



The Hamas Networks in America: A Short History

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October 2023



Program on
Extremism

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Washington, D.C. 20006
<https://www.extremism.gwu.edu>

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Executive Summary

- Hamas supporters have long operated in the United States. Internal Hamas documents and FBI wiretaps introduced as evidence in various federal criminal cases clearly show the existence of a nationwide Hamas network engaged in fundraising, lobbying, education, and propaganda dissemination dating back to the 1980s.
- The network formalized its existence in 1988, when it created the Palestine Committee in the US. The Committee's goals included "increasing the financial and the moral support for Hamas," "fighting surrendering solutions," and publicizing "the savagery of the Jews."
- The Palestine Committee spawned several public-facing organizations, most of which are based out of Chicago, Dallas, and Washington DC. They included the all-purpose Islamic Association for Palestine (IAP), the financial arm represented by the Occupied Land Fund (which later became the Holy Land Foundation, HLF), and the think tank United Association for Studies and Research (UASR).
- In 1993, the FBI wiretapped a meeting of top Hamas activists in the US held in Philadelphia. The wiretaps show internal discussions on how to improve activities in support of Hamas within the US and how to shield them from the designation of Hamas as a terrorist organization. US-based Hamas activists agreed that hiding their affiliation and intentions was the best tactic to avoid negative consequences. **"I swear by Allah that war is deception," said one senior leader, "[d]eceive, camouflage, pretend that you're leaving while you're walking that way. Deceive your enemy."** "Let's not hoist a large Islamic flag and let's not be barbaric-talking. We will remain a front so that if the thing [the U.S. government ban on Hamas] happens, we will benefit from the new happenings instead of having all of our organizations classified and exposed."
- Over the years, US authorities have conducted several activities to clamp down on the network, including deporting and prosecuting Hamas operatives and shutting down multiple front organizations. The 2001 designation of HLF and subsequent prosecution of part of its leadership for funneling approximately \$12.4 million to Hamas constitutes to date the largest successful terrorism financing prosecution in US history.
- Yet, US-based Hamas networks and individuals have displayed a remarkable resilience and many of the core activists of the Palestine Committee are still engaged in various forms of support (albeit at times purely political and not material) for Hamas.

Hamas in America

Individuals and networks providing various forms of support for Hamas have been active in America for decades.¹ Small numbers of Palestinians who belonged to Muslim Brotherhood networks in the Gaza Strip and the West Bank, in fact, arrived in the US since the 1960s to study at American universities or as immigrants/refugees (Hamas, as its charter states, is “one of the wings of the Muslim Brotherhood in Palestine”²).

Over time, from the official foundation of Hamas in 1987 onwards, this network increasingly organized itself, creating a relatively large set of public-facing organizations devoted to activities such as funding, lobbying, education and dissemination of propaganda. Since the US government first designated Hamas as a terrorist organization in 1997³, US authorities have conducted several activities to clamp down on this network, including deporting and prosecuting Hamas operatives and shutting down multiple front organizations.

Materials introduced as evidence by the government during these procedures represent an unique treasure trove of information on the otherwise extremely secretive network of Hamas operatives in America.⁴ Drawing largely from internal Hamas documents seized by the FBI and wiretaps of conversations among Hamas operatives conducted by the FBI and introduced as evidence during the 2007 terrorism financing trial of the Holy Land Foundation, a Texas-based charity U.S. authorities accused of financing Hamas⁵, this report seeks to outline the history and evolution of the Hamas network in the US from its early days.⁶

¹ For a history of Hamas, see Sara Roy, *Hamas and Civil Society in Gaza: Engaging the Islamist Social Sector* (Princeton University Press, 2013); Azzam Tamimi, *Hamas: A history from within* (Olive Branch, 2010); Matt Levitt, *Hamas: Politics, Charity, and Terrorism in the Service of Jihad* (Yale University Press 2006); Joas Wagemakers, *The Muslim Brotherhood: Ideology, history and descendants* (Amsterdam University Press, 2022).

² https://avalon.law.yale.edu/20th_century/hamas.asp

³ <https://www.state.gov/foreign-terrorist-organizations/>

⁴ Interview with Barry Jonas, trial attorney for the Department of Justice Counter-terrorism Section and prosecutor in the HLF case, Washington, June 2009. The most interesting documents, outlaying the history, structure, and aims of the Muslim Brotherhood in the United States were found by authorities in the home of Ismael Selim Elbarasse. Elbarasse, a resident of Annandale (Virginia), was detained in August 2004 by Maryland police after he and his wife were caught videotaping the Chesapeake Bay Bridge. Elbarasse is a close associate of Hamas leader Musa Abu Marzook.

⁵ *United States v. Holy Land Foundation et al.*, 3:04-cr-240 (N.D. Tex.). The documents are available at the NEFA Foundation’s website: <http://www.nefafoundation.org/hlfdocs.html>

⁶ This report draws heavily from a chapter in Lorenzo Vidino, *The New Muslim Brotherhood in the West* (Columbia University Press, 2010).

The Palestine Committee

In the months following the 1987 formation of Hamas, Muslim Brotherhood (MB) branches and offshoots throughout the world activated themselves to assist the newly formed organization.⁷ According to internal documents released in federal court, in 1988 the head of the Palestine Section of the MB in the Middle East traveled to the United States, where he met with fellow Muslim Brothers to seek their support.⁸ The result of the meeting was the formation of the Palestine Committee of the MB in America, a subgroup of the MB in the US made up mostly of members of Palestinian origin.

An October 1992 internal memorandum of the Palestine Committee clearly explained the MB's vision of the Israeli-Palestinian conflict:

.....Palestine is the one for which Muslim Brotherhood prepared armies – made up from the children of Islam in the Arab and Islamic nations to liberate its land from the abomination and the defilement of the children of the Jews and they watered its pure soil with their honorable blood which sprouted into a jihad that is continuing until the Day of Resurrection and provided a zeal without relenting making the slogan of its children “it is a Jihad for victory or martyrdom”....⁹

The document also called on the Committee to work to “increase the financial and the moral support for Hamas” to “fight surrendering solutions,” and to publicize and focus on “the savagery of the Jews.” Reflecting the traditional pyramidal structure of Brotherhood organizations, the Committee was composed of the heads of three U.S.-based organizations that had been set up to aid Hamas in Palestine: the general purpose Islamic Association for Palestine (IAP), the financial arm represented by the Occupied Land Fund (which later became the Holy Land Foundation, HLF), and the United Association for Studies and Research (UASR), a think tank. These three organizations, each operating in its field but all deeply interconnected, constituted the public face of the secret structure of the MB/Hamas in America.

As internal Palestine Committee documents obtained by the FBI confirm, IAP and HLF constituted the main entities of the public-facing, pro-Hamas machinery set up by Musa Abu Marzook, the head of the Palestine Committee.¹⁰ A native of the Gaza Strip who had obtained his doctorate in industrial engineering in Louisiana, during his time in the US Abu Marzook developed several personal networks and public organizations devoted to supporting Hamas in Palestine. Abu Marzook was eventually deported from the US in 1995 and during his deportation hearing admitted to being the head of Hamas political wing in the US. After leaving the US, Abu Marzook went on to become one of Hamas' most senior leaders, serving in the organization's political bureau and occupying the position of the bureau

⁷ Interview with former Muslim Brotherhood member, Boston, November 2008; Government's Trial Brief in United States v. Holy Land Foundation.

⁸ Government Exhibit 1B33/0003188 in United States v. Holy Land Foundation.

⁹ Government Exhibit 1B64/0000377-0000383 in United States v. Holy Land Foundation.

¹⁰ https://www.investigativeproject.org/case_docs/us-v-holy-land-foundation/2962/central-committee-organization-chart.pdf

deputy chairman from 1997 to 2014.

Abu Marzook was instrumental in the foundation and development of IAP. Chicago-based, IAP represented the MB/Hamas network's main spawn, overseeing a nationwide network that disseminated Hamas propaganda, raised funds and brought together old and new Hamas sympathizers. IAP was the brainchild of top Hamas leaders. It was founded in 1981 under the supervision of Khaled Meshal, who later became the head of Hamas' political bureau, a fact that highlights the importance of the US support network for Hamas. Abu Marzook, who was an IAP board member, was later given the task to boost IAP's reach and transferred \$150,000 to the organization and to HLF.

In typical MB fashion, IAP, HLF and other entities of the MB/Hamas network in the US were founded and operated by a small group of men who for the most part originated from the same towns in Palestine, had long known each other, were often tied to one another by kinship and/or business ties, and, most importantly, shared the same adherence to the MB/Hamas worldview. Evidence introduced by the federal government in the trial against HLF maps out some of the personal/kinship connections, particularly those between top Hamas leaders in Palestine and top officials of the MB/Hamas network in the US.

For example, HLF top fundraiser Mufid Abdelqader was the half-brother of head of Hamas' political bureau Khaled Meshal. Abdelqader and Meshal were the cousins of top HLF official Akram Meshal and the brothers of Mufida Abdelqader, who married the son of top HLF speaker and fundraiser for Hamas Mohammed Siam. A daughter of Siam, Raida, married Islam Siam, another HLF official.¹¹ Shukri Abu Baker was HLF President and CEO and the brother of Hamas leader Jamal Issa (Jamal Abu Baker).¹² He was also a member of IAP National's advisory board. Mousa Abu Marzook is the cousin of Mohammed El Mezain, who was HLF's Director of Endowments and his wife Nadia Elashi is the sister of Ghassam Elashi, HLF's Chairman of the Board, who also set up IAP in California.¹³

¹¹ https://www.investigativeproject.org/case_docs/us-v-holy-land-foundation/2301/hlfs-familial-relationships-to-hamas-leaders-overseas.pdf

¹² https://www.investigativeproject.org/case_docs/us-v-holy-land-foundation/2301/hlfs-familial-relationships-to-hamas-leaders-overseas.pdf

¹³ https://www.investigativeproject.org/case_docs/us-v-holy-land-foundation/2301/hlfs-familial-relationships-to-hamas-leaders-overseas.pdf

The Philadelphia Meeting

Since Hamas had not yet been designated as a terrorist organization by the U.S. government, the Committee and its organizations operated legally within the country, fundraising and propagandizing for Hamas without breaking the law. Things began to change in August of 1993, when PLO leader Yasser Arafat and Israeli Prime Minister Yitzhak Rabin signed the Oslo Peace Accords. The Palestine Committee went into fibrillation, strongly opposing the peace treaty and also fearing that Hamas could soon become the target of U.S. actions.

FBI officials, who had been keeping close tabs on members of the Committee, began to monitor alarmed conversations.¹⁴ Realizing the huge repercussions that the Oslo agreement could have had not only on the Israeli-Palestinian conflict, but also on their activities inside the United States, the members of the Committee decided to convene an extraordinary three-day meeting in Philadelphia. Held at a Marriott hotel near the city's airport, the closed-door meeting was attended by some twenty top leaders of the Hamas support network in the United States. Unbeknownst to the participants, the FBI had placed wiretaps inside the hotel, taping most of the conversations that took place behind the doors of the hotel's conference room. The transcripts of most conversations were introduced as evidence during the HLF trial.¹⁵

Attending the meeting were representatives of the three organizations making up the Palestine Committee. Following a common pattern, most of them were united by blood ties and lived in tight-knit communities in the three American cities that have traditionally hosted the largest clusters of Hamas supporters: Chicago, Dallas, and Washington D.C. IAP was represented by its president Omar Ahmed, its director of public relations Nihad Awad, and the head of its Washington office Akram Kharroubi, who would later become HLF's representative in Ramallah. HLF founder and president Shukri Abu Baker, whose brother Jamal was the head of Hamas in Sudan and later in Yemen, and Dallas-based treasurer Ghassan Elashi, whose cousin is married to Marzook, also attended.¹⁶

The meeting, which was organized with formalities resembling a board meeting of a large corporation, opened with instructions regarding security, as participants were urged to refer to Hamas as "Samah"—its name spelled backwards—or simply as "the movement" throughout the meeting and in phone conversations.¹⁷ Then the participants began condemning the Oslo Accords, which Omar Ahmed called a treaty "between infidels and infidels."¹⁸ While formulating a common position against the Accords was not difficult, the participants discussed ways to undermine them in the eyes of Americans. Fully aware

¹⁴ Interview with former FBI official, Washington, June 2009.

¹⁵ The wiretaps of the Philadelphia meeting were introduced as evidence in the 2007 Holy Land Foundation trial through dozens of separate documents, all publicly available (see NEFA Foundations' website: <http://www.nefafoundation.org/hlfdocs.html>). For a detailed summary of the wiretaps, see Josh Lefkowitz, "The 1993 Philadelphia Meeting: A Roadmap for Future Muslim Brotherhood Actions in the U.S.," NEFA Foundation report, November 15, 2007.

¹⁶ Superseding Indictment, in *United States v. Holy Land Foundation*.

¹⁷ Government Exhibit 016-0049, in *United States v. Holy Land Foundation*.

¹⁸ Government Exhibit 016-0071, in *United States v. Holy Land Foundation*.

of the environment in which they operated, some of the speakers stressed the necessity to frame their opposition to the peace treaty in terms that would have appealed to Americans.

“It does not benefit me to show to the American people that...I am against the accord because I hate Abou Ammar [Yasser Arafat] and hate the [Palestinian Liberation] Organization,” argued Shukri Abu Baker. Instead of “attack[ing] the [Palestinian Liberation] Organization in a personal and direct manner,” the Palestine Committee and its offshoots should speak about “democracy and freedom of expression,” concepts that are dear to most Americans.¹⁹ “Make people view the [Palestinian National] Authority as collaborators,” agreed Omar Ahmed, “an Authority which doesn't care for people's interests and the interest of the national rights and the people's.”²⁰ Another unidentified speaker further elaborated that the Committee members should be “playing a very important tune to the average American which is the issue of democracy, the issue of representation. When you tell an American individual that, ‘...this person is not elected. He is an oppressor...This is a dictatorial regime...’ Bring up Saddam Hussein's name...”²¹

The participants also discussed the future of their activities, aware they could no longer openly state their support for Hamas. Not only, they argued, was the U.S. government going to soon ban the group, but publicly siding with an organization that was advocating the rejection of the US-brokered peace and the use of violence would have been a public relations suicide. Abu Baker acknowledged that when talking to Americans, members of the cluster “cannot say...that I'm Hamas,” argued Abu Baker, because for the Americans “if you're against peace, you're a terrorist.”²² Another participant elaborated that the Committee “must formulate the position of the Palestinians and the Muslims here in America to support the resistance...That's a problem by itself. In the same time, not falling under the accusations of terrorism and those who harbor terrorism or tend to according to the American [definition]...This, really, is a true problem.”²³

The debate on how to re-organize the Committee's activities dragged on, as the participants argued over how to incite American Muslims to support Hamas and its means while still maintaining a façade of moderation with American authorities and media. “If you want to [talk to] the Americans, you lose the Muslims,” summarized the problem Ahmed, “if you address the Muslims, it means that you cannot reveal your address to the Americans.”²⁴ “If someone asked you if you want to destroy Israel, what are you going to say on TV? If you give an inconclusive response which is like you didn't answer the question, someone will come to you and tell you that you have forsaken your principles.”²⁵

Faced with two conflicting needs, the participants opted for a two-pronged approach that differentiated between its internal and external strategy. Within the Muslim community, agreed the participants, the

¹⁹ Government Exhibit 016-0087, in United States v. Holy Land Foundation.

²⁰ Government Exhibit 016-0051, in United States v. Holy Land Foundation.

²¹ Government Exhibit 016-0087, in United States v. Holy Land Foundation.

²² *Ibid.*

²³ Government Exhibit 016-0051, in United States v. Holy Land Foundation.

²⁴ Government Exhibit 016-0069, in United States v. Holy Land Foundation.

²⁵ *Ibid.*

Committee should maintain its support for Hamas undeterred, engaging in various activities to aid the organization. “In the coming stage, the most important thing we can provide,” said one speaker, “is to support Jihad in Palestine. I believe it is the only way if we want to bring the goals of the [Oslo peace] accord to fail.”²⁶ Fundraising among local Muslim communities was immediately identified as one of the key activities the group should have engaged in. The newly created Holy Land Foundation, in fact, was to collect funds for Hamas while giving the impression that it was destining them to orphans and needy children. “We give the Islamists \$100,000 and we give others 5,000,” stated Abu Baker, outlining how HLF could maintain the semblance of being a charitable organization and avoid scrutiny from authorities. HLF, he argued, needed to “maintain a balance,” avoiding attracting attention while “stay[ing] on its legal track as far as charitable projects are concerned without going after a sentiment which could harm the Foundation legally.”²⁷ Using these expedients, argue U.S. authorities, HLF officials collected and funneled to Hamas more than 12 million dollars until the charity was shut down in December 2001.²⁸

At the same time, argued meeting participants, the Committee should have engaged in an extensive effort to educate the American Muslim community, convincing them that the peace accords harmed the Palestinians and that Hamas was the only force worth supporting. Several participants argued that the Committee should have been particularly active in spreading this message among the youth. “We don’t want the children of the [American Muslim] community who are raised here in schools and in Islamic schools and non-Islamic schools to grow up surrendering to the issue of peace with Jews,” stated one unidentified speaker, “I mean, we don’t see in ten years the growing generation in America surrendering to peace with Jews. Therefore, there must be curricula and teaching materials which spread in Islamic schools and in weekend schools.”²⁹ Another speaker argued that the Committee should have used the annual conferences and the network of Islamic schools run by affiliated organizations such as MAS, ISNA, and ICNA to disseminate books and introduce speakers who could raise awareness over the need to support Hamas.

If the internal strategy of the Committee aimed at mobilizing the American Muslim community to support Hamas, meeting participants understood that they could also play an important role in aiding the group by influencing American public opinion and policymakers. Ahmed, in particular, stressed the need to increase the Committee’s “influence with Congress.” “This can be achieved by infiltrating the American media outlets, universities and research centers,” he continued, “it is also achieved by working with Islamic political organizations and the sympathetic ones such as...the American Muslim Alliance, such as the United Muslims of America, MPAC [*Muslim Public Affairs Council*]...if Muslims engage in political activism in America and started to be concerned with Congress and public relations we will have an entry point to use them to pressure Congress and the decision-makers in America.”³⁰

²⁶ Government Exhibit 016-0063, in *United States v. Holy Land Foundation*.

²⁷ Government Exhibit 016-0057, in *United States v. Holy Land Foundation*.

²⁸ Department of Justice press release on the sentencing of HLF leaders, May 27, 2009 (available at: <http://www.usdoj.gov/opa/pr/2009/May/09-nsd-519.html>).

²⁹ Government Exhibit 016-0067, in *United States v. Holy Land Foundation*.

³⁰ Government Exhibit 016-0075, in *United States v. Holy Land Foundation*.

The development of a carefully-crafted media strategy, defending Hamas without giving the impression of supporting violence, was deemed to be one of the most important aspects of the Committee's public relations campaign. Ahmed spoke of the need of "broadcasting the Islamic point of view in U.S. media," adding that "when Nihad appeared on CNN and talked in the way he spoke, this greatly reduces the severity of allegations of radicalism."³¹ Ahmed's statement referred to the appearance, a few weeks earlier, of IAP public relations director Nihad Awad on *CNN Crossfire*, when he advanced Hamas' point of view with words that were palatable to the American public.³² The media-savvy Awad followed up on Ahmed's words with a presentation on the media strategy, stressing the importance of "training and qualifying individuals in the branches and the communities on media activism through holding special courses on media," and highlighting the importance of writing op-eds in prominent American newspapers.³³ Awad's strategy has long been heeded by U.S.-based Hamas activists upon their return to the Middle East. In fact, over the last few years, former U.S. Palestine Committee head Musa Abu Marzook and former UASR director Ahmed Yousef, currently senior political adviser to Palestinian Prime Minister Ismail Haniya, have published several editorials in prominent American newspapers such as the *Washington Post*, the *New York Times*, and the *Los Angeles Times*, using tones that are quite different from those used in Arabic.³⁴

Discussions at the meeting made it clear that participants fully understood that, if within the Muslim community they had decided to openly and unabashedly support Hamas, when dealing with the general public and policymakers they needed to take a more nuanced position. "We can't, as an American organization, say we represent Samah [Hamas spelled backwards]," explained Omar Ahmed. "Can we go to the Congressman and tell him," he asked sarcastically "I am Omar Yehya [Ahmed], Chairman of the Union [IAP], Yassir Arafat doesn't represent me, but [Hamas spiritual leader Sheik] Ahmad Yasin does?" Other participants agreed that dissimulating the Committee's real aims and feelings when dealing with Americans was a necessary tactic. **"I swear by Allah that war is deception," said Abu Baker, "we are fighting our enemy with a kind heart. . . . Deceive, camouflage, pretend that you're leaving while you're walking that way. Deceive your enemy."** "I agree with you, **politics is a completion of war,**" said Ahmed, displaying a remarkable knowledge of Clausewitz. Ahmed further elaborated Abu Baker's position, comparing the deception the group was to use with the head fake used by basketball players: "He makes a player believe that he is doing this while he does something else."³⁵

Ahmed and Abu Baker's calls for dissimulation were heeded by other participants. One argued: "In my opinion, we must form a new organization for activism which will be neutral because we are placed in a corner, we are placed in a corner. It is known who we are, we are marked and I believe that there

³¹ *Ibid.*

³² *CNN Crossfire*, September 10, 1993.

³³ Government Exhibit 016-0069, in *United States v. Holy Land Foundation*.

³⁴ Ahmed Yousef, "Engage with Hamas: We Earned our Support," *Washington Post*, June 20, 2007; Ahmed Yousef, "Pause for Peace," *New York Times*, November 1, 2006; Mousa Abu Marzook, "Hamas' Stand," *Los Angeles Times*, July 10, 2007.

³⁵ Rob Dreher, "CAIR and Hamas," *Dallas Morning News*, August 8, 2007.

should be a new neutral organization which works on both sides.”³⁶ Another unidentified speaker agreed, highlighting the need for creating a new organization that will be “an official U.S. cover representing the Islamic community” and will also serve as a “cover for the existing organizations in case they got dissolved.”³⁷ Abu Baker further elaborated the idea, stating that the group “should start right now...begin thinking about establishing alternative organizations...whose Islamic hue is not very conspicuous.”³⁸

Abu Baker, worried about impending U.S. actions against Hamas and its support network inside the country, emphasized the need to camouflage the identity of the new organization the participants had decided to create. “Let's not hoist a large Islamic flag and let's not be barbaric-talking. We will remain a front so that if the thing [the U.S. government ban on Hamas] happens, we will benefit from the new happenings instead of having all of our organizations classified and exposed.” “I was telling our brother Aboul Hassan [Abdelhaleem Ashqar] about Al Aqsa Organization,” added Abu Baker, stressing the need to avoid Arabic names that could intimidate the public. “Why Al Aqsa Educational? When you go to Oxford they will ask you: ‘Sir, what is Aqsa?’ Make it the ‘Palestinian General Education Academy.’ Make yourself a big name like that and give it a media twinkle and there is no need for Al Aqsa, Al Quds, Al Sakhra and all that stuff.”³⁹

In order to be able to continue their activities in the United States, the participants agreed that a new organization with no evident ties to Hamas and operating in ways that would have made it appear as moderate in the eyes of Americans should have been founded. The amended bylaws of the Palestine Committee, drafted in 1991, had already similarly expressed the wish to establish one additional organization in the future. “It is hoped that it will become an official organization for political work and its headquarters will be in Washington, God’s willing,” argued the document. “It represents the political aspect to support the cause politically on the American front.”⁴⁰

Basing their judgment on ample evidence, U.S. authorities believe that organization to be the Council on American Islamic Relations (CAIR), which was founded in Washington D.C. a few months after the Philadelphia meeting.⁴¹ In fact, IAP president Omar Ahmed and public relations director Nihad Awad, both members of the Palestine Committee who had attended the Philadelphia meeting, became, respectively, CAIR’s Chairman Emeritus and Executive Director. Rafeeq Jabar, who had been IAP president, also became a founding director of CAIR, while former IAP’s employee Ibrahim Hooper became CAIR’s director of communications.⁴² Ghassan Elashi, the treasurer of the Holy Land Foundation, became the founding board member of CAIR’s Texas chapter, and, as evidence introduced

³⁶ Government Exhibit 016-0067, in *United States v. Holy Land Foundation*.

³⁷ Government Exhibit 016-0059, in *United States v. Holy Land Foundation*.

³⁸ Government Exhibit 016-0067, in *United States v. Holy Land Foundation*.

³⁹ *Ibid.*

⁴⁰ Government Exhibit 1B64/0000377-0000383 in *United States v. Holy Land Foundation*.

⁴¹ FBI Special Agent Laura Burns testimony in the HLF trial, quoted in Jason Trahan, “FBI: CAIR Is a Front Group, and Holy Land Foundation Tapped Hamas Clerics for Fundraisers,” *Dallas Morning News*, October 7, 2008.

⁴² Text from Lawsuit Response, in *Council on American-Islamic Relations, Inc. v. Andrew Whitehead*, no. CL04-926, Virginia: In the Circuit Court for the City of Virginia Beach, Apr. 30, 2004.

in the Dallas trial showed, HLF also transferred funds to CAIR for “consulting services.”⁴³ Finally, a July 1994 internal memorandum of the Palestine Committee recognized CAIR, together with IAP, UASR and HLF, as a part of the Committee.⁴⁴

⁴³ Check from the Holy Land Foundation to CAIR introduced as evidence in *United States v. Holy Land Foundation*; Testimony of Matthew Epstein before the United States Senate Judiciary Committee, Subcommittee on Terrorism, Technology, and Homeland Security, September 10, 2003; CAIR’s website: <http://www.cair.com/PDF/urbanlegends.pdf>.

⁴⁴ Government Exhibit 1B64/0000412 in *United States v. Holy Land Foundation*.

The Evolution of the Network

Over the years, as said, the US government conducted several counterterrorism operations against the Hamas support network in the US. Among the most sophisticated ones is the set of measures taken against the Holy Land Foundation. HLF was designated as a terrorist organization on December 4, 2001, and its assets frozen. The action led to the criminal prosecution of a large part of HLF's leadership. After complex legal vicissitudes, in 2008, five of them were convicted of collecting approximately \$12.4 million in support to a designated terrorist organization (Hamas). They received sentences up to 65 years of prison.⁴⁵ The case constitutes, to date, the largest successful terrorism financing prosecution in US history.

Yet, just a few months after HLF's 2001 designation, the same US-based Hamas network had launched a new charity, the Toledo, Ohio-based Kindhearts for Charitable Humanitarian Development (Kindhearts). In 2006, the Treasury Department froze Kindhearts' assets, pursuant to evidence that it also provided support for foreign terrorist organizations.⁴⁶ The Treasury Department claimed that the organization was fundraising for Hamas-affiliated entities in the West Bank and Lebanon "behind the façade of charitable giving."⁴⁷ In addition, the Treasury Department believed that Kindhearts was the "progeny" of HLF, as "KindHearts leaders and fundraisers once held leadership or other positions with HLF."⁴⁸

The HLF-Kindhearts incident is telling of a larger dynamic, which is the ability of the US-based Hamas network to regenerate itself and continue its activities under new guises. Similarly, in fact, many of the members of the Palestine Committee and participants of the 1993 Philadelphia meeting have over the years created new structures to provide support to Hamas. While some of them focus on fundraising, others have concentrated on more political and educational efforts (which, due to their nature, are more difficult to fall under the provisions of material support to a terrorist organization and therefore trigger criminal charges).

⁴⁵ Department of Justice press release on the sentencing of HLF leaders, May 27, 2009 (available at: <http://www.usdoj.gov/opa/pr/2009/May/09-nsd-519.html>).

⁴⁶ *Ibid.*

⁴⁷ *Ibid.*

⁴⁸ *Ibid.*



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