 1993 *Patterns of Global Terrorism* states that Hamas and the Palestinian Islamic Jihad "have been responsible for the majority of violent incidents since 13 December" and that "Hamas has claimed at least 13 postagreement attacks."[30]

   - Discussion: According to the 1992 *Patterns of Global Terrorism*, "Various elements of HAMAS have used both political and violent means including terrorism, to pursue the goal of establishing an Islamic Palestinian State in place of Israel...[o]ther elements, operating clandestinely, have advocated and used violence to advance their goals."[31]

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[26] Awad Testimony, September 17, 2003, at 6.
[27] *Holy Land Foundation for Relief and Development v. Ashcroft*, 219 F. Supp. 2d 57, 70 (D.D.C. 2002).
[28] *Holy Land Foundation for Relief and Development v. Ashcroft*, 333 F.3d 156 (D.C. Cir. 2003).
[29] Awad Testimony, September 17, 2003, at 5.
[30] "Patterns of Global Terrorism 1993," US Department of State, Office of the Secretary, Office of the Coordinator for Counterterrorism, Department of State Publication 10136, April 1994.
[31] "Patterns of Global Terrorism 1992," US Department of State, Office of the Secretary, Office of the Coordinator for Counterterrorism, Department of State Publication, April 1993.

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In a March 22, 1994, speech at Barry University Mr. Awad declared that "after I researched the situation inside and outside Palestine, I am in support of the Hamas movement . . . ."[32]

By the time Awad made this statement there had been ample media coverage about the violent nature of HAMAS and its commitment to destroy the peace process. For example:

- "In the last year, the power of Hamas has not faded. It's still the main group challenging the PLO's authority in the West Bank and Gaza Strip. It has organized violent resistance to the agreement between the PLO and Israel for limited Palestinian self-rule, and it has attacked and killed Israeli soldiers and civilians, hoping to turn public opinion against the peace agreement."[33]

- "Hamas shot dead a pregnant woman who was traveling between Tel Aviv and the suburban-style settlement of Ariel."[34]

- In a *60 Minutes* interview with HAMAS member, Imad Akel, which aired on CBS on December 5, 1993, Akel relayed the following message:

  Mr. IMAD AKEL (Hamas Member): (Through interpreter) We will kidnap Jews whenever we want, and kill whenever we want. We bomb cars whenever we want, and stab whenever we want. You understand?

  60 Minutes: (Voiceover) His name is Imad Akel, and when he made this statement, he was the most wanted terrorist in the occupied territories, accused of murdering 11 Israeli soldiers, one Israeli civilian and four Palestinian collaborators--in short, the kind of person Arafat's Palestinian police force is supposed to arrest or get rid of.

  Mr. AKEL: (Through interpreter) The Jews will learn that the peace they make with Arafat and others will not prevent the shedding of Jewish blood. Our strength in battle will be the love of death.

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[32] Videotape of conference: "The Road to Peace: The Challenge of the Middle East," Barry University, March 22, 1994.
[33] National Public Radio (NPR), "Morning Edition, " December 15, 1993.
[34] "Stuck in the Promised Land," *Newsweek*, March 21, 1994.

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60 Minutes: (Voiceover) "...there are plenty of people in Gaza who don't, like this young man from the radical fundamentalist group Hamas, which also hopes to sabotage the agreement by killing Israelis.

Mr. IMAD AKEL (Hamas Member): (Through interpreter) We will kidnap Jews whenever we want, and kill whenever we want. We bomb cars whenever we want, and stab whenever we want. You understand?[35]

III. Nihad Awad and CAIR's Affiliations with other Radical Islamic Groups

1) Nihad Awad, CAIR, and the Islamic Association for Palestine

1) Awad Statement: "The Islamic Association of [sic] Palestine (IAP) is a grassroots organization which continues to function legally and has only been 'linked" through allusion and charge of criminality has been brought against the organization."[36]

- Fact: A federal district court found that there is evidence that IAP was part of a network of organizations connected to HLF and that it "has acted in support of Hamas."[37] Former FBI Deputy Assistant Director Oliver "Buck" Revell has also called IAP a "Hamas front."[38]

- Discussion: In his biography submitted along with his September 10, 2003, testimony, Mr. Awad omits any reference to his pre-CAIR activities, his involvement in the formation of CAIR, or to IAP. CAIR and IAP, however, are intimately intertwined. And IAP – like CAIR – is connected with Hamas.

  CAIR's articles of incorporation list three incorporators: Nihad Awad, Omar Ahmad, and Rafiq Jaber.[39] All three have previously held or currently hold leadership positions in IAP. According to an article Mr. Awad wrote in the February-March 2000 issue of *The Link* (published by Americans for Middle East Understanding), Awad became public relations director of the IAP after the 1991 Gulf War. He also served as contributing editor of IAP's newspaper, the *Muslim World Monitor*, until roughly mid-1994.

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[35] CBS, *60 Minutes*, December 5, 1993.
[36] Awad Testimony, September 17, 2003, at 5.
[37] *Holy Land Foundation for Relief and Development v. Ashcroft*, Civil Action # 02-422, (D.D.C.) 2002 U.S. Dist. LEXIS 14641, Aug. 8, 2002, at Page21.
[38] Revell quoted in "The Other Fundamentalists", Steven Emerson, *The New Republic*, June 12, 1995, page 21 and "Protecting America," Oliver Revell, *Middle East Quarterly*, March 1995, page 6.
[39] See Articles of Incorporation filed by CAIR, October 12, 1994, District of Columbia.

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Omar Ahmad, President of CAIR since its founding in 1994, was President of IAP from at least 1992 through the end of 1993.[40]

Rafiq Jaber, IAP's President since 1999, also served as IAP's President in the mid-1990's.

Awad himself wrote in *The Link* that "Omar [Ahmad] suggested to me that we leave IAP . . . He proposed that I move to Washington D.C . . . while he tried to raise seed money for the project . . . In June 1994, we used a modest donation as a starting budget to open the Council of American-Islamic Relations (CAIR)."[41]

The U.S. Government has demonstrated that IAP and HLF are connected to Hamas. The August 2002 federal district court ruling upholding the Executive Order freezing the assets of the Holy Land Foundation states "there is evidence in the record that, at the same time Hamas was funding HLF, it was also funding a network of organizations connected to HLF. There is evidence that at least one of these organizations, Islamic Association for Palestine ("IAP"), has acted in support of Hamas."[42]

2) Awad Statement: "Another one of Mr. Epstein's assertions is that on May 24, 1998, CAIR co-sponsored a rally at Brooklyn College. One of the featured speakers I proclaimed to have made anti-Semitic remarks and made references to 'jihad.' As Executive Director of CAIR, I had never heard of this event, let alone authorize sponsorship for it. [sic] I demand evidence of this accusation from Mr. Epstein."[43]

   - Fact: One of the featured speakers, Wagdy Ghuniem, advised the audience that "Allah says, he who equips a warrior of Jihad is like the one who makes Jihad himself."[44] IAP, the rally's sponsor, released an email invitation to this event on May 22, 1998, listing its eight co-sponsors, including CAIR, HLF, and ISNA. IAP's email invitation is available online.[45]

2) CAIR's Association with Saudi-Funded Organizations, including the World Assembly of Muslim Youth and the International Islamic Relief Organization

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[40] Ahmad is listed as a director of American Middle Eastern League for Palestine (AMELP) at least through 2001. AMELP operated in conjunction with, and under control of the IAP.
[41] "Muslim-Americans in Mainstream America," *The Link*, February-March 2002.
[42] *Holy Land Foundation for Relief and Development v. Ashcroft*, F. Supp. 2d 57, 70 (D.D.C. 2002) (citation omitted).
[43] Awad Testimony, September 17, 2003, at 10-11.
[44] Epstein Testimony, September 10, 2003, at 18, citing transcript of audiotape of May 14, 1998, rally at Brooklyn College, New York, May 24, 1998.
[45] http://groups.google.com/groups?q=IAP+News,+Brooklyn+COllege&hl=en&lr=&ie=UTF-8&oe=UTF-8&selm=6k6uq6%242u4%40usenet.srv.cis.pitt.edu&rnum=1

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1) Awad Statement: "CAIR raises its own funds. . . . In fact, it is known that our DC headquarters was funded largely by a loaned grant mortgaged from the Islamic Development Bank (IDB), a multinational financial institution similar in nature to the World Bank."[46]

- Fact: CAIR has received major financial support from the World Assembly of Muslim Youth, a Saudi-supported group that actively promotes religious hatred.[47] CAIR also received $5,000 from the International Islamic Relief Organization (IIRO), which was raided by federal law enforcement in 1997 and 2002.[48]

- Discussion: The World Assembly of Muslim Youth (WAMY) is heavily supported by the Saudi Government.[49] Its Washington, D.C. office was once headed by Osama bin Laden's nephew, Abdullah Bin Laden.[50]

  When Ahmad Ajaj was arrested in 1992 while trying to enter the United States with Ramzi Yousef, investigators found among Ajaj's belongings a WAMY envelope with the organization's Saudi Arabia address.[51] The envelope contained a manual entitled "Military Lessons in the Jihad Against the Tyrants." Both Yousef and Ajaj were later convicted for their roles in the 1993 World Trade Center bombing.

  In addition, WAMY actively promotes religious hatred through the publication of such books as *Islamic Views*, printed in Arabic by the Armed Forces Printing Press of the Saudi Government. *Islamic Views* teaches that Islam "is a religion of *Jihad*" and that *Jihad* "was an answer for the Jews, the liars."[52] *Islamic Views* also advises Muslims to

  > [t]each our children to love taking revenge on the Jews and the oppressors, and teach them that our youngsters will liberate Palestine and Al Quds when they go back to Islam and make *Jihad* for the sake of Allah.[53]

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[46] Awad Testimony, September 10, 2003, at 19.
[47] See discussion infra.
[48] See discussion infra.
[49] "WAMY team in Afghanistan risks life to deliver aid," *Saudi Gazette*, Interview with Dr Abdul Wahab A. Noorwali, Assistant Secretary General of the World Assembly of Muslim Youth (WAMY), in Jeddah, November 20, 2001:

> "Saudi Arabia's support has been enormous since the establishment of WAMY in 1963. The Kingdom provides us with a supportive environment that allows us to work openly within the society to collect funds and spread activities. It also provides us with protection abroad through Saudi embassies and consulates, in addition to financial support."

[50] "Islamic Charity Committee Moves to New Premises," *Arab News*, May 1994; see also IRS Form 990 for the World Assembly of Muslim Youth (WAMY) submitted for fiscal years 1993-1999.
[51] The 48-page manual was Government Exhibit No. GX 2800-A S5 93 CR 180 in *United States v. Salameh*, (S5) 93-cr-180.
[52] *Islamic Views*, Saudi Armed Forces Printing Press, 13th Edition, Circa 1991.
[53] *Islamic Views*, Saudi Armed Forces Printing Press, 13th Edition, Circa 1991.

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The *Arab News* reported on December 23, 1999, that WAMY announced at a Riyadh press conference that it "was extending both moral and financial support to CAIR in its effort to construct headquarters at a cost of $3.5 million in Washington, D.C."[54] According to the article, WAMY would also "introduce CAIR to Saudi philanthropists and recommend their financial support for the headquarters project."[55] Mr. Awad attended this conference in Riyadh.[56]

On November 9, 2002, *The Muslim World*, the weekly newspaper of the Saudi Muslim World League, reported that CAIR and WAMY announced their cooperation on a million dollar public relations campaign:

> The World Assembly of Muslim youth (WAMY) is extending support to the Council on American-Islamic Relations (CAIR), a US-based organization, which has launched a media campaign by publishing advertisements in leading American newspapers and distributing books on Islam free of charge...
>
> Speaking to newsmen at WAMY's new office in Riyadh, on 12 November, Muhammad Ibn Ali Al-Qotaibi, Editor-in-Chief of Future Magazine, a WAMY publication, said CAIR had already booked a quarter-page for every Friday of 52 week, in the 'USA Today.' The advertisement will commence in the 3rd week of Ramadhan and will cost $1.04 million.
>
> Al-Qotaibi said Awadh had already met leading Saudi businessmen at the Riyadh Chamber of Commerce and Industries on 12 November, to brief them about the projects and raise funds. Among the top businessmen Awadh is scheduled to meet, with Prince Waleed Ibn Talal.[57]

CAIR received a $5,000 check on June 13, 1994, from the International Islamic Relief Organization (IIRO). This check, number 1958,[58] was drawn on account 056001118 at the First Virginia Bank in Falls Church, Virginia. The IIRO's Virginia office was raided by the FBI in 1997 as part of a money laundering and terrorism investigation. In a 33-page affidavit, FBI Special Agent Valerie Donohue concluded that, "[I]IRO holds itself out to the public as a charitable organization, but has disbursed

[54] "WAMY Spends SR12m on New Mosques," *Arab News*, December 23, 1999.
[55] "WAMY Spends SR12m on New Mosques," *Arab News*, December 23, 1999.
[56] "WAMY Spends SR12m on New Mosques," *Arab News*, December 23, 1999.
[57] "WAMY Supports CAIR Campaign Against US Anti-Islamic Sentiment," *The Muslim World*, November 29, 2002, also published in the *Saudi Gazette* on November 13, 2002. Qotaibi said CAIR was also planning the publication of advertisements in 10 other leading newspapers in America, and that is why he is in the Kingdom seeking funds for the purpose.
[58] See Attachment B.

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significant sums of money in ways that do not appear consistent with a charitable mission."[59]

In 2002, IIRO was again raided by Operation Greenquest, a federal task force set up to target the financiers of Al Qaeda and other international terrorist groups.[60]

IV. The Three Indicted CAIR Officials

In his testimony, Mr. Epstein noted that in the prior year, at least three former CAIR employees or directors had been indicted on terrorism, money laundering or fraud-related charges. Ghassan Elashi, a founding board member of CAIR's Texas chapter,[61] was indicted on charges of engaging in financial transactions with terrorist entities. In addition, former CAIR employees Ismail Randall Royer and Bassam Khafagi were indicted in separate investigations conducted in the Eastern District of Virginia and the Eastern District of Michigan.

1) Awad Statement: "Mr. Elashi was never any employee or officer of our corporation. The fact that he was once associated with one of our almost twenty regional chapters has no legal significance to our corporation."[62]

   - Fact: Mr. Elashi was indicted in the Northern District of Texas on December 17, 2001, for engaging in a monetary transaction with Hamas leader Musa Abu Marzook, a Specially Designated Terrorist.[63] Mr. Elashi incorporated CAIR-Texas. CAIR's main website states "[w]e have headquarters in Washington, D.C., and CAIR chapters across America,"[64] which demonstrates the close relationship between CAIR's headquarters and the individual chapters, including the one incorporated by Mr. Elashi.

2) Awad Statement: "The major point of clarification in this accusation is that Dr. Khafagi was never an 'employee of CAIR.' He was commissioned as an independent contractor for CAIR, effective November 2, 2001.[65]

   - Fact: CAIR listed Dr. Khafagi as its Director of Community Relations on an invitation to a fundraising event held in Houston, Texas on November 1, 2002.[66] Dr. Khafagi was also a founding member and President of the Islamic Assembly of North America (IANA).[67] According to corporate records, Khafagi served in a leadership position at IANA during the time

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[59] Application and Affidavit for Search Warrant, Global Chemical Corporation, Northern District Of Illinois, Eastern Division, Affidavit of Special Agent Valerie Donahue, FBI, Case number: 97 M010, Filed January 8, 1997, page 15.
[60] See, e.g., Judith Miller, "The Money Trail: Raids Seek Evidence of Money-Laundering," *The New York Times*, March 21, 2002, at A-19.
[61] Texas Secretary of State, Articles of Incorporation, Council on American Islamic Relations, September 29, 1998.
[62] Awad Testimony, September 17, 2003, at 5.
[63] *U.S. v. Elashi, et al.* (N.D. Tex.), December 17, 2002.
[64] http://www.cair-net.org/asp/aboutcair.asp
[65] Awad Testimony, September 17, 2003, at 4 (citation omitted).
[66] The invitation was sent by email; a copy of the invitation is maintained in the records of The Investigative Project.
[67] Colorado Secretary of State, Islamic Assembly of North America, May 10, 1994.

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senior Al Qaeda recruiter Abdelrahman Al-Dosari spoke at IANA's 1993, 1994 and 1995 conferences.[68]

3) Awad Statement: "Ismail Royer was a former employee of CAIR, other Muslim activist organizations, as well as being a former employee of Starbucks Coffee. He has recently been indicted for violating the seldom-used Neutrality Act of 1794. . . . Royer has been indicted because of his links to Lashkar-e-Taiba . . . a Kashmiri separatist group designated as a 'foreign terrorist organization' pursuant to a §219 of the Immigration and Neutrality Act on December 24, 2001. Although Royer is not being directly charged of 'terrorist' activities, Royer's indictment has no connection to CAIR, its mission or its work."[69]

   - Fact: Mr. Royer was indicted in June 2003 in Virginia on charges that he and 10 other Muslim men were part of a conspiracy to support "violent jihad" overseas. On September 23, 2003, a grand jury returned a 32-count superseding indictment, charging Royer and his group with conspiracy to levy war against the United States and to provide material to support Al-Qaeda and contribute services to the Taliban, and conspiracy to possess and use firearms in connection with a crime of violence.[70]

     According to his biography posted on IslamOnline.net, Royer served as CAIR's Communication Specialist starting in 1997.[71] In a May 2003 *Washington Times* editorial, Royer identified himself as the Communications director for the National Liberty Fund,[72] an organization created to raise money for the legal defense of indicted Palestinian Islamic Jihad leader Sami al-Arian.[73]

V. CAIR Rejects Any Criticism of Militant Islam, Including a Billboard Attacking Osama Bin Laden.

1) Awad Statement: "In this particular situation, CAIR asked that the billboard with the image of bin Laden and the headline 'Our Sworn Enemy' be taken down several years ago because we believed that the general public would not see it as an indictment of Osama bin Laden (who was not identified by name on the billboard and at the time in

[68] Speech by Shaykh Abu Abdel Aziz, "Jihad and Revival," Islamic Assembly of North America (IANA) 1994 Conference; Chicago, IL. IANA flyer announcing the 1995 conference listing Shaykh Abu Abdel Aziz as a speaker; Advertisement for 1993 IANA conference audiotapes listing tapes available by conference participants among them Shaykh Abu Abdel Aziz.
[69] Awad Testimony, September 17, 2003, at 4.
[70] U.S. Department of Justice, *News Release*, September 25, 2003.
[71] http://www.islamonline.net/livedialogue/english/Guestcv.asp?hGuestID=605R88
[72] "Jihad Suspects on Trial," *Washington Times*, May 29, 2003.
[73] http://www.nationallibertyfund.org; Flyer, "Stand up for Justice," Fundraiser for Dr. Samii al-Arian's Legal Defense Fund, April 10, 2003.

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1998, was also not the most recognized face in the world); but would instead view it as a stereotypical statement against all Muslims."[74]

- Fact: On October 28, 1998, CAIR issued a press release challenging a Los Angeles billboard advertisement featuring a picture of Osama bin Laden with the headline "The Sworn Enemy." The CAIR press release stated the billboard was "offensive to Muslims."[75] Mr. Awad's response claims that CAIR asked that the billboard be removed because bin Laden was not identified by name and, at the time, his "was not the most recognized face in the world." Thus, according to Awad, people would view the billboard as a stereotypical statement against all Muslims.

  In fact, in October 1998, bin Laden's face was one of the most recognized in the world. He had been labeled responsible for the most outrageous assaults on the United States to that date – the first World Trade Center bombing in 1993 and the simultaneous bombings of our embassies in Tanzania and Kenya in August of 1998. Moreover, a Nexis search of magazine articles discussing Osama bin Laden found 158 references to the terrorist between August and December 1998. He was our sworn enemy.

VI. RESPONSES TO CAIR'S ALLEGATIONS AGAINST STEVEN EMERSON

Nihad Awad used his September 10 testimony as another opportunity to repeat numerous false allegations against investigative journalist Steven Emerson, the founder and Executive Director of the Investigative Project. Mr. Emerson's documentary, *Jihad in America*, aired on PBS in November 1994 and was the earliest attempt to expose the danger of militant Islam on U.S. soil. As militant Islam's primary political front group in the United States, CAIR has taken the lead in the political campaign against Mr. Emerson.

1) Awad statement: "In December 1994, Mr. Emerson produced a documentary for PBS entitled *Jihad in America.*" The one-hour long documentary included scenes depicting Muslims meeting in Oklahoma City allegedly to 'wage war' on this country, as proof that Islamic terrorist groups were involved [in the Oklahoma City bombing]."

   - Fact: *Jihad in America* won several prestigious investigative journalism awards, including the George Polk Award and the Best Investigative Reporting Award in Print, Broadcast, or Book from Investigative Reporters and Editors, in large part because it was based on numerous video and audio clips of actual statements of militant Islamic leaders at their own conferences held on U.S. soil calling for *jihad* against the West.

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[74] Awad Testimony, September 17, 2003, at 9.
[75] CAIR-Southern California Action Alert, "CAIR demands removal of billboard stereotyping Muslims," October 28, 1998.

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- Discussion: Mr. Emerson carefully noted in his opening statement in *Jihad in America* that "most Americans understand little about Islam, and it is very important to point out that overwhelming majority of Muslims are not members of militant groups." Similarly, in his closing statement he noted, "[a]lthough the militants may claim to speak on behalf of all Muslims, Islam as a religion does not condone violence. The radicals represent only themselves – an extremist and violent fringe."

  Unable to cite any example of bias or counter the evidence in *Jihad in America,* Awad's attack relies on citing journalists who themselves issued blatantly politically motivated reviews of the documentary that were based on false information. Any pre-September 11 negative critiques of Mr. Emerson, however, should be reconsidered, as the unfortunate events and developments of recent years have proven Mr. Emerson's warnings a decade ago about militant Islam to be correct.

2) Awad Statement: "In 1991, Mr. Emerson wrote a book entitled *Terrorist*, a chronicle of the life of an Iraqi defector, Adnan Awad (no relation to the author of this testimony), and of alleged Iraqi government ties to terrorist activity. An April 28, 1991 *Los Angeles Times* book review of Mr. Emerson's book stated that, '. . . "Terrorist" is a difficult book to assess because the authors are so coy about documenting their claims. . . . This lack of documentation reduces a potentially significant critique of U.S. foreign policy to a potboiler that reads like a bad Robert Ludlum novel.'"[76]

   - Fact: As with Mr. Awad's attack on *Jihad in America,* pre-September 11 critiques of Mr. Emerson should be reconsidered in light of the prescience of his warnings about militant Islam.

3) Awad Statement: "Adrienne Edgar, reviewing the book for the *New York Times*, wrote a scathing review of *Terrorist.* In a Letter to the Editor to the *New York Times* on June 16, 1991, Mr. Emerson concedes that Ms. Edgar said in her review that his book was marked by 'a pervasive anti-Arab and anti-Palestinian bias.'"[77]

   - Fact: The only "factual error" referred to in the review of Mr. Emerson's book *Terrorist* was "mistranslations of Arabic names." The book review was written by an associate editor of the *World Policy Journal,* which harbored a pro-PLO point of view.[78]

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[76] Awad Testimony, September 10, 2003, at 12 (citation omitted).
[77] Awad September 10, 2003, Testimony at 12 (citation omitted).
[78] See infra.

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- Discussion: As pointed out by Mr. Emerson in his June 16, 1991, Letter to the Editor of the *New York Times,* the reviewer actually states that the subject of the book was not "strictly speaking, a terrorist," but "a lowly Palestinian bomb courier" who "surrendered to Western authorities before completing his first and only mission," which as the book review stated, was to "plant a bomb in a Geneva hotel."[79]

4) Awad Statement: "On April 19, 1995, around 9:03 a.m., just after parents dropped their children off at day care at the Alfred P. Murrah Federal Building in downtown Oklahoma City, the unthinkable happened. . . . Mr. Emerson saw an open opportunity to personally avail himself of this terrible tragedy."[80]

- Fact: Mr. Emerson did not claim in his April 19, 1995, CNBC interview that "it was Islamic extremists who mounted this attack" as Mr. Awad wrote. Rather, in response to Geraldo Rivera's question "does it [the Oklahoma City bombing] sound dreadfully familiar to you?" Mr. Emerson replied:

> Unfortunately, the scenes are--are really reminiscent of the '93 bombing of the World Trade Center and the Omnia bombing in Buenos Aries last year. Obviously, there's no hard evidence pointing in--in terms of specific names. But I can tell you from the FBI's perspective, they're now saying it's a 50:50 chance at this point, based on the circumstantial evidence they have, that it was Islamic extremists who mounted this attack.[81]

- Discussion: Awad's use of the Oklahoma City bombing is a blatant example of the extent to which he is willing to misrepresent the truth. Mr. Emerson did not "blame" the Oklahoma City bombing on Muslims in other interviews. Rather, he pointed out the similarities between Oklahoma City and previous bombings and stated his understanding that law enforcement had indications pointing to Islamic terrorism. He made clear, however, that "there's still no specific evidence about which groups are responsible"[82] and "there's no hard evidence at this point."[83]

  Mr. Emerson explained the original focus on Islamic terrorists in a *Washington Times* op-ed article dated April 27, 1995, entitled "Why Islamic Extremists Were The First Suspects." In this article he explained why CAIR's campaign against him continues to this day: "The reason why these groups

[79] Steven Emerson, Letter to the Editor, *New York Times*, June 16, 1991.
[80] Awad Testimony, September 10, 2003, at 13.
[81] Interview with Geraldo Rivera, CNBC, April 19, 1995.
[82] CBS This Morning, April 20, 1995.
[83] NBC interview, April 20, 1995.

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have singled me out is that they are trying to deny the existence of an Islamic terrorist network in the United States."[84]

5) Awad Statement: "The next day, while speaking to co-host Harry Smith of *CBS This Morning,* Emerson made the absurd statement that, "Oklahoma City, I can tell you, is probably considered one of the largest centers of Islamic radical activity outside the Middle East."[85]

- Fact: In fact, Oklahoma City has been a center of radical Islamic activity in the United States since at least the 1980's.

- Discussion: For example, according to an April 20, 1995, article in the *St. Petersburg Times,* "Other experts say Oklahoma City has been for the past decade a center for radical Islamic activity in the United States, a place where radicals established homes and networks."[86] This quote did not refer to Mr. Emerson.

  In addition, in attendance at radical conferences in Oklahoma City in 1988 and 1992 were individuals subsequently linked to Osama bin Laden and to the World Trade Center 1993 bombing.[87] The 1988 and 1992 MAYA conferences were among the largest militant Islamic gatherings ever held on American soil, featuring in 1988 Abdullah Azzam, bin Laden's mentor, and the leaders of Maktab al-Khidamat, as well as Hamas and Islamic Jihad.[88] In 1992, the leaders of Hamas and the Muslim Brotherhood were among the featured speakers to a crowd estimated at several thousand.[89]

  The American Muslim Association of Oklahoma City, concerned about radicals living in their community, applied for a temporary restraining order in October 1992 asking a court to restrain certain "fundamentalist followers" from "disrupting religious services" at their mosque, "terrorizing and intimidating law-abiding moderate members of the mosque into submission to fanatics and fundamentalists," and to prevent them from "subject[ing] moderate American Muslims to a fundamentalist stampede."[90]

6) Awad Statement: "A CBS contract expired and was not renewed."[91]

- Fact: Mr. Emerson never had a contract with CBS. Rather, CBS offered Mr. Emerson a contract soon after the Oklahoma City bombing. Mr. Emerson

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[84] Steven Emerson, "Why Islamic Extremists Were the First Suspects," *Washington Times*, April 27, 1995.
[85] Awad Testimony, September 10, 2003, at 14.
[86] Tim Roche, "Attack Illustrates U.S. Vulnerability," St. Petersburg Times, April 20, 1995, at 4A.
[87] See Emerson, *American Jihad: The Terrorists Living Among Us* (2002), at 135-38, 205-10.
[88] See Emerson, *American Jihad: The Terrorists Living Among Us* (2002), at 135-38, 205-10.
[89] See Emerson, *American Jihad: The Terrorists Living Among Us* (2002), at 205-210.
[90] American Muslim Assn of Okla., Inc. et al. v. Muhammad Amin, M.D. and Aziz Talbi, Application for Temporary Restraining Order, District Court of Oklahoma County, CJ-92-6365, October 2, 1992.
[91] Awad September 10, 2003, Testimony at 14 (citation omitted).

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declined the offer of a contract with CBS after he pointed out that his area of expertise was in the arena of Islamic fundamentalists, not right-wing militias.

7) Awad Statement: "Mr. Emerson's "true feelings on Islam came out in a March 1995 issue of *Jewish Monthly*: ' . . . We don't want to accept it because to do so would be to acknowledge that **(Islam) . . . sanctions genocide, planned genocide, as part of its religious doctrine**."[92]

   - Fact: Mr. Emerson never said that "Islam sanctions genocide."

   - Discussion: The unedited quote from Mr. Emerson's article tells a very different story:

     > There also has to be a willingness on the part of policymakers to openly challenge militant Islam as a doctrine of terrorism . . . The level of vitriol against Jews and Christianity within contemporary Islam, unfortunately, is something that we are not totally cognizant of, or that we don't want to accept. We don't want to accept it because to do so would be to acknowledge that one of the world's greatest religions – which has more than 1.4 billion adherents – somehow sanctions genocide, planned genocide, as part of its religious doctrine.[93]

     Awad replaces the phrase "one of the world's greatest religions" with "Islam" and deletes the word "somehow." Rather than having written "Islam sanctions genocide" as Awad and CAIR routinely misrepresent, Mr. Emerson was drawing attention to the fact that it is difficult for many in the West to accept that militant Islam is a threat, because to do so would mean that "one of the world's greatest religions" - "somehow" sanctions genocide, with "somehow" referring to what the minority fringe of Islamic militants "within contemporary Islam" maintain their own religion commands them to do.

8) Awad Statement: "Even though these groups operate transparently, have met with several U.S. Presidents and have been featured on international media as voices of 'moderate Islam,' Mr. Emerson recklessly labels any organization that disagrees with his worldview as 'supporting terrorism.'"[94]

   - Fact: Mr. Emerson brings evidence that nine Islamic organizations "support the agenda of radical Islamic ideology" and are not benign civil rights or

[92] Awad September 10, 2003, Testimony, at 16 (citation omitted).
[93] Steven Emerson, "Jihad in America: An Investigative Journalist Explores Islamic Terror, *Jewish Monthly*, March 1995, at 14.
[94] Awad Testimony, September 10, 2003, at 15.

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charitable groups. Rather than refuting his evidence, the several negative book reviews Mr. Awad cites should serve as a warning that many in the mainstream media are still not open to the danger posed by Islamic militancy that Mr. Emerson has not stopped from trying to expose. Mr. Awad's comments that these groups "have met with several U.S. presidents and have been featured on international media as voices of 'moderate Islam'" only underscores the problem. Many in government and in the media, have -- in good faith -- met with radical Islamic leaders because these individuals were so adept at masking their activities, such as terrorist funding, that often brought them to the United States in the first place.

For example:

- Sami Al-Arian met with President Bush as part of a June 2001 meeting for 150 Muslim-American activists in the White House.[95]
  - On February 20, 2003, the U.S. Department of Justice obtained an indictment for Sami Al-Arian and seven co-conspirators for their role in directing the activities of the Palestinian Islamic Jihad from the United States. The indictment provides a rare and detailed look into the inner working of an international terrorist organization headquartered in Tampa, Florida.
    - Charges in the indictment include:
      - Operating a racketeering enterprise that engaged in a number of violent activities including murder, extortion, money laundering, and providing material support to terrorism;
        - Conspiring within the United States to kill and maim persons abroad;
        - Conspiring to provide material support or resources to Palestinian Islamic Jihad;
        - Conspiring to violate emergency economic sanctions and;
        - Engaging in various acts of interstate extortion, perjury, obstruction, and immigration fraud.[96]
    - On November 9, 1995, then-President Clinton and Vice President Al Gore met with Abdurahman Alamoudi, former Executive Director of the American Muslim Council (AMC) as part of a meeting with 23 Arab and Muslim leaders.[97] On August 6, 1996, President Clinton again met with Mr. Alamoudi and some several other Arab-American leaders to discuss domestic issues, the

[95] "Hiding in Plain Sight; Did a Muslim Professor Use Activism as a Cloak for Terror?" *Newsweek*, March 3, 2003.
[96] *U.S. v. Al Arian*, Case No. 03-CR-77 (E.D. Va.), indictment filed Feb. 19, 2003.
[97] *A) ADC Times*, December 1995 (Newsletter of the American-Arab Anti-Discrimination Committee). *B)* White House Administration's guest list for the November 9, 1995 meeting.

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Middle East Peace Process and "the Clinton Administration's relationship with the new Turkish government under Prime Minister Erbakan."[98]

- At an October 28, 2000 rally in front of the White House Alamoudi addressed the crowd with the following: "I have been labeled by the media in New York to be a supporter of Hamas. Anybody supports Hamas here? *[Crowd cheers responsively]*... Hear that, Bill Clinton? We are ALL supporters of Hamas. Allahu Akhbar! *[Crowd cheers]*. I wish they added that I am also a supporter of Hizbollah..."[99]

[98] *The AMC Report,* September 1996.
[99] Videotape of October 28, 2000 rally in Lafayette Park.

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U.S. Senator Dianne Feinstein

"CONNECTING THE DOTS TWO YEARS AFTER 9/11"
STATEMENT
TERRORISM, TECHNOLOGY, AND HOMELAND SECURITY SUBCOMMITTEE
SENATE JUDICIARY COMMITTEE
September 10, 2003

Tomorrow is the two-year anniversary of the terrorist attacks that killed almost 3,000 people in New York, Virginia, and Pennsylvania–what was unquestionably the biggest crime in U.S. history.

I hope that all of us take time to remember those that died and were injured in that terrible tragedy. I cannot imagine what the survivors and family members and friends of those killed have endured.

While I regret that the increased attention to the attacks over the next several days will renew painful memories, I hope that the memory of what happened will spur us to reflect on what improvement we have made in protecting our country from another catastrophic terrorist attack as well as what work we still need to do.

In my view, such an attack is inevitable and it may be coming soon.

Given the importance of the date tomorrow, I want to talk about where we are in protecting our nation from terrorist attack.

I will then turn to the subject of the hearing today: connecting the dots since September 11 and links between Saudi Arabia and terrorism.

September 11, 2001

Mr. Chairman, September 11 opened all of our eyes. We suddenly saw the need for new measures to protect our homeland, to close loopholes in laws, and to take unprecedented steps to protect our nation from a second attack.

First, we passed the USA PATRIOT Act, legislation to provide law enforcement and intelligence agencies with additional tools to try prevent another terrorist strike, including those for enhanced collection and sharing of information.

It is still amazing to contemplate that 19 terrorists were able to come to this country–most on legal visas–and launch an attack that killed thousands.

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But we should be very much aware that the September 11 attacks were no anomaly. In fact, there are thousands of other terrorists–just like the 19 hijackers–poised to strike at the U.S. and our interests.

The CIA Counterterrorism Center estimates that 70,000 to 120,000 people trained in Afghanistan terrorist training camps between 1979 and 2001. Between 15,000 and 20,000 are believed to have been trained by Osama bin Laden.

These people are now spread all over the world and many are in this country now. The number of terrorist cells in this country is classified. I can't share this with you. But, if I did, you would be shocked.

There is no question that the danger is real. Unless we find out who the enemy is and stop them before they strike, they will cause more suffering and death.

Mr. Chairman, the USA PATRIOT Act was also aimed at helping solve some of the problems that led to missed opportunities before September 11.

This legislation was spurred by the fact that key agencies in our government had bits of information that–when viewed together–may have revealed details about the hijackers and their plans and prevented the September 11 attacks. Unfortunately, these bits of information were often held by different law enforcement and intelligence agencies and not widely shared or, in some cases, acted upon.

Given the urgency of the war on terrorism and the inevitability of future terrorist attacks against our country, I believe that there was–and is–a compelling need for our law enforcement and intelligence communities to have strong investigative and prosecutorial powers.

But I have never thought that we should give the executive branch carte blanche.

The USA PATRIOT Act was passed with the knowledge that it had been drafted and negotiated rather quickly–only six weeks elapsed between proposal and passage–and that Congress would need to exercise vigorous oversight to prevent abuses and solve unintended problems. That is one reason why some of the tools in the USA PATRIOT Act will sunset in a few years.

The USA PATRIOT Act was also passed with the expectation that the executive branch would limit its new powers to the intended purpose of fighting terrorism.

Indeed, the very breadth of the new powers and tools in the USA PATRIOT Act demands careful application and close oversight.

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If the new tools in the USA PATRIOT Act are working and effective, we should keep them–and even strengthen them. If they are being abused, we should eliminate them or add new safeguards.

Second, after September 11, I learned at a hearing before this subcomittee that security controls for anthrax, the small pox virus, ebola virus and 33 other deadly biological agents were too lax. No one–not the FBI nor the Centers for Disease Control–knew how many people were working with these deadly agents, how much they possessed, or where these dangerous agents were being used or stored. Moreover, labs conducted no background screenings of workers who handled these dangerous agents.

As a result, Senator Kyl and I introduced legislation to heighten security over and restrict possession of these pathogens. Ultimately, Congress incorporated many of these key provisions into the comprehensive bioterrorism bill passed in June 2002.

Third, Senator Kyl and I also coauthored the Enhanced Border Security and Visa Entry Reform Act of 2002, which seeks to plug loopholes in our border security, This legislation enhances border security by, among other things, putting more federal government officers on the border to try to stop possible terrorists from coming in.

For example, last month, two Pakistani nationals at Seattle-Tacoma International Airport paid cash for one-way tickets to John F. Kennedy International Airport. The customer agent at the desk checked a terrorism-related "no- fly" list and found both men's names on it. Local police then detained the two men and handed them over to the FBI.

The new border security law requires the federal government to take concrete steps to restore integrity to the immigration and visa process. For example, it requires that all visas, passports, and other travel documents to be fraud and tamper-resistant and contain biometric data by October 26, 2004.

The law also requires all foreign nationals to be fingerprinted and, when appropriate, submit other biometric data, to the State Department when applying for a visa. This provision should help eliminate fraud, as well as identify potential threats to the country before they gain access to the United States. Finally, the border security law tightened up two programs that were highly unregulated and ripe for abuse by terrorists: the Visa Waiver Program and the foreign student visa program.

Much other work remains to be done. For example, I remain very concerned that the 361 ports in this country are the soft underbelly of homeland security.

A terrorist could easily put a dirty bomb in a container, ship that container to a port in the U.S., and then put it on a train and move it out anywhere into the heartland of America.

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To emphasize this point, the Brian Ross Show at ABC News will have a segment on Thursday announcing that, as a test, they shipped a suitcase with 15 pounds of depleted uranium from Jakarta, to Singapore, to Hong Kong, to mainland China, and then finally to the Port of Los Angeles, all without being detected. The suitcase was in a 20-foot container filled with teak furniture.

To solve just this sort of problem, last March, Senator Kyl and I introduced the Anti-Terrorism and Port Security Act of 2003. My distinguished colleague, Senator Schumer, is a cosponsor of this bill, and we are grateful for his support.

This legislation is based on a bill I introduced in the 107th Congress, which we then updated to be consistent with the Maritime Transportation Security Act, the Trade Act, and some new agency regulations.

Specifically, the legislation would close loopholes in our criminal laws that would allow terrorists who strike against our ports to escape appropriate punishment; help safeguard ports by strengthening security standards and requirements, and ensuring greater coordination; and better focus our limited cargo inspection resources by improving the existing shipment profiling system and substantially bolstering container security.

I also remain concerned that homeland security money may not be going to where the greatest risk and vulnerability to terrorist attack exist. For example, this fiscal year, California received $4.85 per capita in Office of Domestic Preparedness homeland security grants and Wyoming received $35.67 per capita.

I believe that homeland security grants should go to where they are needed. As Department of Homeland Security Secretary Tom Ridge has argued, states with the greatest population density, largest percentages of critical infrastructure, and greatest demonstrated risk of terrorist attack deserve the lion's share of homeland security grants.

Joint Inquiry

After September 11, 2001, one of the most important steps we took was to take a hard look at what happened both before and after the terrorist attacks.

As ranking member and–for 19 months–chairman of this subcommittee, I worked with Senator Kyl to organize a number of hearings looking at various aspects of our antiterrorism and counterterrorism policy, including hearings on the proposed Homeland Security Agency, USA PATRIOT Act, bioterrorism, border security, and many other subjects.

As a member of the Select Committee on Intelligence, I have reviewed on a daily basis the products of our intelligence agencies. In addition, I have participated in numerous briefings and hearings, most classified, on intelligence issues before and after September 11.

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I was also an active member of the Joint Inquiry into Intelligence Community Activities Before and After the Terrorist Attacks of September 11, 2001.

I am pleased that the Joint Inquiry's principal recommendation is the creation of a statutory Director of National Intelligence, who shall be the president's principal advisor on intelligence and have the full range of management, budgetary, and personnel responsibilities necessary to run the entire U.S. Intelligence Community.

This recommendation is based on S. 2645, which I introduced in June 2002, and S. 190, which I introduced in January of this year.

In my view, the current structure of the intelligence community is inadequate to meet the challenges of the war on terrorism and the nation needs one person whose full-time job it would be to set priorities and give direction to the 15 intelligence agencies in our government.

I am also pleased to be a sponsor of S. 1520, the Graham-Feinstein-Rockefeller "9-11 Memorial Intelligence Reform Act," which would implement the major recommendations of the Joint Inquiry, including the creation of a Director of National Intelligence.

Saudi Arabia

Mr. Chairman, the publicly released version of the Joint Inquiry report contains a number of sections that have been redacted to prevent the release of classified information, quite properly in my view.

Among the redacted sections are the so-called "missing 28 pages," that purportedly discuss links between Saudi Arabia and al Qaeda. Press reports have speculated that these pages discuss links between the 15 September 11 hijackers who were Saudi citizens and their government as well as the financial backing that senior Saudi princes are reported to have given to Osama bin Laden since the mid-90s.

I have read those pages. And I believe that the appropriate law enforcement and intelligence agencies should fully investigate whether any links existed between the Saudi government and al Qaeda. As the title of the hearing says, we need to "connect the dots."

I hope that the witnesses today will also help us do that.

Simon Henderson is an expert on the nature of Saudi government and has written widely about Saudi links with terrorism and possible connections with September 11.

Matt Epstein has done solid investigative work on Saudi sponsorship of al Qaeda through U.S.-based banks, corporations, and charities.

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I am pleased to see both of them today and look forward to their testimony.

***Vanity Fair* article**

Mr. Chairman, I would now like to say a word about an article in *Vanity Fair* on Saudi Arabia and the aftermath of the September 11 attacks. This article just appeared on some newsstands last week and was brought up at last week's subcommittee hearing by Senator Schumer.

According to this article and testimony by former White House counterterrorism advisor Dick Clarke last Wednesday, top White House offices personally approved the evacuation of dozens of influential Saudis, including numerous relatives of Osama bin Laden, from the United States just days after the September 11 attacks, when most flights were still grounded.

If this information is accurate, I would find the Administration's actions in permitting this flight extraordinarily surprising. If the article is true, then just days after the September 11 terrorist attacks, the Administration decided to allow relatives of the man most responsible for those attacks to fly to Saudi Arabia and escape further scrutiny with apparently little more than a cursory interview on the tarmac.

Not only would such a decision be improper on its face, but it would have deprived the FBI the opportunity to interrogate and otherwise scrutinize individuals who may have known valuable information about the September 11 attacks, Osama bin Laden, and al Qaeda.

As a result of my concerns about the new revelations in the *Vanity Fair* article, I requested a meeting with FBI officials to discuss the intelligence behind the article and the issues that it raise for our intelligence and law enforcement efforts in the war on terrorism. I plan on meeting with them as soon as possible.

In addition, I requested that the FBI give me an official response to the *Vanity Fair* article before the hearing today. Here is what that official response, and I quote:

> **"During the early days after September 11th, the FBI was aware that flights containing Saudis were leaving the U.S. to return to Saudi Arabia. Further, with INS the FBI took appropriate steps to ascertain the identities of individuals on the flights that we were aware of."**

Until I am briefed personally by the FBI on the intelligence underlying the *Vanity Fair* article, I do not want to jump to conclusions about the matter. However, I find the article highly disturbing, and the two-line official response from the FBI incomplete and inadequate.

I think that this committee should get to the bottom of what happened, and I look forward to working with my colleagues to do just that.

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Institutionalized Islam:

Saudi Arabia's Islamic Policies and The Threat They Pose

Testimony of
Simon Henderson
Saudi Strategies
London
September 10, 2003

Senate Judiciary Committee
Subcommittee on Terrorism
United States Senate

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Executive Summary

Saudi Arabia has interests in the Islamic world which contradict its long relationship with the United States. In order to maintain its leadership in the Islamic world, Saudi Arabia sends aid and builds mosques that spread its Wahhabi variant of Islam around the world. Some of this money goes via official Saudi channels, some goes via what are claimed to be non-official channels, and some goes via Islamic charities linked to the Saudi government. Each of these has been linked to al-Qaeda and Islamic terrorism.

While al-Qaeda also represents a threat to the Saudi royal family, the Saudi government prefers to use compromise and co-option to confrontation in dealing with this threat. This has the effect, perhaps even the intention, of re-directing Islamic terrorism against the United States and other countries.

Mr Chairman and Distinguished Members of the Committee:

It is an honor for me to testify before this committee.

I am an analyst of Saudi Arabia. I write about it. I lecture about it. Principally, I advise companies and governments about it, through my consultancy Saudi Strategies.

My main area of interest, at least until the terror attacks on New York City and Washington DC on September 11, 2001, was the structure of government. My 1994 study "After King Fahd: Succession in Saudi Arabia" is considered a definitive reference book for many who work in this field.

My principal focus has been how decisions were made in the Saudi royal family and how these mechanisms differed from what may be publicly announced and reported. It was and still is a largely mysterious country, seldom well understood even by foreigners who have lived there or visited often. I was happy to provide an extra perception and analysis which might give a better understanding.

After 9/11, I realised that I had concentrated too narrowly in studying the kingdom. Instead of just looking at the Saudi royal family, known as the House of Saud, and oil, I should have also been looking at the Saudi royal family and Islam. I am now certain that the Saudi/Islam dynamic is as important for assessing the future of the Middle East, even the world, as is the Saudi oil/dynamic.

I shall divide my evidence into three:

1. **The historical relationship between the House of Saud and the Wahhabi form of Islam.**

2. **The role of Islam in Saudi foreign policy.**

3. **The Islamic institutions of Saudi Arabia and the relationship between them, the Saudi royal family and Saudi Islamic charities, some of which have been**

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discovered post-9/11 to have had links with al-Qaeda and other Islamic terror groups.

The historical relationship between the House of Saud and the Wahhabi form of Islam.

Islam is described today by the Saudis as "a religion of peace, mercy and forgiveness"[1]. But the history of the last 250 years of Arabia, the expansion and consolidation of Saudi rule, involves war, religious extremism and intolerance. The basis of the relationship between the House of Saud and the Wahabi religious establishment is a coalition. It origins date back to the mid 18th century when a local tribal leader in central Arabia, Mohammed bin Saud, gave refuge to a Muslim scholar from a nearby village who had been expelled for preaching an Islamic orthodoxy that criticised local practices. That scholar was Mohammed bin Abdul Wahhab and his strict interpretation of Islam, which found favour with Mohmmed bin Saud, is now known as "Wahhabism".

The two men became allies and put together a joint plan. With Muhammad bin Saud's tribal leadership and fighting prowess combined with Abdul Wahhab's religious zeal, from 1745 they planned a jihad (campaign) to conquer and purify Arabia. The strategy was simple: those that did not accept the Wahhabi version of Islam were either killed or forced to flee. The relationship was cemented by family intermarriage, including the marriage of Mohammed bin Saud to one of Abdul Wahhab's daughters.

When Mohammed bin Saud died in 1765, Abdul Wahhab continued the military campaign of tribal raids with Mohammed's son, Abdul Aziz. Together they ended up controlling most of the central area of Arabia known as the Nejd, including the town of Riyadh, now a city and the capital of present-day Saudi Arabia.

Abdul Wahhab died in 1792 but Abdul Aziz bin Mohammed continued the raiding parties, pillaging the Shia Muslim holy city of Kerbala (now in Iraq) in 1802 and eventually conquering Mecca in 1803.

This period is now called the first Saudi state. It ended in 1824 when a force of Ottoman Turks occupied the Saud family village of Dariyah and executed the then tribal leader, Abdullah, a great-grandson of Mohammed bin Saud.

The second Saudi state, when descendants of Mohammed bin Saud were locally dominant, stretches from 1824 to 1891, when Abdul Rahman, the grandfather of the current King Fahd, was forced to flee, seeking refuge in Kuwait. The third Saudi state stretches from 1902, when Abdul Aziz, often known as Ibn Saud, the father of King Fahd, captured Riyadh from tribal rivals. Over the next 30 years he led a series of wars of conquest, aided for a while by a religious brotherhood of tribesmen known as the Ikhwan, until 1932 when the modern state of Saudi Arabia was established,

[1] See website of Saudi embassy in Washington DC.
www.saudiembassy.net/profile/islam/und_islam.html

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conquering territories from Mecca in the west, Yemen in the south and Persian Gulf coast in the east.

During these 250 years-plus of history, the descendants of Abdul-Wahhab have proved vital partners to the House of Saud, crucially conferring Islamic legitimacy on its rule. The direct descendants of Abdul-Wahhab take the name of Al-Asheikh.

This relationship continues today. The current top cleric in the kingdom, the Grand Mufti, is Sheikh Abdul-Aziz Al-Asheikh. He is also the chairman of the Council of Senior Ulema (religious scholars). Usually it advises on religious questions.

The Council has one particularly crucial role. It will be the task of this council, when King Fahd dies, to declare the new king – the prince who is given the oath of allegiance by the royal family – an imam (Muslim leader). This can only be done on a fatwa (judgement) from this council that the succession is legitimate. If there is competition on who will be the next king, when the ailing King Fahd finally dies, there will be competing pressures on the council by the supporters of rival candidates.

Two other members of the Al-Asheikh are in the Saudi council of ministers (cabinet). Sheikh Saleh bin Abdul-Aziz Al-Asheikh is minister of Islamic affairs and Dr Abdullah bin Mohammed bin Ibrahim Al-Asheikh is minister of justice. They are recognisable as strict Wahhabis because their heads are covered but without a black band, the iggal, holding it in place.[2]

Until recently, I had always assumed that the descendants of Abdul-Wahhab and others who make up the religious establishment in Saudi Arabia were junior members of this ruling partnership. I now think it is more useful to see them as almost equals, forming a body whose opinions and feelings cannot be ignored by the Saudi royal family. Wahhabi influence is key, even dominant, across a whole range of Saudi policy, both domestic and foreign. Apart from religious affairs and justice, the Saudi education system is dominated by the Wahhabi creed. The United States Senate Committee on Governmental Affairs has recently heard evidence of the type of Islam and intolerance that can be found in Saudi school textbooks.[3]

The Wahhabi clerics of Saudi Arabia are not just one body. Parts of the religious hierarchy are very close to the House of Saud but other parts demand greater concessions to their religious beliefs in return for their acquiescence to Saudi rule. Still others in the Islamic clergy are in opposition to the House of Saud. If the latter step too far out of line, the House of Saud, which prefers compromise to confrontation, puts under house arrest or stops them from preaching. This means there can be religious-based comment or criticism of Saudi allies like the United States but not of the House of Saud itself. To my mind, this is the start of the slippery slope which leads to attacks on Americans.

The power of the religious establishment is considerable because the Saudi people – estimated at around 16m or so – are very conservative and many are very isolated from other beliefs or opinions. Islam is the only recognized religion in the country.

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[2] www.saudiembassy.net/gov_profile/profile_council.html

[3] Testimony of Steven Emerson and Jonathan Levin to the Senate Committee on Governmental Affairs, July 31, 2003.

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Most Saudis are Sunni Wahhabis. Perhaps 1m or fewer are Shia Muslims. Indeed, there is also a tension there: strict Wahhabis in Saudi Arabia consider Shias to be not true Muslims.

The strength of the Wahhabi elite is also reinforced by those members of the royal family who support them. Although some princes are very liberal, others are much more religious.

Among ordinary Saudis there are some who are less religious than others but it would be difficult to say there are many, if any, secular Saudis. Even the more westernized Saudis, who have lived, been educated or have travelled abroad frequently, seem comfortable with Islam. There are perhaps unhappy though with some of the restrictions put on them by the Wahhabi religious elite. But they are also unhappy with the dominance of the royal family in government and business. These Saudis are generally viewed as being members of the technocratic/business elite. Significantly, they are without the power and influence that these roles would bring in many other countries. In the rivalry between the House of Saud and the Wahhabi establishment , they are a junior party. Their support is sought from both the royal family and the religious establishment. They appear to offer their support to both, depending on the issue and circumstance, in order to obtain what advantage there is on offer.

2. The role of Islam in Saudi foreign policy.

Islam is as central to Saudi foreign policy as it is to Saudi domestic policy. "Saudi Arabia: a country study", produced by the Library of Congress, says: "Since at least the late 1950s, three consistent themes have dominated Saudi foreign policy: regional security, Arab nationalism and Islam." It goes on to say: "These themes inevitably become closely intertwined during the formulation of actual policies."[4]

The question of regional security involves relations with Iraq, Iran, the small Gulf Arab states which together with Saudi Arabia make up the Gulf Co-operation Council, Yemen, Jordan and, of course, the U.S.

The question of Arab nationalism can also be sub-divided further: the apparently metaphysical goal of Arab unity, the plight of the Palestinians, and the conflict with Israel. As with regional security, the question of Arab nationalism involved Saudi Arabia's rivalries with other potentially powerful Arab states, particularly Egypt and Iraq. Despite its huge land mass, Saudi Arabia's population, at around 16m, is comparatively small, so the kingdom feels vulnerable. This is even more the case because of Saudi Arabia's huge oil reserves and consequent wealth which the kingdom believes, almost certainly correctly, that other nations covet.

The question of Islam provides an issue in which Saudi Arabia has particular strengths, chief of which was the existence within its borders of Islam's two holiest cities, Mecca and Medina.

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[4] "Saudi Arabia: a country study." Area Handbook Series, Federal Research Division, Library of Congress. 5th edition, 1993. Pages 212-213.

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Islam has provided a basis on which Saudi Arabia can look for allies, and perhaps more importantly, provide leadership, among Muslim nations, not only in the Arab world but also in Asia and Africa, for example, Pakistan, Bangladesh and Somalia.

Islam was also the "principal motivation for Saudi Arabia's staunch anti-communist position throughout the Cold War era."[5] This meant that, from 1938 until 1991, Saudi Arabia did not have diplomatic relations with the Soviet Union, which it regarded as godless. It also caused Saudi Arabia to become a firm ally of the U.S. which supported it in this stand. And, when, in the 1980s, the Soviet Union appeared vulnerable because of its deepening involvement in Afghanistan, Saudi Arabia worked with the U.S. to support anti-Soviet forces.

Since Afghanistan there have also been the issues of Somalia, Chechnya and Bosnia that have emerged as concerns for the "Islam strand" of Saudi foreign policy. In each case Saudi Arabia allowed or facilitated hundreds, if not thousands, of young Saudi male volunteers to go as relief workers or fighters.

This transfer of Saudi volunteers had, to my understanding, both a domestic and foreign policy purpose. These young men were graduates of the Islamic universities in Saudi Arabia, colleges where religious degrees are obtained rather than a technical qualification more conventionally useful for the job market. Apart from a religious education, the graduates are also imbibed with an Islamic spirit and energy with which the kingdom has difficulty coping. Sending these men abroad re-directed their energies. Some died in the fighting, others eventually returned home. For those still determined to be Islamic activists, jobs were found for them in the mutawa, the religious police, who administer such restrictions as making sure shops are shut at prayer times and women wear appropriate clothing. Others, who had perhaps matured and no longer wanted to be zealots, married, found jobs and settled down.

Supplementing official efforts of Saudi foreign policy in its "Islamic strand" are the activities of Islamic institutions in Saudi Arabia and those Islamic charities that work overseas.

3. The Islamic institutions of Saudi Arabia and the relationship between them, the Saudi royal family and Saudi Islamic charities, some of which were discovered even before 9/11 to have links with al-Qaeda and other Islamic terror groups.

The Saudi Foreign Ministry and its network of embassies provides a crucial structure for the propagation of Wahhabism and distributing state funds to support the growth of Wahhabism across the world. Until 9/11 it was not widely realised that Saudi embassies had Islamic affairs departments charged with this role. Saudi Arabia depicts this role of their embassies in innocent terms. But here in Washington, funds from the ambassador's wife were reaching Saudi individuals in California linked to 9/11. And several countries, including the US, have withdrawn diplomatic credentials from Saudis working in Islamic affairs departments because of links with terrorism.

[5] "Saudi Arabia – a country study." Page 228.

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Saudi Arabia has also established or joined a range of quasi-government organisations. These support its policies and preserve its leadership role. They are not necessarily Islamic in nature. One, the Gulf Co-operation Council, set up in 1981 and headquartered in Riyadh, is defensive against the perceived threats of Iraq and Iran, both Islamic themselves – the "regional security strand" of Saudi foreign policy. And Saudi Arabia's powerful voice as a member of Opec, whose other members include non-Muslim Nigeria and Venezuela, derives from the kingdom's vast oil reserves, high exports and spare capacity.

The Saudi Fund for Development is another key element of in the kingdom's foreign policy. Established in 1974 and based in Riyadh, it is officially described as "the most important channel for Saudi Arabia aid."[6] Repayment terms for loans are generous (50 years with a 10-year grace period) and the grant component can amount to 60 per cent. The cost of the loans is generally 1 per cent.[7] The Fund has contributed financing to 330 projects in 63 countries: 15 Arab countries, 30 African countries, 13 Asian countries and five European and Latin American countries. An unstated string attached to this largesse is support for Saudi Arabia in diplomatic forums. I am looking into these loans to see where more precisely these funds are going.

Several Islamic organizations based in Saudi Arabia are also key to Saudi foreign policy:

Muslim World League (MWL). (Also sometimes known as the World Muslim League.) Based in Mecca. Established in 1962 as a counter to the Arab nationalism of the then Egyptian leader, Gamal Abdul Nasser, by the then Saudi crown prince, later king, Faisal bin Abdul Aziz, the father of the present Saudi foreign minister, Prince Saud al-Faisal. Crown Prince Faisal employed many exiled members of the Egyptian Muslim Brotherhood, an Islamist political party banned in Egypt in the new organization and elsewhere in the Saudi bureaucracy and teaching system.[8] The stated purpose of the MWL is: to advance Islamic unity and solidarity, provide financial assistance for Islamic education, medical care and relief work.

(Documents seized in Bosnia in the year 2002 show that a meeting of "bin Laden associates" took place in Bosnia, and the MWL/IIRO offices there. At this meeting it was discussed whether or not the MWL's offices in Pakistan would be the place from

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[6] According to King Fahd's official website: www.kingfahdbinabdulaziz.com/main/n020.htm
[7] Source: Saudi Ministry of Information. www.saudinf.com/I104.htm
[8] Entry for world Muslim World League in "Dictionary of the Middle East", by Dilip Hiro, MacMillan, London 1996. The entry further says that the League was originally based in Geneva "to counter propaganda by Egypt." "Its function was to hold seminars and conference on Islam and generally act as a mouthpiece of Saudi Arabia in its interpretation of Islam." After the Organization of the Islamic Conference was founded in 1969, with its headquarters in the Saudi city of Jeddah, the League moved to Mecca. "It remained tied to the House of Saud and reflected the official policy of Saudi Arabia." Hiro gives an example of this: in 1990/91, after Iraq invaded neighboring Kuwait, a "World Muslim League-sponsored conference of 350 Muslim ulema from 80 countries stated that since the Saudis Arabia Government had invited foreign troops for self-defense, its action was in line with the Sharia [Islamic law]."

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which " 'attacks will be launched' ". The notes from this meeting were taken on MWL/IIRO stationery.[9]

The U.S. offices of the Muslim World League and several affiliated organizations were raided by the Treasury Department on March 20, 2002 due to their suspected ties to terrorist organizations.[10]

The Rabita Trust, a group that operates under the Muslim World League, has been banned by the United Nations, United States, Canada and other nations due to suspected ties to al-Qaeda and Osama bin-Laden.[11] *The United States Treasury Department has listed the Rabita Trust as having connections to al-Qaeda ".*[12]*)*

Organization of the Islamic Conference (OIC). Based in Jeddah. Established in 1971 after heads of state and foreign ministers summits in 1969 and 1970. Prompted by the 1969 fire at the al-Aqsa mosque in Jerusalem, caused by a deranged Australian tourist but blamed on Israel. Purposes include: to promote Islamic solidarity and support the Palestinians.

Islamic Development Bank (IDB). Based in Jeddah. Established in 1973; formally started operations in 1975. Comes within the Organization of the Islamic Conference system.[13] Purpose: to encourage economic development and social progress of member countries and Muslim communities in non-member countries, in accordance with the principles of Islamic Sharia (sacred law). Of the 54 national shareholders, Saudi Arabia is by far the largest single, contributing 27.33 per cent of the subscribed capital.[14]

(In July 1999, the IDB gave a grant of $250,000 for the Washington-based Council on American-Islamic Relations, CAIR, for refurbishment of new offices.[15] *Since September 11, 2001 three CAIR officials have been indicted by the federal government on terrorist charges*[16] *IDB has allocated significant grants to several Islamic Centers in the United States including the Al-Noor school in Brooklyn, New*

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[9] "List of Early al Qaeda Donors Points to Saudi Elite, Charities," Glenn R. Simpson, *The Wall Street Journal,* 18 March 2003.

[10] "A Nation Challenged: The Money Trail; Raids Seek Evidence of Money-Laundering," Judith Miller, *The New York Tmes*, 21 March 2002..

[11] "Quebec group tied to al-Qaeda money web: Virginia office raided," Stewart Bell, *National Post,* 21 March 2002

[12] "A Nation Challenged: The Money Trail; Raids Seek Evidence of Money-Laundering," Judith Miller, *The New York Tmes*, 21 March 2002.

[13] Despite its supposed status as an OIC body, the IDB is listed as a Saudi Government Agency in a booklet produced by the Saudi Embassy in London in 1996, "King Fahd: the Years of Devotion" page 81.

[14] The second largest shareholder is Libya with 10.96per cent. After that Iran has 9.59 per cent and Egypt has 9.48 per cent. www.isdb.org/english_docs/idb_home/IDB-M-C.htm

[15] www.isdb.org/english_docs/idb_home/BusOpp.7.6.2.htm

[16] Indictee Bassem Khafagi:"CAIR Official Arrested on Terrorism Suspicions", SeattlePI.com, March 17, 2003. Indictee Randall Todd (Ishmail) Royer: "Live Dialogue" with Nihad Awad and Ismail Royer no longer available at www.islamonline.net/livedialogue/english /Guestcv.asp?hGuestID=605R88 See also "Area Man Found Path with Islam; He is Charged with Conspiring to Fight with Muslims Abroad," Karen Branch-Brioso, *St. Louis Post-Dispatch*, June 29, 2003. Indictee Ghassan Elashi: CAIR-TX Articles of Incorporation, September 29, 1998, Office of the Texas Secretary of State and "Holy Land and Infocom, Through the Years," *The Dallas Morning News*, February 22, 2003.

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York. Shortly after September 11, 2001, The New York Times printed an article featuring the school in which middle school children expressed their support for fighters of Islam and their willingness to follow in such fighters' footsteps.[17] *Additionally, The Islamic Development Bank sends hordes of money to countries on the State Department's list of state sponsors of terrorism.)*[18]

Saudi Arabia has set up other organisations which it claims are non-official. They are a conduit for Saudi government purposes and the Islamic charitable donations of Saudi individuals. They include:

World Association of Muslim Youth (WAMY). Based in Riyadh. Established in 1972. Purpose: "to serve the true Islamic ideology based on Tawheed, the Unity of God."[19] (Tawheed is a reference to the Wahhabi form of Islam, sometimes refered to in English as "unitarianism".) WAMY also co-ordinates Islamic youth organizations across the world.

WAMY's British website www.wamy.org.uk describes the organization as independent. The website says WAMY has a presence in 55 countries and associate membership with over 500 youth organizations around the world. The website says WAMY is recognized by the United Nations as a non-government organization (NGO) for its humanitarian and relief work in the Muslim world. Among the means to achieve the aims of WAMY are, according to the website, organizing haj and umra trips (pilgrimages to Mecca and Medina). According to the Saudi Arabian Information Resource, an official Saudi website, WAMY is responsible for building mosques and Islamic Centers across the globe. In 2002, WAMY constructed 28 mosques alone in Sudan.[20]

Until his death in a car crash in 2002, the secretary-general of WAMY was Dr Manea bin Hamad al-Juhani, a member of the Saudi consultative council, the main government advisory body whose members are appointed by the king. WAMY's president is Sheikh Saleh Al-Asheikh, the Saudi minister of Islamic affairs.[21] WAMY's treasurer in the US was at one time, Abdullah bin Laden, a brother of Osama bin Laden.

(Indian officials and the Philippine military have accused WAMY of funding terrorist groups and militant Islamists in, respectively, Kashmir and the Philippines. Romania Intelligence says WAMY operates as a Hamas front in the country.

At the November 2002 WAMY annual conference, held in Riyadh, an honored guest was Hamas leader, Khalid Mishal, who, at an Islamic conference earlier in 2002, praised suicide bombers and called for a religious ruling justifying suicide operations.[22]

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[17] "The 2 Worlds of American Muslim Teenagers," Susan Sachs, *The New York Times*, October 7, 2001.
[18] See www.isdb.org Special Assistance Programs.
[19] See WAMY website: www.wamy.org/islam/wamy.html
[20] "30/01/2002 WAMY Opens 28 New Mosques in Sudan," Jiddah, Saudi Arabia, available at www.saudinf.com/main/y3675.htm
[21] "Combating Terrorist Financing, Despite the Saudis," by Matthew Levitt. Policywatch 673, Nov 1, 2002. The Washington Institute for Near East Policy.
[22] Matthew Levitt, already cited.

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WAMY operations in the United States include disseminating hateful literature and Wahhabist propaganda to Islamic schools and Centers. Jamal Barzinji, who is listed as having offices at WAMY in Riyadh, is a prominent Wahhabi spokesman in North America.[23] Barzinji was an officer of at least three of the organizations whose Northern Virginia offices were raided by federal officials in March 2002 as part of Operation Green Quest.)

Saudi High Commission for Relief of Bosnia and Herzegovina. Founded in 1993 by Prince Salman, the governor of Riyadh province in Saudi Arabia and a full brother of King Fahd. Has reportedly spent more than $600m on mosques, schools, cultural centers and orphanages.

(A suspect arrested by Bosnian authorities in February 2002 for alleged involvement in an attempt to blow up the US embassy in Sarajevo, and subsequently handed over to US authorities, worked for the Saudi High Commission in Sarajevo. A computer confiscated from the Commission contained details of crop-dusters and pesticides.)

International Islamic Relief Organization (IIRO). An affiliate of the Muslim World League. Established in 1979. Based in Riyadh. "A major international organization largely financed by the Saudi Arabian Government. In the mid-1990s, the head of the MWL, who was appointed by King Fahd, was also chairman of the board of trustees of the IIRO, according to IIRO literature. The IIRO has offices in over 90 countries"[24] including in Virginia under the name of the International Relief Organization.[25]

(The IIRO was listed in a 1996 US government intelligence document as having connections with Osama bin Laden and various terror groups. Quoting a clandestine source, the document said "the IIRO helps fund six militant training camps in Afghanistan.

According to the Washington Post, the US arm of the IIRO (International Relief Organization) received $10 million from Saudi Arabia which was used to set up a company called Sana-Bell, that gave $3.7 million to BMI, a private Islamic investment company that "may have passed the money to terrorist groups."[26] The Council on American Islamic Relations in Washington, DC has received funds from the IIRO's U.S. office.)[27]

Al-Haramain. Headquartered in Riyadh. The Saudi Islamic affairs minister and WAMY president, Sheikh Saleh al-Asheikh, is also "superintendent of all foundation activities" for the al-Haramain Islamic foundation.

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[23] The International Institute of Islamic Thought, Articles of Incorporation, State of Virginia, June 25, 1985.
[24] Description comes from a CIA-produced intelligence document in 1996 that formed the basis for the May 9, 2003 Wall Street Journal story, "U.S. officials Knew of Ties Between Terror, Charities."
[25] See Articles of Incorporation for the International Relief Organization, (fictitious name document) obtained from the State of Virginia Corporation Records Department .
[26] "US links Islamic Charities, Terrorist Funding", Washington Post. August 20, 2003.
[27] IRS Tax Return Form 990, Council on American Islamic Relations for years 1995 and 1997.

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(In March 2002, a joint U.S.-Saudi order froze the accounts of the offices of al-Haramain in Bosnia and Somalia because of links to Egyptian and somali groups linked with al-Qaeda. By August 2002, the Bosnia office had re-opened, apparently after Saudi pressure on the Bosnia government.)

Benevolence International Foundation (BIF). Previously known as Lajnat al-Birr al-Islamiah (LBI). Founded in 1987 by a Saudi citizen, Sheikh Adil Abdul Galil Betargy. Branches in Saudi Arabia and Pakistan.

(According to the U.S Government, "one of the purposes of LBI was to raise funds in Saudi Arabia to provide support to the mujahideen then fighting in Afghanistan" and to provide "cover for fighters to travel in and out of Pakistan and obtain immigration status."

In December 2001, US authorities raided BIF's Chicago offices and found videos and literature glorifying martyrdom. In March 2002, Bosnian authorities searched BIF's Sarajevo offices and seized weapons, booby traps, false passports, and plans for making bombs. They also found an al-Qaeda organizational chart, notes on the formation of al-Qaeda by Osama bin Laden and others, and a list of wealthy sponsors from Saudi Arabia.[28]

In August 2003, the Syrian-born head of BIF in the US was sentenced to 11 years in prison after being convicted of fraud. Enaam Armaout had admitted diverting thousands of dollars from BIF to Islamic militants in Bosnia and Chechnya.)

Sultan bin Abdul Aziz Charitable Institution. An "independent" charity established by Prince Sultan, the Saudi defense minister and second deputy prime minister. Established in 1995. Purposes appear to be for work within Saudi Arabia.[29]

(The charity, named as the Prince Sultan Humanitarian Society, was listed in an August 2003 news report as attending a meeting of NGOs in Riyadh to develop "a comprehensive strategy for regional stockpiling of humanitarian relief materials and to discuss the reconstruction of war-torn Iraq".[30] *Other charities listed included the International Islamic Relief Organization, Human Appeal International and Qatar Charitable Society, all listed in a 1996 US Government intelligence document reporting links between Islamic charities and terror groups.*[31]*)*

King Fahd himself has made considerable donations across the world for the building of mosques, including in the United States, and the distribution of copies of the Koran.[32]

The direct involvement in charities by such senior members of the royal family as King Fahd, Prince Sultan and Prince Salman illustrate the difficulty of working out

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[28] "Combating Terrorist financing, Despite the Saudis", by Matthew Levitt, Policywatch 673, the Washington Institute for Near East Policy, November 1, 2002.
[29] www.arriyadh.com/English/organizations/charity_org/sultan_charity_org.htm
[30] "Prominent NGOs Set to Meet in October", Arab News, August 26, 2003
[31] Wall Street Journal, May 9, 2003, already cited.
[32] In the early 1990s King Fahd was reported to have sent one million copies of the Koran to the former Soviet Republic of Central Asia.

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where an individual prince's government role ends and his private activities begin. Many years of researching Saudi Arabia lead me to conclude that, although this is real question in the West, it is meaningless in Saudi Arabia. The Saudi royal family sees itself as owning Saudi Arabia. The revenues and assets of the kingdom are for it to spend as it thinks fit. The printing works in Mecca that produces copies of the Koran for distribution to pilgrims and across the world is government-owned and funded.

So, if a member of the royal family with an official government position wants to appear generous, he contributes to charity, probably with what we in the West would consider government money. If he wants to pay off Osama bin Laden so that al-Qaeda attacks elsewhere than in the kingdom, he uses government money.

The Saudi Arabian Government denies it has any role in aiding Islamic terrorism. It does not even admit to any carelessness in its responsibilities. Saudi spokesmen such as the Foreign Affairs Adviser to Crown Prince Abdullah, Adel al-Jubeir, are articulate in defending the kingdom from such charges. But a recent interview given by Adel al-Jubeir contains not only the usual denials and claims of being misrepresented but also what I know to be lies. I was told by senior British officials, within weeks of the men's arrests, that they were being tortured and were innocent of the bomb charges. I attach a transcript of this interview, given to the BBC in August. In claiming that recently released British expatriates had really been guilty of causing bomb explosions and had not been tortured while in Saudi custody, Adel al-Jubeir, has blown apart the rest of his defense of Saudi Arabia.

I conclude that the senior members of the Saudi royal family and individual Saudi citizens have different political aims and priorities than the United States Government. These aims and priorities can endanger US policies and citizens. The US must take action to protect its policies and citizens. It cannot rely on the co-operation of the Saudi Arabian Government to do this.

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Interview with the Adel al-Jubeir, Saudi foreign affairs adviser to the Crown Prince.
The World this Weekend.
Sunday, August 18, 2003-09-06 BBC Radio 4 1pm

BBC (Justin Webb): Why [are] the Saudis so unpopular in some quarters [in Washington]?

Adel al-Jubeir: We have become a political football. I have heard the most outrageous charges being leveled at Saudi Arabia, emanating from complete and total ignorance of Saudi Arabia by people who should know better.

BBC: At the end of the day though there was a Congressional report into the events of September 2001. Part of the report is, of course, state secret and the Saudis would like it not to be secret. But even the part that was public was pretty critical of Saudi Arabia. And it is reasonable, presumably, for people to say, well, the Saudis certainly haven't behaved perfectly in the recent past.

Adel al-Jubeir: If you look at the report and you look at the sections about Saudi Arabia that are not secret. You will find that there are lots of caveats. A lot of it is trying to connect dots that don't exist. If any one had tried to put together those dots involving any other country, people would throw them out of the room.

BBC: What about the wider charge. That the Saudis are simply being slow. They are dragging their feet in enacting the reforms that they have promised to enact?

Adel al-Jubeir: That's nonsense. I do not believe there is any other country in the world that has cooperated with the US as extensively as Saudi Arabia in tracking down terrorists.

BBC: Let me put this to you. You have a man who is interior minister, Prince Nayef who said after the attacks of September 11, 2001, that he thought it was the responsibility of Zionists. He sounds as if he is a person not fully on board.

Adel al-Jubeir: I don't think that that is a correct description of Prince Nayef. He is the interior minister. He is in charge of the security forces that are leading the war against terrorism. They have questioned thousands of people. They have arrested over 600 people. They have broken up a number of al-Qaeda cells in Saudi Arabia. These are not the actions of someone who is not on board.

But in any case we know who did 9/11. It was al-Qaeda. It was bin Laden. We know why he put 15 Saudis on the aeroplanes. Because he wanted to give this operation a Saudi face. To make it look like a Saudi operation.

BBC: What about the charge that we have heard that there is still financing of terrorism through a charity which has a very close relationship with the government: the International Islamic Relief Organization. What do you say to that?

Adel al-Jubeir: I think again in Saudi Arabia's case charges are leveled without proof. Where we have seen the evidence of Saudi involvement with terrorism, we have taken very strong action. We have shut down offices of charities outside Saudi Arabia and

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we have sent their names to the United Nations so that they will considered criminal organizations. We have audited our charities. The last thing we want to do is fund people whose objective is to murder us.

BBC: Part of all this, isn't it, is that the business of accepting that there is terrorism inside Saudi Arabia. Clearly recent events, the events of May, the car bombings, has made it obvious to everyone there is a terrorism problem in Saudi Arabia. This is, of course, very keenly felt in Britain where we have these six men who were accused of a terrorist offence, convicted, very recently sent back to Britain, pardoned. Do the Saudis now accept that might have been an Al-Qaeda bombing?

Adel al-Jubeir: No. What happened is that there was a series of explosions that were perpetrated by rival gangs who were involved in smuggling alcohol. We have the evidence. We have the proof. And we stand by it.

I don't expect that the men who were pardoned would come out and say: "Oh, Gee, the Saudis were really right. We were alcohol smugglers and we tried to shoot each other."

But for people to think that Saudi Arabia would try to pin charges on foreigners in order to hide a terrorism problem is preposterous.

BBC: Well, they say that not only were charges pinned on them but also they were tortured while they were in Saudi prisons.

Adel al-Jubeir: We deny that. Let them be examined by medical doctors and we will see. The King has the right to pardon people and he exercised that right. He felt it was in the best interests of the nation and in the best interests of our relations with Great Britain.

BBC: So they were let out for political reasons?

Adel al-Jubeir: They were pardoned. They were pardoned. When the King of Saudi Arabia pardons people it should not be a big deal. We are damned if we do and damned if we don't.

I do not believe that any other country in the world would be the subject to this unfair treatment, in particular in this country. And, unfortunately, in particular in England. Your press is not a fan of Saudi Arabia's and has never been a fan of Saudi Arabia's.

BBC: Let me finish with a wider point. Bring it back to America and your relations with America because clearly that is such a key relationship in the modern world. And it is a relationship that is under such great strain from both sides at the moment. Is your real difficulty with President Bush that he has set so much store by democracy and political freedom and you can't really come up with the goods?

Adel al-Jubeir: This notion that Saudi Arabia is opposed to democracy is ridiculous. Saudi Arabia is moving forward in terms of its own internal reforms at its own pace. We will take our country wherever our people want to take it.

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BBC: And is that in a democratic direction?

Adel al-Jubeir: Yes. Absolutely.

BBC: How soon?

Adel al-Jubeir: I cannot tell you how soon.

BBC: But are we talking decades?

Adel al-Jubeir: I think it will be a lot shorter than that. Whatever our people want.

BBC: A truly functioning democracy? That is an extraordinary thing for people to hear. With women having the vote?

Adel al-Jubeir: Whatever the people want, that's where the country will go.

BBC: And Saudi Arabia will continue to be in your view an ally of the US and an ally of whom the US can be proud:

Adel al-Jubeir: Yes, our country has been a friend and ally of the United States for over six decades. I do not believe that, with the exception of Great Britain, America has a stronger or closer ally than Saudi Arabia. The difference between us and many of America's other friends in the region is we pay are own way. And I think some people in this country have a problem with that.

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OPENING STATEMENT OF SENATOR JON KYL
CHAIRMAN, SENATE SUBCOMMITTEE ON TERRORISM, TECHNOLOGY, AND HOMELAND SECURITY

"TERRORISM: TWO YEARS AFTER 9/11, CONNECTING THE DOTS"

10 SEPTEMBER 2003

Tomorrow marks the second anniversary of the worst, most cold-blooded attacks on the United States since its founding. In his address to the nation this past Sunday, President Bush said that "We have learned that terrorist attacks are not caused by the use of strength; they are invited by the perception of weakness. And the surest way to avoid attacks on our own people is to engage the enemy where he lives and plans. We are fighting the enemy (abroad) so that we do not meet him again on our own streets, in our own cities."

The Terrorism subcommittee is gathered here today to do its part to ensure that Americans are not attacked again. Defense of our people and our way of life at home requires that law enforcement agencies, members of Congress and government at large take an offensive approach to trace the roots of terror and terrorist financiers overseas and here in the U.S. homeland. As this subcommittee heard in June from one expert witness, "Al Qaeda, murderous as it is, is but a symptom . . . of an underlying malignancy which is Islamic extremism."

To defeat this threat, we must improve our ability to "connect the dots" between terrorists and their supporters and sympathizers. We must understand their goals, their resources and their methods, just as well as they understand our system of freedoms and how to exploit them for their terrible purposes.

Despite the commendable accomplishments of our law enforcement community, our intelligence services, and the men and women in our military, notably the capture or termination of two-thirds of al-Qaeda's leaders, freezing $133 million in terrorist assets around the world, disrupting numerous terrorist cells and deadly attacks here in the United States -- and ending two terrorist-sponsoring regimes in Afghanistan and Iraq, our government still has a great deal of work to do to secure our country from real and pressing terrorist threats.

In earlier testimony, and again this weekend from the New York FBI Director, we have been told of the presence of active al-Qaeda cells in 40 states -- from cities like our Capital, to the plains of the heartland. Increasingly we are told how worried our officials are about what they continue to learn and what they have not yet uncovered.

Today's hearing is the second in a series of hearings to investigate the roots of terrorist ideology, terrorist support networks, and state sponsorship -- especially the continued financial support from Saudi Arabia -- estimated at billions of dollars per year for nearly 40 years -- and what the U.S. government can do to counter these terrorists and

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their supporters. Members of this Subcommittee heard testimony earlier this summer by David Aufhauser, General Counsel to the Treasury Department, who called the Saudi regime the "epicenter" of terrorist financing. Special Agent John Pistole, Acting Assistant Director for Counterterrorism for the FBI, who testified before Congress in late July, declared that the "jury (was) still out" on Saudi Arabia's promises to combat terrorist financing.

Saudi Arabia has a deep historical and symbiotic relationship with the radical Islamic ideology of Wahhabism. The Saudis continue aggressively to export this intolerant and violent form of Islam to Muslims across the globe, and to inculcate it in the major institutions of Islam worldwide. *The New York Times*, *The Washington Post* and others have recently reported on Wahhabi influence around the world – including in Iraq where terrorists are carrying out ruthless attacks against U.S. forces attempting to rebuild that country and killing countless other innocent men and women.

Equally disturbing is the presence of radical Islamist groups and cells here in the United States that often have the support financially, ideologically, and even diplomatically, of the Saudi regime. Contrary to popular opinion, the voice of moderate Muslims is not often heard here in Washington and across America. Instead, a small group of organizations based in the U.S. with Saudi backing and support, is well advanced in its four- decade effort to control Islam in America –from mosques, universities and community centers to our prisons and even within our military. Moderate Muslims who love America and want to be part of our great country are being forced out of those institutions.

The Wahhabi-backed extremists then denounce critics of Wahhabism and other forms of Islamist extremism as being racists and bigots.

This will not stand. Let us be very clear. We are not suggesting that Islam as a religion or its faithful believers are enemies of the United States, the West or modernity. However, a growing body of accepted evidence and expert research demonstrates that that the Wahhabi ideology, that dominates, finances and animates many groups here in the United States, indeed is antithetical to the values of tolerance, individualism, and freedom as we conceive these things. That ideology presents a clear and present danger to our Constitution and the principles of freedom enshrined by our Founding Fathers. Hence it is a threat to the security of secular liberal democracies such as the United States and indeed is engaged, on many levels, in a violent struggle against them, from Manila to Morocco, from India to Iraq, and from Jerusalem to Jakarta.

It threatens the progress and security of many countries with substantial Muslim populations, and in this sense too, our fight against this scourge is the fight of moderate Muslims for the preservation of their religion. And just as the US has fought to protect the Muslim peoples of the Balkans, Somalia, Kuwait and Afghanistan, so we will continue to help them defend their right to freedom.

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Today's hearing will bring these and other important issues facing the U.S. in the war on terror to light.

Our first witness today is Simon Henderson, a veteran journalist and respected expert on the Saudi Arabian royal family and related Middle East issues; he is currently with Saudi Strategies in London. Mr. Henderson will expose a history of activity in the Kingdom that has culminated in its current role in financing terror. He will outline a number of Saudi entities, some run by the government, that are involved in financing terror around the world.

Next, we will hear from Matthew Epstein, a terrorism expert and lawyer specializing in terror finance and Assistant Director with the Investigative Project here in Washington. Mr. Epstein will provide testimony on the network of American Muslim organizations -- the majority of which are recipients of the very Saudi largesse Mr. Henderson will outline. Mr. Epstein will highlight their long history of sympathy, coordination and support for terrorist groups. As an example he will focus on a group that we, here on the Hill, are very familiar with, namely the Council on American-Islamic Relations or CAIR. Members of the Council on American-Islamic Relations were invited to testify today on this important anniversary, an opportunity that this Subcommittee offered so that the organization could have its say about the serious allegations concerning its funding, ideology, leadership, and foreign and domestic networks. CAIR declined the Subcommittee's invitation. CAIR has submitted a statement for the record.

Matthew Levitt, a Senior Fellow in Terrorism Studies at the Washington Institute for Near East Policy, and a former FBI terror analyst, has submitted a written testimony as he is out of the country at a vital counterterrorism conference and unable to appear in person. The title of his statement is: "Subversion from Within, Saudi Funding of Islamic Extremist Groups: Undermining U.S. Interests and the War on Terror from Within the United States." Of special interest to me in his statement, Mr. Levitt gives examples of how Wahhabist organizations in the U.S. aim to disrupt anti-terrorism legislation.

While these groups often pay lip service to condemning terrorism in the abstract, they assiduously oppose virtually every effort broadly supported by the American people and this Congress to provide our law enforcement and intelligence communities the resources and tools needed to effectively understand, interdict, prosecute and thus prevent further terror acts.

Mr. Levitt notes that "the foreign funding of subversive domestic organizations (in the United States) linked to designated terrorist groups poses immediate dangers to the national security of the United States." Finally, Mr. Levitt touches on the subject for a future hearing: the constraints faced by US law enforcement and intelligence in terms of tools and powers, and a risk-averse culture -- including a disinterest or incapacity in strategic analysis of the terrorist opponent. This, when combined with the lack of foreign cooperation from putative allies, both in the Gulf and in Europe, "are a continuum of a larger issue," he says. "Namely, two years after the horrible events of September 11, 2001, our rhetoric still does not match our actions."

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As Senator Schumer said at the subcommittee's last hearing on this subject, "Mr. Chairman, by holding these hearings . . . you are doing what is necessary to ensure that we do not look back after the next terrorist attack and say, 'Why did we not stop it when we had the chance?' My worry is that the Saudis, and many in this administration, are not heeding these warning signs. My worry is, by not heeding these signs; we are once again letting those who hate freedom recruit disciples in our country that might potentially do us harm. My fear, Mr. Chairman, in conclusion is that if we do not wake up and take action now, those influenced by Wahhabism's extremist ideology will harm us in, as of yet, unimaginable ways."

Finally, I would like to thank Senator Feinstein for her hard work on this hearing.

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U S SENATOR PATRICK LEAHY

CONTACT: David Carle, 202-224-3693 VERMONT

Statement of Senator Patrick Leahy for the
Hearing of the Senate Judiciary Subcommittee on Terrorism, Technology and Homeland Security on
"Terrorism: Two Years After 9/11, Connecting the Dots,"
Wednesday, September 10, 2003

As we approach the somber anniversary of September 11, 2001, I want to take a moment to raise an issue of great importance to victims and survivors of those who were lost in the terrorist attacks two years ago.

Yesterday, I introduced the "September 11th Victim Compensation Fund Extension Act of 2003" to extend the pending deadline of the September 11 Victim Compensation Fund to December 31, 2004. I thank Senators Durbin, Schumer, Dodd, Lieberman, Clinton, Corzine and Lautenberg for joining me as original cosponsors of this legislation.

Along with Senator Daschle, Representative Gephardt, and others, I worked hard to create the 9/11 Fund over the objections of some in the Administration and Congress. We insisted that it be included in the legislation to bail out the airlines, which passed in the wake of the most devastating terrorist attacks on American soil. The current deadline for applying for compensation from the Fund is rapidly approaching, but it has become apparent that many of these distraught families need more time. To this point, just under a third of eligible families have applied.

Victim support groups have told me that they receive calls daily from individuals who understand that the deadline is approaching but cannot face the emotional pain of preparing a claim. Ken Feinberg, the Special Master for the Fund, has also commented that many victims are still too paralyzed by their grief to confront the logistical burden of filing a death claim.

In light of this painful reality, I believe it is appropriate to extend the deadline for filing applications to the Victims Fund to December 31, 2004 – an extension of just over a year. This extension would give grieving families additional time to mourn those who were lost and to overcome the emotional challenges of filing paperwork with the Victims Fund.

As the anniversary of the tragedy of September 11 approaches, victims' families have many burdens. They do not need this arbitrary deadline confronting them between September 11 and the year-end holidays. I urge my colleagues on this Subcommittee and

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http://leahy.senate.gov/

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on the full Judiciary Committee to support the "September 11th Victim Compensation Fund Extension Act of 2003."

Turning now to today's hearing, we will review what we have learned in the two years since the tragic events of September 11, 2001, and attempt to "connect the dots" in understanding how the attacks were planned and carried out. Connecting the dots means continuing to investigate and establish what U.S. Government agencies knew before September 11, and what was done with that information. We also need to learn more about who assisted the hijackers in formulating and executing their plans, whether such investigations lead us to a greater understanding of the operations of al Qaeda or to other sources of support for terrorism.

As everyone in this room is well aware, critical information about the role of the Government of Saudi Arabia before and after September 11, and its level of cooperation with U.S. law enforcement agencies, before and after, has not been revealed to the public. Despite an outcry from Republican and Democratic Senators alike for the release of information, the Administration has denied the public its right to know these crucial facts. This is most evident in the refusal of the Executive Branch to declassify all or part of the 28 pages relating to Saudi Arabia in the Joint Intelligence Committee report dated July 2003. Several of my colleagues on the other side of the aisle who have seen these pages, including Senators Shelby and Brownback, believe that almost all of the data in these pages can be released with no harm to national security. Even Saudi Arabia's ambassador to the United States has asked that these pages be declassified.

This reluctance to share information is, unfortunately, all too common in the current Administration. The independent commission on September 11, chaired by Thomas H. Kean, the former Republican Governor of New Jersey, spent six months this year trying to obtain data from Executive Branch agencies before Chairman Kean decided to go public with his frustrations. After he raised the issue in a public forum, cooperation from the Executive Branch increased. However, Chairman Kean said in August that certain government offices were still not supplying the commission with requested documents.

Similar frustrations have been felt by members of this Committee in our efforts to conduct thorough and constructive oversight. I worked closely with the Administration in the negotiations that produced the USA PATRIOT Act. At the time the Senate passed that bill, I made clear that this law, far more than most, would require close congressional oversight. I meant that. In the 18 months I served in chairing the Committee in the 107th Congress, I worked hard, and in a bipartisan manner, to reinvigorate the oversight activities of the Judiciary Committee, holding a series of hearings on FBI reform, on improving homeland defense, on the adequacy of law enforcement tools and law enforcement performance, and on preserving constitutional freedoms in the fight against terrorism. Last year, then-Majority Leader Lott blocked a bipartisan request from members of this Committee for funding to conduct an investigation. Our most acute challenges to effective oversight, however, stem from the Department of Justice. We have experienced delays of months and often more than a year in getting answers to letters and questions posed in an oversight capacity. When we receive answers, they are

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often unresponsive and require additional follow-up — an effort that is a drain on the resources of the Committee and a wholly unproductive use of time. It is quite difficult to "connect the dots" when information dribbles in through this cumbersome and inefficient process.

To be fair to the Department, I understand that its Legislative Affairs office has to respond to the requests of 100 Senators and 435 Representatives, and under such circumstances, it may be difficult to prioritize and respond quickly to requests. The Assistant Attorney General for Legislative Affairs, William Moschella, is well known to the members and staff of this Committee. We welcome him to his new position and look forward to maintaining the positive relationship we all built with him during his tenure on the staff of the House Judiciary Committee. I do not level my criticism at him.

That said, in my more than two decades on this Committee, I have never seen such a lack of responsiveness from the Department of Justice on oversight concerns than that which I have experienced from this Administration. Unfortunately, the reluctance to work with us stems from the top. Despite asking for and receiving new tools to fight terrorism, the Attorney General has made only rare and relatively brief appearances before this Committee to explain how such tools are being used.

Some pieces of information we have managed to learn in our oversight capacity do not inspire confidence. For example, on September 10, 2001, just a day before terrorists executed their horrific attacks on the World Trade Center and the Pentagon, Attorney General denied a request from the FBI to increase its budget for counter-terrorism. Other failures of law enforcement were detailed last October by the Joint Committee on Intelligence, such as the lack of communication between departments and agencies, delays in translating intercepted conversations, and the failure of authorities to track down individuals on watch lists who managed to slip over our borders.

I look forward to the testimony of today's witnesses and the subsequent discussion in this timely hearing. I hope this hearing brings us to a greater understanding of the events, challenges, and missteps leading up to the terrorist attacks two years ago.

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Subversion From Within:

Saudi Funding of Islamic Extremist Groups Undermining US Interests and the War on Terror from within the United States

Testimony of
Matthew A. Levitt, Senior Fellow in Terrorism Studies
The Washington Institute for Near East Policy

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INTRODUCTION

Well into the war on terrorism, Saudi Arabia continues to serve as the capital of international terrorist financing. Through groups like the Muslim World League (MWL), the International Islamic Relief Organization (IIRO), the al Haramain Islamic Foundation, as well as the Islamic Affairs Bureaus located at Saudi embassies and consulates worldwide, the Saudis continue to fund radical Islamic groups supportive of, or engaged in, international terrorism.

TIER 1: FINANCING TERRORISM

Some cases are both clearcut and extreme. For example, after his arrest in Indonesia on June 5, 2002, Omar al-Farouq, al-Qaeda's operational point man in Southeast Asia, told his interrogators that al-Qaeda operations in the region were funded through a branch of al-Haramain. *According to al-Farouq, "money was laundered through the foundation by donors from the Middle East."*[1]

In another case, Italian prosecutors revealed that "Syria has functioned as a hub for an al-Qaeda network" run out of Europe and linked to prominent al-Qaeda operative Abu Musab al-Zarqawi.[2] Transcripts of operatives' conversations - first revealed in the *Los Angeles Times* - "paint a detailed picture of overseers in Syria coordinating the movement of recruits and money" between cells in Europe and Ansar al-Islam training camps in northern Iraq. Moreover, one of the al Qaeda cell members arrested in Italy - a Somali - is suspected of funding the November 2002 al-Qaeda attack on Israeli tourists in Mombassa, Kenya, while another associate - a Moroccan - is an accused forger and admitted associate of members of the Hamburg cell connected with the September 11 attacks. *In one intercepted phone conversation, a senior al Qaeda operative is overheard assuring his subordinate about funding, saying, "Don't ever worry about money, because Saudi Arabia's money is your money."*[3]

Several charities definitively tied to international terrorism were either based or maintained branch offices in the United States, including the Muslim World League (MWL), the International Islamic Relief Organization (IIRO), the Benevolence International Foundation (BIF), the Global Relief Foundation (GRF), the Holy Land Foundation for Relief and Development (HLF), and others.[4]

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[1] Romesh Ratnesar, "Confessions of an Al-Qaeda Terrorist," Time.com, September 15, 2002. Available online at

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TIER 2: FINANCING TERROR SUPPORTERS

Other cases, like the activities of a host of purportedly political or social-activist groups operating in the United States, are far more subtle.

For example, the Council on American-Islamic Relations (CAIR), which says it was "established to promote a positive image of Islam and Muslims in America,"[5] was co-founded by Omar Ahmed, the same person who co-founded the Islamic Association for Palestine (IAP) – the Hamas front organization which first published the Hamas charter in English – together with Hamas leader and Specially Designated Terrorist Mousa Abu Marzouk. CAIR's pro-Hamas and pro-Hezbollah positions should not surprise, given that it regularly rises to the defense of terrorism suspects and openly supports designated terrorist groups. For example, CAIR is led by Nihad Awad, a former IAP employee who went on the record in 1994 as saying, "I am supporter of Hamas Movement."[6] Most recently, CAIR employee Randall "Ismail" Royer, was indicted for his role in a local Jihad network in Northern Virginia that trained in terrorist training camps in Pakistan affiliated with Lashkar-e-Taibah and conspired to fight Indian forces in Kashmir.[7] Royer is one of three CAIR officials who has been arrested and or indicted since September 11, 2001. On December 18, 2002, Ghassan Elashi, founding board member, CAIR-Texas, was arrested by US federal authorities on a number of charges including illegal exports, making false statements on export declarations, dealing in the property of designated terrorist, conspiracy and money laundering.[8] Mr. Elashi served as the chairman of the Holy Land Foundation, a Hamas front group that was shut down by US federal authorities in December 2001, and as vice president of Infocom, whose offices were raided one week before 9/11 by US investigators.[9] Bassem K. Khafagi, was arrested in New York, in late January 2003 for his alleged role in the terrorist funding group Islamic Assembly of North America, while serving as Community Affairs Director for CAIR.[10]

Mr. Awad's proud declaration of support for a designated Foreign Terrorist Organization (FTO) and Specially Designated Global Terrorist (SDGT) entity responsible for the deaths of American citizens and set on undermining any prospect of Arab-Israeli peace, is reminiscent of similar remarks by another prominent Muslim-American "activist." In 2000, American Muslim Council founder and former Executive Director Abdurahman Alamoodi announced at a rally outside the White House: "We are all supporters of Hamas. Allahu Akhbar! … I am also a supporter of Hezbollah."[11] After the President announced the closure of the HLF, which raised $13 million for Hamas in its last year of operation, the AMC condemned the action as "particularly disturbing … unjust and

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[5] http://www.cair-net.org/asp/aboutcair.asp

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counterproductive."[12] AMC's position was predictable, given that Alamoudi attended a conference of major Islamic terrorist groups in Beirut in January 2001.[13]

AMC's former director, Eric Efran Vickers, previously served as an incorporator and board member of the Islamic African Relief Agency (IARA), another suspected terrorist front organization.[14] At the State Department's request, the U.S. Agency for International Development (USAID) revoked two grants totaling $4.2 million to the IARA because of the group's ties to Sudan, a designated state sponsor of terrorism.[15]

Groups such has these are often invited to White House functions or receive other significant attention from US government officials. FBI Director Mueller addressed the AMC's convention, while Muzammil Siddiqi, then head of the Saudi-funded Islamic Society of North America (ISNA)[16] and before that an official of Saudi Arabia's psuedo-governmental MWL, appeared with the President both in the White House and at an interfaith service at the National Cathedral.[17]

Saudi diplomatic personnel stationed abroad play a critical role in the financing of radical Islamic organizations in the West, particularly the United States and Europe. A long list of Islamic extremists have been linked to the Saudi-funded al Nur Mosque in Berlin. One of them, Tunisian al Qaeda associate Ihsan Garnoaui, was believed to have been plotting an attack in Berlin. Muhammad Fakihi, chief of the Saudi embassy's Islamic Affairs Section in Berlin, confessed to doling out embassy funds according to the instructions of "close friends" of bin Laden.[18] Similarly, in May, Saudi diplomat Fahad al Thumairy was denied reentry into the United States for his links to terrorism. Like Fakihi in Berlin, Thumairy worked in the Islamic and Cultural Affairs section, this time at the Saudi consulate in Los Angeles.[19]

Indeed, while most disturbing in the Western societies that should be better prepared to defend against such subversion, foreign funded radical Islamic elements are found in all corners of the globe. To be sure, international investigations continue to tie Saudi charities to terrorist activity the world over. Around the same time Thumairy was denied reentry into the United States, Mauritanian officials carried out a series of arrests of Islamists. One group, which included religious leaders, was accused of "recruitment" and "subversive scheming." On May 27, at least 10 teachers at the Saudi-funded Arab and Saudi Islamic Institute in the capital, Nouakchott, were arrested. A total of 36 people were charged with "plotting against the constitutional order" and other offenses.[20]

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[12] American Muslim Council et al. "Freeze on Group's Assets Questioned by US Muslims." December 4.

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A day later, on May 28, Cambodia charged 3 men -- 2 Thais and an Egyptian -- with being members of the Jemaah Islamiyah and having links to al Qaeda, and prepared to deport another 50 Arab and African Islamists. Twenty-eight of the suspects were Islamic teachers associated with a Saudi-funded school. Prime Minister Hun Sen presided at a press conference announcing that his government's "investigation proves this group has received financial support from international terrorist groups. The funding mainly came out of Saudi Arabia." A few days later, 4 more Jemaah Islamiyah terrorists tied to the Cambodian network were arrested in Thailand, where they were reportedly plotting to bomb the American, British, Australian, and Singaporean embassies.[21]

Perhaps most shockingly, while the U.S. intelligence community has been aware of such activity for some time no U.S. administration has taken decisive action to counter this subversive activity. A recently disclosed 1996 CIA document shows that as early as 1994 Washington was warning that in 1992 Saudi nationals gave some $150 million to Islamic charities active in Bosnia and implicated in terrorism. Similarly, computer files uncovered in the March 2002 raids on the Benevolence International Foundation in Bosnia revealed a 1988 al Qaeda memorandum listing 20 Saudi financial backers described by bin Laden as "the Golden Chain."

THE PERIODIC PR BLITZ

Since Washington has failed to take Saudi Arabia and others to task for financing Islamic extremist organizations in the United States, it should not surprise that Riyadh has not taken American concerns about such developments seriously. Instead of taking measures to address these problems, the Saudis periodically enlist public relations experts like Qorvis Communications or Adel al-Jubeir (foreign policy advisor to Crown Prince Abdullah) to engage in a PR blitz.

In December 2002, for example, Jubeir presided over a Washington press conference and the release of a report announcing the "Initiatives and Actions Taken by the Kingdom of Saudi Arabia in the Financial Area to Combat Terrorism."[22] The majority of both the report and press conference echoed familiar sound bites ("Saudi Arabia has been a victim of terrorism"), while glossing over both the scope and severity of the problem of Saudi money financing international terrorism. While such smoke and mirrors were not new even then – Interior Minister Prince Nayef had only recently asserted the 9-11 attacks were the work of "Zionists," not "19 youths, including 15 Saudis"[23] – they do not instill confidence in the Saudi's stated commitment to combating terrorist financing within the Kingdom.

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frenetic financing of the full range of international terrorist groups, from Hamas to al Qaeda, emanating from within the Kingdom of Saudi Arabia and, more often than not, linked to official or semi-official government agencies and/or the royal family.

Unfortunately, this hope was short-lived. To be sure, a close look at the Saudi announcement should have indicated to observers that it was little more than a public relations maneuver, not a counterterror initiative. The Saudi announcement asserted the Kingdom has been at the forefront of "chok[ing] the financing of al-Qaeda," a spurious claim coming shortly after a Canadian intelligence report – among many other studies – which concluded that Saudi charities continue to funnel $1 to $2 million per month to al-Qaeda.[24] Recent congressional testimonies by high-ranking U.S. federal officials have confirmed Saudi Arabia's role in financing terrorism and its failure to stop it. On June 26, 2003, David Aufhauser, General Counsel to DOT, testified in front of the Senate Judiciary Subcommittee on Terrorism, Technology and Homeland Security. Senator Jon Kyl asked Aufhauser whether the "trail of money" in terrorist financing points to Saudi Arabia. Aufhauser replied: "In many cases it is the epicenter." When asked "Is the money from Saudi Arabia a significant source of funding for terrorism generally?" Aufhauser answered, "Yes. Principally al-Qaeda, but many other recipients as well." As recently as July 31, 2003, John Pistole, Acting FBI Director for Counterterrorism, testified in front of the Senate Government Affairs Committee. On Saudi efforts to stop terrorist financing, Pistole commented, "From our position the jury's still out on the effectiveness of what they (Saudis) have done. We simply have not seen the results of those initiatives from a terrorism financing perspective."

Despite such blue-ribbon studies as the Council on Foreign Relations' report on "Terrorist Financing"[25] – which described Saudi individuals and charities as "the most important source of funds for al-Qaeda" –the Saudi public relations blitz stuck to the empty theme of being "wrongly accused of being uncooperative or ineffective in combating terrorism."[26] In fact, the Saudis' lack of cooperation is well documented. For example, this particular Saudi PR blitz came on the heels of the Saudi's refusal to cooperate with German authorities investigating links between a Saudi diplomat in Berlin and Mounir Motassadeq, charged with more than 3,000 counts of accessory to murder in the 9-11 plot.[27]

Among the report's other half truths:

* In spite of all the public evidence to the contrary, al-Jubeir asserted, "we have not found a direct link or support from the Saudi charities to terrorist groups." In fact, the

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(IIRO), the Saudi High Commission for Aid to Bosnia, the Benevolence International Foundation, and many others.

* Al-Jubeir claimed that only three large non-governmental organizations based in Saudi Arabia operate internationally, but experts assess there are approximately 200 private charities in the Kingdom, "including 20 established by Saudi intelligence to fund the Mujiheddin that send some $250 million a year to Islamic causes abroad."[28] Saudi official sources report that 241 charities operate in the kingdom.[29]

* Al-Jubeir stressed the joint U.S.-Saudi designations of (1) the Somali and Bosnian offices of the al-Haramain Islamic Foundation, (2) and Saudi businessman and bin-Laden financier Wael Jalaidan, citing these as examples of Saudi cooperation in the war on terror. In fact, not only is the Bosnian office of al-Haramain reported to have since reopened, but the Saudis continue to turn a blind eye to al-Haramain's other links to international terrorism – such as its funding of the Southeast Asian Jamaah al-Islamiya cells behind the Bali and other attacks. In the case of Wael Jalaidan, Prince Nayef disavowed the joint designation almost immediately after the White House announced it, prompting a senior U.S. official to say, "The Saudi public statements in [the Jalaidan] case were nothing short of schizophrenic. Saudi Arabia is one of the epicenters of terrorist financing."[30] Moreover, in a Saudi Embassy Press Release on July 17, 2003, the Saudis "asked," rather than ordered, al-Haramain to "suspend activities outside Saudi Arabia until a security clearance mechanism to screen all personnel is implemented."[31]

* The Saudi announcement touted the seizure of $5 million and the designation of 2 organizations and 3 individuals as terrorist financiers – woefully small figures in light of FBI and Treasury estimates that "as much as $100 million has flowed from Saudi Arabia to terrorist organizations in recent yeaars."[32]

The Saudi announcement was careful to focus only on the possibility that, as a consequence of being "naïve in our giving," Saudis may have enabled "some" to "take advantage of our charity and generosity." While an improvement over statements like those Prince Nayef, who just a week earlier characterized allegations of Saudi officials financing terrorism "baseless fabrications,"[33] the statement completely ignored the not uncommon scenario in which funds are donated with the premeditated intention of financing terrorist groups. Take, for example, the cases of the Muwafaq and Benevolence International Foundations:

* The now defunct Muwafaq Foundation was run by Yassin al-Qadi, designated by both

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Qadi not only intentionally financed Hamas attacks through a U.S.-based front organization, he also established Muwafaq as a front organization through which wealthy Saudis forwarded millions of dollars to al-Qaeda. Muwafaq was endowed by Khalid bin Mahfouz, a former chief of the National Commercial Bank of Saudi Arabia and, like al-Qadi, a member of the Saudi elite close to the royal family.[34] A Boston area computer services company, Ptech, with sensitive U.S. government contracts was raided on December 6, 2002 after it was determined the firm was financed in large part by al-Qadi and bin Mahfouz.[35]

* Benevolence International was originally named Lajnat al-Birr al-Islamiah when founded by Saudi Shaykh Adil Abdul Galil Betargy with offices in Saudi Arabia and Pakistan. According to the U.S. government, "one of the purposes of LBI was to raise funds in Saudi Arabia to provide support to the mujahideen then fighting in Afghanistan" and to provide "cover for fighters to travel in and out of Pakistan and obtain immigration status." When the foundation's Sarajevo offices were raided in March, officials seized weapons, booby traps, false passports, plans for making bombs, and a list of the foundation's Saudi Arabian sponsors.[36]

In these cases, as in others, the organizations were not – per Jubeir's verbiage – infiltrated by "evil-doers," nor were innocently donated funds hijacked at some point along the way. If the Saudis are truly committed to combating terrorist financing from within the Kingdom, they need to acknowledge – and take steps to prevent – the intentional funding of radical and terrorist causes and organizations.

The Saudi pledge to curb money laundering through a "Permanent Committee" and to regulate charities through a "High Commission," both newly established entities, should be welcomed – albeit apprehensively. Despite official relationships with many of these charities, the Saudi regime has failed to date to curb their financial support for terrorism. The Saudi Minister of Islamic Affairs traditionally serves either as President or Secretary General of many of the most egregious examples of charities financing terrorism. In many countries (including the U.S.) funding for the IIRO ran through the Islamic Affairs Department of the local Saudi Embassy.[37] Testifying in his own deportation hearing, IIRO employee Mahmoud Jaballah described the Muslim World League as "the mother of IIRO," and "a fully government funded organization." "In other words," he continued, "I work for the Government of Saudi Arabia. I am an employee of that government."[38]

Beyond the more peripheral steps lauded in the Saudi announcement, like "plans to re-invigorate the joint Counter-Terrorism Committee with the United State (more of a

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relationship than an operational mechanism), the Saudi announcement included three tangible commitments which, if implemented in full, would have signal a welcome and marked departure from past practices. They are:

* Inviting the Financial Action Task Force on Money Laundering (FATF) – especially its Working Group on Terrorist Financing – into the Kingdom to conduct a "Mutual Evaluation" in April 2003;
* Establishing a Financial Intelligence Unit (FIU) to collect real-time financial intelligence on suspicious financial activity and share such information with local authorities and the 69 other FIU's operating internationally;
* Passing new "Know Your Customer" and suspicious activity reporting banking regulations.

While version of "know your customer" regulations have reportedly been set in place, it is not clear whether these include full-fledged suspicious activity reporting. Moreover, the Saudis have neither formed an FIU nor facilitated an outside evaluation by the FATF.

OTHER OBSTACLES TO COMBATTING FOREIGN FUNDED EXTREMISM

Though the Patriot Act provided U.S. authorities with long overdue tools and powers critical to countering this kind of threat, plenty of domestic problems persist and hamper our ability to address this threat to national security. Law enforcement and intelligence organizations, for example, remain short on experienced analysts (especially those with critical language skills such as Arabic, Farsi, Pashtu and more), lack technologically advanced databases and other computer tools frequently available on the open market, are still trying to establish smooth and seamless means of interagency communication that overcome the barriers of institutional culture, and often labor under management that is risk averse and often disinterested in strategic analysis.

America also suffers from a distinct lack of foreign cooperation from critical countries that are nominal allies, most critically the Gulf States, including not only Saudi Arabia but also Qatar, Kuwait, and the United Arab Emirates. Moreover, Europe's failure to date to list groups like Hezbollah as terrorist organizations does a tremendous service to the very radical Islamic groups and front organizations that are the targets of the war on terrorism. The EU only decided to add Hamas to its terrorist list week (until then only the Qassam Brigades, the group's military "wing," had been listed) in the wake of severe U.S. pressure after Hamas suicide bombings and Qassam missile attacks violated the supposed ceasefire.

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against [Palestinian] terror groups such as Hamas, to cut off their funding and support...."[39] Only now, after a new series of Palestinian terror attacks undermined the ceasefire, was the EU willing to consider taking action against Hamas.[40]

- Syria continues to be one of the world's chief state sponsors of international terrorism despite President Bush's June 24, 2002, demand that Syria "choose the right side in the war on terror."[41] Failure to hold Syria accountable for its support of international terrorism after repeatedly articulating this message has further diluted America's already diminished credibility in the eyes of men like Bashar al Assad.

- On September 24, 2001, shortly after the al-Qaeda attacks on New York City and Washington, DC, President Bush announced his administration's intention to combat terrorist financing worldwide, saying "if you support or sponsor [terrorists], you will not do business with the United States of America."[42] Yet despite the continuing evidence of Saudi complicity in financing terrorist groups, Department of State spokesman Philip Reeker told reporters on December 3, 2002, that "the United States is pleased with the continued cooperation we have received from the Government of Saudi Arabia in the Global War on Terrorism," and that "the United States is encouraged by Saudi efforts...in monitoring and countering the financing of terror."[43]

CONCLUSION

The foreign funding of subversive domestic organizations linked to designated terrorist groups poses immediate dangers to the national security of the United States. This much is clear: should the U.S. fail to adapt the culture of our law enforcement and intelligence community, to enact appropriate laws and procedures, and to commit the necessary resources and resolve, we will find the war on terror that much harder to fight, lasting that much longer in duration, and exacting that much higher and tragic a cost in human life.

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September 9, 2003

COUNTERTERRORISM POLICY PAPER ISSUED BY MUSLIM-AMERICAN ORGANIZATION

Washington, D.C. – Today in a national press conference the Muslim Public Affairs Council (MPAC) issued its second comprehensive U.S. Counterterrorism policy paper which reviews the Federal Government's policy and practices dealing with counterterrorism.

The report identifies significant policy failures as well as pinpointing constructive actions that need to be taken to strengthen our government's capacity to ensure our private freedoms and public safety.

"Our review of the government's response to the September 11, 2001 tragedy found many weaknesses in its approach and execution. We sought to contribute meaningfully by analyzing the situation, and put forth realistic, constructive recommendations for combating terrorism domestically and abroad," stated Salam Al-Marayati, executive director of MPAC.

"This study represents a serious, balanced and thoughtful look at the dilemmas faced by the U.S. in defining and conducting a war against terrorism in the Muslim world. It offers a serious critique of pitfalls and mistakes made so far. As the product of a leading Muslim American organization, this paper is well positioned to understand not only the complexities of Washington policy-making, but also the realities of politics and society in the Muslim world that must be recognized and taken fully into consideration before any war against terrorism can be ultimately successful," stated Graham Fuller former vice-chair of the National Intelligence Council at the Central Intelligence Agency and senior political scientist at RAND.

The report recommends that:

- Law enforcement, including the FBI, develop its community based policing methods. The paper provides specific tips to law enforcement at the state and national levels.
- The Federal government needs to involve Muslims in counterterrorism matters. Currently, there are no Muslims working on counterterrorism matters in the Departments of Defense, Justice, Homeland Security, State or Treasury.
- Terrorist designations by the U.S. Government should be made subject to judicial review before a permanent blocking order is rendered. Individuals and entities labeled by the President as "specially designated nationals" and "specially designated global terrorists" have no legal means for challenging those classifications.
- The U.S. should utilize foreign aid to promote economic reform, democratic development, and human rights in countries most affected by international terrorism.

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- Acts of terrorism should be consistently condemned and actions taken against perpetrators of acts of terrorism whether by state or non-state actors.
- Congress needs to conduct oversight hearings on the White House's National Strategy for Combating Terrorism.
- The Department of Treasury must establish an accreditation agency whose job it is to certify that U.S. charities are in compliance with the guidelines. This will put an end to the unwarranted seizing of funds that occurred unnecessarily to numerous Muslim charities.

Copies of the current report and digital photographs of the press conference are available by request.

MPAC is a progressive American Muslim organization dedicated to promoting an accurate portrayal of American Muslim values and views on national and state policy issues. For more information about MPAC visit http://www.mpac.org

MUSLIM PUBLIC AFFAIRS COUNCIL
Los Angeles | Washington

September 9, 2003

A REVIEW OF U.S. COUNTERTERRORISM POLICY:

American Muslim Critique & Recommendations

Quotes

General Brent Scowcroft

> "The Muslim Public Affairs Council's Counterterrorism Policy Paper is a serious and thoughtful document that should be read by all policy-makers. Counterterrorism analysis from an American Muslim perspective is critical to the decision-making process. I found the paper to be a serious and in-depth, the recommendations of which should be reviewed by the policy making community.

General Brent Scowcroft, former Assistant to the President for National Security Affairs to Presidents Ford and Bush. He also served as Military Assistant to President Nixon and as Deputy Assistant to the President for National Security Affairs to Presidents Ford and Nixon.

Graham Fuller

> "This study represents a serious, balanced and thoughtful look at the dilemmas faced by the U.S. in defining and conducting a war against terrorism in the Muslim world. It offers a serious critique of pitfalls and mistakes made so far. As the product of a leading Muslim American organization, this paper is well positioned to understand not only the complexities of Washington policy-making, but also the realities of politics and society in the Muslim world that must be recognized and taken fully into consideration before any war against terrorism can be ultimately successful."

Graham Fuller is former vice-chair of the National Intelligence Council at the Central Intelligence Agency and senior political scientist at RAND. His latest book is *The Future of Political Islam* (Palgrave, 200

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Presentation by Salam Al-Marayati, Executive Director of the Muslim Public Affairs Council
September 9, 2003
National Press Building

Two years after 9/11

Two years ago to this day, several representatives of American Muslim organizations arrived in Washington, DC to prepare for the first meeting with the President of the United States. The meeting was scheduled for 3 pm on September 11, 2001. By 9 am EST, it was clear that the meeting would be cancelled because America was struck by the worst terrorist attack in her history, and our lives after 9/11 would never be the same.

We are not here today to discuss civil liberties or to express grievances against our political opponents or even foreign countries who are violating the human rights of Muslims. We are here today to discuss America's national security initiatives, to review them, critique them as all responsible American citizens should, and finally to offer our recommendations that can enhance America's national security.

We want to put to rest the myth that American Muslims did not condemn 9/11. In fact, all of the condemnations against 9/11 by Muslims in America and those around the world are documented in Appendix A of MPAC's Counterterrorism Policy Paper. All of the statements by American officials speaking out against hostility towards Islam and Muslims are archived in Appendix B of the paper.

We, citizens and officials alike, are working together, determined to end the scourge of terrorism.

Terrorism and Extremism

The policy paper, entitled outlines three theoretical explanations of terrorism:
1) Terrorism's Root Causes--terrorism is unjust response to social, political and economic injustices;
2) Terrorism as a Strategic Choice—it is a strategy for small organizations that want to attract attention and impress audiences by terrifying them;
3) Terrorism as an ideology—terrorism becomes a way of thinking indoctrinating recruits subjected to cultures of incitement and taking on a psychology of hatred and prejudice.

Muslim extremism has three main components:
1) a sense of powerlessness that creates reactionary behavior and deepening mentality of victimization;
2) exploitation of legitimate grievances of Muslim masses, especially in Palestine, Iraq, Kashmir and Chechnya, as they point to double standards, where Jewish or Christian extremism and criminal behavior is not addressed, or even accepted, by international powers;
3) a distorted religious ideology that supports the clash of civilizations and promotes violence and hatred of anyone, even other Muslims, who disagree with extremist interpretation of religious texts.

The Moderate Voice

Muslim moderation is rooted in three important sources:
1) the Quran, which states in chapter 2, verse 143—We have willed you to be a community of moderation;
2) the reported words of the Prophet Muhammad (pbuh), admonishing the believers of Islam to avoid extremism either on the left or the right;
3) the hundreds of millions of voices of the Muslim masses who want cooperation not confrontation with the rest of the world, especially the United States.

The moderate Muslim voice calls for an end to terrorism, for rights of religious minorities (based on the Quranic injunction in chapter 2, verse 256—let there be no compulsion in matters of faith), for rights of Muslim women and for democratic reform.

Muslim moderation is sought out to replace the extremist voice as part of the strategy in the war on terrorism, but a troubling question is lingering in our American society: why are the moderate voices not heard? I have the same question. The moderate voice is transmitted every day by millions of Muslims, so why are they not received or amplified?

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Terminology

MPAC's policy position papers addresses the issue of Wahhabism. I will quote directly from the document: "Wahhabism represents an exceptionally austere and puritanical interpretation of Islam, one that rigidifies the faith by insisting that a constricted, literalist approach to the texts and traditions of Islam is the only "valid" perspective on Islam. In addition, Wahhabi scholars often exhibit considerable religious intolerance, particularly toward the Shi'aa and other Muslims they regard as "heterodox." However, the mast majority of the world's Muslims, including American Muslims, are neither Wahhabis or educated in Wahhabi schools. While it is true that Saudi financial support has exaggerated the influence of Wahhabi beliefs in many American mosques, Islamic schools and other Muslim institutions, American Muslim opposition to Wahhabism stems more from its influence on the intellectual freedom of the larger Muslim community than on any conviction that adherents of Wahhabism have an "automatic" propensity toward violence...While the Muslim Public Affairs Council (MPAC) rejects many of the ideas espoused by the doctrine of Wahhabism, it opposes any persecution of its adherents. MPAC also rejects attempts by those who seek to conflate the terms "Wahhabi" and "terrorist" or to label individuals as "Wahhabis" with the intention of smearing and defaming them for political reasons, as doing so would be akin to holding Baptism or Orthodox Judaism accountable for the intolerant views or violent actions of a handful of their adherents."

Islamism is also a term that is misunderstood and misplaced. Utilized as a fancy term for Muslim extremism, Islamism is used to label all Muslims as potential threats. For the war on terrorism to succeed or to be effective, however, focus and concentration must be placed on the sources of terrorism, not on 1 billion people.

Counterterrorism Efforts

Let me quote from an engraved statement on a building at FBI headquarters here in Washington, DC. We noticed it on our way to meet with the FBI Director, Robert Mueller, in May of this year. The quote is attributed to J. Edgar Hoover and it reads: "The most effective weapon against crime is cooperation...the efforts of all law enforcement agencies with the support and understanding of the American people." MPAC proposes community-based policing as the most effective means of fighting terrorism targeting America. Over the last two years, a healthy partnership developed between law enforcement and the American Muslim community. In an interview with FBI Director Mueller, which is also found as an appendix in the policy paper, he commends the American Muslim community for their contributions to counterterrorism in America.

Politics of Terrorism (as opposed to the policy on terrorism)

There remains a disturbing level of exclusion of American Muslims from the policy-making arena. To date, no American Muslim works on the policy-making level in the Department of Justice, the Pentagon, the State Department or the National Security Council on counterterrorism matters. It's not surprising that our government is deficient in cultural and linguistic interpreters for Muslim world affairs. It is also disconcerting that Homeland Security Secretary Tom Ridge has not responded to an invitation to meet with American Muslims, a request made in October 2001.

The Muslim moderate voice within the Bush Administration and on Capitol Hill has been distorted to mean passing a political litmus test in supporting the current foreign policy. The U.S. government has also mismanaged policy-making on several fronts. The Pentagon, for example, led in the rebuilding of Iraq, while the State Department was more equipped to lead in that task because of its collective knowledge of Muslim world dynamics and history. Now, Secretary Colin Powell is viewed as mopping up and then repairing relations with the international community after the US alienated members of the UN Security Council in its unilateral approach towards Iraq and claiming an al-Qaeda connection.

On the domestic front,while the FBI has done an exceptional job in outreaching to the American Muslim community, Attorney General John Ashcroft has promoted policies that have backfired in the war on terrorism. The INS registration process, for example alienated communities, including Persian Jewish and African and Hispanics, and accomplished nothing for the war on terrorism. The war on terrorism has at times been a surrogate for the war on immigration.

Recommendations

MPAC's policy paper provides many important recommendations for consideration to our decision-makers. The following is only a sample of these recommendations.

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1) Terminology--The US government should accept and apply one definition of terrorism. MPAC offers the following: Terrorism is any violent or threat of violent action targeting non-combatants to achieve political or military goals.
2) Law Enforcement—the US government should fortify the community-based policing model by sponsoring more community forums and building advisory committees in major American cities comprising both community based organizations and law enforcement agencies (MPAC participates in the DC Advisory Committee and continues a healthy open working relationship with the FBI office in Los Angeles). Law enforcement should provide more specific guidelines in detecting and preventing terrorist activity in America.
3) Foreign policy—the US government should be consistent in its policies in terms of human rights and democracy, especially in relations with US allies; American values should be reflected in our foreign policy; with respect to the Palestinian Israeli conflict, even-handedness is not official US policy, yet our government claims to be an honest broker in the conflict; finally, anti-American sentiment has become a global phenomenon, not limited to the Middle East, and resentment of US policies is building among NATO allies, Eastern Europe, and the Asian Pacific.
4) Charities—the US Treasury should provide assistance to American charities that strive for compliance to the new Treasury guidelines issued in November 2002; several charities, including non-Muslim charities, have complained that the Treasury department's guidelines are vague and inadequate; American Muslim charities and others who work in the Muslim world are vital to promoting a positive image of America to the rest of the world; it is disconcerting that American corporations have been granted legal and financial immunity in Iraq, for example, yet non-profit organizations have been shut down for providing aid to the Iraqi people in violation of the sanctions regime, especially when Saddam Hussein benefited more from corporate activity in Iraq than from non-profit activity.

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